

656

SC

FILE NO. 24

0072
25

APPENDIX C

QUESTIONNAIRE SENT TO BOARD MEMBERS

1. What are the goals and objectives of the Board?

*Number of Board
Members' Responses
(See Notes 1 and 2)*

Description

<i>Decrease hazards to public/environment by improving the quality of welded products.</i>	3
<i>Improve quality of welded products.</i>	1
<i>Should be quality control, but currently involves self-protective business interests.</i>	1

2. What are the past accomplishments and future plans of the Board for meeting its goals?

*Number of Board
Members' Responses*

Description

Past accomplishments:

<i>Revised regulations to license welding inspectors, thereby improving welding in general.</i>	4
<i>Economic self-interest.</i>	1

Future plans:

<i>Maintain quality of criteria.</i>	2
<i>Give technical advice to State departments.</i>	1
<i>Should support Bureau concept; too much ill will towards present Board.</i>	1
<i>Continue pre-joint activity.</i>	1

3. In what ways would the absence of regulation of welding in Alaska be detrimental to the public interest?

Number of Board Members' Responses

Description

Quality of component inspection and welder certification would suffer; non-code work would increase to detriment of the public. 3

Not detrimental; profesisonal societies have certification programs; private industry monitors itself. 1

Left unmonitored, quality would be circumvented to increase profits. 2

Higher cost because weldment failure is more expensive after a product is operating. 1

4. What alternatives to Board regulation of welding exist? Are the alternatives viable? Why?

Number of Board Members' Responses

Description

Bureau such as introduced by SB121; not viable; too expensive, bureaucratic. 1

Require extensive insurance coverage, relying on insurance companies to enforce standards; too expensive. 1

Eliminate Board; let industry police itself:
Viable. 1

Not viable; not effective in past; only some large companies have developed quality control programs. 2

Utilize procedures other than welding; not practical. 1

5. Are existing statutes (AS 08.01 and AS 08.99) obsolete, vague, unduly restrictive, and/or inadequate to provide the Board with the authority to meet its objectives? What changes would you suggest?

Number of Board Members' Responses

Description

<i>Adequate; no changes suggested.</i>	2
<i>Inadequate; need Bureau to perform physical function.</i>	1
<i>Somewhat vague, restrictive; Board's authority is doubtful but interest in welding has increased.</i>	1
<i>Obsolete; should address licensing of inspectors rather than welders, test facilities and code writing.</i>	1

6. Are the recently amended regulations:

Number of Board Members' Responses

A. <u>too restrictive; too lenient?</u>	
<i>No; satisfactory.</i>	4
<i>Yes.</i>	1
B. <u>easily interpreted?</u>	
<i>Yes.</i>	4
<i>No.</i>	1
C. <u>enforceable?</u>	
<i>No, especially among small operators</i>	3
<i>Yes, if State adequately funds investigations.</i>	2
D. <u>accepted by those being regulated?</u>	
<i>Yes.</i>	2
<i>Partially or generally.</i>	2
<i>Voluntary compliance.</i>	1

7. What procedures are followed in the event a complaint against the Board or a licensee is received?

Number of Board Members' Responses

Description

Forward to OL for investigation; Board can act in advisory capacity. 1

Investigation; possible revocation of license. 1

No complaints received as yet against licensee. 2

Forward to Department of Labor to investigate. 1

8. In what ways, if any, could the Department of Commerce and Economic Development improve its service to the Board in the areas of administrative support and enforcement?

Number of Board Members' Responses

Description

No need for improvement. 2

OL does not understand Board function well enough to enforce. 1

Administrative support is excellent; Department of Labor is responsible for enforcement. 1

Need more funding for inspectors and to advertise regulations. 1

9. Should continuing education or re-examination be required for licensees? Why or why not?

Number of Board Members' Responses

Description

American Welding Society requires re-examination if licensee does not remain active in inspection. This requirement is sufficient for now. 5

10. Other comments to assist us in evaluating the need for the Board and its performance:

Number of Board Members' Responses

Description

Regulations are workable for large companies; small operators can not afford licensed inspector. 1

Create Bureau to perform Board's physical function; need internal regulations to prevent several Board members from one business from serving concurrently. 1

Board has been active in revising regulations; now responsible for maintaining standards. 1

Need additional funding for enforcement; should publicize regulations. 1

Note 1

Questionnaires were mailed to seven Board members. Replies were received from five.

Note 2

Because certain questions received several answers from Board members, total numbers of replies may exceed the number of Board members who responded.

APPENDIX D

QUESTIONNAIRE SENT TO LICENSED
WELDING INSPECTORS

The following questions were sent to licensed welding inspectors (see Note 1). For each question we have noted the number of responses. We have also indicated the most typical written comments following each question as compiled from the questionnaire (see Note 2).

		<i>Number of</i>		
		<i>Licensees Responding</i>		
		<i>No</i>		
		<u>Yes</u>	<u>No</u>	<u>Opinion</u>
1.	(a) Is certification of welding inspectors necessary to protect the public's health, safety and welfare?	<u>35</u>	<u>2</u>	<u>0</u>

Comments:

Yes--Quality of product is controlled establishing minimum qualifications for welding inspectors.

If inspections were not required, some contractors would use cheaper, unqualified welders.

No---Licensing does not ensure adequate protection;

Should not be limited to AWS-certified inspectors.

(b) If your reply to "a" was yes, which of the following methods of certification would be best:

	<u>check one:</u>
i. license issued by the Board	<u>14</u>
ii. license issued by the State	<u>6</u>
iii. only AWS certification	<u>12</u>
iv. other:	<u>4</u>

1. (Cont'd)

Comments:

Board - is better judge of qualifications due to knowledge of, and experience in welding; is flexible; can exercise closer control.

State - less likely to be prejudiced.

AWS - has expertise, good program; usable in all states; more efficient.

Other - Employer training program results in known ability.

	Number of Licensees Responding		
	<u>Yes</u>	<u>No</u>	<u>No Opinion</u>
2. Are current requirements for obtaining a welding inspector license (education, experience, written and practical tests) fair and reasonable measures of technical knowledge and ability?	<u>32</u>	<u>5</u>	<u>0</u>

Comments:

Yes--Exam is fair test of knowledge; practical skill is necessary.

No---Qualification as welder is not necessary to inspect; need more specific practical experience; no proof of employment.

3. Has the Board given sufficient notice to the public and/or the profession regarding:

a. exams?	<u>26</u>	<u>5</u>	<u>6</u>
b. meetings?	<u>20</u>	<u>10</u>	<u>7</u>
c. proposed regulation changes?	<u>18</u>	<u>12</u>	<u>7</u>

Comments:

Yes--the small number of licensees allows for adequate communication with Board

No---many are unaware of Board's existence; newspaper notices are not effective.

*Number of
Licensees Responding*

	<u>No</u>	<u>Opinion</u>
<u>Yes</u>	<u>No</u>	<u>Opinion</u>

4. Are the recently amended regulations of the Board (12 AAC 72):

a. too restrictive?	<u>2</u>	<u>23</u>	<u>12</u>
b. too lenient?	<u>3</u>	<u>20</u>	<u>14</u>
c. enforceable?	<u>19</u>	<u>8</u>	<u>10</u>
d. easily interpreted?	<u>23</u>	<u>3</u>	<u>11</u>
e. accepted by industry?	<u>15</u>	<u>10</u>	<u>12</u>

Comments:

Board not needed since firms must comply with codes.

Regulations are not being observed, especially by small contractors; are not enforceable.

Regulations are too general; need to clarify applicability.

Inadequate publicity on regulations; needed to protect public; industry more interested in profit than quality.

5. In what ways can the Board assure the public of continued proficiency of licensed welding inspectors:

a. evidence of continued employment in the field?	<u>33</u>	<u>1</u>	<u>3</u>
b. periodic re-examination of practical skills?	<u>9</u>	<u>16</u>	<u>12</u>
c. periodic written re-examination?	<u>3</u>	<u>20</u>	<u>14</u>
d. continuing education?	<u>18</u>	<u>8</u>	<u>11</u>
e. Other?	<u>6</u>	<u>—</u>	<u>31</u>

Number of
Licensees Responding
 No
Yes No Opinion

5. (Cont'd.)

Comments:

Re-examination is necessary only if there is a sustained absence from inspection.

Other ways include eye exams, inspection for compliance, maintenance of AWS certificate.

6. Are you aware of any discriminatory practices by the Board with regard to an individual's race, religion, color, national origin, age or sex?

1 35 1

7. Do you feel the support provided by the Department of Commerce and Economic Development, Division of Occupational Licensing, has been adequate:

a. in the area of administrative services?

26 5 6

b. in investigating complaints?

10 8 19

Comments:

Not enough knowledge of welding.

Need funding for Department of Labor to enforce.

Not aware of support or complaints.

Need to inform affected parties.

8. By statute, the Board of Welding Examiners consists of seven members with extensive welding experience, three of whom must be engineers. Members are appointed for five year terms from nominations submitted by the Alaska Chapter of the American Welding Society and Alaska Society of Professional Engineers. Do you believe the Board:

a. is too large?

3 25 9

b. is too small?

1 25 11

Number of
Licensees Responding

	<u>No</u>	<u>Opinion</u>
<u>Yes</u>	<u>No</u>	<u>Opinion</u>

8. (Cont'd.)

c. adequately represents the regulated profession?	<u>25</u>	<u>7</u>	<u>5</u>
d. members should have shorter terms?	<u>14</u>	<u>12</u>	<u>11</u>
e. members should serve a limited number of terms?	<u>20</u>	<u>5</u>	<u>12</u>
f. should be served by a public member, not directly involved in welding?	<u>4</u>	<u>25</u>	<u>8</u>

Comments:

Should represent various segments of industry, including active welders; too many on Board represent test labs.

Shorter terms would create a more responsive Board.

No more than one or two terms.

Board is working well under current structure; conscientious.

9. Other comments to assist us in evaluating the public need for the Board and/or its performance:

Comments:

Good regulations but problems in implementation and enforcement.

Dubious need for Board.

Board has improved quality of welding; unqualified people used in past.

Need to consider products fabricated outside of State, safety standards, reports on Board activity.

Reputable company training programs should be accepted in lieu of license.

Note 1

Number of questionnaires sent to licensees	<u>44</u>
Number of responses	<u>37</u>
Response rate	<u>84%</u>

Note 2

Comments were reviewed and considered in the performance of our audit and are briefly summarized in this appendix.



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

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SEP 28 1979

LEGISLATIVE
AUDIT

September 28, 1979

Mr. Gerald Wilkerson
Legislative Auditor
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

We have reviewed the enclosed agency response to your preliminary report entitled:

"A Performance Review of the Board of Welding
Examiners - June 8, 1979"

Additionally, we have reviewed and are enclosing copies of responses by the following Board Members:

Donald M. Lockman
Don Delk
Peter A. Millar

We believe the Department of Commerce's response appropriately sets forth the position of the Executive Branch of State government affecting continued existence of the Board. Member responses attached for your information, provide additional insight and reaction to your report recommendation.

Sincerely,

A handwritten signature in cursive script that reads "Richard A. Smith".

Richard A. Smith
State Internal Auditor

RAS/PJA/mjc
Enclosure

STATE OF ALASKA

JAY S. HAMMOND, GOVERNOR

DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT

OFFICE OF THE COMMISSIONER

POUCH D - JUNEAU 99811

September 27, 1979

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SEP 28 1979

LEGISLATIVE
AUDIT

Mr. Gerald Wilkerson, C.P.A.
Division of Legislative Audit
Pouch W
Juneau, Alaska 99811

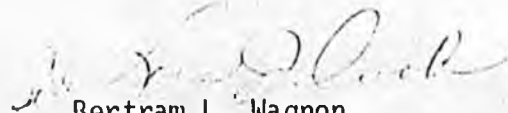
Dear Mr. Wilkerson:

The following comments are in response to the Performance Review of the Board of Welding Examiners, as submitted by the Division of Legislative Audit.

The department is still evaluating the viability of alternative methods of regulation and reserves the right to make additional findings and conclusions which may affect the continued existence of this board. This information will be presented to the Legislature during sunset hearings.

