

**CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 192(STA)**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**EIGHTEENTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE STATE AFFAIRS COMMITTEE**

**Offered: 4/5/93**  
**Referred: Judiciary, Finance**

**Sponsor(s): REPRESENTATIVE MULDER**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to construction contractors."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 \* **Section 1.** AS 08.18.051 is amended by adding new subsections to read:

4 (d) A person may not advertise for work in the state as a contractor unless the  
5 person has a current certificate of registration issued by the department under  
6 AS 08.18.011 for the type of contractor activity being advertised.

7 (e) In addition to the other requirements of this section, a contractor who  
8 advertises for work in the state by using a print or broadcast medium shall provide the  
9 publisher or producer of the medium with proof of the validity of the contractor's  
10 certificate of registrations. In this subsection, "print or broadcast medium" does not  
11 include

12 (1) newspapers, magazines, journals, and other types of print media that  
13 are produced outside the state for distribution in more than one state; or

14 (2) broadcasts that originate outside the state.

1 (f) In this section, "advertise" includes  
2 (1) the issuance of a card, sign, or device to a person;  
3 (2) the causing, permitting, or allowing of a sign or marking on or in  
4 a vehicle or a building or other structure; and  
5 (3) a notice in a directory.  
6 \* Sec. 2. AS 08.18.141(a) is repealed and reenacted to read:  
7 (a) Except as provided by AS 08.18.119, a person who violates a provision of  
8 this chapter is guilty of a violation. Notwithstanding AS 12.55.035(b) and (c), the  
9 maximum fine for each violation is \$10,000.  
10 \* Sec. 3. 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 government, the  
13 State of Alaska, or a political subdivision or agency of the state;  
14 (2) an officer of a court when acting within the scope of office;  
15 (3) a public utility operating under the regulations of the public service  
16 commission in construction, maintenance, or development work incidental to its own  
17 business;  
18 (4) a construction, repair, or operation incidental to the discovering or  
19 producing of petroleum or gas, or the drilling, testing, abandoning, or other operation  
20 of a petroleum or gas well or a surface or underground mine or mineral deposit when  
21 performed by an owner or lessee;  
22 (5) the sale or installation of finished products, materials, or articles of  
23 merchandise that [WHICH] are not actually fabricated into and do not become a  
24 permanent, fixed part of a structure;  
25 (6) construction, alteration, or repair of personal property;  
26 (7) a person who only furnished materials, supplies, or equipment  
27 without fabricating them into, or consuming them in the performance of, the work of  
28 the contractor;  
29 (8) work on one project under one or more contracts, the aggregate  
30 contract price of which for labor and materials and all other items is less than \$5,000  
31 [\$10,000], this work being considered as of a casual, minor, or inconsequential nature;

1 this exemption does not apply when the work is only a part of a larger or major  
2 operation, whether undertaken by the same or a different person [CONTRACTOR],  
3 or when the work is divided into contracts of amounts less than \$5,000 [~~\$10,000~~] for  
4 the purpose of evasion of this chapter or otherwise; this exemption does not apply to  
5 a person who advertises or puts out a sign or card or other device that [WHICH]  
6 might indicate to the public that the person is a contractor, or that the person is  
7 qualified to engage in the contracting business; a person [CONTRACTOR] who  
8 performs work priced at \$2,500 or more, under this exemption, shall nevertheless keep  
9 in force public liability and property damage insurance with coverage in at least the  
10 amounts set out in AS 08.18.101;

11 (9) an owner who contracts for a project with a registered contractor;

12 (10) a person working on that person's own property, whether occupied  
13 by the person or not, and a person working on that person's own residence, whether  
14 owned by the person or not;

15 (11) an owner or tenant of commercial property who uses the owner's  
16 or tenant's own employees to do maintenance, repair, and alteration work upon that  
17 property;

18 (12) an owner who acts as the owner's own contractor and in doing so  
19 hires workers on an hourly basis, hires subcontractors, purchases materials, and, as  
20 such, sees to the paying for all labor, subcontractors, and materials; in this case, the  
21 owner shall be limited to construction of one home, duplex, triplex, four-plex, or one  
22 commercial building per year;

23 (13) a person performing construction work incidental to farming,  
24 dairying, agriculture, horticulture, stock or poultry raising, mining, logging, fishing,  
25 clearing, or other work upon the land in rural districts for fire prevention purposes, or  
26 access road building, unless the person is a licensee.