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H. Labor & Commerce 1981-1982

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Referrals Personal  
Comm. Meeting 1-10-82  
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3/19/82  
noted  
Bar Ward  
586-3680

Notified ~~if~~ included  
Dept of Labor  
Notified  
Dept of Commerce  
Occupational Safety

Ph. 338-1272 Ken Lombak -  
Notify Rep. Cuddy office #4905  
Notify -> Judy - in Smith's #4930  
when ~~recessed~~ office

Staff Analysis of testimony and documents presented.

Overview: The fundamental question of regulation and licensing is whether the licensing and/or regulation process is necessary to protect the public from serious and likely harm. In the case of an already existing Board or Commission the question on a viable alternative to the Board or present licensing practice should be considered.

Public Need: The Board of Welding Examiners received an audit by the Division of Legislative Audit on June 8, 1979, and a follow-up audit on November 24, 1980. Both audits reached the same conclusion: "In our opinion, there is not a sufficient public need for continuing either the Board or State licensing of welding personnel."

Public testimony has been critical of the performance of the Board and questions the need of the licensing of welding personnel by the State of Alaska. As the legislative audit (June 8, 1979, p9) points out, "that only one other state to date requires licensing of WI's." Further, there have been questions raised about conflicts of interest by certain of the Board members, and that the sole reason for the continuance of the Board is for their personal financial gain.

Analysis of Arguments: Perhaps it would be easiest to keep this report short to refer to Mr. Lockman's letter of January 25, 1982 (exhibit #1) and address each of his question and concerns.

First is "some vital areas which control the public's safety as it applies to welding." Since the Board has adopted the AWS QCI-78 (Exhibit #2) as the basis of testing and regulation perhaps it should be noted what these Standards state. "1.2 This Standard is intended to supplement any requirements of an employer, code, standard or specification and shall not be construed as a preemption of the employer's responsibility for the work or for the performance of such work." It would appear to be in the Public Interest for the liability

and responsibility of welding problems accrue to the responsible employer and not to the State.

Next, the questions that Mr. Lockman asks, "If the Licensed Welding Inspector is abolished,". Perhaps it would be more accurate to say, if the Board of Welding Examiners is abolished.

"1. Who will certify the welders for Alaska work?" Who certifies the welders for Alaska work now? The Board requires a \$50 examination fee for the welder inspector applicant. This fee is paid directly to the American Welding Society who administers, grades and certifies the test. In addition, the applicant must take an all position welding qualification test in at least one welding process. This is one of the areas that the conflict of interest has been raised. These tests are given by licensed Welding Inspectors or Certified Test Labs. The Board itself does not witness the test and has no knowledge if the individual whose application they review has, in fact, ever taken a test or is the same individual whose application they are certifying as a licensed Welding Inspector.

"3. How do we safeguard against false welder certification papers?" The real question is, How is this safeguard being provided now? The AWS QCI program, as administered, seems to be providing the sole protection that is being afforded. There is no physical control by the Board over the physical test being administered by the licensed Welding Inspectors. Elimination of the Board and adoption of the AWS QCI standards would not change what is being done at the present time, except that it would be less expensive for the employers and the Public.

"4. Can a welder come into Alaska without proving his ability and take a job welding?" Under the current Board regulations there is no requirement for an individual to have ever been in Alaska to be certified as a Welder or a Welding Inspector. The only figures available are found in the Legislative Audit of June 8, 1979 (p2') and show that 45% of the licensed Welding Inspectors are out-of-state residents. From the regulations of the Board, the requirement is that

an individual be AWS QCI certified and have paid the necessary fees to a licensed Alaska Welding Inspector. Exhibit #3, Sunday Times of 2/28/82 would seem to indicate that it would be easier for residents of Denver to become certified as welders and welding inspectors than it would be for Alaska residents who do not live in Anchorage.

This practice raises a policy question of whether or not the license is or could be used as a means to restrict entry of qualified individuals into the market. If there would be another large scale project, like the gas line, would it be desirable to restrict the licensing of Alaska Welding Inspectors to some facilities, such as the one in Denver? If so, which areas and who should be chosen? The Alyeska letter of April 12, 1977 (Exhibit #4) raises this and some other questions.

Further considerations. It would be easy to go point by point through all of the materials that have been presented but that would miss the main aspect. The fundamental questions raised by the Legislative Audit have not been addressed. The Public Need has not been demonstrated. If the Legislative Audits are to be given credence, then attention should be directed to their recommendation that "Welder qualification certificates can be required by statute and, if desired, the AWS certification program for WI's could be adopted by reference." In fact, except for the requirement of a test by a licensed Alaska Welding Inspector, this is the procedure that is being followed today.

Under any set of facts, the procedure adopted should not be structured in a manner that it be construed as a preemption of the employer's responsibility for the work or for the performance of such work.

Final Note. There seems to be some question over the validity on some of the testimony and "public input". The advertisement of 2/21/82 (Exhibit #5) purported to be by, or sanctioned by the American Welding Society was repudiated by the American Welding Society and should not be construed as indicative of their position (Exhibit #6). Likewise the letter of January 29, 1982 (Exhibit #7) has been viewed by the American Welding Society as a breach of their position on legislative matters

(Exhibit #9) and a possible breach their ethical code (Exhibit #8). The unsolicited testimony, input from the public and the Legislative Audits would appear to indicate that there is a rationale to adopt the codes and the standards by reference.

#2

January 25, 1982

Representative Terry Martin, Chairman  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

In your consideration to reestablish or abolish the Board of Welding Examiners, I would like you to consider some vital areas which control the public's safety as it applies to welding.

If the Licensed Welding Inspector is abolished,

1. Who will certify the welders for Alaska work?
2. Do the persons who will be doing the welder certifications know how to comply with the national codes used in Alaska?
3. How do we safeguard against false welder certification papers?
4. Can a welder come into Alaska without proving his ability and take a job welding?
5. Who will inspect these welds?
6. Is it in the public's best interest to not test the knowledge of a Welding Inspector?
7. If the Welding Inspector is tested who will give the test and what test will be used?

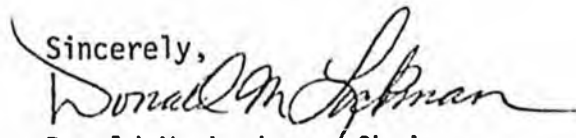
There is no question about the need for a welder to be certified, the question is (1) certified to what? (2) certified by who?

We have today a proven mechanism to safeguard the public against bad welding. To abolish this mechanism or trade it for some other that may not work or damage the quality of future projects is certainly not in the public's best interest.

I have worked hard to create good welding in the public's interest and will certainly leave the Board if that will help.

I'm sure you see the future of Alaska is dependent upon good people doing quality work.

Sincerely,



Donald M. Lockman, Chairman  
Board of Welding Examiners

# Standard for Qualification and Certification of Welding Inspectors

## *Introduction*

The purpose of welding inspection is to determine that the welded product meets the criteria of a specific code, standard or specification. These criteria usually contain references to an appropriate code, standard or specification, and detailed drawings that outline specific and general requirements of the work. The Welding Inspector must be thoroughly familiar with welding processes, welding procedures, welder qualifications, materials, and the limitations of weld testing; and must be able to read drawings, keep records, make reports and make responsible judgments. For weld inspection to be effective, it must be performed in a manner that is consistent with the specification(s) requirements and the technical and ethical principles involved.

## **1. Application and Scope**

**1.1** This Standard establishes the requirements for the qualification and certification of welding inspection personnel and describes how these personnel may become qualified and the principles of conduct and practice by which certification may be maintained.

**1.2** This Standard is intended to supplement any requirements of an employer, code, standard or specification and shall not be construed as a preemption of the employer's responsibility for the work or for the performance of such work.

## **2. Levels of Qualification**

**2.1** There shall be two levels of qualification for welding inspection personnel.

**2.1.1** **Welding Inspector** — A person who has been certified as meeting the requirements of Section 6.1 of this Standard.

**2.1.2** **Associate Welding Inspector** — A person who has been certified as meeting the requirements of Section 6.2 of this standard.

### 3. Definitions

3.1 Terms used in this document are defined as follows:

3.1.1 Certificate — The document issued the applicant upon successful examination.

3.1.2 Certification — Written testimony of qualification.

3.1.3 Committee — The AWS Qualification and Certification Committee.

#### 3.1.4 Welding Inspectors

3.1.4.1 Certified Welding Inspector (CWI) — A person who has been qualified and certified to the requirements of Section 5.1 and 6.1 of this Standard.

3.1.4.2 Certified Associate Welding Inspector (CAWI) — A person who has been qualified and certified to the requirements of Sections 5.2 and 6.1 of this Standard.

3.1.5 All other terms defined by AWS A3.0, "Welding Terms and Definitions."

### 4. Function

#### 4.1 Primary

4.1.1 The CWI performs inspections or verifies that the work inspected and records maintained conform to the requirements of the applicable codes, standards and specifications.

4.1.2 The CAWI performs inspections, under the direction of a CWI, as defined in Section 4.2. It is the CWI, however, who has responsibility for determining if weldments conform to workmanship and acceptance standards.

#### 4.2 Detail — The Welding Inspector

4.2.1 Interprets drawings and specifications.

4.2.2 Verifies that the base materials and consumable welding materials conform to the specification requirements and that the specified welding filler metals are used on each base metal or combination of base metals.

4.2.3 Verifies that the welding equipment to be used for the work is appropriate for use with the welding procedure and has the capability to produce the specified welds.

4.2.4 Verifies that the welding procedures are as specified and qualified and that the welding is performed in accordance with the applicable procedure.

4.2.5 Verifies that the welders, welding operators and tackers have been properly qualified in accordance with the applicable codes, standards and specifications, and that their qualifications permit them to use the welding procedures specified for the work.

4.2.5.1 Assures that the qualification tests are properly performed.

4.2.5.2 Records or welding operator applicable code, standard or specification.

4.2.5.3 Requires operator's qualification applicable code, standard or specification.

#### 4.2.6 Inspector

4.2.6.1 Verifies that welding inspection procedures are used.

4.2.6.2 Verifies that welding inspection requirements of the applicable code, standard or specification are maintained.

4.2.6.3 Verifies that welding filler metals are maintained.

4.2.6.4 Verifies that welding welder, welding operator, or welding operator applicable code, standard or specification.

4.2.6.5 Verifies that welding applicable code, standard or specification.

4.2.6.6 Verifies that welding specified marking method.

#### 4.2.7 Nondestructive

4.2.7.1 Performs

4.2.7.2 Verifies that welding examinations have been performed in a proper manner. The resulting results are complete.

4.2.7.3 Performs welding providing qualification requirements.

#### 4.2.8 Records

4.2.8.1 Prepares records of the welding procedure, welder's, welding operator, welding materials, and

**4.2.5.2** Requires requalification if there is evidence the welder's or welding operator's work does not conform to the requirements of the applicable code, standard or specification.

**4.2.5.3** Requires requalification if the welder's or welding operator's qualification is not current by the requirements of the applicable code, standard or specification.

#### **4.2.6 Inspection of Work**

**4.2.6.1** Verifies that only specified and properly qualified welding procedures are used for the work.

**4.2.6.2** Verifies that the joint preparation and fit-up meet the requirements of the welding procedure and drawings.

**4.2.6.3** Verifies that the specified filler metals are used and that filler metals are maintained in proper condition for use as specified.

**4.2.6.4** Verifies that the technique and performance of each welder, welding operator and tacker are as specified.

**4.2.6.5** Verifies that the work conforms to requirements of the applicable code, standard, specification and drawing.

**4.2.6.6** Verifies that the work inspected is identified with specified marking methods or with appropriate records.

#### **4.2.7 Nondestructive Examination**

**4.2.7.1** Performs the required visual inspections.

**4.2.7.2** Verifies that the required visual and other nondestructive examinations have been performed by qualified personnel in the specified manner. The resulting information shall be reviewed to assure that the results are complete.

**4.2.7.3** Performs nondestructive examinations that are required, providing qualifications are in accordance with the specified requirements.

#### **4.2.8 Records**

**4.2.8.1** Prepares clear and concise reports and verifies that records of the welding procedure, the welding procedure qualifications, the welder's, welding operator's and tacker's qualifications, the control of welding materials, and the results of inspections and tests are maintained.

## 5. Education and Experience Requirements

5.1 Each applicant for certification as a Certified Welding Inspector (CWI):

5.1.1 Shall be a high school graduate or hold a state or military approved high school equivalency diploma.

5.1.2 Shall have no less than five years experience in an occupational function that had a close relationship to weldments fabricated to a code, standard or specification, and directly involved in one or more of the following:

5.1.2.1 Preparation of plans and drawings for weldment construction—design.

5.1.2.2 Planning and control of welding materials, welding procedures and welding operations for weldment fabrication—production.

5.1.2.3 Fabrication and erection of weldments—construction.

5.1.2.4 Detection and measurement of weld discontinuities; verification of fabrication requirements as described in Section 4.2—inspection.

5.1.2.5 Repair of welds that were determined defective—repair.

5.1.3 Alternatives to 5.1.1 and 5.1.2 with proper supporting documentation (e.g., copies of transcripts, letters of reference, etc.):

5.1.3.1 Eighth grade level schooling with no less than 10 years work experience in welding functions.

5.1.3.2 Less than an eighth grade education with no less than 15 years work experience in welding functions.

5.1.3.3 A maximum of two years of post high school education may be substituted for an equal number of years of the required five years experience, provided studies are relevant to any of the functions covered in 5.1.2. Credits are given as follows:

(1) Associate or higher degree. Two years maximum in engineering technology, engineering, physics or sciences.

(2) Engineering/Technical School Courses. Two years maximum of successfully completed courses\* in a curriculum that can be (or could have been) applied to (1) above.

(3) Trade/Vocational School Courses. One year maximum of successfully completed courses\* in a curriculum related to welding that can be (or could have been) applied to (1) above.

\*NOTE: "Successfully completed courses" means completed the quarter or semester term with credit in that course. "Courses in the curriculum" means courses within a body of courses offered toward a degree, or can be applied to a degree in (1) above.

5.1.3.4 Three years of post high school education may be substituted for two years of the required five years experience, provided documentation (e.g., photo copies of transcripts, certificates, and letters of reference) is submitted on the following basis: high school, college or university courses directly related to welding; its application to the function.

5.1.4 Shall be familiar with the following processes:

SMAW	GTAW
FCAW	SAW
GMAW	ESW

Note: Cutting processes related to the fabrication and repair of weldments.

5.1.5 Shall be thoroughly familiar with the functions outlined in Section 4.2.

5.2 Each applicant for certification as a Certified Welding Inspector (CWI):

5.2.1 Shall be a high school graduate or hold a state or military approved high school equivalency diploma.

5.2.2 Shall have no less than five years experience in an occupational function that had a close relationship to weldments fabricated to a code, standard, or specification, and directly involved in one or more of the following:

5.2.2.1 Preparation of plans and drawings for weldment construction—design.

5.2.2.2 Planning and control of welding materials, welding procedures, and welding operations—production.

5.2.2.3 Fabrication and erection of weldments—construction.

5.2.2.4 Detection and measurement of weld discontinuities; verification of fabrication requirements as described in Section 4.2—inspection.

5.2.2.5 Repair of welds that were determined defective—repair.

5.1.3.4 Three years of relevant teaching experience may be substituted for two years of the five years experience requirement with proper documentation (e.g., photocopied summaries of subjects taught, teaching certificates, and letters of reference). Relevant experience will be considered on the following basis: Teaching full time in a trade, area or technical school, college or university; the occupational skill of welding or subjects related to welding: its application, control, materials, and processes.

5.1.4 Shall be familiar with and understand the fundamentals of the following processes:

SMAW	GTAW	OFW	thermal cutting
FCAW	SAW	SW	mechanical cutting
GMAW	ESW	B	

Note: Cutting processes refer only to those processes that are applied to the fabrication and repair of weldments.

5.1.5 Shall be thoroughly familiar with, and capable of performing, the functions outlined in Section 4.

5.2 Each applicant for certification as a Certified Associate Welding Inspector (CAWI):

5.2.1 Shall be a high school graduate or hold a state or military approved high school equivalency diploma.

5.2.2 Shall have no less than two years experience in an occupational function that had a close relationship to weldments fabricated to a code, standard, or specification, and directly involved in one or more of the following:

5.2.2.1 Preparation of plans and drawings for weldment construction—**design**.

5.2.2.2 Planning and control of welding materials, welding procedures, and welding operations for weldment fabrication—**production**.

5.2.2.3 Fabrication and erection of weldments—**construction**.

5.2.2.4 Detection and measurement of weld discontinuities; verification of fabrication requirements as described in Section 4.2—**inspection**.

5.2.2.5 Repair of welds that were classified as defective—**repair**.

5.2.3 Alternatives to 5.2.1 and 5.2.2 with proper supporting documentation (e.g., copies of transcripts, letter of reference, etc.):

5.2.3.1 Eighth grade level schooling with no less than four years experience as a qualified welder in any welding process.

5.2.3.2 Less than an eighth grade education with no less than six years work experience in welding functions.

5.2.3.3 Eighth grade level schooling with no less than one year of vocational education and training in a welding curriculum and three years experience in welding fabrication or inspection activities.

5.2.3.4 Two years post high school education in a welding curriculum or engineering technology, engineering or physical sciences, and six months actual welding inspection experience, as defined in 5.2.2.4.

5.2.4 Shall be familiar with and understand the fundamentals of the following processes:

SMAW	FCAW	B
GTAW	SAW	thermal cutting
GMAW	OFW	mechanical cutting

Note: Cutting processes refer only to those processes that are applied to the fabrication and repair of weldments.

5.2.5 Shall be familiar with, and capable of performing under the direction and/or supervision of the CWI, specific functions outlined in Section 4.

## 6. Examination Requirements

### 6.1 The CWI

6.1.1 Shall pass an eye examination, with or without corrective lenses, to prove (1) near vision acuity on Jaeger's J1 letters or Snellen English at 12 inches, (2) far vision acuity of 20/40, or better, and (3) color perception.

6.1.1.1 Eye examination must be administered by an Optometrist, Medical Doctor or Registered Nurse no more than 7 months prior to the date of the welding inspector examination or recertification.

6.1.2 Shall pass an open book test on the requirements of a code or standard.

6.1.3 Shall pass a test on fundamental principles of such topics as welding processes, NDE methods, mechanical properties of materials, heat treatment, and duties.

6.1.4 Shall pass a test on practical application of welding inspection fundamentals such as interpretation of weld discontinuities, symbols, welding procedures and drawings, and basic on-the-job arithmetic, etc.

6.1.5 CWI — Shall pass all tests with a minimum score of 72% on each test.

CAWI — Shall pass all tests with a minimum score of 50% on each test.

## 7. Certification

7.1 The American Welding Society shall issue a certificate to any applicant who complies with Section 6, as applicable, a serialized card stating that the applicant has met the requirements for Certification shall be valid for a period of 5 years. The certificate shall indicate the expiration date and shall indicate the expiration date of the protective lenses.

## 8. Code of Ethics

*Preamble:* In order to safely and effectively perform the duties of the occupation of welding inspection, CWI and CAWI shall be bound by a code of ethics. The scope to which they apply and the practice is subject to the Code of Ethics. The Code of Ethics or revocation of certification shall be subject to the Code of Ethics.

8.1 Integrity—The CWI shall maintain integrity in professional conduct. The CWI shall represent the profession with integrity and honesty.

8.2 Responsibility to the public—The CWI shall be responsible to the public to preserve the health and safety of the community and the duties required of weld inspectors to the full extent of their knowledge and qualifications. Accordingly, the CWI shall:

8.2.1 Undertake and perform only that work for which they have the training, experience and competence.

8.2.2 Be completely objective in their report, statement or testimony. They shall not give pertinent testimony in such a way as to favor or disadvantage any party.

8.2.3 Sign only for work over which the inspector has direct supervision.

8.2.4 Neither associate with nor be involved in any fraudulent or dishonest venture.

### 8.3 Public Statements

8.3.1 The CWI or CAWI shall not make any public statements or arguments on weld inspection unless they are inspired or paid for by the party, the party's interest.

## 7. Certification

7.1 The American Welding Society will issue to each CWI or CAWI applicant who complies with the requirements of Sections 5.1 or 5.2 and 6, as applicable, a serialized (unique number) certificate and pocket work card stating that the applicant has met the AWS certification requirements. Certification shall be valid for three years unless revoked by reasons defined in Section 8.6 and the authority of Section 9 of this Standard. The certificate shall indicate the date of certification. The pocket work card shall indicate the expiration date of certification and any need for corrective lenses.

## 8. Code of Ethics

*Preamble:* In order to safeguard the public's health and well-being and to maintain integrity and high standards of skills, practice, and conduct in the occupation of welding inspection, the American Welding Society CWI and CAWI shall be cognizant of the following principles and the scope to which they apply with the understanding that any unauthorized practice is subject to the Committee's review and may result in suspension or revocation of certification.

8.1 **Integrity**—The CWI and CAWI are obligated to act with complete integrity in professional matters and to be forthright and candid to the Committee or its representatives on matters pertaining to this Standard.

8.2 **Responsibility to the Public**—The CWI and CAWI are obligated to preserve the health and well-being of the public by performing the duties required of weld inspection in a conscientious and impartial manner to the full extent of the inspector(s) moral and civic responsibilities and qualifications. Accordingly, the CWI and CAWI shall:

8.2.1 Undertake and perform assignments only when qualified by training, experience and capability.

8.2.2 Be completely objective, thorough, and factual in any written report, statement or testimony of the work and include all relevant or pertinent testimony in such communiques or testimonials.

8.2.3 Sign only for work that the inspector has inspected, or for work over which the inspector has personal knowledge through direct supervision.

8.2.4 Neither associate with nor knowingly participate in a fraudulent or dishonest venture.

### 8.3 Public Statements

8.3.1 The CWI or CAWI will issue no statements, criticisms or arguments on weld inspection matters connected with public policy which are inspired or paid for by an interested party, or parties, without first identifying the party, the speaker, and disclosing any possible pecuniary interest.

**8.3.2** The CWI or CAWI will publicly express no opinion on a weld inspection subject unless it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence pertinent to the subject, and upon honest conviction of the accuracy and propriety of the statement.

#### **8.4 Conflict of Interest**

**8.4.1** The CWI and CAWI shall avoid conflict of interest with the employer or client and will disclose any business association, interests, or circumstances that might be so considered.

**8.4.2** The CWI and CAWI shall not accept compensation financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties or their authorized agents.

**8.4.3** The CWI and CAWI shall not solicit or accept gratuities, directly or indirectly, from any party, or parties, dealing with the client or employer in connection with the CWI's and CAWI's work.

**8.4.4** The CWI and CAWI shall, while serving in the capacity of an elected, retained or employed public official, neither inspect, review nor approve any work on projects relating to his public office.

#### **8.5 Solicitation of Employment**

**8.5.1** The CWI and CAWI shall neither pay, solicit, nor offer, directly or indirectly, any bribe or commission for professional employment with the exception of the usual commission required from licensed employment agencies.

**8.5.2** The CWI and CAWI shall neither falsify, exaggerate, nor indulge in the misinterpretation of personal academic and professional qualifications, past assignments, accomplishments, and responsibilities, or those of the inspector's associates.

**8.5.3** The CWI and CAWI are cautioned against functioning as an independent in public fields out of his or her capability, without first investigating for possible industry or public requirements and additional education/experience requirements. (e.g., industrial labs, in the concrete and soil testing field, etc.)

#### **8.6 Unauthorized Practice**

**8.6.1** Any violation of any required standard of conduct prescribed by this Standard if related to a CWI's or CAWI's occupation, including any violation of the Code of Ethics contained in this Standard, shall constitute an unauthorized practice subject to the imposition of sanctions.

### **9. Revocation**

**9.1** The Committee shall revoke the CWI's or CAWI's certifications regarding personnel qualifications, if found guilty of a violation of the Code of Ethics. (Available from the AWS Q&C Department.)

**9.2** The Committee shall have the authority to request the AWS Q&C Department for an enforcement of its rules.

### **10. Reinstatement**

**10.1** Reinstatement of a CWI or CAWI shall be without penalty or prejudice to the CWI or CAWI if revocation has been rectified.

### **11. Upgrading of Certification**

**11.1** The CAWI may, at his own expense, upgrade his certification, or level. Should he be found to be of the same level as that of the CWI, he must be re-examined and pass the exam.

### **12. Recertification**

**12.1** The Qualification Committee shall mail each CWI and CAWI a notice of recertification requirements, 30 days in advance of the expiration date.

**12.2** The CWI and CAWI shall be required to recertify every three years; this requirement is limited to two consecutive years.

**12.2.1** Applicants shall attest to two years activity of welding inspection and shall pass the exam and 5.2.2. (Applicants shall be required to pass the exam.)

**12.2.2** Applicants for those choosing recertification shall be required to pass the "Inspector Examination" for those applicants. (Applicants shall be required to pass the "Inspector Examination" for those applicants.)

**12.2.3** Applicants for this examination are listed in the Standard.

**12.3** The CWI and CAWI shall be required to pass the AWS Q&C Department for an enforcement of its rules. \*Certification becomes effective on the date of examination.

## 9. Revocation

9.1 The Committee shall have the power to suspend, refuse renewal, or revoke the CWI's or CAWI's certification for misrepresentation of facts regarding personnel qualifications, assignments, etc., relating to CWI's or CAWI's certifications; to place on probation or to reprimand certificate holder, if found guilty of an unauthorized practice in a proceeding conducted in accordance with the "Administrative Procedure Manual." (Available from the AWS Q&C Department.)

9.2 The Committee may apply to any court of competent jurisdiction for an enforcement of its administrative decisions and rulings.

## 10. Reinstatement

10.1 Reinstatement of a revoked certification will be allowed with no penalty or prejudice to the individual, provided the reason for such revocation has been rectified to the Committee's satisfaction.

## 11. Upgrading of Certification

11.1 The CAWI may, by his own choice, remain at the same classification, or level. Should he desire to upgrade his classification, or level, to that of the CWI, he must comply with the requirements of Sections 5.1 and 6.1.

## 12. Recertification

12.1 The Qualification and Certification Department shall notify by mail each CWI and CAWI of the expiration of certification and requirements of recertification. Such notice shall be mailed approximately 45 days in advance of the expiration date\* of certification.

12.2 The CWI and CAWI shall be recertified by renewal or reexamination every three years; however, recertification without examination is limited to two consecutive three-year periods.

12.2.1 Applicants requesting renewal of their certification must attest to two years activity, of their three year certification, in the practice of welding inspection and/or related activities as defined in Section 5.1.2 and 5.2.2. (Applicants shall complete a "Renewal Application" form.)

12.2.2 Applicants for renewal of certification that has expired or those choosing recertification by examination will be considered as new applicants. (Applicants shall complete an "Application for Welding Inspector Examination" form.)

12.2.3 Applicants must pass an eye examination. The requirements for this examination are listed in Section 6.1.1.

12.3 The CWI and CAWI shall maintain a current address with the AWS Q&C Department for the mailing of correspondence relative to the inspector's application, examination, certification/recertification.

\*Certification becomes effective on the first day of the month following the date of examination.

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#4

April 12, 1977

EAL-1734

Department of Commerce and Economic Development  
Division of Occupational Licensing  
Pouch D  
Juneau, Alaska 99801

Attention: Karen Crouse, Regulations Specialist

Re: Board of Welding Examiners-Proposed Welding Regulations

Gentlemen:

In regard to the subject welding regulations, representatives of Alyeska attended the public hearing which was held on February 3, 1977 and we have thoroughly reviewed the proposed regulations. In our judgment the proposed regulations are unnecessary. Notwithstanding this opinion the following comments are made as to the proposed regulations which are based on our recent experience in building the trans-Alaska pipeline, which involved the greatest amount of welding on one project in the history of construction.

Article 1-Codes: We concur that welders must be qualified to the applicable codes or standards as determined by the job specification designated by the project owner and incorporated in the construction contract. We do not agree with the requirement of Section 72.005 that the American Welding Society D1.1 Structural Welding Code all position fillet weld test is suitable in the absence of any code requirement in a job specification. A welder who is certified by the Board pursuant to this code only would not necessarily be qualified to do other types of welding, such as pipeline or tank construction. Yet if the welder has been issued a card or other evidence of competency by the Board, it is likely that possession of such a card will be deemed to be evidence of qualification for performing any kind of welding in the State of Alaska. In contrast to this, the standard practice in the industry is that welders are re-tested for each job to the requirements of the code which applies to that job. Meeting the requirements of one code is no guarantee that a welder can meet the requirements of some other code.

Article 2-Welders: We agree that welders must be qualified prior to performing on weldments whose failure would involve a hazard to life or property. However, we do not agree that it is necessary for welders to be qualified in a State approved facility licensed by the Board. While welder qualification must be monitored to assure that the applicable

procedures are being followed, there are many circumstances where testing can be done in the field. It is normal industry practice to test welders at a job site, where the test can be administered under actual field conditions and where the contractor's engineering and technical personnel are available. Testing at a central laboratory facility usually requires additional travel time, often at the contractor's expense, for welders who are tested, as well as a delay in getting welders on the job. (See also our comments on Article 4).

Article 3-Welding Inspectors: We agree that improved welding inspection is a desirable goal. However, we disagree with the Board's proposal to establish unique and unusual qualifications and requirements for welding inspectors which deviate from industry practice with which Alyeska is familiar. We believe that one way to accomplish the goal of upgrading welding inspection in Alaska, without posing unusual and unnecessary requirements on the industry, would be to accept certification by the American Welding Society (through its newly adopted national certification program for welding inspectors) as evidence of qualification to act as a welding inspector in Alaska. Although the American Welding Society certification program is relatively new, we believe that there would be a great advantage to Alaska in fitting into such a nationally recognized program, rather than developing its own, different requirements. It might be noted that if another large scale project, such a gas pipeline, comes to Alaska, there could be a need for hundreds of qualified welding inspectors. The only feasible way for these persons to be available when needed would be for the Board to accept certification under a nationally recognized program rather than waiting for a sufficient number of applicants to be processed through Alaska's program.

Article 4-Test Facilities: As previously stated, welder qualifications can be properly done under field conditions, as well as in a laboratory. In fact, laboratory conditions, e.g., test booths and controlled temperatures, tend to make the conditions somewhat artificial. Certainly where large numbers of welders are to be tested, a central test facility may be the only practical approach, and the Board may want to inspect and approve such a facility. However, we urge the Board to give contractors the latitude to arrange for testing welders in the field, where the contractor deems this to be desirable and feasible.

Article 5-General Provisions: We have no comments on this article.

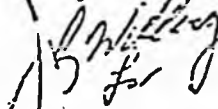
In conclusion, we understand and sympathize with the Board's legitimate concern with developing some type of regulation of welding operations, such as gas stations, logging operations, and small fabricating shops, which presently are not committed (as are pipeline and other large scale projects) to meet any nationally recognized codes or standards. However, the proposed regulations are so broad and sweeping that they would encompass projects such as the trans-Alaska pipeline and other projects which invariably incorporate as part of their building specifications nationally recognized welding codes and standards. Alyeska fears that the proposed regulations, if broadly applied, as they appear intended to

April 12, 1977

Page 3

apply, would pose serious obstacles and unnecessary and unproductive regulation to those firms which already have committed themselves to operate under and comply with the strictest nationally recognized codes and standards. Thus Alyeska urges the Board to revise the proposed regulations to permit members of the industry which operate under nationally recognized codes and standards, in the areas of testing, welding procedures and inspection, to continue to operate pursuant to these recognized industry practices.

Very truly yours,



J.F. McPhail  
Manager, Technical Services

JFMCP:ls

WPC

---

cc: H. V. Mowell  
J. D. Knodell, Jr.  
W. N. Sorensen  
J. L. Willing  
J. R. Fraylick  
J. C. Wormeli  
Alyeska Information Center

Pd. Advertisement

## Welding Regulations

The American Welding Society in Alaska is supporting the Legislative House Bill #595 currently in the Labor & Commerce Committee for passage this session. This bill will retain the current welding statutes, regulations and Welding Board as it is today. These State regulations today say that Welders doing work in Alaska must be properly certified by an Alaska Licensed Welding Inspector and when welding is inspected it shall be inspected under the direct supervision of an Alaska Licensed Welding Inspector.

These regulations are in the best interest of the public to create safe welded projects in Alaska.

If this Bill, #595, is not passed, there could be no Alaska welding regulations and will open the door to welders from other areas who may not have the abilities to do quality welding.

It will also open the door to anyone calling themselves a welding inspector to work in Alaska without the requirement of passing a test to prove their abilities.

Today persons wishing to do welding inspection in Alaska must pass a written test which is a national standard administered nationally by the American Welding Society and be certified in at least one all position welding certification. In Alaska today, welders being certified to do welding are tested these Licensed Welding Inspectors to determine their abilities.

If you wish Alaska to continue with these minimum standards you can call the State Information Center in Anchorage at 278-3668 and have a 50 word or less message transmitted to the Legislative House and Senate Labor & Commerce Committee expressing your opinion.

The Committee meeting to determine the recommended pass or fail vote to the Legislators is scheduled for the 26th of this month in Juneau. Your opinions should be expressed before that date. You could also write the Committee Chairman, Representative Terry Martin, Legislative House Labor & Commerce Committee, Twelfth Alaska State Legislature, Pouch V, Juneau, Alaska 99811.

It's easy to have your opinion heard, just pick up the phone, give your name, mailing address, telephone number and your message in 50 words or less to be transmitted to the Legislative House and Senate Labor & Commerce Committee. They can respond back to you acknowledging your opinion and relate other information about the bill.

This is an effort by the Alaska Section of the American Welding Society to help create better welding for the users of welded products in Alaska.

Pd. for by The American Welding Society of Alaska Donald M. Lockman, Chairman, 2114 Railroad Ave., Anchorage, AK 99501

#5

Sunday, February 21, 1982, The Anchorage Times C-9

#6

# ANCHORAGE TIMES

## WEDNESDAY

### February 24, 1982

**OF SHAREHOLDERS**

Our Annual Meeting of Shareholders will be held April 12, 1982 beginning at 7:00 p.m. at the Frank A. Degan High School.

For nominations on the board of directors or for election, contact Unalakleet Native Corporation of Box 100, phone 3411 for nomination applications.

The American Welding Society does not engage in lobbying and neither endorses nor opposes any legislation. Any person or organization using the name of the American Welding Society for such purposes has done so without authorization. Signed, William T. DeLang, President, American Welding Society, P.O. Box 351040, Miami, FL 33135.

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January 29, 1982

#7

AWS Member:

There is a House Bill (HB 595) in Juneau in the Legislative House Labor & Commerce Committee to reestablish the State Board of Welding Examiners which is being abolished by the Sunset Legislation. If this bill is not passed, there will be no regulations in Alaska for the certification of welders or inspection of weldments. If the licensed Welding Inspector is abolished;

1. Who will certify the welders in Alaska for Alaska work?
2. A welder will be able to come into Alaska without proving his or her ability and take an Alaska job.
3. How would we safeguard against false welder certification papers?
4. Who will be the responsible persons to inspect welds?
5. Is it in the public's best interest to not test the knowledge of a Welding Inspector?

There is no question about the need for a welder to be certified, the question is always (1) Certified for what application? (2) Certified by who?

We have today a proven mechanism to safeguard the Alaskan public against bad welding. To abolish this mechanism or trade it for some other that may not work or damage the quality of future projects is certainly not in the public's best interest.

The American Welding Society's total existence is to create better welding for the public's safety.

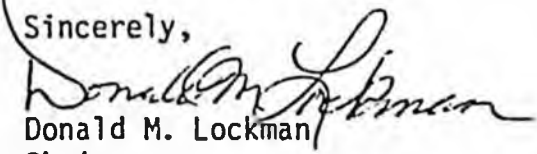
The Executive Board of the AWS met 1-29-82 and is soliciting your support in passage of HB 595. This support must be heard before 2-20-82 in Juneau before the next committee meeting.

You can call 278-3668, the State Information Center and at no cost, in 50 words or less have a message transmitted to the House Labor & Commerce Committee. Or, you can write to:

Representative Terry Martin, Chairman  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Action on your part is required to keep Alaska safe, don't just let the other guy do it, he may not.

Sincerely,

  
Donald M. Lockman  
Chairman

DATE: November 13, 1981

TO: All State Licensed Welding Inspectors  
and interested parties.

FROM: Donald M. Lockman, Chairman  
State Board of Welding Examiners



SUBJECT: State Board of Welding Examiners and State Licensing of  
Welding Inspectors future existence.

Every four or five years all State boards come under a sunset legislative law that automatically terminates those boards and subsequent regulations. This is the case with the Board of Welding Examiners and licensing of welding inspectors. The termination date of the Board and licenses is June of 1982. The House Bill #595 that was introduced last year to extend the Board did not get out of committee and was not acted upon. This bill can be inacted between the beginning of the new legislative term in January 1982 and the June deadline if it is properly moved through the various committees to the floor.

Enclosed are several documents containing information pertaining to this issue.

1. An overview of the sunset process.
2. Copy of the House Bill #595 currently in the Labor & Commerce Committee.
3. A probable successful route of HB 595.
4. A list of the legislative standing committees for 1981-82.
5. A list of the Alaska House and Senate Legislators for 1981-82 with addresses when the Legislature is not in session.

If you are interested in keeping the State Board of Welding Examiners and the licensing of welding inspectors, please write your Representatives and Senators and the respective Committees illustrating your opinions.

If, in fact, the HB 595 is not acted upon before June 1982, the Board and licensing will be terminated and the State will have no guidelines for welding quality in Alaska.

If you feel there are items in the State Regulations that should be modified, please send your proposed wordings to myself for consideration at our next State Board Meeting to be held in January 1982.

If there are any questions about the enclosed documents, please feel free to contact me at 2114 Railroad Avenue, Anchorage, Alaska 99501  
(907) 276-3440

---HOUSE OF REPRESENTATIVES---

<u>Name</u>	<u>Address</u>	<u>District</u>
Abood, Mitchell E., Jr. (R)	4504 Spenard Road, Anchorage 99503	5
Adams, Albert P. (D)	P.O. Box 333, Kotzebue 99752	21
*Anderson, Charles G. (R)	1841 East 24th Avenue, Anchorage 99504	10
*Burnes, Madona L. (R)	P.O. Box 3382, Downtown Stn., Anchorage 99510	10
Beirne, Michael F. (R)	P.O. Box 4-1539, Anchorage 99509	7
Bettisworth, Robert H. (R)	P.O. Box 80288, College 99708	20
*Brown, Fred E. (D)	P.O. Box 1718, Fairbanks 99707	26
Buchholdt, Thelma (D)	2607 Kona Lane, Anchorage 99503	5
*Bylsma, Bernard C. (R)	SRA Box 4106, Anchorage 99502	11
Carney, Patrick J. (D)	Pouch N, Wasilla 99687	6
Cato, Bette M. (D)	P.O. Box 775, Valdez 99686	5
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Clocksie, Donald E. (D)	1527 "H" Street, Anchorage 99501	
Cotten, Samuel R. (D)	P.O. Box 296, Eagle River 99577	
Cuddy, David W. (R)	704 Sunset Drive, Anchorage 99501	
Duncan, Jim (D)	P.O. Box 690, Juneau 99802	4
Fanning, Kenneth J. (L)	P.O. Box 80929, College 99708	20
Freeman, Oral E. (D)	2743 Third Avenue, Ketchikan 99901	1
Fuller, John G. (D)	P.O. Box 689, Nome 99762	22
*Gardiner, Terry (D)	P.O. Box 6092, Ketchikan 99901	1
Grussendorf, Ben F. (D)	P.O. Box 928, Sitka 99835	3
Halford, Richard W. (R)	P.O. Box 66, Chugiak 99567	8
Haugen, E. J. (R)	P.O. Box 1049, Petersburg 99833	2
Hayes, Joe L. (R) <u>Speaker</u>	2810 "C" Street, Suite A, Anchorage 99503	12
*Hurlbert, Vernon L. (D)	General Delivery, Sleetmute 99668	18
Malone, Hugh (D)	P.O. Box 9, Kenai 99611	13
*Martin, Terry (R)	3960 Reka Drive, B-6, Anchorage 99504	8
Meekins, Russ, Jr. (D)	1526 "K" Street, Anchorage 99501	7
Mercalfe, Fay H. (R)	P.O. Box 4-2766, Anchorage 99509	11
Miller, Mike (D)	P.O. Box 1494, Juneau 99802	4
Montgomery, Joe D. (R)	1046 Beech Lane, Anchorage 99501	12
Moss, H. Pappy (D)	P.O. Box 182, Delta Junction 99737	19
O'Connell, Patrick M. (R)	Rt. 2, Box 743, Soldotna 99669	15
Phillips, Randy E. (R)	P.O. Box 142, Eagle River 99577	8
*Randolph, Richard L. (L)	1105 Cushman Street, Fairbanks 99701	20
*Rogers, Brian D. (D)	Box 80690, College 99708	21
Smith, Sarah J. "Sally" (D)	321 Church Street, Fairbanks 99701	21
Sutcliffe, Eric G. (R)	P.O. Box 3, Unalaska 99685	18
Vaska, Anthony N. (D)	P.O. Box 892, Bethel 99559	17
Zharoff, Fred F. (D)	P.O. Box 405, Kodiak 99615	17

---SENATE---

<u>Name</u>	<u>Address</u>	<u>District</u>
...	P.O. Box 2801, Fairbanks 99707	...
...	P.O. Beaver S-Q, Anchorage 99503	...
...	SRA 145E-K, Anchorage 99502	...
...	2425 Hialeah Drive, Anchorage 99503	...
...	P.O. Box 143, Sitka 99835	...
...	4016 Evergreen, Fairbanks 99701	...
...	Box 131, Kotzebue 99752	...
...	221 East Seventh Avenue, #204, Anchorage 99501	...
...	Box 630, Kenai 99611	...
...	P.O. Box 289, Bethel 99559	...
*Kelly, Tim (R)	283 Muldoon Road, Stn. Box 76, Anchorage 99504	...
Kertula, Jalmar M. (D) <u>President</u>	Box 2, Palmer 99645	...
*Mulcahy, Bob (R)	P.O. Box 246, Kodiak 99615	...
Farr, Charles H. (D)	S.R. Box 50599, Fairbanks 99701	...
*Ray, Bill (D)	Pouch V, Juneau 99811	...
Rodey, Patrick M. (D)	3271 Montclair, Anchorage 99503	...
Seckett, John C. (R)	P.O. Box 29, Ruby 99768	...
*Stinson, Terry (D)	1610 "E" Street, Anchorage 99501	...
*Sturgulewski, Arliss (R)	2957 Sheldon Jackson Street, Anchorage 99504	...
*Ziegler, Robert H., Sr. (D)	307 Bawden Street, Ketchikan 99901	...

