

HB

1031

COMMITTEE REPORT
SENATE

FURTHER: None

5/14/80

Date: May 20, 1980

Mr. President:

The Committee on COMMERCE has had CSHB 1031

continuing the existence of the Board of Electrical Examiners, and amending the statutes relating to the powers and duties of the board

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for CSHB 1031 same title
 new title
- and recommends _____
- AND attaches a "letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Brad Bradley

John H. ...

...

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Tom Kelly, No Rec

Brad Bradley
CHAIRMAN

Bill No.

Senate Bill 566

Date

May 5, 1980

Title

"An Act continuing the existence of the Board of Electrical Examiners and amending the laws relating to the licensing of electrical administrators and to electrical safety."

Contact:

Judy DuBois
465-2700
Dale Cheek
465-4870

If the law requiring certificate of fitness for work performed subject to the standards established in AS 18.60.580 is repealed, the public can no longer be assured that electrical wiring installed whether in the home, commercial, or public building will be done by competent electricians.

Under the present Statutes the Department of Labor requires that individuals working in the electrical trade have a certain number of hours experience and pass a written test successfully before they are allowed to be certified. Without those safeguards an inexperienced or untrained individual could install wiring in buildings that could cause loss of property, injury, or even the loss of life because of electrical malfunction which caused a fire.

THE LEGISLATURE OF THE STATE OF ALASKA
ELEVENTH LEGISLATURE

FISCAL NOTE

I. REQUEST

Bill/Resolution No. Senate Bill No. 566
 Title An Act continuing the existence of the Board of Electrical Examiners and amending
 Requested by Commerce Committee Date 4-28-80
 the laws relating to the
 licensing of electrical
 Administrators and to
 electrical safety.

II. FISCAL DETAIL

Agency Affected Department of Labor
 Program Category Affected Public Protection
 BRU, Program, or Subprogram(s) Affected Mechanical Inspection (Pressure Vessel)
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each
 component in the analysis section.)
EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES						
200 TRAVEL						
300 CONTRACTUAL						
400 COMMODITIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 GRANTS, CLAIMS, ETC.						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	21.6	21.6	21.6	21.6	21.6
FEDERAL FUNDS						
OTHER (Specify Fund Source)						
PVE Program Receipts		(21.6)	(21.6)	(21.6)	(21.6)	(21.6)

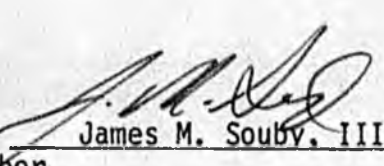
POSITIONS

FULL TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART TIME						
TEMPORARY						

III. ANALYSIS (See Fiscal Note Preparation Instructions, Section III)

If the Electrical Certificate of Fitness program is repealed, the mechanical Inspection Budget Request Unit of the Wage and Hour Division will lose \$21.6 in program receipts.

In order to continue the program's full services this loss must be offset by General Funds.

IV. DATE 4-28-80 PREPARED BY  James M. Souby, III
 AGENCY Labor
 PHONE 465-2720
 Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

STATE OF ALASKA
THE LEGISLATURE

POUCHY - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

May 27, 1980

SUBJECT: Section-by-section analysis of SCS for
CSHB 1031 (Work Order No. 8591)

TO: Senator Brad Bradley
Chairman, Senate Commerce Committee

FROM: Joseph A. Guthrie 
Legislative Counsel

You have requested a section-by-section analysis of SCS for CSHB 1031 (Electrical Examiners).

Section 1 changes the composition of the Board of Electrical Administrators so as to require that one member of the board be a public member, defined in AS 08.01.025 as a person not engaged in the conduct the board regulates or otherwise involved, by legal contact or financial interest, in that conduct. Two members of the board must still be electrical administrators.

Section 2 adds a requirement that a person may not be appointed to serve more than two consecutive terms on the board.

Section 3 adds a requirement that the board adopt regulations establishing the methods and standards whereby the board, in determining whether to renew or reinstate a license, may judge whether the applicant is still competent.

Section 4 adds to the subjects which must be tested in examinations administered to applicants for licensure. Moreover, provision is made for the board to accept the credentials of an electrical administrator licensed in a state other than Alaska for the purposes of licensure of that person in this state, except insofar as the licensing requirements of this state do not duplicate the licensing requirements of the other state.

Section 5 adds a requirement that licenses may not be renewed or reinstated unless the applicant demonstrates that he continues to be competent. Moreover, if reinstatement is sought after a license has lapsed for more than two years, the applicant must take and pass the examination required of new applicants.

Section 6 doubles the fees for original application and renewal of licenses.

Section 7 expands the work which can be performed by persons not licensed as electrical administrators to include not just the "maintenance and repair of telephone systems" but also the operation of those systems as well as the maintenance, repair and operation of telegraph and "intercommunication" systems.

Section 8 includes among the work which can be performed by persons not licensed as electrical administrators the installation, maintenance, and repair of fire and burglar alarms, as well as the maintenance and repair of diesel engines installed on heavy construction equipment.

Section 9 requires an electrical administrator to personally inspect all work done under his supervision, unless the work consists of simple or highly standardized work performed in less than 24 man hours.

Sections 10, 11, 12, and 13 continue the board in existence in lieu of termination mandated by sunset legislation.

JAG:ljb



Official Business

Alaska State Legislature

Senate

Committee on Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

M E M O R A N D U M

SUBJECT: SCS CSHB 1031, Board of Electrical Examiners

TO: All Senators

FROM: Brad Bradley, Chairman
Senate Commerce Committee

DATE: May 22, 1980

(Sec. 08.40.010)
P.1, Ls. 12/15

Section 1. The Board of Electrical Examiners is composed of three (3) members: two (2) licensed electrical administrators and one (1) public member.

(Sec. 08.04.020)
P.1, Ls. 17/22

Section 2 The board members serve staggered terms of three years and may serve no more than two consecutive terms.

(Sec. 08.40.050)
P.1, Ls. 24/28

Section 3. The board is required to adopt regulations relating to the examination and licensing of electrical administrators. The board shall also adopt regulations establishing continued competency for license renewal and reinstatement. (See attached letter of intent.)

(Sec. 08.40.120)
P.2, Ls. 1/13

Section 4. Each applicant shall be examined to determine:

(1) his ability to understand plans, design and terminology.

(2) his knowledge of electrical installations and wiring.

(3) his familiarity with regulations in National codes approved by the American Standards Association.

(4) his familiarity with other installation and safety regulations established by the American Standards Association.

(5) his familiarity with electrical installation problems and usage peculiar to Alaska.

(6) his personal skill and ability.

(Sec. 08.40.120)
P.2, Ls. 14/24

Sec. 120(b) explains the provisions of examination and licensing reciprocity.

(Sec. 08.40.135)
P.2/3, Ls. 26/8

Section 5. A license may be renewed upon proof of continued competency. A lapse license may be reinstated upon proof of continued competency and by payment of all renewal fees and a payment fee of \$25 for each year the license has been lapsed. If a person's license has been lapsed for more than two years, he is required to take an examination.

(Sec. 08.04.150)
P.3, Ls. 10/12

Section 6. Increases (doubles) license and biennial renewal fees because they have not been increased since 1969.

(Sec. 08.40.190(b)(6))

P.3, Ls. 13/22

Section 7. This is an exclusion section in which this chapter does not apply to any person engaged in:

(6) the operation, maintenance and repair of telephone, telegraph and intercommunication facilities.

Section 8 includes additional work within the exclusionary provisions of this section but is nevertheless subject to the inspection provisions of Sec. 70 of this chapter and must follow the regulations regarding workmanship adopted by the Board.

(7) the installation, maintenance, and repair of fire alarm, intrusion alarm or other low voltage signaling systems of 48 volts to ground or less.

(8) the maintenance or repair of diesel electric engines installed on heavy construction equipment.

(Sec. 08.40.195)
P.3/4, Ls. 24/2

Section 9. An electrical administrator is required to personally inspect the installation and repair of a job unless the installation or repair amounts to simple or highly standardized work performed in less than 24 man-hours by personnel generally under the supervision of the electrical administrator.

(Sec. 08.03.010(c))
P.4, Ls. 3/5

Section 10. The termination date for the Board of Electrical Examiners is June 30, 1982.

(Sec. 08.03.010(b)(5))

P.4, L. 6

Section 11. Removes the Board of Electrical Examiners from the list of Boards which have a termination date of June 30, 1980.

All Senators
Page 3
May 22, 1980

(Sec. 08.40.010)
P.4, Ls.7/10

Section 12. A member serving on the board on the effective date of this act continues to serve until the expiration of his term.

P.4, Ls.11

Section 13. This act takes effect June 30, 1980.



Official Business

Alaska State Legislature

Senate

Committee on Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

LETTER OF INTENT
SCS for CS for HB 1031
May 20, 1980

The Honorable Senator Clem Tillion
Senate President
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Senator Tillion:

The Senate Commerce Committee has reviewed the problems mentioned in our previous report arising from "Sunset" review of the Board of Electrical Examiners. Senate Commerce Committee Substitute for Committee Substitute for HB 1031 addresses these concerns.

One item requires some explanation. On page 1, lines 26 and 28, and on page 2, lines 28 and 29, and on page 3, lines 1 and 2, there is reference to a requirement of "proof of continued competency" and a provision to allow the Board to adopt regulations establishing continued competency for license renewal.

The Committee anticipates that the Board of Electrical Examiners would provide by regulation for compliance with these sections by addressing meetings and functions sponsored by recognized trade associations. In most cases this would probably refer to functions sponsored by the National Electrical Contractor's Association.

The Committee does not intend that there be a strict, classroom-style continuing education program that might not be consistent with this profession and trade, but rather that the Board of Electrical Examiners assure itself that an electrical contractor is keeping in touch with the applicable trade associations and is attending functions sponsored by them which may add to his knowledge about the changes in the field.