Thank you for the opportunity to respond to this report and for the time and effort expended by you and your staff.

Sincerely,



Bertram L. Wagon
Acting Commissioner

BLW/kb

8235 Endicott Street
Anchorage, Alaska 99501
September 17, 1979

Ms. Elaine Garrett
Management Analyst
Dept. of Commerce & Economic Dev.
Div. of Occupational Licensing
Pouch D
Juneau, Alaska 99811

RECEIVED

SEP 28 1979

LEGISLATIVE
AUDIT

Dear Ms. Garrett:

In response to the recently received Performance Review of the Board of Welding Examiners submitted by Gerald L. Wilkerson, CPA, Legislative Auditor, Division of Legislative Audit dated August 23, 1979, I submit the following statements.

In reviewing the aforementioned Audit Report, it is quite obvious that the Audit Committee lacks the welding knowledge to fully understand the needs of the public in reference to protection against hazards from poor or inadequate weldments within the State.

In the beginning of the Boards existence, the largest issue was addressed to the licensing of weldors within the State. It was recognized by the Board that a weldor licensing would be a monumental task that would require a tremendous personnel and monetary effort on the State's part. The personnel requiring the expertise in this profession would not be available to the State as persons of this level are sought after by the industry on a continuing basis. Besides the lack of qualified persons available, the funds for such a task was also not available. It was recognized by the Board that qualified people from industry could control the certification of weldors if these qualified people could be responsible by proving their qualifications as Welding Inspectors.

The Board of Welding Examiners then began formulating a program to examine the qualifications of Welding Inspectors, although funds were not available from the State to adequately put a program of this nature together. At this same time, unbeknown to the Board, the American Welding Society had recognized the same need for testing Welding Inspectors and had implemented a testing procedure. The Board then adopted the AWS Testing Program guideline and the licensing of Welding Inspectors was born within the State.

The State licensed Welding Inspector holds a responsibility to the public to certify weldors within the guidelines of the nationally recognized Welding Codes used in Alaska. This responsibility protects the public from gross negligence of improper weldments that could fail, but only to the extent of those weldors actually certified by the Welding Inspectors.

As this method of assurance is still in the infancy stage due to the newness of the application, it is immature to criticize the effectiveness of the program. As more Welding Inspectors are licensed within the State, the greater the public protection will become.

Ms. Elaine Garrett
Div. of Occupational Licensing
September 17, 1979
Page 2

There have been many instances of weld failures of crane booms, trailer hitches, store awnings, fishing boat hulls, school playground equipment, recreational equipment as well as building structures and harbor facilities, all of which are hazardous to the general public. Only trained personnel can recognize a poor or inadequate weldment and determine the abilities of a certifiable weldor.

It has been proven over the years that industry does not generally control the quality of production, evidenced by the need of welding codes to guide the users to implace restrictions of fabricat.on to assure quality. This is also evidenced by the need of societies to indoctrinate testing programs and Alaska to create the Board of Welding Examiners.

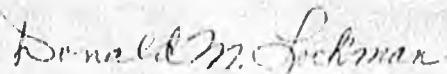
The Board has made acknowledgeable strides in creating a regulation that closely fits the needs of public interests, although additional revisions and clarifications of the regulations are clearly recognized by the Board members. These Board members serve without payment for their services, so progress is naturally slower than paid employees would be, although the expertise of these members would be more costly than the State would care to absorb if they would be available for hire. The cost to the State is at a minimum and should be recognized by the Audit Committee.

The size of the Board should be enlarged to accommodate the availability of donated services and to expand the current expertise level needed to properly evaluate the publics needs and industry's acceptance to those safeguards. As Board member nominations are received from two societies, they are not restricted to the societies membership by any means.

The Board's future activities will be guided by the public's desires of creating more effective regulations that are enforceable pursuant to the public's needs. These goals are yet to be formalized and categorized to a general public need. With the forthcoming projects of the petro-chemical industry in the State, a greater need will be emphasized for the Board's guidance in revising regulations to insure the Alaskan public will be protected from inadequate welding by assuring Welding Inspectors are properly tested and are qualified to pass judgement on the certification of weldors.

There has already been a Senate Bill proposed to create a welding bureau within the State which would be more of a bureaucratic administration of welding than a regulation, which if nothing else, emphasizes the need for the Board of Welding Examiners to create a better regulation guideline.

Sincerely,



Donald M. Lockman, Chairman
Board of Welding Examiners

JAY S. HAMMOND, GOVERNOR

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

DIVISION OF OCCUPATIONAL LICENSING

BOARD OF WELDING EXAMINERS

POUCH D
JUNEAU, ALASKA 99811

September 25, 1979

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SEP 28 1979

LEGISLATIVE
AUDIT

Mr. Don Lockman
Chairman
Board of Welding Examiners
8235 Endicott Street
Anchorage, Alaska 99501

Dear Mr. Lockman:

Enclosed are my responses to the preliminary audit report on the Board of Welding Examiners.

1. Report Conclusion

- a. I concur that most consumers (e.g., engineers, construction and pipeline companies) of welding services possess adequate knowledge to properly evaluate the qualifications of those providing services.
- b. However, from personal experience, it has been observed that those who have the knowledge are not the individuals out in the field doing inspection and quality assurance work. Examples: 1) the Ketchikan-Alyeska controversy would, in all probability, not have occurred if the project was being adequately controlled by qualified welding inspection. I personally know senior managers on the project that had very limited knowledge of welding or inspection. I know of one inspector who was a used car salesman with no qualifications; 2) movies of the first pipeline run on the North side of Cook Inlet clearly show that pipeline inspection consisted of a truck mirror on a three-foot handle and a flashlight. Clearly inadequate; 3) the roof of the Bethel Hospital and the walkway between the campuses at Alaska Community College and the University of Alaska in Anchorage demonstrate a complete lack of inspection. Untold dollars were spent on correcting the projects to ensure safety to the public.

- c. In short, millions of dollars have been spent to correct deficiencies that would not have occurred with adequate welding inspection. Also, hazards claiming lives have occurred within the State which could have been prevented if adequate inspection had been available to correct safety violations or defect code violations. Examples: Building 6-900 on Elmendorf burning in the 1960's and killing a welder and helper. A welder killed when working off of empty gasoline drums during construction of the parks highway.
- d. I believe that the knowledge is possessed by the consumers but that it, in many cases, is not, or inadequately applied.
- e. I agree that the AWS welding inspection program is the best thing since light bread, however, at this time, there is nothing that requires companies to use qualified inspectors (except 12 AAC 72), that has been the direction that the board has taken to provide higher quality inspection to welding projects, thereby saving the public untold dollars in rework and to increase the safety during welding operations and in the final product.

2. Recommendation No. 1

I admit that the board has problems that must be corrected. I, however, believe that the board is needed as shown in the preceding comments. I also feel that, for the last year, the board has made very little progress since almost all energy has been expended on Sunset Review. If we can ever get this review completed and get back to work on revising statutes, regulations and implement corrections to problems, we will make great strides toward protecting the public (our main job).

This audit has been very helpful in pointing out problem areas, but we must now have time to work in implementing the recommendations instead of continuing to prepare for the review.

Recommendation No. 2

1. The State does not need to look at visual examinations since it is virtually impossible to obtain or maintain an AWS QC-1 Certificate without the results of the exam being received by AWS. We do not need to increase the bureaucracy by requesting something that has already been requested and supplied.
2. I concur that the board should review qualifications prior to issuing licenses.

Recommendation No. 3

1. I agree. However, I consider myself a lay member since I work for the Federal Government as an aircraft maintenance officer. I have very little chance to gain monetarily from any actions of the board. I also am technically qualified to make good input to the board's operations. If appointments are made from the entire industry some method must be set up to solicit applications.
- b. The Office of the Governor must respond in a timely manner in order to be effective.

Recommendation No. 4

- a. Concur.
- b. Concur.
- c. Concur.

Recommendation No. 5

1. Concur.
2. This one is tough, but should be looked at.
3. Concur.
4. Concur.

Recommendation No. 6

1. Concur.
2. Concur.
3. Concur.
4. Concur.
5. Concur.

Additional Comments

I was asked for more information than I could supply simply because of one reason: time. It seems that every time a response is required from me by the Division of Legislative Audit, I am working 14-hour days and on my way out of State. Twenty days to respond is inadequate. If we could respond during the next scheduled board meeting, we could work for a couple of days and come up with the type of response that you are

looking for. All board members are busy and need additional time to meet together to comply with your wishes.

Appendix A

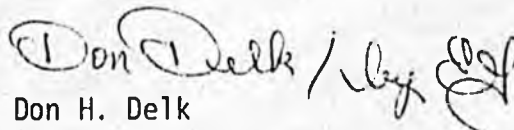
If the board has collected no revenues, the companies that have paid for test lab licenses in the past, as well as myself, paying for welder qualifier and welding inspector licenses are surely getting ripped off. I suggest homework should be done. I also feel that the expenditures by the board are insignificant for the amount of work that has been done by the board.

Appendix D

It appears to me that properly qualified welding inspectors (if not qualified they could not pass AWSQC-1), more or less support the board. Individuals who cannot qualify under AWS QC-1 will not (for obvious reasons), support the board.

I appreciate the opportunity to reply to the Division of Legislative Audit, but, again, request more of the item that I have the least of, time.

Very truly yours,



Don H. Delk
Secretary

DHD/sa2/6

August 9, 1979

SEP 28 1979

To: Don Delk
Secretary, Board of Welding Examiners

LEGISLATIVE
AUDIT

Re: Comments in regards to Judy White's letter of June 20, 1979 to the Board of Welding Examiners

In general the letter received by Judy White, Auditor Division of Legislative Audit, in regards to Sunset Legislation is very well written and pinpoints exactly many of the problems of the Board of Welding Examiners.

I would like to take exception, however, to the following points:

- a) AWS's lack of support for State licensure: Robert Foxall, AWS National Chairman, 1978; John Moeller, AWS Chairman, 1977 and Ken Fordyce, AWS National Certification Chairman have been present at Anchorage AWS meetings and have spoken highly of the Board of Welding Examiners' work in regards to licensing inspectors.
- b) It may be true that only one state requires licensing of Welding Inspectors, however the AWS certification program has only been in effect since 1976 and thus it is understandable that very few states have adopted the requirement of certification.
- c) Certification of welders instead of inspectors was discussed previously by the board. It was felt that it is easier to monitor and license 100 welding inspectors than 2,000 welders. I do agree that monitoring either welding inspectors or welders by state agencies is not feasible, however I do believe many individual welding inspectors have vastly upgraded their knowledge and ability in meeting the state license requirement.
- d) In regards to the state license files, there are discrepancies all of which are minor and easily corrected. I do believe that the public is being protected from "unqualified practitioners" to a greater extent than ever before.
- e) In regards to the make up of the Board of Welding Examiners size, appointments, etc. I would agree that we need a more diverse group, however I would think that seven members is a workable number. Meetings of twice or once yearly I would think is a better solution for cutting costs than limiting the numbers of members to five. We may only affect 50 to 100 inspectors, however the regulations affect thousands of welders.
- f) In regards to revising the statutes, revising administrative regulations, developing board objectives and document administrative procedures; many good points were brought up. I would like to see the Auditor, Judy White, attend our next meeting if possible in order that we might make some progress in these areas.

In conclusion, I would say that although the present statutes are probably unenforceable to a large extent they never the less have made a very positive impact in the area of welding in Alaska with many inspectors being licensed

through the American Welding Society. Personally I do not believe the Board should be terminated in 1980, however I do not feel that further regulation of the industry by government is necessary either.

A handwritten signature in cursive script, appearing to read "Peter A. Millar".

Peter A. Millar, P.E.
Member of the Board of Welding Examiners

Legal Services
Plumbers & Steamfitters
Union Local 375
3568 Geraghty Street
Fairbanks, AK 99701

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OCT 9 1979

LEGISLATIVE
AUDIT

October 3, 1979

Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Pouch WF
Juneau, AK 99811

RE: A Performance Review of the Board of Welding Examiners, June 8, 1979.

Dear Mr. Wilkerson:

Your letter of September 10th has requested a reply within twenty (20) days. In order to meet this deadline, we two board members have had several meetings and discussions. We have not had time to get together with the entire board or to circulate a reply, so that all of the board could participate in this answer.

