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Alaska State Legislature

CO-CHAIRMAN
FINANCE COMMITTEE

907-465-3740

JAN FAIKS
POUCH V
CAPITOL BUILDING
JUNEAU, ALASKA 99811

Senate

February 21, 1986

MEMORANDUM

TO: Fred Zharoff, Chairman
Senate Labor and Commerce Committee

FROM: Jan Faiks, Senator

SUBJECT: Senate Bill 384 - Board of Electrical
Examiners

As you know, the Division of Legislative Audit's performance report on the Board of Electrical Examiners recommends the board be sunset.

To this end, I want to share with you and the committee members comments I received on the audit from Kent Lee Woodman of the Alaska Independent Electrical Contractors Association. I think you will find the information helpful in your review.

OUT OF SESSION

1024 WEST SIXTH AVENUE, SUITE 302 ANCHORAGE, ALASKA 99501 907-274-6611

Alaska Buswell Electric Company

"AN ALASKAN CORPORATION"
ELECTRICAL CONTRACTORS AND ENGINEERS

February 20, 1986.

Alaska State Legislature
Box "V"
Juneau, Alaska. 99811

FEB 25 1986

Attn: Representative H.A. "Red" Boucher.

Subject: SB 384

Dear Representative Boucher:

SB 384 was recently introduced in the Senate. If adopted this bill will extend the term or life of the board of electrical examiners. The board is due to "sun set" if some form of legislative action is not taken to extend its life, this year.

It is my hope the bill will not make it out of the Senate Labor and Commerce committee. The History of activity concerning the board of electrical examiners has been highlighted by service to special interests, obstruction to right and lawful pursuit of a better life by a large number of Alaskans, an unconscionable amount of State money totally wasted and improperly spent on acts of obstruction and destruction of Alaskan's attempting to follow the American dream of personal advancement in their lives, use of the board and department employee's by the a 'ministration to punish those not currently in its favor, outright deceit and untruthfulness by department personnel have become common practice when dealing with the Alaskan public, the board and Department are formed and pledged to serve.

Other states with boards such as ours produced similar results and in most cases their Legislatures considered the problems caused by these boards, added up the wasted cost and arrived at the conclusion to eliminate them. As you know, there are now only a hand ful of states left with our type of counter-productive license system.

As a key Alaskan Legislator and a leading member of the House Labor and Commerce committee I urge you to oppose passage of SB 384 or any other measure which would extend the life of the board of Electrical Examiners and its Department staff.

Sincerely

Charlie Bussell
CEO ABEC

Copy to Mitch

ALASKA BUSSELL
ELECTRIC COMPANY

P.O. Box 4-1325
Anchorage, Alaska 99509
(907) 248-1515

BUSSELL ELECTRIC

P.O. Box 2363
Kailua, Kona, Hawaii 96740
(808) 329-1192

BUSSELL ELECTRIC

P.O. Box 298
Nome, Alaska 99762
(907) 443-2380



From the desk of:
Senator Mitch Abood
Alaska State Legislature

2/25/86

FEB 25 1986

Senator Zharoff

After having a great deal of trouble & problems with the Board of Electrical Examiners, I agree with Mr. Russell. I would be most happy to discuss these problems if you would care to listen.

Thank for your consideration
Sen. Mitch Abood

3980 Coventry Drive
Anchorage, Alaska 99507
February 28, 1986

Mr. Kevin Henderson
Div. of Occupational Lic.
P.O. Box D-LIC Juneau, Alaska 99811

MAR 21 1986

Dear Mr. Henderson,

I wish to express a complaint concerning the examination for Electrical Administrator, Inside Wiring. I realize that many persons hold this license, both by test and by a grandfather grant. However, very few have passed the last two tests given in Anchorage.

On the test of June 85, I did not have my application on file in time because I had been told by the Anchorage office-Frontier building that August 85 would be the first upcoming test. I felt something was unusual about this 'short notice' test, so wrote to Linda Janidlo at the Ombudsmans office asking to find out how many took the test and how many passed it. I wanted no names, just numbers. Received a reply dated July 9 '85 from Mr. Treager, director-division of occupational licensing stating "thirty six applicants took the examination. Because of priority work load, we cannot tell you how many passed the exam."

I have applied for and taken the last two exams of August 85 and January 86. My scores were 63% and 65.42%. This is absolutely ridiculous!! At this point I wish to state that 'in my opinion' the board of Electrical Examiners are not properly doing their job. First- evidently they are not screening all applicants properly or there would not be such a high percentage of failing test grades. Possibly they are allowing persons to take the test who have no electrical knowledge.

Secondly- if a person has the experience required to take the test, the test itself should be a mere formality. If my semi-official information is correct, on the test of January 86 there were 67 qualified applicants who took the test. 59 of these persons failed the test. Approximately 88% of the applicants failed to reach a minimum 70% score!

The real problem is that the test is unrealistic and is not designed as a measure of competency. It is designed to discourage and fail applicants. I have been informed that two gentlemen (I know them both) were paid \$50.00 for each question submitted to be used for the inside wiring test. Naturally they would soon run out of legitimate questions and resort to every page of every electrical book to keep coming up with obscure questions. I am certain that I could do the same, and probably would, at that price. However, failing such a test would not make an examinee 'not qualified to do electrical work in Alaska'. By the same token, passing such trivia would not qualify an unqualified person.

I have been working in the electrical construction field for over 37 years. Began in Sept. 1948 as electrical apprentice and have been at it continuously through the ranks to electrical superintendent and electrical contractor. Still hold a electrical contractors license in California, although have been an Alaskan for the past 15 years. All this time has been as a member of I.B.E.W. and I hold a 35 year pin from same. I mention this only because it is very easy to check my credentials that way.

Also on the inside wiring test were quite a few questions pertaining to telephone and inside communications. The state has a separate license and exam for this specialty and I resent being tested for it on the inside wiring test. The questions missed and the time wasted on this portion may have contributed to my failing the test. 12 AAC 32.100 states that (person holding current license in inside wiring will be granted a license in inside communications**without examination**)

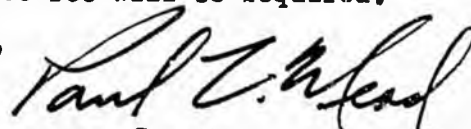
The state employees in the division of occupational licensing are not my complaint. My complaint is the actual test and the poor passing percentage.

The final blow is this. The next test after January 86 is sometime in the fall of 86. This will be after the fiscal year ends June 30 and a new \$200.00 fee will be required.

Copy:

Commissioner Lounsbury
Senators- DeVries, Zharoff, Eliason,
Bennett, Sackett, Ray, Faiks
Reps- Nauarre, Marrou, Davis, Cato,
Boucher, Koponen, Hanley,
Collins, Pearce

Sincerely,


Paul Z. Mead

STATE OF ALASKA

Department of Commerce and Economic Development
Division of Occupational Licensing

In the Matter of:)
Amber Electric, Ltd.,)
Yellow Electric, Ltd.)
Yellow Electric Company, Ltd.,)
and Kent Lee Woodman,)
Respondents.)

RECEIVED

SEP 11 1984

BENDELL, BENDELL,
SIMON & PLATT

File EE-84-768
AG File 122-742-84

STIPULATION OF SETTLEMENT AND PROPOSED ORDER

It is hereby stipulated by and between the Department of Commerce and Economic Development, Division of Occupational Licensing, by its attorney, the Attorney General of the State of Alaska ("the Department"), and Kent Lee Woodman, Yellow Electric Company, Inc., ("the Company") and each of the Company's corporate divisions ("the Divisions") as follows:

A. On November 28, 1983, the Department issued a Temporary Cease and Desist Order under AS 08.01.087(b)(1) against Respondents. That order was amended by an Amended Temporary Cease and Desist Order dated May 24, 1984. The Amended Temporary Cease and Desist order stated, in summary, that one or more Divisions of the Company were operating under their divisional names, which names were not registered with the Department as required by AS 08.18.011. (The name of one of the corporate divisions, Yellow Electric, Ltd., is registered with the Department under AS 08.18.011.) The order further stated that Kent Lee Woodman was acting as electrical administrator for each of the Divisions of the Company.

B. Counsel for Respondents and for the Department have discussed the issues raised in the Amended Temporary Cease and Desist Order, and it is the purpose of this Stipulation and Order to provide for compromise and settlement of all issues without the necessity of proceeding to a formal hearing at which

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OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
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1 the Respondents would have the opportunity to present a defense
2 with regard to the allegations set forth in the Amended Tempo-
3 rary Cease and Desist Order.

4 THEREFORE, the following stipulation is agreed to and
5 submitted for the purpose of allowing its terms to become an
6 order of the Department.

7 IT IS STIPULATED AND AGREED AS FOLLOWS:

8 1. The Department has jurisdiction over Respondents
9 and the subject matter contained in this Stipulation and Order
10 and in the Amended Temporary Cease and Desist Order.

11 2. Respondents neither admit nor deny the allega-
12 tions of wrongdoing stated in the Amended Temporary Cease and
13 Desist Order.

14 3. Respondents understand that they have a right to
15 a hearing with regard to the facts admitted in paragraph 4
16 below. Respondents further understand and agree that, by waiv-
17 ing their rights to a hearing and admitting the facts and con-
18 duct contained in paragraph 4 below, they are relieving the
19 Department of its burden of proving these facts and conduct, and
20 are voluntarily and knowingly giving up their right to present
21 their defense by oral and documentary evidence, to submit rebut-
22 tal evidence, and to conduct such cross examination of witnesses
23 as they may desire.

24 4. Respondents admit and agree as follows:

25 a. Yellow Electric Company, Inc. is an Alaska
26 corporation in good standing;

27 b. Amber Electric, Ltd., Yellow Electric, Ltd.,
28 Yellow Electric Service, Yellow Electric Commercial, Yellow
29 Electric Residential, Yellow Electric Bush, Amber Electric,
30 Ltd., and Northern Electronics are each a corporate divi-
31 sion of Yellow Electric Company, Inc.;

32 c. Each of the Divisions listed above, and the
33 Company itself, engage in activities for which registration
34 is required under AS 08.18.011.

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1 d. Yellow Electric, Ltd. is registered as a
2 contractor under AS 08.18.011;

3 e. None of the Company's other Divisions is
4 registered as a contractor under AS 08.18.011;

5 f. Yellow Electric Company, Inc. is not regis-
6 tered as a contractor under AS 08.18.011, except through
7 the registration of its divisional name, Yellow Electric,
8 Ltd.

9 5. Respondents do not deny the use of the divisional
10 names referenced above, nor do they seriously dispute the fac-
11 tual allegations which were the subject of the Cease and Desist
12 Order. Respondents disagree, however, with the Department's
13 position that Respondents violated Alaska law by operating under
14 unregistered divisional names. However, Respondents do not
15 desire to contest the Department's position at a formal admini-
16 strative hearing.

17 6. Respondents agree that:

18 a. Not later than five (5) business days from
19 the effective date of this Stipulation and Order, Respon-
20 dents shall have applied to transfer the registration of
21 Yellow Electric, Ltd. to Yellow Electric Company, Inc., and
22 to change the electrical administrator designation of Kent
23 Lee Woodman from Yellow Electric, Ltd. and Amber Electric,
24 Ltd. to Yellow Electric Company, Inc.;

25 b. Not later than September 3, 1984, all signs
26 on any and all real and personal property owned by Yellow
27 Electric Company, Inc., which presently display only the
28 name of one or more Divisions, shall have been changed to
29 show the Company name in conjunction with the divisional
30 name: for example, "Amber Electric Ltd., a Division of
31 Yellow Electric Company, Inc."; ★
32
33
34

1 c. Not later than sixty (60) days from the
2 effective date of this Stipulation and Order, the
3 Respondents shall have changed all stationary and
4 advertisements in such a way that no divisional name
5 appears alone without the Company's name, for example,
6 "Amber Electric, Ltd., a Division of Yellow Electric
7 Company, Inc." ★

8 Respondents may continue using stationery cur-
9 rently in stock, but it must be altered, by stamp or other-
10 wise, to clearly and conspicuously indicate that the
11 Division is a Division of the Company. All future orders
12 of stationery for each Division shall show the Division
13 name only in conjunction with the Company name;

14 d. Any advertisements which cannot be changed
15 within the time period specified in (c) above because of
16 infrequency of publication or other matters beyond Respon-
17 dents' control, shall be changed by Respondents at the
18 earliest possible time;

19 e. Respondents shall promptly notify all per-
20 sons with whom they have outstanding and uncompleted con-
21 tracts under the name of any Division of the fact that the
22 Division is a division of the Company; and

23 f. Respondents shall abide by the requirements
24 of AS 08.13.011 and .051 and AS 08.40.130, and henceforth
25 shall never use a divisional name except in conjunction
26 with the registered corporate name. ★

27 g. Without limiting the Department's general
28 authority to conduct investigations, Respondents and the
29 Department agree that each of Respondents' business pre-
30 mises may be inspected by the Department to verify Respon-
31 dents' compliance with this Stipulation and Order on three
32 occasions occurring between September 3, 1984 and two years
33 following the effective date of this Stipulation and Order.
34 The Department agrees that these inspections will be con-

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1 ducted during normal business hours, and the Respondents
2 agree to fully cooperate in and allow the inspections.
3 Respondents further agree to provide the Department with
4 such other or additional assurances of Respondents' com-
5 pliance with this Stipulation and Order as the Department
6 may reasonably require.