\*Senators terms expire in January 1983.  
Others have terms expiring in January 1985.

The addresses listed above should be used when the Legislature is not in session. During sessions, members of the Legislature receive mail at Pouch V, Juneau, Alaska 99811 (Interdepartmental Mail Stop 3111)

LEGISLATIVE STANDING COMMITTEES  
TWELFTH ALASKA STATE LEGISLATURE  
1981 - 1982

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Anderson (Vice-Chairman)  
Eylsma, Grussendorf, Clocksin

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Hurlbert, Chuckruk, Fuller,  
Bettisworth, Cuddy, Haugen,  
Cotten

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Stimson, Bradley, Eliason

TRANSPORTATION

Ray (Chairman)  
Gilman (Vice-Chairman)  
Kerttula, Dankworth, Sackett

1- HB 595 was introduced on 5/26/81 and referred to the Labor and Commerce Committee.

- 2- If the House Labor and Commerce Committee approves HB595 as is, it will be referred to the House Finance Committee.
- 3- If the House Finance Committee approves it as is, it will be sent to the House rules Committee for calendaring for a vote on the floor of the House.
- 4- If the full House approves the bill, it will be sent to the Senate for its consideration.
- 5- It will be referred to the Senate Labor and Commerce Committee for consideration.
- 6- If Senate Labor and Commerce Committee approves it, it will be sent to the Senate Finance Committee for consideration.
- 7- If the Senate Finance Committee approves it, it will be sent to the Senate Rules Committee for calendaring for a floor vote in the Senate.
- 8- If the Senate approves it as it was sent over from the House, it will be sent to the Governor for signature or veto. If the bill has been changed in the Senate from the form and content it was approved originally in the House, it would then be sent back to House for its concurrence in any changes prior to going to the Governor for his consideration.

State law requires that licensing boards justify their existence approximately every five years.

The sunset review process involves the following basic steps.

- 1- A termination date is set by statute for an existing board.
- 2- A performance audit of the board is conducted by the Division of Legislative Audit during the calendar year prior to the termination date.
- 3- During the session immediately preceding the termination date the legislature sets up a committee\* to hold hearings and make recommendations to the legislature on the board under review. At these hearings the Department of Commerce and Economic Development and the interested public give testimony.
- 4- Based on the hearing testimony, the findings of the performance audit and any other factors that the legislature wishes to consider, a decision is made to :
  - A) eliminate the licensing process,
  - B) modify the licensing process, or
  - C) continue the licensing process unchanged.

The fundamental questions that underlie the sunset review process are :

- 1- Is the licensing process necessary to protect the public from serious and likely harm? What alternatives to the present licensing process exist?
- 2- Is the board necessary to the licensing process? Is board licensing the most effective way to protect the public? Is board licensing the most economical way of protecting the public? Is board licensing the most desirable way to protect the public?

Other less fundamental, but often equally important, questions are raised during the sunset review process, usually by the performance audit. These questions usually include :

- 1- How efficiently has the board been operating?
- 2- How responsive has the board been to the public?
- 3- Has the board been unnecessarily restricting entry into the profession?
- 4- How conscientious has the board been in meeting its statutory and other obligations?

\* committee of reference

January 18, 1982

Labor & Commerce and Finance Committee  
Legislature of the State of Alaska  
Twelfth Legislature.- Second Session

The State of Alaska Board of Welding Examiners will cease to exist in June, 1982, in accordance with current Sunset requirements.

The members of the board would like to re-cap some of the goals and accomplishments of the past few years and give an opinion of what will happen if the board ceases to exist.

In 1976, members of the board observed that regulations were being largely ignored by the industry. A review of the regulations governing welders and weld inspection revealed them to be unworkable. In 1976/77, a new set of regulations (12AAC72) were formalized. For the most part, this new regulation met with statewide industry acceptance. There was little opposition noted during the public hearings, held in 1977 and 1978.

Several hundred manhours were spent writing these regulations. This time was, of course, spent at the individual board member's own expense. Each board member considered the time well worth the effort, once the statutes and regulations became effective August 21, 1978.

These regulations became a nationwide standard, with at least two other states adopting similar regulations. Most large construction companies, as they became aware of the new regulations, started having their welders certified in accordance with approved guidelines. Until this time, most working welders considered themselves "certified" which was a term without true meaning. Once the welders learned they would have to certify, or re-certify, to prove their proficiency, they obtained additional training as required to meet the various welding codes used in Alaska.

The additional requirement of licensed welding inspectors so enhanced the overall quality of major construction projects that many companies (including the major oil companies) who had established quality control groups made the acquisition of this license mandatory for employment or promotion. Alyeska Pipeline Service Company felt this program was important enough to set up an extensive (and expensive) welding inspector training program for their inspectors. Industry in the "lower 48" has started to follow the example set in Alaska for certifying welders via welding inspectors. This standard has considerably increased the level of expertise in weld inspection.

As you know, one of the major reasons for expensive repair work on the Trans-Alaska Pipeline was due to inadequate and/or incompetent weld inspection. This one item caused millions of dollars of additional expense to the consumer.

The high weld reject rate and lack of knowledgeable, qualified welding inspectors on this project was one of the main reasons the State of Alaska elected to regulate welders and inspectors in the first place. With the forthcoming construction of the natural gas pipeline, the same problems will arise if there is no regulation to govern them. Welders will be qualified incorrectly (or not at all), and welding inspection will be done by the "brother-in-law" system or by individuals the contractors believe will cause the least amount of weld repairs. This possible situation is not an exaggeration; these things did occur during the construction of the Trans-Alaska Pipeline and will occur on the gas line if not closely governed.

As with any regulation or law, there are "special interest" groups that may either benefit or be adversely affected by the law. This analogy certainly applies here. There is little doubt that the three or four testing inspection laboratories in Alaska derive a certain amount of business because of the regulations. However, if these labs were not available locally, the work would simply be provided by "lower 48" companies.

This board has found that most individuals who are opposed to the regulations either can't pass the professional examination (or certification) or have a contrary special interest. One special interest group is working to set up a separate State organization for personal benefit called a Welding Bureau. This was suggested in Senate Bill No. 121, submitted by Senator Bill Sumner in 1979.

Industry's opposition to the present regulation has been extremely light. In fact, most negative feedback from the industry involves suggested revisions to the regulations, rather than opposition to the regulation itself. We agree that it does need revision. The proposed changes will make it easier for industry to comply with the regulations.

During the public Sunset hearings, many individuals from within the industry testified in favor of continuing the board and its regulations. Of all the testimonies submitted, only two were negative. Neither individual was licensed as an inspector, and both worked for the State in educational areas. It is hard to understand why a professional board was allowed to be Sunsetted when almost all the public input was positive. The board believed then, and still does, that it exists as a board to protect the public. We satisfied both the public and industry but, apparently did not satisfy the members of the Sunset committees.

A significant result of present regulation that the legislative audit did not and could not cover is the fact that the overall welding quality in the State has taken a significant step forward since the enactment of the welding inspector regulation. Better welding quality translates directly into economic and safety benefits for the public.

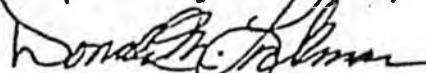
There are many welding projects throughout the State that have been brought to a safe standard by the conscientious inspection of licensed welding inspectors. These cases do not reach the public's awareness because they are not given the publicity that a catastrophic failure would create. The public benefits are all around us in our everyday use of welded products and facilities.

Our point is this: Industry has accepted this regulation as an important tool for controlling quality. To let the board, and subsequently the regulation, cease to exist at a time when industry is interested in (and receptive to) a governing regulation, is certainly not in the public's best interest.

Your consideration of re-establishing the professional and vocational regulations, as defined in 12AAC72, and continuing the existence of the Board of Welding Examiners, as defined in State Statute AS 08.99 and House Bill No. 595, is sincerely solicited.

This is a unanimous opinion from the board.

Respectfully Submitted,



Donald M. Lockman

Chairman

State Board of Welding Examiners

MIDDLETOWN, VA. 22645



Mailgram®



1-0070553055 02/24/82 TLX AMWELD SOC MIA AHGA  
MIAMI FL FEBRUARY 24, 1982

#8

LOUIE J. ROUSSEAU  
2700 PORCUPINE DRIVE  
ANCHORAGE, AK 99501

COPY OF TELEGRAM SENT FEBRUARY 17, 1982 TO DONALD M. LOCHMAN.  
QUOTE: IN VIEW OF YOUR LETTER OF JAN. 29 TO AWS MEMBERS UNDER  
AWS LETTERHEAD, PLEASE READ AND CONSIDER SECTIONS 8.3 AND ALL OF  
8 AND 9 OF AWS QC-1.

YOU MAY BE IN VIOLATION OF PORTIONS OF 8, IF THIS IS CORRECT IT  
COULD RESULT IN ACTIONS UNDER 8.9 OR 9.0.

SIGNED: ACTING EXECUTIVE DIRECTOR, PERRY J. RIEPPEL - UNQUOTE.

ADVERTISEMENT I MENTIONED WILL APPEAR UNDER NOTICES IN CLASSIFIED  
AD SECTION OF ANCHORAGE TIMES ON FEBRUARY 24, 25, AND 26. DEADLINE  
FOR AD IN OTHER PARTS OF PAPER WAS LAST WEEK.

HARRY BROADBENT  
AMERICAN WELDING SOCIETY  
519245  
AMWELD SOC MIA

1047 EST

MGMCOMP MGM



Mailgram®



ALASCOM 02/17/82 TLX AMFIELD SOC MIA 14245  
14245 FEB 16, 1982

#9

RONIE J ROUSSEAU  
700 PORCUPINE DRIVE  
ANCHORAGE AK! 99501

REFERENCE LETTER BY DONALD LOCHMAN JAN 29, 1982 TO AWS MEMBERS  
UNDER AWS LETTERHEAD REFERENCE SUNSET LEGISLATION CONCERNING  
STATE BOARD OF WELDING EXAMINERS. SUCH ACTION BY AN AWS OFFICER,  
ACTION CHAIRMAN, OR ANY MEMBER IS FORBIDDEN BY ACTION OF AWS  
BOARD OF DIRECTORS BY ACTION OF 3RD BOARD MEETING 1970-71 FOLLOWING:

- 1) NATIONAL, REGIONAL AND LOCAL ISSUES - THE EXECUTIVE DIRECTOR WAS DIRECTED TO ADVISE THE ALASKA SECTION THAT THE AMERICAN WELDING SOCIETY CANNOT ENDORSE LEGISLATION.
- 2) 2ND BOARD MEETING 1977-78 - AWS PROTOCOL FOR RECOMMENDATIONS TO GOVERNMENT AGENCIES - THE AWS BOARD ACTION REQUIRES THAT ANY ACTION OF THIS TYPE BE APPROVED AND TRANSMITTED BY THE EXECUTIVE DIRECTOR.

ACTING EXECUTIVE DIRECTOR  
TERRY J RIEPPEL  
FIELD SOC MIA  
14245

14245

14245



## Anchorage Tank & Welding, Inc.

2700 Porcupine Dr.  
Anchorage, Alaska 99501  
(907) 272-3543

FEBRUARY 10, 1982

THE HONORABLE REPRESENTATIVE TERRY MARTIN, CHAIRMAN  
STATE HOUSE LABOR & COMMERCE COMMITTEE  
POUCH V  
JUNEAU, ALASKA 99811

RE: HB595, CONTINUANCE OF THE BOARD OF WELDING EXAMINERS

DEAR REPRESENTATIVE MARTIN:

WE ARE WRITING AS ONE OF YOUR CONSTITUANTS IN THE MOUNTAIN VIEW AREA TO URGE YOU AND YOUR COMMITTEE TO ALLOW THE BOARD OF WELDING EXAMINERS TO TERMINATE. WE DO NOT ENDORSE ITS EXISTANCE PROVIDED REGULATIONS ARE CHANGED; WE ARE ADAMANTLY OPPOSED TO ITS BEING IN ANY FORM, FOR THE FOLLOWING REASONS:

1. STEEL FABRICATORS SUCH AS OURSELVES, HAVE STRUCTURED OUR ORGANIZATIONS TO COMPLY WITH AND TO CONFORM TO NATIONALLY RECOGNIZED CODES PRIMARILY BECAUSE THE CUSTOMER BASE WE SEEK DEMANDS THE TYPE OF QUALITY REQUIRED BY THESE CODES IN THEIR PROJECTS. THE END USERS OF FABRICATIONS WHERE SAFETY AND/OR ECOLOGICAL REGULATIONS MUST BE COMPLIED WITH, ARE REQUIRED BY EXISTING LAWS TO SPECIFY CERTAIN NATIONALLY ACCEPTED CODES AND STANDARDS TO WHICH THESE PRODUCTS MUST BE MANUFACTURED. THESE REQUIREMENTS MUST BE ADHERED TO BY FABRICATORS WITHOUT EXCEPTION. IT IS OUR EXPERIENCE THAT THIS TYPE OF CUSTOMER REQUIRES PROOF OF

Tanks — Fuel, Septic, Skid Mounted, Oilfield Special Designs  
Structural & Misc. Fabrication, Pipe Fabrication  
Welding To ASME, API & AWS Codes

QUALIFIED SHOP WELDING PROCEDURES AND PERFORMANCE QUALIFICATION OF WELDERS PRIOR TO THE START OF ANY WELDING FABRICATION. IN ADDITION, THESE CUSTOMERS REQUIRE THAT WE PROVIDE ACCESS TO OUR FACILITY FOR INSPECTION OF THE WELDING BY THEIR OWN INSPECTION PERSONNEL DURING MANUFACTURE OF THEIR PRODUCT. IT IS THEREFOR READILY APPARENT, THAT WITH ADHERANCE TO NATIONALLY RECOGNIZED CODES AND STANDARDS, AS WELL AS CUSTOMER INSPECTION OF CRITICAL WELDMENTS DURING FABRICATION, ADDITIONAL INSPECTION BY STATE LICENCED PERSONNEL ACCOMPLISHES NOTHING EXCEPT TO ADD ADDITIONAL AND UNNECESSARY EXPENSE TO THE PROJECT.

2. IT IS OBVIOUSLY IN OUR BEST INTEREST AS A FABRICATOR TO INSURE THE QUALITY OF OUR PRODUCT SO THAT WE CAN OBTAIN THE WORK WE DO, THEREBY ENABLING US TO KEEP OUR CUSTOMERS AND AVOID THE PROBLEMS INVOLVED WITH POOR QUALITY WORK. WE ACCOMPLISH THIS BY CONFORMING TO NATIONALLY ACCEPTED CODES AND STANDARDS AND THROUGH IN HOUSE TRAINING AND QUALIFICATION OF OUR WELDING PROCEDURES AND WELDERS AS PROVIDED BY THESE CODES. OUR TRAINING AND QUALIFICATION IS CONDUCTED AND PERFORMED BY INDIVIDUALS AND TESTING FIRMS OF OUR CHOICE WHO HAVE DEMONSTRATED THEIR CAPABILITY TO COMPLY WITH OUR OWN AND OUR CUSTOMERS STRINGENT REQUIREMENTS. HOWEVER, BECAUSE OF THE REGULATIONS OF THIS STATE, PROMULGATED BY THE BOARD OF WELDING EXAMINERS, WE ARE COMPELED TO HIRE A STATE LICENCED WELDING INSPECTOR TO WITNESS OUR WELDER QUALIFICATION ACTIVITY IN ORDER FOR HIM TO SIGN OFF ON THE PERFORMANCE QUALIFICATION TEST RECORD. IT MUST BE RECOGNIZED THAT HE, THE STATE LICENCED WELDING INSPECTOR, MAKES ABSOLUTILY NO CONTRIBUTION TOWARD UPGRADING OUR WELDERS. NON THE LESS, WE ARE SADDLED WITH THIS UNNECESSARY INTRUSION AND EXPENSE.

3. STATE LICENCED WELDING INSPECTORS, (INCIDENTLY, THE ONLY REQUIRED LICENCEES BY THE STATE AT THIS TIME), DO NOTHING TO FURTHER THE ADHERANCE TO A PARTICULAR CODE AND DO NOTHING TO ENHANCE THE QUALITY OF WORK PERFORMED. ANY

PERSON WHO MEETS THE REQUIREMENTS OF THE AMERICAN WELDING SOCIETY CERTIFICATION PROGRAM FOR WELDING INSPECTORS SHOULD BE ACCEPTED BY THE STATE AS COMPETANT TO ACT AS SUCH. THIS ELIMINATES THE NECESSITY OF LICENCING THESE INDIVIDUALS BY THE STATE AND THE PUBLIC EXPENSE ASSOCIATED THEREWITH.

4. YOUR COMMITTEE HAS BEFORE IT, A REVIEW AND FOLLOW-UP REVIEW OF THE BOARD OF WELDING EXAMINERS, PERFORMED BY THE DIVISION OF LEGISLATIVE AUDIT WHICH CONCLUDES:

''IN OUR OPINION, THERE IS NOT A SUFFICIENT PUBLIC NEED FOR CONTINUING EITHER THE BOARD OR STATE LICENCING OF WELDING INSPECTORS.''

WE BELIEVE THAT LEGISLATIVE AUDITS AND SUNSET LAWS WERE PROVIDED BY LEGISLATORS SUCH AS YOURSELF WHO SAW THE NECESSITY OF DISCONTINUING UNNECESSARY REGULATORY BOARDS AND COMMISSIONS. WE BELIEVE ALSO THAT WHEN AN OPINION IS THIS SUCCINCTLY AND UNAMBIGUOUSLY WRITTEN, THERE MUST BE OVERWHELMING ADVERSE EVIDENCE TO REFUTE THE AUDIT BEFORE A COMMITTEE SHOULD EVEN CONSIDER REVERSING THEIR FINDINGS.

5. FINALLY, AS 08:01.025 STATES:

''NO PUBLIC MEMBER OF A BOARD MAY:

(1)BE ENGAGED IN THE OCCUPATION WHICH THE BOARD REGULATES

(3)HAVE A DIRECT FINANCIAL INTEREST IN THE OCCUPATION WHICH THE BOARD REGULATES.''

AS A MATTER OF FACT, THE CHAIRMAN OF THE BOARD OF WELDING EXAMINERS WHO IS ALSO APPARENTLY THE STRONGEST SUPPORTER THEREOF, VIOLATES BOTH OF THESE PROVISIONS BY OWNING AND OPERATING A WELDER TRAINING AND TESTING FACILITY WHICH ACTIVELY TESTS FOR LICENCING, STATE WELDING INSPECTORS. HOWEVER, STATE REGULATIONS SHOULD NOT REQUIRE THE NEED FOR TRAINING AND QUALIFICATION FACILITIES SUCH AS THIS, FOR THE LICENCING OF WELDING INSPECTORS WHEN THE MECHANISM IS

AVAILABLE ON A NATIONAL LEVEL FROM THE AMERICAN WELDING  
SOCIETY.

IN CONCLUSION, WE ASK YOU AND YOUR COMMITTEE, AFTER REVIEWING  
THESE AND OTHER FACTS, TO HOLD HB 595 IN YOUR COMMITTEE AND  
THEREBY ALLOW THIS BOARD TO TERMINATE

VERY TRULY YOURS

ANCHORAGE TANK & WELDING, INC.

LOWELL D, MACNUTT, VICE-PRESIDENT

February 25, 1982

Representative Terry Martin  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Martin:

I am writing this letter to voice my opposition to the re-establishment of H.B. 595. I fully agree with the legislative audit of 1979, and its follow-up in 1980 that the need for the continuation of the State of Alaska Board of Welding Examiners does not exist.

I feel that the state should allow private industry to manage its own welding and welding inspection programs in accordance with the widely used and nationally recognized codes and standards. It appears to me that the Board and its continuations is wanted solely because of personal gains, and not really in the public's best interest.

I have considerable experience in welding, both as a welder and now a Welding Engineer, and I have never seen such a mess and dealt with so many incompetent welding inspectors.

Please do us all a favor and abolish the State of Alaska Board of Welding Examiners.

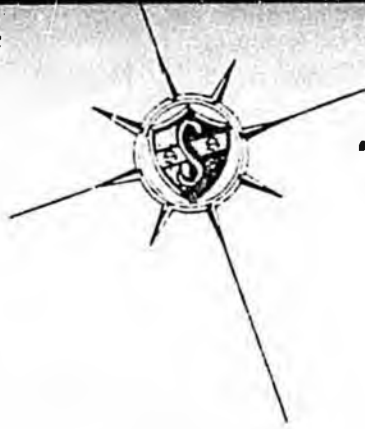
Sincerely,

*Lee A. Gabrielson*

Lee A. Gabrielson

Steel Distributors

FOR THE NORTH-WEST  
AND ALASKA



**STACK STEEL** Co of Alaska

1200 W. DOWLING — ANCHORAGE ALASKA 99502 (907) 279-0691

February 24, 1982

The Honorable Terry Martin - Chairman  
Legislative House Labor and Commerce Committee  
Twenty Fifth Alaska State Legislator  
Pouch V (Interdepartmental Mail Stop 3100)  
Juneau, Alaska 99811

Subject: Sunseted Board of Welding Examiners Statutes  
AS08.99 and Regulations 12ACC72, House Bill  
595, and Senate Bill 757.

Dear Honorable Terry Martin:

Recently I have had occasion to study the statutes and Regulations contained in the subject Board of Welding Examiners and House Bill 595 for continuation of the Board. In addition, I have reviewed the Legislative "Follow-up" Review Audit conducted 11-24-80 by your Legislative Auditor Gerald L. Wilkerson.

After studying the statutes and Regulations covered in the subject item along with my indepth review of the audit findings as well as taking special note of the rebuttal to the audit report signed by the Chairman of the Board of Welding Examiners; I find that we at Stack Steel, are in total agreement with the underscored conclusions of the Legislative Auditor, identified as: "Prior Audit Recommendation No. 1 Page -5-.

In review of the Chairman of the Boards rebuttal to the audit findings it is noted, that his primary argument for maintaining the Board of Welding Examiners is based solely on the need for "State licensing" of the welding inspector as the single instrument that will maintain quality and protect the public.

It should be noted by you and your committee panel members, that in the Chairman of the Boards rebuttal no comment or apparent thought is given to the many other significant items that must be taken into account, with a view toward public safety before, the welding inspector is even assigned to the job of inspection. For example, items which the

design engineer and the welding engineer (assuming a welded fabrication) must attend to in compliance with the existing National Accepted Codes, Federal and State Government Regulations and Practices, which are relevant to the item to be fabricated. Some of those items which the design engineer and welding engineer must take into consideration and attend to, are:

- 1) Establish the necessary quality criteria for the job under consideration.
- 2) Determine what Codes, Standards, and Government regulations apply.
- 3) Prepare design drawings of the item to be fabricated.
- 4) Prepare fabrication specifications, which identifies: the applicable Codes/Standards to be used. Identifies the base materials, welding materials, and welding processes. Establishes the quality requirement and the level of inspection required for the specific job.

From the criteria identified in the fabrication specifications, the welding inspector and/or other inspectors (dependent on the type of fabrication) can be assigned by their employer to his specific inspection task. Most certainly the inspectors performance on the job will and must be measured by his employer whether a State license is required or not.

A very important item that should be considered is the fact that the State licensing of the individual inspectors places no assurance or warranty for the inspectors on-the-job, performance. In that consideration, and assuming that the inspector lacks insufficient welding inspection knowledge but still holds the State license, one of two things can happen. That is, dependent on the caliber of the firm which employs that type of an inspector; 1) his employment will be terminated or 2) he may be retained by the employer simply for window dressing because of the State license.

In either case the State license requirement will not have made any contribution toward guaranteeing or assuring welding quality.

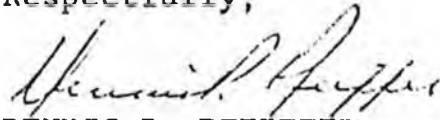
We in private industry dealing in welded fabrications are concerned with economics in this competitive market. Being concerned we know that we will not stay in business if the welded fabrication or welded products which we produce do not meet our customers quality requirement. Therefore we work with the existing National Accepted Codes/Standards Federal, State, Borough, and Municipality Regulations which are already in place and required.

We have not seen in the past, any significant benefit in welding quality or added protection of the public from the Board of Welding Examiners regulation. As the regulations are now written in the present Board Statutes and considering the existing and apparent conflicts of interest by some Board members, we believe it would be in the best interest of the State to terminate the Board of Welding Examiners and cease any further expenditure of public funds other than allowing the Board time to gather up records to send to archive files and close up shop!

Thank you for your attention and consideration to this matter.

I will be looking forward to your reply.

Respectfully,



DENNIS R. PFEIFFER  
General Manager  
Stack Steel Co. of Alaska

DRF/vs

cc: House Finance Committee - Chairman Albert P. Adams  
House Judiciary Committee - Chairman Romona L. Barnes  
Senate Finance Committee - Co Chairman Don Bennett  
Senate Judiciary Committee - Chairman Patrick M. Rodey  
Senate Labor & Commerce - Chairman Robert Mulcaby  
Senate Rules Committee - Chairman Tim Kelly



2700 Porcupine Drive  
Anchorage, AK. 99501

(907) 272-3543

October 6, 1981

The Honorable Charles Anderson  
House of Representatives  
1841 E. 24th Ave.  
Anchorage, AK. 99504

Subject: Current Status of: The Sunsetting Board of Welding Examiners.

Dear Honorable Charles Anderson:

My apology for the delay in sending you a copy of the Follow-up Review and Legislative audit of the Board of Welding Examiners, which you requested during our phone conversation of 9-16-81. The delay results from putting in long hours and long work weeks for my present clients.

Following your recommendations during our last discussion, I made a phone call to the State Attorney General's Office-Juneau. The objective of course was to get a letter confirming the information which you had given me regarding; "the sunseting of the Board of Welding Examiners on June 30, 1981. and for that reason it was no longer in force."

I would like to take the liberty at this time to inform you of the results of my phone call to the Attorney General's Office and the phone call which I received the same day from the Division of Occupational Licensing:

- 1) Phone call to the Attorney General's Office. Conversation with Susan Burke. Date of call; 9-17-81
- 2) Phone call from Division of Occupational Licensing-Juneau. Conversation with; Mr. Richard Long Chief Investigator. Date of call 9-17-81

My phone conversation with (Miss/Mrs.) Susan Burke did not prove very fruitful in as much as she was not, by her statement, very well informed about the current status of the Board of Welding Examiners. She did state however, that she would do some checking and get back to me later. As yet, I have not been contacted by her or anyone from the Attorney General's Office.

The same day, 9-17-81 I received a phone call from Mr. Richard Long. Mr. Long indicated that he had been contacted by the Attorney General's Office regarding my earlier phone call to that office.

Mr. Long informed me that, to the best of his knowledge the Board of Welding Examiners Law was still in force even though House Bill 595 was held in committee and the Board was sunsetted June 30, 1981. He also mentioned a provision in the Law which grants a year of continuation for the sunsetted Board, to conclude its affairs and during that time period the powers of the Board remain in force.

I informed Mr. Long of my phone conversation with you on 9-16-81 wherein you advised me that the Board was sunsetted and for that reason was no longer in force nor could it be, without new Legislative acts which would be required to permit the Board to be reenacted. Mr Longs comment was, that he was not aware of any Legislative act which removed the statute permitting the years extention and continuation of enforcement for the additional years time period. However, he stated that he would do some further research and contact me again.

The following day, 9-18-81, Mr. Long called me again to advise me of new information which he found and which infact; supported what he had stated in his first phone call to me 9-17-81. I asked Mr. Long for a letter concerning that information and the present status of the Board of Welding Examiners. In return he asked me for a letter concerning other portions of his and my phone conversation in which I discussed the following items:

- 1) My activity under Alaska State Business License No. BL023144 SIC4299 DBA Owner WAM-Welding Application Methods, Providing a service as; Welding Consultant, Technical Welding Services, Welder Training and Qualification and Manufacturer's Representative.
- 2) Known infractions of the Board's Law (if in fact the law is still in force), by unlicensed Welding Inspector's of another Firm.
- 3) What may be considered to be a direct conflict of interest (again if the Board is still in force. See Section 08.01.025. Public Members), by two memebers of the Board of Welding Examiners who own or are actively engaged in Welder Testing Facilites.
- 4) My personal views (which are supported by my business clients & others--Owners and Managers of Fabrication Firms in Alaska) concerning the merit of the Board of Welding Examiners and its potential impact on Alaska Industry.

I have been in the process of drafting the letter to Mr. Long however, I decided to break away from that letter in order to get this one out to you and transmit the Legislative audit to you. In addition I am enclosing a copy of the letter I received 9-25-81 from Mr. Long, which I feel you may be interested in.

I would like to propose a meeting with you at your earliest convenience to discuss possible Legislative means of preventing additional public funds from being spent to continue enforcement of any part of the Board of Welding Examiners rules and permitting only the limited use of public funds for completly shutting down the activity and the closing of their affairs! Inaddition to discuss other recommendations and alternative methods which the Legislature and the Govenor may consider, to assist rather than hamper private industry in continuing to upgrade the quality of welded fabrications within this state.

An example of what may be considered:

- 1) The state has accepted the American Society of Mechanical Engineers, like so many other states have, as the governing Code for Code stamped Pressure Vessels and Pressure Piping Systems and has established an Office of the State Boiler Inspector. In addition, staffed that office with individuals

who are fully knowledgeable with welding and Code welding requirements within that Code category and others. It seems logical then, if the Legislator and Governor feels that there is need to expand on the control and upgrading of welded fabrication which fall within other Codes and Standard categories, that the existing State Boiler Inspectors office would be the place to expand rather than setting up some other agency or Board. Wherein another agency or Board may end up in direct conflict with the existing and functional State Boiler Inspectors office.

I look forward to a reply from you on this matter.

Thank you for your attention and cooperation.

Respectfully yours,

  
Louie J. Rousseau  
WAM-Welding Application Methods

Enclosures: Legislative Audit of the Board of Welding Examiners.

Letter from Mr. Richard Long-to Louie Rosso

Copy of List of State Licensed Welding Inspectors

WAM-Business Card

cc: Mr. R. Lee Higbee/Mr. Lowell McNutt

Owners-Anchorage Tank & Welding, Inc.

Mr. Dennis Pfeiffer/Manager Stack Steel Co. of Alaska

Mr. Erv Long/Owner Arctic Foundations, Inc.

Mr. Tom J. Martin/State Licensed Welding Inspector

Mr. Paul Lott/Manager-Alaska Welding Center-Fairbanks

Mr. Don Cather-State Boiler Inspector

LJR/File



WELDING APPLICATIONS METHODS, INC.

2700 Porcupine Road  
Anchorage, AK 99501 (907) 272-3543

October 4, 1981

Mr. Richard H. Long,  
Chief Investigator  
Division of Occupational Licensing  
Pouch "D"  
Juneau, Alaska 99811

- Subject: (1) Sunsetting Board of Welding Examiners  
Welding Statutes AS08.99 and Board  
of Welding Examiners Regulations  
12AAC72.
- (2) Termination, continuation, and reestablish-  
ment of Regulatory Boards AS08.03.

- References: (1) Telephone conversation concerning current  
status of the Board of Welding Examiners,  
from Mr. Richard Long to Louie Rousseau.  
Date: 9-17-81.
- (2) Follow-up telephone conversation concerning  
new evidence on current status of the  
Board of Welding Examiners, from Mr.  
Richard Long to Louie Rousseau.  
Date: 9-18-81.

Dear Mr. Long:

This letter will acknowledge receipt of your letter of  
9-22-81 concerning the Subject items (1) and (2); and  
to respond to your request to me for setting down some of  
the other items which we briefly discussed during our  
phone conversations, references (1) and (2).

In review of my daily notes and daily log, our phone  
conversation briefly covered the following items which  
I shall list and follow-up with the item-by-item  
discussion:

Mr. Richard H. Long  
Chief Investigator  
Division of Occupational Licensing  
October 4, 1981  
Page Two.

- Item 1) Personal business activities: Welding Consultant, Technical Welding Services, Welder Training and Qualification, Manufacturers Representative. Doing business as, Owner, WAM - Welding Application Methods, under Alaska State Business License No. BL 02314 SIC 4299.
- Item 2) Conflicting information received concerning status of the Sunsetting Board of Welding Examiners from the Office of Legislative Affairs - Anchorage, and the Division of Occupational Licensing - Juneau.
- Item 3) Comments on: the follow-up review of the Board of Welding Examiners, November 24, 1980 Legislative Audit Control Number 08-21-1004-R.
- Item 4) Information on possible infractions of the Board's Laws and Regulations, and other statutes, if in fact those regulations are still in force.

Discussion:

Item 1) Since my demobilization from Alyeska Pipeline Service Company on February 2, 1978, and after completion of my assignment as Welding Engineer, I have been actively engaged as a Welding Consultant to a number of welding fabrication firms and others within the state.

Following is a list of some of the firms who have engaged my services:

- \*Technical Welding Laboratory, Fairbanks - 1978
- \*Alaska Welding Center, Anchorage & Fairbanks - 1978/1979
- \*H.C. Price Const. Co., Fairbanks - 1978
- \*Stack Steel Co. of AK, Anchorage - 1978/1979/1980/1981
- \*Anchorage Tank & Welding, Anchorage - 1980/1981
- \*Arctic Foundations, Anchorage - 1981
- \*Arctic Welding Supply, Anchorage - 1981

- 3 -

Mr. Richard H. Long  
Chief Investigator  
Division of Occupational Licensing  
October 4, 1981  
Page Three.

With the exceptions of my services to Technical Welding Laboratory and H.C. Price Co., my activities as I stated during our phone conversation, have been directed toward on-the-job (or in-house) welder training and welder qualifications and upgrading overall welding methods for my various clients.

The primary objective, of course, in that activity, is to upgrade their welding quality and the methods of application, which in turn will permit their firms to produce welded fabrications which meet the design criteria and code/standards requirements that are imposed on the fabrications by their customers.

In August of 1978, I was made aware that the Board of Welding Examiners introduced a stipulation into their rules which became a state law requiring that only a State Licensed Welding Inspector could qualify welders. Since I was not at that time and still not in agreement with what the Board of Welding Examiners was attempting to do, plus the fact that I do not sell my services as a welding inspector, I elected to not contribute to that activity by not applying for the welding inspector license. However, in order to not jeopardize my client's position or their welders, it was necessary that I inform them prior to entering into a work agreement that I could not legally, because of the law, sign off on the Welders Qualification Test Record following his training. For that reason if the prospective client wished my services, it would be necessary to call in a state licensed welding inspector to witness the welder qualification testing activity and sign off over my signature on the Test Report.

In every case, that was the arrangement agreed upon between my clients and I before we launched into any in-house activity to train and qualify their welders. It must be recognized that such an arrangement, in having to pay for the licensed inspectors time, resulted in additional costs to my client for something that was not directly contributing to the upgrading or improvement of

Mr. Richard H. Long  
Chief Investigator  
Division of Occupational Licensing  
October 4, 1981  
Page Four.

their welding requirements. Never the less, that was the working arrangement up until the time that we were informed by the Office of Legislative Affairs-Anchorage that: "The Board of Welding Examiners was sunsetted June 30, 1981, and for that reason, the law is no longer in force."

Item 2) Following receipt of that information from Legislative Affairs, I proceeded to conduct my welder training activity and welder qualification testing activities as I have done for several major corporations over my past 27 years of welder training and qualification testing. That of course resulted in my signature on the welder performance Qualification Test Report, as required by the National Codes and Standards, to which the tests were conducted. At that time, I was not aware of any stipulation in the law which would permit the rules of the Board to remain in force for any period of time. Nor was I advised by the Legislative Affairs of any such stipulation. In fact, as already noted, the information received from that office was totally the reverse of that.

On 8-5-81, I received a phone call from Mr. Larry Cherveney, Welding Engineer, Peter Kiewit & Sons Co., at Valdez, who I was qualifying welders for under a purchase order agreement. (Peter Kiewit Co. is working under contract to Alyeska Pipeline Service Co. at the Valdez terminal). Mr. Cherveney advised me that during an inspection of their welding documentation by Alyeska inspectors, they informed him my signature on their Welder Qualification Test Records was not valid since I was not a State Licensed Welding Inspector. For that reason, their welder would have to be requalified. I informed Mr. Cherveney of the past information received from Legislative Affairs, concerning the Sunsetted Board and the need for an inspector's license was no longer required. His comment was that he informed the Alyeska inspectors of that, however, their response was that they knew the Board was sunsetted, but the rules were still in force for another year. I informed Mr. Cherveney

Mr. Richard H. Long  
Chief Investigator  
Division of Occupational Licensing  
October 4, 1981  
Page Five.

that I would do some more checking on the situation and get back to him as soon as possible. Following that, I again called Legislative Affairs Office - Anchorage and again, received the same information as previously noted. I immediately called Mr. Cherveney that same day and advised him of Legislative Affairs confirming their past information.

The following day, 8-6-81, I received another phone call from Mr. Cherveney. He informed me that Alyeska Inspection Services was insisting that the requirement for a State Licensed Welding Inspector to qualify welders was still in force. For that reason, he would be compelled to cancel our purchase order agreement.

Since the cancellation of that purchase order amounted to a considerable financial loss to my company, I decided to try and find out how a law could be sunsetted (to use Legislative Affairs term, "and dead"), yet still be in force. I started contacting personnel of different state agencies and state representatives to try and find out what exactly was going on.

My first contact and meeting was with the Commissioner of Economic Development and Commerce, Mr. Charles Webber. After discussing the Board of Welding Examiners rules and my resulting problems, Mr. Webber assured me that he would be contacting his Director of the Division of Occupational Licensing, Mr. Harry Treager, in order to try and find out the current status of the Board and its rules.

On 8-26-81, I received a phone call from Mr. Treager. During our brief discussion concerning the questionable usefulness of the Boards' rules and regulations, and why those laws would continue in force, Mr. Treager indicated that he shared some of my concerns, and following our phone conversation would be contacting the Attorney General in order to get a legal disposition on the matter.

Mr. Richard H. Long  
Chief Investigator  
Division of Occupational Licensing  
October 4, 1981  
Page five.

On 9-15-81, I called Mr. Treagor to find out if he had received any information from the Attorney Generals office concerning the disposition of the Sunsetting Board. Mr. Treagor indicated that he had not received any information from the Attorney General, as yet.