At the time of the Legislative committee hearing, the welding board contemplates "presenting its case." Our discussions indicate that this case will be in three parts:

- 1) an orientation in respect to welding
- 2) recommendations of prominent authorities throughout the United States with respect to State regulation of welding, and
- 3) a series of specific proposals including but not limited to those raised by the preliminary audit report.

By way of the requested written reply, to the findings and recommendations of the written audit report, we set forth the following:

1) Re: Recommendation No. 1. Termination of the Board. We disagree. The performance review sets forth good criteria to determine whether licensing is desirable. Essentially we agree that licensing is desirable when a) unlicensed practice poses a serious risk; b) consumers are at a disadvantage in evaluating the welder; and c) there has been abuse with inadequate recourse through the general law. Here the unlicensed practice can mean failure of the weld with the attendant sinking of the vessel, collapse of a structural steel member, bursting of a pipe, leakage of carbon monoxide from a muffler into the interior of an automobile, etc. It is safe to say that the general public does not know enough about welding and welders to be able to evaluate a person's qualifications as a welder. The sinking of barges, collapse of crane booms and leakage of pipelines and car mufflers, have resulted in loss of life and environmental damage; in addition to the structural damage and loss of time which can be compensated through the general law. Therefore, licensing is desirable.

Performance review is correct in indicating that the State of Alaska has not been in a financial position to regulate, by licensing, all welding personnel in the past. It is also correct in indicating that only one other State to date has elected the stop gap measure currently used by the Board of Welding examiners, of licensing welding inspectors. We respectfully suggest, that that time is at hand when public safety and environmental necessity merit the regulation of welding in a more thorough manner. We further suggest that the logical means to do this is through a State Board of Welding Examiners, who will be able to be more active than the Board has been allowed to be in the past.

2) Re: Recommendation No. 2. The Board more active in Licensing. We agree with this recommendation. The performance review makes excellent points in this regard and its suggestions together with others to be proposed by ourselves should be adopted within the next year. To implicate these will require action by the Board in promulgating regulations and a budget which will permit actual work in the field. It is to be hoped that both of these processes could be completed by the beginning of fiscal 1980-81.

3) Re: Recommendation No. 3. Assuring adequate representation on the Board. We concur with the bulk of this recommendation. The performance review is good as far as it goes, in reviewing the Board composition, terms, etc. We feel that there are additional factors which should be considered in the make-up of the Board and the terms to be served. This is a Legislative process and we will be presenting specific recommendations to the Legislature in this regard. Because it is the turn of the Welding Board for review under the sunset law it would be hoped that these matters could be completed by the Legislature at its next session. The harder portion of the recommendation to implicate, concerns the direction that the Governor act in a more timely manner in making appointments to the Board. The Board itself would be glad to participate as requested in screening and recommending appointments. It is beyond the ability of the Board to direct the Governor in the course of making appointments. We agree with the recommendation but are not in a political position to be able to implicate it.

4) Re: Recommendation No. 4. Board recommendation of statutory revisions. We concur with this recommendation. As mentioned above we feel that the time has come when the State no longer need use the Board of Welding Examiners as a stop-gap measure to "do the best it can", to protect public safety and environmental concern. We favor the review of powers and duties of the Board. The Board has long requested fiscal support for the enforcement of welding regulations, since it is obviously quite difficult to be a fierce tiger when you are toothless. We certainly have no objections to the applicability of the administrative procedures act. Implementation of this should be by Legislative action and it can be completed by the effective date of legislation affecting the welding board during 1980.

Gerald L. Wilkerson
October 3, 1979
Page Three

This paper is not the place to present a series of detailed recommendations. These will be provided at the Legislative hearing.

5) Re: Recommendation No. 5. Continuing revision of administrative regulations. We concur with the recommendation although we may differ on some of the detailed suggestions. Once again these suggestions are good, they represent needs that should be met and that the Board has been endeavoring to meet over the past couple of years. We propose that the Board continue its process of review and address the specific points raised. This should be implicated by board action with a target date of July 1, 1980.

6) Re: Recommendation No. 6. Defining objectives and reporting to the Governor and Legislature. We concur with the recommendation, feeling that part of the defining of objectives is established by the Legislature, and that staff time will have to be provided to permit the requested reporting to be done. Because this recommendation is partially budgetary it will have to be accomplished through both board action and legislative action and would probably become effective July 1, 1980 when the new budget becomes effective. We hope that the presentation that we will be making to the Legislative committees as part of the "sunset" process, will be of considerable help in arriving at the implication of this recommendation.

We hope that we will be notified of the time of the Legislative committee hearing at the earliest possible date. A good presentation requires lead time to make people available and work concepts into shape. We look forward to cooperating with you in the future in this process.

Respectfully submitted,



J. C. WINGFIELD



PHIL DAVIS

October 26, 1979

State of Alaska
Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Juneau, Alaska 99803

RE: Board of Welding Examiners

SUBJECT: Board response to recommendations enclosed in Performance Review of the Board of Welding Examiners of June 8, 1979.

Recommendation #1:

We, the Board, feel the Board of Welding Examiners should be allowed to continue.

In addressing the primary goal of regulating occupations to protect the public:

1. An uncertified weldor or welding inspector can produce a product which impairs the life, safety, health and economic well being of all potential consumers. Many items of this nature can be addressed which are specific projects both State financed and privately funded.
2. Potentially, every resident in Alaska is a consumer of welding services. Only a small number of Alaskan residents possess the knowledge to evaluate the qualification of a provider of welding services. Almost every item constructed or repaired in the State has welding involved in some stage of construction or repair, ie: fuel oil tanks, bridges, aircraft, automobile fixtures, buildings, pipelines, etc. from very small items to large scale projects.
3. There is much evidence of abuse of welded components to which the consumers (which is the tax paying public) have no adequate recourse through the general laws. Instead, the consumer must depend on specialists such as qualified weldors and certified welding inspectors to protect their interests.

Rebuttal of Last Paragraph, Page 8:

The potential of public impact is not only addressed to large scale projects but more often to everyday usage of welded components such as trailer hitches, gas tanks, lawn mowers, and many small items used around the home. Imminent physical and economical harm can be brought upon the public due to inferior welding on these types of small scale projects.

Much public impact has been expended on large scale projects such as mentioned due to the economic impact of reworking inferior welding, many of which have been State funded projects which the public had already paid for.

First Paragraph, Page 9:

The statement that persons responsible for the construction of large projects are the consumers of welding services is erroneous as has been indicated above. Almost every resident of Alaska is a consumer of welding services.

Even the large companies do not always possess the adequate welding personnel to evaluate welding components, such has been experienced in the pipeline project.

We agree with the statement that "the AWS Certified Welding Inspector Program provides a means of identifying qualified inspectors", although the only requirement to this program is the State regulation 12AAC72.005 which was drafted and implimented by the State Board of Welding Examiners. The AWS Program is a voluntary program only.

Second Paragraph, Page 9:

Even though the interstate gas pipeline falls under the jurisdiction of the Federal Power Commission it is generally the Federal Government's policy to comply with the intent of State laws and regulations.

Third Paragraph, Page 9:

The AWS's support has largely influenced the State's regulations by providing a means for evaluating welding inspectors qualifications and has supported the intent of the Welding Board to impliment their program but has naturally desired to remain politically inactive.

The statement that "only one other State has required licensing of welding inspectors", has no influence on Alaska except to show that Alaska is a progressive State in protection of their consumers.

Fourth Paragraph, Page 9:

There is evidence of the State licensing of Welding Inspectors affording significant protection to consumers by a significant increase of welding knowledge in the State since the practice of licensing of welding inspectors was established.

Fifth Paragraph, Page 9:

The weldor qualification certificates could be required by statute if desired but the AWS Certification Program for Welding Inspectors could not be adopted by reference without a Board of Examiners to evaluate changes in the program or amending requirements due to the rapidly changing welding industry.

Sixth Paragraph, Page 9:

Sufficient public need does exist for continuing the present licensing and regulatory structure as evidenced by the welding inspectors who attempt to become licensed and found themselves not possessing an adequate knowledge of welding to successfully be licensed. This is illustrated by the audit committee in Recommendation #2, item #2.

Recommendation #2, Page 9:

Item #1, Page 9:

Application forms do request all information necessary to determine requirements for licensure by means of the initial AWS QC-1 Certificate which has documented items of compliance with 12 AAC 72.065 (a) 1-8. The State Board of Welding Examiners are knowledgeable of the AWS Documentation Program that insures the compliance with 12 AAC 72.065 (a) 1-8. No additional documentation is needed until the Board sees evidence that the AWS Program is not fulfilling the obligation set forth in the State's regulations. At such time that the AWS's Program is changed to a noncompliance of these regulations, the State Board will require additional documentation. Applicants for renewal need not be asked for evidence of a visual examination since the AWS renewal requires this proof of examination upon renewal.

Item #2, Page 9:

The Board of Welding Examiners agree with the intent of item #2, recommendation No. 2, as of October 26, 1979 will require all applicants to be reviewed by the Board prior to issuance of licenses.

Recommendation #3, Page 10:

Rebuttal, Last Paragraph, Page 10:

At the present time the Board is well rounded and represents the suggested areas of the occupation. For example:

- (a) Two members are from test labs, one of which is diversified to construction activities.
- (b) One member is from the petrochemical industry.
- (c) One member is from a Federal Governmental Department.
- (d) One member is from a labor organization.
- (e) One member is from the welding craft.
- (f) One member is from the nondestructive inspection field.

No two members are from the same company or corporation.

First Paragraph, Page 11:

Nominations are accepted from the entire industry through two societies who submit nominations to the governor. If the vehicle of these two societies are not used, the State will have to setup a program to accept nominations.

Most qualified interested persons are well aware of the existence of these two societies.

A person wishing to be nominated is not required to be a member of either Society and can be submitted if they possess the required knowledge and experience of the welding industry.

Second Paragraph, Page 11:

The Board would be receptive to including a lay member to the Board as the eighth member.

Terms of Board Members, Page 11:

The Board feels the term of five years is not excessive and agrees that no member should serve more than two consecutive terms.

Size of the Board, Page 11:

We do not feel the Board is unduly large due to the many facets of the industry to be addressed for public protection. If the Board number was reduced, a quorum could be too small to address the overall Board's responsibilities. The Board represents approximately 50 licensed welding inspectors and all certified weldors in the state numbering many thousands. As the licensing of welding inspectors is relatively new, the number of inspectors will be rapidly increasing as industry in the state increases.

Appointments, Page 11:

We agree, the Office of the Governor should make rapid appointments.

Recommendation #4, Page 12:

A. The Board feels an obligation to recommend changes in the statement AS08.99.080 that no longer pertains to the Board's activities. These statute recommendations are as follows:

Section 08.99.050, Qualifications of Board Members:
Add "except for one lay member".

- Section 08.99.080, Qualifications of Board Members:
1. Change to read "Establish and promulgate rules and regulations concerning welding in the state."
 2. Abolish.

3. Change to read "Work with federal and private agencies and specifying engineers to insure the Board is aware of the state of the art".
4. No change.
5. Insert after work accepted "for the licensing of welding inspectors". Omit existing words following the word accepted.
6. Change the wording to read "Set the fees for welding inspector licenses".
7. Change the wording to read "Examine, certify and renew the licenses of qualified applicants".
8. No change.
9. Abolish.
10. Change the wording to read "Designate and approve persons qualified to administer welding tests through the licensing of welding inspectors".

Re-number Item 10 (b) to 11

11. (a) Omit word "Technical".
- (b) Omit "Department of Labor" and replace with "Department of Commerce and Economic Development".
- (c) Omit reference following the words "promulgated under" XXXXXXXXXXXXXX leaving the words "this chapter".
- (d) Omit reference after words "this chapter".

Section 08.99.110, Codes:

Change wording to read "The welding codes within the State will be governed by the job specification, in the absence of job specifications the minimum code requirement shall be the applicable AWS Code".

B. Page 12:

The recommended change to AS08.99.080 (b) deletes the Department of Labor.

C. Page 12:

The Board agrees with the audit statement and will require assistance from the department on this issue.

