

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 249(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 4/20/93

Referred: Rules

Sponsor(s): REPRESENTATIVE G.DAVIS

A BILL

FOR AN ACT ENTITLED

1 "An Act reestablishing the Board of Electrical Examiners and extending the
2 termination date of the Board of Mechanical Examiners; relating to electrical and
3 mechanical administrators; and providing for an effective date."

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

5 * **Section 1.** AS 08.03.010(c)(15) is amended to read:

6 (15) Board of Mechanical Examiners (AS 08.40.220) - June 30, 1996
7 [1992];

8 * **Sec. 2.** AS 08.03.010(c) is amended by adding a new paragraph to read:

9 (25) Board of Electrical Examiners (AS 08.40.011) - June 30, 1995.

10 * **Sec. 3.** AS 08.40.011(a) is amended to read:

11 (a) There is created the Board of Electrical Examiners consisting of three
12 members appointed by the governor, subject to confirmation by the legislature,
13 including a [, TWO OF WHOM ARE] licensed electrical administrator, a
14 professional engineer registered under AS 08.48, [ADMINISTRATORS] and [ONE

1 OF WHOM IS] a public member.

2 * Sec. 4. AS 08.40.011 is amended by adding a new subsection to read:

3 (c) Notwithstanding AS 08.01.035, the members of the board shall serve
4 staggered terms of three years.

5 * Sec. 5. AS 08.40.090(a) is amended to read:

6 (a) A person may not act as an electrical administrator in the state without a
7 license issued by the department unless the person is

8 (1) registered as a professional engineer under AS 08.48; or

9 (2) covered by an exclusion under AS 08.40.190.

10 * Sec. 6. AS 08.40.135(b) is amended to read:

11 (b) A lapsed license may be reinstated upon proof of continued competency,
12 and by payment of all unpaid renewal fees and any penalty fee established under
13 AS 08.01.100(b), unless the license has been lapsed for more than four [TWO] years.
14 If a person's license has been lapsed for more than four [TWO] years, the person is
15 required to take an examination under AS 08.40.120.

16 * Sec. 7. AS 08.40.180 is amended to read:

17 Sec. 08.40.180. VIOLATION OF AS 08.40.010 - 08.40.200. A person who
18 knowingly violates AS 08.40.005 - 08.40.200, or who knowingly violates a valid rule,
19 regulation, or order of the board, is guilty of a violation [MISDEMEANOR, AND
20 UPON CONVICTION IS PUNISHABLE BY A FINE OF NOT MORE THAN \$300,
21 OR BY IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR BY BOTH].

22 * Sec. 8. AS 08.40.220(a) is amended to read:

23 (a) There is created the Board of Mechanical Examiners consisting of three
24 members, including a licensed mechanical administrator, a professional engineer
25 registered under AS 08.48, and a public member [. EACH MEMBER OF THE
26 BOARD SHALL RESIDE IN A DIFFERENT JUDICIAL DISTRICT OF THE
27 STATE. TWO MEMBERS OF THE BOARD SHALL BE LICENSED
28 MECHANICAL ADMINISTRATORS AND ONE MEMBER SHALL BE A PUBLIC
29 MEMBER. ONE OF THE LICENSED MECHANICAL ADMINISTRATOR
30 MEMBERS OF THE BOARD SHALL BE A RESIDENT OF A COMMUNITY
31 WITH A POPULATION OF LESS THAN 5,000 PERSONS].

1 * Sec. 9. AS 08.40.260(a) is amended to read:

2 (a) A person may not act as a mechanical administrator without a license
3 unless the person is

4 (1) registered as a professional engineer under AS 08.48; or

5 (2) covered by an exclusion under AS 08.40.390.

6 * Sec. 10. AS 08.40.380(a) is amended to read:

7 (a) A person who knowingly violates AS 08.40.210 - 08.40.490, or who
8 knowingly violates a regulation or order of the board or the department, is guilty of
9 a violation [MISDEMEANOR, AND UPON CONVICTION IS PUNISHABLE BY A
10 FINE OF NOT MORE THAN \$300, OR BY IMPRISONMENT FOR NOT MORE
11 THAN 60 DAYS, OR BY BOTH].

12 * Sec. 11. AS 08.40.130, 08.40.280, and 08.40.380(b) are repealed.

13 * Sec. 12. EXEMPTION FROM AS 44.66.050(e). This Act is exempt from
14 AS 44.66.050(e) to the extent that AS 44.66.050(e) provides that no more than one board may
15 be continued or reestablished in a legislative bill.

16 * Sec. 13. TRANSITION. (a) Except to the extent that they are inconsistent with this Act,
17 the regulations of the Board of Electrical Examiners that were in effect on June 30, 1992, shall
18 govern licensing by the Board of Electrical Examiners reestablished under this Act until the
19 regulations are amended or repealed by the board.

20 (b) Notwithstanding AS 08.40, as amended by this Act, or the terms of a license, the
21 license of an electrical administrator that is valid on July 1, 1993, remains valid until
22 December 31, 1993, or until revoked or suspended by the Board of Electrical Examiners,
23 whichever occurs earlier, if the licensee submits an application for license renewal to the
24 board before August 1, 1993.

25 (c) Notwithstanding AS 08.40.220(a), as amended by sec. 8 of this Act, the members
26 of the Board of Mechanical Examiners who hold office on June 30, 1993, retain their
27 membership on the board until the expiration of their terms, their resignation, or their removal
28 by the governor, whichever occurs earlier. After June 30, 1993, the governor shall make
29 appointments to the board as vacancies occur so that AS 08.40.220(a), as amended by sec. 8
30 of this Act, is implemented expeditiously.

31 * Sec. 14. This Act takes effect June 30, 1993.