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Bill No. Senate Bill 111

Title "An Act extending the termination date of the Board of Electrical Examiners."

Date February 25, 1987

Contact: Tom Stuart
465-4870

Eileen Plate
465-2700

Senate Bill 111 extends the termination date of the Board of Electrical Examiners to June 30, 1990. The Board is presently operating under the one-year termination period provided under AS 08.03.020, and it will be dissolved on June 30, 1987 if legislation is not passed to extend the termination date.

Under AS 08.40.005, the purpose of the Board of Electrical Examiners is "to protect the safety of people and property in the state from the danger of improperly installed electrical wiring and equipment by providing a procedure to assure:

- 1) the public that persons responsible for making electrical installations in this state are qualified; and
- 2) a sufficient number of persons are so qualified".

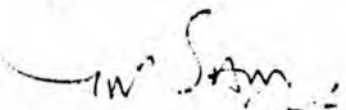
The Board carries out its responsibilities by examining and licensing electrical administrators, and by suspending and revoking the licenses of persons who fail to perform competently. Electrical administrators are held accountable by the Board for electrical work performed under their individual licenses.

Continuation of the Board of Electrical Examiners will assist in protecting the public from life safety hazards and from financial losses that result from improper or faulty electrical installations.

The Department of Labor supports Senate Bill 111.

It will not have a fiscal impact on the Department.

APPROVED:


Jim Sampson, Commissioner
Department of Labor

POSITION PAPER/Department of Labor

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version: SB 111
Publish Date: _____

REQUEST: _____

Revision Date: _____ Agency Affected: Labor
Title: "An Act extending the termination BRU: Labor Standards and Safety
date of the Board of Electrical Examiners..."
Sponsor: Zharoff Components: Mechanical Inspection
Requestor: Senate Labor and Commerce

EXPENDITURES/REVENUES: (Thousands of Dollars)

| OPERATING | FY 87 | FY 88 | FY 89 | FY 90 | FY 91 | FY 92 |
|-------------------|-------|-------|-------|-------|-------|-------|
| PERSONAL SERVICES | | | | | | |
| TRAVEL | | | | | | |
| CONTRACTUAL | | | | | | |
| SUPPLIES | | | | | | |
| EQUIPMENT | | | | | | |
| LAND & STRUCTURES | | | | | | |
| GRANTS, CLAIMS | | | | | | |
| MISCELLANEOUS | | | | | | |
| TOTAL OPERATING | 0 | 0 | 0 | 0 | 0 | 0 |
| CAPITAL | | | | | | |
| REVENUE | | | | | | |

FUNDING: (Thousands of Dollars)

| | | | | | | |
|---------------|---|---|---|---|---|---|
| GENERAL FUND | | | | | | |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | 0 | 0 | 0 | 0 | 0 | 0 |

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS : (Attach a separate page if necessary)

Prepared by: TS Tom Stuart, Director Phone: 465-4870
Division: Labor Standards and Safety Date: 02/24/87
Approved by Commissioner: JS Jim Sampson Date: 02/24/87
Agency: Labor

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

SB 111: An Act extending the termination date of the Board of Electrical Examiners; and providing for an effective date.

SB 111 extends the termination date for the Board of Electrical Examiners from June 30, 1986 to June 30, 1990. The board is currently in its final year of existence for the purposes of concluding its affairs in accordance with AS 08.03.020(a). Unless the termination date is extended, the board will cease to exist on June 30, 1987.

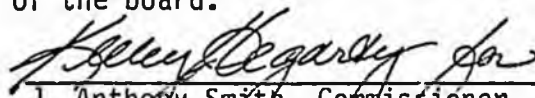
The September 1985 performance audit of the Board of Electrical Examiners identified areas of concern regarding the responsibilities and conduct of the board and, thus, recommended sunset. Since the audit, the board has devoted its efforts to complying with the audit recommendations and to satisfying those identified areas of concern. In compliance with the audit report, the board has developed regulations to require evidence that electrical jobs have been personally inspected by electrical administrators. They have also revised their procedures for approving applicants by designating a check list to ensure applications are complete prior to review.