Recommendation #5, Page 13:

1. AAC 72.055 and AAC 72.015 - Add "or cause economic loss" following life or property.
2. AAC 72.045 - Omit from item (1) word "and". Omit all of item (2).
3. Change regulation 12 AAC 72.105 (a) to read:
A welding inspector license is valid from the date of issuance or renewal through the expiration date of the inspector's American Welding Society's QCI Certification submitted with the licensing application or renewal.

Change regulation 12 AAC 72.105 (b) to read:

Application for renewal of a welding inspector license must be made to the department on a form provided by the department and must be accompanied by a fee of \$10.00.

Change Alaska Statue 08.01.100 to read:

- (a) All licenses, except Welding Inspector licenses, shall be renewed biennially on the dates set by the department with the approval of the respective board. Welding Inspector licenses will be renewed upon application in conjunction with the renewal of the Welding Inspector's AWS QC1 Certification renewal with the approval of the board.

4. The Board feels that the mandatory requirement of licensing requires a greater latitude for the availability of examination and therefore the requirement of four test dates are in order.

Second Paragraph, Page 14:

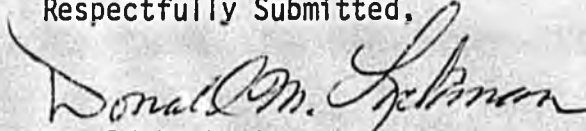
The Board feels that continuing revisions of the regulations are required if the Board is to remain viable.

Recommendation #6, Page 14:

The Board feels an annual report is in order and will do so with the assistance of the Department of Occupational Licensing.

The aforementioned statements and recommended changes to the Alaska Statutes Chapter 01. Centralized Licensing, Chapter 99. Board of Welding Examiners and Professional/Vocational Regulations Chapter 72 Board of Welding Examiners was approved by a Board quorum during the October 26, 1979 meeting of the Board of Welding Examiners.

Respectfully Submitted,


Donald M. Lockman, Chairman
Board of Welding Examiners

BOARD OF WELDING EXAMINERS

(AS 08.99.010-101) 7 members appointed by the governor from a list of persons prepared by the Alaska Chapter of the American Welding Society and the Alaska Society of Professional Engineers; confirmed by the legislature; 5-year term.

MEMBERS	REPLACING	APPT.	TERM
✓ Mr. Phillip Davis 986 N. Copper Street Fairbanks, Alaska 99701	Long		82/12/16
Vacant	Richard Schneider		78/12/16
Mr. Donald Delk SRA Box 372-C Anchorage, Alaska 99507		75/12/05	80/12/16
✓ Mr. Donald Lockman (<i>Chairman</i>) 8235 Endicott Street Anchorage, Alaska 99501		78/03/00	81/12/16
Mr. Peter Millar 2434 Colleen Circle Anchorage, Alaska 99501		76/12/05	79/12/16
Vacant	James W. Crippen		78/12/16
Mr. J. C. Wingfield 495 Sprucewood Road Fairbanks, Alaska 99701		78/03/00	79/12/16

CONTACT AGENCY:
Division of Occupational Licensing
Commerce & Economic Development
(465-2535)
ID #106

Agenda for Welding Board Meeting on Friday, October 26, 1979

1. Approval of the minutes for the meeting of July 27, 1979.
2. Welding Inspectors exam on Saturday, October 27, 1979 at 9:00 a.m., Room 103, Building G on the Anchorage Community College Campus, located at 2533 Providence Avenue, Anchorage, Alaska.
3. Approval of Welding Inspectors licensed for 1979-1980.
4. Discussion of Sunset Legislation.
5. Next Board meeting scheduling.

COMMITTEE REPORT
SENATE

FURTHER: None

4/17/80

Date: April 24, 1980

Mr. President:

The Committee on COMMERCE has had CSHB 994 am
continuing the existence of the Board of Welding Examiners

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

- do pass do not pass
- do pass with attached amendments(s)
- replace with CS for CSHB 994 am same title
 new title
- and recommends _____
- AND attaches a "Letter of Intent" New Fiscal Note
- reports it back without recommendation
- referred to the _____ Committee

MEMBERS SIGNING
DO PASS

Tom P. Stinson

Richard St. John

Brad Bradley

MEMBERS HAVING
OTHER RECOMMENDATIONS:

Tom P. Stinson - None

Brad Bradley
CHAIRMAN



Official Business

Alaska State Legislature

Senate

Committee on Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

March 13, 1980

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

Dear Mr. President:

Your Senate Commerce Committee has had under consideration for "Sunset" review the Board of Welding Examiners pursuant to your referral under AS 44.66.050 and AS 08.03.010.

In accordance with the statutory requirements, a public hearing was held on the review of this board, at which written and oral testimony was received. Members of the board testified in person or by teleconference. The Committee considered the proposed budget of the board for FY 1981 and particularly examined the performance audit of the activities of the board conducted by the Division of Legislative Audit.

Guided, in part, by this performance review the Committee took into consideration the factors required to be considered under AS 44.66.050(c).

In considering the findings and recommendations of the Division of Legislative Audit as they appear on pages 8 through 15 of the Performance Review of the Board of Welding Examiners dated June 8, 1979, which is hereby incorporated by reference as though fully set out herein, the Committee makes the following recommendations:

The Committee finds that it would be in the best interests of the people of the state of Alaska for the board to be continued and disagrees with Legislative Audit recommendation number 1 which recommends that State licensing of welding personnel be discontinued.


The Honorable Clem Tillion
March 13, 1980
Page 2

In general, we concur with findings 2 through 6. It appears that the Board of Welding Examiners will address these problems adequately through regulatory change. If it proceeds to do so, it will not be necessary for the Committee to address these problems by statute.

The Committee feels that it has adequately addressed the recommendations and categories required under AS 44.66.050(d), and recommends that with the changes stated in this report the Board of Welding Examiners be continued for another four years, that is, that the repealer with regard to the activities of the board be amended to read June 30, 1984.

A bill will be introduced by the Commerce Committee to implement the recommendations in this report.

Respectfully submitted,



Senator Brad Bradley
Chairman
Senate Commerce Committee

BB/bm

WORK ORDER REQUEST FORM

49 8524

KEYWORDS: Professions

ASSIGNED TO Guthrie

Boards and Commissions

REQUEST FOR: BILL

RESOLUTION

RESEARCH

OTHER Analysis

SUBJECT SCS CSHB 994 Board of Welding Examiners

REQUESTED FOR Senate Commerce BY Christian EXT. _____

* DELIVER TO Senator Bradley TAKEN BY Noah

INSTRUCTIONS, EXPLANATIONS Section -by- section analysis of SCS CSHB 994.

OBTAIN

SPECIAL DRAFTING INSTRUCTIONS ATTACHED

AUTHORIZED TO CONFER WITH _____

RETURN _____

TO REQUESTER

APPROVED: BGB Director, Legal Services

Director, Research

REVIEWED _____

IN 4/24 DUE _____

TYPED - Draft _____ DATE _____

Final _____ DATE _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS TO TYPIST/PROOFREADER

DRAFT

FINAL

CORRESPONDENCE RE: THE CONTINUATION OF THE BOARD OF WELDING EXAMINERS
CSSB 553, SCSCSHB 994

Don Cather, Pressure Vessel Inspector with The Dept. of Labor
The board is not needed for it duplicates powers
already in existence.

Mechanical Contractors of Fairbanks - The board is not needed.
Duplication.

Veco Inc. of Anchorage - The board is not needed.

Bruce Stephens, Stephens Brother Plumbing - The board is not needed.

Ralph Eldrige, Mechanical Contractors of Anchorage - Opposed to the
continuation of the Board.

Don Lochman, Chairman, State Board of Welding Examiners - Opposes
Sec. 9 which requires the board's budget to be determined
by license fee income. This would require an increase in
the license fee.

Brad: I also talked with Frank Lee who is a Welder and he indicated to
me that the board should be terminated and that it does duplicate
powers already in existence.

CORRESPONDENCE RE: THE CONTINUATION OF THE BOARD OF WELDING EXAMINERS
CSSB 553, SCSCSHB 994

Don Cather, Pressure Vessel Inspector with The Dept. of Labor
The board is not needed for it duplicates powers
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Sec. 9 which requires the board's budget to be determined
by license fee income. This would require an increase in
the license fee.

APR 30 1980

Don Cather
4821 Becharof
Anchorage, Alaska 99507

H - 344-6809

O - 276-6516

Juneau 4870

RE: CS 553

April 28, 1980

Welding
Answers on the
matter
Don Cather
Don Cather
Don Cather
Don Cather
Don Cather

Senator Mike Colletta
Alaska State Legislature
Pouch V (MS 3100)
Juneau, Alaska 99811

Dear Senator Colletta:

In 1968, the idea for the Board of Welding Examiners was to develop methods that would help reduce costs for an employer to hire welders: 1) through knowing the welder's background, as each welder would be registered with the state and carry a card so stating his certification; and 2) so registered welders could be hired for specific welding jobs and if further testing was needed, the employer would know the applicant's elementary welding background thus eliminating many primary tests which are quite expensive.

The ensuing welding boards have changed directions several times. Until now, they have added at least two layers of cost to employers who use welders: 1) through government, which involves registration of welding Inspector/Examiners and enforcement of these inspections; and 2) through regulations where the employer must now contract for, or employ additional persons, to inspect welds and to qualify welders.

The additional costs, only to Alaskan employers, further reduces the chance of the smaller Alaskan welding companies to compete with outside companies for the limited amount of business available in the state.

It should also be noted that a welding inspector/qualifier does not inspect prefab buildings, muffler installations, trailer-hitch work, or other major welding work done by others before being shipped into the state, thus the greater part of any welding entering the state is not inspected.

I do not feel the board has served any useful purpose to date, even though it has been functional for 10 years. It should also be noted that any welding company in the state may have their welders tested at any of the test labs in the state, thus eliminating the additional expense for an in-house welding qualifier. Overall, it appears this is a well-organized drive by

not needed

37 weld inspectors left over from the pipeline days, to continue in lucrative jobs. As may be noted on the attachment of the 59 weld inspectors registered in Alaska, less than two-thirds are residents -- certainly not a good image for local hiring.

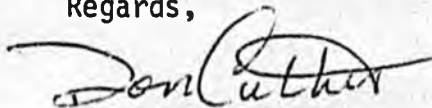
Should you feel that the bill is needed, may I make several suggestions for its betterment:

SECTION 4, 08.99.050. The 37 welding inspectors presently registered in the state apparently wish to monopolize this board as the new bill would have two of the members on it. I feel the board would be more responsive to the public needs if the language remained as in past statutes: "all members shall have extensive experience in welding."

SECTION 5, 08.99.080. I would like to ask that the American Society of Mechanical Engineers' Boiler and Pressure Vessel Code (ASME) be excluded from this law as these activities are covered in other statutes. The welding to boilers and pressure vessels is under the jurisdiction of competent National Board of Boiler and Pressure Vessel inspectors and they only inspect boilers and pressure vessels being fabricated in the ASME Code boiler and pressure vessel shops and oversee the repair to boilers and pressure vessels to assure it is done in a safe manner and in accordance to the ASME Code guidelines.

Should you have any questions, please do not hesitate to contact me at (907) 344-6809.