7
8 7. The Department agrees that:

9 a. Respondents may properly operate under the
10 name of a Division, if and only if the Division name is
11 always used in conjunction with the Company's name and if
12 and only if the Company is registered under the Company's
13 own name; and

14 b. Respondents shall have the periods of time
15 specified in paragraph 5 above to accomplish the changes
16 described in that paragraph.

17 ~~8~~ 8. Nothing in this Stipulation and Order, including
18 but not limited to paragraph 6(a) above, prohibits the Company
19 from changing its name or that of any or all of its Divisions as
20 may be allowed by applicable laws. However, the Respondents
21 agree to provide the Department prior written notice of proposed
22 name changes.

23 9. If, during the next two years, the Department has
24 reasonable grounds to believe that any of the Respondents are in
25 violation of this Stipulation and Order, the Department may ini-
26 tiate an action under AS 08.01.087, AS 08.40.170 and/or
27 AS 08.18.121 against any or all of the Respondents. If, after a
28 hearing in such an action, it is determined that this Stipula-
29 tion and Order has been violated, the violation shall be grounds
30 for suspending or revoking the registrations of or otherwise
31 disciplining the Respondents, and/or for the issuance of a per-
32 manent cease and desist order against Respondents. These rights
33 of the Department are in addition to, and not in lieu of, any
34

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other rights the Department may have to initiate any proceedings against Respondents under any pertinent Alaska statutes or regulations.

10. This Stipulation and Order shall be binding upon the Respondents and their respective successors and assigns.


11. This Stipulation and Order shall be a public record of the Department.

12. This Stipulation and Order shall be effective on the date it is accepted by the Director of the Division of Occupational Licensing, and shall constitute a full and final resolution of this matter.

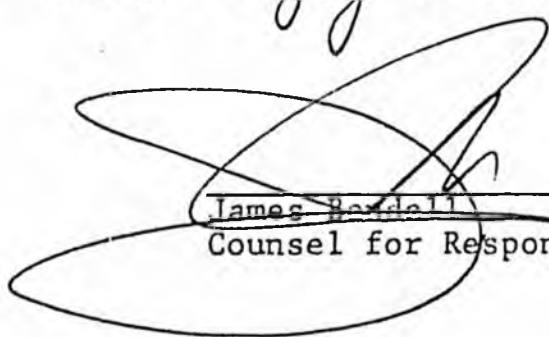
13. The Attorney General notes that the Department is charged with the responsibility of protecting the public health, safety, and welfare by prosecuting unlicensed activities in the State of Alaska. In the opinion of the Attorney General, the terms and conditions of this Stipulation and Order will fully protect the public interests at stake in this matter.

DATED this 31st day of July, 1984, at Anchorage Alaska.

NORMAN C. GORSUCH
ATTORNEY GENERAL

By: 
Kay E. Maassen Gouwens
Assistant Attorney General

DATED this 30 day of July, 1984, at Anchorage, Alaska.


James Boddell
Counsel for Respondents

PROPOSED DECISION

As the parties have stipulated to a result in this matter which appears to the hearing officer to be a fair settlement, this Stipulation is adopted as the proposed decision in this matter.

DATED this 7 day of August, 1984, at Anchorage, Alaska.

Jack D. Clark
Jack D. Clark, Hearing Officer

FINAL ORDER

The Division of Occupational Licensing of the Department of Commerce for the State of Alaska, having examined the Stipulation and proposed Order dated August 7, 1984 by hearing officer Jack D. Clark, hereby adopts the Stipulation and proposed Order as its final Order in this matter.

DATED this 24 day of August, 1984, at Juneau, Alaska.

Division of Occupational
Licensing,
Department of Commerce and
Economic Development

By: Harry Treager
Harry Treager, Director

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ANCHORAGE, ALASKA 99501
PHONE: (907) 276-3550

The undersigned hereby certifies that on the 3rd of August, 1984, the attached documents were mailed to the attorneys of record.

Jim Bendick

Chloe N. Ornt Jr.

Subscribed and sworn to before me
the date last written

Karen M. Proctor

Notary Public

My Commission Expires 7-21-85

NOTE: This is an extremely abbreviated attachment. Between this cover Cease & Desist Order and the Stipulation to do, in effect what we had been doing all along, were eleven (11) months, over \$10,000 and some ten (10) pounds of documents. All are available for review.

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STATE OF ALASKA

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

In the Matter of:)
AMBER ELECTRIC LTD.)
RESPONDENT)

FILE: EE-84-768

TEMPORARY CEASE AND DESIST ORDER
(AS 08.01.087(b)(1))

TO: Kent Lee Woodman
Amber Electric Ltd.
1658 East 59th Avenue
Anchorage, Alaska 99507

1. As a result of an investigation conducted by the Division of Occupational Licensing it has been determined that:

You are operating an Electrical Contracting business known as "Amber Electric Ltd." without registration as a specialty or general contractor. This operation is evidenced by your advertisements as "Amber Electric Ltd" contained on pages 8, 348 and 349 of the 1983 Anchorage telephone book. This is in violation of Alaska Statute 08.18.011. Records of this division indicate that you are the electrical administrator for Yellow Electric Ltd., therefore, you cannot act as electrical administrator for both Yellow and Amber Electric. By doing so, you are also in violation of AS 08.40.130. Division records also show that you were informed by a member of this division on or about 4/1/81 that a separate contractor license and electrical administrator would be required for you to operate as "Amber Electric Ltd". Additionally, inquiry to the Department of Revenue and the Division of Corporations reveals that you have no business license for Amber Electric Ltd. nor is Amber Electric Ltd. registered as a corporation, thus constituting violation of Alaska Statutes 43.70.020 and 09.50.310 respectively.

2. Notification has been made to the members of the Board of Electrical Examiners of the proposed issuance of this Temporary Cease and Desist Order and a majority of the board members do not object to its issuance.

3. Issuance of this Temporary Cease and Desist Order is in the public interest.

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IT IS THEREFORE ORDERED pursuant to AS 08.01.087(b)(1) that you immediately CEASE AND DESIST from further practice as an Electrical Administrator for Amber Electric Ltd. and from further operation of Amber Electric Ltd. until such time as you have the requisite license to do so.

4. Upon your written request within 15 days of receipt of this order a hearing will be set and thereafter a further order will be entered; if no such request is received, this order shall stand as entered.

This order is effective on receipt by you.

DATED THIS 28 DAY OF November 1983 at Sixteen Alaska.

BY ORDER OF

COMMISSIONER
DEPARTMENT OF COMMERCE
AND ECONOMIC DEVELOPMENT

BY: Harry D. Treager

HARRY D. TREAGER, DIRECTOR
DIVISION OF OCCUPATIONAL LICENSING

STATE OF ALASKA
DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING
POUCH D, JUNEAU, ALASKA 99811
TELEPHONE: (907) 466-2538

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STATE OF ALASKA

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

In the matter of:

TEMPORARY CEASE AND DESIST ORDER
(AS 08.01.087)

Respondent

REQUEST FOR HEARING

Respondent, pursuant to AS 08.01.087(b)(1), hereby gives Notice of Defense in this proceeding.

A hearing on the matters set forth in the Temporary Cease and Desist Order is hereby requested.

DATED this 12th day of December 1983.



Respondent's signature

Address: 1658 East 59th Avenue

Anchorage, Alaska 99507

City State

561-2366

Telephone Zip

NOTICE

This Request for Hearing must be signed by or on behalf of respondent, set forth respondent's mailing address, and must be filed with the Director, Division of Occupational Licensing, Department of Commerce and Economic Development, Pouch D, Juneau, Alaska 99811, within 15 days of receipt. Upon receipt of this or a written request in any form received by the Director within 15 days of your receipt of this order, a hearing will be set and thereafter a further order will be entered. If no such request is received, this order shall stand as entered.

RATIONALE' AND EXPLANATION
Proposed changes: Statutes and Administrative Code

FORWARD:

In the extensive review of the statutes and regulations pertinent to this package, several changes were made simply to clarify or to clear up English errors. Such changes are NOT reviewed in the following text, as they should be obvious. The following text reveals the thinking behind each pertinent change.

- * Sec 08.01.110 (2): This change moves a great deal of the Electrical licensing and related matters FROM the Department of Commerce and Economic Development, TO the Department of Labor.

It has been discussed many times that the lines of authority, communication and enforcement sweep back and forth between these two departments with no logic at all, and often times creating confusion and duplication. This is the first of several areas where we propose that the Board of Electrical Examiners, the testing and licensing of Administrators and the Testing, licensing, inspecting and enforcement procedures for craftsmen, all fall under the same Department. We are aware of NO OTHER STATE in which such an illogical splitting of functions and authorities exists.

- * Sec 08.40.130: This change would allow an Administrator with more than one license to administer for a company with each license. As an example, an Outside Communications license could be vested with a communications company, while an Inside Wiring license could be with an electrical contractor.

We suspect that it was never the intent of the original drafters to prevent this, however, the language does stop it cold currently. Concerns for the continuity of supervision should be reduced considerably with reference to that subject in the materials which follow.

- * Sec. 08.40.175: This short addition complies with the intent of HB 328.

- * Sec. 08.40.195: This change would enable Administrators to extend their supervision and inspection activities to more jobs, especially concurrently, through the medium of a new technician, the MASTER JOURNEYMAN ELECTRICIAN, described below. We maintain that this section is impossible to comply with currently without several Administrators on staff and constantly traveling.

Additionally, the law is currently written only to cover the materials and not the installation or labor. This change would fix that.

Finally, the change would be more specific as to the duties of the Administrator, in an attempt to make it more difficult for them to be "absentee" or "leased" licenses of people who are not actively involved in the practices or final product.

There has been considerable discussion through the years that licensing of "private" inspectors would go a long way towards resolving the extreme shortage of funds and personnel available to the state in providing standards of inspection of work to afford an acceptable level of public safety. This is especially true in higher growth areas which have no local inspection.

We maintain that should such a system become possible under law, that it would be these highly qualified Master Journeymen Electricians and Electrical Administrators which would be best suited and trained. Note that application is required. This text would enable the department to initiate such a plan for the first time, thus reducing costs and concerns for public safety.

- * Sec. 18.60.660. This section provides a clarification to prevent difficulties in interpreting the law concerning such items as "zero lot line" and "condominiums" where the units are multi-family, but NOT rented out to the public as with apartments and hotels.

- * Sec 18.62.050(c): This change simply deletes improper references to a trade union over compatible competition, and allows both the NEC and AIECA to provide the input. Present language constitutes an illegal advantage to the union, and constitutes an unfair labor practice in law.

This change would not restrict previous IBEW/NEC activities at all.

- * 8 AAC 90.160: This whole section is designed to create a new level of technical supervisor called a MASTER JOURNEYMAN ELECTRICIAN, compatible with other states, and to fit the rationale' above under "supervision". The balance of this section simply repairs some bad language or makes the material more readable and understandable.
NOTE the change under item (6), which again, deletes reference to the union, and makes it possible for both entities to make input.
NOTE: new item (C) gives a little more substance to certificates of fitness from other states.
NOTE: item (7), which was recently deleted by the legislature, is back in, but with a qualifier indicating that the only "grandfather" licenses to be considered are those of folks who have remained in the industry in some capacity, and not those who came out of hibernation after 12 years asleep and out of touch.
- * 8 AAC 90.170: This is in concert with Mechanical Inspection's desires not to have to fund for and conduct the testing for the new classification. Such tests are available nationally....from no less than IEC chapters. It places a little more formality on the important new classification, and prevents cries of "foul" in the testing and certifying to come.
- * 8 AAC 90.175, 176, 177 & 178. This section introduces for the first time, the licensed signal and communications technician. Much has been said in the past about this career field. Portions of their work are covered by the NEC, and the Municipality of Anchorage is currently studying inspection of all "low voltage" work. Suffice it to say there are many unqualified and unsupervised people installing alarm, communications, data, signal and control circuits, wiring and equipment upon which the public must rely. The delay for compliance provides notice and opportunity for all to bring their operations into compliance with no undue hardship on any one individual or firm.
- * 8 AAC 90.205(c) adds the material contained in Representative Robin Taylor's HB 328.
- * 8 AAC 90.900 (2), (4) & (10) include language required to support the concept of licensing low voltage technicians. Item (15) includes Master Journeyman Electrician in another section that requires it, for continuity. (16) modifies the limits of a RESIDENTIAL WIREMAN: He or she would still be limited to residential work with no more than four (4) living units on a foundation....IF HE OR SHE IS IN CHARGE OF THE JOB.
What it changes, is that if he or she works on, say an 8-plex where a Journeyman is in charge and in place, the wireman may be treated as a Journeyman for purposes of body count and apprentice ratio....i.e. not as an apprentice as it currently is.
NOTE: This situation has been discussed many times, and there is cautious agreement in the state that wiremen on a larger residential job are journeymen for the purposes of apprentices working there as well, provided that a journeyman is in charge...but it needs put in writing.
- * 12 AAC 32.250(a)(5): This section is currently up for change to require the notarized letters, which creates a real problem. Oftentimes the writers of the letters are no longer in business, perhaps even dead. Strict enforcement of such a provision would render many, many hours of work experience invalid for lots of people! This change would give the Mechanical Inspection people some freedom to validate; a practice they have been performing for several years now in unusual cases, on a form they already have.
- * 12 AAC 32.320: simply adds IEC and AIECA to the list of approved sponsoring organizations for the bi-annual workshops. There is no reason in the world that they should not be included, and their exclusion at printing time simply shows the ignorance and short-sightedness of the original drafters.
- * 12 AAC 32.910(2): This completes the changes required to move everything electrical out of Commerce and into Labor. Sections (4) & (10) incorporate the communications technicians for continuity. (15) Adds the Master Journeyman Electrician into the last place it needs to appear to make the new classification complete.