Another area of major concern identified in the audit was the examination. In the past, examinations combined categories such as outside linework with outside communication questions and inside wiring with inside communications questions. The average failure rate for the examination was 73%. Since the audit, the examination was revised by the board to separate these categories of questions. However, the average failure rate for the examination is still 61%. The department is concerned that the high failure rate may be attributed to the quality of the examination and would recommend the board conduct an analysis of the exam.

Another recommendation contained in the audit was for the board to improve communications with the Department of Labor so that violations are reported in order for the board to take necessary action.

Daily coordination and communication now occur between the investigations unit of the Division of Occupational Licensing, and inspectors of the Department of Labor. However, there is no formal mechanism for reporting violations. The department intends to implement a quarterly report of enforcement activity to be exchanged with the Department of Labor and will request that the same be done by Labor.

In summary, the department maintains its support for continuation of the licensing of electrical administrators and recognizes the fact that the Board of Electrical Examiners performs many functions which the Division of Occupational Licensing currently is unable to provide. For example, the board has the expertise needed to evaluate the work experience of applicants, conduct exam reviews, and provide an appeals process for individuals who fail the examination. For these reasons, the department does not oppose the continuation of the board.



J. Anthony Smith, Commissioner
Department of Commerce & Economic
Development

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

Bill Version : SB 111
Publish Date : 2/9/87

REQUEST: _____

Revision Date: _____

Agency Affected: Commerce & Econ. Dev.

Title: An Act extending the termination date of the Board of Electrical Examiners;

BRU: Occupational Licensing and providing for an effective date.

Sponsor: Senator Zharoff

Components: All

Requestor: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

| OPERATING | FY 87 | FY 88 | FY 89 | FY 90 | FY 91 | FY 92 |
|------------------------|----------|----------|----------|----------|----------|----------|
| PERSONAL SERVICES | 0 | 0 | 0 | 0 | 0 | 0 |
| TRAVEL | 0 | 0 | 0 | 0 | 0 | 0 |
| CONTRACTUAL | 0 | 0 | 0 | 0 | 0 | 0 |
| SUPPLIES | 0 | 0 | 0 | 0 | 0 | 0 |
| EQUIPMENT | 0 | 0 | 0 | 0 | 0 | 0 |
| LAND & STRUCTURES | 0 | 0 | 0 | 0 | 0 | 0 |
| GRANTS, CLAIMS | 0 | 0 | 0 | 0 | 0 | 0 |
| MISCELLANEOUS | 0 | 0 | 0 | 0 | 0 | 0 |
| TOTAL OPERATING | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | |
|----------------|--|--|--|--|--|--|
| CAPITAL | | | | | | |
|----------------|--|--|--|--|--|--|

| | | | | | | |
|----------------|---|---|---|---|---|---|
| REVENUE | 0 | 0 | 0 | 0 | 0 | 0 |
|----------------|---|---|---|---|---|---|

FUNDING: (Thousands of Dollars)

| | | | | | | |
|---------------|----------|----------|----------|----------|----------|----------|
| GENERAL FUND | 0 | 0 | 0 | 0 | 0 | 0 |
| FEDERAL FUNDS | | | | | | |
| OTHER | | | | | | |
| TOTAL | 0 | 0 | 0 | 0 | 0 | 0 |

POSITIONS:

| | | | | | | |
|-----------|--|--|--|--|--|--|
| FULL-TIME | | | | | | |
| PART-TIME | | | | | | |
| TEMPORARY | | | | | | |

ANALYSIS : (Attach a separate page if necessary)

Funding for continuation of the Board of Electrical Examiners is budgeted for in the department's FY 88 operating budget request and is anticipated to be covered primarily through program receipts.

Jennifer Strickler
Prepared by: Jennifer Strickler, Management Analyst

Phone: 465-2144

Division: Occupational Licensing

Date: 2/26/87

Approved by Commissioner: J. Anthony Smith

Date: 2/26/87

Agency: Commerce and Economic Development

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

AD HOC COMMITTEE PERTAINING TO THE BOARD OF ELECTRICAL EXAMINERS

POSITION PAPER

For "An act extending the termination date of the Board of Electrical Examiners; and providing for an effective date."