Regards,



Don Cather

cc: Rules Committee
Senators Robert H. Ziegler, Sr.
Bill Sumner
George H. Hohman, Jr.
Clem V. Tillion

Attachments

*do not add
2 inspectors from only
over 37 in state*

*Need to check
with the
state of Alaska*

WELDING INSPECTORS LICENSED FOR 1981

#0088

Chas. H. Nicholson
207 Townes Road
Columbia, S.C. 29210

#0107

Julius J. Mispagel
P.O. Box 2804
Fairbanks, Alaska 99707

##0092

Dennis W. Clark
33260 34th Avenue, S.W.
Federal Way, WA 98003

#0114

John P. Rosen
SRA Box 303
Anchorage, Alaska 99507

#0014

Don H. Delk
Box 372C, SRA
Anchorage, Alaska 99507

#0053

Lawrence Russell
816 Betty Street
Fairbanks, Alaska 99701

#0127

John H. Reiner
10608-25th S.W.
Seattle, WA 98146

#0001

Peter A. Millar
2434 Colleen Circle
Anchorage, Alaska 99504

#0071

Don D. Statter
Rt. 6, Box 4152
Juneau, Alaska 99803

#0082

Ray T. Cater
Rt. 1, Box 247
Plaquemine, LA 70764

#0095

Paul W. Lott
3021 Davis Road
Fairbanks, Alaska 99701

#0102

David H. Derrer
P.O. Box 3046
Juneau, Alaska 99803

#0072

George A. Fox
Box 575
Kenai, Alaska 99611

#0046

Glenn A. Gaston
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Junction, Texas 76849

#0025

Donald M. Lockman
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Anchorage, AK 99502

#0075

Bruce D. Weisman
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Anchorage, Alaska 99509

#0117

Paul R. Molino
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Girdwood, Alaska 99587

#0131

Benny J. England
6686 East Harvey Avenue
Fresno, CA 93727

#0132

Samuel I Rogers
Box 297
Kotzebue, Alaska 99752

#0078

Lavell C. McClure
2924 S. 107th East Avenue
Tulsa, Oklahoma 74129

#0062
Tim K. Pine
Box 608
Anchorage, Alaska 99510

#0110
John Skamarocius
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Harry F. Barnes
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Owen L. Kelly
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Allen Thibodeaux
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Gibson, La 70356

#0098
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Kenai, Alaska 99611

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Anchorage, Alaska 99504

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Houston, Texas 77070

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Girdwood, Alaska 99587

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Anchorage, Alaska 99504

#0054
William M. Parish
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Madill, OK 73446

#0128
Edward M. Hunt
12435 E. Freeway #20
Houston, Texas 77015

J. Sazama
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Tidona, Alaska 99669

#0070
Kent D. Huey
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Anchorage, Alaska 99504

#0065
Howard S. Goche
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Eagle River, Alaska 99577

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Bremerton, WA 98310

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John W. Hopp
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Omaha, Nebraska 68102

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Jenks, Oklahoma 74037

#0064
Paul J. McBrayer
RFD #3, Box 795
Broken Arrow, OK 74012

#0056
Thomas R. Dillon
P.O. Box 242-A, Rt. #3
Sapula, OK 74066

#0079
Gerald H. Park
SRA 1621-H
Anchorage, Alaska 99507

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366 Cherry Street
Anchorage, Alaska 99504

#0038
Thomas C. Reed
P.O. Box 12585
Houston, Texas 77017

#0090
Elton T. English
5803 Pinewilde Drive
Houston, Texas 77066

#0115
Frank E. Noble
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Sterling, Alaska 99672

#0122
Michael I. Linger
Sohio Const. Co.
Pouch 6-612
Anchorage, Alaska 99509

#0085
Ronald C. Garrett
General Delivery
Talkeetna, Alaska 99676

#0130
James A. Schooley, Jr.
P.O. Box 1352
West Monroe, La. 71291

#0076
Jack Fields
3141 Sudbury Road
Cameron Park, CA 95682

#0061
Robert T. Wise
5301 Trena Street
Anchorage, Alaska 99507

#0012
Glenn E. Seebert
Star Rt.
Janesville, CA 96114

#0113
William G. Brister
3021 Placer Circle
Eagle River, Alaska 99577

MECHANICAL CONTRACTORS

of Fairbanks, Inc.

MAY 20 1980

P. O. Box 534 ☆ Fairbanks, Alaska 99701

May 16, 1980

*SB 553
Welding*

Senator Mike Colletta
Pouch V
Juneau, Alaska 99811

(Mail Stop Number 3100)

Dear Mr. Colletta:

HB 994
Re: Senate Bill No. 553

Every segment of industry has a stake in having the consumer associate receive its products and services within the concept of professionalism. This is especially important at a time when there is a prevalence among many to accept shoddy merchandise and workmanship from everyone. This is an unfortunate but inescapable way of life. Our industry, the Plumbing, Heating and Cooling Contractors, rejects this style of life.

We are governing ourselves with a system of self controls. Welding examiners and welding certification in our industry is already provided for by a Testing Board. Testing boards and labs are operated by private companies and service owners, architects and other agencies as required by the standards and specifications of the industry. These boards and labs follow regulations and standards of the American Welding Society and the Alaska Society of Professional Engineers.

*Prohibit the
members.*

We discussed the proposed legislation at our last regular meeting and feel we have enough regulation and proper controls. Re-establishing the Board of Welding Examiners and the creation of a five or seven member panel would provide little or no benefit to our industry. Regulations of this type should be aided by the experience and comments of the industry it intends to govern. This is unneeded regulation.

Please call or write to any of us for other personal comments concerning this or other regulations.

Sincerely,

MECHANICAL CONTRACTORS OF FAIRBANKS, INC.

Eugene Yurkovich

Eugene Yurkovich, Executive Secretary

EY/gg
Attachment - Membership Roster

MECHANICAL CONTRACTORS OF FAIRBANKS, INC.

Membership Roster

Don C. Chandler and Bill Sager
Chandler Plumbing & Heating, Inc.
P. O. Box 534
Fairbanks, Alaska 99707
456-5282

James Desmond and Bob Macomber
Western Mechanical, Inc.
3230 Airport Way
Fairbanks, Alaska 99701
452-1831

Vern Boyles and Gene Rutland
Tanana Mechanical
P. O. Box 1189
Fairbanks, Alaska 99707
452-1792

Jess Whitney and Mike Whitney
Whitney Brothers Plumbing & Heating
P.O. Box 926
Fairbanks, Alaska 99707
479-3171

Guy Whitney
Trans-Alaska Mechanical Contractor
P. O. Box 60489
Fairbanks, Alaska 99706
456-5371

Vern Nash and Gary Nash
Nash Plumbing & Heating, Inc.
P. O. Box 92
Fairbanks, Alaska 99707
452-3945

Jerry Burgess
Burgess Plumbing & Heating
S.R. Box 30266
Fairbanks, Alaska 99701
479-6142

Mike Monsey
Glacier Mechanical
1024 - 7th Avenue
Fairbanks, Alaska 99701
452-5341

Dennis Wise
Wise Mechanical Contractors
300 Wedgewood Drive
Fairbanks, Alaska 99701
452-3923

George Wise
Arctic Mechanical
935 Aurora Drive
Fairbanks, Alaska 99701
452-4537

Ed Burlison
Yukon Services
P. O. Box 60129
Fairbanks, Alaska 99707
452-4474

Mike Sexton
Universal Mechanical
P. O. Box 2499
Fairbanks, Alaska 99707
456-7493

Bob Horn
Apex Mechanical
P. O. Box 1105
Fairbanks, Alaska 99707
488-2882

Richard Howell
Howell Mechanical
P. O. Box 80462
College, Alaska 99701
456-2022

Tony Haas and Jerry Lajiness
Perfection Plumbing & Heating
2280 Standard
Fairbanks, Alaska 99701
456-7919

TELETYPE UNIT
FACSIMILE UNIT
JUNEAU, AK 99802

MAY 6 1967

SB 553
Brd. Wellman
11 10 11

02022 NL ANCHORAGE ALASKA 54 05-05 850A ADT

PMS SEN MIKE COLLETTA
JUNEAU AK

IT IS OUR UNDERSTANDING THAT SB553 IS CURRENTLY IN THE RULES COMMITTEE AND IS NOT EXPECTED TO BE CONSIDERED FURTHER DURING THIS SESSION. IT IS OUR FEELING THAT THIS BILL JUST CREATES ANOTHER LEVEL OF UNNEEDED BUREAUCRACY WHICH WOULD BE IMPOSED ON MANY SMALL BUSINESSES WITHIN THE STATE OF ALASKA.

VECO INC.
5151 FAIRBANKS ST.
ANCHORAGE AK

not needed

RE OPPOSITION TO WELDING BOARD: THE MECHANICAL CONTRACTORS ASSOCIATION OF ANCHORAGE WHICH REPRESENTS THE MAJORITY OF PLUMBING AND HEATING CONTRACTORS IN SOUTHCENTRAL ALASKA OPPOSES THE STATE WELDING BOARD FOR EXTENSION OF ITS POWERS. THE BOARD DUPLICATES SYSTEMS ALREADY IN EXISTENCE. PLEASE VOTE AGAINST SB 553.

FROM: RALPH ELDRIGE, 6126 MACKAY STREET, ANCHORAGE 99502 279-9451

TO ALL LEGISLATORS

MAY 12 1980

We are opposed to SB 553, which extends the life of the welding Bd. and urge you not to support its passage.

TO: Senators Colletta, Ziegler, Sumner, Hohman, Tillion
FROM: Bruce A. Stephens, Stephens Brother Plumbing, 7339 Arctic Blvd., Anchorage 99502 349-1539

4/24 Telephone message from:

DON LOCKMAN, CHAIRMAN
STATE BOARD OF WELDING EXAMINERS
o 276-3440
h 243-4737

RE: HB 994 Welding Examiners

SB 553 CS ready →

Don is opposed to Sect 9 in original HB that requires brd budget be determined by license fee income. This would require an increase in the license fee.

The current initial licensing fee is \$ 25 with a \$10 annual renewal fee. The Board has discussed and agreed to a change to a 3 year renewal at \$ 60, but this would have to be much higher to cover the costs of examinations more than once a year. This is seasonal work.

The Board is meeting at 2 PM Fiday, tomorrow, in Bldg. G, Rm 103
Anchorage Community College

is still in CS (Com.) reported out of Commercial Committee 4/24

FISCAL NOTE

I. REQUEST
 Bill/Resolution No. Senate Bill No. 553 - An Act continuing the existence of the Board of Welding Examiners, and amending the statute relating to its Title powers and responsibilities and providing for an effective date.
 Requested by Commerce Committee Date 4/17/80

II. FISCAL DETAIL
 Agency Affected Commerce and Economic Development
 Program Category Affected Consumer Protection
 BRU, Program, or Subprogram(s) Affected Regulation and Licensing of Professions
 (Note: If more than one budget component is affected, separate line-item amounts and funding for each component in the analysis section.)

EXPENDITURES (Thousands of Dollars)

	FY 80	FY 81	FY 82	FY 83	FY 84	FY 85
100 PERSONAL SERVICES	-0-	37.2	39.8	42.6	45.5	48.7
200 TRAVEL	-0-	13.0	13.9	14.9	15.9	17.1
300 CONTRACTUAL	-0-	6.6	7.1	7.5	8.1	8.6
400 COMMODITIES	-0-	-0-	-0-	-0-	-0-	-0-
500 EQUIPMENT	-0-	1.9	-0-	-0-	-0-	-0-
600 LAND & STRUCTURES	-0-	1.9	2.0	2.2	2.3	2.5
700 GRANTS, CLAIMS, ETC.	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	60.6	62.8	67.2	71.8	76.9

FUNDING (Thousands of Dollars)

GENERAL FUND	-0-	60.6	62.8	67.2	71.8	76.9
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER (Specify Fund Source)	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS

FULL TIME	-0-	1	1	1	1	1
PART TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

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

Personnel Services

One Investigator at Range 18A located in Anchorage
 (7% inflation factor used) \$37,186.00

Travel (7% inflation factor used)

Travel for 5 board members to meet 4 times per year. As the board already meets 4 times per year, it is felt sufficient, however, the meetings for FY81 and each year thereafter would have to be increased to two days rather than one. All meetings are held in Anchorage. 300.00
 The Licensing Examiner would now have an additional day per diem for the examination. 240.00
 Investigation travel would be approximately 14 days per month at \$60 per day allotment. 12,480.00
TOTAL TRAVEL **\$13,020.00**

IV. DATE 4/17/80 PREPARED BY Ann Griggs, Director
 AGENCY Occupational Licensing
 PHONE 465-2534

Original: Legislative Finance
 cc: Budget and Management
 Prime Sponsor (First Legislator Named)

Contractual (7% inflation factor used)

Contractual costs include figures for the leasing of one automobile and the costs incurred by it. \$ 6,600.00

Equipment (This will be a one time cost in FY81)

Breakdown of equipment for the one position includes:

1 bookcase	\$ 84.76	
1 four drawer file	181.80	
1 chair	126.83	
2 side chairs	121.52	
1 desk	389.38	
1 typewriter table	60.93	
1 mat	35.46	
1 typewriter	900.00	\$ 1,900.78

Land and Structures (7% inflation factor used)

The Investigator position will require approximately 126 square feet located in Anchorage at a cost of \$1.25 per foot per month. \$ 1,900.00

Don Cather
4821 Becharof
Anchorage, AK 99507

April 25, 1980

RE: CS for HB 994

Senator Brad Bradley
Alaska State Legislature
Pouch V (MS 3100)
Juneau, AK 99811

Dear Senator Bradley:

In 1968, the idea for the Board of Welding Examiners was to develop methods that would help reduce costs for an employer to hire welders: 1) through knowing the welder's background, as each welder would be registered with the state and carry a card so stating his certification; and 2) so registered welders could be hired for specific welding jobs and if further testing was needed, the employer would know the applicant's elementary welding background thus eliminating many primary tests which are quite expensive.