There were indications at our committee hearings during the "Sunset" process that the trade organization performs some of this function now and is interested in doing more of it. Of course, passage of this legislation would virtually require the trade organization to become more active in this area. There seems to be no objection to that.

Respectfully submitted,

Senator Brad Bradley
Chairman

Commerce Committee
Letter of Intent to Accompany
Commerce Committee Substitute for HB 1031
Act Continuing the Existence of the
Board of Electrical Examiners .
and Amending the Laws Relating
to the Powers and Duties of the Board

May 8, 1980

The Honorable Terry Gardiner
Speaker of the House
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Mr. Speaker:

Your House Commerce Committee has reviewed the problems mentioned in our previous report arising from "Sunset" review of the Board of Electrical Examiners. Committee Substitute for HB 1031 addresses these concerns.

One item requires some explanation. On page 1, lines 19 and 20, and on page 2, lines 21 and 22, there is reference to a requirement of "proof of continued competency" and a provision to allow the Board to adopt regulations establishing continued competency for license renewal.

The Committee anticipates that the Board of Electrical Examiners would provide by regulation for compliance with these sections by addressing meetings and functions sponsored by recognized trade associations. In most cases this would probably refer to functions sponsored by the National Electrical Contractor's Association.

The Committee does not intend that there be a strict, classroom-style continuing education program that might not be consistent with this profession and trade, but rather that the Board of Electrical Examiners assure itself that an electrical contractor is keeping in touch with the applicable trade associations and is attending functions sponsored by them which may add to his knowledge about the changes in the field.

There were indications at our committee hearings during the "Sunset" process that the trade organization performs some of this function now and is interested in doing more of it. Of course, passage of this legislation would virtually require the trade organization to become more active in this area. There seems to be no objection to that.

Respectfully submitted,

Rep. Fred Brown
Chairman
House Commerce Committee

FB:kfw

STATE OF ALASKA



ALASKA STATUTES
TITLE 8. CHAPTER 1-3

BOARD OF ELECTRICAL EXAMINERS - STATUTES
AND REGULATIONS

PRINTED: September 1979

Alaska Statutes

Title 8. Business and Professions.

Chapter

01. Centralized Licensing (§§ 08.01.010 — 08.01.110)
02. Miscellaneous Provisions (§§ 08.02.010 — 08.02.020)
03. Termination, Continuation and Reestablishment of Regulatory Boards (§ 08.03.010)
04. Accountancy Act of 1960 (§§ 08.04.010 — 08.04.690)
08. Alaska Integrated Bar Act (§§ 08.08.010 — 08.08.250)
12. Barbers (§§ 08.12.010 — 08.12.280)
16. Basic Sciences (Repealed)
18. Construction Contractors (§§ 08.18.011 — 08.18.171)
20. Chiropractors (§§ 08.20.010 — 08.20.220)
24. Collection Agencies (§§ 08.24.011 — 08.24.330)
28. Cosmetologists and Hairdressers (§§ 08.28.010 — 08.28.320)
32. Dental Hygienists (§§ 08.32.010 — 08.32.190)
36. Dentistry (§§ 08.36.010 — 08.36.360)
40. Electrical Administrators (§§ 08.40.005 — 08.40.200)
42. Morticians (§§ 08.42.010 — 08.42.130)
44. Embalmers (Repealed)
48. Architects, Engineers and Land Surveyors (§§ 08.48.011 — 08.48.351)
52. Explosives Handlers (§§ 08.52.010 — 08.52.080)
54. Guides (§§ 08.54.010 — 08.54.240)
56. Hotels and Boardinghouses (§§ 08.56.010 — 08.56.070)
60. Junk Dealers and Metal Scrappers (§§ 08.60.010 — 08.60.100)
62. Marine Pilots (§§ 08.62.010 — 08.62.200)
64. Medicine (§§ 08.64.010 — 08.64.380)
66. Motor Vehicle Dealers (§§ 08.66.010 — 08.66.090)
68. Nursing (§§ 08.68.010 — 08.68.410)
70. Nursing Home Administrators (§§ 08.70.010 — 08.70.190)
71. Dispensing Opticians (§§ 08.71.010 — 08.71.240)
72. Optometry Law (§§ 08.72.010 — 08.72.310)
76. Pawnbrokers and Secondhand Dealers (§§ 08.76.010 — 08.76.030)
80. Pharmacy Act (§§ 08.80.010 — 08.80.490)
84. Physical Therapists Practice Act (§§ 08.84.010 — 08.84.200)
86. Psychologists and Psychological Associates (§§ 08.86.010 — 08.86.230)
88. Real Estate Brokers and Salesmen (§§ 08.88.011 — 08.88.431)
92. Concert Promoters (§§ 08.92.010 — 08.92.090)
98. Veterinarians (§§ 08.98.010 — 08.98.250)
99. Board of Welding Examiners (§§ 08.99.010 — 08.99.120)

Chapter 01. Centralized Licensing.

Section	Section
10. Applicability of chapter	80. Department regulations
20. Board organization	87. Powers and duties of department
25. Public members	90. Applicability of the Administrative Procedure Act
30. Quorum	100. License renewal, lapse and reinstatement
40. Transportation and per diem	105. Penalty for improper payment
50. Administrative duties of department	110. Definitions
60. Application for license	
70. Administrative duties of boards	

Sec. 08.01.010. Applicability of chapter. This chapter applies to the

- (1) Board of Public Accountancy;
- (2) Board of Barber Examiners;
- (3) Repealed by § 6 ch 32 SLA 1971.
- (4) Board of Chiropractic Examiners;
- (5) Board of Hairdressing and Beauty Culture Examiners;
- (6) Board of Dental Examiners;
- (7) Board of Electrical Examiners;
- (8) State Board of Registration for Architects, Engineers and Land Surveyors;
- (9) State Medical Board;
- (10) Board of Nursing;
- (11) Board of Examiners in Optometry;
- (12) Board of Pharmacy;
- (13) Real Estate Commission;
- (14) Board of Veterinary Examiners;
- (15) Board of Psychologist and Psychological Associate Examiners;
- (16) Collection Agency Board;
- (17) Board of Welding Examiners;
- (18) Board of Marine Pilots;
- (19) Board of Dispensing Opticians;
- (20) Guide Licensing and Control Board;
- (21) State Physical Therapy Board. (§ 1 ch 59 SLA 1966; am § 2 ch 136 SLA 1967; am § 2 ch 101 SLA 1968; am § 2 ch 143 SLA 1968; am § 2 ch 151 SLA 1968; am § 1 ch 106 SLA 1970; am § 6 ch 32 SLA 1971; am § 4 ch 179 SLA 1972; am § 2 ch 45 SLA 1973; am § 14 ch 65 SLA 1973; am § 1 ch 43 SLA 1975; am § 1 ch 43 SLA 1977)

Effect of amendments. — The first 1973 amendment added paragraph (19).

The second 1973 amendment inserted "and Psychological Associate" in paragraph (15).

The 1975 amendment added paragraph (20).

The 1977 amendment added paragraph (21).

Editor's note. — Section 2, ch. 59, SLA 1966, provides: "The Department of Commerce shall provide for the orderly

transfer of the service functions which are to be performed by the department under this chapter."

Section 4, ch. 59, SLA 1966, provides: "A provision in existing law which conflicts with this Act is superseded by this Act."

Legislative committee reports. — For report on ch. 143, SLA 1968 (HB 707), see 1968 House Journal, p. 836. For report on ch. 32, SLA 1971 (HB 111 am), see 1971 House Journal, p. 138.

Sec. 08.01.020. Board organization. Unless otherwise provided, all board members are appointed by the governor and serve at his pleasure. Unless otherwise provided, the governor shall designate the chairman of the board, and all other officers shall be elected by the board members. (§ 1 ch 59 SLA 1966)

Sec. 08.01.025. Public members. No public member of a board may:

- (1) be engaged in the occupation which the board regulates;
- (2) be associated by legal contract with a member of the occupation which the board regulates except as a consumer of the services provided by a practitioner of the occupation; or
- (3) have a direct financial interest in the occupation which the board regulates. (§ 1 ch 259 SLA 1976)

Sec. 08.01.030. Quorum. A majority of the membership of a board constitutes a quorum unless otherwise provided. (§ 1 ch 59 SLA 1966)

Sec. 08.01.040. Transportation and per diem. A board member is entitled to transportation expenses and per diem as set out in AS 39.20.180. (§ 1 ch 59 SLA 1966)

Sec. 08.01.050. Administrative duties of department. (a) The department shall provide the following administrative and budgetary services when appropriate:

- (1) collect fees and issue receipts;
- (2) maintain records and files;
- (3) issue and receive application forms;
- (4) notify applicants of acceptance or rejection of applicants as determined by the board;
- (5) designate dates examinations are to be held and notify applicants;
- (6) publish notice of examination;
- (7) arrange space for holding examinations;
- (8) notify applicants of results of examinations;
- (9) issue licenses and certificates or temporary licenses or certificates as authorized by the board;
- (10) issue duplicate licenses or certificates upon proof by the licensee of loss of the original and payment by the licensee of a fee of \$2;
- (11) notify licensees of renewal dates at least 30 days before the expiration date of their licenses;
- (12) compile and maintain current a register of licenses;
- (13) answer routine inquiries;
- (14) maintain files relating to individual licensees;
- (15) arrange for printing and advertising;
- (16) purchase supplies;
- (17) employ secretarial help when needed;
- (18) perform other services which may be requested by the board;

(19) provide investigative services to the boards established under chs. 20, 32, 36, 64, 68, 71, 72, 80, 84, and 86 of this title, for the purpose of assisting those boards in matters of professional discipline.