This position paper is a product of an Ad Hoc Committee which was formed during the summer of 1986, to address the "sunsetting" review of the Board of Electrical Examiners under AS 08.40.005. The Committee is comprised of the following members representing their respective organizations:

- Dixie Hudish - Government Relations Representative,
Chair
IBEW Local No. 1547
- Don Lederhos - Raven Electric (non-union
electrical contractor)
- Walt Gardner - Chairman for the Board of Electrical
Examiners
- John Hopkins - NECA/IBEW Electrical
Apprenticeship School
- Don Cather - Chief Mechanical Inspector, Department of
Labor
- Dick Wyland - Chairman, Alaska Chapter of the
International Association of
Electrical Inspectors
- Stan Hafferman - Communications Representative, IBEW Local
No. 1547

The Department of Commerce and Economic Development was contacted (former Commissioner Lounsbury, See Attached Letter), and has been kept abreast of the activities of the Committee as well as the National Electrical Contractors' Association, (NECA) and the Department of Labor, (DOL) (former Commissioner Robison, See Attached Letter). Minutes of all meetings were recorded.

Below is a summary of the purpose of the Electrical Examiners' Board, its organization, and functions of responsibility.

I. PURPOSE OF THIS COMMITTEE

Primary purpose of this Committee is to make recommendations concerning the "continuing or sunseting" of the Board of Electrical Examiners during the Legislative session.

II. PURPOSE OF THE BOARD OF ELECTRICAL EXAMINERS

Section AS 08.40.005, for the purpose of establishing the Board -- "to protect the safety of people and property in the State from the danger of improperly installed electrical wiring and equipment, to provide a procedure to assure the public: 1) that persons responsible for making electrical installations in this State are qualified; and, 2) a sufficient number of persons are so qualified."

III. ORGANIZATION OF THE BOARD

Members: Two licensed Electrical Administrators; one public member.

Appointed by: The Governor and confirmed by the Legislature

Terms: Three (3) year terms -- staggered;
limited to two terms

Staff: One part-time investigator (as assigned for reported infractions) and one part-time Licensing Examiner.

Board Meetings: One regular annual meeting.

IV. FUNCTIONS OF RESPONSIBILITY OF THE BOARD

1. Qualifies an applicant in order to take an exam for an Electrical Administrator's license.
2. Adopts regulations establishing categories of Electrical Administrators, establishing qualifications for those categories, and the content of examination for applicants for each category.
3. Establishes the continued competency of an applicant for license renewal and reinstatement, and the suspension and revocation of licenses.
 - (a) Continuing education for renewal of an Electrical Administrator's license is required when the National Electrical Code or the National Electrical Safety Code is revised.

(b) For license renewal, applicant must attend at least an eight (8) hour Board approved course.

4. Adopts regulations relating to the examination and licensing of Electrical Examiners (monitors and administers the examination). A licensing exam shall be conducted at least twice during each year at appropriate places in the State.
5. Investigation by the Board. The Board is responsible in responding to complaints by the public for unsafe installation violations. The Board may make, or have made, a physical inspection or investigation into the work of a licensee, which it considers necessary. May issue subpoenas and process, compelling the attendance and production of any papers for purpose of investigation and examination.

AD HOC'S COMMITTEE'S FINDINGS

The Ad Hoc Committee examined the Legislative Audit of September 25, 1985, and concluded the following:

Legislative Audit Recommendation No. 1:

The Legislative Audit points out that "the licensing and regulation of electrical administrators can be adequately performed in the absence of the Board."

The Committee opposes this finding. The Committee felt strong in supporting a non-partisan Board which will provide the procedures in insuring the public that persons responsible for making the electrical installations in the State are qualified and competent.

The Committee further finds the importance to provide the public with a non-partisan Board of Electrical Examiners which will hold fair and impartial hearings to revoke, suspend, or deny licenses as stipulated under the present statute.

The Committee finds that the licensing function of the Electrical Administrators should continue to be regulated.

In order to protect the public it is found that contractor compliance with the electrical code is essential.

It is vital to the public's safety to have one person accountable, the licensed Electrical Administrator, for all electrical work performed by his employer, and/or his employees, or by himself to be in compliance with installation laws, current

wiring and safety codes. The State has a responsibility to the public to insure that persons responsible for making electrical installations in this State be qualified.