On 9-17-81, I called the Attorney Generals office and inquired who I may talk to in regard to the Sunsetting Board of Welding Examiners. My call was transferred to Susan Burke. (Miss/Mrs.) Burke indicated that she was not familiar with its statutes, however, would do some checking and contact me later.

The preceding information in item <sup>1 and 2</sup> brings us up to the time (same date) of your first phone call to me and your follow-up phone call on 9-18-81, concerning the status of the Sunsetting Board.

Item 3) Comments on the Legislative Audit No. 08-21-1004-R

A review of the Legislative audit and a review of the attached rebuttal to the Audit Report, prepared by the Chairman of the Board of Welding Examiners, simply serves to reinforce my early contentions regarding the questionable usefulness of the Board and to be in total agreement with the audits findings and its recommended conclusions.

Item 4) Information on possible infractions of the Boards Laws and Other Statutes.

As I had indicated during our last phone conversation of 9-18-81, I received information from Peter Kiewit & Sons Co., at the Valdez terminal that the last welder which I had qualified for them was requalified by an Alyeska inspector. A short time later, it was learned that of the three Alyeska inspectors assigned to the Valdez terminal, (one of whom conducted the welder requalification tests), none were AWS certified welding inspectors (which is a prerequisite), nor, at that time, did they possess the Alaska State Welding Inspector License.

Mr. Richard H. Long  
Chief Investigator  
Division of Occupational Licensing  
October 4, 1981  
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I was also made aware that the two requalification pipe test coupons were sent to Alaska Industrial X-Ray in Anchorage for radiography, sectioning, and removal of the required guided bend test specimens for bend testing. After the test coupons were received by AIX, I received a phone call from that firm inquiring how I removed the guided bend specimens which are welded <sup>with</sup> stainless steel weld filler, from a carbon steel test pipe.

At this time I am not sure of who signed off on the Peter Kiewit Co. Welder Qualification Test Record. However, I believe it can be assumed that it was not the inspector who conducted the requalification tests. On that assumption, it would appear that Alyeska Inspection Services was engaging in an activity which seems to be as much an infraction of the Boards laws (even with their recognition that the law was still in effect) as what they earlier prevented me from doing.

In regard to what appears to be an infraction to another statute covered in the booklet of the Board of Welding Examiners under AS08.01.020, "Business and Professions" Sec. 08.01.025, "Public Members", which states, "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.

It is known that the Chairman of the Board and one other board member are either owners, or actively and financially engaged in facilities which perform welder qualification testing and is considered part of the occupation which the Board regulates. What is not understood is why there seems to be no action taken to enforce the above statute if in fact any other portion of the Laws and Statutes are being enforced by or in behalf of the Board.

Mr. Richard H. Long  
Chief Investigator  
Division of Occupational Licensing  
October 4, 1981  
Page seven.

Conclusion:

In my considered judgment, there has not been any major contribution made by the Board of Welding Examiners toward upgrading the overall quality of welding within the state since its inception. In fact, it appears that the only achievement of the Board has been in the area of acquiring a quite large number of individuals who now possess an Alaska State Welding Inspectors License.

Since it is acknowledged throughout industry that quality cannot be inspected into a fabricated item, but must be trained into the individuals who are performing the work on the fabrication, it seems unreasonable to place so much emphasis on the need for increased inspection.

It is acknowledged that industry has adopted standards which require certain welded fabrications to be inspected prior to going to the consumer, however, it is also acknowledged that need is lessened when the individuals are trained to perform the task.

In view of the foregoing, it is again recommended that the Sunsetting Board of Welding Examiners Laws be deactivated and that the use of public funds to continue enforcement of the board laws and rules for the years grace period be discontinued.

Thank you for your assistance and attention to this matter.

attachments:

List of state licensed Welding Inspectors  
Copy of Legislative Audit Report  
NO. 88-21-1004-R

Respectfully ours,

Louie J. Rousseau  
Welding Application Methods  
2700 Porcupine Drive  
Anchorage, AK 99501

C.L.

FEB, 7, 1982

REPRESENTATIVE TERRY MARTIN, CHAIRMAN  
LEGISLATIVE HOUSE LABOR & COMMERCE COMMITTEE  
TWELFTH ALASKA STATE LEGISLATURE  
POUCH V  
SIKNEAU, ALASKA 99811

DEAR REPRESENTATIVE MARTIN  
IT IS IMPERATIVE THAT (HB 595)  
BE PASSED REESTABLISHING THE  
STATE BOARD OF WELDING EXAMINERS

ResP

Donald R. Jewood  
Welder / Sheet metal mechanic



*copy June 20*

# Anchorage Tank & Welding, Inc.

2700 Porcupine Dr.  
Anchorage, Alaska 99501  
(907) 272-3543

MAY 28, 1981

REPRESENTATIVE VERNON HURLBERT, CHAIRMAN  
HOUSE COMMITTEE OF LABOR & COMMERCE  
CAPITAL ROOM 517  
POUCH V STATE CAPITAL  
JUNEAU, AK. 99811

*HB595*

DEAR VERN;

PLEASE EXCUSE THE COMPUTER LETTER, IT'S OUR ONLY TYPEWRITER.

WHILE YOU MAY NOT REMEMBER ME I HAVE TALKED TO YOU AT LENGTH ABOUT TWO SUBJECTS. ONE WAS A COUPLE OF YEARS AGO ABOUT THE STATE LAND LEASING POLICIES WITH A FELLOW NAMED JOE WILHOUR. THE OTHER WAS WHEN I WROTE YOU A LETTER LAST YEAR ABOUT THE INCOME TAX REPEAL, AND YOU CALLED ME AT HOME ABOUT IT.

NOW THAT I AM WITH ANCHORAGE TANK & WELDING, SOMETHING HAS COME TO MY ATTENTION WHICH IS ANOTHER REGULATORY BURDEN TO THE SMALL BUSINESSMAN. I'VE ENCLOSED SOME INFORMATION WHICH I HOPE YOU WILL LOOK AT.

THE CONTINUED EXISTANCE OF THE BOARD OF WELDING EXAMINERS IS UP FOR REVIEW UNDER THE SUNSET LAW. IT'S CLEAR HOWEVER THAT LEGISLATIVE AUDITORS DON'T THINK ITS WORTH KEEPING. THIS IS THE GENERAL CONCERN OF THOSE OF US IN THE FABRICATION BUSINESS. ALSO, IT SHOULD BE ALLOWED TO DIE BECAUSE IT REALLY DOESN'T PROVIDE ANY PUBLIC SAFETY NOT ALREADY CALLED FOR ON PROJECTS BY SPECIFICATION.

Tanks — Fuel, Septic, Skid Mounted, Oilfield Special Designs  
Structural & Misc. Fabrication, Pipe Fabrication  
Welding To ASME, API & AWS Codes

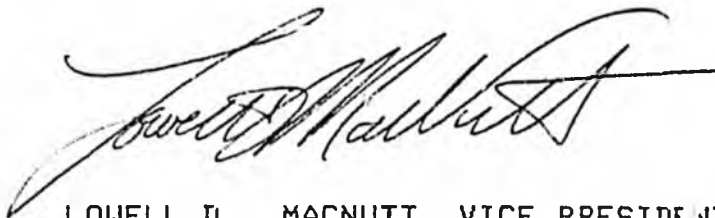
IT DOES, HOWEVER INSURE THE CONTINUATION OF THE WELDING SCHOOL OWNED AND OPERATED BY ITS CHAIRMAN AND THEREFORE HB595 TO CONTINUE THE BOARD HAS BEEN REFERRED TO YOUR COMMITTEE.

IF YOU FEEL THIS BILL COMMANDS THE PRIORITY TO BE BROUGHT OUT OF YOUR COMMITTEE, PLEASE GIVE ME A CALL AS YOU DID BEFORE. I AM SURE I CAN GIVE YOU A LOT MORE DETAIL IN SUPPORT OF OUR POSITION IN JUST A FEW MINUTES.

IF YOU FEEL IT DOES HAVE TO SURFACE, I WOULD ALSO LIKE TO HAVE YOUR OFFICE CONTACT ME AS, IF NECESSARY, WE WOULD COME DOWN TO TESTIFY AT A HEARING.

THANKS FOR YOUR TIME AND CONSIDERATION.

ANCHORAGE TANK & WELDING, INC.

A handwritten signature in cursive script, appearing to read "Lowell D. Macnutt". The signature is written in dark ink and is positioned above the typed name.

LOWELL D. MACNUTT, VICE PRESIDENT

# Alaska State Legislature

SENATOR  
**DON GILMAN**  
REPRESENTING  
DISTRICT 13  
KENAI PENINSULA



HOME ADDRESS  
P.O. BOX 630  
KENAI, ALASKA 99611  
(907) 283-4182  
DURING SESSION  
POUCH V  
JUNEAU, ALASKA 99811

## State Senate

February 5, 1982

### MEMORANDUM

TO: Representative Terry Martin  
Chairman  
House Labor and Commerce Committee

FROM: Senator *Don Gilman*

SUBJECT: Status of House Bill 595

In light of the attached letter, I would appreciate your letting me know your intentions in regard to House Bill 595.

cc: Harry Barnes



PENINSULA INSTITUTE OF WELDING TECHNOLOGY

WELDING TRAINING & WELDER CERTIFICATION  
AWS CERTIFIED  
ALASKA STATE WELDING INSPECTOR LIC. NO. AA0100

P.O. BOX 907  
KENAI, ALASKA 99611  
(907) 776-5292

Page 1 of 2

JANUARY 25, 1982

CHAIRMAN TERRY MARTIN  
LEGISLATIVE HOUSE LABOR & COMMERCE COMMITTEE  
TWENTH ALASKA STATE LEGISLATURE  
POUCH V  
JUNEAU, ALASKA 99811

Dear Sir:

It has come to our attention that this important piece of Legislative Business has been put on the back burner of importance by the last Legislature. As was brought to everyone's attention by the construction of the Oil Pipeline, a serious lacking of qualified Alaskan Welding Inspectors was apparent. With the possibility of pending construction of the gas pipeline, and other major construction projects, the deletion of this legislation would be of no benefit to the State of Alaska, and in fact a tremendous disservice to Alaska and Alaskans.

It is our opinion that the State Board of Welding Examiners and State licensing of welding inspectors has been effective and has done a valuable service to the citizens of the State of Alaska by increasing the quality of welders and quality of construction. We also support the necessity of the Board of Welding Examiners as they are the only means of policing the regulations.

Licensing Welding Inspectors in our opinion is the only feasible way to protect the public without increasing the bureaucracy.

As you know, if HB 595 is not acted upon before June 1982 the Board and licensing will be terminated and the State will have no guidelines for welding quality in Alaska and this would be another serious disservice to the Alaskan public.



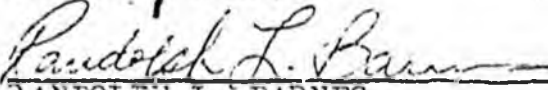
Enclosed are several documents containing information pertaining to this issue:

1. An overview of the sunset process.
2. A copy of HB #595 currently in the Labor and Commerce Committee.
3. A probable successful route for HB #595.

With your support, this legislation can be enacted between the beginning of the new legislative term in January and the June of 1982 deadline, if it is moved properly through the various committees to the floor.

At your February meeting we implore you to act in favor of retaining the Board and licensing as it presently exists.

Sincerely,  
  
 HARRY F. BARNES

  
 RANDOLPH L. BARNES

- CC A.P. ADAMS (REP.)  
 J.G. FULLER (REP.)  
 H. MALONE (REP.)  
 P.M. O'CONNELL (REP.)  
 D. BENNETT (SEN.)  
 M.E. DANKWORTH (SEN.)  
 D.E. GILMAN (SEN.)  
 T. KELLY (SEN.)  
 B. MULCAHY (SEN.)  
 J. HAMMOND (GOV.)

## OVERVIEW : SUNSET REVIEW PROCESS

State law requires that licensing boards justify their existence approximately every five years.

The sunset review process involves the following basic steps.

- 1- A termination date is set by statute for an existing board.
- 2- A performance audit of the board is conducted by the Division of Legislative Audit during the calendar year prior to the termination date.
- 3- During the session immediately preceding the termination date the legislature sets up a committee\* to hold hearings and make recommendations to the legislature on the board under review. At these hearings the Department of Commerce and Economic Development and the interested public give testimony.
- 4- Based on the hearing testimony, the findings of the performance audit and any other factors that the legislature wishes to consider, a decision is made to :
  - A) eliminate the licensing process,
  - B) modify the licensing process, or
  - C) continue the licensing process unchanged.

The fundamental questions that underlie the sunset review process are :

- 1- Is the licensing process necessary to protect the public from serious and likely harm? What alternatives to the present licensing process exist?
- 2- Is the board necessary to the licensing process? Is board licensing the most effective way to protect the public? Is board licensing the most economical way of protecting the public? Is board licensing the most desirable way to protect the public?

Other less fundamental, but often equally important, questions are raised during the sunset review process, usually by the performance audit. These questions usually include :

- 1- How efficiently has the board been operating?
- 2- How responsive has the board been to the public?
- 3- Has the board been unnecessarily restricting entry into the profession?
- 4- How conscientious has the board been in meeting its statutory and other obligations?

\* committee of reference

February 11, 1982

Chairman Terry Martin  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature

Mr. Martin:

I just received notice of the possibility of your doing away with the State Licensing of Weld Inspectors. I personally, am most decidedly against this both professionally and personally. I am a licensed Inspector in your state and it took many hours of toil and study to accumulate the various certifications required.

It bothers me to think that you consider the job of Weld Inspector so lightly that you make it possible for the various companies to go back to the brother-in-law system where I, with 8 years of experience could work equally or underneath a man who is putting in his first day in Weld Inspection.

There are various environmental groups who could and would make very good use of you discontinuing this program. I have seen a lot of problems in various nuclear plants that would have been lessened or eliminated if they would have had a good competent crew of Inspectors.

I certainly hope that you don't make this mistake.

Sincerely,

*Jon Elliott*

Jon Elliott

*613 Rd 47*

*Pasco, Wa 99301*



## Anchorage Tank & Welding, Inc.

2700 Porcupine Dr.  
Anchorage, Alaska 99501  
(907) 272-3543

FEBRUARY 10, 1982

THE HONORABLE REPRESENTATIVE TERRY MARTIN, CHAIRMAN  
STATE HOUSE LABOR & COMMERCE COMMITTEE  
POUCH V  
JUNEAU, ALASKA 99811

RE: HB595, CONTINUANCE OF THE BOARD OF WELDING EXAMINERS

DEAR REPRESENTATIVE MARTIN:

WE ARE WRITING AS ONE OF YOUR CONSTITUANTS IN THE MOUNTAIN VIEW AREA TO URGE YOU AND YOUR COMMITTEE TO ALLOW THE BOARD OF WELDING EXAMINERS TO TERMINATE. WE DO NOT ENDORSE ITS EXISTANCE PROVIDED REGULATIONS ARE CHANGED; WE ARE ADAMANTLY OPPOSED TO ITS BEING IN ANY FORM, FOR THE FOLLOWING REASONS:

1. STEEL FABRICATORS SUCH AS OURSELVES, HAVE STRUCTURED OUR ORGANIZATIONS TO COMPLY WITH AND TO CONFORM TO NATIONALLY RECOGNIZED CODES PRIMARILY BECAUSE THE CUSTOMER BASE WE SEEK DEMANDS THE TYPE OF QUALITY REQUIRED BY THESE CODES IN THEIR PROJECTS. THE END USERS OF FABRICATIONS WHERE SAFETY AND/OR ECOLOGICAL REGULATIONS MUST BE COMPLIED WITH, ARE REQUIRED BY EXISTING LAWS TO SPECIFY CERTAIN NATIONALLY ACCEPTED CODES AND STANDARDS TO WHICH THESE PRODUCTS MUST BE MANUFACTURED. THESE REQUIREMENTS MUST BE ADHERED TO BY FABRICATORS WITHOUT EXCEPTION. IT IS OUR EXPERIENCE THAT THIS TYPE OF CUSTOMER REQUIRES PROOF OF

Tanks — Fuel, Septic, Skid Mounted, Oilfield Special Designs  
Structural & Misc. Fabrication, Pipe Fabrication  
Welding To ASME, API & AWS Codes

QUALIFIED SHOP WELDING PROCEDURES AND PERFORMANCE QUALIFICATION OF WELDERS PRIOR TO THE START OF ANY WELDING FABRICATION. IN ADDITION, THESE CUSTOMERS REQUIRE THAT WE PROVIDE ACCESS TO OUR FACILITY FOR INSPECTION OF THE WELDING BY THEIR OWN INSPECTION PERSONNEL DURING MANUFACTURE OF THEIR PRODUCT. IT IS THEREFOR READILY APPARENT, THAT WITH ADHERANCE TO NATIONALLY RECOGNIZED CODES AND STANDARDS, AS WELL AS CUSTOMER INSPECTION OF CRITICAL WELDMENTS DURING FABRICATION, ADDITIONAL INSPECTION BY STATE LICENCED PERSONNEL ACCOMPLISHES NOTHING EXCEPT TO ADD ADDITIONAL AND UNNECESSARY EXPENSE TO THE PROJECT.

2. IT IS OBVIOUSLY IN OUR BEST INTEREST AS A FABRICATOR TO INSURE THE QUALITY OF OUR PRODUCT SO THAT WE CAN OBTAIN THE WORK WE DO, THEREBY ENABLING US TO KEEP OUR CUSTOMERS AND AVOID THE PROBLEMS INVOLVED WITH POOR QUALITY WORK. WE ACCOMPLISH THIS BY CONFORMING TO NATIONALLY ACCEPTED CODES AND STANDARDS AND THROUGH IN HOUSE TRAINING AND QUALIFICATION OF OUR WELDING PROCEDURES AND WELDERS AS PROVIDED BY THESE CODES. OUR TRAINING AND QUALIFICATION IS CONDUCTED AND PERFORMED BY INDIVIDUALS AND TESTING FIRMS OF OUR CHOICE WHO HAVE DEMONSTRATED THEIR CAPABILITY TO COMPLY WITH OUR OWN AND OUR CUSTOMERS STRINGENT REQUIREMENTS. HOWEVER, BECAUSE OF THE REGULATIONS OF THIS STATE, PROMULGATED BY THE BOARD OF WELDING EXAMINERS, WE ARE COMPELED TO HIRE A STATE LICENCED WELDING INSPECTOR TO WITNESS OUR WELDER QUALIFICATION ACTIVITY IN ORDER FOR HIM TO SIGN OFF ON THE PERFORMANCE QUALIFICATION TEST RECORD. IT MUST BE RECOGNIZED THAT HE, THE STATE LICENCED WELDING INSPECTOR, MAKES ABSOLUTELY NO CONTRIBUTION TOWARD UPGRADING OUR WELDERS. NON THE LESS, WE ARE SADDLED WITH THIS UNNECESSARY INTRUSION AND EXPENSE.

3. STATE LICENCED WELDING INSPECTORS, (INCIDENTLY, THE ONLY REQUIRED LICENCEES BY THE STATE AT THIS TIME), DO NOTHING TO FURTHER THE ADHERANCE TO A PARTICULAR CODE AND DO NOTHING TO ENHANCE THE QUALITY OF WORK PERFORMED. ANY

PERSON WHO MEETS THE REQUIREMENTS OF THE AMERICAN WELDING SOCIETY CERTIFICATION PROGRAM FOR WELDING INSPECTORS SHOULD BE ACCEPTED BY THE STATE AS COMPETANT TO ACT AS SUCH. THIS ELIMINATES THE NECESSITY OF LICENCING THESE INDIVIDUALS BY THE STATE AND THE PUBLIC EXPENSE ASSOCIATED THEREWITH.

4. YOUR COMMITTEE HAS BEFORE IT, A REVIEW AND FOLLOW-UP REVIEW OF THE BOARD OF WELDING EXAMINERS, PERFORMED BY THE DIVISION OF LEGISLATIVE AUDIT WHICH CONCLUDES:

''IN OUR OPINION, THERE IS NOT A SUFFICIENT PUBLIC NEED FOR CONTINUING EITHER THE BOARD OR STATE LICENCING OF WELDING INSPECTORS.''

WE BELIEVE THAT LEGISLATIVE AUDITS AND SUNSET LAWS WERE PROVIDED BY LEGISLATORS SUCH AS YOURSELF WHO SAW THE NECESSITY OF DISCONTINUING UNNECESSARY REGULATORY BOARDS AND COMMISSIONS. WE BELIEVE ALSO THAT WHEN AN OPINION IS THIS SUCCINCTLY AND UNAMBIGUOUSLY WRITTEN, THERE MUST BE OVERWHELMING ADVERSE EVIDENCE TO REFUTE THE AUDIT BEFORE A COMMITTEE SHOULD EVEN CONSIDER REVERSING THEIR FINDINGS.

5. FINALLY, AS 08:01.025 STATES:

''NO PUBLIC MEMBER OF A BOARD MAY:

(1)BE ENGAGED IN THE OCCUPATION WHICH THE BOARD REGULATES

(3)HAVE A DIRECT FINANCIAL INTEREST IN THE OCCUPATION WHICH THE BOARD REGULATES.''

AS A MATTER OF FACT, THE CHAIRMAN OF THE BOARD OF WELDING EXAMINERS WHO IS ALSO APPARENTLY THE STRONGEST SUPPORTER THEREOF, VIOLATES BOTH OF THESE PROVISIONS BY OWNING AND OPERATING A WELDER TRAINING AND TESTING FACILITY WHICH ACTIVELY TESTS FOR LICENCING, STATE WELDING INSPECTORS. HOWEVER, STATE REGULATIONS SHOULD NOT REQUIRE THE NEED FOR TRAINING AND QUALIFICATION FACILITIES SUCH AS THIS, FOR THE LICENCING OF WELDING INSPECTORS WHEN THE MECHANISM IS

AVAILABLE ON A NATIONAL LEVEL FROM THE AMERICAN WELDING  
SOCIETY.

IN CONCLUSION, WE ASK YOU AND YOUR COMMITTEE, AFTER REVIEWING  
THESE AND OTHER FACTS, TO HOLD HB 595 IN YOUR COMMITTEE AND  
THEREBY ALLOW THIS BOARD TO TERMINATE

VERY TRULY YOURS

ANCHORAGE TANK & WELDING, INC.

LOWELL D, MACNUTT, VICE-PRESIDENT

February 25, 1982

Representative Terry Martin  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Martin:

I am writing this letter to voice my opposition to the re-establishment of H.B. 595. I fully agree with the legislative audit of 1979, and its follow-up in 1980 that the need for the continuation of the State of Alaska Board of Welding Examiners does not exist.

I feel that the state should allow private industry to manage its own welding and welding inspection programs in accordance with the widely used and nationally recognized codes and standards. It appears to me that the Board and its continuations is wanted solely because of personal gains, and not really in the public's best interest.

I have considerable experience in welding, both as a welder and now a Welding Engineer, and I have never seen such a mess and dealt with so many incompetent welding inspectors.

Please do us all a favor and abolish the State of Alaska Board of Welding Examiners.

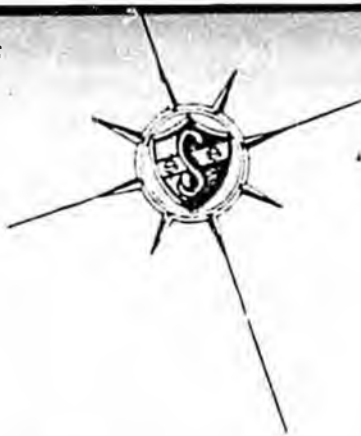
Sincerely,

*Lee A. Gabrielson*

Lee A. Gabrielson

Steel Distributors

FOR THE NORTHWEST  
AND ALASKA



**STACK STEEL** Co of Alaska

1200 W. DOWLING — ANCHORAGE, ALASKA 99502 (907) 279-0691

February 24, 1982

The Honorable Terry Martin - Chairman  
Legislative House Labor and Commerce Committee  
Twenty Fifth Alaska State Legislator  
Pouch V (Interdepartmental Mail Stop 3100)  
Juneau, Alaska 99811

Subject: Sunseted Board of Welding Examiners Statutes  
AS08.99 and Regulations 12ACC72, House Bill  
595, and Senate Bill 757.

Dear Honorable Terry Martin:

Recently I have had occasion to study the statutes and Regulations contained in the subject Board of Welding Examiners and House Bill 595 for continuation of the Board. In addition, I have reviewed the Legislative "Follow-up" Review Audit conducted 11-24-80 by your Legislative Auditor Gerald L. Wilkerson.

After studying the statutes and Regulations covered in the subject item along with my indepth review of the audit findings as well as taking special note of the rebuttal to the audit report signed by the Chairman of the Board of Welding Examiners; I find that we at Stack Steel, are in total agreement with the underscored conclusions of the Legislative Auditor, identified as: "Prior Audit Recommendation No. 1 Page -5-.

In review of the Chairman of the Boards rebuttal to the audit findings it is noted, that his primary argument for maintaining the Board of Welding Examiners is based solely on the need for "State licensing" of the welding inspector as the single instrument that will maintain quality and protect the public.

It should be noted by you and your committee panel members, that in the Chairman of the Boards rebuttal no comment or apparent thought is given to the many other significant items that must be taken into account, with a view toward public safety before, the welding inspector is even assigned to the job of inspection. For example, items which the

design engineer and the welding engineer (assuming a welded fabrication) must attend to in compliance with the existing National Accepted Codes, Federal and State Government Regulations and Practices, which are relevant to the item to be fabricated. Some of those items which the design engineer and welding engineer must take into consideration and attend to, are:

- 1) Establish the necessary quality criteria for the job under consideration.
- 2) Determine what Codes, Standards, and Government regulations apply.
- 3) Prepare design drawings of the item to be fabricated.
- 4) Prepare fabrication specifications, which identifies: the applicable Codes/Standards to be used. Identifies the base materials, welding materials, and welding processes. Establishes the quality requirement and the level of inspection required for the specific job.

From the criteria identified in the fabrication specifications, the welding inspector and/or other inspectors (dependent on the type of fabrication) can be assigned by their employer to his specific inspection task. Most certainly the inspectors performance on the job will and must be measured by his employer whether a State license is required or not.

A very important item that should be considered is the fact that the State licensing of the individual inspectors places no assurance or warranty for the inspectors on-the-job, performance. In that consideration, and assuming that the inspector lacks insufficient welding inspection knowledge but still holds the State license, one of two things can happen. That is, dependent on the caliber of the firm which employs that type of an inspector; 1) his employment will be terminated or 2) he may be retained by the employer simply for window dressing because of the State license.

In either case the State license requirement will not have made any contribution toward guaranteeing or assuring welding quality.

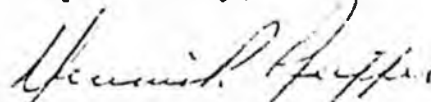
We in private industry dealing in welded fabrications are concerned with economics in this competitive market. Being concerned we know that we will not stay in business if the welded fabrication or welded products which we produce do not meet our customers quality requirement. Therefore we work with the existing National Accepted Codes/Standards Federal, State, Borough, and Municipality Regulations which are already in place and required.

We have not seen in the past, any significant benefit in welding quality or added protection of the public from the Board of Welding Examiners regulation. As the regulations are now written in the present Board Statutes and considering the existing and apparent conflicts of interest by some Board members, we believe it would be in the best interest of the State to terminate the Board of Welding Examiners and cease any further expenditure of public funds other than allowing the Board time to gather up records to send to archive files and close up shop!

Thank you for your attention and consideration to this matter.

I will be looking forward to your reply.

Respectfully,



DENNIS R. PFEIFFER  
General Manager  
Stack Steel Co. of Alaska

DRF/vs

cc: House Finance Committee - Chairman Albert P. Adams  
House Judiciary Committee - Chairman Romona L. Barnes  
Senate Finance Committee - Co Chairman Don Bennett  
Senate Judiciary Committee - Chairman Patrick M. Rodey  
Senate Labor & Commerce - Chairman Robert Mulcaby  
Senate Rules Committee - Chairman Tim Kelly

3651 McGinnis Dr.  
Juneau, Alaska 99801  
February 17, 1982

Legislative House and Labor Committee  
Pouch V  
Juneau, Alaska 99811

Attn: Representative Terry Martin

Gentlemen:

I am writing in support of HB 595. It is my opinion that there is a continuing need for State involvement in the area of welding regulation and inspection to assure that adequate standards are maintained and that high quality weldments are produced. There is no margin for error - failure is generally catastrophic, and often times fatal to those involved.

I feel that the current system of State licensing of welding inspectors is realistic and workable although there are several areas in the existing regulations where modifications are desirable. I will not elaborate here. My primary concern is that if the Board is not reconstituted the existing regulations will have no statutory basis and in essence we will have no State regulation. If the Legislature should not choose to enact HB 595 then the existing regulations should be adopted in the statutes by reference. The problem with this alternative is that there would be no convenient forum readily available for modifying and improving existing regulations.

Other alternatives such as the creation of a WELDING BUREAU would be a step in the opposite direction since it would create a new layer of government regulation with the strong probability of bureaucratic bungling and regulatory abuse. I don't think we need, nor can we afford, a super "watchdog agency" monitoring every "Joe Dokes" welding operation that takes place in Alaska. It is my opinion that the Welding Board represents a low budget, high talent organization and is the logical body to give direction, provide guidance and disseminate information to the welding industry in Alaska. In fact, I believe Alaska is far ahead of those states who have not adopted welding standards. At least we have a uniform statewide standard to guide the welding fraternity and not a maze of conflicting and varying standards that exist between many of the cities and counties of our sister states.

It is rather obvious that a serious technological gap presently exists in Alaska between the engineer or the designer and the person who is actually performing the welding operation. To be certain there are good designers and good welders but few professional structural engineers are knowledgeable about the technical and practical aspects of welding. By the same token few welders have knowledge of the engineering technology associated with the design of welded structures. The certified welding inspector fulfills this technological gap. Although there are not nearly enough of these technicians available considerable progress has been made in recent years simply because of the Boards adoption of the American Welding Society Certified Welding Inspector program. As I see it, non-continuation of the board would constitute a general de-emphasizing of the importance of welding and weld quality in Alaska and would constitute a step backward rather than a step forward.

It has been suggested that industry is capable of self regulation. This may be true in some instances but it certainly is not universal. Even the largest companies with well managed quality control programs have their share of problems involving weld deficiencies. The Alyeska pipeline project was no exception.

The problem is that the small fabricator and construction firm does not normally possess, nor can he afford, the luxury of quality assurance personnel. Here is where the public need exists. As a long time employee of the Department of Transportation and Public Facilities I can personally attest to numerous instances of weld failure and poor weld quality in public structures. In fact, the Department has recently been involved in litigation on two major projects over poor weld quality accomplished by supposedly knowledgeable contractors. Some of the weldments produced were so bad that they simply defy explanation. Bear in mind that these structures were designed by professional engineers and welded by certified welders. Had it not been for the presence of a Department of Transportation and Public Facilities certified welding inspector on one project and early structural failure on the other who knows what the future implications might have been.

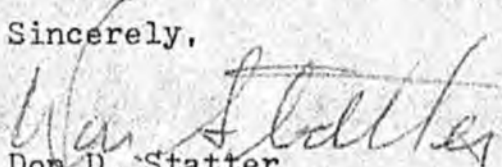
Another major problem with this whole business of welding and weld quality is the general lack of understanding of the process by the average man on the street. To him, the welder is a magical type who, with his electric wand, joins solid steel together to the dismay of all concerned! The consumer is not normally able to identify a good weld from a bad weld but pay the same price for both. If a welded trailer hitch fails and kills someone in the car behind whose fault is it, or if the marquee falls on your head who do you sue, the designer, the store owner, the contractor who built the building or the welder? Obviously, it makes little difference to the injured party or the survivors of the deceased. They only know that if the welds had held it would not have happened. The point I am trying to

make is that some vehicle is needed for setting the standards of weld quality in the state. In my opinion the Board of Welding Examiners fullfills this requirement.

In summary, I strongly support the retention of the Board and recommend that the committee endorse HB 595. The system and regulations are workable, cost efficient, non bureaucratic and essential to the public welfare.

Thank you for the opportunity to testify.

Sincerely,

  
Don D. Statter  
C.W.I.

cc: Vice Chairman, Bernard Bylsma  
Richard Randolph  
Terry Gardiner  
Brian Rogers

Staff Analysis of testimony and documents presented.

Overview: The fundamental question of regulation and licensing is whether the licensing and/or regulation process is necessary to protect the public from serious and likely harm. In the case of an already existing Board or Commission the question on a viable alternative to the Board or present licensing practice should be considered.

Public Need: The Board of Welding Examiners received an audit by the Division of Legislative Audit on June 8, 1979, and a follow-up audit on November 24, 1980. Both audits reached the same conclusion: "In our opinion, there is not a sufficient public need for continuing either the Board or State licensing of welding personnel."

Public testimony has been critical of the performance of the Board and questions the need of the licensing of welding personnel by the State of Alaska. As the legislative audit (June 8, 1979, p9) points out, "that only one other state to date requires licensing of WI's." Further, there have been questions raised about conflicts of interest by certain of the Board members, and that the sole reason for the continuance of the Board is for their personal financial gain.

Analysis of Arguments: Perhaps it would be easiest to keep this report short to refer to Mr. Lockman's letter of January 25, 1982 (exhibit #1) and address each of his question and concerns.

First is "some vital areas which control the public's safety as it applies to welding." Since the Board has adopted the AWS QC1-78 (Exhibit #2) as the basis of testing and regulation perhaps it should be noted what these Standards state. "1.2 This Standard is intended to supplement any requirements of an employer, code, standard or specification and shall not be construed as a preemption of the employer's responsibility for the work or for the performance of such work. It would appear to be in the Public Interest for the liability

and responsibility of welding problems accrue to the responsible employer and not to the State.

Next, the questions that Mr. Lockman asks, "If the Licensed Welding Inspector is abolished,". Perhaps it would be more accurate to say, if the Board of Welding Examiners is abolished.

"1. Who will certify the welders for Alaska work?" Who certifies the welders for Alaska work now? The Board requires a \$50 examination fee for the welder inspector applicant. This fee is paid directly to the American Welding Society who administers, grades and certifies the test. In addition, the applicant must take an all position welding qualification test in at least one welding process. This is one of the areas that the conflict of interest has been raised. These tests are given by licensed Welding Inspectors or Certified Test Labs. The Board itself does not witness the test and has no knowledge if the individual whose application they review has, in fact, ever taken a test or is the same individual whose application they are certifying as a licensed Welding Inspector.

"3. How do we safeguard against false welder certification papers?" The real question is, How is that safeguard being provided now? The AWS QCI program, as administered, seems to be providing the sole protection that is being afforded. There is no physical control by the Board over the physical test being administered by the licensed Welding Inspectors. Elimination of the Board and adoption of the AWS QCI standards would not change what is being done at the present time, except that it would be less expensive for the employers and the Public.

"4. Can a welder come into Alaska without proving his ability and take a job welding?" Under the current Board regulations there is no requirement for an individual to have ever been in Alaska to be certified as a Welder or a Welding Inspector. The only figures available are found in the Legislative Audit of June 8, 1979 (p21) and show that 45% of the licensed Welding Inspectors are out-of-state residents. From the regulations of the Board, the requirement is that

an individual be AWS QCI certified and have paid the necessary fees to a licensed Alaska Welding Inspector. Exhibit #3, Sunday Times of 2/28/82 would seem to indicate that it would be easier for residents of Denver to become certified as welders and welding inspectors than it would be for Alaska residents who do not live in Anchorage.

This practice raises a policy question of whether or not the license is or could be used as a means to restrict entry of qualified individuals into the market. If there would be another large scale project, like the gas line, would it be desirable to restrict the licensing of Alaska Welding Inspectors to some facilities, such as the one in Denver? If so, which areas and who should be chosen? The Alyeska letter of April 12, 1977 (Exhibit #4) raises this and some other questions.

Further considerations. It would be easy to go point by point through all of the materials that have been presented but that would miss the main aspect. The fundamental questions raised by the Legislative Audit have not been addressed. The Public Need has not been demonstrated. If the Legislative Audits are to be given credence, then attention should be directed to their recommendation that "Welder qualification certificates can be required by statute and, if desired, the AWS certification program for WI's could be adopted by reference." In fact, except for the requirement of a test by a licensed Alaska Welding Inspector, this is the procedure that is being followed today.

Under any set of facts, the procedure adopted should not be structured in a manner that it be construed as a preemption of the employer's responsibility for the work or for the performance of such work.

Final Note. There seems to be some question over the validity on some of the testimony and "public input". The advertisement of 2/21/82 (Exhibit #5) purported to be by, or sanctioned by the American Welding Society was repudiated by the American Welding Society and should not be construed as indicative of their position (Exhibit #6). Likewise the letter of January 29, 1982 (Exhibit #7) has been viewed by the American Welding Society as a breach of their position on legislative matters

(Exhibit #9) and a possible breach their ethical code (Exhibit #8). The unsolicited testimony, input from the public and the Legislative Audits would appear to indicate that there is a rational to adopt the codes and the standards by reference.

January 29, 1982

Testing Institute of Alaska, Inc.  
2114 Railroad Avenue  
Anchorage, Alaska 99501

Attention: Donald M. Lockman, Chairman  
State Board of Welding Examiners

Subject: State Board of Welding Examiners and State Licensing of  
Welding Inspectors Future Existence

Dear Sir:

I recently learned of the possibility of terminating the State Board of Welding Examiners and thereafter doing away with the licensing of welding inspectors in the state of Alaska.

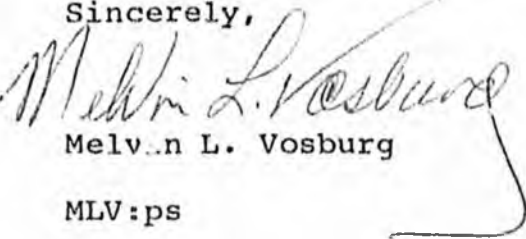
High integrity and the proper qualifications of a welding inspector are essential for maintaining the guidelines of codes and specifications on construction projects.

During the past ten years I have been involved in numerous major construction projects in Alaska and in the continental United States. During this time I have witnessed the lack of enthusiasm, neglect, and carelessness of the inexperienced inspector. Also, I have seen and experienced the pride of knowledge and confidence surrounding a highly qualified inspector, and the pride of a job well done.

I am an AWS certified inspector now and plan to have my Alaska license within the next few months. In order to accomplish this goal I have put forth considerable time, effort and expense as have all others who reach this goal.

I believe the continuation of the State Board of Welding Inspectors is essential in order to maintain the proper qualifications and professionalism needed in the quality control field to insure the high standards you now have in the state of Alaska.

Sincerely,

  
Melvin L. Vosburg

MLV:ps

January 27, 1982

Testing Institute of Alaska, Inc.  
2114 Railroad Avenue  
Anchorage, Alaska 99501

Attention: Donald M. Lockman, Chairman  
State Board of Welding Examiners

Subject: State Board of Welding Examiners and State Licensing of  
Welding Inspectors Future Existence

Dear Sir:

Over the past sixteen years I have been involved in numerous major construction projects throughout Mexico, Alaska, and the continental United States. I have observed activities of construction people on almost every project which has bordered on criminal neglect. Many times their lack of knowledge of their profession, due to inadequate training is to blame, often they are caught up in the Construction Company's "let's get this job done" euphoria, and most tragic of all, many sell their integrity for a few quick dollars.

The average inspector has no idea how many pipeline and pipeline related deaths occur each year, and the millions of dollars wasted yearly due to lackadaisical inspection. A pipeline explosion in Baytown, Texas two years ago revealed a weld with no bead, latticed with defects, which had had in process and final visual inspection by a qualified welding inspector, radiography performed by a qualified Non-destructive Technician, and accepted by both. Three people died in this explosion.

To become certified by the State of Alaska one must take considerable time, effort, and expense to meet the qualifications. The Alaskan State Welding Board, and the enforcement of its regulations, guarantees to a much greater degree, that its members will conduct themselves with the professionalism and integrity that will ensure that the above-mentioned tragedies happen less and less.

My hope is that each and every state adopts such a visionary program as the State of Alaska.

Very truly yours,

*William C. Biddy*

William C. Biddy

WCB:ps

Subject: - "State Board of Welding Examiners  
and State Licensing of Welding Inspectors  
Future existence."

118 Cedar Street  
Bakersfield, California  
93304

Dec. 8, 1981.

Mr Don Lockman  
2132 - Railroad Avenue  
Anchorage, Alaska, 99501.

Dear Don,

It disturbs me to understand that Alaska  
is trying with the idea of the elimination of  
your "State Board of Welding Examiners and the  
State Licensing of Welding Inspectors."