Respectfully submitted this 09th day of May 1985

KENT LEE WOODMAN
Director of Administration
AIECA

2 HOUSE BILL NO. _____

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6
7 For an Act entitled: "An Act relating to Electrical Administrators, Electrical
8 craftsmen, and providing for an immediate effective
9 date."

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

11 * Section 1. AS 08.01.110 is amended to read:

12 Sec. 08.01.110. DEFFINITIONS. In this chapter

13 (1) "board: includes the boards and commissions listed in 08.01.010;

14 (2) "department" means the Department of Commerce and Economic
15 Development, except in the case of the Board of Electrical Examiners,
16 in which case it means the Department of Labor;

17 (3) "commissioner" means the commissioner of commerce and eco-
18 nomic development, except in case of the Board of Electrical Examiners
19 in which case it means the Commissioner of Labor;

20 (4) "license" means any license, certificate, permit, or registration
21 or similar evidence of authority issued by one of the boards listed in
22 AS 08.01.010;

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

24 (6) "occupation" means any of the trades or professions for which
25 licensure is required by one of the boards listed in AS 08.01.010.

26 * Section 2. AS 08.40.130 is amended to read:

27 Sec. 08.40.130. ADMINISTRATOR LIMITED TO ONE LICENSED CONTRACTOR.

28 No person may qualify for or operate as an electrical administrator for
29 more than one registered contractor with each license.

30 * Section 3. AS 08.40.175 is amended by adding a new subsection to read:

31 08.40.175(c). A person who makes an inspection for the commissioner
32 under this section must be licensed to perform the kind of work being
33 examined.

34 * Section 4. AS 08.40.195 is amended to read:

35 Sec. 08.40.195. (a) [PERSONAL] SUPERVISION. A person licensed under
36 this chapter as an electrical administrator who contracts to install or repair
37 electrical wiring, conduits, devices, fixtures, equipment or other electrical
38 materials for transmitting, using or consuming electrical energy must [per-
39 sonally inspect those materials after installation and repair] establish a
40 formal supervision system for the electrical contractor he or she represents,
41 which develops the on-site supervision by the administrator and/or journey-
42 man master electrician; the communications, coordination, records and sys-
43 tem(s) required to adequately manage such construction and assure proffes-
44 sional standards of electrical construction and complaince with the national
45 Electrical Code and local amendments thereto, unless the installation or
46 repair amounts to simple or highly standardized work performed in less
47 than 24 man-hours by personnel generally under the supervision of the
48 electrical administrator, or consists entirely of major component or exact
49 system replacement.

1 * Section 5. AS 08.40.195 is amended by adding new subsections to read:

2 Sec. 08.40.195 (b) An electrical administrator who provides supervision
3 under section (a) of this statute, shall have direct and regular contact
4 with the inspecting and/or supervising journeyman master electrician who
5 regularly inspects each phase of the work performed and the materials
6 supplied. This direct and regular contact shall consist of at least a mini-
7 mum of periodic review of plans and specifications, methods of construction
8 and installation, procedures and inspection results, to assure compliance
9 with the provisions of the National Electrical Code and all local amendments
10 thereto.

11 Sec. 08.40.195 (c) An electrical administrator who provides supervision
12 under sections (a) and (b) above, shall make periodic sampling visits
13 to various work sites and shall maintain plans, specifications, as-built
14 drawings and/or contract documents of all projects for at least one (1)
15 year following completion of said project.

16 * Section 6. AS 18.60.610 DELEGATION OF AUTHORITY is amended by preced-
17 ing the previous text with "(a)" and adding a new paragraph.

18 Sec 18.60.610 (b) Upon application to the department, a person licensed
19 and qualified as a master journeyman electrician in accordance with AS
20 08.40.195, AS 08.90.160, 8 AAC 90.900 and 8 AAC 32.910, and who is an
21 electrical administrator or employed and supervised by a licensed electrical
22 administrator in accordance with AS 08.40.90, 130, 195, 200 and 12 AAC
23 chapter 32, may be authorized by the commissioner to inspect the electrical
24 wiring for a public or commercial structure or a residential structure as
25 defined in AS 18.60.660 provided, however, that such inspection is not
26 for electrical work performed by his or her own employer. Such inspec-
27 tions will be documented on forms provided by the department. Authoriza-
28 tion by the commissioner under this section constitutes a grant of full
29 authority to act within the provisions of AS 18.60.580 - 18.60.660 with
30 the same immunities and privileges accorded to the state in the performance
31 of these duties. A person or entity whose electrical wiring installation
32 is found, by the authorized inspector, not to meet the standards pre-
33 scribed, has the right to appeal to the commissioner for a new inspection.
34 The commissioner shall, within fifteen (15) days, furnish a new inspection
35 by a designee not associated with the person, firm or utility who performed
36 the original inspection.

37 * Section 7. AS 18.60.660 DEFFINITIONS is amended by adding a new para-
38 graph to read:

39 Sec 18.60.660 (5) "residential structure" means buildings such as single-
40 family and multi-family units used for residence, including condominiums.

1 * Section 8. AS 18.62.050 ISSUANCE AND CONTENTS OF CERTIFICATE is amended
2 to read:

3 Sec 18.62.050(c). verification by an Alaska-based [labor union] elec-
4 trical trade association which has an apprenticeship and training program
5 certified by the U.S. Department of Labor, Bureau of Apprenticeship and
6 Training, of an applicant's [member's] qualifications to meet the require-
7 ments for a certificate of fitness may be accepted in lieu of examination
8 or other requirement for issuing a certificate[ion] under this chapter.

9 * Section 9. This Act takes effect immediately in accordance with AS 01.10
10 .070(c).

CORRESPONDING CHANGES TO AAC

ARTICLE 3. ELECTRICIAN CERTIFICATE OF FITNESS.

Section

- 160. Journeyman electrician/master journeyman electrician certificates of fitness
- 165. Electrician trainee certificate of fitness
- 170. Electrician Examination
- 175. Communications journeyman technician certificate of fitness
- 176. Communications technician trainee certificate of fitness
- 177. Communications technician examination

8 AAC 90.160. JOURNEYMAN ELECTRICIAN/MASTER JOURNEYMAN ELECTRICIAN CERTIFICATE OF FITNESS.

(a) An electrician certificate of fitness authorizes the holder to perform work which is subject to the standards established in AS 18.60.580.

(b) A[n] master journeyman electrician, journeyman electrician, journeyman power lineman, maintenance electrician or residential wireman certificate of fitness will be issued by the department upon payment of the fee required under AS 18.62.030, if the applicant respectively

(1) for MASTER JOURNEYMAN ELECTRICIAN: submits documented proof that he or she has a minimum of six (6) years' or 10,000 hours' experience in the electrical trade, of which the last two (2) years or 3,000 hours have been as a supervising and/or inspecting journeyman, and passes an examination prescribed by the department and administered at least quarterly by an approved national testing institution; an accredited apprenticeship classroom program or educational training in the electrical field may be substituted for up to six (6) months' or 1,000 hours' work experience in the trade. An additional six (6) months' or an additional 1,000 hours of formal educational training in management of people, principals of project management and/or electrical inspection may be substituted for the requirement of the last two (2) years; or

(2) [(1)] for JOURNEYMAN ELECTRICIAN: submits documented proof that he or she has a minimum of four (4) years' or 8,000 hours' experience in the electrical trade and passes an examination given by the department; an accredited apprenticeship classroom program or educational training in the electrical field may be substituted for up to six (6) months' or 1,000 hours' work experience in the trade; or

(3) [(2)] for JOURNEYMAN POWER LINEMAN: submits documented proof that he or she has a minimum of four (4) years' or 8,000 hours' experience as a power lineman and passes an examination given by the department; an accredited apprenticeship classroom program or educational training in the electrical field may be substituted for up to six (6) months' or 1,000 hours' work experience in the trade; or

(4) for MAINTENANCE ELECTRICIAN: submits documented proof that he or she has a minimum of three (3) years' or 6,000 hours' experience as a maintenance electrician and passes an examination given by the department; an accredited apprenticeship classroom program or educational training in the electrical field may be substituted for up to three (3) months' or 500 hours' work experience in the trade; or

(5) [(3)] for RESIDENTIAL WIREMAN: submits documented proof that he or she has a minimum of two (2) years' or 4,000 hours' experience as a residential wireman and passes an examination given by the department; an accredited apprenticeship classroom program or educational training in the electrical field may be substituted for up to three (3) months' or 500 hours' work experience in the trade; or

(6) [(5)] presents to the department, on a form provided by the department, a sworn affidavit from an official of an Alaska-based [union] electrical trade association which has an Apprenticeship Training Program certified by the U.S. Department of Labor, Bureau of Apprenticeship and Training, which shows that the applicant meets the experience requirements set forth in paragraphs (1), (2), (3), (4) or (5) of this section, and passes an examination given by the department; the affidavit must specify

(A) the number of qualifying hours experience the applicant claims for the classification for which he or she seeks certification; apprenticeship hours must be noted if this time is being used for qualification; and

(B) the inclusive dates during which the hours claimed in (A) of this paragraph were worked.

(C) Compatible certificates properly issued in other States with experience and testing requirements which are the same or substantially the same as those required in Alaska, may be accepted by the department to substantiate hours and/or experience for the purposes of qualifying to take the applicable examinations.

(7) [(6)] presents documented proof that he or she was actively engaged in the respective work category of the electrical trade in the state for one or more years before January 1, 1973, provided, however, that the person has maintained a continuous, licensed presence in the electrical field from that time to the of application.

8 AAC 90.170. ELECTRICIAN EXAMINATION. (a) Examinations for journeyman electrician, journeyman power lineman, maintenance electrician and residential wireman are available by appointment at the offices of the division in Juneau, Anchorage and Fairbanks. Arrangements for examinations in other [places] locations may be made [by writing the Anchorage office or] by contacting any office of the division.

(b) Examinations for master journeyman electrician shall be conducted at least quarterly by a national testing institute, as prescribed by the department. Arrangements for testing shall be made in the same manner as noted above.

(c) [(b)] A person who fails to pass the examination given by the department may be reexamined after thirty (30) days following the date of the most recent examination. A person who fails to pass the examination for master journeyman electrician, may be reexamined at the next quarterly examination if he or she applies in a timely manner.

8 AAC 90.165. ELECTRICIAN TRAINEE CERTIFICATE OF FITNESS.

- no changes to this section -

8 AAC 90.175. COMMUNICATIONS JOURNEYMAN TECHNICIAN CERTIFICATE OF FITNESS. (a) A communications technician certificate of fitness authorizes the holder to perform work which is subject to the standards established in AS 18.69.580.

(b) A journeyman communications technician or communications technician certificate of fitness will be issued by the department upon payment of the fee required by AS 18.62.030, if the applicant respectively

(1) for JOURNEYMAN COMMUNICATIONS TECHNICIAN: submits proof that he or she has a minimum of four (4) years' or 8,000 hours' experience in the electrical/communications trade and passes an examination given by the department; an accredited apprenticeship classroom program or educational training in the electrical/communications field may be substituted for up to six (6) months' or 1,000 hours' work experience in the trade; or

(2) for COMMUNICATIONS TECHNICIAN: submits proof that he or she has a minimum of two (2) years' or 4,000 hours' experience in the electrical/communications trade and passes an examination given by the department; an accredited apprenticeship classroom program or educational training in the electrical/communications field may be substituted for up to three (3) months' or 500 hours' work experience in the trade; or

(3) presents to the department, on a form provided by the department, a sworn affidavit from an official of an Alaska-based electrical/communications trade association having an apprenticeship training program certified by the U.S. Department of Labor, Bureau of Apprenticeship & Training, which shows that the applicant meets the experience requirements set forth in paragraphs (1) or (2) of this section and passes an examination given by the department; the affidavit must specify

(A) the number of qualifying hours experience the applicant claims for the classification for which he or she seeks certification; apprenticeship hours must be noted if this time is being used for qualification; and

(B) the inclusive dates during which the hours claimed in (A) above were worked;

(4) OR submits documented proof that he or she was actively engaged in the respective work category of the electrical/communications trade in the state for one or more years before 15 May 1985.

8 AAC90.176 COMMUNICATIONS TECHNICIAN TRAINEE CERTIFICATE OF FITNESS.

(1) A communications technician trainee certificate of fitness authorizes the holder to perform work which is subject to the standards established in AS 18.60.580 and performed under the conditions set out under this section.