Poor electrical wiring, by irresponsible and incompetent electrical installers will cause irreparable harm to the public. Life safety hazards will result from inadequate electrical installation, financial loss will result from damaged property caused by fire.

Legislative Audit Recommendation No. 2:

The Committee agreed that "the Board should require evidence of personal supervision to insure that jobs have been inspected". The Board has recently implemented an affidavit to be notarized which will:

- A. Insure evidence of jobs being personally inspected by Electrical Administrators.
- B. Help with the problem of absentee administrators by requiring them to personally inspect the work.
- C. Be required when, and if, the authority having jurisdiction deems it necessary.

NOTE: Electrical Administrators can only be licensed to a single contractor.

Legislative Audit Recommendation No. 3:

"The Board should clarify regulations relating to the scope of examinations in order to be consistent with other regulations pertaining to scope of licenses."

The Board has made changes revising examinations for the various licensed categories in order to be consistent with other regulations and in response to public input.

Regulations have been revised to reflect:

- A. That a person holding a current license in outside line work will not be granted a license in outside communication without taking a separate exam.
- B. That a person holding a current valid license in inside wiring will not be granted a license in inside communication without a separate exam.

- C. That the examination is separate for each category that an applicant is seeking to be licensed in. (This allows the applicant to be tested only on the subject matter of the licensed category.)

Legislative Audit Recommendation No. 4:

"The Board should comply with regulations over application for initial licensure to insure that applicants are adequately qualified."

The Committee's findings are that the Board is in compliance with current regulations with one technical exception, "Letters of recommendation for licensure as an Electrical Administrator from three persons licensed in any state in the electrical industry".

This item can not be enforced for the Communication Electrical Administrator's license because of a technical problem under 12 AAC 32.250(5). Only licensed persons in the industry may support an applicant's experience and qualifications for licensure as a Communication Electrical Administrator. Since Communication workers are not subject to certificate of fitness license, they therefore; cannot support an applicant's qualification as a Communication Electrical Administrator according to regulations.

It was further noted, that the regulations pertaining to applicable experience has been expanded to include one year of experience of the six years immediately proceeding the date of application as an electrical inspector, or as an instructor, which would count towards qualifications for an Electrical Administrator's license in the inside wiring and outside line work category (see 12 AAC 32.090). NOTE: There were concerns with some Committee members that felt this area needed additional review by the Board.

Legislative Audit Recommendation No. 5:

"The Board should improve communications with the Department of Labor (DOL) over violations by Electrical Administrators."

This Committee recognizes a major problem with communication between DOI and the Electrical Board, and feels that the primary reasons are the separation of the Department of Labor and Department of Commerce in regards to licensing, enforcement and communication between departments and the Electrical Board.

Example: All reports of investigation from the DOI, Mechanical Inspection Division, are to be sent to the Chief Investigator with the Division of Occupational Licensing. It was noted that

the above division is not aware of violations the Division of Occupational Licensing is investigating and vice versa.

There appears to be no tracking of investigations from one department to the other (DOL and DOC). It is further noted that investigations that are forwarded to the Department of Law for prosecution receive "little" or no attention due to the priorities set by the Department of Law. The Board recognizes that there needs to be some structural changes which would eliminate these communication problems.

The Alaska Professional Design Council in cooperation with the Alaska Central Chapter of ICBO (International Congress of Building Officials) is addressing these problems and published a report and recommendations on the need for building reform within in the State of Alaska dated December 11, 1986.

Legislative Audit Recommendation No. 6:

"The Board should establish regulations which provide for licensure by endorsement and/or reciprocity."

Committee findings indicate that the Board has repeatedly tried to obtain tests that were given to other licensures by other states. Varicus problems exist concerning reciprocity.

1. No uniformed tests are given in the varicus states.
2. The varicus states will not release their tests because of their confidentiality.
3. Lack of consistency in qualifications to take exams. NOTE: Some states allow anyone to take the exam without requiring qualifications.

SUMMARY

The Ad Hoc Committee has met in ten separate meetings with the final finding that the Board of Electrical Examiners should continue in existence.