The ensuing welding boards have changed directions several times. Until now, they have added at least two layers of cost to employers who use welders: 1) through government, which involves registration of welding Inspector/Examiners and enforcement of these inspections; and 2) through regulations where the employer must now contract for, or employ additional persons to, inspect welds and to qualify welders.

The additional costs, only to Alaskan employers, further reduces the chance of the smaller Alaskan welding companies to compete with outside companies for the limited amount of business available in the state.

It should also be noted that a welding inspector/qualifier does not inspect prefab buildings, muffler installations, trailer-hitch work, or other major welding work done by others before being shipped into the state, thus the greater part of any welding entering the state is not inspected.

I do not feel the board has served any useful purpose to date, even though it has been functional for 10 years. It should also be noted that any welding company in the state may have their welders tested at any of the test labs in the state, thus eliminating the additional expense for an in-house welding qualifier. Overall, it appears this is a well-organized drive by 37 weld inspector left over from the pipeline days, to continue in lucrative jobs.

Senator Brad Bradley
April 25, 1980
Page 2

Should you feel that the bill is needed, may I make several suggestions for it's betterment:

SECTION 4, 08.99.050. The 37 welding inspectors presently registered in the state apparently wish to monopolize this board as they wish to have two of their members on it. I feel the board would be more responsive to the public needs if the language remained as in past statutes: "all members shall have extensive experience in welding".

SECTION 5, 08.99.080. I would like to ask that the American Society of Mechanical Engineers' Boiler and Pressure Vessel Code (ASME) be excluded from this law as these activities are covered in other statutes. The welding to boilers and pressure vessels is under the jurisdiction of competent National Board of Boiler & Pressure Vessel inspectors and they only inspect boilers and pressure vessels being fabricated in the ASME Code boiler and pressure vessel shops and oversee the repair to boilers and pressure vessels to assure it is done in a safe manner and in accordance to the ASME Code guidelines.

Should you have any questions, please do not hesitate to contact me at (907) 344-6809.

Regards,



Don Cather

cc: Commerce Committee
Senator A. Sturgulewski
Senator T. Kelly
Senator F. Ferguson
Senator T. Stimson

SENATE CS FOR CS FOR HOUSE BILL NO. 994

(SAME BRIEFING FOR CS FOR SB 553)

MR. PRESIDENT, I MOVE THE ADOPTION OF CS FOR SB 553, WHICH IS IDENTICAL, AT THIS POINT, TO SCS FOR CSHB 994 FOR THE SAME BOARD. WE HAVE WORKED JOINTLY TO TRY TO PREVENT AN UNNECESSARY AND OFTEN TIME-CONSUMING FREE CONFERENCE COMMITTEE.

THIS BILL CONTINUES THE EXISTENCE OF THE BOARD OF WELDING EXAMINERS UNTIL JUNE 30, 1984. (ANOTHER 4 YEARS). THE BOARD OF WELDING EXAMINERS AGREED TO MAKE CHANGES IN THEIR REGULATIONS AS DESIGNATED ON PAGE 4, LINES 6-27; AND WE AGREED TO EXTEND THEM.

(SEC. 08.99.010)

P. 1, Ls. 12-14

SECTION 1 REDUCES THE MEMBERSHIP ON THE BOARD FROM (7) TO 5 MEMBERS. THE BOARD HAS BEEN TOO LARGE CONSIDERING THAT THERE ARE ONLY 65 WELDING LICENSEES IN THE STATE.

(SEC. 08.99.020)

P. 1, Ls. 17-18

SECTION 2 LIMITS MEMBERSHIP ON THE BOARD TO TWO CONSECUTIVE TERMS TO ALLOW FRESH MEMBERS AND IDEAS. THIS SECTION ALSO DELETES THE PROVISION FOR STAGGERING TERMS OF MEMBERS BECAUSE THE CURRENT BOARD MEMBERS WILL COMPLETE THEIR TERMS, AND SINCE THE TERMS ARE STAGGERED, NEW TERMS ARE AUTOMATICALLY STAGGERED ALSO.

(SEC. 08.99.030)

Ps. 1/2, Ls. 22/2

SECTION 3 ALLOWS THE GOVERNOR TO APPOINT THREE OF THE BOARD MEMBERS FROM A LIST OF PERSONS PREPARED BY THE ALASKA CHAPTER OF THE AMERICAN WELDING SOCIETY AND THE ALASKA SOCIETY OF PROFESSIONAL ENGINEERS. THE GOVERNOR'S OFFICE HAS BEEN CHOOSING BOARD MEMBERS FROM

THIS LIST FOR YEARS NOW DUE TO THE FACT THAT THESE SOCIETIES HAVE A GREATER KNOWLEDGE OF WHO WOULD BE THE BEST CANDIDATES FOR MEMBERSHIP. SECTION 3 ALSO REDUCES THE NUMBER TO THREE IN ORDER TO ALLOW FOR TWO PUBLIC MEMBERS ON THE BOARD. ONE OF THE PUBLIC MEMBERS MUST HAVE GENERAL KNOWLEDGE OF WELDING AND THE TWO PUBLIC MEMBERS WILL PROVIDE GREATER CONSUMER PROTECTION AND PROVIDE FOR THE PUBLIC'S INTEREST.

(SEC. 08.99.050)
P. 2, Ls. 6-11

SECTION 4 REDUCES THE NUMBER OF MEMBERS WITH ENGINEERING DEGREES FROM (THREE) TO ONE MEMBER IN ORDER TO ADD TWO WELDING INSPECTORS CERTIFIED BY THE AMERICAN WELDING SOCIETY. THIS WILL MAKE THE BOARD MORE DIVERSIFIED AND COVERS ANOTHER AREA OF THE WELDING PROFESSION.

(SEC. 08.99.080(A)(1))
P. 2, Ls. 12-14

SECTION 5 IS AMENDED TO INCLUDE WELDING INSPECTORS SINCE THEY HAVE BEEN ADDED TO THE BOARD.

(SEC. 08.99.089(A)(2))
P. 2, Ls. 15-18

SECTION 6 IS AMENDED TO INCLUDE: OR FOR A POLITICAL SUBDIVISION OF THE STATE. THIS PROVIDES FOR SUCH PROJECTS AS THE UPCOMING GAS LINE WHICH MAY RUN OUTSIDE STATE BOUNDARIES.

(SEC. 08.99.080(A)(3))
P. 2, Ls. 20-22

SECTION 7 IS AMENDED TO EXCLUDE (FOR ALL WELDERS THROUGHOUT THE STATE) BECAUSE THE ESTABLISHMENT OF UNIFORM TESTING AND CERTIFYING METHODS IS TO APPLY ONLY TO THOSE WHERE IT IS REQUIRED -- ONLY

CERTAIN TYPES OF OPERATIONS AS SPELLED OUT IN THE REGULATIONS. THIS DOES NOT PERTAIN TO ALL WELDERS WITH GARAGE OPERATIONS, ETC. WHILE THE BOARD MUST STILL WORK WITH THESE GROUPS TO ESTABLISH TESTING AND CERTIFYING METHODS, THIS CHANGE PROVIDES THE BOARD WITH SOME FLEXIBILITY AS TO THE PARTICULAR WELDERS WHICH IT WILL CHOOSE TO REGULATE.

(SEC. 08.99.080(A)(9))
P. 2, Ls. 24-29

SECTION 8 IS AMENDED TO INCLUDE AND INSPECTION SINCE WELDING INSPECTORS ARE NOW INCLUDED ON THE BOARD AND THESE REGULATIONS MUST BE ESTABLISHED TO ENSURE CONSISTENT QUALITY OF WELDS. IT ALSO INCLUDES THE ADDITION: INCLUDING CONSTRUCTION BY OR ON BEHALF OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE. THIS AGAIN REFERS TO THE FACT THAT SUCH PROJECTS AS THE GAS LINE MAY INVOLVE AREAS AND DEPARTMENTS OUTSIDE THE STATE.

(SEC. 08.99.080(A))
P. 3, Ls. 2-5

SECTION 9 IS AMENDED BY ADDING PARAGRAPH 11: PREPARE AN ANNUAL BUDGET TO BE SUBMITTED TO THE LEGISLATURE AND REQUEST AN ANNUAL APPROPRIATION FROM THE GENERAL FUND TO COVER OPERATING EXPENSES OF THE BOARD, NOT TO EXCEED THE AMOUNT OF INCOME TO BE RECEIVED FROM FEES UNDER THIS CHAPTER FOR THE YEAR; THIS WAS PUT IN, IN ORDER TO MAKE THE BOARDS MORE FISCALLY AWARE AND HAVE A GREATER UNDERSTANDING OF THE MONIES THEY GENERATE AND SPEND. THE IDEA HERE IS TO HAVE

THE BOARDS PAY FOR THEMSELVES. THE HOUSE PUT THIS IN AND WE WENT ALONG WITH THIS TO AVOID A FREE CONFERENCE.

(SEC. 08.99.080(A))

P. 3, Ls. 6-9

SECTION 9 ALSO ADDED THE FOLLOWING PARAGRAPH: THE BOARD SHALL ADOPT REGULATIONS REQUIRING THE APPLICATION OF THE LATEST STANDARDS AND CODES ADOPTED BY THE AMERICAN WELDING SOCIETY IF A CONTRACT OR JOB SPECIFICATION FAILS TO DESIGNATE THE STANDARDS OR CODES TO BE APPLIED TO A PARTICULAR WELDMENT. THIS ADDITION SIMPLY SETS THE MINIMUM STANDARDS AS THOSE ADOPTED BY THE AMERICAN WELDING SOCIETY. THERE WAS A NEED HERE FOR MINIMUM STANDARDS WHERE A JOB OR CONTRACT FAILED TO SET THE STANDARDS.

(SEC. 08.99.080(B))

P. 3, Ls. 11-16

SECTION 10 IS AMENDED SIMPLY TO MAKE ONLY THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT RESPONSIBLE FOR ANALYZING REPORTS AND PERFORMING FIELD INSPECTIONS INSTEAD OF BOTH THE DEPARTMENT OF LABOR AND THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT. IN THE PAST, BOTH DEPARTMENTS WERE RESPONSIBLE FOR THIS AND THIS AMENDMENT MAKES IT MUCH SIMPLER KEEPING THE RESPONSIBILITY WITHIN ONLY THE ONE DEPARTMENT.

(SEC. 08.99.080)

P. 3, Ls. 17-19

SECTION 11 ADDS A SUBSECTION FOR THE BOARD TO ADOPT REGULATIONS TO PERMIT CERTIFIED WELDING INSPECTORS TO EXAMINE, CERTIFY, AND RENEW CERTIFICATIONS OF WELDERS. THIS IS BECAUSE

WELDING INSPECTORS HAVE BEEN ADDED TO THE BOARD AND THEY ARE CAPABLE OF ADOPTING SUCH REGULATIONS FOR GREATER INSPECTION CONSISTENCY AND QUALITY.