8 AAC 90.177. COMMUNICATIONS TECHNICIAN EXAMINATION.

(1) Examinations for journeyman communications technician and communications technician are available by appointment at the offices of the division in Anchorage, Fairbanks and Juneau. Arrangements for examinations in any location may be made by contacting any office of the division.

(b) A person who fails to pass the examination given by the department may be reexamined after thirty (30) days following the date of the most recent examination.

8 AAC 90.178. COMPLIANCE.

Compliance with the various provisions of communication technician licensing is required by 01 January 1987.

8 AAC 90.180, 185 RENEWAL AND REVOCATION OF CERTIFICATES OF FITNESS.

- no changes to this section -

8 AAC 90.190. APPEALS.

- no changes to this section -

8 AAC 90.205. RIGHT OF INSPECTION. (a) An inspector must be given free access during reasonable hours to any premises where plumbing or electrical work subject to the standards established in AS 18.60.580 and AS 18.60.705 is being performed.

(b) The inspector may request any person performing work for which a certificate of fitness is required, to present [exhibit] the certificate of fitness. (c) The inspector may immediately serve upon a person performing work without a certificate of fitness, a notice to cease any further work for which a certificate is required, until a certificate of fitness appropriate to the job is obtained from the department. The inspector will serve a copy of the notice on the worker's employer.

(d) An inspector performing inspections under this section shall be licensed for the kind of work being examined or inspected.

8 AAC 90.900 DEFINITIONS.

(note: Item (1) remains unchanged)

(2) "apprentice" means a worker at least sixteen (16) years of age who is employed to learn a skilled trade through participation in a systematic form of instruction and on-the-job work experience designed to provide the worker with knowledge of the theoretical and technical subjects related to the communications, electrical or plumbing trade;

(Note: Item (3) remains unchanged)

(4) "communications technician" means a person who performs work necessary to the installation and construction of communications control, alarm, data and other low voltage circuits as defined by the National Electrical Code, and equipment within buildings and within property lines, restricted to residential units, or commercial structures of two (2) stories or less, acting in the position of supervising technician for that project. Communications technicians shall be considered as "journeymen" for purposes of apprentice ratios on larger projects where a journeyman communications technician is supervising.

(Note: old numbers (4) through (8) remain unchanged except that their numbering sequence is increased by one for the above.)

(10) "journeyman communications technician" means a person who performs work necessary to the installation and construction of communications, control, alarm, data and other low voltage circuits as defined by the National Electrical Code, and equipment within buildings and within property lines of any given property; the term does not include a person performing electrical or electrical line work in buildings, in underground or overhead construction.

(Note: old numbers (9) through (13) remain unchanged except that their numbering sequence is increased by two for the above)

(15) "master journeyman electrician" means a person who performs all the duties and functions noted for "journeyman electrician" in item (11) above, plus certain supervisory and inspection functions in accordance with AS 08.40.195 and AS 16.60.610. The master journeyman electrician provides project management, personnel supervision and inspection of electrical projects for compliance with the National Electrical Code and local amendments thereto.

(16) [14] "residential wireman" means a person who performs work necessary to the installation, construction, and operation of residential electrical systems, beginning at the point of attachment of the service drop or the service lateral on the load side of the meter, and whose work as a supervising journeyman is limited to residential occupancies providing for no more than four (4) residential units on a common foundation, or as a non-supervisory journeyman on residential units of more than four (4) units on a common foundation;

(Note: Old number 15 remains unchanged except that it is now advanced to number (17) because of the new items above)

* Article 7: APPLICATIONS:

12 AAC 32.250(a) (5) notarized certificate in support of applicant's experience and qualifications, or letters of recommendation that have been substantiated and documented during reference checks, for licensure as an electrical administrator from three (3) persons licensed in any state in the electrical industry.

* Article 8: CONTINUING EDUCATION:

12 AAC 32.320. APPROVED WORKSHOPS. (a) To be approved by the board, the subject material of a continuing education workshop must cover the most recent published edition of the National Electrical Code or the most recent published edition of the National Electrical Safety Code.

(b) Continuing education workshops sponsored by the following are approved by the board if they meet the requirements of (a) of this section:

- (1) National Electrical Contractors Association;
- (2) International Brotherhood of Electrical Workers;
- (3) International Association of Electrical Inspectors; and
- (4) Independent Electrical Contractors, Inc; and
- (5) Alaska Independent Electrical Contractors Association.

* Article 9: DEFINITIONS. 12 AAC 32.910. DEFINITIONS. In this chapter

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

(2) "communications technician" means a person who has at least two (2) years' or 4,000 hours' experience in the communications technical wiring field and holds or is otherwise entitled to hold a certificate of fitness issued by the Department of Labor under AS 18.62.

(3) [(2)] "department" means the Department of Labor [Department of Commerce and Economic Development]

(4) [(3)] "four-plex" means a building containing four (4) dwelling units erected on a common foundation.

(5) "journeyman communications technician" means a person who has at least four (4) years' or 8,000 hours' experience in the communications technical wiring field and holds or is otherwise entitled to hold a certificate of fitness issued by the Department of Labor under AS 18.62.

(6) [(4)] "journeyman lineman" or "journeyman electrician" means a person who has at least four (4) years' or 8,000 hours' experience in the electrical trade as described in AS 08.40.200(3) and

(A) holds a certificate of fitness as issued by the Department of Labor under AS 18.62; or

(B) meets all of the qualifications for receipt of a certificate of fitness and has applied for but not yet received, the certificate;

(7) "master journeyman electrician" means a person who is qualified and licensed as in item (6) above, and who has an additional two (2) years' or 2,000 hours' field experience in supervision and inspection, together with completion of special examinations provided by the department.

(Note: old numbers (6) through (9) are unchanged except that each receives a higher number to accommodate the changes above)

end end end end

COMMENTS ON PROPOSED LABOR REGULATION CHANGES

VERBAL TESTIMONY 04 NOVEMBER 1985

MY NAME IS KENT LEE WOODMAN. I AM THE DIRECTOR OF ADMINISTRATION FOR THE ALASKA INDEPENDENT ELECTRICAL CONTRACTORS ASSOCIATION, AND ADMINISTRATOR FOR COMMONWEALTH, LTD. OF ANCHORAGE.

THOUGH OUR ASSOCIATION DID NOT RECEIVE THE PROPOSED RULE MAKING, SUFFICIENT LICENSED ADMINISTRATORS AND CRAFTSMEN DID SO THAT WE BECAME AWARE OF THE TEXT OF THE PROPOSED CHANGES ON MONDAY 14 OCTOBER 1985.

PRIOR TO A TECHNICAL DISCUSSION OF EACH OF THE SEVERAL CHANGES, WE HAVE SEVERAL COMMENTS AND A QUESTIONS.

QUESTIONS: ^{→ 4-21 MAY 1985?} WHAT HAS HAPPENED TO THIS ASSOCIATION'S SUGGESTED CHANGES? SOME OF THEM PARALLEL THESE, BUT DIG DEEPER INTO A TOTAL REPAIR. OUR MASTER JOURNEYMAN ELECTRICIAN SUGGESTION WAS CAREFULLY THOUGHT OUT AND PRESENTED. OUR WORK WAS DONE IN TEDIOUS DETAIL AND PRESENTED LOGICALLY, CORRECTLY AND IN A FORMAT WHICH WAS TOTALLY COMPATIBLE WITH THE REGULATIONS AND THE PROCESSES INVOLVED IN SUCH CHANGES.

WHERE DID THESE PROPOSED CHANGES COME FROM? WHO INITIATED THEM? WERE ALL THE SUGGESTIONS INCORPORATED? IS THERE MORE? HOW DO THEY RELATE TO OUR SUGGESTIONS? WHY WAS THE U.S. DEPARTMENT OF LABOR, BUREAU OF APPRENTICESHIP AND TRAINING ^{NOT} NOTIFIED OF THE PROPOSED CHANGES?

COMMENTS: AS USUAL, THESE PROPOSED CHANGES APPENDED ABSOLUTELY NO EXPLANATION, RATIONALE' OR DISCUSSION. AS A RESULT, THE PROPOSED CHANGES RAISE AS MANY OR MORE QUESTIONS THAN THEY PROPOSE TO RESOLVE. ADDITIONALLY, AS 18.60.580 IS REFERENCED AS A NEW AREA TO BE IMPLEMENTED. MOST ELECTRICIANS WILL NOT HAVE THIS STATUTE ON FILE, NECESSITATING SEVERAL HUNDRED TRIPS TO THE LAW LIBRARY FOR A COPY. IT IS ONLY ONE PAGE AND COULD HAVE BEEN EASILY INCORPORATED IN THE MAILING, FACILITATING FAR BETTER RESPONSE FROM A TRADE WHICH IS AT ABSOLUTE MAXIMUM WORK SATURATION AT THIS TIME.

FAILURE TO INCLUDE A COPY WITH THE RULE CHANGE, ALONG WITH FAILURE TO PROVIDE ANY DISCUSSION OR JUSTIFICATION FOR THE CHANGES, IS EITHER CALCULATED TO PRODUCE THE MINIMUM INPUT, OR AT BEST, HAS PRECISELY THAT EFFECT. AS A RESULT, THE ONLY PEOPLE WHO HAVE THE WHEREWITHALL TO RESPOND WILL MOST LIKELY BE AIECA AND NECA. NOT VERY REPRESENTATIVE. FAILURE TO NOTICE THE BAT APPARENTLY EXCLUDES ONE OF THE MOST INTERESTED PARTIES, IN VIOLATION OF THE INTENT AND SPIRIT ~~AND~~ OF THE ALASKA ADMINISTRATIVE CODE, IF NOT THE LETTER OF THE CODE.

INDIVIDUAL COMMENTS:

8 AAC 90.115 (A) & (B): WE ASSUME THAT THESE TWO NEW SECTIONS ARE INSERTED HERE FOR SOME HOUSECLEANING PURPOSE, AND SUBJECT TO ACCEPTANCE OF THE ENTIRE CONCEPT, WE HAVE NO SPECIFIC OBJECTION.

8 AAC 90.130 THROUGH .150: THESE SECTIONS RELATE TO THE PLUMBING FIELD, IN WHICH WE HAVE NO EXPERTISE. WE HAVE NO COMMENTS.

8 AAC 90.160(B): THIS CHANGE NOT ONLY ALLOWS INCLUSION OF THE NEW PROPOSED CATEGORIES, BUT ALSO STRAIGHTENS OUT SOME HERETOFORE TEDIOUS AND CONFUSING LANGUAGE. SUBJECT TO COMMENTS ON THE NEW CATEGORIES THEMSELVES, WE APPROVE OF THIS CHANGE.

8 AAC 90.160(C) MINIMUM QUALIFICATIONS: WE HAVE NO SPECIFIC OBJECTION TO FURTHER REFINING THE CONTENT OF THE EXPERIENCE REQUIRED OF NEWLY LICENSED JOURNEYMEN, BUT WE ARE GREATLY CONCERNED WITH HOW YOU PLAN TO HANDLE PRESENTLY LICENSED JOURNEYMEN.

- A. WHAT WILL PRESENTLY LICENSED JOURNEYMEN (OR THOSE WHO ARE LICENSED BY THE TIME THESE CHANGES TAKE EFFECT) BE REQUIRED TO DO TO RETAIN OR TO RENEW THEIR LICENSES?
- B. WHAT TIME FRAME WILL APPLY TO THE PRESENT JOURNEYMEN'S COMING INTO COMPLIANCE?
- C. IF A PRESENTLY LICENSED JOURNEYMAN HAS SAY 12,000 HOURS, BUT LACKS 200 IN LOW VOLTAGE APPLICATIONS, WHAT WILL HE OR SHE DO UPON RENEWAL?
- D. WILL FULLY QUALIFIED JOURNEYMEN BE ABLE TO PERFORM THE FUNCTIONS OF THE NEWLY PROPOSED TITLES OF LOW VOLTAGE SIGN AND ELEVATOR ELECTRICIANS IN A MANNER SIMILAR TO A JOURNEYMAN BEING ABLE TO PERFORM LOW VOLTAGE AND RESIDENTIAL WIREMAN TASKS PRESENTLY?
- E. WHAT WILL PRESENT LOW VOLTAGE TECHNICIANS DO THE MOMENT THESE REGULATIONS BECOME EFFECTIVE? WHAT IS THE PHASE-IN TIME PERIOD? HOW WILL IT BE HANDLED?
- F. WE WERE GIVEN TO UNDERSTANT THAT THE MAINTENANCE ELECTRICIAN WAS A POSITION WHICH CAUSED SOME DIFFICULTIES WITH FIELD ENFORCEMENT AND THAT THERE WAS INTEREST IN DELETING THE TITLE. IS THIS NOT THE BEST TIME TO DO SO?
- G. WHAT IS THE PURPOSE AND CONCEPT BEHIND CREATING THESE NEW POSITIONS? ARE WE NOT, IN FACT, JUST GOING ALONG AND MAKING THE PRESENT SITUATION LEGAL? IF THIS IS SO, IS THAT PROPER JUSTIFICATION? WHAT OTHER STATES HAVE EXPERIENCE WITH THESE MANY CLASSIFICATIONS?