(b) The form and content of a license, authorized by a board listed in § 10 of this chapter, including any document evidencing renewal of a license, shall be determined by the department after consultation with and consideration of the views of the board concerned. (§ 1 ch 59 SLA 1966; am § 1 ch 102 SLA 1976; am § 39 ch 218 SLA 1976; am § 2 ch 258 SLA 1976)

Effect of amendments. — The first 1976 amendment added paragraph (19) of present subsection (a).

The second 1976 amendment substituted "Department of Commerce and Economic Development" for "Department of Commerce" in the introductory paragraph of present subsection (a).

The third 1976 amendment designated the provisions of this section as subsection (a), and in that subsection, substituted

"department" for "Department of Commerce" and "when appropriate" for "for the boards" in the introductory language and inserted "by the licensee" in two places in paragraph (10). The amendment also added subsection (b).

While none of the amendments gave effect to the others, this section is set out as it appears in ch. 58, SLA 1976, with the inclusion of paragraph (19) of subsection (a) added by ch. 102, SLA 1976.

Sec. 08.01.060. Application for license. All applications for examination or licensing to engage in the business or profession covered by this chapter shall be made in writing to the department. (§ 1 ch 59 SLA 1966)

Sec. 08.01.070. Administrative duties of boards. Each board shall perform the following duties in addition to those provided in its respective law:

- (1) keep minutes and records of all proceedings;
- (2) hold a minimum of one meeting each year;
- (3) hold at least one examination each year;
- (4) request, through the department, investigation of violations of its laws and regulations;
- (5) prepare and grade examinations;
- (6) pass on qualifications of applicants for examination and license;
- (7) forward minutes of meetings to the department within 20 days;
- (8) forward results of examinations to the department;
- (9) notify the department of meeting dates at least 15 days before meeting. (§ 1 ch 59 SLA 1966)

Sec. 08.01.080. Department regulations. The department shall adopt regulations to carry out the purposes of this chapter including but not limited to describing:

- (1) how an examination is to be conducted;
- (2) what is contained in application forms;
- (3) how a person applies for an examination or license. (§ 1 ch 59 SLA 1966)

Sec. 08.01.087. Powers and duties of department. (a) The department may, upon its own motion, conduct investigations to determine whether any person has violated a provision of this chapter or a regulation adopted under it or a provision of a chapter in this title dealing with one of the boards listed in § 10 of this chapter or a regulation adopted by one of those boards, or to secure information useful in the administration of this chapter.

(b) If it appears to the commissioner that a person has engaged in or is about to engage in an act or practice in violation of a provision of this chapter or a regulation adopted under it, or any of the laws pertaining to or regulations adopted by the boards listed in § 10 of this chapter, he may, if he considers it in the public interest, and after notification to all board members by telephone or telegraph of a proposed order or action unless a majority of the members of the board object within 10 days,

(1) issue an order directing the person to stop the act or practice; however, reasonable notice of and an opportunity for a hearing must first be given to the person, except that the commissioner may issue a temporary order before a hearing is held; a temporary order remains in effect until a final order affirming, modifying, or reversing the temporary order is issued or until 15 days after the person receives the notice and has not requested a hearing by that time; a temporary order becomes final if the person to whom the notice is addressed does not request a hearing within 15 days after receiving the notice; the commissioner or his designee shall be the hearing officer at the hearing and shall issue a final order within 10 days after the hearing;

(2) bring an action in the superior court to enforce the acts or practices and to enforce compliance with this chapter, a regulation adopted under it, or an order issued under it, or any of the laws pertaining to or regulations adopted by the boards listed in § 10 of this chapter;

(3) examine or have examined the books and records of any person whose business activities require licensure by a board listed in § 10 of this chapter and he may require that person to pay the reasonable costs of the examination; and

(4) issue subpoenas for the attendance of witnesses, and the production of books, records and other documents. (§ 3 ch 258 SLA 1976)

Sec. 08.01.090. Applicability of the Administrative Procedure Act. The Administrative Procedure Act (AS 44.62) applies to regulations adopted and proceedings held under this chapter, except those under AS 08.01.087(b). (§ 1 ch 59 SLA 1966; am § 4 ch 258 SLA 1976)

Effect of amendment. — The 1976 amendment added "except those under AS 08.01.087(b)" to the end of the section.

Sec. 08.01.100. License renewal, lapse and reinstatement. (a) All licenses shall be renewed biennially on the dates set by the department with the approval of the respective board.

(b) A registration, license, permit or certificates requiring renewal to continue effective must be renewed on or before the date set by the department or it will lapse. A penalty of \$10 shall be charged in addition to all delinquent renewal fees for reinstatement of a registration, license, permit or certificate which remains lapsed for more than 60 days. (§ 1 ch 59 SLA 1966; am § 2 ch 94 SLA 1968)

Sec. 08.01.105. Penalty for improper payment. An applicant shall pay a penalty of \$10 each time a negotiable instrument is presented to the department in payment of an amount due and payment is subsequently refused by the named payor. (§ 3 ch 258 SLA 1976)

Sec. 08.01.110. Definitions. In this chapter

(1) "board" includes the boards and commissions listed in § 10 of this chapter;

(2) "department" means the Department of Commerce and Economic Development;

(3) "commissioner" means the commissioner of commerce and economic development;

(4) "license" means any license, certificate, permit, or registration or similar evidence of authority issued by one of the boards listed in § 10 of this chapter;

(5) "licensee" means any person who holds a license;

(6) "occupation" means any of the trades or professions for which licensure is required by one of the boards listed in § 10 of this chapter. (§ 1 ch 59 SLA 1966; am § 40 ch 218 SLA 1976; am § 5 ch 258 SLA 1976)

Effect of amendments. — The first 1976 amendment substituted "Department of Commerce and Economic Development" for "Department of Commerce" in paragraph (2).

The second 1976 amendment added paragraphs (3) through (6).

Chapter 02. Miscellaneous Provisions.

Section

10. Professional designation requirements
20. Limitation of liability for members of licensing boards

Sec. 08.02.010. Professional designation requirements. (a) A person licensed in the state as a chiropractor as defined in AS 08.20.220, a dentist as defined in AS 08.36.360, a medical practitioner or osteopath as defined in AS 08.64.380, a professional nurse as defined in AS 08.68.410, an optometrist as defined in AS 08.72.300(3), a registered pharmacist under AS 08.80, a registered physical therapist under AS 08.84, or a psychologist under AS 08.86, shall professionally identify

himself by the use of appropriate letters or a title after his name which represents his specific field of practice. The letters or title shall appear on all signs, stationery or other advertising in which the person offers or displays his professional services to the public. In addition, a person engaged in the practice of medicine or osteopathy under AS 08.64.380(2), or a person engaged in any manner in the healing arts who diagnoses, treats, tests, or counsels other persons in relation to human health or disease and identifies himself by using the letters "M.D." or the title "doctor" or "physician" or any other title which tends to show that the person is willing or qualified to diagnose, treat, test, or counsel another person, shall clarify the letters or title by adding the appropriate specialist designation, if any, such as "dermatologist", "radiologist", "audiologist", "naturopath", or the like.

(b) A person subject to (a) of this section who fails to comply with the requirements of (a) of this section shall be given notice of his noncompliance by his appropriate licensing board. If, after a reasonable time, with opportunity for a hearing, his noncompliance continues, the board may suspend or revoke his license or registration, or administer other disciplinary action which in its determination is appropriate. (§ 1 ch 6 SLA 1973)

Sec. 08.02.020. Limitation of liability for members of licensing boards. No person is liable for damages or other relief in an action by reason of his performance of a duty, function, or activity as a member of a licensing board or by reason of a recommendation or action of the board when the person acts in the reasonable belief that his action or recommendation is warranted by facts known to him or to the board after reasonable efforts to ascertain the facts upon which the action or recommendation is made. (§ 45 ch 102 SLA 1976)

Chapter 03. Termination, Continuation and Reestablishment of Regulatory Boards

Section

10. Termination, continuation and reestablishment of regulatory boards

Cross reference. — As to review of the activities of agencies, boards and commissions, see AS 44.66.010 et seq.

Editor's note. — Section 1, ch. 149, SLA 1977, provides: "The legislature finds that the substantial increase in the number of state agencies, boards and commissions, and the proliferation of rules and regulations which each has adopted have contributed to a public disenchantment with the operation of state government, and that there is need for an effective and

regular system of scrutiny of the programs and activities of all agencies, boards and commissions. The legislature further finds that the establishment of a system for periodic review by the public and the executive and legislative branches of certain state agencies, boards and commissions will help the governor and the legislature to determine the need for the continued existence of each of the agencies, boards and commissions."

Sec. 08.03.010. Termination, continuation and reestablishment of regulatory boards. (a) Boards listed in this subsection have a termination date of June 30, 1979:

- (1) Board of Chiropractic Examiners (AS 08.20.010);
- (2) Board of Dental Examiners (AS 08.36.010);
- (3) State Medical Board (AS 08.64.010);
- (4) Board of Nursing (AS 08.68.010);
- (5) Board of Dispensing Opticians (AS 08.71.010);
- (6) Board of Examiners in Optometry (AS 08.72.010);
- (7) Board of Pharmacy (AS 08.80.010);
- (8) Board of Veterinary Examiners (AS 08.98.010);
- (9) Board of Psychologist and Psychological Associate Examiners (AS 08.86.010);
- (10) Board of Nursing Home Administrators (AS 08.70.010);
- (11) Physical Therapy Board (AS 08.84.010).

(b) Boards listed in this subsection have a termination date of June 30, 1980:

- (1) Board of Public Accountancy (AS 08.04.010);
- (2) Board of Barber Examiners (AS 08.12.010);
- (3) Collection Agency Board (AS 08.21.011);
- (4) Board of Hairdressing and Beauty Culture Examiners (AS 08.28.010);
- (5) Board of Electrical Examiners (AS 08.40.010);
- (6) State Board of Registration for Architects, Engineers and Land Surveyors (AS 08.48.011);
- (7) Guide Licensing and Control Board (AS 08.54.010);
- (8) Board of Marine Pilots (AS 08.62.010);
- (9) Real Estate Commission (AS 08.88.011);
- (10) Board of Welding Examiners (AS 08.99.010);
- (11) Board of Governors of the Alaska Bar Association (AS 08.03.040).