(SEC. 08.99)
P. 3, Ls. 21-24

SECTION 12 ADDS A NEW SUBSECTION ENTITLED: RENEWAL OF WELDING INSPECTOR CERTIFICATES BECAUSE WELDING INSPECTORS HAVE BEEN ADDED TO THE BOARD. A SECTION WAS ADDED TO CREATE AN EXEMPTION TO AS 08.01.100(A), WHICH REQUIRES THAT THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT ESTABLISH DATES FOR RENEWAL OF OCCUPATIONAL LICENSES. THIS WAS DONE SO THAT THE CERTIFICATE OF A WELDING INSPECTOR ISSUED UNDER THIS ACT EXPIRES ON THE DATE OF EXPIRATION OF THE WELDING INSPECTOR'S CERTIFICATION BY THE AMERICAN WELDING SOCIETY.

(SEC. 08.03.010(c))
P. 3, Ls. 25-27

SECTION 13 IS AMENDED TO CONTINUE THE BOARD OF WELDING EXAMINERS FOR ANOTHER FOUR YEARS UNTIL JUNE 30, 1984.

(SEC. 08.99.110)
P. 3, L. 28

SECTION 14 IS REPEALED, WHICH ARE OUTDATED PIPING CODES. THESE TIE THE WELDERS TO OUTDATED CODES. NOW THE BILL STATES THE MINIMUM CODES AS THOSE OF THE AMERICAN WELDING SOCIETY UNLESS OTHERWISE STIPULATED IN A CONTRACT OR JOB. UNDER THIS BILL, THE BOARD IS NOW REQUIRED TO REINCORPORATE NEW UP-TO-DATE STANDARDS EVERY YEAR. THESE PIPING CODES ARE SIMPLY OUT OF DATE.

(SEC. 08.03.010(B)(10))

P. 3, L. 28

SECTION 14 IS REPEALED WHICH REMOVES THE BOARD OF WELDING EXAMINERS FROM THE LIST OF BOARDS WHICH HAD A TERMINATION DATE OF JUNE 30, 1980.

Ps, 3/4, Ls. 29/5

SECTION 15 KEEPS THE CURRENT MEMBERS OF THE BOARD OF WELDING EXAMINERS ON THE BOARD UNTIL THEIR TERMS EXPIRE AT WHICH TIME THE BOARD WILL BE RECONSTITUTED IN ACCORDANCE WITH SECTIONS 3 AND 4 OF THIS ACT. IN THE YEAR THAT THREE TERMS EXPIRE SIMULTANEOUSLY, TWO OF THOSE TERMS ARE ABOLISHED WHICH BRINGS THE TOTAL MEMBERSHIP OF THE BOARD TO FIVE WHICH THIS BILL STIPULATES.

P. 4, Ls. 6-27

SECTION 16 SPELLS OUT WHICH REGULATIONS THE BOARD MUST ADOPT AT THEIR NEXT BOARD MEETING. WE ARE TAKING THE WELDERS OUT OF STATE CERTIFICATION IN THE AREAS WHERE IT IS NOT NEEDED. CERTIFICATION IS NEEDED ONLY IN AREAS OF CONTRACTORS, BUILDERS, AND PIPELINES. CERTIFICATION IS NOT NEEDED IN "HOME-GARAGE" OPERATIONS, ETC. THE REGULATIONS ARE AS FOLLOWS:

- (1) PROVIDE THAT ONLY IF A JOB HAS BEEN ADVERTISED OR IS DONE PURSUANT TO A WRITTEN CONTRACT MUST THE WORK BE PERFORMED BY A CERTIFIED WELDER;

(2) REQUIRE THAT THE SIGNATURE AND LICENSE NUMBER OF THE WELDING INSPECTOR WHO ISSUES A WELDING QUALIFICATION CERTIFICATE TO APPEAR ON IT;

(3) PROVIDE THAT A WELDER NOT BE REQUIRED TO BE CONTINUOUSLY EMPLOYED USING THE WELDING PROCESS FOR WHICH HE IS CERTIFIED IN ORDER TO KEEP HIS CERTIFICATION VALID;

(4) PROVIDE THAT IF INSPECTION OF A WELDMENT IS REQUIRED, THE INSPECTION MUST BE PERFORMED ONLY BY A LICENSED WELDING INSPECTOR UNLESS EXEMPTED;

(5) PERMIT AN EXEMPTION TO (4) BY ALLOWING THE INSPECTION OF A WELDMENT IN A PUBLIC WORKS PROJECT BY AN ENGINEER IF A LICENSED WELDING INSPECTOR IS NOT AVAILABLE; HOWEVER, THE ENGINEER MUST BE APPROVED BY THE BOARD; THE INSPECTION MUST BE DONE UNDER THE GENERAL DIRECTION OF A LICENSED WELDING INSPECTOR, AND THIS SPECIAL EXEMPTION EXPIRES JANUARY 1, 1982

(6) INCLUDE ANY OTHER REGULATIONS NEEDED TO IMPLEMENT THIS ACT.

P. 4, Ls. 28-29

SECTION 7. THIS ACT TAKES EFFECT IMMEDIATELY IN ORDER TO ALLOW THE WELDERS TO ADOPT THE REGULATIONS AT THEIR NEXT BOARD MEETING.

Mr. President, I move the adoption of CS for SB 553, which is identical, at this point, to SCS for CS for SB 994 for the same board. We have worked jointly to try to prevent an unnecessary and often time-consuming Joint Conference Committee-

SENATE CS FOR CS FOR HOUSE BILL NO. 994

(SAME BRIEFING FOR CS FOR SB 553)

LINE BY LINE ANALYSIS

1. THIS BILL CONTINUES THE EXISTENCE OF THE BOARD OF WELDING EXAMINERS UNTIL JUNE 30, 1984. (ANOTHER 4 YEARS). THE BOARD OF WELDING EXAMINERS AGREED TO MAKE CHANGES IN THEIR REGULATIONS AS DESIGNATED ON PAGE 4, LINES 6-27; AND WE AGREED TO EXTEND THEM.

Sec. 08.99.010 *Sec. 1.*
2. (PAGE 1, LINES 12-14) ~~THIS BILL~~ REDUCES THE MEMBERSHIP ON THE BOARD FROM (7) TO 5 MEMBERS. THE BOARD HAS BEEN TOO LARGE CONSIDERING THAT THERE ARE ONLY 65 WELDING LICENSEES IN THE STATE.

Sec. 08.99.020 *Sec. 2.*
3. (PAGE 1, LINES 17 & 18) ~~THE BILL~~ LIMITS MEMBERSHIP ON THE BOARD TO TWO CONSECUTIVE TERMS TO ALLOW FRESH MEMBERS AND IDEAS. THIS SECTION ALSO DELETES THE PROVISION FOR STAGGERING TERMS OF MEMBERS BECAUSE THE CURRENT BOARD MEMBERS WILL COMPLETE THEIR TERMS, AND SINCE THE TERMS ARE STAGGERED, NEW TERMS ARE AUTOMATICALLY STAGGERED ALSO.

Sec. 08.99.030
(P. 1, Line 22-29, P. 2 Line 1+2)
4. ~~THIS BILL~~ ALLOWS THE GOVERNOR TO APPOINT THREE OF THE BOARD MEMBERS FROM A LIST OF PERSONS PREPARED BY THE ALASKA CHAPTER OF THE AMERICAN WELDING SOCIETY AND THE ALASKA SOCIETY OF PROFESSIONAL ENGINEERS. THE GOVERNOR'S OFFICE HAS BEEN CHOOSING BOARD MEMBERS FROM THIS LIST FOR YEARS NOW DUE TO THE FACT THAT THESE SOCIETIES HAVE A GREATER KNOWLEDGE OF WHO WOULD BE THE BEST CANDIDATES FOR MEMBERSHIP, (PAGE 1, LINES 22-28). *Sec. 3 also* ~~THE BILL~~ REDUCES THE NUMBER TO THREE IN ORDER TO ALLOW FOR TWO PUBLIC MEMBERS ON THE BOARD. (PAGE 1, LINE 29 AND PAGE 2, LINES 1 & 2). ONE OF THE PUBLIC MEMBERS MUST HAVE GENERAL KNOWLEDGE OF WELDING AND THE TWO PUBLIC MEMBERS WILL PROVIDE GREATER CONSUMER PROTECTION AND PROVIDE FOR THE PUBLIC'S INTERESTS.

5. (PAGE 2, LINES 6-11) ^{Sec. 4} ~~THIS BILL~~ REDUCES THE NUMBER OF MEMBERS WITH ENGINEERING DEGREES FROM (THREE) TO ONE MEMBER IN ORDER TO ADD TWO WELDING INSPECTORS CERTIFIED BY THE AMERICAN WELDING SOCIETY. THIS WILL MAKE THE BOARD MORE DIVERSIFIED AND COVERS ANOTHER AREA OF THE WELDING PROFESSION.
6. (PAGE 2, LINES 12-14) ^{Sec 08.99.080(1)} SECTION 5, ~~AS 08.99.080(A)(1)~~ IS AMENDED TO INCLUDE WELDING INSPECTORS SINCE THEY HAVE BEEN ADDED TO THE BOARD.
7. (PAGE 2, LINES 15-18) SECTION 6, ^{Sec} AS 08.99.089(A)(2) IS AMENDED TO INCLUDE: OR FOR A POLITICAL SUBDIVISION OF THE STATE, THIS PROVIDES FOR SUCH PROJECTS AS THE UPCOMING GAS LINE WHICH MAY RUN OUTSIDE STATE BOUNDARIES.
8. (PAGE 2, LINES 20-22) SECTION 7, ^{Sec} AS 08.99.080(A)(3) IS AMENDED TO EXCLUDE (FOR ALL WELDERS THROUGHOUT THE STATE) BECAUSE THE ESTABLISHMENT OF UNIFORM TESTING AND CERTIFYING METHODS IS TO APPLY ONLY TO THOSE WHERE IT IS REQUIRED--ONLY CERTAIN TYPES OF OPERATIONS AS SPELLED OUT IN THE REGULATIONS. THIS DOES NOT PERTAIN TO ALL WELDERS WITH GARAGE OPERATIONS, ETC. WHILE THE BOARD MUST STILL WORK WITH THESE GROUPS TO ESTABLISH TESTING AND CERTIFYING METHODS, THIS CHANGE PROVIDES THE BOARD WITH SOME FLEXIBILITY AS TO THE PARTICULAR WELDERS WHICH IT WILL CHOOSE TO REGULATE.
9. (PAGE 2, LINES 24-29) SECTION 8, ^{Sec} AS 08.99.080(A)(9) IS AMENDED TO INCLUDE AND INSPECTION SINCE WELDING INSPECTORS ARE NOW INCLUDED ON

THE BOARD AND THESE REGULATIONS MUST BE ESTABLISHED TO ENSURE CONSISTENT QUALITY OF WELDS. IT ALSO INCLUDES THE ADDITION: INCLUDING CONSTRUCTION BY OR ON BEHALF OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE. THIS AGAIN REFERS TO THE FACT THAT SUCH PROJECTS AS THE GAS LINE MAY INVOLVE AREAS AND DEPARTMENTS OUTSIDE OF THE STATE.

10. (PAGE 3, LINES 2-5) SECTION 9, ^{See.} AS 08.99.080(A) IS AMENDED BY ADDING PARAGRAPH 11: PREPARE AN ANNUAL BUDGET TO BE SUBMITTED TO THE LEGISLATURE AND REQUEST AN ANNUAL APPROPRIATION FROM THE GENERAL FUND TO COVER OPERATING EXPENSES OF THE BOARD, NOT TO EXCEED THE AMOUNT OF INCOME TO BE RECEIVED FROM FEES UNDER THIS CHAPTER FOR THE YEAR; THIS WAS PUT IN, IN ORDER TO MAKE THE BOARDS MORE FISCALLY AWARE AND HAVE A GREATER UNDERSTANDING OF THE MONIES THEY GENERATE AND SPEND. THE IDEA HERE IS TO HAVE THE BOARDS PAY FOR THEMSELVES. THE HOUSE PUT THIS IN AND WE WENT ALONG WITH THIS TO AVOID A FREE CONFERENCE.