International Brotherhood

of Electrical Workers

TELEPHONE
(907) 272-6571

DISPATCH
(907) 276-1547

2702 DENALI STREET
ANCHORAGE, ALASKA 99503-2779

J. J. "JACK" HULL
BUSINESS MANAGER • FINANCIAL SECRETARY

ERIC WORTHINGTON
PRESIDENT



Local 1547



August 5, 1986

Loren H. Lounsbury, Commissioner
Department of Commerce &
Economic Development
State of Alaska
P.O. Box D
Juneau, Alaska 99811

Dear Commissioner Lounsbury:

This letter is in regards to the Electrical Examiners Board. As you know, the Legislature did not pass legislation to continue the Board and it is our understanding that the Board is presently in a one year "wind down" unless new legislation is passed.

The IBEW has formed a committee, with Dixie Hudish, Government Relations Representative of the IBEW, as Chair, to address the "continuation or sunseting" of the Electrical Examiners Board.

It is our intention to have members serving on the committee that will represent not only the Electrical Examiners Board, the National Electrical Contractors Association (NECA), the Electrical Inspectors Association, and the IBEW, but also the Department of Labor, Division of Labor Standards & Safety and the Department of Commerce & Economic Development, Division of Occupational Licensing, so that a mutual understanding or position will develop among us.

I would like to ask if a member of your department, and in particular the Division of Occupational Licensing, could be appointed by you to participate on the committee. The committee meetings would be held approximately twice a month in Anchorage.

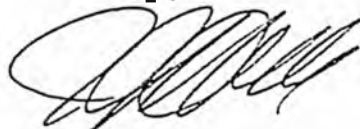
I would appreciate your consideration in having your department participate.

Commissioner Loren H. Lounsbury
August 5, 1986
Page TWO

The next scheduled meeting will be held on Wednesday, August 20, 1986, at 5:30 p.m. at the IBEW/NECA Apprenticeship School, 5144 East 22nd Avenue.

Hoping to hear from you.

Sincerely,

A handwritten signature in dark ink, appearing to read "J. Hull", written in a cursive style.

James J. "Jack" Hull,
Business Manager
IBEW Local Union #1547

JJH.DLH.fs

STATE OF ALASKA

BILL SHEFFIELD, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

P. O. BOX D
JUNEAU, ALASKA 99801 0800
PHONE: (907) 465-2534

DIVISION OF OCCUPATIONAL LICENSING

August 15, 1986

RECEIVED AUG 19 1986

Mr. J. J. "Jack" Hull
Business Manager, IBEW
2702 Denali Street
Anchorage, AK 99503-2779

Dear Mr. Hull:

Commissioner Lounsbury has forwarded your letter to me for response.

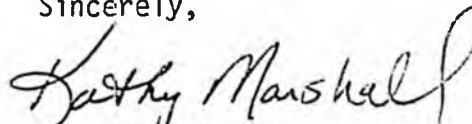
The Division of Occupational Licensing is very interested in being represented on the committee reviewing sunset legislation for the State Board of Electrical Examiners. However, due to budget constraints, it will not be possible to travel to Anchorage twice monthly for meetings, nor do we have a representative for the division in that location.

We would appreciate being kept informed through lists of agenda items, minutes of meetings, and being included by teleconferencing whenever possible.

We will be happy to lend you assistance concerning proposals, statutes, regulations, and the like. I will forward a copy of this letter to Donna Koryk, licensing supervisor for the State Board of Electrical Examiners, who will be your contact person in Juneau.

Thank you for your interest.

Sincerely,



Kathy Marshall
Director

KM/sa2138s
81486a

cc: Loren Lounsbury, Commissioner
Donna Kotyk, Licensing Supervisor
Wanda Fleming, Licensing Examiner

International Brotherhood

of Electrical Workers

TELEPHONE
(907) 272-6571

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2702 DENALI STREET
ANCHORAGE, ALASKA 99503-2779

J. J. "JACK" HULL
BUSINESS MANAGER • FINANCIAL SECRETARY

ERIC WORTHINGTON
PRESIDENT



Local 1547



August 1, 1986

James Robison, Commissioner
Department of Labor
State of Alaska
P.O. Box 1149
Juneau, Alaska 99801

Dear Commissioner Robison,

This letter is in regards to the Electrical Examiners Board. As you know, the Legislature did not pass legislation to continue the Board and it is our understanding that the Board is presently in a one year "wind down" unless new legislation is passed.