Quality in welding and its design is some-  
thing I feel very strongly about. In my set me-  
my ways regarding welds done properly. On the  
other hand you will see welds done to just get by  
visually and internally be "slap". This upset me.

Usually it's because someone does not care enough  
to be there and over see the job, and you end up  
with a potential calamity after it is put to use,  
or a continual problem until all the deficiencies  
are corrected in time. This causes dissatisfaction  
time lost and money to all parties.

A good example of this was when I purchased

one of Americas top line luxury Automobile,  
 and for over 6 months I had to do the  
 inspection of this car. It had a variety of  
 problems from trim falling off the outside & inside  
 of the car, moulding around the rear glass on  
 outside of the car, you could put your 4 fingers  
 in, and a starter that was faulty and left  
 us out in the country to walk home.

I know now why Detroit is having problems  
 with slump in sales, and the increase in car sales  
 made over seas. I asked a man at a car  
 rental, "What car give you the best maintenance free  
 and less break down?" He said, "Toyota"!! This  
 made me mad, because here we in America  
 once lead the world in the production & quality  
 in car throughout all makes. Why the change?

Quality, Inspection, and not caring what comes  
 off the assembly line. The crowd drivers will  
 find it, and we sold ourselves down the road.

For the past 53 years I have been studying  
 or working in the welding business, and since  
 1941 doing welding inspection related to the  
 production and the exploration of oil, on and  
 offshore facilities

There is one thing that stands paramount  
 in my mind. Welding gets sloppy when a  
 company, or any official body, having  
 construction or fabrication being performed,

3.  
1.  
fails to have welding inspectors, who are qualified be present at the pre-job meeting, go over the specifications and see they are in order for the material to be used, and that the shop or contractor has his house in order according to his shop manual, along with qualified welders and shop personnel. Then when the work begins, to have these inspectors on the job during the progressive of welding phases.

I hope this is the path that Alaska will go and keep your "State Board of Welding of Welding Examiners" and "State Licensing of Welding Inspectors." When I was Chief Inspector of the Prudhoe Bay Facility on the North Slope, I attended a few of your meetings. They were very good.

Having knowledgeable men in the welding field working with management in your constructing and fabricating facilities, following through the work cycle, I feel is essential to produce a good product or structure, or what ever it may be.

I had some pictures I took of a tank-truck used to haul hydrocarbons, and it was taken to a repair shop for a crack that had developed due to a support saddle reinforcement pad that had cut square rather than the 180° radius cut

like now is used in this type weldment. The welder knew the tank had been steamed and free of gas - (it was not purged w/ CO2) and unknown to him a earlier repair was made inside with a patch and the patch was square cut and it had developed a crack at the corner of the patch. When the welder started to weld the outside of the reinforced area, he heard a hissing sound. He dropped the arc stinger leads and ran. Yelling a warning. The tank exploded, tearing the roof off and both doors to this steel reinforced building.

The tank fragments flew in many directions and what was left was a complete loss.

The conclusion being if a qualified inspector had checked the inside and seen the internal patch, and the patch was made with radius corners (this crack propagated filling it with the gases which was ignited by the arc caused this accident) he could have recommended the patch to be drilled, purged and then make the repair in a correct method.

No one was hurt, but to look at the truck and the building, its hard to believe.

Don I hope your State officials understand the complications, and the problems it will cause, if they don't continue to keep your "State Board of Welding Examiners & State Licensing of Welding Inspectors."

I for one hope they don't eliminate you all -

Thank you for letting me voice my opinion.  
 Yours Truly, *Edm. Walters*, Weld Qualifier Inspector #AA0067

January 17, 1982

Honorable Terry Martin, Chairman,  
House Labor & Commerce Committee:  
Pouch V, Interdepartmental Mail Stop 3100  
Juneau, Alaska. 99811

The last four years have been a time of advancement in integrity and safety for the welding industry and programs in Alaska. Standards have been selected and utilized by those Alaskans who have a deep and sincere concern for others as well as themselves.

Advancement, efficiency, and success belong to those who are willing to set high standards and live by them. The remaining segment of the welding society; those who are satisfied to exist as flotsam and jetsam or hanger-ons, may not desire to adhere to a set of demanding standards but, will nonetheless be benefited by the results of those who do.

My desire is to see the State Board of Welding Examiners and State Licensing of Welding Inspectors continued as it is to day.

Thanking you kindly I remain,

Yours truly,

*Carl R. Snyder*

Carl Snyder  
Welding Engineer,  
Sr. Construction Eng.  
Atlantic Richfield Corp.  
Kuparuk Project

January 16, 1982

Honorable Terry Martin,  
Pouch V, Juneau, AK. 99811  
Interdepartmental Mail Stop 3100

House Bill #595

" An Act continuing the existence of the Board of Welding Examiners; and providing for an effective date."

The Alaska State Board of Welding Examiners, since its inception during the " Pipeline Days", has been performing an exceptional job of protecting the environmental interests and promoting the safety of the people of our State.

To insure quality and integrity, all structural, pipe, and pressure vessel welding must conform to the specifications of nationally accepted welding codes; all welders must qualify to the specifications of tested welding procedures; and State Licensed Welding Inspectors must inspect this work for conformance to job specifications and appropriate welding codes.

A prodigious amount of construction - dams, docks, refineries, pipelines and facilities, buildings, boilers, etc. - is either already in progress or in the planning and engineering stages.

Alaska is a leader in the United States in demanding quality and integrity in a field directly affecting public and environmental safety. Other states are following our example. I ask that you vote in favor of House Bill #595.

Sincerely,

*James R. Jonas*

James R. Jonas  
3430 Hiland Drive  
Anchorage, AK, 99504

January 18, 1982

Honorable Terry Martin  
House Labor & Commerce Committee  
Interdepartmental Mail Stop 3100  
Pouch V, Juneau, Ak 99811

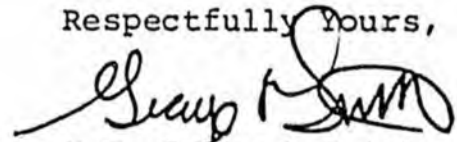
I have been involved in the welding industry since 1961. During this time I have been employed as; a welder, welding inspector, quality control inspector and a quality assurance engineer.

The board, currently in operation, consists of competent individuals, familiar with the industries needs and requirements.

Alaska is a leader in the United States in demanding quality and integrity. I am proud to be an Alaskan and feel it is a necessity we retain the Board of Welding Examiners.

I ask that you vote in favor of House Bill No. 595

Respectfully Yours,



G.F. "Steeet" Smith  
Quality Assurance Eng.  
SRA 1572I  
Anchorage, AK 99507

ARCO Oil and Gas Company  
General Engineering  
Kuparuk Project  
Post Office Box 6105  
Anchorage, Alaska 99502  
Telephone 907 659 2821



January 3, 1982

House Labor & Commerce Committee:  
Pouch V, Interdepartmental Mail stop 3100  
Juneau, Alaska. 99811

Subject: House Bill # 595 "An Act continuing the existence  
of the Board of Welding Examiners; and providing  
for an effective date."

Attention: Honorable Terry Martin, Chairman,

*Forfeited*  
If House Bill #595 is not passed, during this session, the  
Board of Welding Examiners will cease to exist in June 1982.  
If this board is allowed to expire, the entire construction  
industry will suffer a severe set-back.

Since the new regulations (12 AAC 72) became effective in  
August, 1978, weld quality has improved immeasurably. This  
regulation met with state-wide industry acceptance prim-  
arily because of the project quality guaranteed by the  
better qualified technician performing the work.

The additional requirement for welding inspectors to be-  
come licensed by the state so enhanced the overall quality  
of major construction projects that many companies (includ-  
ing the major oil companies) who had established quality  
control groups made acquiring this license mandatory for  
employment or promotion.

These regulations have become a nation-wide standard with  
Alaska as the leading state in demanding quality in con-  
struction and integrity in inspectors. With other states  
following our lead we should be fine-tuning our regulations  
to become even better, not eliminating what has taken so  
long to formulate and have industry recognize and accept.

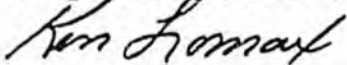
No one needs to remind Alaskans of the unnecessary cost  
incurred in building the Trans Alaska Pipeline. One of  
the major causes of the great expense was excessive weld  
repairs caused by unqualified welders and inspectors. In many  
cases these inspectors had never been involved in or around  
construction prior to this project, and knew absolutely  
nothing of welding or inspection.

On May 26, 1981, Representatives Brown and Anderson submitted House Bill No. 595 in the Legislature of the State of Alaska, Twelfth Legislature - First Session. This bill was tabled in the House.

If this bill is not enacted by the legislature during the present session, the Alaska Board of Welding Examiners will no longer exist. What people don't realize is; when the board ceases to exist, so does regulation requiring welders to be certified and weld inspectors to be licensed. As a manager, directly involved with welding and inspection, on major oil company construction projects, I sincerely feel the continuation of this board and regulation is essential for quality welding in Alaska.

Your support in re-establishing the professional and vocational regulations, as defined in 12 AAC 72, and continuing the existence of the Board of Welding Examiners as defined in State Statute AS 08.99 and House Bill 595, is sincerely appreciated.

Very Truly Yours,



Kenneth C. Lomax  
Senior Quality Assurance Coordinator

KCL/bee

cc: Donald M. Lockman, Chairman  
State Board of Welding Examiners

MSG 82-00005731 PRTY 1 02/03/82 17:35:54 ORIG: LA00 IN= 0011 OUT= 000  
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO PAGE 000  
TARGET: LJM2 SUBJ: POM

TO: REPRESENTATIVES BYLSMA, GARDINER, MARTIN, RANDOLPH  
AND ROGERS

FROM: PHILLIP HUGHES  
7800 DEBARR, SP 128  
ANCHORAGE 99504 (H) 337-7218

*Mary - schedule the Bill next week please*  
IT SEEMS TO ME THAT WE SHOULD HAVE BEEN INFORMED OF THE LAST  
HEARING OF HB 595 THIS DEFINITELY AFFECTS MY WORK AND FUTURE  
AS A WELDING INSPECTOR. IT ALSO AFFECTS THE PUBLIC WITH THE  
SAFETY OF STRUCTURES BEING BUILT. I ALSO FEEL THE ENVIRONMENTAL  
GROUPS MAY BE INTERESTED IN THIS AND IF NOTIFIED YOU MAY HAVE  
MORE INPUT INTO THIS NEXT HEARING.

MSG 02-00005709 PRTY 1 02/03/82 16:48:14 ORIG: LA00 IN= 0009 OUT= 0077  
FROM: JEAN, ANCH. TO: JUNEAU INFO  
TARGET: LHM2 SUBJ: POX PAGE 0004

TO REPRESENTATIVE BY: SNA, GARDINER, MARTIN, RANDOLPH AND ROGERS

FROM: MRS. RICHARD HOWE (FOR RICHARD HOWE) *Dist. 13*  
8901 EAST 5TH, ST 151  
ANCHORAGE 99504 (H) 333-2225

SHOULD BE CONSIDERED FAVORABLY HE 577 EXTENDING THE LIFE OF THE  
WELDING CERTIFICATION BOARD. AS A MEMBER OF THE AMERICAN  
WELDING SOCIETY AND AN INSTRUCTOR IN WELDING, CERTIFIED BY THE  
STATE OF ALASKA, THE NEED FOR HIGHER QUALITY WELDING TO PROMOTE  
PUBLIC SAFETY IS BEYOND QUESTION. THE SAFETY OF THE WORK PLACE  
IS ENHANCED BY THE PASSAGE OF THIS BILL.

Union Chemicals Division

Union Oil Company of California  
P.O. Box 575, Kenai, Alaska 99611



January 27, 1982

Representative Terry Martin  
Chairman Labor & Commerce Committee  
Pouch V, Mail Stop 3100  
Juneau, Alaska 99811

Dear Representative Martin:

I would like to request your support of Pending House Bill 595 for an Act Entitled: "An Act Continuing The Existence of the Board of Welding Examiners; and Providing for an Effective Date."

The existing welding regulations (12 AAC 72) were adopted in 1978 and have proven to be a reasonably comprehensive program that industry can live with. Union Chemicals Division has spent considerable time and money training and licensing welding inspectors and qualifying welders to comply with these regulations.

My company has found that the existing regulations are quite workable and have been very effective in increasing the competency and general level of knowledge of both welders and quality control people in the field.

I would not want to see this effort wasted and have the State start over with some different program. It would be far better and more economical to keep the existing program and attempt to correct the minor deficiencies that presently exist.

I think you will find that some "special interest" groups are always opposed to any given regulatory program and I believe this is the case with the small, very vocal group submitting negative comments regarding the Board of Welding Examiners. Virtually all of the negative comments that I have received have come from individuals or companies that were unable to comply with the regulations because of lack of competency. I believe that industry as a whole supports the existing regulations.

It is my understanding that some "special interest" groups would like to see the Board of Welding Examiners terminated and replaced by a "Welding Bureau" patterned after the Canadian Welding Bureau as evidenced by Senate Bill 121 submitted by senator Bill Sumner in 1979. I also understand there is ongoing

Representative Terry Martin  
Chairman Labor & Commerce Committee

-2-

January 27, 1982

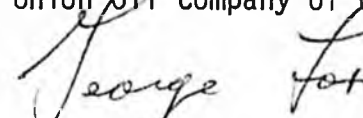
discussion in Juneau at this time along these lines.

My company does not support a "Welding Bureau" concept and feels it would, in all likelihood, be a burdensome, expensive and unworkable concept.

We request your support of House Bill 595.

Thank you,

Union Chemicals Division  
Union Oil Company of California



G. A. Fox  
Engineering Supt.

GAF:ksh

3971 EASTWOOD LOOP  
ANCHORAGE, AK 99504  
FEBRUARY 5, 1982

HOUSE, LABOR & COMMERCE COMMITTEE  
CHAIRMAN: TERRY MARTIN  
POUCH V, JUNEAU, AK 99811  
(INTER DEPARTMENTAL MAIL STOP 3100)

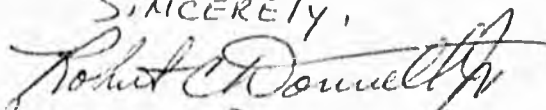
It is my ~~understanding~~ understanding that there is a bill presently before the HOUSE (HB595) that is to reestablish the state board of welding examiners and the regulations governing weldors qualifications.

It is my desire as a weldor that HB595 be passed. My reasons for this are, as a weldor, I realize the value in proper certification and qualification of weldors and certainly the value of them to be properly licensed.

The welding quality in the state of Alaska has improved considerably since these laws went into effect in 1978. If this board is allowed to expire, welding quality within the state will suffer severely. I have personal knowledge of people that weld in small welding and fabrication shops that are not certified but yet they weld items that affect us in every day life such as trailer hitches, cranes, walkways, support beams, hand rails, guard rails & etc.

Your support of HB595 will be sincerely and deeply appreciated.

C.C.: BERNARD BLYSMA  
RICHARD RANDOLPH  
BRIAN RODGERS  
TERRY GARDINER

Sincerely,  
  
ROBERT C. DONNELL JR.  
WELDING TECHNICIAN  
ARCO ALASKA INC.

February 8, 1982

Legislative House Labor  
and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

ATTN: Chairman Terry Martin

Dear Mr. Martin:

This letter is to let you know that I totally support the continuation of the State Board of Welding Examiners.

I feel it is of great importance to the people of our state that we continue to strive toward safety and excellence in the welding field. The continuation of the State's policy of licensing welding inspectors is the only way to carry on our record of excellence and safety. Without the state licensing of welding inspectors we will no longer be assured of the unbiased and high quality of welding inspection we now have within our State.

Yours truly,

*Dave K. Weiman*



**Parsons Constructors Inc.**  
100 W. Walnut Street

Mailing address  
P.O. Box 7036  
Pasadena, California 91109

February 9, 1982

Chairman Terry Martin  
Legislative House Labor and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Martin:

It has come to our attention that the Alaska House Labor Committee is currently deciding on a House Bill that would eliminate the State of Alaska Board of Welding Examiners and accordingly the State licensing of welding inspectors. We urge the Committee to decide in favor of continuing the services of the State Board of Welding Examiners.

For years, industry has recognized the requirement for testing and certifying welding procedures and welders. But, not until the past few years has the weakest link in the welded product chain been fortified by the testing and licensing or certifying of welding inspectors. It seems illogical to verify the adequacy of a welding procedure, test the skill of a welder, yet allow an individual of unproven competency to make the ultimate decision as to acceptability of a weld. It is akin to passing traffic laws for safe driving, licensing drivers and then employing law enforcement officers of unknown training and experience.

On a national level, industry has adopted a self-proposed examination and certification program for structural steel welding inspectors. This act in itself should be sufficient to convince the Committee of industry's recognition of this "weak link". Their self-imposed requirement of welding inspector certification offers indirect support for the continuance of the State of Alaska Board of Welding Examiners.

Sincerely,

PARSONS CONSTRUCTORS INC.

K. H. Fredianelli  
Manager of Quality Control

KHF:mh

cc: Vice Chairman, Bernard Bylsma  
Richard Randolph  
Terry Gardiner  
Brian Rogers

Charles N. Paulus  
401 South Kentucky #37  
East Wenatchee, Washington 98801

February 8, 1982

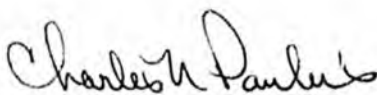
Legislative House Labor & Commerce  
Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Martin:

I am convinced that a high level of quality is required in a number of specialized fields. Specifically welding inspection as well as welders themselves.

It is my opinion that people would prefer assurance that functions as those stated above are being performed by individuals with the ability and experience currently required by the State of Alaska.

Very truly yours,

  
Charles N. Paulus  
Welding Inspector AA0179



MSG 82-00007037 PRTY 1 02/09/82 15:16:52 ORIG: LA00 IN= 0012 OUT= 0121  
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO  
TARGET: LJH2 SUBJ: POM PAGE 0013

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TO: REPRESENTATIVE MARTIN

FROM: HAZEL ELMAN  
SR 2 BX 8170, EKLUTNA LAKE RD  
CHUGIAK 99567 (H) 688-3234

RE: HB 595

I AM IN FAVOR OF RE-ESTABLISHING THE STATE BOARD OF WELDING  
EXAMINERS.

MSG 82-00007965 PRTY 1 02/12/82 15:15:38 ORIG: LA00 IN= 0013 OUT= 0054  
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO  
TARGET: LJH2 SUBJ: POM PAGE 0003

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TO: REPRESENTATIVES MARTIN, BYLSMA, GARDINER, RANDOLPH AND ROGERS  
FROM: ROBERT T. WISE  
ALASKA ST WELDING INSPECTOR, LC #0061  
5301 TRENA ST  
ANCHORAGE 99507 (H) 349-2125

I STRONGLY SOLICIT YOUR SUPPORT IN PASSING HB-595 REESTABLISHING  
THE STATE BOARD OF WELDING EXAMINERS. THE ONLY WAY WE CAN  
PROTECT THE PUBLIC AGAINST THE DISASTERS CAUSED BY INADEQUATE  
WELDING AND INSPECTION IS TO BE SURE THAT WELDERS AND INSPECTORS  
ARE CERTIFIED BY MERIT AND NOT BY POLITICS.

January 18, 1982

Labor & Commerce and Finance Committee  
Legislature of the State of Alaska  
Twelfth Legislature - Second Session

The State of Alaska Board of Welding Examiners will cease to exist in June, 1982, in accordance with current Sunset requirements.

The members of the board would like to re-cap some of the goals and accomplishments of the past few years and give an opinion of what will happen if the board ceases to exist.

In 1976, members of the board observed that regulations were being largely ignored by the industry. A review of the regulations governing welders and weld inspection revealed them to be unworkable. In 1976/77, a new set of regulations (12AAC72) were formalized. For the most part, this new regulation met with statewide industry acceptance. There was little opposition noted during the public hearings, held in 1977 and 1978.

Several hundred manhours were spent writing these regulations. This time was, of course, spent at the individual board member's own expense. Each board member considered the time well worth the effort, once the statutes and regulations became effective August 21, 1978.

These regulations became a nationwide standard, with at least two other states adopting similar regulations. Most large construction companies, as they became aware of the new regulations, started having their welders certified in accordance with approved guidelines. Until this time, most workers welders considered themselves "certified" which was a term without meaning. Once the welders learned they would have to certify, or re-certify, to prove their proficiency, they obtained additional training as required to meet the various welding codes used in Alaska.

The additional requirement of licensed welding inspectors so enhanced the overall quality of major construction projects that many companies (including the major oil companies) who had established quality control groups made the acquisition of this license mandatory for employment or promotion. Alyeska Pipeline Service Company felt this program was important enough to set up an extensive (and expensive) welding inspector training program for their inspectors. Industry in the "lower 48" has started to follow the example set in Alaska for certifying welders via welding inspectors. This standard has considerably increased the level of expertise in weld inspection.

As you know, one of the major reasons for expensive repair work on the Trans-Alaska Pipeline was due to inadequate and/or incompetent weld inspection. This one item caused millions of dollars of additional expense to the consumer.

The high weld reject rate and lack of knowledgeable, qualified welding inspectors on this project was one of the main reasons the State of Alaska elected to regulate welders and inspectors in the first place. With the forthcoming construction of the natural gas pipeline, the same problems will arise if there is no regulation to govern them. Welders will be qualified incorrectly (or not at all), and welding inspection will be done by the "brother-in-law" system or by individuals the contractors believe will cause the least amount of weld repairs. This possible situation is not an exaggeration; these things did occur during the construction of the Trans-Alaska Pipeline and will occur on the gas line if not closely governed.

As with any regulation or law, there are "special interest" groups that may either benefit or be adversely affected by the law. This analogy certainly applies here. There is little doubt that the three or four testing inspection laboratories in Alaska derive a certain amount of business because of the regulations. However, if these labs were not available locally, the work would simply be provided by "lower 48" companies.

\* This board has found that most individuals who are opposed to the regulations either can't pass the professional examination (or certification) or have a contrary special interest. One special interest group is working to set up a separate State organization for personal benefit called a Welding Bureau. This was suggested in Senate Bill No. 121, submitted by Senator Bill Sumner in 1979.

*What is wrong with this?*

Industry's opposition to the present regulation has been extremely light. In fact, most negative feedback from the industry involves suggested revisions to the regulations, rather than opposition to the regulation itself. We agree that it does need revision. The proposed changes will make it easier for industry to comply with the regulations.

*What about Budget's Small Board?*

During the public Sunset hearings, many individuals from within the industry testified in favor of continuing the board and its regulations. Of all the testimonies submitted, only two were negative. Neither individual was licensed as an inspector, and both worked for the State in educational areas. It is hard to understand why a professional board was allowed to be Sunsetting when almost all the public input was positive. The board believed then, and still does, that it exists as a board to protect the public. We satisfied both the public and industry but, apparently did not satisfy the members of the Sunset committees.

A significant result of present regulation that the legislative audit did not and could not cover is the fact that the overall welding quality in the State has taken a significant step forward since the enactment of the welding inspector regulation. Better welding quality translates directly into economic and safety benefits for the public.

There are many welding projects throughout the State that have been brought to a safe standard by the conscientious inspection of licensed welding inspectors. These cases do not reach the public's awareness because they are not given the publicity that a catastrophic failure would create. The public benefits are all around us in our everyday use of welded products and facilities.

Our point is this: Industry has accepted this regulation as an important tool for controlling quality. To let the board, and subsequently the regulation, cease to exist at a time when industry is interested in (and receptive to) a governing regulation, is certainly not in the public's best interest.

Your consideration of re-establishing the professional and vocational regulations, as defined in 12AAC72, and continuing the existence of the Board of Welding Examiners, as defined in State Statute AS 08.99 and House Bill No. 595, is sincerely solicited.

This is a unanimous opinion from the board.

---

Respectfully Submitted,



Donald M. Lockman

Chairman

State Board of Welding Examiners

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## PENINSULA INSTITUTE OF WELDING TECHNOLOGY

WELDING TRAINING & WELDER CERTIFICATION  
AWS CERTIFIED  
ALASKA STATE WELDING INSPECTOR LIC. NO. AA0100

P.O. BOX 907  
KENAI, ALASKA 99611  
(907) 776-5292

Page 1 of 2

JANUARY 25, 1982

CHAIRMAN TERRY MARTIN  
LEGISLATIVE HOUSE LABOR & COMMERCE COMMITTEE  
TWELTH ALASKA STATE LEGISLATURE  
POUCH V  
JUNEAU, ALASKA 99811

Dear Sir:

It has come to our attention that this important piece of Legislative Business has been put on the back burner of importance by the last Legislature. As was brought to everyone's attention by the construction of the Oil Pipeline, a serious lacking of qualified Alaskan Welding Inspectors was apparent. With the possibility of pending construction of the gas pipeline, and other major construction projects, the deletion of this legislation would be of no benefit to the State of Alaska, and in fact a tremendous disservice to Alaska and Alaskans.

It is our opinion that the State Board of Welding Examiners and State licensing of welding inspectors has been effective and has done a valuable service to the citizens of the State of Alaska by increasing the quality of welders and quality of construction. We also support the necessity of the Board of Welding Examiners as they are the only means of policing the regulations.

Licensing Welding Inspectors in our opinion is the only feasible way to protect the public without increasing the bureaucracy.

As you know, if HB 595 is not acted upon before June 1982 the Board and licensing will be terminated and the State will have no guidelines for welding quality in Alaska and this would be another serious disservice to the Alaskan public.



PENINSULA INSTITUTE OF WELDING TECHNOLOGY

Page 2 of 2

Enclosed are several documents containing information pertaining to this issue:

1. An overview of the sunset process.
2. A copy of HB #595 currently in the Labor and Commerce Committee.
3. A probable successful route for HB #595.

With your support, this legislation can be enacted between the beginning of the new legislative term in January and the June of 1982 deadline, if it is moved properly through the various committees to the floor.

At your February meeting we implore you to act in favor of retaining the Board and licensing as it presently exists.

Sincerely,

HARRY F. BARNES

RANDOLPH L. BARNES

CC A.P. ADAMS (REP.)  
J.G. FULLER (REP.)  
H. MALONE (REP.)  
P.M. O'CONNELL (REP.)  
D. BENNETT (SEN.)  
M.E. DANKWORTH (SEN.)  
D.E. GILMAN (SEN.)  
T. KELLY (SEN.)  
B. MULCAHY (SEN.)  
J. HAMMOND (GOV.)

## OVERVIEW : SUNSET REVIEW PROCESS

State law requires that licensing boards justify their existence approximately every five years.

The sunset review process involves the following basic steps.

- 1- A termination date is set by statute for an existing board.
- 2- A performance audit of the board is conducted by the Division of Legislative Audit during the calendar year prior to the termination date.
- 3- During the session immediately preceding the termination date the legislature sets up a committee\* to hold hearings and make recommendations to the legislature on the board under review. At these hearings the Department of Commerce and Economic Development and the interested public give testimony.
- 4- Based on the hearing testimony, the findings of the performance audit and any other factors that the legislature wishes to consider, a decision is made to :
  - A) eliminate the licensing process,
  - B) modify the licensing process, or
  - C) continue the licensing process unchanged.

The fundamental questions that underlie the sunset review process are :

- 1- Is the licensing process necessary to protect the public from serious and likely harm? What alternatives to the present licensing process exist?
- 2- Is the board necessary to the licensing process? Is board licensing the most effective way to protect the public? Is board licensing the most economical way of protecting the public? Is board licensing the most desirable way to protect the public?

Other less fundamental, but often equally important, questions are raised during the sunset review process, usually by the performance audit. These questions usually include :

- 1- How efficiently has the board been operating?
- 2- How responsive has the board been to the public?
- 3- Has the board been unnecessarily restricting entry into the profession?
- 4- How conscientious has the board been in meeting its statutory and other obligations?

\* committee of reference

- 1- HB 595 was introduced on 5/26/81 and referred to the Labor and Commerce Committee.
- 2- If the House Labor and Commerce Committee approves HB595 as is, it will be referred to the House Finance Committee.
- 3- If the House Finance Committee approves it as is, it will be sent to the House rules Committee for calendaring for a vote on the floor of the House.
- 4- If the full House approves the bill, it will be sent to the Senate for its consideration.
- 5- It will be referred to the Senate Labor and Commerce Committee for consideration.
- 6- If Senate Labor and Commerce Committee approves it, it will be sent to the Senate Finance Committee for consideration.
- 7- If the Senate Finance Committee approves it, it will be sent to the Senate Rules Committee for calendaring for a floor vote in the Senate.
- 8- If the Senate approves it as it was sent over from the House, it will be sent to the Governor for signature or veto. If the bill has been changed in the Senate from the form and content it was approved originally in the House, it would then be sent back to House for its concurrence in any changes prior to going to the Governor for his consideration.

TO: REPRESENTATIVE MARTIN, CHAIRMAN HOUSE LABOR AND COMMERCE COMM.

FROM: DOUGLAS L. LOREN, P.E.  
3230 WESTMAR CIRCLE  
ANCHORAGE 99504

(H) 274-0994

I SUPPORT HB 595. THE STATE BOARD OF WELDING EXAMINERS SHOULD NOT BE ALLOWED TO BE ABOLISHED BY SUNSET LEGISLATION. PUBLIC SAFETY DICTATES THAT ADEQUATE MINIMUM QUALIFICATIONS BE REQUIRED FOR CERTIFICATION OF WELDERS AND FOR WELDMENT INSPECTORS.

*List of  
Board of Welding Examiners*

February 8, 1982

Legislative House Labor  
and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

ATTN: Chairman Terry Martin

Dear Mr. Martin:

This letter is to let you know that I totally support the continuation of the State Board of Welding Examiners.

I feel it is of great importance to the people of our state that we continue to strive toward safety and excellence in the welding field. The continuation of the State's policy of licensing welding inspectors is the only way to carry on our record of excellence and safety. Without the state licensing of welding inspectors we will no longer be assured of the unbiased and high quality of welding inspection we now have within our State.

Yours truly,

*Robert S. Cederberg*

February 8, 1982

Legislative House Labor  
and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

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Yours truly,

A handwritten signature in cursive script, reading "John Skamarocius". The signature is written in black ink and is positioned below the typed name "John Skamarocius".

February 8, 1982

Legislative House Labor  
and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

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Yours truly,

*Dennis Skamarocius*

February 8, 1982

Legislative House Labor  
and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

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Yours truly,

*Lyn C. DeCamillo*

February 8, 1982

Legislative House Labor  
and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

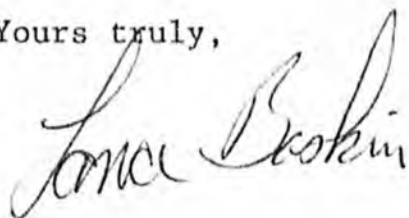
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Yours truly,

A handwritten signature in cursive script that reads "Lance Eskin". The signature is written in dark ink and is positioned below the typed name "Lance Eskin".

February 8, 1982

Legislative House Labor  
and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

ATTN: Chairman Terry Martin

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Yours truly,

A handwritten signature in cursive script, appearing to read "Armi M. Nelson". The signature is written in dark ink and is positioned below the typed name "Armi M. Nelson".

1823 Sunrise Drive  
Anchorage, Alaska 99504  
February 11, 1982

Representative Terry Martin, Chairman  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

HB 595

Comment on State Board of Welding Examiners

I was the first resident licensed Welding Engineer in Alaska. I consulted and wrote welding procedure when Haines to Fairbanks pipeline was laid, wrote successful procedures and tested welders for Elmendorf hospital welding after 2 months of failure by contractors to meet national strength tests.

I organized the Alaska Section of the American Welding Society and a sub-section in Kenai. Greatly concerned about the weld quality we were getting and the hanky-panky used by transient and local contractors, I spent thousands of dollars conferring with American Welding Society officials, the Canadian Welding Board (a business sponsored program to assure qualified weldors, foremen, procedures and inspection), Australian Welding Society, and met with Hawaiiin officials. I organized the drive for the State Welding Board and was first chairman, also attended all meetings until the pipeline was started. I organized the 2-year-degree Materials Science Department at Anchorage Community College covering metals, plastics, joining methods, destructive and non-destructive metals testing. I set up the welding department with the best radiographic system north of Sacramento and tested some 1,000 welders during the years I ran the only qualified test lab in Alaska.

The system that has now evolved does not at all equal that of Canada, Australia or England in my judgment. Furthermore manual and semi-automatic welding has been substantially eliminated on high technology production. New aircraft replace metal by plastics. Welding is largely automated in manufacturing in Japan and other advanced technology areas. In Boston I saw machines used by Westinghouse, GE and Raytheon that automatically made 200 welds per second.

I saw robotic welding in Clinton, Massachusetts some

Representative Terry Martin, Chairman  
Legislative House Labor & Commerce Committee  
February 11, 1982  
Page 2

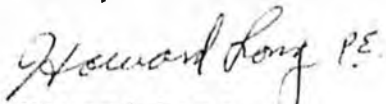
weeks ago that had only two middle age women in a giant clean room watching signal lights. Materials are stocked on the top floor, manufactured in enclosed machines on the second floor, and bundled or packaged on a lower floor. That company, with plants in Taiwan, Hong Kong, Australia, Europe, and South America will be 100 per cent robotized world wide in seven years. Turbine engine welding is essentially eliminated or robotized in the U.S.

Some manual welding will continue but quality of most welding is determined before the arc is started. Inspection by humans has never guaranteed quality and doesn't now. There are grievous flaws in procedure, inspection, and quality. (For example on the new Arco building) under present law.

Quality control must be built in, not inspected in. I've seen inspectors "trained" from scratch and certified under present Alaska law in six weeks, and I am convinced by what I see and by what reports I get from some of the finest men out in the field that the system we ended up with hasn't assured welding quality.

Our original intent to improve quality by incentives to private enterprise as some other countries do has turned into larger government.

With deepest regret, after all the selfless efforts and thousands of unpaid hours put in by many on the program, I now feel that it is not really worth the cost and the delays it causes.

  
Howard Long

REPRESENTATIVE TERRY MARTIN 16 FEB 82  
CHAIRMAN LEGISLATIVE HOUSE LABOR AND COMMERCIAL  
COMMITTEE

DEAR MR. MARTIN,

AS A CERTIFIED WELDER AND SECTION CHIEF  
FOR AIRCRAFT AND MISSILE WELDING AT  
ELMENDORF AFB, DOING ALL CERTIFIED  
WELD REPAIR ON ALL MILITARY AIRCRAFT  
IN ALASKA I CAN ATTEST TO THE FACT  
THAT THE STATE OF ALASKA HAS A  
RESPONSIBILITY TO ITS PEOPLE TO  
PROVIDE A STRINGENT GOVERNING BODY  
TO REGULATE STANDARDS AND PROCEDURES  
TO CERTIFY WELDERS IN THIS STATE.  
MORAL AND LIABLE PRINCIPLES ALONE SHOULD  
MANDATE THE REESTABLISHMENT OF THE  
STATE BOARD OF WELDING EXAMINERS.

I THANK YOU FOR YOUR DILIGENT, RESPONSIVE  
CONSIDERATION IN THIS MATTER.

IF I MAY BE OF HELP IN THIS MATTER  
PLEASE FEEL FREE TO CONTACT ME.

SINCERELY,

PEX J. CLOSE  
5601 COLLEGE DR.  
ANCH, AK. 99504

PEX J. Close

HOME 333-8881  
WORK 552-5425

DATE: January 25, 1982  
TO: All State Licensed Welding Inspectors  
FROM: Donald M. Lockman, Chairman *Donald M. Lockman*  
State of Alaska Board of Welding Examiners  
SUBJECT: State Board of Welding Examiners and State Licensing  
of Welding Inspectors Future Existence.

On January 20, 1982 a committee meeting was held in Juneau by the House Labor and Commerce Committee headed by Chairman, Terry Martin and attended by Vice Chairman Bylsam and Committee members Randolph, Rogers and Gardiner. Mr. Ken Lomax and myself were present at the meeting and the outcome was as follows:

1. In talking with Representative Anderson, he illustrated that correspondence received in his office was negative which opposed continuing the board. However, he did not have but a few letters in receipt. He was projected a positive direction by Mr. Lomax and myself and decided to evaluate future letters before making a decision on HB #595.
2. Two persons in attendance were Mr. Louis Russo and Mr. Ery Long of Arctic Foundations who testified against the Board and painted a very detrimental picture of welding inspection not being needed by licensed individuals.
3. The Labor and Commerce Committee had correspondence which appeared to address a need for a Welding Bureau and possibly licensing of welders being controlled out of the State Department of Labor.
4. There were various letters opposing the Board from several companies associated with Mr. Russo and references of opposition to the Board from the Department of Labor.
5. There was a telephone campaign in Anchorage to companies to call Juneau to oppose the Board. A few called the Testing Institute to find out what they were supposed to be opposed to.

As you see, a few that holler the loudest can be heard the most. It appears at this point there will be no future need for welding inspectors in Alaska or if so, they will be from the brother-in-law system.

We did persuade the Committee to meet again in February so a more responsive opinion could be made. However, if the people who are in favor of the Board don't correspond with this Committee, the outcome will be the same.

If you believe in quality welding in Alaska, then you must tell this committee either in person or by letter. This is your last chance to keep a quality standard of welding for the protection of the public. If this committee decides to support the bill it will probably clear the other committees also, but if this Committee decides against the board, we will all probably function under a welding bureau.

Mail your letters to:

Original letter to: Chairman Terry Martin  
Copies to: Vice Chairman, Bernard Bylsma  
Richard Randolph  
Terry Gardiner  
Brian Rogers  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811



January 29, 1982

AWS Member:

There is a House Bill (HB 595) in Juneau in the Legislative House Labor & Commerce Committee to reestablish the State Board of Welding Examiners which is being abolished by the Sunset Legislation. If this bill is not passed, there will be no regulations in Alaska for the certification of welders or inspection of weldments. If the licensed Welding Inspector is abolished;

1. Who will certify the welders in Alaska for Alaska work?
2. A welder will be able to come into Alaska without proving his or her ability and take an Alaska job.
3. How would we safeguard against false welder certification papers?
4. Who will be the responsible persons to inspect welds?
5. Is it in the public's best interest to not test the knowledge of a Welding Inspector?

There is no question about the need for a welder to be certified, the question is always (1) Certified for what application? (2) Certified by who?

We have today a proven mechanism to safeguard the Alaskan public against bad welding. To abolish this mechanism or trade it for some other that may not work or damage the quality of future projects is certainly not in the public's best interest.

The American Welding Society's total existence is to create better welding for the public's safety.


The Executive Board of the AWS met 1-29-82 and is soliciting your support in passage of HB 595. This support must be heard before 2-20-82 in Juneau before the next committee meeting.

You can call 278-3669, the State Information Center and at no cost, in 50 words or less have a message transmitted to the House Labor & Commerce Committee. Or, you can write to:

Representative Terry Martin, Chairman  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Action on your part is required to keep Alaska safe, don't just let the other guy do it, he may not.

Sincerely,

  
Donald M. Lockman  
Chairman.

February 11, 1982  
P.O. Box 178  
Chugiak, Alaska 99567

Representative Terry Martin, Chairman  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

In reference to your consideration to abolish or reestablish the Board of Welding Examiners, I feel it is necessary to consider the possibility of negligence in areas of welding inspection by persons who have not given proper proof of their inspector qualifications. I feel the only authoritative body in this area is the Board of Welding Examiners.

By abolishing the Board of Welding Examiners the eventuality of loss in lives and property by inadequate welding inspection can not be overlooked.

I feel it is imperative to reestablish the Board to allow no leeway for incompetence or abuse.

Sincerely,

*William R. Holt*  
William R. Holt

cc: Rep. Bernard Bylona  
Rep. Richard Randolph  
Rep. Brian Rogers  
Rep. Terry Gardiner

HB 595

TONY MORALES  
1785 FORTUNA Ave.  
PACIFIC BEACH, CA.  
92109

CHAIRMAN TERRY MARTIN

LEG. HOUSE LABOR & COMMERCE COM.

12<sup>TH</sup> ALASKA STATE LEG.

Pooch V

JUNEAU, ALASKA 99811

DEAR CHAIRMAN,

I AM WRITING TO YOU IN RESPONSE TO YOUR MEETINGS CONCERNING THE STATE BOARD OF WELDING EXAMINERS. I DON'T VOICE MY OPINION TOO OFTEN, BUT THIS CAUSE, AND THE STATE OF ALASKA ARE SOMETHING I FEEL VERY STRONGLY ABOUT. I FEEL I SHOULD DO EVERYTHING I CAN TO CHANGE YOUR OPINION OF DISCONTINUING THE WELDING EXAMINERS BOARD. I HOPE THIS LETTER IS NOT TOO LATE.

