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BY SEN. FISCHER BY REQUEST

1 IN THE SENATE

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SENATE BILL NO. 404

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IN THE LEGISLATURE OF THE STATE OF ALASKA

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SIXTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6 For an Act entitled: "An Act relating to exemptions from registration
7 requirements for certain contractors and from licens-
8 ing requirements for certain electrical workers."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 08.18.161 is amended to read:

11 Sec. 08.18.161. EXEMPTIONS. This chapter does not apply to:

12 (1) an authorized representative of the United States
13 government, the State of Alaska, or a political subdivision or agency
14 of the state;

15 (2) an officer of a court when acting within the scope of
16 office;

17 (3) a public utility operating under the regulations of the
18 Alaska Public Utilities Commission [PUBLIC SERVICE COMMISSION] in
19 construction, maintenance, or development work on a system owned and
20 operated by the utility [INCIDENTAL TO ITS OWN BUSINESS];

21 (4) a construction, repair or operation incidental to the
22 discovering or producing of petroleum or gas, or the drilling, test-
23 ing, abandoning or other operation of a petroleum or gas well or a
24 surface or underground mine or mineral deposit when performed by an
25 owner or lessee;

26 (5) the sale or installation of finished products, mate-
27 rials or articles of merchandise that [WHICH] are not actually fabri-
28 cated into and do not become a permanent, fixed part of a structure;

29 (6) construction, alteration, or repair of personal

1 property;

2 (7) construction, alteration, or repair carried on within
3 the boundaries of a site under legal jurisdiction of the federal
4 government;

5 (8) a person who only furnished materials, supplies or
6 equipment without fabricating them into, or consuming them in the
7 performance of, the work of the contractor;

8 (9) work on one project under one or more contracts, the
9 aggregate contract price of which for labor and materials and all
10 other items is less than \$10,000, this work being considered as of a
11 casual, minor, or inconsequential nature; this exemption does not
12 apply when the work is only a part of a larger or major operation,
13 whether undertaken by the same or a different contractor, or when the
14 work is divided into contracts of amounts less than \$10,000 for the
15 purpose of evasion of this chapter or otherwise; this exemption does
16 not apply to a person who advertises or puts out a sign or card or
17 other device which might indicate to the public that the person is a
18 contractor, or that the person is qualified to engage in the contract-
19 ing business; a contractor who performs work priced at \$2,500 or more,
20 under this exemption, shall nevertheless keep in force public liability
21 and property damage insurance with coverage in at least the amounts
22 set out in AS 08.18.101;

23 (10) an owner who contracts for a project with a registered
24 contractor;

25 (11) a person working on that person's own property, whether
26 occupied by the person or not, and a person working on that person's
27 own residence, whether owned by the person or not;

28 (12) an owner or tenant of commercial property who uses the
29 owner's or tenant's own employees to do maintenance, repair and

1 alteration work upon that property;

2 (13) an owner who acts as the owner's own contractor and in
3 doing so hires workers on an hourly basis, hires subcontractors,
4 purchases materials and as such, sees to the paying for all labor,
5 subcontractors and materials; in this case, the owner shall be limited
6 to construction of one home, duplex, triplex, four-plex, or one com-
7 mercial building per year;

8 (14) a person performing construction work incidental to
9 farming, dairying, agriculture, horticulture, stock or poultry rais-
10 ing, mining, logging, fishing, clearing or other work upon the land in
11 rural districts for fire prevention purposes, or access road building,
12 unless the person is a licensee.

13 * Sec. 2. AS 08.40.190(a) is amended to read:

14 (a) AS 08.40.010 - 08.40.200 does not apply to any utility or
15 municipality engaged in

16 (1) electrical construction and maintenance of electrical
17 wiring for the generation and distribution of electrical current where
18 the wiring is an integral part of a system owned and operated by that
19 utility or municipal light and power department;

20 (2) the installation, operation, maintenance, or repair of
21 telephone, telegraph, signal, or communication systems when the work
22 is performed by the employees of that utility and the system is owned
23 and operated by the utility.

24 * Sec. 3. Notwithstanding the amendment to AS 08.40.190(a) made by
25 sec. 2 of this Act, an employee of a public utility who is engaged in work
26 that is exempted from regulation under AS 08.40 before the effective date
27 of this Act but that is subject to regulation under AS 08.40 after the
28 effective date of this Act may continue to perform the work without meeting
29 the licensing requirements until the date on which the results of the first

1 licensing examination for electrical administrators held after the effec-
2 tive date of this Act are released.