The IBEW has formed a committee, with Dixie Hudish, Government Relations Representative of the IBEW, as Chair, to address the "continuation or sunseting" of the Electrical Examiners Board.

It is our intention to have members serving on the committee that will represent not only the Electrical Examiners Board, the National Electrical Contractors Association (NECA), the Electrical Inspectors Association, and the IBEW, but also the Department of Labor, Division of Labor Standards & Safety and the Department of Commerce & Economic Development, Division of Occupational Licensing, so that a mutual understanding or position will develop among us.

I would like to ask if Don Cather or a member of the Division of Labor Standards & Safety could participate on the committee. Dixie Hudish did speak to Don Wilson in regards to this subject.

The committee meetings would be held approximately twice a month in Anchorage.

Commissioner Jim Robison
August 1, 1986
Page TWO

I would appreciate your consideration in having your department participate. The next scheduled meeting will be held on Wednesday, August 20, 1986, at 5:30 p.m. at the IBEW/NECA Apprenticeship School, 5144 East 22nd Avenue.

Hoping to hear from you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'J. Hull', written in dark ink.

James J. "Jack" Hull,
Business Manager
IBEW Local Union #1547

JJH.fs



WALTER R. GARDNER
& ASSOCIATES
ELECTRICAL CONSULTANT

7731 ISLAND DRIVE
ANCHORAGE, ALASKA 99504
(907) 333-0771

February 20, 1987

PLAN REVIEW
CODE COMPLIANCE
JOBSITE INSPECTION
JOBSITE REPORTING
CONTRACT COMPLIANCE

PROJECT ESTIMATING
COST ANALYSIS
PROJECT MANAGEMENT
CHANGE ORDER REVIEW
CLAIMS

Senator Tim Kelly, Chairman
Senate Labor & Commerce Committee
P. O. Box V
Juneau, Alaska 99811

Reference: Senate Bill # 111

"An act extending the termination date of the Board of Electrical Examiners;
and providing an effective date."

Subject: Telephone conversation this date.

Dear Senator Kelly:

Pursuant to the above subject telephone conversation with your Mr. Mark Johnson, transmitted herewith is a copy of the Board of Electrical Examiners "position paper" for your use.

It is my understanding that the bill will be in Committee review on Friday, February 27 at 2:00 PM.

If this Bill appears to have any problems getting out of Committee, the Board will be in Juneau for the regular scheduled meeting, March 3, 4 & 5, to answer any questions that the Committee may have. I firmly believe that all the concerns of the audit committee have been addressed in the "position paper".

We would appreciate your support for the Bill.

Very truly yours,

Walter R. Gardner
Chairman

Board of Electrical Examiners

POSITION PAPER

BOARD OF ELECTRICAL EXAMINERS

Prepared by: Walter R. Gardner, Chairman
February 5, 1987

For: "An act extending the termination date of the Board of Electrical Examiners; and providing an effective date."

Below is a summary of the purpose of the Board of Electrical Examiners, its organization, and functions of responsibility.

I. PURPOSE OF THE BOARD OF ELECTRICAL EXAMINERS

Section AS 08.40.005, for the purpose of establishing the Board-- "to protect the safety and property in the State from dangers of improperly installed electrical wiring and equipment, to provide a procedure to assure the public; 1) that persons responsible for making electrical installations in the State are qualified; and, 2) a sufficient number of persons are so qualified."

II. ORGANIZATION OF THE BOARD

Members: Two licensed Administrators; one public member.

Appointed by: The Governor, and confirmed by the Legislature.

Terms: Three (3) year terms--staggered; limited to two (2) terms.

Staff: One part-time Investigator (as assigned for reported infractions) and one part-time License Examiner.

Board meetings: One regular annual meeting.