(c) Upon termination, each board listed in (a) and (b) of this section shall continue in existence until June 30 of the next succeeding year for the purpose of concluding its affairs. During this period, termination does not reduce or otherwise limit the powers or authority of each board. One year after the date of termination, a board not continued shall cease all activities.

(d) The termination, dissolution, continuation or reestablishment of a regulatory board shall be governed by the legislative oversight procedures of AS 44.66.050.

(e) A board scheduled for termination under this chapter may be continued or reestablished by the legislature for a period not to exceed four years. (§ 2 ch 149 SLA 1977)

Chapter 40. Electrical Administrators.

Article

1. Board of Electrical Examiners (§§ 08.40.005—08.40.080)
2. Licensing (§§ 08.40.090—08.40.180)
3. General Provisions (§§ 08.40.190—08.40.200)

Cross reference. — As to electrical contractors, see AS 08.18.026.

Article 1. Board of Electrical Examiners.

Section

05. Purpose of chapter
10. Creation and membership of board
20. Appointment and term of office
30. Chairman of board
40. Board meetings

Section

45. Categories of licenses
50. Regulations
60. Examinations
70. Inspection or investigation by board
80. Compensation of board members

Sec. 08.40.005. Purpose of chapter. The purpose of this chapter is to protect the safety of people and property in the state from the danger of improperly installed electrical wiring and equipment, by providing a procedure to assure

(1) the public that persons responsible for making electrical installations in this state are qualified; and

(2) a sufficient number of persons are so qualified. (§ 2 ch 53 SLA 1977)

Sec. 08.40.010. Creation and membership of board. There is hereby created a Board of Electrical Examiners consisting of three members

who are licensed electrical administrators. (§ 1 ch 158 SLA 1960; am § 3 ch 53 SLA 1977)

Effect of amendment. — The 1977 amendment substituted "administrators" for "Contractors" at the end of the section.

Sec. 08.40.020. Appointment and term of office. The members of the board shall be appointed by the governor and confirmed by the legislature for staggered terms of three years, or until their successors are appointed. A member may be removed at the pleasure of the governor. (§ 1 ch 158 SLA 1960)

Sec. 08.40.030. Chairman of board. The board shall elect one of its members as chairman. (§ 1 ch 158 SLA 1960)

Sec. 08.40.040. Board meetings. The board shall hold a regular annual meeting. The board may hold special meetings at the call of the chairman with prior approval of the governor. Two members constitute a quorum. (§ 2 ch 158 SLA 1960)

Sec. 08.40.045. Categories of licenses. The board may adopt regulations establishing categories of electrical administrators, establishing qualifications for those categories and the content of examinations for applicants for each category. (§ 4 ch 53 SLA 1977)

Sec. 08.40.050. Regulations. The board shall adopt regulations subject to the Administrative Procedure Act (AS 44.62), relating to the examination and licensing of electrical administrators and the suspension or revocation of licenses. (§ 2 ch 158 SLA 1960; am § 5 ch 53 SLA 1977)

Effect of amendment. —The 1977 regulations" and "administrators" for amendment substituted "adopt "contractors." regulations" for "issue rules and

Sec. 08.40.060. Examinations. A licensing examination, under the supervision of the chairman of the board or his designee, shall be conducted at least twice during each year at appropriate places in the state. (§ 2 ch 158 SLA 1960)

Sec. 08.40.070. Inspection or investigation by board. The board may make or have made a special inspection or investigation into the work of a licensee which it considers necessary, may issue subpoenas and process compelling the attendance of any person and the production of any papers or books, for the purpose of the investigation and examination, may administer oaths when required, and may petition a court of the state to enforce subpoenas and process or to compel testimony. (§ 5 ch 158 SLA 1960)

Sec. 08.40.080. Compensation of board members. Members of the board are entitled to payments, per diem allowances and transportation expenses allowed by law and paid members of other state examining and licensing boards. (§ 6 ch 158 SLA 1960)

Article 2. Licensing.

Section	Section
90. License required	150. Fees
100. [Repealed]	160. [Repealed]
110. Application for license	170. Denial, suspension and revocation of license
120. Examination of applicant	175. Cease and desist order
130. Administrator limited to one licensed contractor	178. Injunctive relief
135. Renewal and reinstatement	180. Violation of chapter
140. Issuance and display of license	

Sec. 08.40.090. License required. (a) No person may act as an electrical administrator in the state without a license issued by the board.

(b) A person licensed under this chapter may perform work only in a category for which he is licensed. (§ 3 (c) ch 158 SLA 1960; am § 6 ch 53 SLA 1977)

Effect of amendment. — The 1977 amendment designated the provisions of this section as subsection (a), substituted "administrator" for "contractor" in that subsection, and added subsection (b).

Purpose. — The purpose of Alaska's electrical contractor's (now administrator's) licensing law is the protection of the public against fire, injury and unsatisfactory craftsmanship. 1967 Op. Att'y Gen., No. 3.

No bond is required, no test of financial responsibility. The licensing provision is designed only to protect those desiring electrical work to be done and those who visit the improved premises from the results, particularly fire hazard, of shoddy workmanship. 1963 Op. Att'y Gen., No. 14.

Legislative Intent. — The legislature intended the licensing act to regulate all electrical wiring where there might be a substantial potential hazard to the general public. 1967 Op. Att'y Gen., No. 3.

This chapter prohibits any substantial electrical wiring or rewiring of commercial buildings by nonlicensed individuals, irrespective of who owns or uses them. 1967 Op. Att'y Gen., No. 3, rendered prior to the 1967 amendment to AS 08.40.190.

If the work to be done is of such nature that it would not impose a serious fire or safety hazard even if performed improperly, then it could be considered insignificant. Absent this limitation anyone engaged in wiring a commercial building for monetary gain is engaged in the business of electrical wiring, irrespective of what his usual occupation may be. 1967 Op. Att'y Gen., No. 3, rendered prior to the 1967 amendment to AS 08.40.190.

And a person must be a licensed electrical contractor (now administrator) in order to bid on and construct signal and communication systems. 1966 Op. Att'y Gen., No. 4.

Exception. — As a general rule, the performance by a person engaged in a different occupation or profession of a single transaction, or even a number of isolated transactions, pertaining to a licensed occupation or profession, will not be considered as engaging in or carrying on such occupation or profession within the purview of the law requiring the license. 1967 Op. Att'y Gen., No. 3.

Am. Jur. and C.J.S. references. — 34 Am. Jur., Licenses, § 9.
C.J.S. Licenses § 6, 30.

Sec. 08.40.100. Exclusion.

Repealed by § 14 ch 53 SLA 1977.

Editor's note. — The repealed section derived from § 9, ch. 158, SLA 1960.

Sec. 08.40.110. Application for license. An applicant for a license shall apply upon a form prescribed by the board. (§ 3 (d) ch 158 SLA 1960)

Sec. 08.40.120. Examination of applicant. Each applicant shall be examined to determine his knowledge of electrical installations and wiring, familiarity with the regulations contained in the National Electrical Code and the National Electrical Safety Code, as approved by the American Standards Association, other installation and safety regulations approved by the American Standards Association, and his personal skill and ability. (§ 3 (d) ch 158 SLA 1960)

Design of chapter. — This chapter is designed to assure that no one installs wiring unless qualified by an examination designed to prove his personal skill and ability. 1963 Op. Att'y Gen., No. 14.

Sec. 08.40.130. Administrator limited to one licensed contractor. No person may qualify for or operate as an electrical administrator for more than one registered contractor. (§ 3 (e) ch 158 SLA 1960; am § 1 ch 30 SLA 1969; am § 7 ch 53 SLA 1977)

Effect of amendment. — The 1977 amendment rewrote this section.

Legislative committee report. — For report on ch. 30, SLA 1969 (CSSB 145), see 1969 House Journal, p. 417.

Sec. 08.40.135. Renewal and reinstatement. (a) A license issued under this chapter, unless revoked or suspended, is nontransferable and may be renewed on a date set by the department, without examination, by appropriate application.

(b) A lapsed license may be reinstated by payment of all unpaid renewal fees and a penalty fee of \$25 for each year the license has been lapsed unless the license has been lapsed for more than three years and the board has reason to believe that it may be necessary to require the licensee to take and pass the examination given under § 120 of this chapter. (§ 2 ch 30 SLA 1969; am § 8 ch 53 SLA 1977)

Effect of amendment. — The 1977 amendment, in subsection (a), deleted "is valid for two years after issuance" following "under this chapter" and substituted "on a date set by the department" for "biennially on January 1.

Legislative committee report. — For report on ch. 30, SLA 1969 (CSSB 145), see 1969 House Journal, p. 417.

Sec. 08.40.140. Issuance and display of license. An applicant who successfully passes the examination shall receive a certificate of license. The certificate shall be prominently displayed, while in effect, in the holder's principal place of business. (§ 3 (f) ch 158 SLA 1960)

Sec. 08.40.150. Fees. (a) Each applicant shall pay an original license fee of \$100.

(b) The fee for biennial renewal of a license is \$100. (§ 3 (f) ch 158 SLA 1960; am § 3 ch 30 SLA 1969)

Legislative committee report. — For report on ch. 30, SLA 1969 (CSSB 145), see 1969 House Journal, p. 417.

Sec. 08.40.160. Waiver of examination.

Repealed by § 14 ch 53 SLA 1977.

Editor's note. — The repealed section derived from § 3 (f), ch. 158, SLA 1969.