8 AAC 90.165 (A) & (B): WE HAVE NO DIFFICULTY WITH THESE CHANGES, WHICH APPEAR LARGELY HOUSEKEEPING.

8 AAC 90.165 (C): WE HAVE A GREAT DEAL OF DIFFICULTY WITH ANY PROPOSED CHANGE TO THE RATIO OF JOURNEYMEN TO APPRENTICE AS SHOWN! WE HAVE BEEN PRESENTED WITH ABSOLUTELY NO RATIONALE, EXPLANATION, OR EXCUSE FOR THIS RATIO TO BE TIGHTENED. IT APPEARS TO BE A CLEAR AND BLATANT EFFORT TO MAKE ALL PRIVATE TRADE WORK COMPLY WITH THE INFLATED AND GREEDY CONDITIONS OF DAVIS BACON JOBS.

A. A LICENSED, EXPERIENCED JOURNEYMAN CAN EASILY HANDLE AND SUPERVISE TWO (2) OR MORE APPRENTICES IN THE TYPICAL WORK ENVIRONMENT. FOR THOSE SPECIFIC INDIVIDUALS OR JOBS WHERE SUCH A CONDITION IS NOT LOGICAL, SUPERINTENDANTS MAY SIMPLY LIMIT THE PARTICULAR CIRCUMSTANCES; NO REGULATIONS NEED BE PROMULGATED.

B. FORCING THE LOWER RATIO OF APPRENTICE TO JOURNEYMAN WILL RAISE THE COST OF ALL ELECTRICAL WORK DONE IN THE STATE, FOR NO EFFECTIVE PURPOSE WHATSOEVER.

C. MOST INDEPENDENT SHOPS HAVE ON THEIR EMPLOYMENT, A RATIO SIMILAR TO THE PRESENT AUTHORIZATION OF TWO-TO-ONE. IMPOSITION OF SUCH AN UNNATURAL LIMITATION NOW WOULD FORCE THEM TO DISCHARGE "SURPLUS" APPRENTICES, WHO WOULD THEN BE ON THE JOBLESS MARKET TO BE SUPPORTED BY THE STATE.

D. AIECA'S APPROVED APPRENTICESHIP TRAINING PROGRAM CURRENTLY HAS ENROLLED ALMOST 75 APPRENTICES IN VARIOUS LEVELS OF TRAINING. SOME OF THEM ARE NOT YET EMPLOYED, BUT ARE IN THE COURSES SEEKING EMPLOYMENT. (IMPOSITION OF THIS ARTIFICIAL LIMITATION WOULD RENDER THE PROGRAM IN COMPLETE DISARRAY, TO NO ONE'S BENEFIT BUT PERHAPS THE IBEW.)

E. PRESENTLY SHOPS BID WORK BASED UPON THE PRESENT RATIO, ENABLING PORTIONS OF THE WORK TO BE BID AT LOWER RATES THAN JOURNEYMAN. SUCH A NEW LIMITATION WOULD HAVE THE IMMEDIATE IMPACT OF RAISING THE COST TO HOME AND COMMERCIAL BUILDERS, FOR NO APPARENT GAIN OR REASON.

F. AIECA ANTICIPATES THAT THE PROPOSAL HAS EITHER COME FROM THE IBEW, NECA OR SOMEONE WITH SUCH LEANINGS. FOR JUSTIFICATION, WE'D SUSPECT THAT SAFETY AND QUALITY CONTROL ARE URGED. TO THIS WE'D REPLY: "SHOW US SOME ACCIDENT HISTORY; SHOW US SOME QUALITY CONTROL STUDIES THAT DIRECTLY RELATE TO THE RATIOS AND WE CAN ALL SIT DOWN AND GO THRU THEM TOGETHER."

WE FLATLY AND EMPHATICALLY REJECT THIS TRANSPARENT ATTEMPT TO RAISE INDEPENDENT COSTS AND PRICES FOR NO REAL REASON.

HAND OUT A DEMONSTRATES COST INCREASES.

HAND OUT B DEMONSTRATES THE EFFECT ON A SMALL SHOP.

8 AAC 90.170: WE HAVE NO DIFFICULTY WITH THIS REPEAL. IT APPEARS TO BE COUPLED WITH 90.115, COVERED AT THE BEGINNING OF THIS REPORT.

8 AAC 90.180: WE HAVE NO DIFFICULTY WITH THIS IN GENERAL, EXCEPT THAT (B)((3) MAKES REFERENCE TO A STATUTE NOT INCLUDED IN THE PACKAGE, AND NOT INCORPORATED IN EITHER OF THE DEPARTMENT'S PUBLISHED BOOKLETS. AS 18.62.580 ONLY DIRECTS THAT THE STATE'S STANDARDS ARE THE NATIONAL ELECTRICAL CODE AND THE NATIONAL ELECTRICAL SAFETY CODE. THERE IS NO REFERENCE TO WHETHER THE TRAINING SHALL BE RECURRENT TRAINING, UPGRADE TRAINING, BASIC STUDY, NEW CODE FAMILIARIZATION OR SOME MIX OF THE ABOVE. EVEN ARTICLE 8, 12 ACC RELATING TO CONTINUING EDUCATION FOR ADMINISTRATORS, GIVES B SLIGHT ADDITIONAL CLARIFICATION. THIS SECTION NEEDS SPECIFICS. HANDOUT C TO THIS DISCUSSION IS OUR RECOMMENDATION OF SOME SAMPLE WORDING.

THE AREA BRINGS UP SEVERAL QUESTIONS:

A. IF A PRESENT JOURNEYMAN CAN PERFORM THE FUNCTIONS OF EACH OF THREE NEW TITLES, MUST HE OR SHE THEN AMASS 24 HOURS OF TRAINING (8 IN EACH AREA) FOR HIS OR HER RENEWAL?

B. MAY A PRESENT JOURNEYMAN RENEW AND PERFORM IN ONE OR TWO OF THE CLASSIFICATIONS?

C. HOW WILL SUCH A JOURNEYMAN BE IDENTIFIED FOR INSPECTION AND JOB PERFORMANCE?

(WE'D NOTE THAT OUR PROPOSED MASTER JOURNEYMAN ELECTRICIAN IS ONE EASY WAY TO MEET THIS DIFFICULTY)

D. ARE THE 8 HOURS OF TRAINING FOR EACH YEAR OF A \$40.00 CERTIFICATE, ANNUALLY, OR FOR EVERY 3 YEARS FOR A \$75.00 CERTIFICATE, IAW AS 18.62.030?

E. ARE THE 8 HOURS OF TRAINING THE SAME FOR THE PRESENT JOURNEYMAN AND THE 3 NEW CLASSES?

F. ARE THE 8 HOURS APPLICABLE TO RESIDENTIAL ELECTRICIAN?

8 AAC 90.185 (!): WE HAVE A GREAT DEAL OF TROUBLE WITH THIS NEW LINE, AND WE PROJECT THAT YOU WILL ALSO. IT IS FAR TOO BROAD; GIVES MUCH TOO MUCH POWER TO THE FIELD WITH VIRTUALLY NO RESTRICTIONS. WE PROJECT THAT EVEN WITH THE BEST OF PEOPLE ON BOARD, THERE WILL BE BREAKDOWNS IN COMMUNICATION AND CONTROL AND THERE WILL BE ABUSES OF THIS SECTION.

WE FURTHER PROJECT THAT SHOULD SUCH AN ABUSE BE APPEALED THAT THIS REGULATION WILL BE STRUCK DOWN SUMMARILY AS UNCONSTITUTIONALLY BROAD. NOTE THAT MUCH MORE TIGHTLY WRITTEN REGULATIONS AND STATUTES THAN THIS HAVE BEEN SO STRUCK DOWN.

IT HAS ALL THE APPEARANCES OF A POWER GRAB. IT IS NOT REQUIRED, IT IS OVERLY GRABBY AND IS MOST LIKELY ILLEGAL.

8 AAC 90.900: WE HAVE SEVERAL PROBLEMS WITH THIS SECTION.

(1) "ACCREDITED". WE RESENT THIS DILLUTION OF THE ACCREDITATION PROCESS TO ENABLE COURSES OFFERED BY UNIVERSITIES, COMMUNITY COLLEGES, HIGH SCHOOLS, AND VOCATIONAL REHABILITATION SHOPS TO AUTOMATICALLY ACHIEVE THE SAME HIGH STATUS AS THOSE SCHOOLS ADMITTED UNDER THE U.S. DEPARTMENT OF LABOR, BUREAU OF APPRENTICESHIP AND TRAINING.

THIS BUREAU HAS CONSIDERABLE AND NATIONAL CREDABILITY. TO TAKE A TIGHTLY CONTROLLED PROGRAM AND OPEN IT UP TO THE WORLD WITHOUT ANY CRITERIA, NO COURSE CONTENT, NO MINIMUM HOURS OF TRAINING, NO PROSPECTUS OR THE LIKE IS SO FOOLHEARDY AS TO MAKE READERS WONDER WHERE THE AUTHOR'S HEAD WAS. WHAT COULD POSSIBLY BE THE JUSTIFICATION FOR SUCH AN EDUCATIONAL CASTRATION?

ADDITIONALLY, THE BUREAU OF APPRENTICESHIP AND TRAINING WAS NOT SERVED OR CONSULTED ON THIS MASSIVE CHANGE; A REGRETTABLE OMISSION OF MAJOR PROPORTION.

(9) "JOURNEYMAN". AGAIN YOU HAVE MADE REFERENCE TO A STATUTE WHICH IS NOT NORMALLY IN THE ELECTRICIAN'S LIBRARY. IT ALSO APPEARS OVERLY BROAD AND OPEN-ENDED - NEEDS SPECIFICS.

(9)(A) CHANGING "THE TRANSFORMER" TO "PAD-MOUNTED TRANSFORMER" IS A CHANGE THAT DEFIES LOGIC AND OUR UNDERSTANDING. IT WOULD HAVE THE EFFECT OF MOVING TRANSFORMER VAULTS AND POLE MOUNTED TRANSFORMERS TO SOME OTHER CLASS OF CRAFTSMAN. WHY IS THIS SOUGHT? WHO PROPOSED IT? WHAT IS IT SUPPOSED TO ACCOMPLISH?

WE OBJECT BECAUSE IT WOULD REMOVE HISTORICALLY ACCOMPLISHED WORK FROM AN EXISTING CRAFTSMAN TO SOME OTHER CRAFTSMAN, WITH NO DEMONSTRATED PURPOSE.

(D) WHY DELETE REFERENCE TO THE NATIONAL ELECTRICAL CODE?

(11) "JOURNEYMAN LINEMAN". THE PROPOSED CHANGE AT THE END OF THIS PARAGRAPH IS IN DIRECT OPPOSITION TO THE CHANGE IN JOURNEYMAN ABOVE. IF A JOURNEYMAN CAN RUN LINE TO THE SECONDARY SIDE OF A TRANSFORMER, DOES THIS CHANGE MEAN THAT A JOURNEYMAN LINEMAN MAY ALSO? WHY THE DUPLICITY? IS IT DUPLICITY?

(13) "MAINTENANCE ELECTRICIAN". AGAIN, AS ABOVE, WE'D HEARD THAT THIS WAS A TOUGH CATEGORY TO POLICE. WHY NOT DUMP IT NOW?

(14) "RESIDENTIAL ELECTRICIAN". WE HAVE NO DIFFICULTY WITH CHANGING HIS OR HER NAME FROM "WIREMAN" TO "ELECTRICIAN", BUT WHAT OF OUR SUGGESTION THAT WE END SOME CONFUSION ON HOW TO TREAT SUCH AN EMPLOYEE? WE SUGGESTED THAT WE ONCE AND FOR ALL PUT IN PRINT THAT A RESIDENTIAL ELECTRICIAN IS CONSIDERED A JOURNEYMAN FOR PURPOSES OF APPRENTICE ASSIGNMENT. WE SUGGESTED FURTHER, THAT HE OR SHE BE CONSIDERED A NON-SUPERVISING JOURNEYMAN WHEN HE OR SHE IS EMPLOYED AS PART OF A CREW ON A COMPLEX LARGER THAN A 4-PLEX. THESE SHOULD BE CONSIDERED NOW.

(15) "TRAINEE". DOES THIS PROPOSED CHANGE MEAN THAT A TRAINEE/APPRENTICE MAY NOT BE PLACED WITH A RESIDENTIAL ELECTRICIAN OR ONE OF THE OTHER NEW CLASSES?

(18) "LOW VOLTAGE ELECTRICIAN". WHY DOES THIS NOT INCLUDE INSTALLATION OF TELECOMMUNICATION EQUIPMENT? IF SAFETY IS A CONCERN, WE NOTE THAT AS ONE EXAMPLE ALONE, A TELECOMMUNICATIONS TECHNICIAN INSTALLS THE INTERCOMM SYSTEM ON A LARGE BUILDING WHERE THERE ARE SPECIAL FIRE DEPARTMENT CONNECTIONS FOR SAFETY. WE RECOMMEND THAT TELECOMMUNICATIONS TECHNICIANS BE INCLUDED.