BY TRADE I AM AN N.D.E. TECHNICIAN (A RELATED INSPECTION FIELD), Q.A., Q.C. INSPECTOR. I HAVE WORKED IN ALASKA ON THE NORTH SLOPE PROJECTS BOTH AS AN N.D.E. TECH. AND A LICENSED WELDING INSPECTOR. ALASKA IS A GREAT PLACE TO BE ABLE TO WORK. WHEN I'M NOT IN ALASKA, I WORK IN THE STATE OF WASHINGTON. WORKING ON THE W.P.S.S. NUCLEAR PROJECTS. AS YOU ARE AWARE, ALASKA PROBABLY DRAWS MOST OF ITS "EXTRA" WORK FORCE FROM WASHINGTON.

OVER THE PAST THREE YEARS I'VE BEEN ABLE TO BE PART OF THE WELDING FIELD HERE IN WASHINGTON. IN MY EXPERIENCES AS AN INSPECTOR, I'VE FOUND IT TO

BE TRUE THAT THERE IS A COMPARITIVELY FEWER NUMBER OF CAPABLE INSPECTORS THAN THERE ARE PEOPLE IN THE INSPECTION FIELD. I WOULD LIKE TO SEE ONLY BEST WORKING IN ALASKA. ESPECIALLY IN SUCH A DRASTIC WORKING-LIVING CHANGE AS THE NORTH SLOPE IS.

THE WELDING INSPECTION BUSINESS IS A RELATIVELY EASY FIELD TO GET INTO, ESPECIALLY IN A NON-UNION AREA. A PERSON CAN BE TRAINED AT WILL, AND MANIPULATED TOWARDS THE JOB. IF HE IS TRAINED WELL, THAT IS GOOD, BUT NOT ENOUGH. IN THE UNIONS (PIPEFITTERS LOCAL 598) THE APPRENTICESHIP PROGRAM IS GETTING BETTER ALL THE TIME. THE JOURNEYMAN INSPECTORS COME FROM ALL AREAS AND ALL BACKGROUNDS. MANY JUST BARELY MAKING IT. MANY WITH PUMPED UP CREDENTIALS. MANY SHOW A LACK OF AMBITION AND NO INITIATIVE.

I BELIEVE THAT ALASKA IS TRULY THE LAST FRONTIER. IT IS MEANT FOR THE YOUNG, AMBITIOUS, THE HARDY, AND THE SURVIVORS. IF WE ARE GOING TO DEVELOPE WITH MODERN TECHNOLOGY, LET'S DO IT RIGHT! LETS NOT DO WHAT WEVE DONE TO THE NUCLEAR FIELD.

WE NEEDED THE ELEMENTARY FOUNDATION, THE STEPPING STONE TO PROFESSIONALISM. WE NEED A GROUP, THE COMMITTEE, TO AT LEAST HAVE A MECHANISM TO SCREEN AND WEED OUT THE UNDISIRABLES. TO TAKE ONLY PEOPLE THAT HAVE PROVED TO THE PROFESSION

THAT THEY HAVE THE BASIC KNOWLEDGE, AND THE ASSERTIVENESS TO PERFORM IN A PROFESSIONAL MANNER. BY PASSING WHAT IS NOW REQUIRED BY THE BOARD IS A VERY GOOD TEST OF PROFESSIONALISM AND CHARACTER.

WE DONT NEED THE SUPERVISOR FATHER SENDING FOR HIS COLLEGE KID SON, TAKING HIS TESTS FOR HIM ON THE JOB, THEN SENDING HIM OUT IN THE <sup>FIELD</sup> AT THE EQUIVALENT RATE OF A THIRD YEAR APPRENTICE. OR, A CONSTRUCTION COMPANY/ OWNER SENDING HIS LOCAL OKLAHOMA BUDDIES UP TO ALASKA FOR PAYMENT FOR BUILDING SOME BARRIOS ON HIS OKLA. HORSE RANCH.

AS FOR MYSELF, I PLAN TO MOVE TO ANCHORAGE, AS SOON AS I FIND A SEMI-PERMANENT JOB.

SINCERELY,  
Tony Morales

February 22, 1982

Mr. Terry Martin  
Chairman, Legislative House  
Labor and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Martin:

Persuant to the continuation of the State Board of Welding Examiners, I forward my approval and support of the Board.

I have been a State of Alaska Welding Inspector since the summer of 1978, and I do support now as I did ~~prior to testing~~ and obtaining my American Welding Society Nation Welding Inspectors Certificate and State of Alaska Welding Inspector's License, the present system for assuring that those that are presently licensed by the State of Alaska have passed a minimum requirement of five (5) years welding related experience and the A.W.S. C.W.I. examination. Although I do agree that there may be a need for some minor language changes to the present State Board of Welding Examiners Regulations, I feel they are quite adequate.

My present position is North Slope Fabrication Supervisor for Sohio Alaska Petroleum Company and my most recent prior position was the Quality Control Manager for Morrison-Knudsen on the Arco Alaska, Kapurak project. Both of these positions, as others I have held, have brought me to a front line position where welding quality is of prime concern.


My observations have proven that persons licensed under the present State of Alaska welding inspector's licensing system are far more experienced and qualified than others that may have acquired jobs as Welding Inspectors via osmosis or other appointed or brother-in-law systems.

Granted, true welding engineers (8 years schooling) have excellent qualifications. They are few and far between. While other engineers may possess excellent qualifications also, they have little or no welding knowledge. I have backed this statement many times while working in this field, as many engineers have come to myself and other Alaska licensed Welding Inspectors for assistance and direction in welding related matters.

Many of those persons opposing the present system may find the present requirements and testing to be too much for their welding related knowledge and would like to see the Board abolished and an appointment system enacted.

I thank you for your efforts in this matter.

Truly yours

  
Bruce D. Weisman  
P.O. Box 4-1643  
Anchorage, Alaska 99509

BW/bjk

Copies to: Vice Chairman, Bernard Bylsma  
Richard Randolph  
Terry Gardiner  
Brian Rogers

Legislative House Labor and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

January 26, 1982

Representative Terry Martin  
Chairman, Labor & Commerce Committee  
Pouch V  
Juneau, Alaska 99811


Dear Mr. Martin:

I was just notified that the sunset law on the Alaska Welding Board is due to run out, and that it is possible the board may be eliminated. This would be a mistake in my judgment.

In 1974 I became Inspection Supervisor for Brown & Root Construction Company working for British Petroleum Company, North Slope, Alaska. At the peak of activities I had 32 inspectors either on the slope or on R&R. Out of 32 I could only count on ten (10%) percent for acceptable knowledge and integrity; the other 90% were company "good old boys", I was not allowed to fire or hire as per company policy. After the implementation of licensing, about 20 of the "good old boys" were unable to qualify and were slowly removed from inspection.

The licensing of inspectors, by the board guidelines, demonstrates a certain level of proficiency and knowledge. The trend of licensed inspectors is not to buckle under to company pressure for production; thereby increasing the quality, and decreasing the chances of product failure.

Sincerely,



James W. Harris  
P.O. Box 956  
Soldotna, Alaska 99669

# Alaska State Legislature



POUCH V  
JUNEAU, ALASKA 99811

P. O. BOX 9  
KENAI, ALASKA 99611

REPRESENTATIVE HUGH MALONE

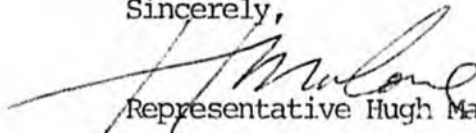
February 18, 1982

Representative Terry Martin, Chair  
Labor & Commerce Committee  
Behrends, Room 211

Dear Representative Martin,

I should like to know your schedule for HB 595, "An Act  
continuing the existence of the Board of Welding Examiners;"  
This bill is very important to many people on the Peninsula.

Sincerely,

  
Representative Hugh Malone

cc: Peninsula Institute of Welding Technology  
Union Oil Company of California  
Representative Ramona Barnes

*2/23/82 - called  
Malone's office &  
told them scheduled  
for 3-2-82.*

February 8, 1982

Legislative House Labor  
and Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

ATTN: Chairman Terry Martin

Dear Mr. Martin:

This letter is to let you know that I totally support the continuation of the State Board of Welding Examiners.

I feel it is of great importance to the people of our state that we continue to strive toward safety and excellence in the welding field. The continuation of the State's policy of licensing welding inspectors is the only way to carry on our record of excellence and safety. Without the state licensing of welding inspectors we will no longer be assured of the unbiased and high quality of welding inspection we now have within our State.

Yours truly,

*Beit McDonald*

*2205 Boniface*

*SP. 37A*

*99504*

# TELEGRAM

ALASCOM, INC.

PHONE: 585-6442

JUNEAU, AK 99802

#

02189 NL ANCHORAGE AK 90 02-10 1532 AST

PMS REP TERRY MARTIN

JUNEAU

1124

REQUEST YOUR SUPPORT FOR HB595. ALASKA IS A HEAVY INDUSTRIALIZED PETROLEUM STATE. COMMON SENSE DICTATES AND PUBLIC SAFETY DEMANDS STRINGENT WELDER CERTIFICATION AND WELDMENT INSPECTION. QUALITY CONTROL FOR WELDING IS EQUALLY IMPORTANT IN THE OIL INDUSTRY AS IT IS IN THE NUCLEAR FIELD. THIS WAS PROVEN BY THE FACT EVERY WELD ON THE ALYESKA 48 INCH MAINLINE WAS X-RAYED AND VISUALLY INSPECTED. THOSE SEEKING TO ABOLISH THE STATE BOARD OF EXAMINERS ARE WELDERS AND CONTRACTORS UNWILLING, UNQUALIFIED OR BOTH TO OPERATE UNDER STRICT CODES AND INSPECTION.

LEE METCALF, BUSINESS MANAGER LOCAL 367

PLUMBERS AND STEAMFITTERS

# Arctic Alaska Drilling Company

200 NORTH "C" STREET  
ANCHORAGE, ALASKA 99501  
TELEPHONE (907) 276-5464

February 24, 1982

The Committee Chairman  
Representative Terry Martin  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Subject: Welding Regulation Hearing  
February 26, 1982

Gentlemen;

We are writing in response to the paid advertisement on Sunday, February 21, 1982, in regards to Legislative House Bill #595.

Arctic Alaska Drilling Company is an Oil & Gas Well Drilling Contractor in Alaska. We hire welders to help us assemble, repair, and maintain our Drilling Rigs. We hire only Certified Welders. It is our policy to do our own quality control with people who are highly skilled in the welding industry. We are now bulding Rig #7, and to date we have not experienced any welding failure of any type, in our considerable years of operation.

This Bill #595 appears to be another Regulatory Commission that will need to be funded by the consumer, as business never pays for anything. At this day and time when Government is trying to control spending and help the people trying to cut costs, we feel this bill should not be passed.

Very truly yours

ARCTIC ALASKA DRILLING COMPANY



Roy H. Richardson  
President and General Manager

GAS;clg

Enclosure: Advertisement of 2/21/82

LENOX



# MOORE MECHANICAL INC.

536 E. 48TH AVE. - ANCHORAGE, ALASKA 99503 - (907) 276-7103

MOORE MECHANICAL, INC.

5001 Eagle

Anchorage, AK 99503

(907) 276-7103

NEW ADDRESS

February 25, 1982

The Honorable Terry Martin, Chairman  
House Labor and Commerce Committee  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Representative Martin:

I have examined and carefully considered House Bill 595 -- State licensing of welding inspectors -- and respectfully urge you to vote against passage.

In this highly competitive industry, a welder's performance must be measured by his company to assure not only quality, but also compliance with Federal, State and Municipality codes and standards already in existence. Whether that inspector is licensed by the State is of little consequence as his performance will be dictated by his own integrity and the integrity of his employer.

The public will gain little protection against shoddy work by the licensing of welding inspectors. Rather, the public will ultimately be protected by the unhindered workings of the free marketplace in that companies or individuals offering an inferior product will be forced out of business.

Thank you for your time and consideration.

Very truly yours,

Charles F. Moore  
President

CFM/bd

cc: House Finance Committee - Chairman Albert P. Adams  
House Judiciary Committee - Chairman Romona L. Barnes  
Senate Finance Committee - Co-Chairman Don Bennett  
Senate Judiciary Committee - Chairman Patrick M. Rodey  
Senate Labor & Commerce Committee - Chairman Robert Mulcahy  
Senate Rules Committee - Chairman Tim Kelly

MSG 82-00010386 PRTY 1 02/25/82 16:21:59 ORIG: LA00 IN= 0016 OUT= 00  
FROM: JEAN, ANCH INFO TO: POM, JUNEAU INFO PAGE 00  
TARGET: LJH2 SUBJ: POM

TO: REPRESENTATIVE MARTIN

FROM: THOMAS J. MARTIN  
1107 W 53RD AVE  
ANCHORAGE 99502

*HB 595*

(H) 279-2368

QUALITY IN WELDING DOES NOT COME THROUGH INSPECTION ALONE. QUALITY  
BEGINS ON THE DRAWING BOARD AND IT IS AN ENGINEERING FUNCTION. QUALITY  
IS PRODUCED BY QUALIFIED SUPERVISION WHEN WELDMENTS ARE MADE. ONE  
CANNOT INSPECT QUALITY INTO WELDMENTS, IT'S TOO LATE THEN. INSPECTION  
MERELY PROVES THAT WHAT WENT ON BEFORE WAS CORRECT. HB 595 PLACES  
THE CART BEFORE THE HORSE AND IS WHOLLY INADEQUATE FOR GOOD WELDING.

Speaker of the House  
• Gov. J. Hammond  
Lt. Gov. Terry Miller  
Pres. of the Senate  
Sen. Bob Mulcahy.

Dear Mr. Speaker. [<sup>separate letters</sup> Gov. Ham; etc

I wish to confer to you that the House Labor, Commerce Committee has reviewed the Board of Welding Examiners and has voted to sunset this Board. This has come as a surprise to most of us who in our first hearing felt the Board should be extended. However during the past month considerable public response has come to the Committee in opposition to extension.

required by AS 44.66.050(d) <sup>in the report</sup> Attach for your review <sup>are</sup> important correspondences that explicitly describe the concerns of professional and lay Alaskans if the Welding Board were extended.

It is ~~my~~ <sup>our</sup> firm conviction that the Welding Board serves no public service.

Yours very truly

Rep Terry Marten - Chairman

Rep Bernon Byrd

Rep David Rands

Rep Brian Poyer

Rep Terry Dardner

Please.

P.S. Review Dir. of Legislative and Int. Control number 08-21-1004R  
~~Review Dir. of Legislative and Int. Control number 08-21-1004R~~ To quote,

*Lee Lowell*

A FOLLOW-UP REVIEW  
OF THE  
BOARD OF WELDING EXAMINERS  
(originally released June 8, 1979)

November 24, 1980

Audit Control Number  
08-21-1004-R

Commissioner, Department of  
Commerce and Economic  
Development

Charles Webber

Deputy Commissioner, Department  
of Commerce and Economic  
Development

Pete Jeans

Members of the  
Board of Welding Examiners

Chairman  
Member  
Member  
Member  
Member  
Member  
Member

Donald Lockman  
Phillip B. Davis  
Don Delk  
George Fox  
Peter Millar  
J.C. Wingfield  
Vacant

LEGISLATIVE INFORMATION OFFICE  
1021 W. 6th Ave.  
Anchorage, Alaska 99501

# STATE OF ALASKA

AUDIT DIVISION  
POUCH W—ALASKA OFFICE BUILDING

## THE LEGISLATURE

FINANCE DIVISION  
POUCH WF—STATE CAPITOL

BUDGET AND AUDIT COMMITTEE

JUNEAU, ALASKA 99811

November 24, 1980

Members of the  
Legislative Budget and Audit Committee:

In accordance with the intent of Titles 24 and 44 of the  
Alaska Statutes, the attached report is submitted for your  
review.

A FOLLOW-UP REVIEW  
OF THE  
BOARD OF WELDING EXAMINERS  
(originally released June 8, 1979)

November 24, 1980



Gerald L. Wilkerson, CPA  
Legislative Auditor  
Division of Legislative Audit

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PURPOSE OF THE REVIEW

In accordance with the provisions of Alaska Statutes 24.20.271(1) and 44.66.050 (sunset legislation), a follow-up review of the Board of Welding Examiners was conducted to determine whether the recommendations presented in the report entitled, A Performance Review of the Board of Welding Examiners, June 8, 1979, have been implemented, and, if not, whether those recommendations are still pertinent.

## ORGANIZATION AND FUNCTION

The Board of Welding Examiners was established by the 1968 Session Laws of Alaska. It is organized under the Department of Commerce and Economic Development which provides administrative and investigative support through the Division of Occupational Licensing.

The Board consists of seven members with extensive experience in welding who are appointed by the Governor for staggered five-year terms. At least three members must be engineers, i.e., with engineering degrees or registration as an engineer and at least five years engineering experience.

The functions of the Board are addressed in AS 08.99. Among the powers and duties cited, the statute directs the Board to: promulgate rules and regulations regarding the certification of welders; examine, certify and renew certification; define tests and certification methods; report annually to the Legislature and Governor.

Under regulations which became effective in August, 1978, the Board of Welding Examiners is licensing "welding inspectors" (WI). Among the functions of the WI are testing weldments and issuing welder qualification certificates. Such certificates are required under the regulations for welders performing operations in which weldment failure would be hazardous to life or property.

Requirements for WI licensure are based on the American Welding Society (AWS) program for certification of WI's. The written examination required for licensure is administered by AWS. In addition to other requirements for AWS certification, an applicant for State WI licensure must have passed a welder qualification test, demonstrating practical skills.

## REPORT CONCLUSION

### Policy Issues

This review contains policy issues raised as a result of our evaluation of various Board practices. The final policy decisions affecting these practices are not within the scope of this review but require legislative consideration. In debating these issues, the legislative oversight committees should consider the findings and alternatives presented in this report in reaching their decisions.

### Report Conclusion

In our opinion, there is not a sufficient public need for continuing either the Board or State licensing of welding personnel. #

Most consumers (e.g., engineers, construction and pipeline companies) of welding services possess adequate knowledge to properly evaluate the qualifications of those offering the service. To assist in identifying qualifications, the American Welding Society administers a certification program for welding inspectors, the only classification of welding personnel being licensed by the State. If it is determined that State regulation of welding is desirable, less restrictive alternatives--such as statutory requirements for welder, qualification certificates--are viable (see Prior Audit Recommendation No. 1).

In the event that the Board is reestablished by the Legislature, certain changes should be implemented in order for the Board to more effectively serve the public.

The Board has made some progress in the implementation of our prior audit recommendations. Specifically, they now review applications prior to licensing, have adopted goals and objectives, and have prepared an annual report (See Prior Audit Recommendations No. 2 and No. 6).

The Board has proposed changes to regulations and statutes in response to some of our prior recommendations. However, the regulations have not been adopted nor have the statutes passed (See Prior Audit Recommendations No. 3, No. 4, and No. 5).

The Board has also proposed regulations which would expand their jurisdiction over compensated welding operations that involve economic loss. The Board has not defined "economic loss" nor has it defined other terms which need clarification (See Prior Audit Recommendation No. 5).

Other problems noted in our prior report have not been rectified. For example, application forms have not been revised, the terms and sources of nominations for Board membership has not changed and a Board vacancy has not been filled (See Prior Audit Recommendations No. 2 and No. 3).

## PRIOR AUDIT RECOMMENDATIONS

### Prior Audit Recommendation No. 1

We recommend that the Board of Welding Examiners be allowed to terminate, and that the State licensing of welding personnel be discontinued.

In determining whether there is a continued public need for the Board of Welding Examiners, several factors should be considered.

The primary goal of regulating occupations is to protect the public. Licensing is desirable when:

1. The unlicensed practice of an occupation poses a serious risk to the life, safety, health, or economic well-being of a relatively large number of consumers.
2. The consumers of a service are at a disadvantage in evaluating the qualifications of a provider.
3. There is evidence of abuse by providers of the service to which the consumer has inadequate recourse through the general law.

Because of its relationship to the integrity of a structure, inferior welding has the potential of resulting in physical, economic, or environmental harm. However, we believe the potential has a public impact only in cases of large-scale projects, such as public structures, commercial buildings, or ventures like the pipeline.

Persons responsible for the construction of such projects, who are actually the "consumers" of welding services, can be expected to have the experience and knowledge needed to evaluate the qualifications of welding personnel. This is especially true now that the American Welding Society (AWS) certified Welding Inspectors (WI) program provides a means of identifying qualified inspectors. Furthermore, the AWS program includes a code of ethics and procedures for handling consumer complaints.

It should be noted that if an interstate gas pipeline is built, construction activities would be under the jurisdiction of the Federal Power Commission. The State Board's authority to impose welding regulations over such a pipeline is doubtful.

Also noteworthy is: (a) AWS's lack of support for State licensure of welding personnel, and (b) that only one other state to date requires licensing of WI's.

We found no evidence that State licensing of WI's affords significant additional protection to consumers. Furthermore, of the few complaints filed with State agencies against the welding occupation, only one alleged inferior welding practices, the remainder concerned unlicensed practice of the occupation or problems encountered in obtaining a license.

If, as a result of the "sunset" process, the Legislature determines that regulation of welding is needed, less restrictive alternatives are, in our opinion, viable. Welder qualification certificates can be required by statute and, if desired, the AWS certification program for WI's could be adopted by reference.

While we recognize the time and effort contributed by Board members, we do not believe that a sufficient public need exists for continuing the present licensing and regulatory structure.

#### Legislative Audit's Current Position

Chapter 153 of the 1980 Session Laws of the State of Alaska extended the date of termination of the Board until June 30, 1981.

In our opinion, there is not a sufficient public need for continuing either the Board or State licensing of welding personnel.

However, in the event that the Board is reestablished, we recommend the following changes be made in its operation.

#### Prior Audit Recommendation No. 2

The Board should assume a more active role in the licensing process.

During our test of licensing files we noted the following:

1. Application forms do not request all the information necessary to determine if requirements for licensure have been met. There is no provision for documenting qualifications for initial licensure (as defined in 12 AAC 72.065(a)(1-8), except through the submission of AWS QC-1 certificate. Applicants for renewal are not asked to provide evidence of the required visual examination. Consequently, none of the licenses renewed in 1979 documented that this requirement had been met.

2. At the direction of the Board, the licensing examiner was issuing licenses to applicants prior to a review of qualifications by the Board. In August 1978, the Board began licensing "welding inspectors" and discontinued licensing "weld qualifiers". The change produced a certain degree of confusion on the part of the licensees, as well as the examiner, regarding the qualifications for licensure. As a result, licenses were issued to 4 (out of 48 tested) applicants who did not submit adequate proof of meeting the qualifications of a welding inspector.

AS 08.01.070(6) requires licensing boards to pass on the qualifications of applicants for licensure. As evidenced by the above described findings, current review procedures are not effective. As a result, the public is not being protected from unqualified practitioners, which is the primary objective of occupational licensing. We therefore recommend that no license be issued until the Board has thoroughly reviewed the qualifications of an applicant and has determined that all requirements for licensure or renewal have been met.

#### Legislative Audit's Current Position

The Board now reviews applications prior to the issuance of a license. However, the application form still does not request all the information necessary to determine if requirements for licensure have been met. In addition, the Board is not requiring a visual examination. The Board has proposed regulations that would eliminate the requirement for an eye examination.

We recommend the Board revise the application form to require the information necessary to determine if requirements for licensure have been met.

#### Prior Audit Recommendation No. 3

To ensure adequate representation of the regulated occupation and the general public: (a) the composition, terms, and sources of nomination for Board membership should be reviewed and amended; (b) the Office of the Governor should make appointments in compliance with statutory requirements and in a timely manner.

As provided in AS 08.99.010-050, the Board of Welding Examiners consists of seven members with extensive welding experience, three of whom must be engineers. Members are appointed by the Governor for staggered five-year terms from nominations submitted by the Alaska Chapter of the American Welding Society and the Alaska Society of Professional Engineers.

## Board Composition and Nominations

Over 20% of the licensed welding inspectors as well as one in five Board members responding to Legislative Audit questionnaires felt that the statutory requirements do not ensure adequate representation of the occupation. Their comments included opinions that the present Board consists of too many persons involved with test labs and that more than one member from the same firm should not serve concurrent. It was suggested that the Board should represent the various areas of the occupation: engineers, test labs, construction, fabrication, and petrochemicals.

Furthermore, it was expressed that nominations should be accepted from the entire industry rather than two societies to which many qualified, interested persons are not known.

In addition to statute changes in Board membership suggested by licensees, in our opinion the Board should include at least one lay member who has no direct financial interest in the regulated occupation. Although lay members lack technical expertise, they can and should contribute to policy formulation and enforcement decisions. The importance of a representative of the primary interest group, the public, should definitely be addressed.

### Terms of Board members

Responses to licensee questionnaires also pointed to a significant opinion that Board member terms should be: (1) shorter (54% of those responding) and (2) limited to no more than two consecutive terms (80% of those responding). The reason most frequently expressed was to create a more responsive, active Board.

### Size of the Board

In addition, we believe that the Board is unnecessarily large when compared with other State boards and considering it currently licenses only 50 persons.<sup>1</sup> We recommend a reduction in size to five members to increase operating efficiency and coordination with the Division of Occupational Licensing (OL) and to reduce associated travel costs.

### Appointments

Our examinations of records in the Office of the Governor and the Division of Occupational Licensing showed that since 1973 the Board has had between three and eight properly appointed members at a given time. In fact, it met the requirement for seven members for only nine months during

---

<sup>1</sup> As of November 1980, about 100 persons were licensed.

the period reviewed. Of the "current" board, we finally determined--after receiving much conflicting information--that three terms expired in December 1976. In addition, only two of the seven members of the most recent board are engineers, as defined in the statutes.

In conclusion, we recommend that the Board seek changes in the statutes which will result in improved representation and efficiency of operation. Furthermore, as recommended in our October 30, 1978 performance review of OL, we urge the Office of the Governor to make more timely appointments to the occupational boards to ensure compliance with statutory requirements.

#### Legislative Audit's Current Position

The Board has not submitted the necessary statutory changes to implement our recommendations except for a proposed statute change that would add a public member to the board.

The Board now has three engineers; however, the Governor still has not appointed a replacement for a vacancy that occurred in the Spring of 1980.

We again recommend that the Board seek changes in the statutes which will result in improved representation and efficiency of operation.

#### Prior Audit Recommendation No. 4

The Board should propose revisions to the statutes in order to clarify: (a) the intended powers and duties of the Board; (b) how welding regulations are to be enforced.

- A. Authority for the Board of Welding Examiners is found in AS 08.99, which was last amended in 1970. Since that time, changes in Board membership, activities, and regulations have occurred. As a result, several subsections of AS 08.99.080(a) no longer pertain to operations of the Board.
1. § 6 requires the Board to approve fees for welder certification tests. The Board no longer engages in this activity. However, this section was cited as the authority for charging fees for licensing welding inspectors.
  2. § 10 states that the Board shall approve test facilities. The revised regulations omit this activity and instead address licensing of welding inspectors.

3. § 9 requires the Board to designate reporting procedures necessary to certify compliance with quality standards. No reporting methods are addressed in the regulations.
- B. Statutes provide for the enforcement of welding regulations by both the Department of Labor (AS 08.99.080(b) and the Department of Commerce and Economic Development (AS 08.01.087). The dual assignment of enforcement responsibility has resulted in confusion. The assignment of investigative duties needs clarification so that regulations are adequately enforced, and consumer complaints are properly handled.

#### Legislative Audit's Current Position

The Board has requested the Division of Occupational Licensing to submit legislation to clarify the power and duties of the Board. In addition, the Board requested the Division to submit legislation to consolidate enforcement activity in the Department of Commerce and Economic Development. However, this legislation has been withdrawn because of opposition by the Department.

#### Prior Audit Recommendation No. 5

The Board should continue its efforts in revising administrative regulations.

One of the primary activities of the Board over the past several years was the substantial revision of 12 AAC 72, the administrative regulations governing the occupation of welding in Alaska. The changes became effective August 21, 1978.

In the course of our review, we noted several areas of 12 AAC 72 which merit further consideration and possibly amendment.

1. Requirements for welder qualification (12 AAC 72.015) and welding inspector licensure (12 AAC 72.055) apply to all compensated welding operations in the State "in which weldment failure would involve hazard to life or property". The applicability of the regulations needs clarification to simplify interpretation and to make their enforcement manageable.
2. 12 AAC 72.045 requires "continuous employment" a process (without interruption of more than 90

consecutive days) as a condition of maintaining a current welder qualification certificate. We believe this is unduly restrictive because:

- a. The regulations also require that a certificate be current under the code or job specifications under which it was issued.
  - b. A welder qualified in several processes may be assigned by his employer to only one process for several months. Before he could be assigned to another process, additional time and expense would be required for re-testing.
  - c. The limited construction season in Alaska causes many welders to be without work for more than 90-day periods.
3. 12 AAC 72.105 requires an annual renewal of welding inspector licenses. This conflicts with AS 08.01.100 which requires biennial renewal of occupational licenses. It also creates additional administrative effort for both the Division of Occupational Licensing and the licensee, with no demonstrable benefit to the public.
  4. 12 AAC 72.085 provides for quarterly examinations for welding inspector license. The provision, which exceeds the regular semi-annual administration of the exam by the American Welding Society (AWS), was included to give sufficient opportunity to become licensed under the revised regulations. While we concur with the Board's reasoning, we feel they should review this policy in light of increased costs and the relatively small number (an average of 9) who take the exam each quarter.

In reviewing questionnaire responses from licensed WI's, we noted concern regarding the interpretation, acceptance, and enforceability of the regulations. Doubts concerning the enforceability were likewise expressed by Board members who responded to a separate questionnaire: three believed they could not be enforced, especially among small operators; two said they could be enforced if State funding for investigation was adequate.

We believe that the cited opinions of members of the occupation support our contention that additional revisions to the regulations are needed to make them clear, reasonable, and within the scope of the Board's purpose.

## Legislative Audit's Current Position

The Board has proposed regulations to delete the continuous employment requirement and to have renewals based upon the expiration of an individual's AWS QC-1 certificate (3 years). The Board has decided to continue with the present four examinations per year. Furthermore, the Board has not clarified hazards to life or property and has proposed a regulation that would broaden the scope of their authority to include all compensated welding operations which involve "economic loss".

In our opinion, the addition of the proposed regulation on economic loss would substantially restrict the practice of welding without a corresponding benefit to the public. In addition, the Board still needs to clarify the meaning of "hazard to life or property" in order to simplify interpretation and to make their enforcement manageable.

### Prior Audit Recommendation No. 6

With the assistance of the Division of Occupational Licensing, the Board should develop procedures for defining its objectives and reporting its performance to the Governor and the Legislature.

As part of the "sunset" process of determining whether there is a continued public need for its existence, each Board must identify formal objectives. Where practical, these objectives should be quantifiable so that the Board's performance can be measured.

The budget process is the vehicle by which State agencies usually identify goals and objectives. While OL prepares such documents on a division-wide basis, objectives and measurements have not been developed for individual boards (see our October 30, 1978 performance review of (OL).

Furthermore, although required by AS 08.99.080(a)(8), the Board has not been submitting annual reports to the Governor and the Legislature. We recommend such reports be prepared and contain, at a minimum, the following information:

1. Board's purpose and objectives.
2. Operating receipts and expenditures.
3. Participation by Board members.
4. Changes in statutes and regulations.
5. Significant activities and concerns.

The process of identifying objectives and reporting performance not only allows outside parties to evaluate the need for the Board, it also provides an important tool for the Board to evaluate itself and adjust its priorities for the most effective use of its resources.

#### Legislative Audit's Current Position

The Board has prepared an annual report for Fiscal Year 1980 and has developed goals and objectives for Fiscal Year 1981.

ARCO Oil and Gas Company  
Prudhoe Facilities Project Group  
3201 "C" Street, Suite 560  
Anchorage, Alaska 99503  
Telephone 907 276 3868



March 6, 1982

AS-13778

The Honorable Terry Martin (R)  
House of Representatives  
Alaska State Capitol  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Martin:

Subject: Alaska Senate Bill 757, Act Concerning  
the Continuance of Board of Welding Examiners.

With the impending vote on the Alaska Senate Bill 757, which calls for the continuance of the Board of Welding Examiners, I wish to voice my views on this bill. I currently hold an Alaska State Welding Inspector's license and have actively been involved in the welding field for thirteen years, with seven of the thirteen years spent on the North Slope working for the petroleum industry.

I am in favor of the continuance of the Alaska Board of Welding Examiners as set forth by the State of Alaska, Regulation 12AAC72. The main argument for continuing the Board is:

The present regulation, 12AAC72, as it is currently structured, allows private industry, through the selection of appointed members by the Governor, to enforce and carry out guidelines set down in the State Welding Regulations. This approach is:

1. Cost effective to the State due to the fact that policing to assure compliance, is borne by current revenues from licensing fees. On the other hand, if the Welding Board were abolished, it is likely that the Department of Labor would be empowered to enforce state welding regulations. Thus, additional "Qualified" Department of Labor welding inspection personnel would have to be employed to assure statutory compliance. This would require additional state revenues to operate at a time when state budgetary cuts are necessary.
2. Historically, the more qualified welding personnel have been employed in the private sector due to economics. Therefore, it is questionable whether a state board or bureau under the Department of Labor could operate more effectively than the currently appointed board.

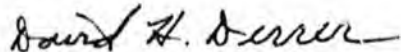
Alaska Senate Bill 757, Act Concerning  
the Continuance of Board of Welding Examiners  
Letter No. AS-13778  
March 6, 1982  
Page 2

3. Private Industry, especially the petroleum industry, must meet several code requirements and parameters (A.P.I., A.N.S.I., ASME) as it relates to welder qualifications and welding inspector qualifications during construction as well as maintenance operations. Here, again, these codes are the result of the public sector and industry in the adoption and their enforcement.
4. Lastly, the public who are intimately involved in the welding field take a professional approach in assuring that proper welding practices, code requirements, company specifications, and State and Federal regulations are adhered to.

The State of Alaska Board of Welding Examiners has done a thorough job in creating and adopting the current regulations, and to abolish this existing board and set up a State regulated and operated bureau or board, would serve no useful purpose.

Thank you for your time and consideration on this matter.

Sincerely,



David H. Derrer  
Quality Assurance Engineer

DHD:yms

cc: Dave Harbour - Government Relations, Juneau  
Bev Ward - Government Relations, Juneau

ARCO Oil and Gas Company  
Prudhoe Facilities Project Group  
3201 "C" Street, Suite 560  
Anchorage, Alaska 99503  
Telephone 907 276 3868



March 7, 1982

AS-13797

Representative Terry Martin  
Alaska House of Representatives  
Pouch V  
Juneau, Alaska 99811

SUBJECT: Alaska Senate Bill 757, an Act Concerning the Continuance  
of the Board of Welding Examiners

Dear Representative Martin:

The purpose of this letter is to express ARCO Oil and Gas, Prudhoe Facilities Project Group's position regarding Senate Bill 757.

We support the passage of this bill for the following reasons:

1. The Welding Board is comprised of members of private industry. Private industry therefore plays an active role in formulating and enforcing welding regulations through this Board.
2. Killing of Alaska State Senate Bill 757 would likely move jurisdiction of enforcement of welding qualification regulations to the Department of Labor. This, in turn, would create the need for added personnel in the department to carry out the duties of the current Welding Board and private industry. This would impose additional financial drains from State revenues and duplicate more than adequate industry efforts.
3. The movement of control to the Department of Labor would require the hiring of highly competent, highly qualified individuals within the Department of Labor to enforce the welding regulations. The hiring of these individuals would further deplete the supply of these highly qualified persons from the private sector.

In summary, ARCO supports the passage of Alaska State Bill 757. The Bill's passage would maintain the current Board of Welding Examiners. It would preclude the need for assumption of welding regulations by the Department of Labor and reduce costs that would be incurred by the State. Further, it would serve to reduce competition with the current competent private petroleum industry and construction contractors.

Thank you for your time and consideration in considering our opinion to this very important matter.

  
Quality Assurance & Safety Director

  
Construction Support Director

  
Administration & Planning Director

  
Resident Construction Manager

ARCO Oil and Gas Company  
Prudhoe Facilities Project Group  
3201 "C" Street, Suite 560  
Anchorage, Alaska 99503  
Telephone 907 276 3868



March 7, 1982

AS-13779

Representative Terry Martin  
Alaska House of Representatives  
Pouch V  
Juneau, Alaska 99811

SUBJECT: Alaska State Bill 757 - Concerning the Continuance  
of the Board of Welding Examiners

Dear Representative Martin:

In reference to the above mentioned legislation, I am writing to voice my views and concerns. With over 14 years experience in the industrial construction and oil & gas industry of which the last 7 have been with the Prudhoe Facilities Project, I feel a need to address this issue. I presently hold an Alaska Welding Inspectors License and basically agree with the concept of this program and the laws that govern it. However, being directly involved with welding and piping inspection as my primary responsibility, I do not entirely agree with the acceptance criteria for persons applying for licensing approval, along with appointees of the Board itself. The basic concept of the Welding Board, made up of members of the industry, is a good one; the majority members of most design code committees are representatives of the industry they are policing.

The integrity of the facilities that industry is constructing is dependent upon it's own ability to police itself. In light of the fact that the State is facing a probable increase in major construction projects where critical welding could be a volatile area of concern, to abolish the Board now would be a mistake.

The obvious alternative for monitoring this activity would be for the State to establish a welding board or bureau under the Department of Labor. The citizenry of the State of Alaska are far more attuned toward a decrease in government bureaucracy than to create another taxing organization.

The simple economics of the issue show that there is no way that government can compete with private industry to attract the most qualified personnel. For the State to get into the business of policing the welding industry other than in specific areas, I think would be a practical and economic failure.

With some changes to policy and conditions of appointment, the Welding Board as it is now could be our least costly and most effective vehicle to guard against any major distractions like those that plagued the Alyeska Pipeline project.

Page 2

Thank you for your time and consideration of these views.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Rosen". The signature is written in a cursive style with a large, looped initial "J".

John P. Rosen  
Quality Assurance  
Acting for ARCO Alaska, Inc.

cc: D. F. Harbour - Government Relations  
B. Ward - Government Relations

April 4, 1982

Terry Martin, Chairman  
House Labor and Commerce Committee  
State Capitol, Pouch V,  
Juneau, Alaska 99811

Subject: House Bill 595...Continuation of State Welding  
Board

Mr. Martin:

It has recently been brought to my attention the means being used to kill the Welding Board, is to hold it in your committee and not let it go to the floor of the house. This is simply a political ploy for you to get off the hook and not have to commit yourself on something that may be a little controversial, and cause you some political discomfort, well I intend to make it known to as many of the voters of this state, and the voters of your particular district what is going on and what is at stake here.

It is my opinion that with the current Welding Board the legislature has laid the ground work for a safer more physically sound and ecologically safe future for this state. I was under the impression that we had learned by the mistakes and errors of the older states and that it was our intentions to keep clear of the same pitfalls. The newspapers report incidents daily of storage tanks and waste tanks that have been buried and sprung leaks contaminating surrounding areas for miles affecting drinking water ruining the soil for a long time. This is something we can control it may be impossible to completely stop, but it can be affectively reduced. The Welding Board is just one tool at our disposal. There are other ways and means to work at this but why stop something that is already in place and working, let's make it more affective let's put some teeth in it.

In the next few years the state is going to realize a large building boom. The outside interests with their money wells dried up are already converging on this state. They see this as a opportunity to make some fast money. It isn't to their particular interest to really give a damn how well built their structures are, because they hope by the time anything happens they will be long gone. It remains up to us, and the state legislature in particular, to see to it the standards of our building industry <sup>are</sup> kept high.

Mr. Terry Martin

April 4, 1982

Page 2

If you are able to kill this the way you seem to plan to do, what do we have left?

1. We will have a building industry without any set standards for welding quality. The standards will be left up to the goodness of the individual builders.
2. The only control will be if the individual designer requests or requires certain standards.
3. You will open the door for unrestricted building without any standardized testing and certification.
4. Here we are in a state that is highly active with earthquakes and we have members of our legislatures that don't care enough to pass a bill out of committee. You don't even have the courage of your convictions to come out against it, because you couldn't probably honestly justify them.