Sec. 08.40.170. Denial, suspension and revocation of license. (a) The board may suspend, revoke or refuse to grant a license upon a finding that

- (1) the application is fraudulent or misleading;
- (2) the licensee has knowingly violated this chapter or a lawful rule, order or regulation of the board;
- (3) the licensee is incompetent, or has engaged in fraudulent practices.

(b) Notice of a proposed denial, suspension or revocation of license shall be given in writing, stating the grounds.

(c) Proceedings for the denial, suspension or revocation of a license shall be governed by the Administrative Procedure Act (AS 44.62). (§ 4 ch 158 SLA 1960; am § 4 ch 30 SLA 1969)

Legislative committee report. — For report on ch. 30, SLA 1969 (CSSB 145), see 1969 House Journal, p. 417.

Sec. 08.40.175. Cease and desist order. (a) If the commissioner of labor determines that a person is acting as an electrical administrator in violation of this chapter, he may issue a cease and desist order prohibiting further action by the person as an electrical administrator. The cease and desist order remains in effect until the person has submitted evidence acceptable to the commissioner of labor showing that the violation has been corrected.

(b) A person affected by an order issued under (a) of this section may seek equitable relief preventing the commissioner of labor from enforcing the order. (§ 1 ch 39 SLA 1972; am § 9 ch 53 SLA 1977)

Effect of amendment. — The 1977 amendment substituted "administrator" for "contractor" in two places in the first sentence of subsection (a).

Sec. 08.40.178. Injunctive relief. The commissioner of labor may seek an injunction in the superior court to enjoin a person from violating this chapter. (§ 1 ch 39 SLA 1972)

Sec. 08.40.180. Violation of chapter. A person who knowingly violates this chapter, or who knowingly violates a valid rule, regulation or order of the board, is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than \$300, or by imprisonment for not more than 60 days or by both. (§ 10 ch 158 SLA 1960)

Effect of bid in response to invitation for general construction. — If an invitation to bid is for general construction, including electrical work, and allows subcontracting, no inference that the work will be done by the bidder is involved, the electrical work is incidental to the main contract, and therefore no question of violation of the law arises. 1963 Op. Att'y Gen., No. 14.

And to invitation specifically for electrical work. — If the invitation is specifically for electrical work, the question arises whether the bidder is purporting to be in the business of electrical contracting. 1963 Op. Att'y Gen., No. 14.

Party may ask for bids on contingency. — A party desiring electrical work to be done is not restricted in his right to ask for bids on contingency. 1963 Op. Att'y Gen., No. 14.

And the invitation to bid can be phrased so as to allow bids from persons not qualified to do the work at the time the bids are received. 1963 Op. Att'y Gen., No. 14.

No valid legislative purpose is served by attaching criminal sanctions to entering a contract expressly contingent upon obtaining a license, since the contract does not endanger anyone protected by the statute. Therefore, it is legal for an unlicensed electrical contractor (now administrator) to bid if he acknowledges his inability to perform the work unless and until licensed. 1963 Op. Att'y Gen., No. 14.

But without contingency the contract is, in effect, an agreement to commit a crime and is in violation of the public policy of the state. 1963 Op. Att'y Gen., No. 14.

And such a contract is illegal and unenforceable. 1963 Op. Att'y Gen., No. 14.

Normally a contingent bid is not responsive to the invitation to bid. 1963 Op. Att'y Gen., No. 14.

And constitutes a material variance from state specifications. — The "Invitation to Bid" form normally used by state agencies at the present time contains no provision indicating that the contractor (now administrator) will be permitted to qualify after the opening of the bids to perform the electrical work offered. By submitting a responsive bid to such an invitation a contractor (now administrator) is purporting to be ready and able to do the work and is in violation of the law if the contractor is not licensed. If the bid recites the lack of license qualification, the recital constitutes a variance from the specifications of the invitation. The lack of license is such a material variance as to be basic. State contracting officers are not entitled to waive the variance as an informality since the variance reaches matters of essence and substance. 1963 Op. Att'y Gen., No. 14.

A bidder who admits he is unlicensed and unable to presently perform the work is making no false pretenses. 1963 Op. Att'y Gen., No. 14.

Article 3. General Provisions.

Section

190. Exclusions

200. Definitions

Sec. 08.40.190. Exclusions. (a) This chapter does not apply to any utility or municipality engaged in

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

(2) the installation, operation, maintenance, or repair of telephone, telegraph, signal or communication systems when the work is performed by the employees of that utility.

(b) This chapter does not apply to any person engaged in

(1) the manufacture or repair of electrical apparatus or equipment;

(2) electrical work, the cost of which does not exceed \$5,000, involving residences or small commercial establishments in communities

(A) which have a population of under 500; or

(B) which are over 50 miles by air or water transportation from the business place of an electrical administrator licensed under this chapter;

(3) electrical installation on residential property which is owned by the installer or a member of his immediate family and not intended for sale at the time of making the installation;

(4) the operation, maintenance or repair of a television or radio broadcasting system and the installation of a radio broadcasting system under 500 watts input power except for A.C. power supply and wiring;

(5) the installation, maintenance and repair of elevators so long as the work is performed by an agent or employee of the elevator industry and is confined to the elevator control system, which system does not include the power supply, wiring and motor connection;

(6) the maintenance or repair of telephone systems.

(c) Work within the exclusionary provisions of this section is nevertheless subject to the inspection provisions of § 70 of this chapter and must follow the regulations regarding workmanship adopted by the board. (S 8 ch 158 SLA 1960; am § 1 ch 79 SLA 1967; am § 10 ch 53 SLA 1977)

Effect of amendment. — The 1977 amendment rewrote this section.

Legislative committee report. — For report on ch. 79, SLA 1967 (FR 258), see 1967 House Journal, p. 427.

Section delineates circumstances where strict control not deemed necessary. — The exclusions provided in this section and former AS 08.40.100 delineate within narrow limits those circumstances where strict control is not deemed necessary. 1967 Op. Att'y Gen., No. 3.

Performance of single transaction pertaining to licensed occupation. — As a general rule, the performance by a person engaged in a different occupation or profession of a single transaction, or even a number of isolated transactions,

pertaining to a licensed occupation or profession, will not be considered as engaging in or carrying on such occupation or profession within the purview of the law requiring the license. 1967 Op. Att'y Gen., No. 3.

Wiring commercial building for monetary gain. — If the work to be done is of such nature that it would not impose a serious fire or safety hazard even if performed improperly, then it could be considered insignificant. Absent this limitation anyone engaged in wiring a commercial building for monetary gain is engaged in the business of electrical wiring irrespective of what his usual occupation may be. 1967 Op. Att'y Gen., No. 3, rendered prior to the 1967 amendment to this section.

Sec. 08.40.200. Definitions. As used in this chapter

- (1) "board" means the Board of Electrical Examiners;
- (2) "electrical administrator" means any person engaged in the business of, or purporting to be engaged in the business of, installing or repairing, or contracting to install or repair, electrical wiring, conduits, devices, fixtures, equipment, or other electrical materials for transmitting, using or consuming electrical energy;
- (3) "electrical wiring" means and includes wiring, fixtures, conduits, appliances, devices, equipment, overhead or underground wiring systems, or other equipment in connection with the general distribution or utilization of electrical energy;
- (4) "manufacture" means fabrication or completion of a product or electrical apparatus exclusive of its completion or installation at a job site;
- (5) "utility" means every corporation (whether public, cooperative or otherwise), company, individual, or association of individuals, their lessees, trustees, or receivers appointed by a court, that owns, operates, manages, or controls any plant or system for
- (A) furnishing, by generation, transmission or distribution, electrical service to the public for compensation;
- (B) furnishing telecommunications service to the public for compensation. (§ 3(a)(b) ch 158 SLA 1960; am §§ 12, 13 ch 53 SLA 1977)

Effect of amendment. — The 1977 amendment substituted "administrator" for "contractor" near the beginning of paragraph (2) and added paragraphs (4) and (5).

Installation of signal and communication systems is included within the broad definitions of this section. 1966 Op. Att'y Gen., No. 4.

One who responds to invitation for bids is or purports to be in business of electrical contracting. — A person who responds to an invitation for bids is engaged in and purporting to be engaged

in the business of contracting to install or repair electrical wiring, if the necessary purport of his bid, to the inviter, is that he is engaged in the business of electrical contracting. 1963 Op. Att'y Gen., No. 14.

And to "purport" to be in such business requires dissemblance. — To "purport" to be in the business of electrical contracting, as distinct from being engaged in the business, requires dissemblance on the part of the electrician, since "being engaged" includes the appearance of being engaged, unless the appearance is deceptive. 1963 Op. Att'y Gen., No. 14.

CHAPTER 32.
BOARD OF ELECTRICAL EXAMINERS

experience in outside linework as field superintendent, office engineer or similar position; or

Article

- 1. Outside Linework Category (12 AAC 32.010-12 AAC 32.040)
- 2. Outside Communications Category (12 AAC 32.050-12 AAC 32.080)
- 3. Inside Wiring Category (12 AAC 32.090-12 AAC 32.110)
- 4. Inside Communications Category (12 AAC 32.130-12 AAC 32.150)
- 5. Residential Wiring Category (12 AAC 32.170-12 AAC 32.190)
- 6. Examinations (12 AAC 32.210-12 AAC 32.240)
- 7. Applications (12 AAC 32.250-12 AAC 32.260)
- 8. General Provisions (12 AAC 32.900-12 AAC 32.910)

(3) a degree in electrical engineering from an accredited college or university plus one year of current practical experience as a journeyman lineman in outside linework. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.045
AS 08.40.050

12 AAC 32.020. NOTIFICATION. Repealed 7/28/77.

12 AAC 32.021. EXAMINATION FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE OUTSIDE LINEWORK CATEGORY.

An applicant for an electrical administrator license in the outside linework category will be examined to determine his or her knowledge of outside linework, familiarity with the applicable portions of the regulations contained in the National Electrical Code and the National Electrical Safety Code, as approved by the American National Standards Institute, other applicable installation and safety regulations approved by the American National Standards Institute, and practical skill and ability in outside linework. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.045 AS 08.40.060
AS 08.40.050 AS 08.40.120

12 AAC 32.030. EXAMINATIONS. Repealed 7/28/77.

12 AAC 32.031. SCOPE OF AN ELECTRICAL ADMINISTRATOR LICENSE IN THE OUTSIDE LINEWORK CATEGORY.

(a) The holder of an electrical administrator license in the outside linework category may supervise all work defined in (b) of this section. A person holding a current valid license in outside linework on the effective date of the amendment to this section will be granted a license in outside communications without examination.