WE HAVE NOT SEEN THIS HEARING NOTICED IN THE PRESS, AND WOULD LIKE A COPY OF YOUR PROOF OF PUBLICATION IN ACCORDANCE WITH THE ALASKA ADMINISTRATIVE CODE.

WE'D SUMMARIZE WITH THE OPENING COMMENTS: WHY WAS NO BACKGROUND STATEMENT INCLUDED, SHOWING WHAT PROBLEMS WERE ATTEMPTING TO BE OVERCOME? WHY WAS NOT A COPY OF THE REFERENCED STATUTES INCLUDED? WHY HAVE WE HEARD NOTHING FROM OUR SUGGESTIONS; SUBMITTED IN ENTIRELY COMPATIBLE FORMAT, INCLUDING COMPLETE JUSTIFICATION BY LINE ITEM?

THANK YOU FOR ALLOWING US TO PARTICIPATE. I AM PREPARED FOR GENERAL QUESTIONS?

HAND OUT B - IMPACT ON SMALL SHOP

ASSUME SMALL SHOP WITH 3 EMPLOYEES: 1 JOURNEYMAN AND 2 APPRENTICES UNDER PRESENT STATUTE.

ASSUME \$18.00/HOUR FOR JOURNEYMAN PLUS 26% BENEFITS AND OVERHEAD = \$22.68/HOUR.

ASSUME \$10.00/HOUR FOR APPRENTICES PLUS 26% BENEFITS AND OVERHEAD = \$12.60/HOUR EACH.

ASSUME 2 TO 1 RATIO -

$1 \times 22.68 + 2 \times 12.60 = \text{COST/HOUR} = \47.88 FOR A TOTAL SHOP COST, OR AN AVERAGE OF \$15.96/HOUR BILLED.

NOW ASSUME MODIFIED 3 MAN SHOP; 2 JOURNEYMEN AND 1 APPRENTICE:

$2 \times 22.68 + 1 \times 12.60 = \57.87 FOR A TOTAL SHOP COST, OR AN AVERAGE OF \$19.29/HOUR BILLED OUT.

TO MINIMIZE THIS IMPACT, THE SHOP THEN HIRES A 4TH MAN; ANOTHER APPRENTICE:

$2 \times 22.68 + 2 \times 12.60 = \70.47 FOR A TOTAL SHOP COST, OR AN AVERAGE OF \$17.61.

THIS IS AN INCREASE IN COST OF OVER 10%, AND FOR THE 3 MAN SHOP, IT'S OVER 18%!

NOW THE SHOP MUST GO OUT AND ATTEMPT TO DEVELOP ADDITIONAL WORK TO COVER THE COST INCREASES, IN AN ATMOSPHERE IN WHICH OTHER SHOPS ARE DOING THE SAME THING. IT WILL NOT WORK. SOME WILL GO OUT OF BUSINESS AND THE REMAINING FIRMS WILL RAISE THEIR COSTS TO THE PUBLIC FOR ABSOLUTELY NO GOOD REASON.

HAND OUT A - LABOR CALCULATIONS

ASSUME A PROJECT OF \$10,000 ELECTRICAL BILLING.

ASSUME LABOR REPRESENTS 42%. THEREFORE LABOR IS \$4,200.00.

ASSUME A JOURNEYMAN IS EMPLOYED AT \$18.00/HOUR NET AND AN APPRENTICE AT \$10.00/HOUR NET. ASSUME 26% OVERHEAD AND BENEFITS AND YOU HAVE: \$22.68/HOUR FOR JOURNEYMAN AND \$12.60/HOUR FOR APPRENTICE.

ASSUME PRESENT 2 TO 1 RATIO:

$$1 \times 22.68 + 2 \times 12.60 = \text{COST/HR} = \$47.88$$
$$\$4,200.00 \text{ DIVIDED BY } 47.88 = 87.71 \text{ HOURS.}$$

$$87.71 \times 22.68 = \$1,989.26 \text{ (JOURNEYMAN)}$$
$$87.71 \times 2 \times 12.60 = \$2,210.29 \text{ (APPRENTICE)}$$

CHECK SUBTOTAL \$4,199.55

ASSUME 1 TO 1 RATIO:

$$3 \times 87.71 \text{ HOURS} = 263.13 \text{ HOURS}$$

$$263.13 \text{ HOURS DIVIDED BY } 2 = 131.56 \text{ HOURS}$$

$$131.56 \times 22.68 = \$2,983.78 \text{ (JOURNEYMAN)}$$
$$131.58 \times 12.60 = \$1,658.79 \text{ (APPRENTICE)}$$

TOTAL COST \$4,542.57 [1 TO 1 RATIO]
MINUS ABOVE \$4,200.00 [2 TO 1 RATIO]

ADDITIONAL COST \$ 343.02 OR 8.16% LABOR INCREASE!

HAND OUT C - SAMPLE WORDING FOR TRAINING
8 AAC 90.180 (B)(3)

(3) SUBMITS EVIDENCE THAT THE CERTIFICATE HOLDER HAS SATISFACTORILY COMPLETED EIGHT HOURS OF CONTINUING TECHNICAL EDUCATIONAL TRAINING, APPROVED BY THE DEPARTMENT, MEETING THE MINIMUM STANDARDS OF AS 18.60.580 FOR ELECTRICIANS AND AS 18.60.705 FOR PLUMBERS, AND INCLUDING AT MINIMUM:

A) FOUR (4) HOURS OF REVIEW OF CHANGES IN THE LATEST APPLICABLE CODE; AND

B) TWO (2) HOURS OF BASIC THEORY REVIEW AND SAFETY; AND

C) TWO (2) HOURS OF GENERAL INDUSTRY PROCEDURES, APPLICATIONS AND NEW MATERIALS USE.

AIECA

ALASKA
INDEPENDENT
ELECTRICAL
CONTRACTORS
ASSOCIATION

SENATOR JAN FAIKS
Alaska State Senate
Pouch V, State Capitol Building
Juneau, Alaska 99811

Dear Senator Faiks,

14 February 1986

Thank you very much for sending me a copy of the Audit Report on the Electrical Examination Board, and for soliciting my comments.

I have taken the liberty of reviewing them and presenting my findings to our organization, in order that the response be that of a much wider population. It did not take very much study, for our files are full of difficulties relating to this Board, not the least of which is that it has been managed with severe overtones of politics and union control for many years. We will not, however, dwell on this aspect, but stick to the materials developed by the audit.

Generally: We support the first recommendation of the audit, to allow the Board to sunset as quickly as possible.

We also support the recommendation that much of the functions be taken over by the Department of Labor.

We make these UNANIMOUS recommendations because it is our position that the Board, as it is presently constituted and operated, is: Inefficient, duplicative, non-responsive, non-productive, non-cooperative; and its functions could be performed much more effectively by the Department of Labor.

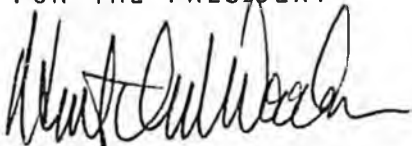
Appended to this letter are two (2) parts: 1. Specific comments on the audit. 2. Comments on this organization's past attempts to make similar changes, proposed changes to statutes and regulations and the like.

In closing, we'd like to remind you and other legislators and staffers who may have access to this response, that our organization represents the Independent Electrical Contractors in the state. There are more of us than there are of the "others", by business licenses, by employees, by permits, by every measure except that small segment of cross-country high tension line contractors.

Our organization was founded in 1977 and is a non-profit trade association dedicated to safer and more efficient electrical practices and products in Alaska. We do NOT negotiate wages for our members as NECA does. We do NOT develop work rules for our employees as do NECA and the IBEW.

Thank you again for your interest and for contacting me. Please let us know what we can do to assist!

FOR THE PRESIDENT



KENT LEE WOODMAN
Director of Administration

encl: 1. comment's on Audit
2. Comments on AIECA's



input
1888, Anchorage, Alaska 99503

3605 Arctic Boulevard, Suite 1888, Anchorage, Alaska 99503

Charter Members: ALL PHASE ELECTRIC, B & E ELECTRIC, DINGBAT ELECTRIC, FUCHS ELECTRIC, HUSKY ELECTRIC, INDEPENDENT ELECTRIC, RAINBOW ELECTRIC, TANNER & SONS ELECTRIC, YELLOW ELECTRIC, LTD.

APPENDIX I
Comments on Audit 08-1221-86-R
Board of Electrical Examiners

This appendix will relate by page and paragraph number in the original report to facilitate cross reference.

PAGE 3, PARA 1: There appears to be a typo in the 4th and 5th lines: The Board members are appointed by the GOVERNOR, not the BOARD.

PAGE 5, PARA 2: Concur 1000% that continuation of the Board is not necessary to protect the public's health, safety and welfare, PROVIDED, however, that careful work is done to make certain that each proper function is performed by the correct agency, and that proper resources are allocated to allow continuation. (we note that the Sunset of the ATC last year was an absolute shambles, and that the surviving agencies have no expertise and no resources to enforce anything)

PAGE 5, PARA 4: DO NOT CONCUR that anyone needs to adopt more stringent control of an Administrator's "personal" inspection of each job. See same subject in Appendix II of this response for all details. AS 08.40 is WRONG in its approach, and its development and publication was ill-advised and impractical.

PAGE 5, Para 7: The Board needs to improve communications WITH EVERYONE! In all the time since we formed in 1977, the BOARJ HAS NEVER RESPONDED TO ANYTHING WE EVER SENT THEM! They have NEVER solicited our input, NEVER commented on input we made, NEVER coordinated proposed regulations, NEVER reported back on regulations which were proposed but not implemented.

They operate 100% in a vacuum, doing "what is best for us", but totally ignoring a vast pool of expertise; the very administrators who are in the field night and day.

PAGE 5, PARA 8: Reciprocity sounds good, but has grave difficulties. One of them is detailed very nicely and very accurately by the Commissioner of the Department of Commerce in his comments appended to the back of the Audit; that of cooperation and coordination with other states. It is tedious at best, and not destined to happen in the near future for the mountain of work that is required.

The second aspect relates to a REAL problem discussed elsewhere in the audit: ABSENTEE ADMINISTRATORS. One thing that keeps a "lid" on the problem currently, is that one must get up here and go through the processes during one of the windows of opportunity four (4) times a year. If one could simply forward a copy of a certificate from say New Jersey, and obtain an Alaskan Administrator's license, we'd be awash with outsiders who either never return, and sign off on work from a retirement city, or who simply do not have the qualifications.

Alaska's rules and test are pretty high level. Many other states do not have the same classifications, let alone the high standards. LET THIS PROGRAM CONTINUE AT ITS OWN PACE, but don't knock the Board or the Departments of Labor or Commerce for not implementing an almost impossible, perhaps undesirable program.

PAGE 7, PARA 1: AGREE 1000% that the Administrator's must be retained. Loss of all that has been gained in regulation and control to date, would create total anarchy. The little authority and the minimum resources presently available to keep things legal, would evaporate to the extreme detriment of Public Health and Safety. See our comments in Appendix II relating to creation of MASTER JOURNEYMAN ELECTRICIAN to help even more in this area.

PAGE 7, PARA 2: More of the same as above; agree totally.

PAGE 7, PARA 3: Agree totally with the first part, but then again, if the Board sunsets, and Labor takes over, the monitoring is already present. This failure to have the data passed on from an agency that already collects it, simply underscores the present duplicity and rationale' to dump it. Do NOT agree with the second half, relating to personal supervision. See item above, and expansion in Appendix II of this response.

PAGE 7, PARA 4: Do not necessarily agree with this comment. The Board may be guilty of lots of malfeasance as relates to how they have treated some applicants in the past, but those charges must be met head-on and individually. Simply matching the failure rate against some "goal" is NOT the criteria to measure the board's effectiveness or the importance of the examinations or screening processes.

As noted above, the Alaskan standards are high. There is no shortage of Electrical Administrators; there are plenty to go around, and creating between 60 and 110/year is plenty to meet demand.

Use great caution not to set quotas of passing rates, or the importance of the program will deteriorate, again, to the public's vast detriment.

PAGE 7, PARA 7: Concur, as above.

PAGE 7, PARA 8: Concur, as above.

PAGE 8, PARA 2: Agree with the second half, which relates to the importance of having a central figure accountable as a justification for retention of the Administrator function, but do NOT agree with the personal inspection aspect, as above. Again, see comments in Appendix II of this response.

PAGE 8, PARA 3: Concur completely; hence our suggestion that the entire program be taken over by Labor. See our materials suggesting this and drafting legislation and regulation changes to accomodate this concept, attached to Appendix II of this response.

PAGE 8, PARA 5 & 6: TOTALLY DISAGREE. Again, see comments in Appendix II and its attachments. AS 08.40.195 is one of the most ill-conceived, impractical statutes on the books!

PAGE 9, PARA 1: Concur with the second half, ref comments about "non-resident" administrators above, do NOT concur with front half, as above.

PAGE 9, PARA 2: Concur completely. This is a tough one to work on. Almost anything anyone has developed to date fails the constitutional test of unduly restricting an American Citizen's right to travel interstate. It needs work, however.