Since I started writing this I have found you are now sitting on S.B. 757, which has made it through to the House. If this bill is totally stopped because of not getting out of your committee I promise I will do everything I can to get you out of office. This is a promise since you are affecting my future and I feel the future of safe construction for this state. I could have a lot more respect for your opinion if I felt you had one, but this way of handling it is no opinion. You have held this up for one year, it seems that some legislatures want it as the Senate Bill got through.

Sincerely

*Philip R. Hughes*  
Philip R. Hughes

7800 DeBarr Rd. Space 128  
Anchorage, Alaska 99504

4211 Cope #3  
Anchorage, AK 99503

HB 595

February 1, 1982

Representative Terry Martin, Chairman  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, AK 99811;

Dear Representative Martin and Committee members:

Regarding the upcoming Sunset Legislation on the abolition of the Board of Welding Examiners, I would like to make a few comments. I am a State licensed welding inspector, and am very much affected by the actions of the board. I urge you to vote in favor of continuing the Welding Board for several reasons, including:

1. It protects the public. Welded construction is utilized in virtually every public building, bridge, and other structure. Without a reasonable amount of control on welding operations, serious flaws could occur that would needlessly endanger lives.
2. It protects the Alaskan inspector. Although some of my colleagues groan about having to file for licenses, etc., I feel the Board is to all our advantage. It assures that qualified Alaskans get a fair shot at jobs in industry, and maintains a minimum standard of competence among its licensees.
3. It provides tighter control over who is allowed to perform a welding operation in Alaska. Many people who presume themselves to be good welders are in fact not, and many can and do perform work that endangers lives. By requiring any person who performs a welding operation to pass an applicable welding performance test, as administered by a State approved inspector, better control is maintained over the quality of welded construction within our state.

Now, granted, the Board of Welding Examiners is not perfect, nor can it hope to please all of the people involved with welding in the state. And, although I sense there may be some friction between several prominent members of the Alaskan welding community, I feel these problems should be resolved from within. So, with your vote to extend the existence of the Welding Board, you shall also be voting for the overall safety of the general public.

Sincerely yours,

  
John D. Phillips  
Certified Welding Inspector

Ken Lomaj -  
Letters coming from industry

\* Feasibility of welders - ?  
\* Union evaluation of membership. -

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Louis Pousseau - opposed -  
In opposition to req. of being an inspector

---

Erwin Longo - Manufacturer of Pressure Vessels.  
Dedicated Engineering -  
Cannot depend on state Certified Welders.  
V A welding students better qualified.

3201 Montclair Ct.  
Anchorage, AK 99503  
February 23, 1982

The Honorable Terry Martin, Chairman  
Labor and Commerce Committee  
State House of Representatives  
State Capitol  
Pouch B  
Juneau, Alaska 99811

Sir:

Regarding HB No. 595, continuing the Board of Welding Examiners: Let the sun set on it.

As a past chairman of the Board (1975-1976, during the pipeline boom), I never understood how it served to protect the life, safety and welfare of the public. I still don't believe that it does. In fact, it doesn't even ensure that a small number of welding technicians will be provided the lucrative livelihood which seems to be promised by the regulations promulgated by its members.

Civil engineers and architects, owners of structures, and contractors generally are cognizant of the need for inspection during construction. The American Welding Society has developed an excellent procedure for qualifying welding examiners, and there are several excellent firms offering such services in Alaska. I'm not convinced that we would even need a statute requiring this AWS qualification because I doubt if any engineer or architect would risk his reputation by hiring an examiner of lesser competence. (Incidentally, virtually all welding design and welding is accomplished through the use of AWS specifications.) With far less inspection than is exercised nowadays, the buildings in Anchorage survived the '64 earthquake to a remarkable degree.

Strangely enough, there is no Board regulating concrete construction, a structural system of greater complexity than steel, and definitely more prone to deficiencies in material, mixing, construction and, yes, even design. This observation also applies to lumber construction, and especially to locally manufactured wooden trusses now widely used in buildings.

My concern about the very existence of this Board is not a sudden whim; I enclose (without its enclosures) a copy of a letter I sent to the Board during 1977, receipt of which was not even acknowledged.

The Honorable Terry Martin, Chairman  
February 23, 1982  
Page Two

In closing, as a professional engineer with 27+ years experience in Alaska, including the design of welded, steel structures, I see no useful purpose in the Board of Welding Examiners. I recommend that it be discontinued.

Very truly yours,



John L. Cerutti, P.E.  
Alaska License No. 820-E

cc: Members of the Committee  
Speaker of the House, Joe L. Hayes, P.E.  
Senator Arliss Sturgulewski

c/o General Delivery  
Valdez, Alaska 99686

January 28, 1977

Board of Welding Examiners  
Dept. of Commerce & Economic Development  
State of Alaska  
Pouch D  
Juneau, Alaska 99811

Gentlemen:

I have reviewed your proposed amendments for Professional and Vocational Regulations, Chapter #72, Board of Welding Examiners. Some of the changes are excellent and others are of dubious worth.

12 AAC 72.01 . . . certificate required. This is fine in theory. In actuality, it will prove to be a monstrous nightmare and will cost the State far more than it's worth. To administer the paper work required will take a fair-sized staff -- probably three staffs because if this were centered in Juneau, it couldn't keep up with the welders. Note that the public is fed up with the ever increasing costs of government and that Gov. Hammond seems to be trying to keep the State payroll from expanding.

In the past I have held that the safety of the public can be assured just as well by requiring that all welding be done under the supervision of a qualified welder or a welder qualifier (as you now designate as a licensed welding inspector?). I reiterate that this procedure will be just as effective and I believe that it can be administered by the Board and the Division of Occupational Licensing without the addition of any personnel.

12 AAC 72.045 . . . maintaining current . . . "(2) the welder has been continuously employed on the welding process for which he is qualified". Doesn't this contradict all codes which permit a period of unemployment, especially API 1104 which, as I recall, extended the period from 90 days to a year?

12 AAC 72.055 Welding inspector license required. "A person may not . . . inspect a welding operation . . . unless he or she holds a current, valid welding inspector license."

I am enclosing a Xerox copy of the Alaska Statute covering licensing of architects, engineers and land surveyors, and I call your attention to Sec. 08.48.341(8) wherein registered professional engineers are empowered to practice a broad range of work, including "... and professional observation structures," and "... design ...,"

Your amendment is illegal as it applies to professional engineers because your Board doesn't have the authority to promulgate changes in any statute, especially in ones which are of no concern to you.

Furthermore, even if this requirement were enforceable on an engineer, it would be a peculiar creature of law; an engineer, in designing a structure, decides how its parts will be fastened together; if welding is the method selected, he then chooses the welding process and whatever changes he may wish to incorporate; he approves, or may even specify the welding procedure; and finally he approves the completed work -- he may, if he is satisfied that he has sufficient knowledge, elect to conduct all inspection of the welding himself, or he may retain a qualified person to perform such work. Note that when an engineer accepts work, it is his reputation and financial futures which are at stake. In another sense, the engineer would be put in the position of being forced to rely upon another party, which party would have virtually no liability in the event of a structural failure.

12 AAC 72.065 Requirement for welding inspector license. "(1) be a high school graduate ... etc." So long as a person is capable of reading and understanding whatever is necessary to ply his trade, what is the purpose of this extremely demeaning requirement?

The Board should not administer tests that it composes.

12 AAC 72.115 Duties and responsibilities of a welding inspector. "(18) be obligated to act with complete integrity in professional matters ..."As I recall, I saw an advertisement in the Anchorage Times, several months ago, wherein a Welding Institute stated that in addition to weld testing, it offered "engineering services". I call the Board's attention to Sec. 08.48.281; prohibit practice, of the same engineering statute cited earlier. I suggest that the Board look into this because it is an absolute violation of the law if that firm is not properly incorporated as an engineering corporation. A Xerox copy of this article is enclosed. See also Sec. 08.48.321, also copied and enclosed.

Very truly yours,

John L. Cerutti, P.E.  
Alaska 820E

Enclosures

cc: Board of Architects, Engineers and  
Land Surveyors  
Alaska Society of Professional Engineers  
Rep. Joe L. Hayes, P.E.

## Chapter 99. Board of Welding Examiners.

Section	Section
10. Creation and membership of board	90. Powers and duties of the board
20. Term of office	90. Applicability of Administrative Procedure Act
30. Source of appointments	100. Expenses
40. Removal from office	110. Codes
50. Qualifications of board members	120. Penalty
60. Meetings	
70. Quorum	

Sec. 08.99.010. **Creation and membership of board.** There is created the Board of Welding Examiners, consisting of seven members appointed by the governor. (§ 1 ch 151 SLA 1968)

Sec. 08.99.020. **Term of office.** Board members serve a term of five years. However, of the members first appointed, one shall be appointed for a term of one year, one for two years, one for three years, one for four years, and three for terms of five years. (§ 1 ch 151 SLA 1968)

Sec. 08.99.030. **Source of appointments.** The governor shall appoint board members from a list of persons prepared by the Alaska Chapter of the American Welding Society and the Alaska Society of Professional Engineers and submitted at least 30 days before the expiration of a term and not more than 60 days after a vacancy occurs in an unexpired term. The list shall contain not less than two recommended candidates for each appointment. The governor shall make appointments within 30 days after receiving the list. (§ 1 ch 151 SLA 1968; am § 1 ch 151 SLA 1970)

Sec. 08.99.040. **Removal from office.** Each member holds office at the pleasure of the governor notwithstanding the member's term. (§ 1 ch 151 SLA 1968)

Sec. 08.99.050. **Qualifications of board members.** Each member of the board shall be a citizen of the United States and a resident of the state. At least three members shall be persons with engineering degrees or registration as an engineer and each engineer member shall have at least five years engineering experience. All members shall have extensive experience in welding. (§ 1 ch 151 SLA 1968; am § 2 ch 151 SLA 1970)

Sec. 08.99.060. **Meetings.** The board shall meet at least once a year. (§ 1 ch 151 SLA 1968)

Sec. 08.99.070. **Quorum.** A majority of the board constitutes a quorum. (§ 1 ch 151 SLA 1968)

Sec. 08.99.080. **Powers and duties of the board.** (a) The board shall (1) establish and promulgate rules and regulations concerning certification of welders in the state;

(2) establish and define certification tests as they apply to various types and categories of work done in or for the state;

(3) work with federal and private agencies and specifying engineers to establish uniform testing and certifying methods for all welders throughout the state;

(4) work with federal agencies and the agencies of other states to establish reciprocal agreements;

(5) set up criteria and define experience and documentary requirements which may be accepted in lieu of physical certification tests in the state;

(6) set the fees for the welder certification tests;

§ 08.99.090

BUSINESS AND PROFESSIONS

§ 08.99.120

(7) examine, certify, and renew the certification of qualified applicants;

(8) keep a record of its proceedings, and submit annual reports to the governor and the legislature;

(9) promulgate regulations concerning the quality of welds and qualifications of welders required in specific areas of industry and construction and designate reporting procedures necessary to certify compliance with these quality standards;

(10) designate and approve persons qualified to administer welding tests, and designate and approve shops, laboratories, or other establishments qualified for testing coupons and weldments.

(b) The board may request technical personnel from the Department of Labor for the purpose of reviewing and analyzing reports and may request field inspection by the department for the purpose of assuring compliance with, and enforcement of the regulations, rules and orders promulgated under §§ 10 — 110 of this chapter. (§ 1 ch 151 SLA 1968; am §§ 3 — 5 ch 151 SLA 1970)

Sec. 08.99.090. **Applicability of Administrative Procedure Act.** The board shall comply with the Administrative Procedure Act (AS 44.62). (§ 1 ch 151 SLA 1968)

Sec. 08.99.100. **Expenses.** Members of the board are entitled to the per diem and travel expenses allowed by law. (§ 1 ch 151 SLA 1968)

Sec. 08.99.110. **Codes.** The United States of America Standards Institute Codes listed below are established as the piping codes for the state:

(1) B 31.1.C — 1967 power piping;

(2) B 31.2 — 1968 fuel gas piping;

(3) B 31.8 — 1968 gas transmission and distribution piping system;

(4) B 31.3 — 1966 petroleum refining piping;

(5) B 31.4 — 1966 and B 31.4a — 1968 liquid petroleum transportation piping systems. (§ 6 ch 151 SLA 1970)

Revisor's note (1970). — For copies of B 31, 10 East 40th Street, New York, New York 10016. Use codes referred to in AS 08.99.110, write to the U.S.A. Standards Institute, Dept. PB

Sec. 08.99.120. **Penalty.** A person who violates a regulation adopted under §§ 10 — 110 of this chapter is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$500. (§ 7 ch 151 SLA 1970)

Board or  
Commission

Appointee

Term

BOARD OF WELDING EXAMINERS

AS 08 99 - 7 members; 5 year term; serves at the pleasure of the  
Governor.

Peter Millar December 16, 1984  
4047 Kingston Drive  
Anchorage, Alaska 99504  
333-4016 (work)

Donald Lockman (chairman) December 16, 1981  
~~8235 Endicott Street~~  
~~Anchorage, Alaska 99502~~ *2114 Railroad Ave*  
344-6771 (home) *Anchorage, Al.*  
276-3440 (work) *99501*

Don Delk December 16, 1985  
SRA Box 372-C  
Anchorage, Alaska 99507  
344-6760 (home)  
752-5108 (work)

Philip Davis December 16, 1983  
986 North Coppet Street  
Fairbanks, Alaska 99701  
452-3310 (home)  
452-7954 (work)

J.C. Wingfield December 16, 1983  
495 Sprucewood Road  
Fairbanks, Alaska 99701  
479-6508 (home)  
479-6222 or 479-4154 (work)

Goerge A. Fox December 16, 1983  
Union Chemical Division  
Box 575  
Kenai, Alaska 99611  
766-8121 (work)

Kenneth C. Lomax December 16, 1985  
Arco Oil & Gas Company  
General Engineering  
P.O. Box 6015  
Anchorage, Alaska 99502  
659-2821 (work)

*6230 Dunbar Lane*  
*Anch 99504*

WELDING INSPECTORS LICENSED FOR  
1981 - 1982

#0058

John H. Balch  
945 W. "J"  
Jenks, Ok. 74037

#0100

Harry F. Barnes  
P. O. Box 907  
Kenai, Ak. 99611

#0157

Robert O. Beadles III  
3021 Davis Road  
Fairbanks, Ak. 99701

#0171

Larry G. Bell  
244 Ave., Lobeiro #3  
San Clemente, Ca 92672

#0158

Bobby J. Bennett  
P. O. Box 551  
New Roads, La. 70760

#0186

Richard J. Bickle  
9410 Kylie Circle  
Anchorage, Ak. 99502

#0140

William C. Biddy  
5300 Cypress Paint Dr.  
Monroe, La 71203

#0163

Robert J. Boucher  
Star Route Potomac  
Bonner, Mt. 59823

#0194

Eugene H. Bradburn  
1463 Rimrock  
Richland, Wa 99352

#0113

William G. Brister  
3021 Placer Circle  
Eagle River, Ak. 99577

#0073

John E. Burns  
P. O. Box 3-355  
Anchorage, Ak. 99501

#0195

John E. Burns  
6917 Old Seward Hwy  
Anchorage, Ak. 99502

#0087

Gene P. Capra  
5029 Midway Road  
Duluth, MN 55811

#0137

Delbert G. Cederberg  
2730 East 50th Ave.  
Anchorage, Ak. 99507

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STATE OF ALASKA  
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**BOARD OF WELDING EXAMINERS APPLICATION FOR STATE WELDING  
INSPECTORS LICENSE**

THIS APPLICATION MUST BE COMPLETED IN FULL/TYPED IN INK ALL INFORMATION.

12 AAC 72.055. WELDING INSPECTOR LICENSE REQUIRED. A person may not test a welder for the purpose of issuing a welder qualification certificate or inspect a welding operation in the state in which weldment failure would involve hazard to life or property unless he or she holds a current valid welding inspector license.

Name \_\_\_\_\_  
Last First M.I.

Residence Address \_\_\_\_\_  
City State Zip

Mailing Address \_\_\_\_\_  
City State Zip

Date of Birth \_\_\_\_\_ Social Security No. \_\_\_\_\_

Phone Number: ( ) \_\_\_\_\_

In support of my application, I am submitting the following credentials to the Board of Welding Examiners:

ORIGINAL APPLICATION ..... \$50.00

- 1. Copy of AWS QCI Certificate attached:  Yes  No
- 2. Proof of ALL Position Welding Qualification attached:  Yes  No

BIENNIAL RENEWAL APPLICATION ..... \$50.00

- 1. Copy of AWS QCI Certificate attached:  Yes  No
- OR
- 2. Proof of ALL Position Welding Qualification attached:  Yes  No

AND

- 3. Evidence of employment as a Welding Inspector attached:  Yes  No

Certificate (License) Number \_\_\_\_\_

I hereby certify that the above information is true and complete to the best of my knowledge.

\_\_\_\_\_  
Applicant's Signature

SUBSCRIBED AND SWORN TO BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE STATE OF  
\_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 19 \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

(A witness may sign in lieu of a Notary Public or U.S. Postmaster in areas where neither are available. A witness will include his or her address and indicate that neither a Notary Public nor U.S. Postmaster are available.)

Witness: \_\_\_\_\_  
Address: \_\_\_\_\_

CHAPTER 72.  
BOARD OF WELDING EXAMINERS

## Article

1. Codes  
(12 AAC 72.005-12 AAC 72.010)
2. Welders  
(12 AAC 72.015-12 AAC 72.045)
3. Welding Inspectors  
(12 AAC 72.050-12 AAC 72.125)
4. General Provisions  
(12 AAC 72.899-12 AAC 72.900)

ARTICLE 1.  
CODES

## Section

5. Rating for welders
10. (Repealed)

12 AAC 72.005. RATING FOR WELDERS. Ratings for welders shall be governed by the code requirements in the job specifications. In the absence of code requirements, welders shall be certified in accordance with the applicable American Welding Society Code. (Eff. 8/21/78, Reg. 67)

Authority: AS 08.99.080(a)(1),(2) and (9)

12 AAC 72.010. CERTIFICATE REQUIRED. Repealed 8/21/78.

ARTICLE 2.  
WELDERS

## Section

15. Welder qualification certificate required
20. (Repealed)
25. Requirements for welder qualification certificate
30. (Repealed)
35. Welder qualification certificate issued
40. (Repealed)
45. Requirements for maintaining a current welder qualification certificate

12 AAC 72.015. WELDER QUALIFICATION CERTIFICATE REQUIRED. A person may not perform a welding operation in the state for compensation, in which the failure of the weldment would involve hazard to life or property or cause economic loss, unless he or she holds a current, valid welder qualification certificate

in the appropriate rating. (Eff. 8/21/78, Reg. 67; am 12/10/81, Reg. 80)

Authority: AS 08.99.080(a)(1),(2),(5) and (9)

12 AAC 72.020. DURATION AND RENEWAL. Repealed 8/21/78.

12 AAC 72.025. REQUIREMENTS FOR WELDER QUALIFICATION CERTIFICATE. (a) Testing of welders shall be done under the direct supervision of a licensed welding inspector.

(b) An applicant for a welder qualification certificate or a company desiring to have a welder qualified shall

(1) submit to the welding inspector the welding procedure specifications or the welding performance specifications, or both when indicated, for the appropriate rating; and

(2) complete the welding test for the appropriate rating according to the terms of the welding procedure specifications or the welding performance specifications, or both when indicated.

(c) Prequalified procedure specifications may be used for test administration according to applicable codes. (Eff. 8/21/78, Reg. 67)

Authority: AS 08.99.080(a)(1),(2),(5) and (9)

12 AAC 72.030. TEST SELECTION. Repealed 8/21/78.

12 AAC 72.035. WELDER QUALIFICATION CERTIFICATE ISSUED. The welding inspector shall issue the welding qualification certificate in the appropriate rating to the applicant or company upon the applicant's successful completion of the examination. (Eff. 8/21/78, Reg. 67)

Authority: AS 08.99.080(a)(1),(7) and (10)

12 AAC 72.040. QUALIFICATION. Repealed 8/21/78.

12 AAC 72.045. REQUIREMENTS FOR MAINTAINING A CURRENT WELDER QUALIFICATION CERTIFICATE. (a) A welder qualification certificate is valid if it is kept current in compliance with the code under

which it is issued unless stated otherwise in the job specification.

(b) The expiration or revocation of one rating does not affect any remaining rating. (Eff. 8/21/78, Reg. 67; am 12/10/81, Reg. 80)

Authority: AS 08.99.080(a)(1),(5) and (10)

**ARTICLE 3.  
WELDING INSPECTORS**

**Section**

- 50. (Repealed)
- 55. Welding inspector license required
- 60. (Repealed)
- 65. Requirements for welding inspector license
- 70. (Repealed)
- 75. Application for welding inspector license
- 80. (Repealed)
- 85. Examination for welding inspector license
- 90. (Repealed)
- 95. Welding inspector license issued
- 105. Welding inspector license expiration and renewal
- 115. Duties and responsibilities of welding inspector
- 125. Prohibited conduct of welding inspector

12 AAC 72.050. TEST FACILITIES. Repealed 8/21/78.

12 AAC 72.055. WELDING INSPECTOR LICENSE REQUIRED. A person may not test a welder for the purpose of issuing a welder qualification certificate or inspect a welding operation in the state in which weldment failure would involve hazard to life or property or cause economic loss, unless he or she holds a current, valid welding inspector license. (Eff. 8/21/78, Reg. 67; am 12/10/81, Reg. 80)

Authority: AS 08.99.080(a)(7) and (10)

12 AAC 72.060. WELD QUALIFIER. Repealed 8/21/78.

12 AAC 72.065. REQUIREMENTS FOR WELDING INSPECTOR LICENSE. (a) An applicant for a welding inspector license must

(1) be a high school graduate or hold a state or military approved high school equivalency diploma;

(2) have not less than five years' experience at the technical level in an occupational function that directly involved

(A) design experience such as preparation of plans and drawings for weldment construction according to a code, standard or specification;

(B) construction experience such as actual construction or fabrication and erection of weldments in accordance with a code, standard, specification or drawing;

(C) maintenance experience such as detection and measurement of weld inadequacies or discontinuities in accordance with specified procedures; and

(D) repair experience such as repair or replacement of welds that were determined inadequate or defective by reference to a code, standard, specification or drawing;

(3) be familiar with and understand the fundamentals of shielded metal arc welding, stud arc welding, submerged arc welding, flux cored arc welding, gas metal arc welding, gas tungsten arc welding, electroslag welding, oxyfuel gas welding, brazing, thermal cutting and mechanical cutting;

(4) be capable of writing clear and concise reports and maintaining records;

(5) pass an eye examination to prove natural or corrected near distance acuity for reading J-1 letters at a distance of not less than 12 inches on Jaeger's standard test type chart for near vision, or equivalent test, and natural or corrected far distance acuity of 20/40 as evidenced by a written, signed statement from a physician or an optometrist;

(6) pass a closed-book test on welding inspection fundamentals such as welding processes, nondestructive testing methods, and interpretation;

(7) pass an open-book test on general code or standard requirements such as fabrication tolerances and preheat requirements;

(8) pass a demonstration of competency in

the use of tools, gauges, and instruments pertaining to weld inspection; and

(9) submit evidence of having previously passed an all position welding qualification test in at least one welding process.

(b) The requirements of (a)(1)–(8) of this section will be waived for an applicant possessing a current welding inspector certificate issued by the American Welding Society in accordance with AWS QC 1-78, "Standard for Qualification and Certification of Welding Inspectors."

(c) An applicant may substitute up to two years of post-high-school education for two years of the five-year experience relevant to any of the functions covered by (a)(2) of this section and approved by the board. (Eff. 8/21/78, Reg. 67; am 7/22/79, Reg. 71)

Authority: AS 08.99.080(a)(5) and (10)

12 AAC 72.070. TEST FEES. Repealed 8/21/78.

12 AAC 72.075. APPLICATION FOR WELDING INSPECTOR LICENSE. Application for a welding inspector license must be made to the department on a form provided by the department and must be accompanied by a fee of \$50. (Eff. 8/21/78, Reg. 67; am 12/10/81, Reg. 80)

Authority: AS 08.99.080(a)(6) and (10)

12 AAC 72.080. CODES. Repealed 8/21/78.

12 AAC 72.085. EXAMINATION FOR WELDING INSPECTOR LICENSE. Examinations for welding inspector licenses will be conducted four times a year. Additional examinations may be conducted if the applicant furnishes all necessary facilities and pays all expenses incurred by the examiners. (Eff. 8/21/78, Reg. 67)

Authority: AS 08.99.080(a)(1),(2),  
(7) and (10)

12 AAC 71.090. DEFINITIONS. Repealed 8/21/78.

12 AAC 72.095. WELDING INSPECTOR LICENSE ISSUED. The department will issue a welding inspector license to an applicant who

meets the requirements of 12 AAC 72.065. (Eff. 8/21/78, Reg. 67)

Authority: AS 08.99.080(a)(7) and (10)

12 AAC 72.105. WELDING INSPECTOR LICENSE EXPIRATION AND RENEWAL. (a) A welding inspector license is valid until March 1 of each even-numbered year unless revoked for reasons stated in 12 AAC 72.125 or unless the license lapses under (d) of this section.

(b) Application for renewal of a welding inspector license must be made to the department on a form provided by the department no later than March 1 of each even-numbered year and must be accompanied by a fee of \$50.

(c) An application for renewal of a welding inspector license must contain

(1) proof of a current welding inspector certificate issued by the American Welding Society as specified in 12 AAC 72.065(b); or

(2) evidence of compliance with the requirement of 12 AAC 72.065(a)(5); and

(3) evidence of employment as a welding inspector in the form of

(A) a signed statement of an employer;

(B) payroll records indicating the position held; or

(C) affidavits of two fellow employees attesting to employment activity of the applicant.

(d) A license issued to a welding inspector on the basis of American Welding Society QCI certification under 12 AAC 72.065(b), or renewed on that basis under (c)(1) of this section, lapses 60 days after the date of expiration of the inspector's American Welding Society certification unless, before the 60th day, the inspector provides proof to the department of renewal of that certification.

(e) Application for renewal of a welding inspector license that has lapsed for any reason is considered a new application. (Eff. 8/21/78, Reg. 67; am 12/10/81, Reg. 80)

Authority: AS 08.99.080(1)(7) and (10)

**12 AAC 72.115. DUTIES AND RESPONSIBILITIES OF A WELDING INSPECTOR. (a)**  
A welding inspector shall, when applicable

(1) keep the department advised of his current address for the mailing of renewal notices;

(2) verify that the work inspected conforms to the requirements of the applicable codes, standards and job specifications;

(3) verify that the base materials and consumable welding materials conform to the specification requirements and that the specified welding filler metals are used on each base metal or combination of base metals;

(4) verify that the welding equipment to be used for the work is that which is specified in the welding procedure and has the capability to produce the specified welds;

(5) verify that the welding procedures are as specified, and are qualified and available to the welders for reference;

(6) verify that the welders have been properly qualified in accordance with the applicable codes and standards and that their qualification authorizes them to use the welding procedures specified for the work;

(7) observe the qualification tests when qualifying welders;

(8) verify that only specified and properly qualified welding procedures are used for the work;

(9) verify that the joint preparation and fit-up meets the requirements of the welding procedure and drawings;

(10) verify that the specified filler metals are used and that the filler metals are maintained in proper condition for use as specified;

(11) observe the technique and performance of each welder;

(12) examine the work for conformance to the requirements of the applicable codes, standards, specifications and drawings;

(13) identify the work inspected with specified marking methods or appropriate records;

(14) perform the necessary visual inspections;

(15) verify that the required visual and other nondestructive examinations have been performed by qualified personnel in the specified manner and review the resulting information to assure that the results are complete;

(16) perform nondestructive examinations that are specified, if he or she is qualified in accordance with the specified requirements;

(17) prepare clear and concise reports and keep necessary records of the welding procedure, the welding procedure qualifications, the welder qualifications, the control of welding materials and the results of inspections and tests;

(18) act with complete integrity in professional matters and be forthright and candid to the board or its representative on matters pertaining to this standard;

(19) to preserve the health and well-being of the public by performing the duties required of weld inspection in a conscientious and impartial manner to the full extent of his or her responsibilities and qualifications;

(20) undertake and perform assignments only when qualified by training, experience, and capability;

(21) be objective, thorough and factual in any written report, statement or testimony of the work and include all relevant or pertinent information in such communiques or testimonials;

(22) sign only for work that he or she has inspected, or for work over which he or she has personal knowledge through direct technical control; and

(23) conscientiously avoid conflict of interests with the employer or client and disclose any business association, interests, or circumstances that might be so considered.

(b) If there is evidence that the welder's work does not conform to the requirements of the applicable code, standard or specification, the welding inspector may require requalification of the welder. The welding inspector shall require a requalification of a welder if that person's qualification is not current by the requirements of the applicable codes, standards or specifications.

(c) If the welding inspector is to perform nondestructive examinations other than visual, and there are no specified qualification requirements, he or she must be qualified and certified in accordance with the Recommended Practice No. SNT-TC-1A, "Personnel Qualification and Certification for Nondestructive Testing," June 1975. (Eff. 8/21/78, Reg. 67)

Authority: AS 08.99.080(a)(7),(9) and (10)

**12 AAC 72.125. PROHIBITED CONDUCT OF WELDING INSPECTOR.** (a) A welding inspector licensed under this chapter is prohibited from performing acts including

(1) signing a blank welder-qualification certificate;

(2) issuing a welding qualification certificate to a welder not tested under his or her direct supervision;

(3) delegating his or her responsibility in testing of welders;

(4) paying, soliciting, or offering, directly or indirectly, any bribe or commission for professional employment with the exception of the usual commission required by employment agencies;

(5) falsifying, exaggerating, or indulging in the misrepresentation of personal academic and professional qualifications, past assignments, accomplishments, and responsibilities or those of his or her associates;

(6) issuing statements, criticisms, or arguments on weld inspection matters connected with public policy which are solicited or paid for by an interested party or parties, without first identifying the party and the speaker and disclosing any possible pecuniary interest;

(7) expressing an opinion on a weld inspection subject unless it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence pertinent to the subject and upon honest conviction of the accuracy and propriety of the statement;

(8) accepting compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties or their authorized agents;

(9) soliciting or accepting gratuities, directly or indirectly, from any party or parties dealing with the client or employer in connection with the welding inspector's work; and

(10) associating with or knowingly participating in a fraudulent or dishonest venture.

(b) The board will suspend, refuse renewal of or revoke the welding inspector's license, place the license holder on probation, or reprimand the holder, if he or she is found to have engaged in prohibited conduct. (Eff. 8/21/78, Reg. 67)

Authority: AS 08.99.080(a)(7),(9) and (10)

#### ARTICLE 4. GENERAL PROVISIONS

##### Section

899. Weld qualifier license  
900. Definitions

12 AAC 72.899. WELD QUALIFIER LICENSE. A weld qualifier license issued under the authority of this chapter as it existed between August 2, 1973 and the effective date of this section is valid until six months after the effective date of this section and may not be renewed. (Eff. 8/21/78, Reg. 67)

Authority: AS 08.99.080(a)(7)

12 AAC 72.900. DEFINITIONS. (a) In this chapter

(1) "appropriate rating" means that rating which is required by the specific code designated in the job specifications; when there is no job specification or a specific code is not designated in the job specification, appropriate rating is not less than the all-position certification issued in accordance with the current edition of the American Welding Society Code;

(2) "board" means the Board of Welding Examiners;

(3) "code" means nationally recognized welding, nondestructive testing or engineering principles or rules published as guides or requirements or both by societies or agencies charged with establishing such guidelines;

(4) "continuous employment" means

employment without interruption of more than 90 consecutive days unless otherwise specified in the code under which the certificate is being renewed;

(5) "coupon" means a piece of metal cut and sectioned for testing;

(6) "cutting process" means a process in which the severing or removing of metals is effected;

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

(8) "direct supervision" means being physically present at the work site and in personal charge of the work being performed;

(9) "job specifications" means the written document setting out the specific construction standard to be adhered to for the project;

(10) "rating" means a particular skill level in the art of welding;

(11) "responsibility" means being accountable to the board or its agents or both for one's action relating to the requirements of this chapter;

(12) "standards" means minimum acceptable guidelines established by societies or agencies or both charged with the responsibility for promulgating such guidelines;

(13) "technical level" means a level of work in welding using mathematics and science such as would require, at least two years of post-high-school study at an accredited engineering school or technical institute or equivalent study;

(14) "valid" means having legal force and properly executed and binding under the law and is in compliance with the appropriate code, standard or specification;

(15) "weld testing methods" means the destructive or nondestructive means of evaluating the integrity of the weld metal or heat affected zone of the base material or both;

(16) "welder" means welder, welding operator and tacker;

(17) "welding" means the metal joining process used in making welds;

(18) "welding inspector" means a person meeting the requirements of secs. 55 - 125 of this chapter;

(19) "welding performance specification" means a document required before testing, setting the criteria for demonstration of a welder's ability to produce welds meeting prescribed standards;

(20) "welding procedure" means a written document specifying the essential variables as listed in the appropriate welding or engineering code or both;

(21) "welding procedure specification" means a document required before welding on any structure, specifying the parameters and requirements which control the quality of the welding for that structure;

(22) "welding process" means the method of application of heat or filler metal or both to complete the joining process;

(23) "welding qualification certificate" means a certificate issued under the authority of the board by a licensed welding inspector to a person verifying that he or she has successfully performed one or more of the specific welding tests required for a certification to a particular welding or engineering code;

(24) "weldment" means an assembly whose component parts are joined by welding.

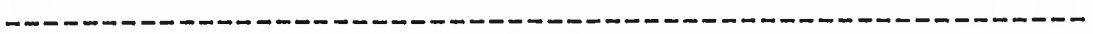
(b) Terms not defined in this section shall be construed in accordance with American Welding Society A3.0-76, "Terms and Definitions." (Eff. 8/21/78, Reg. 67)

Authority: AS 08.99.080(a)(1) and (9)

TESTIMONY OF HARRY TREAGER  
BEFORE THE SENATE LABOR AND COMMERCE COMMITTEES  
ON FEBRUARY 26, 1982

THANK YOU FOR THE OPPORTUNITY TO COMMENT ON SB 757, "AN ACT CONTINUING THE EXISTENCE OF THE BOARD OF WELDING EXAMINERS; AND PROVIDING FOR AN EFFECTIVE DATE." THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT HAS REVIEWED THE PRESENT SYSTEM OF LICENSING WELDING INSPECTORS AND WOULD LIKE TO MAKE THE FOLLOWING RECOMMENDATIONS AND OBSERVATIONS FOR THE CONSIDERATION OF THE COMMITTEE.

THE DEPARTMENT FINDS THAT THE PRESENT SYSTEM OF LICENSING WELDING INSPECTORS IS A REASONABLE AND ECONOMICAL WAY OF PROTECTING THE PUBLIC BY REDUCING THE LIKELIHOOD OF THE SERIOUS HARM THAT NORMALLY RESULTS FROM WELDMENT FAILURES. WHILE THE DEPARTMENT ENDORSES THE PRESENT APPROACH TO PROVIDING PUBLIC PROTECTION, IT FEELS THAT THE SYSTEM CAN BE STREAMLINED. THE FOLLOWING SPECIFIC RECOMMENDATIONS ADDRESS HOW THE THE LICENSING PROCESS SHOULD BE CONTINUED.



RECOMMENDATION No. 1: CONTINUE THE LICENSING OF WELDING INSPECTORS WITH THE SAME DUTIES AND RESPONSIBILITIES THAT EXIST UNDER THE PRESENT STATUTES AND REGULATIONS.

WELDING INSPECTORS HAVE TWO MAIN AREAS OF RESPONSIBILITY:  
THE CERTIFICATION OF WELDERS AND THE INSPECTION OF WELDS.

IN CERTIFYING A WELDER THE WELDING INSPECTORS DETERMINE WHETHER A SPECIFIC WELDER HAS THE TECHNICAL SKILLS TO PERFORM A SPECIFIC WELDING JOB IN ACCORDANCE WITH APPLICABLE CODES AND STANDARDS. IT IS NECESSARY THAT WELDERS BE PROPERLY QUALIFIED FOR SPECIFIC JOBS BECAUSE:

1. WELDING PROCEDURES VARY FROM JOB TO JOB IN ACCORDANCE WITH HOW CODE REQUIREMENTS APPLY TO THE SPECIFIC JOB; AND
2. WELDERS ARE OFTEN WILLING TO PERFORM JOBS FOR WHICH THEY ARE NOT QUALIFIED, IN PART BECAUSE THEY MAY NOT KNOW THE LIMITATIONS OF THEIR OWN SPECIFIC SKILLS.

IT IS IN THE PUBLIC INTEREST THAT WELDERS BE PROPERLY QUALIFIED BECAUSE WELDMENTS THAT FAIL DO SO BECAUSE THEY ARE NOT FABRICATED ACCORDING TO THE PROPER PROCEDURE.

ACCORDING TO ADVICE FROM THE BOARD, IT IS IMPRACTICAL TO LICENSE WELDERS DIRECTLY BECAUSE PROCEDURES VARY SO MUCH FROM JOB TO JOB. LICENSING WELDERS FOR GENERAL SKILL LEVEL WOULD NOT WORK BECAUSE THE NECESSARY REQUIREMENTS FOR SPECIFIC JOBS VARY SO GREATLY AS MENTIONED ABOVE. LICENSING WELDERS FOR SPECIFIC PROCEDURES WOULD RESULT IN BUREAUCRATIC GROWTH AND A VERY UNWIELDY SYSTEM OF PAPERWORK.

FURTHERMORE, IN MOST INSTANCES WELDERS SHOULD BE QUALIFIED TO SPECIFIC PROCEDURES IMMEDIATELY PRIOR TO THE JOB TO ASSURE THAT THE REQUIRED SKILL LEVEL IS STILL PRESENT. IF THE SKILLS ARE RUSTY, A SMALL AMOUNT OF REMEDIAL TRAINING CAN USUALLY MAKE THE BASICALLY COMPETENT WELDER QUALIFIED TO THE SPECIFIC PROCEDURE. IT IS DEFINITELY IN THE PUBLIC INTEREST THAT THIS REMEDIAL WORK OCCUR PRIOR TO THE ACTUAL WORK INTENDED FOR PUBLIC USE.

THE SECOND MAJOR RESPONSIBILITY OF WELDING INSPECTORS IS THE INSPECTION OF WELDS TO ASSURE THAT THEY ARE PROPERLY FABRICATED ACCORDING TO PROCEDURE. A NUMBER OF POINTS OF CLARIFICATION NEED TO BE MADE HERE TO AVOID THE CONFUSION THAT OFTEN ARISES WITH RESPECT TO WELDING INSPECTION.

THE PRESENT SYSTEM THAT WE ARE RECOMMENDING BE CONTINUED DOES NOT REQUIRE THAT ALL WELDS IN THE STATE BE INSPECTED. IT WOULD BE UNREALISTIC TO REQUIRE THAT ALL WELDS BE INSPECTED. THE PRESENT LICENSING APPROACH PROVIDES FOR A MINIMAL LEVEL OF PUBLIC PROTECTION THROUGH THE STATUTORY REQUIREMENT THAT ALL WELDERS BE PROPERLY CERTIFIED.

IF INSPECTIONS OF WELDS ARE CALLED FOR BY CONTRACTUAL AGREEMENT BETWEEN THE CLIENT AND THE PROVIDER OF WELDING SERVICES, THE PRESENT STATUTE REQUIRES THAT A LICENSED WELDING INSPECTOR MUST PERFORM THE INSPECTIONS. THIS PROTECTS THE PUBLIC AND THE PURCHASER OF THE WELDING INSPECTION

SERVICES BY ASSURING THAT THE WELDING INSPECTOR IS A QUALIFIED AND COMPETENT INDIVIDUAL REQUIRED BY LAW TO MEET CERTAIN ETHICAL AND PERFORMANCE STANDARDS IN THE EXECUTION OF HIS RESPONSIBILITIES.

CONTRARY TO THE POSITION TAKEN BY THE DIVISION OF LEGISLATIVE AUDIT IN THEIR REPORTS, THE PURCHASERS OF WELDING SERVICES ARE NOT NORMALLY CAPABLE OF JUDGING THE QUALIFICATIONS OF WELDERS AND WELDING INSPECTORS. THIS IS ESPECIALLY SO WHEN THE PURCHASER OF THE SERVICES IS A SMALL COMPANY WITH NO QUALITY CONTROL PROCEDURES OR WHEN THE PURCHASER IS INEXPERIENCED BECAUSE OF AN OCCASIONAL NEED TO PURCHASE SUCH SERVICES.