(b) Outside linework includes

(1) all work necessary to the assembling, installation, erection, operation, maintenance or repair of all electrical apparatus, devices, wires, cables, supports, insulators, conductors, ducts,

ARTICLE 1.
OUTSIDE LINEWORK CATEGORY

Section

- 10. (Repealed)
- 11. Qualifications for an electrical administrator license in the outside linework category
- 20. (Repealed)
- 21. Examination for an electrical administrator license in the outside linework category
- 30. (Repealed)
- 31. Scope of an electrical administrator license in the outside linework category
- 40. (Repealed)

12 AAC 32.010. APPLICATION. Repealed 7/28/77.

12 AAC 32.011. QUALIFICATIONS FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE OUTSIDE LINEWORK CATEGORY.

(a) An applicant for an electrical administrator license in the outside linework category shall furnish proof satisfactory to the board that he or she has

(1) three years of current practical experience as a journeyman lineman in outside linework;

(2) four years of current management

and raceways; when part of distributing systems outside of buildings;

(2) all underground ducts and cables when they are part of a system of a distributing company or utility;

(3) all outdoor substations and electrical connections up to and including the setting of transformers and the connecting of the primary buses to them;

(4) all outdoor street lighting on public thoroughfares, roadways, and rights-of-way; and

(5) all linework consisting of wood, concrete or metal, or substitutes for those materials; poles or towers, including wires, cables, or other apparatus supported by them. (Eff. 7/28/77, Reg. 63; am 4/11/79, Reg. 70)

Authority: AS 08.40.045
AS 08.40.050
AS 08.40.090

12 AAC 32.040. NOTIFICATION OF RESULTS. Repealed 7/28/77.

ARTICLE 2. OUTSIDE COMMUNICATIONS CATEGORY

Section

- 50. (Repealed)
- 51. Qualifications for an electrical administrator license in the outside communications category
- 60. (Repealed)
- 61. Examination for an electrical administrator license in the outside communications category
- 70. (Repealed)
- 71. Scope of an electrical administrator license in the outside communications category
- 80. (Repealed)

12 AAC 32.050. REEXAMINATION. Repealed 7/28/77.

12 AAC 32.051. QUALIFICATION FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE OUTSIDE COMMUNICATIONS CATEGORY. An applicant for an electrical administrator license in the outside communications category shall furnish proof

satisfactory to the board that he or she

(1) has had two years of current practical experience in outside communications; or

(2) is a graduate of an accredited college or trade school in outside communications. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.045
AS 08.40.050

12 AAC 32.060. FAILURE TO APPEAR FOR EXAMINATION. Repealed 7/28/77.

12 AAC 32.061. EXAMINATION FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE OUTSIDE COMMUNICATIONS CATEGORY. An applicant for an electrical administrator license in the outside communications category will be examined to determine his or her knowledge of outside communications, familiarity with the applicable portions of the regulations contained in the National Electrical Code and the National Electrical Safety Code, as approved by the American National Standards Institute, other applicable installation and safety regulations approved by the American National Standards Institute, and practical skill and ability in outside communications. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.045 AS 08.40.060
AS 08.40.050 AS 08.40.120

12 AAC 32.070. ISSUANCE OF LICENSE. Repealed 7/28/77.

12 AAC 32.071. SCOPE OF AN ELECTRICAL ADMINISTRATOR LICENSE IN THE OUTSIDE COMMUNICATIONS CATEGORY. (a) The holder of an electrical administrator license in the outside communications category may supervise all work defined in (b) of this section.

(b) Outside communications includes

(1) outside linework as defined by sec. 31(h) of this chapter but limited to the installation, operation, maintenance and repair of telephone, telegraph, and intercommunication facilities, up to the first point of distribution or the first terminal inside of building or property lines; and

(2) the installation, maintenance and repair of fire alarm, intrusion alarm or other low voltage signaling systems of 48 volts to ground or less, outside of buildings or property lines where aerial wires or cables are used between buildings or structures up to the first point of attachment of such conductors to those buildings or structures. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.045
AS 08.40.050
AS 08.40.090

12 AAC 32.080. ADMINISTRATOR OF LICENSE. Repealed 7/28/77.

ARTICLE 3. INSIDE WIRING CATEGORY

Section

90. Qualifications for an electrical administrator license in the inside wiring category
100. Examination for an electrical administrator license in the inside wiring category
110. Scope of an electrical administrator license in the inside wiring category

12 AAC 32.090. QUALIFICATIONS FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE INSIDE WIRING CATEGORY. An applicant for an electrical administrator license in the inside wiring category shall furnish proof satisfactory to the board that he or she has

(1) three years of current practical experience as a journeyman electrician in inside wiring;

(2) four years of current management experience in inside wiring as field superintendent, office engineer or similar position; or

(3) a degree in electrical engineering from an accredited college or university plus one year of current practical experience as a journeyman electrician in inside wiring. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.045
AS 08.40.050

12 AAC 32.100. EXAMINATION FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE INSIDE WIRING CATEGORY. An applicant for an electrical administrator license in the inside wiring category will be examined to determine his or her knowledge of inside wiring, familiarity with the applicable portions of the regulations contained in the National Electrical Code and the National Electrical Safety Code, as approved by the American National Standards Institute, other applicable installation and safety regulations approved by the American National Standards Institute, and practical skill and ability in inside wiring. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.045 AS 08.40.060
AS 08.40.050 AS 08.40.120

12 AAC 32.110. SCOPE OF AN ELECTRICAL ADMINISTRATOR LICENSE IN THE INSIDE WIRING CATEGORY. (a) The holder of an electrical administrator license in the inside wiring category may supervise all work defined in (b) of this section and the work defined under the residential wiring category in sec. 190(b) of this chapter. A person holding a current valid license in inside wiring on the effective date of the amendment to this section will be granted a license in inside examination.

(b) Inside wiring includes

(1) installation, construction, operation, maintenance and repair of all electrical work within buildings and within property lines of any given property, and beginning at the secondary side of the transformer, except linework consisting of poles and towers, including wires or cables and other apparatus supported by them, and except outdoor substations as defined under outside linework jurisdiction; and

(2) work starting immediately after the first point of attachment of aerial conductors to buildings when aerial wires or cables are used to provide power for buildings or structures within the property lines of any given property. (Eff. 7/28/77, Reg. 63; am 4/11/79, Reg. 70)

Authority: AS 08.40.045
AS 08.40.050
AS 08.40.090

**ARTICLE 4.
INSIDE COMMUNICATIONS CATEGORY**

Section

- 130. Qualifications for an electrical administrator license in the inside communications category
- 140. Examination for an electrical administrator license in the inside communications category
- 150. Scope of an electrical administrator license in the inside communications category

12 AAC 32.130. QUALIFICATIONS FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE INSIDE COMMUNICATIONS CATEGORY. An applicant for an electrical administrator license in the inside communications category shall furnish proof satisfactory to the board that he or she

(1) has had two years of current practical experience in inside communications; or

(2) is a graduate of an accredited college or trade school in inside communications. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.050

12 AAC 32.140. EXAMINATION FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE INSIDE COMMUNICATIONS CATEGORY. An applicant for an electrical administrator license in the inside communications category will be examined to determine his or her knowledge of inside communications, familiarity with the applicable portions of the regulations contained in the National Electrical Code and the National Electrical Safety Code, as approved by the American National Standards Institute, other applicable installation and safety regulations approved by the American National Standards Institute, and practical skill and ability in inside communications. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.050
AS 08.40.060
AS 08.40.120

12 AAC 32.150. SCOPE OF AN ELECTRICAL ADMINISTRATOR LICENSE IN THE INSIDE COMMUNICATIONS CATEGORY. (a) The holder of an electrical

administrator license in the inside communications category may perform all work defined in (b) of this section.

(b) Inside communications includes

(1) work within the inside wiring jurisdiction but limited to the installation, operation, maintenance and repair of telephone, telegraph and intercommunication facilities, beginning at the first point of distribution or the first terminal inside of building or property lines; and

(2) the installation, maintenance and repair of fire alarm, intrusion alarm or other low voltage signaling systems of 48 volts to ground or less, within buildings or within lines, except as defined under sec. 110(b)(2) of this chapter. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.050
AS 08.40.090

**ARTICLE 5.
RESIDENTIAL WIRING CATEGORY**

Section

- 170. Qualifications for an electrical administrator license in the residential wiring category
- 180. Examination for an electrical administrator license in the residential wiring category
- 190. Scope of an electrical administrator license in the residential wiring category

12 AAC 32.170. QUALIFICATIONS FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE RESIDENTIAL WIRING CATEGORY. An applicant for an electrical administrator license in the residential wiring category shall furnish proof satisfactory to the board that he or she has two years of current practical experience in residential wiring as a residential wireman. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.050

12 AAC 32.180. EXAMINATION FOR AN ELECTRICAL ADMINISTRATOR LICENSE IN THE RESIDENTIAL WIRING CATEGORY. An applicant for an electrical administrator license in the residential wiring category will be examined to determine his or her knowledge of residential wiring, familiarity with the applicable

portions of the regulations contained in the National Electrical Code and the National Electrical Safety Code, as approved by the American National Standards Institute, other applicable installation and safety regulations approved by the American National Standards Institute, and practical skill and ability in residential wiring. (Eff. 7/23/77, Reg. 63)

Authority: AS 08.40.050
AS 08.40.060
AS 08.40.120

12 AAC 32.190. SCOPE OF AN ELECTRICAL ADMINISTRATOR LICENSE IN THE RESIDENTIAL WIRING CATEGORY.

(a) The holder of an electrical administrator license in the residential wiring category may supervise all work defined in (b) of this section on a residential dwelling unit not exceeding two stories in height and no larger than a four-plex.