PAGE 9, PARA 4: Strongly DISAGREE, per above, and per comments and materials in Appendix II to this response.

PAGE 10, PARA 4: Concur completely. As seen in the attachments to Appendix II of this response, we even go further and feel that we need to license the technicians. Obviously, grandfather rights must apply to those of us who have been performing both functions with considerable investment in equipment, rolling stock, tools and people all these years.

PAGE 11, PARA 8: Concur 100%. Obviously, if the Board is sunseted, this problem goes away, because Labor communicates very well with Labor.

PAGE 14, PARA IV, A: Concur 1000%. As stated in the cover letter to this response, the Board has NEVER, EVER coordinated or communicated with this group, even to the point of failing the test of the Alaska Administrative Code as relates to advertising etc.

PAGE 14, PARA V, A: This is pure BULL. The Board has done almost everything possible to let folks know that their input is not only not utilized, not desired, but that it may even be USED AGAINST THEM IN THE FUTURE!

PAGE 14, PARA VI, A: I understand that there have been several CASH SETTLEMENTS of claims of applicants for licenses to the Board, when Board members mismanaged their authority and allowed personal, business and union considerations to dictate successful candidates. Check with Representative Robin Taylor for some details. Check also with the AG's office, who handled the settlements.

PAGE 23, PARA 2: Concur completely that the Board should be discharged and that the licensing of Administrators should continue.

PAGE 24, PARAS 1, 2 & 3: Concur with qualification on paragraph 3: the responsibility for licensing Administrators should be moved to LABOR.

PAGE 24, PARA 4: Strongly disagree. Of the three-part system that currently exists, (Board, Labor and Commerce), Commerce plays the SMALLEST PART. Labor does the examination in the field for technician's compliance, why then should another department supervise the operations of their supervisors. It should all be moved into ONE DEPARTMENT, once and for all: LABOR. See additional comments on this subject in Appendix II.

PAGE 24, PARA 5: More as above. Admits duplicity.

PAGE 25, PARA 1: Absolutely NOT; see comments above & in Appendix II.

PAGE 25, PARA 2: Mild concurrence. We have already commented on this proposed regulation, and find it mildly non-objectionable. The real problem, however, is the out of state folks and a poorly written statute. See additional in Appendix II.

PAGE 25, PARA 3. We concur with his concurring.

PAGE 25, PARA 4: We concur completely. His analysis is excellent! END

APPENDIX II
Specific Comments on
Relationship With Board, Commerce and Labor

There are several elements to this appendix. For each element I have provided copies of all the correspondence relating, in order to enable the reader to have all the thinking and communications available for analysis. The attachments to this Appendix are merely the "proof", and need not be read in detail unless something in this Appendix creates a question.

I - NOMINATION TO THE BOARD:

Last year we became aware that two (2) seats on the State Board of Electrical Examiners would vacate soon. We determined to nominate an INDEPENDENT for one of the seats. The first several attachments to this Appendix provide copies of the original nomination, the letters of endorsement and other communications relating to the case. As can be clearly seen, we made a MAJOR nomination, substantially supported.

The Governor's Office instead elected to appoint Mr Walt Gardner, a long time member of the "Old Boy" union network. When we requested copies of his nomination, resume' and letters of recommendation, we received a MISERABLE seven page, lackluster resume'. All attempts from that date to this, to obtain the other material, have met with absolute refusal on the part of the Office of the Governor. We can only assume that he simply had NO RECOMMENDATIONS. We are extremely distressed that the Governor would refuse to even tell us who nominated him!

We were then in a position of deciding whether to make a mass mailing to all legislators, requesting that they block his confirmation. We were starting that effort when your package arrived and we saw that simple SUNSET was by far a better solution to the over all problem.

BOTTOM LINE: This package and its treatment in Juneau, is additional proof that politics/union hold sway over the operations of this Board.

II - 02 September 1983 Altercation with the Board:

The next batch of attachments relate to difficulty in obtaining a clear reading on a confusing statute, which resulted in a flat refusal to provide a copy of some proposed regulations changes.

III - 28 November 1983 Appearance before the Board:

Though we were never provided the text of the proposed regulations changes as requested above, we were finally able to obtain a set through our own contacts. The attachments constitute the text of a presentation to the Board by Woodman, representing AIECA.

Among other items in that presentation, were complaints about COMMUNICATIONS, to the point; violation of the State's Administrative Procedures Act.

In that proposed rule making and our response, was the first effort to inflict "PERSONAL INSPECTION" on Administrators. The text says it all!

THE BOARD NEVER RESPONDED TO EVEN ONE SINGLE LINE OF ALL THAT INPUT, and in fact, the only response Woodman received after the presentation, was the presentation, publically, of a humiliating CEASE AND DESIST NOTICE, by the Board. What a waste of time. They were just sitting there laughing and then they dumped an expensive harassment on one of our member firms.

IV - CEASE & DESIST ORDER:

The next batch of documents relate to the above noted order placed on Woodman the moment he completed his public testimony before the Board. (the meeting, by the way, was held at the NECA building in Anchorage..... How blatant can you get?!)

As can be seen, after the attorneys got their money, absolutely nothing happened. We wasted government and private money and time for nothing. It was a senseless harassment of a company that does everything by the numbers, while the wasted efforts could have been brought to bear on the catching of real offenders and unlicensed folks.

V - 25 April 1985 Communications to Labor; bad legislation:

This package includes a letter to the Department of Labor, with copies to Commerce, the AG and others. It points out a grave difficulty with AS Sec 08.40.195, and recommends a fix. WE NEVER RECEIVED A RESPONSE FROM ANYONE!

VI - 06 May 1985 Letter and comments on proposed changes:

This letter documents again the Board's inability to even get routine correspondence in the hands of the proper people. They simply never provided a copy of the proposed changes to us in DIRECT VIOLATION OF THE ALASKA ADMINISTRATIVE CODE. In spite of the lack of notification, we made a great effort to provide input which is the balance of the attachment. We NEVER RECEIVED A SINGLE COMMUNICATION ON THIS PRESENTATION OR OUR LETTER FROM ANYONE!

VII - 21 May 1985 Proposed changes to Statutes and Regulations:

This is an EXTREMELY IMPORTANT ATTACHMENT! We made a major effort to search through all the appropriate statutes and regulations in a coordinated attempt to get them all fixed and heading the same direction. To our knowledge, NEVER HAS THERE BEEN A COOPERATIVE EFFORT TO REPAIR FAULTY STATUTES AND/OR REGULATIONS.

We made this major effort and provided an extremely valuable body of study in a sincere effort to help the state repair some real problems. WE NEVER RECEIVED A SINGLE BIT OF COMMUNICATION ON ANY PART OF IT FROM ANYONE and yet it addresses problems everyone seems to agree need addressing.

VIII - 29 May 1985 proposed Department of Labor regulation changes:

As the cover letter in this package dramatically states, they FAILED UTTERLY IN THEIR DUTIES TO COMMUNICATE THEIR PROPOSED CHANGES LOGICALLY, TIMELY AND PROPERLY. Nevertheless, we made a massive effort to come to grips with the material and provide a major input.

WE NEVER RECEIVED ANY RESPONSE FROM ANYONE ON THIS PACKAGE.

IX - 04 November 1985 Testimony on Rule Changes:

The attachment here is the text of the testimony presented at public hearing in Anchorage. A copy of the text was provided to the recorder.

Once again, we were not served any of the proposed changes. Additionally, the hearing was held in a far too small room with over 100 people standing in the halls who could not hear testimony before or after them. During our testimony, which was carefully pared down to minimum length, and mercifully presented one time by one representative of over 26 companies, the room, which was loaded with IBEW "crowd scene" hooted, catcalled and attempted to cut the testimony to a minimum.

It was a joke. If I did not know better, I'd have said it was southern "justice", circa 1938. WE HAVE NEVER RECEIVED A SINGLE IOTA OF FEEDBACK FROM ANYONE ON ANY PART OF THIS PRESENTATION!

X - SUMMARY:

If you look through the texts of the attachments, you will see that they repeat the same errors over and over again:

1. People who write and formally request "Party of Record" status are NOT afforded copies of anything.
2. Suspenses when anything at all becomes available are non-existent.
3. Proposed Statute/Regulation changes NEVER have any justification or rationale attached so one can come to grips with what the problem is that the proposed changes are supposed to fix.
4. Most changes proposed are NEVER coordinated between Labor, Commerce and the Board, and oftentimes conflict with others by another branch of government.
5. NEVER does any entity communicate back to folks who make input, or make requests for specific information, in writing!
6. Even proposed regulations which have been beaten down into defeat by overwhelmingly negative response, rise again with almost the same wording a year later, this time with no notice, in an attempt to ram them through anyway when no one is looking!

RECOMMENDATION:

Not only does this "triumvirate" need to be reduced by at least a factor of 1/3, when the Board does succeed, a careful, coordinated plan needs developed so that the problems do not simply move to new shoulders.

We highly recommend that a real cleanup, a real efficiency move, would be to get it all under one roof: LABOR. There is no benefit to having one set of investigators harassing an Administrator for technical compliance, and another set from a different department harassing the Administrator's Journeyman about technical compliance.

Finally, much has been said about "absentee" Administrators, and Unlicensed contractors. ALMOST NOTHING has been done to fix the problem. Over and over again come new proposed rules to tighten up on THE ADMINISTRATORS AND THE COMPANIES WHO ARE HERE, AND WHO ARE DOING IT RIGHT! [It's called "preaching to the choir"]

The new rules about us all having to repaint our trucks and re-do all our letterhead to include our license number works a hardship on us, but does NOTHING WHATSOEVER to stop the unlicensed and absentee folks!

The efforts to have properly operating Administrators somehow be responsible for personal supervision and inspection of each and every job is A PHYSICAL IMPOSSIBILITY. No one has addressed the fact that the LAW IS WRITTEN BADLY.

We need to pool our thinking and get a workshop together to brainstorm a fix for this one. Recommend LABOR, COMMERCE, the AG's Office, NECA and AICECA.

LEGISLATIVE BUDGET AND AUDIT REPORT

A. findings:

Purpose of Board is to enforce the electrical code by monitoring current administrators and to test qualified applicants for administrator.

1. The Board does not directly enforce codes now, DOL does through electrical inspectors. The inspectors are responsible for large jurisdictions, so, they are dependent on administrators' reports. DOL received reports. The Board gets them later.
note: 20% of the administrators at this time have permanent addresses outside the state.
2. Tests given by the Board are too broad (include subjects not applicable to the job an administrator does) and have a high rate of failure.
3. The Board should make sure that applicants are qualified. Most applications have not been accompanied by evidence of electrical licensure or letters of recommendation.

B. recommendations:

1. ENFORCEMENT
Can be retained by the DOL, as is done now, through retaining Administrators and continuing to collect their reports.
2. PERSONAL SUPERVISION
LB&A suggests that the Board needs to require evidence that sites have been personally inspected by Administrators.

Both the LB&A audit and Ak. Independent Electrical Contractors Association (AIECA) state that it is physically impossible for administrators to inspect all sites. AIECA suggests that a requirement be made (probably in the Ak. Administrative Code) that each site have a MASTER JOURNEYMAN to do onsite supervision of all inspections so that administrators would only have to do spot checks. AIECA suggests that the job of an administrator should be to develop quality procedures and policy for a

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job site, not ongoing inspections.

3. EXAMINATIONS

Tests should be limited to the category being tested for.

4. QUALIFIED APPLICANTS

Applicants should be required to prove they are qualified electricians before they are tested.

5. BOARD COMMUNICATIONS

LB&A suggested that the Board be required to improve communications with the DOL so that violations that are reported come to the Board's attention so they can take appropriate actions.

6. RECIPROCITY

LB&A suggested the Board provide for reciprocity.

Commissioner Lounsbury rebutted in the report that reciprocity was not possible because other states will not share their examination information much less enter into reciprocal testing. There is a national effort afoot to have a national electrical administrators test, which should come forth in "the next couple of years" (Com. Lounsbury)

ADDITIONAL INFORMATION:

A. Appointment of Walt Gardiner

The Kent Woodman Story:

Administrator for Yellow Electric, Director of Administration for AIECA (Ak. Independent Electrical Contractors Asso.), was issued a cease and desist order for Amber Electric, div of Yellow.

Was endorsed for Bd. of Examiners by Robin Taylor, Jay Kerttula, AIECA, and others.

Walt was appointed. Kent and AIECA repeatedly asked the Gov's office who nominated Walt and Gov's office refused to tell.

The feeling of Charlie Bussell and Kent Woodman is that the Board is appointed to serve political interests and is inhibiting the efforts of those in the industry who wish to become administrators. Current appointments are one part of their argument.

B. Testing of Administrators

As discussed earlier, tests are too difficult and too broad. This is limiting the number of Electrical Administrators in Alaska, which Charlie Bussell and Kent Woodman claim is part of the

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Board's inability to serve its purpose.

COVERING THE BOARD'S DUTIES IF THEY SUNSET

Enforcement of code can continue to be done by administrators and DOL inspectors without the Board.

Testing and licensure can be handled by the Division of Occupational Licensing, probably in cooperation with DOL.