III. FUNCTIONS OF RESPONSIBILITY OF THE BOARD

1. Qualifies an applicant in order to take the examination, for an Electrical Administrator's license.
2. Adopts regulations establishing categories of Electrical Administrators, establishing qualifications for those categories, and content of examination, in each category.
3. Establishes the continued competency of an applicant for license renewal and reinstatement, and the suspension and revocation of licenses.
 - (a) Continuing education for the renewal of an Electrical Administrator's is required when the National Electrical Code or the National Electrical Safety Code is revised.

(b) For license renewal, applicant must attend at least eight (8) hour Board approved course.

4. Adopts regulations relating to the examination and licensing of the Electrical Administrators (monitors and administers the examination). A licensing examination shall be conducted at least twice a year at appropriate places in the State.
5. Investigations by the Board. The Board is responsible in responding to complaints by the public for unsafe installation violations. The Board may make, or have made, a physical inspection or investigation into the work of a licensee, which it considers necessary. May issue subpoenas and process, compelling the attendance and production of any papers for the purpose of investigation and examination.

IV. ANALYSIS OF PUBLIC NEED.

I-The extent of which the board, commission or program has operated in the public interest.

A- The Board has examined 170 applicants during FY 86, (July 1, 1985-June 30, 1986) resulting in the issuing of 28 new licenses, in all categories. The number of applications, not processed because of incomplete information, is not recorded. In August, 1985- 82 applicants took the test. 12 passed, 70 failed. In January, 1986- 88 took the test. 20 passed, 68 failed. (Note: The difference between the pass/license issued is some of the categories were added to existing license numbers.)

The Board has examined 125 applicants thus far, during FY 87. In August, 1986- 69 applicants took the test. 38 passed, 31 failed. In January, 1987-56 applicants took the test. 11 passed, 45 failed.

The Board, although not specifically mandated by regulations, does, in fact, monitor the examination's. A Board member, is normally in attendance during the testing period, to assist the Licensing examiner and to preserve the security of the Administrators examination. The Board member(s) review the test being given, to insure that a fair, reasonable and comprehensible questions are contained in the examination material, to test the applicant's knowledge of safe working procedures, safe installations, applicable Code's and standard practice procedures.

B- Continuing Education, established by 12 AAC 32.310, is a prerequisite for the renewal of any license, in any category. The development of new materials, instructions in their application,

POSITION PAPER
BOARD OF ELECTRICAL EXAMINERS
Page -3-

and use, keeps the license holder abreast of new methods for an electrically safe environment.

- C- The development, and implementation, of the new test for all categories has made the applicants more aware of the knowledge required for an administrator's license.

V. LEGISLATIVE AUDIT/PERFORMANCE REPORT DATED September 25, 1985.

Legislative Audit Recommendation No. 1:

The Board of Electrical Examiners should be allowed to terminate on June 30, 1987. However, the licensing and regulation of the electrical administrators should be retained.

The Board opposed this finding.

The non-partisan Board has been actively engaged in performance of the mandated charges.

Enforcement Function

A minimum of thirteen (13) complaints have been received from the public sector and forwarded to the Investigators for processing, concerning unlicensed activities.

The Commissioner of Labor, under AS 08.40.175 (and DOL enforcement personnel), are required by this Section to enforce/investigate these complaints and issue Cease & Desist Orders, as applicable.

Under Section AS 08.40.070, should a complaint be received from DOL, it would be within the Board authority to review and recommend action to the Department of Law, under AS 08.40.180.

Mr. Steve Boyd, Board member in Ketchikan, was appointed as liaison between the Board and DOL, within the past year.

RECOMMENDATION NO. 2

The Board should require evidence of personal supervision to ensure that jobs have been inspected by the electrical administrators.

The Board has reviewed, a form (presently in use) by the DOL electrical inspectors, (a copy is attached), for adequacy. It is acceptable, pending review by Department of Law. These forms are utilized by the "Authority Having Jurisdiction" when they consider it advisable/necessary.

The Board has not been notified of any use of this form, to date.

RECOMMENDATION NO. 3

The Board should clarify regulations to the scope of examinations in order to be consistent with other regulations pertaining to the scope of the licenses.