(b) Residential wiring includes inside wiring and inside communications work as defined in secs. 110(b) and 150, respectively, of this chapter, but is limited to residential occupancies described in (a) of this section. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.045
AS 08.40.050
AS 08.40.090

ARTICLE 6. EXAMINATIONS

Section

- 210. Examination
- 215. Examination review
- 220. Reexamination
- 230. Notice of examination
- 240. Examination papers

12 AAC 32.210. EXAMINATION. (a) Each part of an examination must be passed with a minimum score of 70 percent.

(b) An applicant may not be examined for more than two electrical administrator license categories at any one scheduled examination. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.045
AS 08.40.050
AS 08.40.120

12 AAC 32.215. EXAMINATION REVIEW.

(a) A person receiving a failing score may review his or her examination in the presence of at least one board member if he or she makes a request to the board before the recess of the board's regularly scheduled meeting the day immediately following the examination.

(b) An examination review shall be conducted the day the request for review is made or the following day.

(c) Upon completion of an examination review with an applicant, the board member reviewing the examination will prepare a written and signed statement of any changes the board member determines should be made to the original examination score.

(d) The board will review and act upon all written statements of recommended changes before the adjournment of the board's regularly scheduled meeting immediately following the examination.

(e) The written and signed statement of recommended changes will be returned with the original and unaltered examination papers to the department following the board's meeting. (Eff. 5/25/79, Reg. 70)

Authority: AS 08.40.050
AS 08.40.120

12 AAC 32.220. REEXAMINATION. (a) An applicant failing part of the examination will be allowed to retake the parts failed if he or she notifies the department of his or her intent to retake the examination at least 30 days before the next scheduled examination.

(b) An applicant who fails to retake the parts failed within one year must retake the entire examination. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.050

12 AAC 32.230. NOTICE OF EXAMINATION. Candidates whose applications for examination have been accepted will be notified of the time and place of examination at least two weeks before the examination. Notice of the examination will also be published in major newspapers at least 30 days before the examination. (Eff. 4/11/79, Reg. 70)

Authority: AS 08.40.050
AS 08.40.060

12 AAC 32.240. EXAMINATION PAPERS. All examination papers will be preserved for a period of at least six months after notification of grade results, during which time any candidate who has failed the examination may inspect his papers in the presence of a board member or his designee. However, no person may inspect examination papers during the 30 days immediately preceding any examination. (Eff. 4/11/79, Reg. 70)

Authority: AS 08.40.050
AS 08.40.060
AS 08.40.120

12 AAC 32.260. TIME AND PLACE FOR FILING APPLICATIONS. An application together with the required fee must be filed at least 10 days before a regularly scheduled board meeting in order to be considered at that meeting. Regular meetings are held in the months of February, May, August, and November. (Eff. 4/11/79, Reg. 70)

Authority: AS 08.40.050
AS 08.40.110
AS 08.40.150

**ARTICLE 7.
APPLICATIONS**

Section

- 250. Application; forms, supporting evidence, and fee
- 260. Time and place for filing applications

12 AAC 32.250. APPLICATION; FORMS, SUPPORTING EVIDENCE, AND FEE. (a) An application for initial licensure must be submitted on a form provided by the department with

(1) a check or money order in the amount specified in (b) of this section;

(2) transcripts from an accredited school or trade school attended by applicant;

(3) a certified copy of the applicant's degree awarded by an accredited school or certificate from trade school;

(4) evidence of experience required by this chapter.

(b) The appropriate fee under AS 08.40.150 or 08.40.135(b) must accompany an application. The fees under AS 08.40.150 for original license and renewal must be paid for each category applied for. (Eff. 4/11/79, Reg. 70)

Authority: AS 08.40.050
AS 08.40.110
AS 08.40.150

**ARTICLE 8.
GENERAL PROVISIONS**

Section

- 900. Licensed electrical administrator is responsible for completed project
- 910. Definitions

12 AAC 32.900. LICENSED ELECTRICAL ADMINISTRATOR IS RESPONSIBLE FOR COMPLETED PROJECT. Completion of a project conducted under an electrical administrator's license constitutes certification by the administrator that work performed and materials used conform to applicable codes and standards. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.050
AS 08.40.130

12 AAC 32.910. DEFINITIONS. In this chapter

(1) "board" means the Board of Electrical Examiners;

(2) "department" means the Department of Commerce and Economic Development;

(3) "four-plex" means a building containing four dwelling units erected on a common foundation;

(4) "journeyman lineman" or "journeyman electrician" means a person who has at least four years or 8,000 hours experience in the electrical trade and holds a certificate of fitness as issued by the Department of Labor under AS 18.62:

(5) "residential wireman" means a person who has at least two years or 4,000 hours experience in the residential wiring trade and holds or is otherwise entitled to hold a certificate of fitness as issued by the Department of Labor under AS 18.62. (Eff. 7/28/77, Reg. 63)

Authority: AS 08.40.050

BOARD OF ELECTRICAL EXAMINERS (pages 1-12)

KEY OF REFERENCES:

- (Y) = yellow - State of Alaska Sunset Review, 1979
(B) = blue - Division of Legislative Audit Performance Review of Electrical Examiners Board, May 1979.
(Testimony) = Senate Commerce Committee Hearing Minutes, November 7, 1979
(Green) = Board of Electrical Examiners Report, June 1979 to Governor J. S. Hammond

- ~~1. Board should not be continued~~
1. Board should not be continued
(B) Audit - page 7, page 9, Recommendation 1; page 8 (Yellow) O.L.

~~Quote from Elaine Garrett~~

If the Board of Electrical Examiners should be continued the following changes/additions are suggested:

- A. Board composed of 4 members -- 2 lay, 2 professional. Two year terms with one re-appointment.
Testimony - p. 59
(Y) - p. 10/13 O.L. (5) 3 + 2 lay
(Y) - p. 32, Board View (707) (Prof)
(B) - p. 13, Audit
- B. Increase the number of inspectors.
Testimony - p. 60, 6, and 10
(Y) - p. 11, O.L.
(Y) - p. 5, Board has power to inspect
Testimony - Don Liston, Editor of "Building Alaska" magazine
- C. Statutory authority for reciprocity should exist.
Testimony - H. D. Wilson, contractor, p. 69, and ombudsman's letter, p. 80
(Y) - p. 35, Board
(B) - p. 12, Audit, Recommendation #5 Endorsement
(Y) - p. 7, O.L.
- D. Eliminate inspection power from the Department of Labor for Electrical Examiners. Commerce already has this power. O.K.
(Y) - p. 27/29, conclusive p. 30, Attorney General
Testimony - Don Liston/"Build Alaska"
SB 232

E. Licensee should not take the certificate of fitness test.
Testimony - p. 60,9
(Y) - p. 39, Board
(Y) - pp. 8, 6
(B) - p. 9 (instead of Sunset, eliminate this duplication)
Audit

F. Adopt the National Electrical Code and the National Electrical Safety Code as a minimum standard for the State of Alaska.
(Y) - p. 36 - Board
Testimony - Tony Reid, Inspector
Administration - Memo Oct. 30, 1979 by Bill McConkey, p. 2

O.K.

G. Annual report from Board to Legislature/Put authority in 08 Title.
Testimony - Michael Frith
(B) - p. 13, Audit
(Green) - p. 3, section 2, Board

Yes Report

H. It should not be required that electricians involved in the communications industry be licensed.
(B) - pp. 7, 10, Recommendation 2 - Audit
(Y) - p. 7, Audit

Ltr to the Bd

I. In regard to fees and licensing a maximum of two-years ~~of~~ of license should be allowed before reexamination is statutorily required.
(Y) - p. 34, Board
(Y) - p. 13 - fees - O.L.
(Y) - O.L. and Audit agree on fees. Set by OL and Board. SB 94.

J. Licenceses should be notified of renewal dates at least thirty days before the expiration date of their licenses.
Repeal 08.01.050 by O.L. per Elaine Garrett

Notify

Original sponsor: Commerce Committee

1 IN THE HOUSE

BY THE COMMERCE COMMITTEE

2

SENATE CS FOR CS FOR HOUSE BILL NO. 1031

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

ELEVENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act continuing the existence of the Board of Electrical Examiners, and amending the statutes relating to the powers and duties of the board; and providing for an effective date."

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

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* Section 1. AS 08.40.010 is amended to read:

12

Sec. 08.40.010. CREATION AND MEMBERSHIP OF BOARD. There is [HERE-BY] created a Board of Electrical Examiners consisting of three members, two of whom [WHO] are licensed electrical administrators and one of whom is a public member.

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* Sec. 2. AS 08.40.020 is amended to read:

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Sec. 08.40.020. APPOINTMENT AND TERM OF OFFICE. The members of the board shall be appointed by the governor and confirmed by the legislature for staggered terms of three years, or until their successors are appointed. A member may be removed at the pleasure of the governor. A person may not be appointed to serve more than two consecutive terms on the board.

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* Sec. 3. AS 08.40.050 is amended to read:

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Sec. 08.40.050. REGULATIONS. The board shall adopt regulations subject to the Administrative Procedure Act (AS 44.62), relating to the examination and licensing of electrical administrators, the establishing of the continued competency of an applicant for license renewal and reinstatement, and the suspension or revocation of licenses.