THIS SYSTEM OF REGULATION PLACES THE MAJOR SHARE OF THE ENFORCEMENT RESPONSIBILITIES ON PRIVATE INDUSTRY RATHER THAN ON GOVERNMENT, THEREBY ELIMINATING A POTENTIALLY EXPENSIVE BUREAUCRATIC LAYER OF GOVERNMENT INSPECTORS.

THE PRINCIPAL WEAKNESSES OF THE WELDING INSPECTOR SYSTEM ARE IN THE AREAS OF ENFORCEMENT AND INVESTIGATIONS. THERE ARE NO REALISTIC WAYS OF IDENTIFYING ABUSES BY WELDING INSPECTORS IN CERTIFYING OF A WELDER OR IN THE INSPECTION OF WELDS. WELDING INSPECTORS ARE AT LEAST TWICE REMOVED FROM THE RESPONSIBILITY FOR THE CONSEQUENCES OF WELDMENT FAILURE (THE WELDER AND THE CONTRACTOR). IN OTHER WORDS, THERE IS NO ENFORCEMENT SYSTEM RELATING THE WELDING INSPECTOR'S PERFORMANCE TO ACTUAL EVENTS OF DAMAGE TO THE PUBLIC.

RECOMMENDATION No. 2: SUNSET THE BOARD OF WELDING EXAMINERS AND TRANSFER LICENSING RESPONSIBILITIES TO THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT.

AT PRESENT THERE ARE TWO PRIMARY REQUIREMENTS FOR LICENSURE AS A WELDING INSPECTOR. TO RECEIVE A LICENSE AN APPLICANT MUST POSSESS A CURRENT AWS QC1 CERTIFICATE AND PRESENT DOCUMENTATION OF ALL POSITION WELDING QUALIFICATION IN ONE WELDING PROCESS.

IN ALL INSTANCES A LICENSE EXAMINER CAN CORRECTLY EVALUATE THE AWS-QC1 DOCUMENTATION. IN MOST INSTANCES, WITH THE PROPER TRAINING, A LICENSE EXAMINER CAN EVALUATE CORRECTLY THE ALL POSITION WELDING DOCUMENTATION. IN THE PAST, THE BOARD DELEGATED TO THE LICENSE EXAMINER RESPONSIBILITY FOR THE COMPLETE REVIEW AND APPROVAL OF ROUTINE APPLICATIONS. ONLY IN CASES WHERE THE ALL POSITION WELDING QUALIFICATION DOCUMENTATION WAS ATYPICAL IN FORM OR CONTENT WAS THE APPLICATION SENT TO THE BOARD FOR EVALUATION PRIOR TO THE ISSUANCE OF A LICENSE. THIS PROCEDURE WAS STOPPED IN DEFERENCE TO CRITICISM BY THE DIVISION OF LEGISLATIVE AUDIT IN THEIR 1979 REPORT.

IF THE BOARD OF WELDING EXAMINERS IS SUNSETTED, THE DEPARTMENT COULD LICENSE WELDING INSPECTORS BASED ON THE PRESENT CRITERIA OR BASED SOLELY ON PROOF OF AWS CERTIFICATION. IN EITHER CASE THE DEPARTMENT WOULD MAINTAIN A REGISTRY OF WELDING INSPECTORS AND PROVIDE INVESTIGATIVE AND ENFORCEMENT

SERVICES. IN EITHER CASE, THERE WOULD BE A SIGNIFICANT REDUCTION IN THE COST OF LICENSING. TRAVEL AND PER DIEM FOR BOARD MEETINGS WOULD BE ELIMINATED; FOR FY '82 THIS REPRESENTS APPROXIMATELY \$4,500.

THERE WOULD ALSO BE A REDUCTION IN STAFF TIME SPENT ON THE LICENSURE PROCESS AND LICENSES WOULD BE ISSUED MORE RAPIDLY. AT PRESENT WE ESTIMATE THAT OVER A TWO YEAR PERIOD (THE RENEWAL CYCLE) A LICENSE EXAMINER SPENDS ABOUT 15% OF HIS/HER TIME ON WELDING BOARD ACTIVITIES, INCLUDING PREPARING FOR AND STAFFING BOARD MEETINGS, PROCESSING NEW AND RENEWAL APPLICATIONS, ANSWERING INQUIRIES, FILLING OUT REPORTS, ETC. UNDER DIRECT LICENSURE BY THE DEPARTMENT, WE ESTIMATE THAT A LICENSE EXAMINER WOULD SPEND APPROXIMATELY 5% OF HIS/HER TIME ON THE PROCESSING OF WELDING APPLICATIONS. FOR FY '82 THIS WOULD REPRESENT A SAVINGS OF APPROXIMATELY \$2,800.00 IN SALARY AND BENEFITS.

IT SHOULD ALSO BE NOTED THAT ACTIVITY IN THIS LICENSING AREA MAY BE INCREASING. IN THE PAST TWO MONTHS THERE HAS BEEN A SLIGHT INCREASE IN THE NUMBER OF NEW APPLICATIONS RECEIVED AS WELL AS AN INCREASE IN TELEPHONE REQUESTS FOR APPLICATIONS FROM THE LOWER FORTY-EIGHT STATES.

THE DEPARTMENT FEELS THAT THE GREATEST BENEFIT FROM DIRECT LICENSURE BY THE DEPARTMENT WOULD BE IN THE REDUCTION IN TIME NECESSARY FOR AN APPLICANT TO BE LICENSED. AT PRESENT IT TAKES APPROXIMATELY THREE WEEKS TO A MONTH FOR A

DECISION TO BE MADE ON A ROUTINE APPLICATION. UNDER DIRECT DEPARTMENT LICENSING A ROUTINE APPLICATION COULD BE PROCESSED THE SAME DAY AND WOULD REQUIRE ONE HALF HOUR PROCESSING TIME.

IF ALL POSITION WELDING DOCUMENTATION WERE RETAINED AS A REQUIREMENT FOR LICENSURE SOME MECHANISM WOULD NEED TO BE SET UP TO ASSIST THE LICENSE EXAMINER TO MAKE A DETERMINATION IN THE CASE OF ATYPICAL ALL POSITION WELDING DOCUMENTATION. THIS FUNCTION COULD BE ACCOMPLISHED BY A THREE MEMBER ADVISORY BOARD. SUCH A BOARD COULD NOT ONLY ADVISE ON ATYPICAL APPLICATIONS BY ALSO PROVIDE GENERAL POLICY ADVICE TO THE DEPARTMENT ON WELDING MATTERS AND ASSIST IN THE INVESTIGATION PROCESS. THE EXPENSE FOR SUCH A BOARD WOULD BE MINIMAL (\$1,000 - \$1,500 A YEAR).

A FEW COMMENTS ARE IN ORDER ON THE REQUIREMENT FOR ALL POSITION WELDING QUALIFICATION IN ONE PROCESS. IN ORDER TO RECEIVE AN AWS QC1 CERTIFICATE, THE AMERICAN WELDING SOCIETY REQUIRES THAT AN INDIVIDUAL HAVE FIVE YEARS OF EXPERIENCE IN THE WELDING FIELD. THIS EXPERIENCE MAY NOT INVOLVE ANY PRACTICAL EXPERIENCE IN WELDING. IT IS THE PRESENT BOARD'S FEELING THAT THE ALL POSITION WELDING QUALIFICATION REQUIREMENT IS REASONABLE, NECESSARY AND DESIRABLE. THE DEPARTMENT DOES NOT HAVE A POSITION ON THIS REQUIREMENT AND WOULD URGE THE COMMITTEE TO ENCOURAGE COMMENTS FROM MEMBERS OF THE INDUSTRY ON THIS SUBJECT.

RECOMMENDATION No. 3: REVISE THE EXISTING STATUTES SO THAT THEY ARE CLEAR AND SUCCINCT.

THE DEPARTMENT WOULD JUST LIKE TO UNDERScore THE NEED FOR STATUTE REVISION. THE DEPARTMENT ENDORSES THE DIVISION OF LEGISLATIVE AUDIT'S RECOMMENDATIONS IN THIS AREA. IF THE PRESENT SYSTEM OF WELDER CERTIFICATION AND WELD INSPECTION IS RETAINED, THE DEPARTMENT WOULD RECOMMEND THAT AS 08.99.080 BE APPROPRIATELY REVISED TO DIRECTLY REFLECT THIS APPROACH. SIMILARLY ALL REFERENCES TO OBSOLETE LICENSING FUNCTIONS SHOULD BE PURGED FROM THE STATUTES, FOR EXAMPLE: THE SETTING OF FEES FOR WELDER CERTIFICATION TESTS AND APPROVAL. SINCE THE NEED FOR STATUTORY REVISION APPEARS TO BE EXTENSIVE AND SINCE THE PRESENT LICENSING PROCESS MAY CHANGE SUBSTANTIALLY, THE DEPARTMENT WOULD AT THIS TIME LIKE TO INDICATE ITS WILLINGNESS TO WORK WITH THE COMMITTEE AND ITS STAFF ON THESE REVISIONS IN ANY WAY THAT YOU FEEL IS NECESSARY AND APPROPRIATE.

IN CLOSING, I WOULD LIKE TO NOTE THAT THE PRESENT BOARD HAS AN EXCELLENT RECORD OF LICENSING QUALIFIED APPLICANTS WHO FOLLOW THE EXISTING PROCEDURES. THERE ARE PRESENTLY 219 WELDING INSPECTORS LICENSED BY THE BOARD, 136 OF WHICH ARE CURRENTLY IN ACTIVE STATUS. THIS IS SUBSTANTIALLY MORE THAN IS REPORTED IN EITHER OF THE DIVISION OF LEGISLATIVE AUDIT'S REPORTS AND REFLECTS, WE BELIEVE, THE BOARD'S EFFORTS TO LICENSE QUALIFIED PEOPLE.

IN FY '81 THE BOARD GENERATED \$2,495 IN LICENSING FEES AND SPENT \$2,593 ON TRAVEL AND PER DIEM FOR BOARD MEMBERS AND LICENSING EXAMINER STAFF SUPPORT AT MEETINGS.

THANK YOU.

January 27, 1982

Testing Institute of Alaska, Inc.  
2114 Railroad Avenue  
Anchorage, Alaska 99501

Attention: Donald M. Lockman, Chairman  
State Board of Welding Examiners

Subject: State Board of Welding Examiners and State Licensing of  
Welding Inspectors Future Existence

Dear Sir:

I have been a Quality Assurance/Quality Control Inspector for five years and in the welding field for eight years. I have worked to reach a high standard of excellence in the field of welding inspection.

Over the past few years I have been involved with several major projects. PeMex pipeline of Mexico, the Louisiana Offshore Oil Port and the Sour Gas Line in the Aegean Sea. On these projects, there have been several occasions where unqualified inspectors have made decisions which were incomprehensible to a knowledgeable inspector with integrity. The Louisiana Offshore Oil Port is a good example. Faulty and incompetent inspection cost around 5.5 million dollars to correct.

Alaska's high standard for welding inspectors is by far the most stringent in the United States at the present time. I hope that these standards are maintained, not only for the safety of the people of Alaska, but for the beautiful fragile scenery.

In closing, it is my wish that the lower forty-eight also encompass the same standards as the State of Alaska. Until the industry itself takes note of its own warnings, the governing bodies of the individual states themselves must ensure there are no more Kansas City, Hyatt Regency disasters.

Very truly yours,



F. M. Bennett

FMB:ps

January 27, 1982

Testing Institute of Alaska, Inc.  
2114 Railroad Avenue  
Anchorage, Alaska 99501

Attention: Donald M. Lockman, Chairman  
State Board of Welding Examiners

Subject: State Board of Welding Examiners and State Licensing of  
Welding Inspectors Future Existence

Dear Sir:

Over the past sixteen years I have been involved in numerous major construction projects throughout Mexico, Alaska, and the continental United States. I have observed activities of construction people on almost every project which has bordered on criminal neglect. Many times their lack of knowledge of their profession, due to inadequate training is to blame, often they are caught up in the Construction Company's "let's get this job done" euphoria, and most tragic of all, many sell their integrity for a few quick dollars.

The average inspector has no idea how many pipeline and pipeline related deaths occur each year, and the millions of dollars wasted yearly due to lackadaisical inspection. A pipeline explosion in Baytown, Texas two years ago revealed a weld with no bead, latticed with defects, which had had in process and final visual inspection by a qualified welding inspector, radiography performed by a qualified Non-destructive Technician, and accepted by both. Three people died in this explosion.

To become certified by the State of Alaska one must take considerable time, effort, and expense to meet the qualifications. The Alaskan State Welding Board, and the enforcement of its regulations, guarantees to a much greater degree, that its members will conduct themselves with the professionalism and integrity that will ensure that the above-mentioned tragedies happen less and less.

My hope is that each and every state adopts such a visionary program as the State of Alaska.

Very truly yours,

*William C. Bidy*

William C. Bidy

WCB:ps

ARCO Oil and Gas Company  
General Engineering  
Kuparuk Project  
Post Office Box 6105  
Anchorage, Alaska 99502  
Telephone 907 659 2821



January 3, 1982

Pouch V, Interdepartmental Mail stop 3100  
Juneau, Alaska. 99811

Subject: House Bill # 595 "An Act continuing the existence  
of the Board of Welding Examiners; and providing  
for an effective date."

Attention: Honorable Terry Martin

If House Bill #595 is not passed, during this session, the Board of Welding Examiners will cease to exist in June 1982. If this board is allowed to expire, the entire construction industry will suffer a severe set-back.

Since the new regulations (12 AAC 72) became effective in August, 1978, weld quality has improved immeasurably. This regulation met with state-wide industry acceptance primarily because of the project quality guaranteed by the better qualified technician performing the work.

The additional requirement for welding inspectors to become licensed by the state so enhanced the overall quality of major construction projects that many companies (including the major oil companies) who had established quality control groups made acquiring this license mandatory for employment or promotion.

These regulations have become a nation-wide standard with Alaska as the leading state in demanding quality in construction and integrity in inspectors. With other states following our lead we should be fine-tuning our regulations to become even better, not eliminating what has taken so long to formulate and have industry recognize and accept.

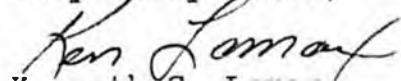
No one needs to remind Alaskans of the unnecessary cost incurred in building the Trans Alaska Pipeline. One of the major causes of the great expense was excessive weld repairs caused by unqualified welders and inspectors. In many cases these inspectors had never been involved in or around construction prior to this project, and knew absolutely nothing of welding or inspection.

On May 26, 1981, Representatives Brown and Anderson submitted House Bill No. 595 in the Legislature of the State of Alaska, Twelfth Legislature - First Session. This bill was tabled in the House.

If this bill is not enacted by the legislature during the present session, the Alaska Board of Welding Examiners will no longer exist. What people don't realize is; when the board ceases to exist, so does regulation requiring welders to be certified and weld inspectors to be licensed. As a manager, directly involved with welding and inspection, on major oil company construction projects, I sincerely feel the continuation of this board and regulation is essential for quality welding in Alaska.

Your support in re-establishing the professional and vocational regulations, as defined in 12 AAC 72, and continuing the existence of the Board of Welding Examiners as defined in State Statute AS 08.99 and House Bill 595, is sincerely appreciated.

Very Truly Yours,



Kenneth C. Lomax  
Senior Quality Assurance Coordinator

KCL/bee

cc: Donald M. Lockman, Chairman  
State Board of Welding Examiners



HB 595

Chairman Terry Martin  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Feb. 3, 1982

Dear Sir:

I have been licensed in the State of Alaska both as a Welder Qualifier and Welding Inspector since 1976 and feel that even tho the Welding Board has it short coming ( lack of enforcement money and personnel ) It should be continued and that State Licensing should remain a requirement.

If this program is to continue , I feel that the State should provide a better method to police the companies working in the state.

Sincerely yours

Lawrence Russell  
License # AA-0053

Copies to : Vice Chairman, Bernard Bylsma  
Richard Randolph  
Terry Gardiner  
Brian Rogers  
Don Lockman

DATE: February 2, 1982

TO: Chairman Terry Martin  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

FROM: Albert C. Hines *A.C.H.*  
Alaska State Welding Inspector  
License No. 0057

SUBJECT: State Board of Welding Examiners and State Licensing  
of Welding Inspectors Future Existence

As an Alaska State Licensed Welding Inspector, American Welding Society Welding Inspector, member of United Association Local 375 and a welder foreman on pipeline construction at Prudhoe Bay, I feel we need our State Welding Board and we need our licensed welding inspectors. Please do what you can to retain these two functions.

I have worked pipeline construction for 29 years and I believe we need qualified welding inspectors as Alaska is taking over the lead of all the states in pipeline construction.

I also believe the State should spend some money for the Board to help police companies to check the credentials of welding inspectors. We can not afford an oil spill due to a defective weld.

Thank you.

*Albert C. Hines*

cc: Vic, Chairman, Bernard Bylsma  
Richard Randolph  
Terry Gardiner  
Brian Rogers

Albert C. Hines  
3071 Riverview Drive  
Fairbanks, Alaska 99701

Phone: (907) 456-7805



## Omaha Public Power District

1623 HARNEY ■ OMAHA, NEBRASKA 68102 ■ TELEPHONE 536-4000 AREA CODE 402

February 1, 1982

Ser: 82-QAC-2

Mr. Terry Martin, Chairman  
Legislative House Labor & Commerce Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Martin:

I am writing to express my concern over the possibility of ending the State Licensed Welding Inspection Program.

I have been in the welding field 25 years and in the inspection field 8 years, and there is no equal to this program.

The certification is the industry standard; and, with the future proposed pipe lines in the state, it should contribute considerably to the quality of that program.

I strongly hope that the State takes a long, hard look at this program because it is the best in the industry and one I feel the rest of the states will use as a pattern for programs of the future.

Sincerely yours,

John W. Hopp  
Quality Assurance Mechanical Inspector

JWH:cb

cc: Vice Chairman, Bernard Bylsma  
Richard Randolph  
Terry Gardiner  
Brian Rogers

AS08.99.080 DOCUMENT= 1 OF 1 PAGE = 1 OF 3  
HEADINGX TITLE 8.

Business and Professions.  
CHAPTER 99.  
Board of Welding Examiners.

CITATION Sec. 08.99.080.

CATCH LINE

POWERS AND DUTIES OF THE BOARD.

TEXT

- (a) The board shall
- (1) establish and promulgate rules and regulations concerning certification of welders in the state;
  - (2) establish and define certification tests as they apply to various types and categories of work done in or for the state;
  - (3) work with federal and private agencies and specifying engineers to establish uniform testing and certifying methods for all welders throughout the state;
  - (4) work with federal agencies and the agencies of other states to establish reciprocity agreements;
  - (5) set up criteria and define experience and documentary requirements which may be accepted in lieu of

AS08.99.080 DOCUMENT= 1 OF 1 PAGE = 2 OF 3

- physical certification tests in the state;
- (6) set the fees for the welder certification tests;
  - (7) examine, certify, and renew the certification of qualified applicants;
  - (8) keep a record of its proceedings, and submit annual reports to the governor and the legislature;
  - (9) promulgate regulations concerning the quality of welds and qualifications of welders required in specific areas of industry and construction and designate reporting procedures necessary to certify compliance with those quality standards;
  - (10) designate and approve persons qualified to administer welding tests, and designate and approve shops, laboratories, or other establishments qualified for testing coupons and weldments.

(b) The board may request technical personnel from the Department of Labor for the purpose of reviewing and analyzing reports and may request field inspection by the department for the purpose of assuring compliance with, and enforcement of the regulations, rules and orders promulgated under secs. 10 - 110 of

AS08.99.080 DOCUMENT= 1 OF 1 PAGE = 3 OF 3  
this chapter.

HISTORY (Sec. 1 ch 151 SLA 1968; am secs. 3 - 5 ch 151 SLA 1970)  
R0601 \* END OF DOCUMENTS IN LIST - ENTER RETURN OR ANOTHER COMMAND.

HB 595

HOUSE LABOR & COMMERCE  
STANDING COMMITTEE  
January 20, 1982  
1:10 p.m.

Members Present: Rep. Martin, Chairman  
Rep. Bylsma, Vice Chairman  
Rep. Randolph  
Rep. Gardiner  
Rep. Rogers

Members Absent: No members absent.

COMMITTEE CALENDAR

HB 146

Re payment procedures/public contracts

HB 595

An act continuing the existence of the Board of Welding Examiners; and providing for an effective date.

WITNESS REGISTER

Representative Brown  
Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811  
465-3744  
Position Statement: Gave background on both bills.

Nick Cott, Management Analyst  
Division of Occupational Licensing  
Department of Commerce & Economic Development  
Juneau, Alaska 99811  
465-2534  
Position Statement: Supported HB 595.

Donald Lockman  
Testing Institute of Alaska and  
State Board of Welding Examiners  
Anchorage, Alaska  
276-3440  
Position Statement: Supported HB 595.

Ken Lomax  
ARCO Oil and Gas Company  
Anchorage, Alaska  
338-1271  
Position Statement: Supported HB 595.

Louie Rousseau  
Welding Application-Methods

Anchorage, Alaska  
 272-3543  
 Position Statement: Opposed HB 595.

Erwin Long  
 Arctic Foundations, Inc.  
 Anchorage, Alaska  
 276-5575  
 Position Statement: Opposed HB 595.

PREVIOUS ACTION

HB 146 Referred to committee 3/11/81; no previous action. No action taken by committee this date.

HB 595 Referred to committee 5/26/81; no previous action. No action taken by committee this date.

ACTION NARRATIVE

Tape #003  
 Recording  
 Number 1190

The meeting was called to order by Chairman Martin at 1:10 p.m. All members were present. The committee schedule called for the consideration of HB 595 and HB 146. Testifying before the committee regarding both bills was Representative Fred Brown, prime sponsor.

Number 1201

Rep. Brown, sponsor of HB 595 and HB 146, gave background on both bills. Chairman Martin limited further testimony and committee consideration to HB 595.

Number 1259

Nick Coti, Division of Occupational Licensing, Department of Commerce and Economic Development, spoke from prepared testimony in favor of continuing the Board of Welding Examiners.

Number 1371

Donald Lockman, of the Testing Institute of Alaska and the State Board of Welding Examiners, testified in favor of HB 595. Rep. Rogers questioned Lockman about his testimony.

Number 1634

Ken Lomax, of ARCO Oil and Gas Company, testified in favor of the bill, and presented written statements and letters to

the committee.

- Number 1710 Louie Rousseau, of Welding Application-  
Methods, a technical services business in  
Anchorage, testified against the bill.
- Number 0136, Side B Erwin Long, of Arctic Foundations, Inc., a  
manufacturer of pressure vessels and geo-  
tech equipment, also testified against the  
bill. He said he does contract work for the  
Corps of Engineers, and finds the State  
Board of Welding examinations and  
certifications to be in conflict with  
federal requirements that certification must  
be done according to the American Society of  
Mechanical Engineers (ASME) code.
- Number 0312 Donald Lockman gave rebuttal testimony in  
favor of the State Board of Welding  
Examiners.
- Number 0348 No action was taken on HB 595, and the  
Chairman adjourned the meeting at 3:00 p.m.  
Hearing on HB 595 will be continued in  
February.

A PERFORMANCE REVIEW  
OF THE  
BOARD OF WELDING EXAMINERS

June 8, 1979

Commissioner of the Department  
of Commerce and Economic  
Development

Charles Webber

Deputy Commissioner of the  
Department of Commerce and  
Economic Development

Bertram L. Wagnon

Members of the  
Board of Welding Examiners

Chairman  
Member  
Member  
Member  
Member  
Member  
Member

Donald Lockman  
Tim Farrell  
Philip B. Davis  
Don Delk  
George Fox  
Peter Millar  
J.C. Wingfield

# STATE OF ALASKA

## THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

AUDIT DIVISION  
POUCH W—ALASKA OFFICE BUILDING

FINANCE DIVISION  
POUCH WF—STATE CAPITOL

JUNEAU, ALASKA 99811

August 23, 1979

Members of the  
Legislative Budget and Audit Committee:

In accordance with the intent of Titles 24 and 44 of the  
Alaska Statutes, the attached report is submitted for your  
review.

A PERFORMANCE REVIEW  
OF THE  
BOARD OF WELDING EXAMINERS

June 8, 1979



Gerald L. Wilkerson, CPA  
Legislative Auditor  
Division of Legislative Audit

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## PURPOSE AND SCOPE OF THE REVIEW

### Purpose

In accordance with the intent of Alaska Statutes 24.20.271(1) and 44.66.050 (sunset legislation), a review of the Board of Welding Examiners was conducted to review Board activities and accomplishments to determine if the Board has been operating in an effective, efficient and economical manner.

As required by legislative intent, this report shall be considered during the legislative oversight function in determining whether the Board will be reestablished. The law currently specifies that this Board will terminate on June 30, 1980, but will continue until June 30, 1981 for the purpose of concluding its affairs.

### Scope

The major areas reviewed were the Board's operations and its licensing, examination, administration, complaint and affirmative action functions. Our review consisted of analyzing and evaluating the following:

- (1) Applicable statutes and Board regulations;
- (2) discussions with the Board and questionnaires sent to Board members;
- (3) tests of records and documents of the Board and the Division of Occupational Licensing (OL), Department of Commerce and Economic Development, for the years 1976-1978;
- (4) interviews with OL employees;
- (5) complaints filed with OL, the Ombudsman's Office, Consumer Affairs Agency and the Human Rights Commission during the period 1976-1978;
- (6) questionnaires sent to State licensed welding inspectors; and
- (7) interviews with personnel and review of publications of the American Welding Society (AWS).

### Scope Constraints

This review was hampered by the following constraints:

- (1) The Board has not established and reported financial and program plans as required by AS 37.07.050 nor has it developed and reported

performance information regarding its effectiveness and accomplishments as required by AS 37.07 .090 and AS 08.99.080(a)(8).

- (2) OL has not adequately collected, recorded and maintained pertinent files and statistics relating to the Board to effectively and efficiently carry out its administrative responsibilities.

## ORGANIZATION AND FUNCTION

The Board of Welding Examiners was established by the 1968 Session Laws of Alaska. It is organized under the Department of Commerce and Economic Development, which provides administrative and investigative support through the Division of Occupational Licensing.

The Board consists of seven members with extensive experience in welding who are appointed by the Governor for staggered five year terms. At least three members must be engineers, i.e., with engineering degrees or registration as an engineer and at least five years engineering experience.

The functions of the Board are addressed in AS 08.99. Among the powers and duties cited, the statute directs the Board to: promulgate rules and regulations regarding the certification of welders; examine, certify and renew certification; define tests and certification methods; report annually to the Legislature and Governor.

## REPORT CONCLUSION

### Policy Issues

This review contains policy issues raised as a result of our evaluation of various Board practices. The final policy decisions affecting these practices are not within the scope of this review but require legislative consideration. In debating these issues, the legislative oversight committees should consider the findings and alternatives presented in this report in reaching their decisions.

### Report Conclusion

In our opinion, there is not a sufficient public need for continuing either the Board or State licensing of welding personnel.

Most consumers (e.g. engineers, construction and pipeline companies) of welding services possess adequate knowledge to properly evaluate the qualifications of those offering the service. To assist in identifying qualifications, the American Welding Society administers a certification program for welding inspectors, the only classification of welding personnel being licensed by the State. If it is determined that State regulation of welding is desirable, less restrictive alternatives--such as statutory requirements for welder, qualification certificates--are viable (see Recommendation No. 1).

In the event that the Board is reestablished by the Legislature, certain changes should be implemented in order for the Board to more effectively serve the public.

The Board should thoroughly review applications before licenses are issued (see Recommendation No. 2).

To better represent the public and the industry, statutory requirements for membership on the Board should be expedited (see Recommendation No. 3).

Statutes governing the Board should be reviewed and amended to clarify duties, enforcement responsibility, and the applicability of administrative adjudication procedures (see Recommendation No. 4).

Additional revision of Board regulations is needed to make them clear, reasonable and within the scope of the Board's purpose (see Recommendation No. 5).

The Board should develop formal objectives and report performance as required by AS 37.07.050 and AS 08.99.080 (see Recommendation No. 6).

## FINDINGS AND RECOMMENDATIONS

Findings and Recommendations No. 1 through No. 6 are addressed to the Board of Welding Examiners, with Recommendation No. 3 also being addressed to the Office of the Governor.

### Recommendation No. 1

We recommend that the Board of Welding Examiners be allowed to terminate June 30, 1980 and that State licensing of welding personnel be discontinued.

Under regulations which became effective in August, 1978, the Board of Welding Examiners is licensing "welding inspectors" (WI). Among the functions of the WI are testing weldments and issuing welder qualification certificates. Such certificates are required under the regulations for welders performing operations in which weldment failure would be hazardous to life or property.

Requirements for WI licensure are based on the American Welding Society (AWS) program for certification of WI's. The written examination required for licensure is administered by AWS. In addition to other requirements for AWS certification, an applicant for State WI licensure must have passed a welder qualification test, demonstrating practical skills.

In determining whether there is a continued public need for the Board of Welding Examiners, several factors should be considered.

The primary goal of regulating occupations is to protect the public. Licensing is desirable when:

1. The unlicensed practice of an occupation poses a serious risk to the life, safety, health or economic well-being of a relatively large number of consumers;
2. the consumers of a service are at a disadvantage in evaluating the qualifications of a provider; and
3. there is evidence of abuse, by providers of the service, to which the consumer has inadequate recourse through the general law.

Because of its relationship to the integrity of a structure, inferior welding has the potential of resulting in physical, economic or environmental harm. However, we believe the potential has a public impact only in cases of large-scale projects, such as public structures, commercial buildings, or ventures like the pipeline.

Persons responsible for the construction of such projects, who are actually the "consumers" of welding services, can be expected to have the experience and knowledge needed to evaluate the qualifications of welding personnel. This is especially true now that the AWS certified WI program provides a means of identifying qualified inspectors. Furthermore, the AWS program includes a code of ethics and procedures for handling consumer complaints.

It should be noted that if an interstate gas pipeline is built, construction activities would be under the jurisdiction of the Federal Power Commission. The Board's authority to impose welding regulations over such a pipeline is doubtful.

Also noteworthy is: (a) AWS's lack of support for State licensure of welding personnel, and (b) that only one other state to date requires licensing of WI's.

We found no evidence that State licensing of WI's affords significant additional protection to consumers. Furthermore, of the few complaints filed with State agencies against the welding occupation, only one alleged inferior welding practices, the remainder concerned unlicensed practice of the occupation or problems encountered in obtaining a license.

If, as a result of the "sunset" process, the Legislature determines that regulation of welding is needed, less restrictive alternatives are, in our opinion, viable. Welder qualification certificates can be required by statute and, if desired, the AWS certification program for WI's could be adopted by reference.

While we recognize the time and effort contributed by Board members, we do not believe that a sufficient public need exists for continuing the present licensing and regulatory structure.

However, in the event that the Board is reestablished, we recommend the following changes be made in its operation.

#### Recommendation No. 2

The Board should assume a more active role in the licensing process.

During our test of licensing files we noted the following:

1. Application forms do not request all the information necessary to determine if requirements for licensure have been met. There is no provision for documenting qualifications for initial licensure (as defined in 12 AAC 72.065(a) 1-8), except through the submission of AWS QC-1 certificate. Applicants for renewal are not asked to provide

evidence of the required visual examination. Consequently, none of the licenses renewed in 1979 documented that this requirement had been met.

2. At the direction of the Board, the licensing examiner was issuing licenses to applicants prior to a review of qualifications by the Board. In August, 1978, the Board began licensing "welding inspectors" and discontinued licensing "welding qualifiers". The change produced a certain degree of confusion on the part of the licensees, as well as the examiner, regarding the qualifications for licensure. As a result, licenses were issued to 4 (out of 48 tested) applicants who did not submit adequate proof of meeting the qualifications of a welding inspector.

AS 08.01.070(6) requires licensing boards to pass on the qualifications of applicants for licensure. As evidenced by the above described findings, current review procedures are not effective. As a result, the public is not being protected from unqualified practitioners, which is the primary objective of occupational licensing. We therefore recommend that no license be issued until the Board has thoroughly reviewed the qualifications of an applicant and has determined that all requirements for licensure or renewal have been met.

#### Recommendation No. 3

To ensure adequate representation of the regulated occupation and the general public: (a) the composition, terms and sources of nomination for Board membership should be reviewed and amended; (b) the Office of the Governor should make appointments in compliance with statutory requirements and in a timely manner.

As provided in AS 08.99.010-.050, the Board of Welding Examiners consists of seven members with extensive welding experience, three of whom must be engineers. Members are appointed by the Governor for staggered five year terms from nominations submitted by the Alaska Chapter of the American Welding Society and the Alaska Society of Professional Engineers.

#### Board Composition and Nominations:

Over 20% of the licensed Welding Inspectors, as well as one in five Board members, responding to Legislative Audit questionnaires felt that the statutory requirements do not provide adequate representation of the occupation. Their comments included opinions that the present Board consists of too many persons involved with test labs and that more than one member from the same firm should not serve concurrently. It was suggested that the Board should represent the various areas of the occupation: engineers, test labs, construction, fabrication and petrochemicals.

Furthermore, it was expressed that nominations should be accepted from the entire industry rather than two societies to which many qualified, interested persons are not known.

In addition to statute changes in Board membership suggested by licensees, in our opinion the Board should include at least one lay member, who has no direct financial interest in the regulated occupation. Although lay members lack technical expertise, they can and should contribute to policy formulation and enforcement decisions. The importance of a representative of the primary interest group, the public, should definitely be addressed.

#### Terms of Board members

Responses to licensee questionnaires also pointed to a significant opinion that Board member terms should be: (1) shorter (54% of those responding) and, (2) limited to no more than two consecutive terms (80% of those responding). The reason most frequently expressed was to create a more responsive, active Board.

#### Size of the Board

In addition, we believe that the Board is unnecessarily large when compared with other State boards and considering it currently licenses only 50 persons. We recommend a reduction in size to five members to increase operating efficiency and coordination with the Division of Occupational Licensing (OL), and to reduce associated travel costs.

#### Appointments

Our examination of records in the Office of the Governor and the Division of Occupational Licensing (OL) showed that since 1973 the Board has had between 3 and 8 properly appointed members at a given time. In fact, it met the requirement for seven members for only nine months during the period reviewed. Of the "current" board, we finally determined-- after receiving much conflicting information -- that three terms expired in December, 1978. In addition, only two of the seven members of the most recent board are engineers, as defined in the statutes.

In conclusion, we recommend that the Board seek changes in the statutes which will result in improved representation and efficiency of operation. Furthermore, as recommended in our October 30, 1978 performance review of OL, we urge the Office of the Governor to make more timely appointments to the occupational boards to ensure compliance with statutory requirements.

Recommendation No. 4

The Board should propose revisions to the statutes in order to clarify: (a) the intended powers and duties of the Board; (b) how welding regulations are to be enforced; and (c) the applicability of administrative adjudication procedures.

- A. Authority for the Board of Welding Examiners is found in AS 08.99, which was last amended in 1970. Since that time, changes in Board membership, activities and regulations have occurred. As a result, several subsections of AS 08.99.080(a) no longer pertain to operations of the Board.
1. § 6 requires the Board to approve fees for welder certification tests. The Board no longer engages in this activity. However, this section was cited as the authority for charging fees for licensing welding inspectors.
  2. § 10 states that the Board shall approve test facilities. The revised regulations omit this activity and instead address licensing of welding inspectors.
  3. § 9 requires the Board to designate reporting procedures necessary to certify compliance with quality standards. No reporting methods are addressed in the regulations.
- B. Statutes provide for the enforcement of welding regulations by both the Department of Labor (AS 08.99.080(b)) and the Department of Commerce and Economic Development (AS 08.01.087). The dual assignment of enforcement responsibility has resulted in confusion. The assignment of investigative duties needs clarification so that regulations are adequately enforced and consumer complaints are properly handled.
- C. Although AS 08.01.090 states that the Administrative Procedures Act (AS 44.62) applies to proceedings held under the Centralized Licensing Chapter, the Board of Welding Examiners is excluded from a listing of agencies to which administrative adjudication procedures apply (AS 44.62.330). As a result of the omission, the applicability of the adjudication procedures is in doubt. The Board should be included in the listing in AS 44.62.330 through an amendment to the statutes.

Recommendation No. 5

The Board should continue its efforts in revising administrative regulations.

One of the primary activities of the Board over the past several years was the substantial revision of 12 AAC 72, the administrative regulations governing the occupation of welding in Alaska. The changes became effective August 21, 1978.

In the course of our review we noted several areas of 12 AAC 72 which merit further consideration, and possibly amendment.

1. Requirements for welder qualification (12 AAC 72.015) and welding inspector licensure (12 AAC 72.055) apply to all compensated welding operations in the State "in which weldment failure would involve hazard to life or property". The applicability of the regulations needs clarification to simplify interpretation and to make their enforcement manageable.
2. 12 AAC 72.045 requires "continuous employment" on a process (without interruption of more than 90 consecutive days) as a condition of maintaining a current welder qualification certificate. We believe this is unduly restrictive because:
  - a. The regulations also require that a certificate be current under the code or job specifications under which it was issued.
  - b. A welder qualified in several processes may be assigned by his employer to only one process for several months. Before he could be assigned to another process, additional time and expense would be required for re-testing.
  - c. The limited construction season in Alaska causes many welders to be without work for more than 90 day periods.
3. 12 AAC 72.105 requires an annual renewal of welding inspector licenses. This conflicts with AS 08.01.100 which requires biennial renewal of occupational licenses. It also creates additional administrative effort for both the Division of Occupational Licensing and the licensee, with no demonstrable benefit to the public.
4. 12 AAC 72.085 provides for quarterly examinations for welding inspector license. The provision,

which exceeds the regular semi-annual administration of the exam by the American Welding Society (AWS), was included to give sufficient opportunity to become licensed under the revised regulations. While we concur with the Board's reasoning, we feel they should review this policy in light of increased costs and the relatively small number (an average of 9) who take the exam each quarter.

In reviewing questionnaire responses from licensed WI's, we noted concern regarding the interpretation, acceptance and enforceability of the regulations. Doubts concerning the enforceability were likewise expressed by Board members who responded to a separate questionnaire: three believed they could not be enforced, especially among small operators; two said they could be enforced if State funding for investigation was adequate.

We believe that the cited opinions of members of the occupation support our contention that additional revisions to the regulations are needed to make them clear, reasonable and within the scope of the Board's purpose.

Recommendation No. 6

With the assistance of the Division of Occupational Licensing (OL), the Board should develop procedures for defining its objectives and reporting its performance to the Governor and the Legislature.

As part of the "sunset" process of determining whether there is a continued public need for its existence, each Board must identify formal objectives. Where practical, these objectives should be quantifiable so that the Board's performance can be measured.

The budget process is the vehicle by which State agencies usually identify goals and objectives. While OL prepares such documents on a division-wide basis, objectives and measurements have not been developed for individual boards (see our October 30, 1978 performance review of (OL).

Furthermore, although required by AS 08.99.080(a)(8), the Board has not been submitting annual reports to the Governor and the Legislature. We recommend such reports be prepared and contain, at a minimum, the following information:

1. Board's purpose and objectives;
2. operating receipts and expenditures;
3. participation by Board members;
4. changes in statutes and regulations; and

5. significant activities and concerns.

The process of identifying objectives and reporting performance not only allows outside parties to evaluate the need for the Board, it also provides an important tool for the Board to evaluate itself and adjust its priorities for the most effective use of its resources.

## ANALYSIS OF PUBLIC NEED

### Limited Analysis

The following analysis of Board activities relates to the public need factors defined in the "sunset" law. This analysis is not intended to be all inclusive, but addresses those areas we were able to cover within the scope of our review.

- I. The extent to which the board, commission or program has operated in the public interest.
  - A. The Board revised its regulations (effective August, 1978), incorporating a nationally recognized program for certifying welding inspectors. However, we found that the regulations: (1) duplicate efforts of the national organization; (2) are vague with regard to applicability; (3) difficult to enforce (see Recommendations No. 1 and No. 5).
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
  - A. Due to statutory membership requirements and appointment delays, neither the public nor the occupation is assured of adequate representation on the Board (see Recommendation No. 3).
  - B. The responsibility for enforcement of Board regulations is not clearly defined (see Recommendation No. 4).
  - C. The Board has not developed written plans or reported achievements by which to evaluate its performance (see Recommendation No. 6).
  - D. The Division of Occupational Licensing (OL) has not maintained updated statistics for Board use (see the OL Performance Audit Report).
- III. The extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.