POSITION PAPER
BOARD OF ELECTRICAL EXAMINERS
Page -4-

Pursuant to a number of complaints, from potential license holders, to remove the Inside Communications questions from the Inside Wiring examinations and the Outside Communications questions from the Outside Line Work examinations, the Board took the necessary steps to remove these questions from the disputed areas. This resulted in the applicant to be tested in ONLY the category listed in the application. Heretofore, the Outside Line Work license recognized the similar construction and safety requirements of Outside Communications resulting in the issuance of both licenses, when the Outside Line Work test, including Outside Communication questions, was completed with a passing grade.

A similar situation was with the Inside Wiring examination and the Inside Communication examination. Both licenses were issued if the applicant passed the Inside Wiring examination, with Inside Communication questions included, with a passing grade.

In making the above changes, the Board recognizes an additional problem, that needs to be addressed:

12 AAC 32.250(a)(5) requires "a notarized certificate in support of the applicant's experience and qualifications for licensure as an electrical administrator from each of three persons licensed in the electrical industry in any state."

The State of Alaska, Department of Labor does not license, nor require a Certificate of Fitness, for any communication workers as well as a considerable number of "Outside" states. Therefore, until regulations are changed, the Board could have a problem. This will be addressed in the next regularly scheduled meeting.

RECOMMENDATION NO. 5

The Board should improve communications with the Department of Labor (DOL) over violations by electrical administrators.

In an attempt to improve communications between the Board and DOL, the Board Chairman appointed Mr. Steve Boyd as liason between the two entities, with the departments effected, properly notified.

Limited, if any, communications has tra spirred from the DOL.

Should the proposed "Building Code Bureau" legislation and enactment be immediately forthcoming, the communications between the enforcement group(s) and the Boards will be increased by 1000%

The Alaska Professional Design Council, in cooperation with the Alaska Central chapter of International Congress of Building Officials (ICBO) is addressing these, and other problems and has published a report and recommendations on the need for State restructuring of enforcement, as well as building Code reforms within the State of Alaska, dated December 11, 1986.

RECOMMENDATION NO.6

The Board should establish regulations which provide licensure by endorsement and/or reciprocity.

The Board, along with Licensing personnel, have attempted to comply with this regulation by contacting numerous State agencies, Inspector programs, and other regulatory agencies to determine if there is any other testing program that would serve the needs of the Alaskan public, as well as the present program, without success. Reasons are numerous; the major ones are:

- 1-No uniform testing procedures, in numerous States.
- 2-Tests will not be released to other than on a "need to know" basis, in their own State organization, to preserve confidentiality.
(This, also, is in Alaska.)
- 3-Lack of uniformity in qualifications, experience and certifications.
(Note: Washington, as an example, allows ANYONE to "set" for the examination, with out pre-qualification requirements. The last information available, was a pass rate of 1 in 249.)

SUMMARY

THE BOARD FINDS THAT; TO PRESERVE THE PRESENT ELECTRICAL SAFETY OF THE ALASKAN PUBLIC, MAKE THE TECHNICAL UP-GRADING OF THE ADMINISTRATOR'S KNOWLEDGE A LICENSE REQUIREMENT, BASED ON ALASKAN CONDITIONS, THE BOARD OF ELECTRICAL EXAMINERS SHOULD NOT BE ALLOWED TO "SUNSET"

Concurrence: _____ Date _____
Steve Boyd, Member, Board of Electrical Examiners

_____ Date _____
Michael Andrews, Member, Board of Electrical Examiners

_____ Date _____
Walter R. Gardner, Chairman, Board of Electrical Examiners

THIS FORM MUST BE NOTORIZED

STATE OF ALASKA

DEPARTMENT OF LABOR/MECHANICAL INSPECTION

P.O. BOX 874367

WASILLA, ALASKA 99687

(907) 376-8696

CERTIFICATE OF PERSONAL SUPERVISION

(AS 08.40.195)

Under penalty of perjury, I hereby certify that I am the holder of a
valid Electrical Administrator's License No. _____

for _____ in the category of
(name of contractor)

_____, and that I have personally
(name of licensed categories)

supervised and inspected the electrical installation or repair work

performed at _____.

(date)

(signature)

(printed or typed name)

(mailing address)

(city, state and zip code)