Sunset TC's

Joint LTC

4/28; 1-5pm) BDS OF VETS + ELEC EXAMINERS

SITES: KTN, FOK, ANC, JNU,* NOM, SOL

4/30; 1-5pm) REAL EST. COMMISSION + APUC

SITES: KTN, FOK, ANC, JUN.* &
~~PALMUC~~ MAT-SU (WASILLA)

BOARD: ELECTRICAL EXAMINERS, BOARD OF

TITLE: Board of Electrical Examiners

DEPT: Department of Commerce and Economic Development

AUTHORITY: AS 08.40.010

STATUS: 86/06/30

REQUIREMENTS: LEGISLATIVE CONFIRMATION

PROHIBITIONS: Cannot serve more than two consecutive terms

TERM: 3 years - staggered

DESCRIPTION: 3 members appointed by Governor: 2 licensed electrical administrators and 1 public member; serve at the pleasure of Governor; Board selects chair.

SPECIAL FACTS: Quorum - 2 members

FUNCTION: Regulates and controls licensing, suspension, revocations of electricians

COMPENSATION: Standard travel/per diem

MEETINGS: Normally 4 times per year; 20 days maximum

*FOR FURTHER INFORMATION CONTACT: Licensing Examiner, Division of Occupational Licensing, Dept. of Commerce and Economic Development, Box D, Juneau, AK 99811 - 465-2547

Electrical Examiners Board

<u>MEMBER</u>	<u>APPT</u>	<u>REAPPT</u>	<u>TERM</u>
Steven F. Boyd Box 5865 Ketchikan 99901 Elec/Administrator	85/05/21		87/07/10
Terence L. Duszynski 3289 Rosie Creek Fairbanks 99701 Public - Chairman	80/10/07	84/07/31	86/07/10
Walter R. Gardner 7731 Island Drive Anchorage 99504 Elec/Administrator	85/09/19		88/07/10

BOARD: REAL ESTATE COMMISSION

TITLE: Real Estate Commission

DEPT: Department of Commerce and Economic Development

AUTHORITY: AS 08.88.011

STATUS: 86/06/30

REQUIREMENTS: LEGISLATIVE CONFIRMATION

PROHIBITIONS:

TERM: 4 years - staggered

DESCRIPTION: 7 members appointed by Governor: 5 real estate brokers or associate brokers licensed in Alaska for 3 years, to represent each judicial district, and 1 at-large; if none available from second judicial district, 2 shall be at-large; plus 2 public members; Commission appoints Executive Director; Commission elects chair.

SPECIAL FACTS: Quorum - majority (at least 2 judicial districts represented)

FUNCTION: Regulates and controls licensing, suspensions, revocations of real estate industry; manages surety claim fund

COMPENSATION: Standard travel/per diem

MEETINGS: 6 times per year, 2 days each; 6-12 committee meetings per year; 24 days total

*FOR FURTHER INFORMATION CONTACT: Executive Director, Real Estate Commission, Frontier Building, 3601 C Street, Suite 722, Anchorage, AK 99501 - 563-2169

Real Estate Commission

<u>MEMBER</u>	<u>APPT</u>	<u>REAPPT</u>	<u>TERM</u>
John E. Benson P.O. Box 7076 Ketchikan 99901 Broker/1st JD	83/10/19	85/01/31	89/01/31
Barry L. Brown 627 Gaffney Fairbanks 99701 Broker/4th JD	85/01/31		89/01/31
LaVerne F. Collins P.O. Box 102751 Anchorage 99510 Public	83/05/20	84/01/31	88/01/31
Barbara J. Hill 4201 Tudor Centre Drive Anchorage 99508 Broker at Large - Chairman	80/02/21	84/02/15	88/01/31
Jon "Dave" D. Ribacchi 2531 Banbury Drive Anchorage 99504 Broker/3rd JD	83/05/20		87/01/31
Gilbert Serrano c/o Land Co., 641 "A" St. Anchorage 99502 Broker at Large	83/10/19		87/01/31
Iola Young-Robinson P.O. Box 1329 Palmer 99645 Public	85/02/21		87/01/31

BOARD: UTILITIES COMMISSION, ALASKA PUBLIC

TITLE: Alaska Public Utilities Commission

DEPT: Department of Commerce and Economic Development

AUTHORITY: AS 42.05.010

STATUS: 85/06/30

REQUIREMENTS: LEGISLATIVE CONFIRMATION AND FINANCIAL DISCLOSURE

PROHIBITIONS: No stock or interest in public utilities in Alaska; Check AS 42.05.131 for restrictions.

TERM: 6 years - staggered

DESCRIPTION: 5 members appointed by Governor: 1 graduate of accredited school of law; 1 graduate of accredited university, with major in engineering; and 1 one with major in finance, accounting, or business administration (5 years actual experience in field is equivalent to a degree); plus 2 consumers; Governor designates chair (for 4-year term).

SPECIAL FACTS: Quorum - 3 members; may be removed by and with consent of majority of Legislature; Attorney General is legal counsel; annual report to Legislature

FUNCTION: Certifies qualified providers of public utilities services; ensures that certified utilities and pipeline carriers, unless exempted by statute, provide adequate, efficient, and safe services and facilities to the public at just and reasonable rates, terms and conditions.

COMPENSATION: SALARIED

MEETINGS: Continuous hearings throughout the year.

*FOR FURTHER INFORMATION CONTACT: Executive Director, Alaska Public Utilities Commission, 420 L Street, Suite 100, Anchorage, AK 99501 - 276-6222

Utilities Commission

<u>MEMBER</u>	<u>APPT</u>	<u>REAPPT</u>	<u>TERM</u>
Louis L. Agi 1730 Crescent Drive Anchorage 99504 Salaried/Attorney	83/02/07		88/10/31
Carolyn S. Guess 3226 Upland Drive Anchorage 99504 Salaried/Consumer - Chairman	81/09/15		87/10/31
Susan M. Knowles 1146 "S" Street Anchorage 99501 Salaried/Consumer	81/09/15		87/10/31
Marvin R. Weatherly 6928 Fairweather Drive Anchorage 99502 Salaried/Engineer	75/08/21	84/10/30	90/10/31
Kathleen L. Whiteaker 4321 Edinburgh Court Anchorage 99515 Salaried/Business	85/01/15		86/10/31

BOARD: VETERINARY EXAMINERS, BOARD OF

TITLE: Board of Veterinary Examiners

DEPT: Department of Commerce and Economic Development

AUTHORITY: AS 08.98.010

STATUS: 85/06/30

REQUIREMENTS: LEGISLATIVE CONFIRMATION

PROHIBITIONS: Cannot serve more than two successive complete terms

TERM: 4 years - staggered

DESCRIPTION: 5 members appointed by Governor: 4 licensed veterinarians in active practice in Alaska for 5 years; plus 1 public member; no person may serve who is, or was during the two years immediately preceding appointment, a member of a faculty, board of trustees, or advisory board of a veterinary school.

SPECIAL FACTS: May be removed for cause; quorum - majority

FUNCTION: Regulates and controls applications, licenses, and permits of veterinarians

COMPENSATION: Standard travel/per diem

MEETINGS: At least 3 annually; normally 3 times per year, 3 days maximum, plus 2-4 work sessions

*FOR FURTHER INFORMATION CONTACT: Licensing Examiner, Division of Occupational Licensing, Dept. of Commerce and Economic Development, Box D, Juneau, AK 99811 - 465-2544

Veterinary Examiners

<u>MEMBER</u>	<u>APPT</u>	<u>REAPPT</u>	<u>TERM</u>
David V. George 2505 David Street #49 Juneau 99801 Public	85/06/11		88/01/31
Derrick J. Leedy, DVM P.O. Box 1164 Nome 99762 Veterinarian	85/06/28		89/01/31
Stephen A. Mersch, DVM SR2 Box 880 Soldotna 99669 Veterinarian	84/03/30		87/01/31
Val D. Stuve, DVM 1651 College Road Fairbanks 99701 Veterinarian - Chairman	82/01/75		86/01/31
Pamela A. Tuomi, DVM 2036 East Northern Lights Anchorage 99508 Veterinarian	80/04/01	84/04/09	88/01/31

Alaska State Legislature

POUCH V
JUNEAU, ALASKA 99811
(907) 465-4931

DISTRICT 10
BOX 111038
ANCHORAGE, ALASKA 99511
(907) 349-2192



CHAIRMAN
Special Committee on
Telecommunications

MEMBER
Labor and Commerce
State Affairs
Finance—Subcommittee Administration

Representative H. A. "Red" Boucher

March 11, 1986

Loren H. Lounsbury, Commissioner
Department of Commerce and Economic
Development
P.O. Box D-LIC
Juneau, Alaska 99811

Dear Commissioner Lounsbury:

I understand that there is currently a bill in Senate Labor and Commerce, SB 384, that deals with the sunset of the Board of Electrical Examiners, and that it has had one public hearing already. While it is too early to predict the outcome of this bill, I understand the Committee is looking closely at the recommendation of the Legislative Budget and Audit Committee to sunset the Board.

If sunset occurs, it seems to me that this would have some impact on the proposed regulation changes in your January 17 notice, and in fact may negate them. It would be helpful to me if you could explain what the potential impact would be either with or without the Board sunset.

I would also like to formally request that you delay final approval of the proposed changes in the regulations of the Board of Electrical Examiners in your January 17 notice until the sunset issue has been resolved or until it has been made clear that the sunset would not affect the proposed regulations.

Sincerely,

A handwritten signature in dark ink, appearing to be "Red Boucher".

Representative H.A. "Red" Boucher

RB/rp

cc: Senator Zharoff, Chair of Senate Labor & Commerce

B. HERBERT
P. O. Box 2240
Valdez, Alaska 99686

FEB 20 1986

February 17, 1986

Mr. Kevin Henderson
Division of Occupational Licensing
P. O. Box D-LIC
Juneau, Alaska 99811

Dear Mr. Henderson:

I have received several copies of the proposed changes to the statutes and regulations governing the Board of Electrical Examiners. At present, I am in contact with twelve other persons in the electrical industry as concerned with the proposed changes as I am.

The proposed changes are only more restrictive to the majority and favor in some instances only a small minority.

Enclosed is a list of the changes with revisions to make them more equitable. As proposed by the Board of Examiners, the changes would increase costs to the public through added administrative expense. The consumer would also have additional costs passed on as the cost of doing business. The applicant for a license would also be more restricted as he would lose rights now afforded by statute in its present form.

I am sure the public good should be considered and I hope my suggestions will be of help with your deliberations which are greatly appreciated.

Thank you for your time and attention.

Sincerely,

B. Herbert

cc: Senator Edna DeVries	Representative Mike Navarre
Senator Fred Zharoff	Representative Nike Davis
Senator Richard Eliason	Representative H. A. "Red" Boucher
Senator Don Bennett	Representative Virginia Collins
Senator Bill Ray	Representative Alyce Hanley
Senator John Sackett	Representative Niilo Koponen
Commissioner Loren Lounsbury	Representative Drue Pearce
Representative Andre Marrou	Representative Bette Cato

12.AAC.32.001 (4) Should be amended to read:

- (4) An Alaska registration as a professional electrical engineer plus -
 - (A) Management experience in the electrical construction industry as a field engineer, office engineer or in a similar engineering position for at least four of the six years immediately preceding the date of application;
 - (B) Experience as a journeyman lineman in outside construction for three of the six years immediately preceding the date of application;
 - (C) Certified inspector for the State of Alaska or one of its municipalities with experience as a journeyman lineman in outside construction for two of the four years immediately preceding the date of application;
 - (D) Full time instructor at a school approved by the Board with experience as a journeyman lineman in outside construction for two of the four years immediately preceding the date of application.

12.AAC.32.090 (2) Is amended to read:

- (2) Construction Management experience in inside wiring as a field superintendent, field engineer, or similar position for at least four of the six years immediately preceding the date of application; or

12.AAC.32.090 (4) Should be amended to read:

- (4) An Alaska registration as a professional electrical engineer plus -
 - (A) Management experience in the electrical construction industry as a field engineer, office manager or in a similar position for at least four of the six years immediately preceding the date of application; or
 - (B) Experience as a journeyman electrician in outside construction for three of the six years immediately preceding the date of application; or
 - (C) Certified electrical inspector for the State of Alaska or one of its municipalities with experience in inside construction as a journeyman for two of the four years immediately preceding the date of application; or
 - (D) Full time electrical instructor at a school approved by the Board and experience in inside construction as a journeyman for two of the four years immediately preceding the date of application.

12.AAC.32.240 Examination Papers - Should be amended to read:

All examination papers will be preserved for a period of at least one year after notification of grade results, during which time any candidate who has failed the examination may inspect his or her papers in the presence of a Board member or his designee. However, no person may inspect examination papers during the 20 days immediately preceding any examination.

12.AAC.32.350 Exemption From Continuing Education

In agreement with changes.

12.AAC.32.900 Licensed Electrical Administrator is Responsible for Completed Project

This section should remain as is.

12.AAC.32.910 Change of Employer or Company Affiliation

This new addition is not necessary and should not be added.

12.AAC.32.990 (7) [Formerly 12.AAC.32.910 (7)]

No opinion