- A. Statutes governing the Board have not been revised since 1970. We noted several sections which have become obsolete, yet the Board has not proposed any changes (see Recommendation No. 4).
- IV. The extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, and availability of service which it has provided.
- A. We found no documentation of Board efforts to encourage input on the effect of its regulations and decisions, except as noted in V below.
- V. The extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.
- A. In accordance with the Administrative Procedures Act, the Board solicited written and oral testimony from persons interested in its proposed regulation revisions.
- B. Board meetings are held four times per year and are announced in Anchorage, Fairbanks, Juneau and Ketchikan newspapers. However, they are not advertised in a timely manner (see the OL Performance Audit Report).
- VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which a board or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved.
- A. No formal complaints concerning Board activities have been filed with OL.
- B. Of the two complaints filed with the Ombudsman during the last three years, both were closed and considered rectified.
- VII. The extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.
- A. The Board has not adequately reviewed applications for licensure. As a result licenses were issued to several persons whose qualifications were not adequately documented (see Recommendation No. 2).

- B. Few complaints have been received against members of the regulated occupation. All but one dealt with unlicensed (rather than unethical or substandard) practice.

VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the area of activity or interest.

- A. We found no complaints or other evidence to indicate discriminatory practices by the Board. However, application forms request information on age. The question is of a potentially discriminatory nature and should be eliminated unless it is based on a bona fide occupational qualification.

IX. The extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

- A. Please refer to the previous section, Findings and Recommendations.

APPENDIXES

APPENDIX A

BOARD OF WELDING EXAMINERS  
REVENUES COMPARED WITH EXPENDITURES  
Fiscal Year 1978  
(UNAUDITED)

Revenue (See Note 1)	\$ -0-
Expenditures (See Note 2)	<u>(11,289)</u>
Excess of Expenditures Over Revenues	<u><u>\$(11,289)</u></u>

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Note 1

Prior to the revision of its regulations in August, 1978, the Board did not assess any fees for licensure. Examination fees are remitted directly to the American Welding Society which administers the examination. Therefore no revenue was reported for the Board prior to the Fiscal Year 1979.

Note 2

Expenditures include those made by Board members, such as travel and per diem and an allocated percentage (estimated) of total administrative expenses of OL. They do not include expenditures for efforts of other departments, such as the Department of Law, that may be assisting the Board and OL.

APPENDIX B

ADMINISTRATIVE STATISTICS

<u>Licensed Welding Inspectors as of</u> <u>3/12/79 (see Note 1)</u>	<u>Number</u>	<u>As % of Total</u>
Alaska residence	27	55%
Out-of-state residence	<u>22</u>	<u>45%</u>
Total	<u>49</u>	<u>100%</u>

<u>American Welding Society Welding</u> <u>Inspector Examination</u>	<u>No. of Examinees at</u> <u>Anchorage Test Site</u> (Unaudited - See Note 2)
---	--

Date

Fall, 1976	14
Spring, 1977	19
Summer, 1977	3
Fall, 1977	8
Winter, 1978	3
Spring, 1978	6
Summer, 1978	11
Fall, 1978	9
Winter, 1979	<u>8</u>
Total No. Examined	<u>81</u>
Divided by No. of Examinations given	<u>9</u>
Average No. per exam	<u>9</u>

Board Meetings in Calendar  
Years 1976-1978

Average Number of Meetings per calendar year (see Note 3)	4.7 meetings
Average Number of Board members per meeting	4.6 members

Note 1

We were unable to determine, from information on file with OL, the legal residence of licensees. The above figures reflect mailing addresses.

Note 2

Numbers of individuals taking examinations were provided by the American Welding Society.

Note 3

At its January 27, 1978 meeting, the Board adopted a policy to hold meetings four times per year, on Fridays preceeding examinations. All meetings have been held in Anchorage.

APPENDIX C

QUESTIONNAIRE SENT TO BOARD MEMBERS

1. What are the goals and objectives of the Board?

*Number of Board  
Members' Responses  
(See Notes 1 and 2)*

Description

*Decrease hazards to public/environment  
by improving the quality of welded  
products.*

3

*Improve quality of welded products.*

1

*Should be quality control, but currently  
involves self-protective business interests.*

1

2. What are the past accomplishments and future plans of the Board for meeting its goals?

*Number of Board  
Members' Responses*

Description

*Past accomplishments:*

*Revised regulations to license welding  
inspectors, thereby improving welding in  
general.*

4

*Economic self-interest.*

1

*Future plans:*

*Maintain quality of criteria.*

2

*Give technical advice to State departments.*

1

*Should support Bureau concept; too much  
ill will towards present Board.*

1

*Continue pre-joint activity.*

1

3. In what ways would the absence of regulation of welding in Alaska be detrimental to the public interest?

Number of Board Members' Responses

Description

Quality of component inspection and welder certification would suffer; non-code work would increase to detriment of the public.	3
<u>Not detrimental</u> ; profesisonal societies have certification programs; private industry monitors itself.	1
Left unmonitored, quality would be circumvented to increase profits.	2
Higher cost because weldment failure is more expensive after a product is operating.	1

4. What alternatives to Board regulation of welding exist? Are the alternatives viable? Why?

Number of Board Members' Responses

Description

Bureau such as introduced by 5B121; <u>not viable</u> ; too expensive, bureaucratic.	1
Require extensive insurance coverage, relying on insurance companies to enforce standards; too expensive.	1
Eliminate Board; let industry police itself: Viable.	1
Not viable; not effective in part; only some large companies have developed quality control programs.	2
Utilize procedures other than welding; not practical.	1

5. Are existing statutes (AS 08.01 and AS 08.99) obsolete, vague, unduly restrictive, and/or inadequate to provide the Board with the authority to meet its objectives? What changes would you suggest?

Number of Board Members' Responses

Description

<i>Adequate; no changes suggested.</i>	2
<i>Inadequate; need Bureau to perform physical function.</i>	1
<i>Somewhat vague, restrictive; Board's authority is doubtful but interest in welding has increased.</i>	1
<i>Obsolete; should address licensing of inspectors rather than welders, test facilities and code writing.</i>	1

6. Are the recently amended regulations:

Number of Board Members' Responses

A. <u>too restrictive; too lenient?</u>	
<i>No; satisfactory.</i>	4
<i>Yes.</i>	1
B. <u>easily interpreted?</u>	
<i>Yes.</i>	4
<i>No.</i>	1
C. <u>enforceable?</u>	
<i>No, especially among small operators</i>	3
<i>Yes, if State adequately funds investigations.</i>	2
D. <u>accepted by those being regulated?</u>	
<i>Yes.</i>	2
<i>Partially or generally.</i>	2
<i>Voluntary compliance.</i>	1

7. What procedures are followed in the event a complaint against the Board or a licensee is received?

Number of Board Members' Responses

Description

<i>Forward to OL for investigation; Board can act in advisory capacity.</i>	1
<i>Investigation; possible revocation of license.</i>	1
<i>No complaints received as yet against licensee.</i>	2
<i>Forward to Department of Labor to investigate.</i>	1

8. In what ways, if any, could the Department of Commerce and Economic Development improve its service to the Board in the areas of administrative support and enforcement?

Number of Board Members' Responses

Description

<i>No need for improvement.</i>	2
<i>OL does not understand Board function well enough to enforce.</i>	1
<i>Administrative support is excellent; Department of Labor is responsible for enforcement.</i>	1
<i>Need more funding for inspectors and to advertise regulations.</i>	1

9. Should continuing education or re-examination be required for licensees? Why or why not?

Number of Board Members' Responses

Description

<i>American Welding Society requires re-examination if licensee does not remain active in inspection. This requirement is sufficient for now.</i>	5
---	---

10. Other comments to assist us in evaluating the need for the Board and its performance:

Number of Board Members' Responses

Description

*Regulations are workable for large companies; small operators can not afford licensed inspector.* 1

*Create Bureau to perform Board's physical function; need internal regulations to prevent several Board members from one business from serving concurrently.* 1

*Board has been active in revising regulations; now responsible for maintaining standards.* 1

*Need additional funding for enforcement; should publicize regulations.* 1

---

Note 1

Questionnaires were mailed to seven Board members. Replies were received from five.

Note 2

Because certain questions received several answers from Board members, total numbers of replies may exceed the number of Board members who responded.

APPENDIX D

QUESTIONNAIRE SENT TO LICENSED  
WELDING INSPECTORS

The following questions were sent to licensed welding inspectors (see Note 1). For each question we have noted the number of responses. We have also indicated the most typical written comments following each question as compiled from the questionnaire (see Note 2).

		Number of		
		<u>Licensees Responding</u>		
		<u>Yes</u>	<u>No</u>	<u>No Opinion</u>
1.	(a) Is certification of welding inspectors necessary to protect the public's health, safety and welfare?	<u>35</u>	<u>2</u>	<u>0</u>

*Comments:*

*Yes--Quality of product is controlled establishing minimum qualifications for welding inspectors.*

*If inspections were not required, some contractors would use cheaper, unqualified welders.*

*No---Licensing does not ensure adequate protection;*

*Should not be limited to AWS-certified inspectors.*

(b) If your reply to "a" was yes, which of the following methods of certification would be best:

	<u>check one:</u>
i. license issued by the Board	<u>14</u>
ii. license issued by the State	<u>6</u>
iii. only AWS certification	<u>12</u>
iv. other:	<u>4</u>

1. (Cont'd)

Comments:

Board - is better judge of qualifications due to knowledge of, and experience in welding; is flexible; can exercise closer control.

State - less likely to be prejudiced.

AWS - has expertise, good program; usable in all states; more efficient.

Other - Employer training program results in known ability.

	Number of Licensees Responding		
	Yes	No	No Opinion
2. Are current requirements for obtaining a welding inspector license (education, experience, written and practical tests) fair and reasonable measures of technical knowledge and ability?	<u>32</u>	<u>5</u>	<u>0</u>

Comments:

Yes--Exam is fair test of knowledge; practical skill is necessary.

No---Qualification as welder is not necessary to inspect; need more specific practical experience; no proof of employment.

3. Has the Board given sufficient notice to the public and/or the profession regarding:

a. exams?	<u>26</u>	<u>5</u>	<u>6</u>
b. meetings?	<u>20</u>	<u>10</u>	<u>7</u>
c. proposed regulation changes?	<u>18</u>	<u>12</u>	<u>7</u>

Comments:

Yes--the small number of licensees allows for adequate communication with Board

No---many are unaware of Board's existence; newspaper notices are not effective.

Number of  
Licensees Responding

	<u>Yes</u>	<u>No</u>	<u>No Opinion</u>
--	------------	-----------	-----------------------

4. Are the recently amended regulations of the Board (12 AAC 72):

a. too restrictive?	<u>2</u>	<u>23</u>	<u>12</u>
b. too lenient?	<u>3</u>	<u>20</u>	<u>14</u>
c. enforceable?	<u>19</u>	<u>8</u>	<u>10</u>
d. easily interpreted?	<u>23</u>	<u>3</u>	<u>11</u>
e. accepted by industry?	<u>15</u>	<u>10</u>	<u>12</u>

*Comments:*

*Board not needed since firms must comply with codes.*

*Regulations are not being observed, especially by small contractors; are not enforceable.*

*Regulations are too general; need to clarify applicability.*

*Inadequate publicity on regulations; need to protect public; industry more interested in profit than quality.*

5. In what ways can the Board assure the public of continued proficiency of licensed welding inspectors:

a. evidence of continued employment in the field?	<u>33</u>	<u>1</u>	<u>3</u>
b. periodic re-examination of practical skills?	<u>9</u>	<u>16</u>	<u>12</u>
c. periodic written re-examination?	<u>3</u>	<u>20</u>	<u>14</u>
d. continuing education?	<u>18</u>	<u>8</u>	<u>11</u>
e. Other?	<u>6</u>	<u>—</u>	<u>31</u>

Number of  
Licensees Responding

	<u>No</u>	<u>Opinion</u>
<u>Yes</u>	<u>No</u>	<u>Opinion</u>

5. (Cont'd.)

*Comments:*

*Re-examination is necessary only if there is a sustained absence from inspection.*

*Other ways include eye exams, inspection for compliance, maintenance of AWS certificate.*

6. Are you aware of any discriminatory practices by the Board with regard to an individual's race, religion, color, national origin, age or sex?

<u>1</u>	<u>35</u>	<u>1</u>
----------	-----------	----------

7. Do you feel the support provided by the Department of Commerce and Economic Development, Division of Occupational Licensing, has been adequate:

a. in the area of administrative services?

<u>26</u>	<u>5</u>	<u>6</u>
-----------	----------	----------

b. in investigating complaints?

<u>10</u>	<u>8</u>	<u>19</u>
-----------	----------	-----------

*Comments:*

*Not enough knowledge of welding.*

*Need funding for Department of Labor to enforce.*

*Not aware of support or complaints.*

*Need to inform affected parties.*

8. By statute, the Board of Welding Examiners consists of seven members with extensive welding experience, three of whom must be engineers. Members are appointed for five year terms from nominations submitted by the Alaska Chapter of the American Welding Society and Alaska Society of Professional Engineers. Do you believe the Board:

a. is too large?

<u>3</u>	<u>25</u>	<u>9</u>
----------	-----------	----------

b. is too small?

<u>1</u>	<u>25</u>	<u>11</u>
----------	-----------	-----------

Number of  
Licensees Responding

	<u>No</u>	<u>Opinio</u>
<u>Yes</u>	<u>No</u>	<u>Opinio</u>

8. (Cont'd.)

c. adequately represents the regulated profession?	<u>25</u>	<u>7</u>	<u>5</u>
d. members should have shorter terms?	<u>14</u>	<u>12</u>	<u>11</u>
e. members should serve a limited number of terms?	<u>20</u>	<u>5</u>	<u>12</u>
f. should be served by a public member, not directly involved in welding?	<u>4</u>	<u>25</u>	<u>8</u>

*Comments:*

*Should represent various segments of industry, including active welders; too many on Board represent test labs.*

*Shorter terms would create a more responsive Board.*

*No more than one or two terms.*

*Board is working well under current structure; conscientious.*

9. Other comments to assist us in evaluating the public need for the Board and/or its performance:

*Comments:*

*Good regulations but problems in implementation and enforcement.*

*Dubious need for Board.*

*Board has improved quality of welding; unqualified people used in past.*

*Need to consider products fabricated outside of State, safety standards, reports on Board activity.*

*Reputable company training programs should be accepted in lieu of license.*

Note 1

Number of questionnaires sent to licensees	<u>44</u>
Number of responses	<u>37</u>
Response rate	<u>84%</u>

Note 2

Comments were reviewed and considered in the performance of our audit and are briefly summarized in this appendix.



STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

RECEIVED

SEP 28 1979

LEGISLATIVE  
AUDIT

September 28, 1979

Mr. Gerald Wilkerson  
Legislative Auditor  
Division of Legislative Audit  
Pouch W  
Juneau, Alaska 99811

Dear Mr. Wilkerson:

We have reviewed the enclosed agency response to your preliminary report entitled:

"A Performance Review of the Board of Welding  
Examiners - June 8, 1979"

Additionally, we have reviewed and are enclosing copies of responses by the following Board Members:

Donald M. Lockman  
Don Delk  
Peter A. Millar

We believe the Department of Commerce's response appropriately sets forth the position of the Executive Branch of State government affecting continued existence of the Board. Member responses attached for your information, provide additional insight and reaction to your report recommendation.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Smith".

Richard A. Smith  
State Internal Auditor

RAS/PJA/mjc  
Enclosure

# STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

## DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

POUCH D - JUNEAU 99811

September 27, 1979

**RECEIVED**

SEP 28 1979

LEGISLATIVE  
AUDIT

Mr. Gerard Wilkerson, C.P.A.  
Division of Legislative Audit  
Pouch W  
Juneau, Alaska 99811

Dear Mr. Wilkerson:

The following comments are in response to the Performance Review of the Board of Welding Examiners, as submitted by the Division of Legislative Audit.

The department is still evaluating the viability of alternative methods of regulation and reserves the right to make additional findings and conclusions which may affect the continued existence of this board. This information will be presented to the Legislature during sunset hearings.

Thank you for the opportunity to respond to this report and for the time and effort expended by you and your staff.

Sincerely,

  
Bertram L. Wagnon  
Acting Commissioner

BLW/klb

8235 Endicott Street  
Anchorage, Alaska 99501  
September 17, 1979

Ms. Elaine Garrett  
Management Analyst  
Dept. of Commerce & Economic Dev.  
Div. of Occupational Licensing  
Pouch D  
Juneau, Alaska 99811

RECEIVED

SEP 28 1979

LEGISLATIVE  
AUDIT

Dear Ms. Garrett:

In response to the recently received Performance Review of the Board of Welding Examiners submitted by Gerald L. Wilkerson, CPA, Legislative Auditor, Division of Legislative Audit dated August 23, 1979, I submit the following statements.

In reviewing the aforementioned Audit Report, it is quite obvious that the Audit Committee lacks the welding knowledge to fully understand the needs of the public in reference to protection against hazards from poor or inadequate weldments within the State.

In the beginning of the Boards existence, the largest issue was addressed to the licensing of weldors within the State. It was recognized by the Board that a weldor licensing would be a monumental task that would require a tremendous personnel and monetary effort on the State's part. The personnel requiring the expertise in this profession would not be available to the State as persons of this level are sought after by the industry on a continuing basis. Besides the lack of qualified persons available, the funds for such a task was also not available. It was recognized by the Board that qualified people from industry could control the certification of weldors if these qualified people could be responsible by proving their qualifications as Welding Inspectors.

The Board of Welding Examiners then began formulating a program to examine the qualifications of Welding Inspectors, although funds were not available from the State to adequately put a program of this nature together. At this same time, unbeknown to the Board, the American Welding Society had recognized the same need for testing Welding Inspectors and had implemented a testing procedure. The Board then adopted the AWS Testing Program guideline and the licensing of Welding Inspectors was born within the State.

The State licensed Welding Inspector holds a responsibility to the public to certify weldors within the guidelines of the nationally recognized Welding Codes used in Alaska. This responsibility protects the public from gross negligence of improper weldments that could fail, but only to the extent of those weldors actually certified by the Welding Inspectors.

As this method of assurance is still in the infancy stage due to the newness of the application, it is immature to criticize the effectiveness of the program. As more Welding Inspectors are licensed within the State, the greater the public protection will become.

Ms. Elaine Garrett  
Div. of Occupational Licensing  
September 17, 1979  
Page 2

There have been many instances of weld failures of crane booms, trailer hitches, store awnings, fishing boat hulls, school playground equipment, recreational equipment as well as building structures and harbor facilities, all of which are hazardous to the general public. Only trained personnel can recognize a poor or inadequate weldment and determine the abilities of a certifiable welder.

It has been proven over the years that industry does not generally control the quality of production, evidenced by the need of welding codes to guide the users to implace restrictions of fabrication to assure quality. This is also evidenced by the need of societies to indoctrinate testing programs and Alaska to create the Board of Welding Examiners.

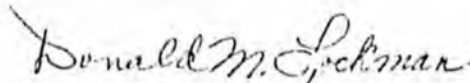
The Board has made acknowledgeable strides in creating a regulation that closely fits the needs of public interests, although additional revisions and clarifications of the regulations are clearly recognized by the Board members. These Board members serve without payment for their services, so progress is naturally slower than paid employees would be, although the expertise of these members would be more costly than the State would care to absorb if they would be available for hire. The cost to the State is at a minimum and should be recognized by the Audit Committee.

The size of the Board should be enlarged to accommodate the availability of donated services and to expand the current expertise level needed to properly evaluate the publics needs and industry's acceptance to those safeguards. As Board member nominations are received from two societies, they are not restricted to the societies membership by any means.

The Board's future activities will be guided by the public's desires of creating more effective regulations that are enforceable pursuant to the public's needs. These goals are yet to be formalized and categorized to a general public need. With the forthcoming projects of the petrochemical industry in the State, a greater need will be emphasized for the Board's guidance in revising regulations to insure the Alaskan public will be protected from inadequate welding by assuring Welding Inspectors are properly tested and are qualified to pass judgement on the certification of weldors.

There has already been a Senate Bill proposed to create a welding bureau within the State which would be more of a bureaucratic administration of welding than a regulation, which if nothing else, emphasizes the need for the Board of Welding Examiners to create a better regulation guideline.

Sincerely,



Donald M. Lockman, Chairman  
Board of Welding Examiners

# STATE OF ALASKA

## DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

BOARD OF WELDING EXAMINERS

JAY S. HAMMOND, GOVERNOR

POUCH D  
JUNEAU, ALASKA, 99811

September 25, 1979

RECEIVED

SEP 28 1979

LEGISLATIVE  
AUDIT

Mr. Don Lockman  
Chairman  
Board of Welding Examiners  
8235 Endicott Street  
Anchorage, Alaska 99501

Dear Mr. Lockman:

Enclosed are my responses to the preliminary audit report on the Board of Welding Examiners.

1. Report Conclusion

- a. I concur that most consumers (e.g., engineers, construction and pipeline companies) of welding services possess adequate knowledge to properly evaluate the qualifications of those providing services.
- b. However, from personal experience, it has been observed that those who have the knowledge are not the individuals out in the field doing inspection and quality assurance work. Examples: 1) the Ketchikan-Alyeska controversy would, in all probability, not have occurred if the project was being adequately controlled by qualified welding inspection. I personally know senior managers on the project that had very limited knowledge of welding or inspection. I know of one inspector who was a used car salesman with no qualifications; 2) movies of the first pipeline run on the North side of Cook Inlet clearly show that pipeline inspection consisted of a truck mirror on a three-foot handle and a flashlight. Clearly inadequate; 3) the roof of the Bethel Hospital and the walkway between the campuses at Alaska Community College and the University of Alaska in Anchorage demonstrate a complete lack of inspection. Untold dollars were spent on correcting the projects to ensure safety to the public.

- c. In short, millions of dollars have been spent to correct deficiencies that would not have occurred with adequate welding inspection. Also, hazards claiming lives have occurred within the State which could have been prevented if adequate inspection had been available to correct safety violations or defect code violations. Examples: Building 6-900 on Elmendorf burning in the 1960's and killing a welder and helper. A welder killed when working off of empty gasoline drums during construction of the parks highway.
- d. I believe that the knowledge is possessed by the consumers but that it, in many cases, is not, or inadequately applied.
- e. I agree that the AWS welding inspection program is the best thing since light bread, however, at this time, there is nothing that requires companies to use qualified inspectors (except 12 AAC 72), that has been the direction that the board has taken to provide higher quality inspection to welding projects, thereby saving the public untold dollars in rework and to increase the safety during welding operations and in the final product.

## 2. Recommendation No. 1

I admit that the board has problems that must be corrected. I, however, believe that the board is needed as shown in the preceding comments. I also feel that, for the last year, the board has made very little progress since almost all energy has been expended on Sunset Review. If we can ever get this review completed and get back to work on revising statutes, regulations and implement corrections to problems, we will make great strides toward protecting the public (our main job).

This audit has been very helpful in pointing out problem areas, but we must now have time to work in implementing the recommendations instead of continuing to prepare for the review.

## Recommendation No. 2

1. The State does not need to look at visual examinations since it is virtually impossible to obtain or maintain an AWS QC-1 Certificate without the results of the exam being received by AWS. We do not need to increase the bureaucracy by requesting something that has already been requested and supplied.
2. I concur that the board should review qualifications prior to issuing licenses.

Recommendation No. 3

1. I agree. However, I consider myself a lay member since I work for the Federal Government as an aircraft maintenance officer. I have very little chance to gain monetarily from any actions of the board. I also am technically qualified to make good input to the board's operations. If appointments are made from the entire industry some method must be set up to solicit applications.
- b. The Office of the Governor must respond in a timely manner in order to be effective.

Recommendation No. 4

- a. Concur.
- b. Concur.
- c. Concur.

Recommendation No. 5

1. Concur.
2. This one is tough, but should be looked at.
3. Concur.
4. Concur.

Recommendation No. 6

1. Concur.
2. Concur.
3. Concur.
4. Concur.
5. Concur.

Additional Comments

I was asked for more information than I could supply simply because of one reason: time. It seems that every time a response is required from me by the Division of Legislative Audit, I am working 14-hour days and on my way out of State. Twenty days to respond is inadequate. If we could respond during the next scheduled board meeting, we could work for a couple of days and come up with the type of response that you are

looking for. All board members are busy and need additional time to meet together to comply with your wishes.

Appendix A

If the board has collected no revenues, the companies that have paid for test lab licenses in the past, as well as myself, paying for welder qualifier and welding inspector licenses are surely getting ripped off. I suggest homework should be done. I also feel that the expenditures by the board are insignificant for the amount of work that has been done by the board.

Appendix D

It appears to me that properly qualified welding inspectors (if not qualified they could not pass AWSQC-1), more or less support the board. Individuals who cannot qualify under AWS QC-1 will not (for obvious reasons), support the board.

I appreciate the opportunity to reply to the Division of Legislative Audit, but, again, request more of the item that I have the least of, time.

Very truly yours,



Don H. Delk  
Secretary

DHD/sa2/6

RECEIVED

August 9, 1979

SEP 28 1979

To: Don Delk  
Secretary, Board of Welding Examiners

LEGISLATIVE  
AUDIT

Re: Comments in regards to Judy White's letter of June 20, 1979 to the Board of Welding Examiners

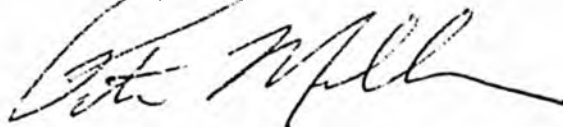
In general the letter received by Judy White, Auditor Division of Legislative Audit, in regards to Sunset Legislation is very well written and pinpoints exactly many of the problems of the Board of Welding Examiners.

I would like to take exception, however, to the following points:

- a) AWS's lack of support for State licensure: Robert Foxall, AWS National Chairman, 1978; John Moeller, AWS Chairman, 1977 and Ken Fordyce, AWS National Certification Chairman have been present at Anchorage AWS meetings and have spoken highly of the Board of Welding Examiners' work in regards to licensing inspectors.
- b) It may be true that only one state requires licensing of Welding Inspectors, however the AWS certification program has only been in effect since 1976 and thus it is understandable that very few states have adopted the requirement of certification.
- c) Certification of welders instead of inspectors was discussed previously by the board. It was felt that it is easier to monitor and license 100 welding inspectors than 2,000 welders. I do agree that monitoring either welding inspectors or welders by state agencies is not feasible, however I do believe many individual welding inspectors have vastly upgraded their knowledge and ability in meeting the state license requirement.
- d) In regards to the state license files, there are discrepancies all of which are minor and easily corrected. I do believe that the public is being protected from "unqualified practitioners" to a greater extent than ever before.
- e) In regards to the make up of the Board of Welding Examiners size, appointments, etc. I would agree that we need a more diverse group, however I would think that seven members is a workable number. Meetings of twice or once yearly I would think is a better solution for cutting costs than limiting the numbers of members to five. We may only affect 50 to 100 inspectors, however the regulations affect thousands of welders.
- f) In regards to revising the statutes, revising administrative regulations, developing board objectives and document administrative procedures; many good points were brought up. I would like to see the Auditor, Judy White, attend our next meeting if possible in order that we might make some progress in these areas.

In conclusion, I would say that although the present statutes are probably unenforceable to a large extent they nevertheless have made a very positive impact in the area of welding in Alaska with many inspectors being licensed

through the American Welding Society. Personally I do not believe the Board should be terminated in 1980, however I do not feel that further regulation of the industry by government is necessary either.

A handwritten signature in cursive script, appearing to read "Peter A. Millar". The signature is written in dark ink and is positioned above the typed name.

Peter A. Millar, P.E.  
Member of the Board of Welding Examiners

Legal Services  
Plumbers & Steamfitters  
Union Local 375  
3568 Geraghty Street  
Fairbanks, AK 99701

RECEIVED

OCT 9 1979

LEGISLATIVE  
AUDIT

October 3, 1979

Gerald L. Wilkerson, CPA  
Legislative Auditor  
Division of Legislative Audit  
Pouch WF  
Juneau, AK 99811

RE: A Performance Review of the Board of Welding Examiners, June 8, 1979.

Dear Mr. Wilkerson:

Your letter of September 10th has requested a reply within twenty (20) days. In order to meet this deadline, we two board members have had several meetings and discussions. We have not had time to get together with the entire board or to circulate a reply, so that all of the board could participate in this answer.

At the time of the Legislative committee hearing, the welding board contemplates "presenting its case." Our discussions indicate that this case will be in three parts:

- 1) an orientation in respect to welding
- 2) recommendations of prominent authorities throughout the United States with respect to State regulation of welding, and
- 3) a series of specific proposals including but not limited to those raised by the preliminary audit report.

By way of the requested written reply, to the findings and recommendations of the written audit report, we set forth the following:

1) Re: Recommendation No. 1. Termination of the Board. We disagree. The performance review sets forth good criteria to determine whether licensing is desirable. Essentially we agree that licensing is desirable when a) unlicensed practice poses a serious risk; b) consumers are at a disadvantage in evaluating the welder; and c) there has been abuse with inadequate recourse through the general law. Here the unlicensed practice can mean failure of the weld with the attendant sinking of the vessel, collapse of a structural steel member, bursting of a pipe, leakage of carbon monoxide from a muffler into the interior of an automobile, etc. It is safe to say that the general public does not know enough about welding and welders to be able to evaluate a person's qualifications as a welder. The sinking of barges, collapse of crane booms and leakage of pipelines and car mufflers, have resulted in loss of life and environmental damage; in addition to the structural damage and loss of time which can be compensated through the general law. Therefore, licensing is desirable.

Gerald L. Wilkerson  
October 3, 1979  
Page Two

Performance review is correct in indicating that the State of Alaska has not been in a financial position to regulate, by licensing, all welding personnel in the past. It is also correct in indicating that only one other State to date has elected the stop gap measure currently used by the Board of Welding examiners, of licensing welding inspectors. We respectfully suggest, that that time is at hand when public safety and environmental necessity merit the regulation of welding in a more thorough manner. We further suggest that the logical means to do this is through a State Board of Welding Examiners, who will be able to be more active than the Board has been allowed to be in the past.

2) Re: Recommendation No. 2. The Board more active in Licensing. We agree with this recommendation. The performance review makes excellent points in this regard and its suggestions together with others to be proposed by ourselves should be adopted within the next year. To implicate these will require action by the Board in promulgating regulations and a budget which will permit actual work in the field. It is to be hoped that both of these processes could be completed by the beginning of fiscal 1980-81.

3) Re: Recommendation No. 3. Assuring adequate representation on the Board. We concur with the bulk of this recommendation. The performance review is good as far as it goes, in reviewing the Board composition, terms, etc. We feel that there are additional factors which should be considered in the make-up of the Board and the terms to be served. This is a Legislative process and we will be presenting specific recommendations to the Legislature in this regard. Because it is the turn of the Welding Board for review under the sunset law it would be hoped that these matters could be completed by the Legislature at its next session. The harder portion of the recommendation to implicate, concerns the direction that the Governor act in a more timely manner in making appointments to the Board. The Board itself would be glad to participate as requested in screening and recommending appointments. It is beyond the ability of the Board to direct the Governor in the course of making appointments. We agree with the recommendation but are not in a political position to be able to implicate it.

4) Re: Recommendation No. 4. Board recommendation of statutory revisions. We concur with this recommendation. As mentioned above we feel that the time has come when the State no longer need use the Board of Welding Examiners as a stop-gap measure to "do the best it can", to protect public safety and environmental concern. We favor the review of powers and duties of the Board. The Board has long requested fiscal support for the enforcement of welding regulations, since it is obviously quite difficult to be a fierce tiger when you are toothless. We certainly have no objections to the applicability of the administrative procedures act. Implementation of this should be by Legislative action and it can be completed by the effective date of Legislation affecting the welding board during 1980.

Gerald L. Wilkerson  
October 3, 1979  
Page Three

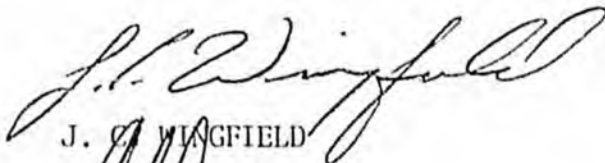
This paper is not the place to present a series of detailed recommendations. These will be provided at the Legislative hearing.

5) Re: Recommendation No. 5. Continuing revision of administrative regulations. We concur with the recommendation although we may differ on some of the detailed suggestions. Once again these suggestions are good, they represent needs that should be met and that the Board has been endeavoring to meet over the past couple of years. We propose that the Board continue its process of review and address the specific points raised. This should be implicated by board action with a target date of July 1, 1980.

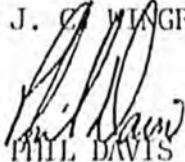
6) Re: Recommendation No. 6. Defining objectives and reporting to the Governor and Legislature. We concur with the recommendation, feeling that part of the defining of objectives is established by the Legislature, and that staff time will have to be provided to permit the requested reporting to be done. Because this recommendation is partially budgetary it will have to be accomplished through both board action and legislative action and would probably become effective July 1, 1980 when the new budget becomes effective. We hope that the presentation that we will be making to the Legislative committees as part of the "sunset" process, will be of considerable help in arriving at the implication of this recommendation.

We hope that we will be notified of the time of the Legislative committee hearing at the earliest possible date. A good presentation requires lead time to make people available and work concepts into shape. We look forward to cooperating with you in the future in this process.

Respectfully submitted,



J. C. WINGFIELD



PHIL DAVIS

COMMITTEE REPORT

HOUSE

5/26/81

FURTHER: FINANCE

(5)

Date: 3-2-82

Mr. Speaker:

The Committee on LABOR & COMMERCE has had HB 595

"An Act continuing the existence of the Board of Welding Examiners; and providing for an effective date."

under consideration and reports it back as follows:

- do pass  do not pass
- do pass with attached amendments(s)
- replace with CS for \_\_\_\_\_  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:

\_\_\_\_\_

\_\_\_\_\_

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CHAIRMAN

HB595

Jan-28, 1982  
Box 977  
Wasilla, AK.  
99687

Hello Mr. Terry Martin,

I'm writing in regards to the status of the Board of Welding Examiners.

I am a firm believer in minimal government and related agencies, however, at this time I recommend retaining the Board for these reasons:

1. It has proven extremely frugal with practically no cost to the State - it has taken in approx. \$2,000 over the past year to offset the approx \$2,000 expenditures of its activities.
2. I, as a welding inspector, have seen several cases of extremely poor welding which would have endangered life or property if not stopped from being put into service before correction:
  - a) These include the welder.

bases of H-Beam piling supports for electric transmission lines along the busy Glenn Highway.

b) Also the Airport Control Tower at Bethel had serious defects which were found in time by a licensed welding inspector.

If we had a swift, effective judicial system which could hold people and companies responsible for shabby work before the damages were done, then I'd say we need no such watch dog for weld quality.

But such isn't the case and in fact, it appears to me that a few people want to start a Welding Bureau which I believe would be no more effective and would grow into a full blown Tax eating Hog.

Some of the same people who want the Welding Bureau have not been able to pass the rather stringent

Welding Inspectors Test which also requires 5 years of experience in the welding field.

In these days of hundreds of millions of dollars in the state budget it is amazing that the Board of Welding Examiners has worked within such a small budget and been effective.

I believe strongly in the "sunsetting" concept but would even go further - so that when an agency is found to be ineffective and/or costly compared to a possible alternative, the legislature should be able to liquidate it without waiting for the 5 year period for sunset consideration.

Thank you for your attention to this matter.

Sincerely,  
John D. Ward

Certified Welder, Welding Inspector, & Instructor

ALASKA STATE LEGISLATURE

HISTORY IN THE HOUSE

HISTORY IN THE SENATE

HISTORY IN THE HOUSE

TWELFTH Legislature FIRST... Session

19 81

19

19

HOUSE ... BILL ..... NO. ... 595.

May 26

By ... BROWN AND ANDERSON.....

Read first time and referred to Committee on

Read first time and referred to Committee on

Received from Senate

Labor & Commerce and Finance  
Reported back with recommendation that

Reported back with recommendation that

Concurred in Senate and thus adopting:  
VOTE

Read second time and

Read second time and

Failed to concur in Senate; asked Senate to re  
VOTE

Senate receded from am  
VOTE

Senate failed to recede f  
amendment  
VOTE

CC appointed by House

CC appointed by Senate

CC adopted by House  
VOTE

CC adopted by Senate  
VOTE

To enrolling  
Reported correctly enro  
Sent to Governor

..... by

Filed with Lt. Governor

Chapter No. ....

"An Act continuing the existence of the Board of Welding Examiners; and providing for an effective date."

Read third time and

Read third time and

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reconsideration

Reconsideration

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

PASS Effective Date  
Yeas Yeas  
Nays Nays  
Absent Absent  
Excused Excused

Reported correctly engrossed

Reported correctly engrossed

Signed by Speaker

Signed by President

Sent to Senate

Returned to House

Bd. of Welding Examiners

Introduced in the House 5/26 ..... 19... 81

CHIEF CLERK OF THE HOUSE

SECRETARY OF THE SENATE



(907) 274-4856

February 20, 1982

Representative Terry Martin, Chairman  
House Labor & Commerce Legislation Committee  
Twelfth Alaska State Legislature  
Pouch V  
Juneau, Alaska 99811



Dear Sir:

We understand that your committee is in charge of reporting out for House Bill 595 to reestablish the Alaska State Board of Welding Examiners. In context we support an Alaskan need for some credible entity acting in an overview capacity on welder certifications. We are not familiar with this special bill. We understand that the bill would reestablish the retiring board of welding examiners where we served a short term. We could not concur totally with the past approach which suffered extensively from input from our resident testing laboratories. The board and ensuing regulations, however, are vital to qualifying a welder's ability. This is especially interesting in the Alaska's petroleum industry where "the State" is so heavily involved and the joining of metals (i.e. welding) can be so closely associated with liability. Without some type of homogeneous examination and certification any novice welder may profess efficiency in a number of welding procedures totally outside his capabilities. We believe the present certification process has been and will continue to be in the best interest of Alaska and Alaskans. We would appreciate a copy of the draft legislation for review and comment.

Sincerely,

James W. Crippen

JWC/ca

cc: Representative Pandy Phillips

ARCHITECTURE ENGINEERING (907) 276-1990

CONSTRUCTION (907) 274-4856

P.O. BOX 8-830 ANCHORAGE

ALASKA 99508

MSG 82-00012569 PRTY 1 03/09/82 11 19:34 ORIG: LM00 IN= 0006. OUT= 0037  
FROM: MARY/MATSU TO: JNU INFO  
TARGET: LJH2 SUBJ: P.O.M. PAGE 0005

TO: SENATORS MULCAHY, HOHMAN, FAHRENKAMP, RODEY, ZIEGLER  
REPS. MARTIN, BYLSMA, RANDOLPH, ROGERS, GARDNER

FR: RON PALMER  
P O BOX 145  
WASILLA 99687

RE: CERTIFICATION OF WELDERS

IT IS MY UNDERSTANDING THAT THE BOARD OF WELDING EXAMINERS WISH TO  
ENACT CERTIFICATION OF WELDERS AND I AM OPPOSED TO THIS IN ANY MANNER.  
IF THIS IS THEIR PLAN, I WOULD BE OPPOSED TO THE CONTINUATION OF THIS  
BOARD. THANK YOU.



## Schooley and Associates

Welding and N.D.T. Consultants

P. O. Box 2173  
Valdez, Alaska 99686

February 10, 1982

The Honorable Mr. Terry Martin  
House of Representatives  
Pouch V  
Juneau, Alaska 99811

Dear Mr. Martin:

It has come to my attention in recent weeks that there is an effort under way in Alaska to dissolve the State License requirements for welding inspectors. I think this would be a great disservice to the people of Alaska. At present, a welding inspector has to go through considerable time and effort to be licensed in Alaska. This helps to insure that welding inspectors are indeed qualified to make the determinations in the field that may affect the life and property of Alaskans.

I have been involved in the Welded Construction Industry since 1958 and have seen too many cases of unqualified inspectors allowing work schedules or favors from the contractor doing the construction to sway their decisions. I feel Alaska has taken a giant step into the future by licensing welding inspectors and setting down a code of ethics for welding inspectors. I hope all other states adopt such a forward looking program. For anyone to degrade or dilute this program would be a loss for Alaska and the other states considering such a program.

Sincerely,

*James A. Schooley, Jr.*  
James A. Schooley, Jr.  
AA0130