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* Sec. 4. AS 08.40.120 is amended to read:

1 Sec. 08.40.120. EXAMINATION OF APPLICANT. (a) Each applicant
2 shall be examined to determine

3 (1) his ability to understand plans, design specifications,
4 and engineering terms commonly used in the electrical field;

5 (2) his knowledge of electrical installations and wiring;

6 (3) his [,] familiarity with the regulations contained in the
7 National Electrical Code and the National Electrical Safety Code, as
8 approved by the American Standards Association;

9 (4) [,^{his familiarity with}] other installation and safety regulations approved by
10 the American Standards Association;

11 (5) his familiarity with electrical installation problems and
12 the usages of the trade peculiar to Alaska; [,] and

13 (6) his personal skill and ability.

14 (b) If an applicant for a license submits proof satisfactory to
15 the board that he is licensed as an electrical administrator or the
16 equivalent by another state or territory, that he meets qualifications
17 established by the board under AS 08.40.045, and that he has passed an
18 examination equivalent to the test administered under (a) of this section
19 except insofar as that examination tests knowledge and skill particularly
20 required to meet the environment and usages of the trade peculiar to
21 Alaska, the board shall waive all of the examination required under (a)
22 of this section except those parts which test knowledge and skill par-
23 ticularly required to meet the environment and usages of the trade pecu-
24 liar to Alaska.

25 * Sec. 5. AS 08.40.135 is amended to read:

26 Sec. 08.40.135. RENEWAL AND REINSTATEMENT. (a) A license issued
27 under this chapter, unless revoked or suspended, is nontransferable and
28 may be renewed on a date set by the department upon proof of continued
29 competency [WITHOUT EXAMINATION], by appropriate application.

Amendment
*

1 (b) A lapsed license may be reinstated upon proof of continued
2 competency by payment of all unpaid renewal fees and a penalty fee of
3 \$25 for each year the license has been lapsed unless the license has
4 been lapsed for more than two [THREE] years. If a person's license has
5 been lapsed for more than two years, he is required to take an examina-
6 tion under AS 08.40.120 [AND THE BOARD HAS REASON TO BELIEVE THAT IT MAY
7 BE NECESSARY TO REQUIRE THE LICENSEE TO TAKE AND PASS THE EXAMINATION
8 GIVEN UNDER AS 08.40.120].

9 * Sec. 6. AS 08.40.150 is amended to read:

10 Sec. 08.40.150. FEES. (a) Each applicant shall pay an original
11 license fee of \$200 [\$100].

12 (b) The fee for biennial renewal of a license is \$200 [\$100].

13 * Sec. 7. AS 08.40.190(b)(6) is repealed and re-enacted to read:

14 (6) the operation, maintenance and repair of telephone,
15 telegraph, and intercommunication facilities;

16 * Sec. 8. AS 08.40.190(b) is amended by adding new paragraphs to read:

17 (7) the installation, maintenance and repair of fire alarm,
18 intrusion alarm or other low voltage signaling systems of 48 volts to
19 ground or less;

20 (8) the maintenance or repair of diesel electric engines
21 installed on heavy construction equipment, either in a shop or on a job
22 site.

23 * Sec. 9. AS 08.40 is amended by adding a new section to read:

24 Sec. 08.40.195. PERSONAL SUPERVISION. A person licensed under
25 this chapter as an electrical administrator who contracts to install or
26 repair electrical wiring, conduits, devices, fixtures, equipment, or
27 other electrical materials for transmitting, using, or consuming elec-
28 trical energy must personally inspect those materials after installation
29 and repair unless the installation or repair amounts to simple or highly

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standardized work performed in less than 24 man hours by personnel generally under the supervision of the electrical administrator.

* Sec. 10. AS 08.03.010(c) is amended by adding a new paragraph to read:
(2) Board of Electrical Examiners (AS 08.40.010) -- June 30, 1982.

* Sec. 11. AS 08.03.010(b)(5) is repealed.

* Sec. 12. Notwithstanding AS 08.40.010 amended in sec. 1 of this Act, a member serving on the Board of Electrical Examiners on the effective date of this Act continues to serve on the board until expiration of the term to which he was appointed.

* Sec. 13. This Act takes effect June 30, 1980.

SENATE CS FOR HOUSE CS 1031

MR. PRESIDENT, I MOVE THE ADOPTION OF THE SENATE COMMERCE CS (WHICH HAS BEEN A RESULT OF A JOINT EFFORT WITH THE HOUSE TO PREVENT AN UNNECESSARY AND OFTEN TIME-CONSUMING FCC.).

MAIN BILL SUMMARY

1. ^{2w}
1 SECTION 1, THIS BILL ADDS A PUBLIC MEMBER WITHOUT INCREASING THE SIZE OF THE BOARD.
2. ^{2w}
1 SECTION 2, AS HAS BEEN DONE WITH THE OTHER BOARDS, A MEMBER CANNOT SERVE MORE THAN TWO CONSECUTIVE TERMS OF THREE YEARS EACH.
3. ^{2w}
1 SECTION 3, THIS BILL PROVIDES THAT THE BOARD SHALL ADOPT REGULATIONS ESTABLISHING CONTINUED COMPETENCY OF AN APPLICANT FOR LICENSE RENEWAL AND REINSTATEMENT AND *there is* ~~WAS~~ A LETTER OF INTENT ATTACHED WHICH EXPLAINS THE DETAILS OF ~~THE PROCESS~~ *this intent.*
4. SECTION 4 OF THE BILL BEEFS UP THE EXAMINATION REQUIREMENTS AND EXPLAINS THE CONDITIONS OF RECIPROCITY.
5. SECTION 5 REQUIRES THAT A PERSON MUST BE RE-EXAMINED IF HIS LICENSE HAS BEEN LAPSED FOR MORE THAN TWO YEARS.
6. SECTION 6 INCREASES THE BIENNIAL RENEWAL LICENSE FEE FROM \$100 TO \$200 BECAUSE IT HAS NOT BEEN INCREASED SINCE 1969.

7. SECTIONS 7 AND 8 DENOTES THOSE PERSONS IN THE ELECTRICAL FIELD IN WHICH THIS CHAPTER DOES NOT APPLY, BUT WHO ARE SUBJECT TO THE INSPECTION PROVISIONS OF THIS CHAPTER. SECTION 7 EXPANDS SUBPARAGRAPH (6) TO INCLUDE OPERATION, AS WELL AS MAINTENANCE AND REPAIR, OF TELEGRAPH AND INTER-COMMUNICATION FACILITIES. SECTION 8, ^{adds} SUBPARAGRAPHS (7) AND (8), ^{which is} WORK THAT IS SPECIFICALLY SUBJECT TO INSPECTION PROVISIONS OF SEC. 70 OF THIS CHAPTER.
8. SECTION 9 REQUIRES AN ELECTRICAL ADMINISTRATOR TO PERSONALLY INSPECT AN INSTALLATION AND REPAIR JOB UNLESS THE JOB IS A SIMPLE ^{one} ~~job~~ PERFORMED IN LESS THAN 24 HOURS AND IS UNDER THE GENERAL SUPERVISION OF THE ELECTRICAL ADMINISTRATOR.
9. SECTION 10 EXTENDS THE LIFE OF THE BOARD TO JUNE 30, 1982.
10. SECTION 11 REMOVES THE BOARD OF ELECTRICAL EXAMINERS FROM THE LIST OF BOARDS WHICH HAVE A TERMINATION DATE OF JUNE 30, 1980.
11. SECTION 12 PROVIDES FOR THE BOARD MEMBERS SERVING ON THE EFFECTIVE DATE OF THIS ACT TO CONTINUE TO SERVE UNTIL THEIR TERMS EXPIRE.
12. SECTION 13 STATES THAT THIS ACT TAKES EFFECT JUNE 30, 1980.

COMMITTEE REPORT

SENATE

FURTHER: None

5/14/80

Date: May 20, 1980

Mr. President:

The Committee on COMMERCE has had CSHB 1031

continuing the existence of the Board of Electrical Examiners, and amending the statutes relating to the powers and duties of the board

under consideration and (a majority of the committee) (the committee) reports it back with the following recommendations:

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for CSHB 1031 same title
- new title

and recommends _____

AND attaches a "Letter of Intent" New Fiscal Note

reports it back without recommendation

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Brad Bradley

Cliff Jurgens

Tony J. Stinson

Tom Kelly - No Rec

Brad Bradley
CHAIRMAN



Official Business

Alaska State Legislature

Senate

Committee on Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

LETTER OF INTENT
SCS for CS for HB 1031
May 20, 1980

The Honorable Senator Clem Tillion
Senate President
Alaska State Legislature
Pouch V
Juneau, Alaska 99811

Dear Senator Tillion:

The Senate Commerce Committee has reviewed the problems mentioned in our previous report arising from "Sunset" review of the Board of Electrical Examiners. Senate Commerce Committee Substitute for Committee Substitute for HB 1031 addresses these concerns.

One item requires some explanation. On page 1, lines 26 and 28, and on page 2, lines 28 and 29, and on page 3, lines 1 and 2, there is reference to a requirement of "proof of continued competency" and a provision to allow the Board to adopt regulations establishing continued competency for license renewal.

The Committee anticipates that the Board of Electrical Examiners would provide by regulation for compliance with these sections by addressing meetings and functions sponsored by recognized trade associations. In most cases this would probably refer to functions sponsored by the National Electrical Contractor's Association.

The Committee does not intend that there be a strict, classroom-style continuing education program that might not be consistent with this profession and trade, but rather that the Board of Electrical Examiners assure itself that an electrical contractor is keeping in touch with the applicable trade associations and is attending functions sponsored by them which may add to his knowledge about the changes in the field.

There were indications at our committee hearings during the "Sunset" process that the trade organization performs some of this function now and is interested in doing more of it. Of course, passage of this legislation would virtually require the trade organization to become more active in this area. There seems to be no objection to that.

Respectfully submitted,

Brad Bradley
Senator Brad Bradley
Chairman