11. (PAGE 3, LINES 6-9) SECTION 9, ^{See} AS 08.99.080(A) ALSO ADDED THE FOLLOWING PARAGRAPH: THE BOARD SHALL ADOPT REGULATIONS REQUIRING THE APPLICATION OF THE LATEST STANDARDS AND CODES ADOPTED BY THE AMERICAN WELDING SOCIETY IF A CONTRACT OR JOB SPECIFICATION FAILS TO DESIGNATE THE STANDARDS OR CODES TO BE APPLIED TO A PARTICULAR WELDMENT. THIS ADDITION SIMPLY SETS THE MINIMUM STANDARDS AS THOSE ADOPTED BY THE AMERICAN WELDING SOCIETY. THERE WAS A NEED HERE FOR MINIMUM STANDARDS WHERE A JOB OR CONTRACT FAILED TO SET THE STANDARDS.

12. (PAGE 3, LINES 11-16) SECTION 10, ^{See} AS 08.99.080(B) IS AMENDED SIMPLY TO MAKE ONLY THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT

RESPONSIBLE FOR ANALYZING REPORTS AND PERFORMING FIELD INSPECTIONS INSTEAD OF BOTH THE DEPARTMENT OF LABOR AND THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT. IN THE PAST, BOTH DEPARTMENTS WERE RESPONSIBLE FOR THIS AND THIS AMENDMENT MAKES IT MUCH SIMPLER KEEPING THE RESPONSIBILITY WITHIN ONLY THE ONE DEPARTMENT.

13. (PAGE 3, LINES 17-19) SECTION 11, ^{Sec} ~~AS~~ 08.99.080 ADDS A SUBSECTION FOR THE BOARD TO ADOPT REGULATIONS TO PERMIT CERTIFIED WELDING INSPECTORS TO EXAMINE, CERTIFY, AND RENEW CERTIFICATIONS OF WELDERS. THIS IS BECAUSE WELDING INSPECTORS HAVE BEEN ADDED TO THE BOARD AND THEY ARE CAPABLE OF ADOPTING SUCH REGULATIONS FOR GREATER INSPECTION CONSISTENCY AND QUALITY.

14. (PAGE 3, LINES 21-24) SECTION 12, ^{Sec} ~~AS~~ 08.99 ADDS A NEW SUBSECTION ENTITLED: RENEWAL OF WELDING INSPECTOR CERTIFICATES BECAUSE WELDING INSPECTORS HAVE BEEN ADDED TO THE BOARD. A SECTION WAS ADDED TO CREATE AN EXEMPTION TO AS 08.01.1000(A), WHICH REQUIRES THAT THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT ESTABLISH DATES FOR RENEWAL OF OCCUPATIONAL LICENSES. THIS WAS DONE SO THAT THE CERTIFICATE OF A WELDING INSPECTOR ISSUED UNDER THIS ACT EXPIRES ON THE DATE OF EXPIRATION OF THE WELDING INSPECTOR'S CERTIFICATION BY THE AMERICAN WELDING SOCIETY.

15. (PAGE 3, LINES 25-27) SECTION 13, ^{Sec} ~~AS~~ 08.03.010(c) IS AMENDED TO CONTINUE THE BOARD OF WELDING EXAMINERS FOR ANOTHER FOUR YEARS UNTIL JUNE 30, 1984.

16. (PAGE 3, LINE 28) SECTION 14, ^{Sec} ~~AS~~ 08.99.110 IS REPEALED WHICH ARE OUTDATED PIPING CODES. THESE TIE THE WELDERS TO OUTDATED CODES. NOW

THE BILL STATES THE MINIMUM CODES AS THOSE OF THE AMERICAN WELDING SOCIETY UNLESS OTHERWISE STIPULATED IN A CONTRACT OR JOB. UNDER THIS BILL, THE BOARD IS NOW REQUIRED TO REINCORPORATE NEW UP-TO-DATE STANDARDS EVERY YEAR. THESE PIPING CODES ARE SIMPLY OUT OF DATE.

17. (PAGE 3, LINE 28) SECTION 14, ^{Sec} AS 08.03.010(B)(10) IS REPEALED WHICH REMOVES THE BOARD OF WELDING EXAMINERS FROM THE LIST OF BOARDS WHICH HAD A TERMINATION DATE OF JUNE 30, 1980.
18. (PAGE 3, LINE 29; PAGE 4, LINES 1-5) SECTION 15, KEEPS THE CURRENT MEMBERS OF THE BOARD OF WELDING EXAMINERS ON THE BOARD UNTIL THEIR TERMS EXPIRE AT WHICH TIME THE BOARD WILL BE RECONSTITUTED IN ACCORDANCE WITH SECTIONS 3 AND 4 OF THIS ACT. IN THE YEAR THAT THREE TERMS EXPIRE SIMULTANEOUSLY, TWO OF THOSE TERMS ARE ABOLISHED WHICH BRINGS THE TOTAL MEMBERSHIP OF THE BOARD TO FIVE WHICH THIS BILL STIPULATES.
19. (PAGE 4, LINES 6-27) SECTION 16, SPELLS OUT WHICH REGULATIONS THE BOARD MUST ADOPT AT THEIR NEXT BOARD MEETING. WE ARE TAKING THE WELDERS OUT OF STATE CERTIFICATION IN THE AREAS WHERE IT IS NOT NEEDED. CERTIFICATION IS NEEDED ONLY IN AREAS OF CONTRACTORS, BUILDERS, AND PIPELINES. CERTIFICATION IS NOT NEEDED IN "HOME-GARAGE" OPERATIONS, ETC. THE REGULATIONS ARE AS FOLLOWS:
- (1) PROVIDE THAT ONLY IF A JOB HAS BEEN ADVERTISED OR IS DONE PURSUANT TO A WRITTEN CONTRACT MUST THE WORK BE PERFORMED BY A CERTIFIED WELDER;

(2) REQUIRE THE SIGNATURE AND LICENSE NUMBER OF THE WELDING INSPECTOR WHO ISSUES A WELDING QUALIFICATION CERTIFICATE TO APPEAR ON IT;

(3) PROVIDE THAT A WELDER NOT BE REQUIRED TO BE CONTINUOUSLY EMPLOYED USING THE WELDING PROCESS FOR WHICH HE IS CERTIFIED IN ORDER TO KEEP HIS CERTIFICATION VALID;

(4) PROVIDE THAT IF INSPECTION OF A WELDMENT IS REQUIRED, THE INSPECTION MUST BE PERFORMED ONLY BY A LICENSED WELDING INSPECTOR UNLESS EXEMPTED;

(5) PERMIT AN EXEMPTION TO (4) BY ALLOWING THE INSPECTION OF A WELDMENT IN A PUBLIC WORKS PROJECT BY AN ENGINEER IF A LICENSED WELDING INSPECTOR IS NOT AVAILABLE; HOWEVER, THE ENGINEER MUST BE APPROVED BY THE BOARD; THE INSPECTION MUST BE DONE UNDER THE GENERAL DIRECTION OF A LICENSED WELDING INSPECTOR, AND THIS SPECIAL EXEMPTION EXPIRES JANUARY 1, 1982;

(6) INCLUDE ANY OTHER REGULATIONS NEEDED TO IMPLEMENT THIS ACT.

20. (PAGE 4, LINES 28-29) SECTION 7, THIS ACT TAKES EFFECT IMMEDIATELY IN ORDER TO ALLOW THE WELDERS TO ADOPT THE REGULATIONS AT THEIR NEXT BOARD MEETING.

THE BOARD OF WELDING EXAMINERS
AS 08.99

Chapter 99. Board of Welding Examiners.

Section	Section
10. Creation and membership of board	80. Powers and duties of the board
20. Term of office	90. Applicability of Administrative Procedure Act
30. Source of appointments	100. Expenses
40. Removal from office	110. Codes
50. Qualifications of board members	120. Penalty
60. Meetings	
70. Quorum	

Sec. 08.99.010. Creation and membership of board. There is created the Board of Welding Examiners, consisting of seven members appointed by the governor. (§ 1 ch 151 SLA 1968)

Sec. 08.99.020. Term of office. Board members serve a term of five years. However, of the members first appointed, one shall be appointed for a term of one year, one for two years, one for three years, one for four years, and three for terms of five years. (§ 1 ch 151 SLA 1968)

Sec. 08.99.030. Source of appointments. The governor shall appoint board members from a list of persons prepared by the Alaska Chapter of the American Welding Society and the Alaska Society of Professional Engineers and submitted at least 30 days before the expiration of a term and not more than 60 days after a vacancy occurs in an unexpired term. The list shall contain not less than two recommended candidates for each appointment. The governor shall make appointments within 30 days after receiving the list. (§ 1 ch 151 SLA 1968; am § 1 ch 151 SLA 1970)

Sec. 08.99.040. Removal from office. Each member holds office at the pleasure of the governor notwithstanding the member's term. (§ 1 ch 151 SLA 1968)

Sec. 08.99.050. Qualifications of board members. Each member of the board shall be a citizen of the United States and a resident of the state. At least three members shall be persons with engineering degrees or registration as an engineer and each engineer member shall have at least five years engineering experience. All members shall have extensive experience in welding. (§ 1 ch 151 SLA 1968; am § 2 ch 151 SLA 1970)

Sec. 08.99.060. Meetings. The board shall meet at least once a year. (§ 1 ch 151 SLA 1968)

Sec. 08.99.070. Quorum. A majority of the board constitutes a quorum. (§ 1 ch 151 SLA 1968)

Sec. 08.99.080. Powers and duties of the board. (a) The board shall

- (1) establish and promulgate rules and regulations concerning certification of welders in the state;
- (2) establish and define certification tests as they apply to various types and categories of work done in or for the state;
- (3) work with federal and private agencies and specifying engineers to establish uniform testing and certifying methods for all welders throughout the state;
- (4) work with federal agencies and the agencies of other states to establish reciprocity agreements;
- (5) set up criteria and define experience and documentary requirements which may be accepted in lieu of physical certification tests in the state;
- (6) set the fees for the welder certification tests;

§ 08.99.090

BUSINESS AND PROFESSIONS

§ 08.99.120

(7) examine, certify, and renew the certification of qualified applicants;

(8) keep a record of its proceedings, and submit annual reports to the governor and the legislature;

(9) promulgate regulations concerning the quality of welds and qualifications of welders required in specific areas of industry and construction and designate reporting procedures necessary to certify compliance with these quality standards;

(10) designate and approve persons qualified to administer welding tests, and designate and approve shops, laboratories, or other establishments qualified for testing coupons and weldments.

(b) The board may request technical personnel from the Department of Labor for the purpose of reviewing and analyzing reports and may request field inspection by the department for the purpose of assuring compliance with, and enforcement of the regulations, rules and orders promulgated under §§ 10 — 110 of this chapter. (§ 1 ch 151 SLA 1968; am §§ 3 — 5 ch 151 SLA 1970)

Sec. 08.99.090. Applicability of Administrative Procedure Act. The board shall comply with the Administrative Procedure Act (AS 44.62). (§ 1 ch 151 SLA 1968)

Sec. 08.99.100. Expenses. Members of the board are entitled to the per diem and travel expenses allowed by law. (§ 1 ch 151 SLA 1968)

Sec. 08.99.110. Codes. The United States of America Standards Institute Codes listed below are established as the piping codes for the state:

- (1) B 31.1.0 — 1967 power piping;
- (2) B 31.2 — 1968 fuel gas piping;
- (3) B 31.8 — 1968 gas transmission and distribution piping system;
- (4) B 31.3 — 1966 petroleum refining piping;
- (5) B 31.4 — 1966 and B 31.4a — 1968 liquid petroleum transportation piping systems. (§ 6 ch 151 SLA 1970)

Revisor's note (1970). — For copies of the codes referred to in AS 08.99.110, write to the U.S.A. Standards Institute, Dept. PB 31, 10 East 40th Street, New York, New York 10016.

Sec. 08.99.120. Penalty. A person who violates a regulation adopted under §§ 10 — 110 of this chapter is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$600. (§ 7 ch 151 SLA 1970)

STATUTES FOR
WELDING BOARD BILLS

§ 08.01.100

ALASKA STATUTES

§ 08.02.010

08.01.100 .

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

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

08.03.010 .

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

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

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

- (1) Board of Public Accountancy (AS 08.04.010);
- (2) Board of Barber Examiners (AS 08.12.010);
- (3) Collection Agency Board (AS 08.24.011)
- (4) Board of Hairdressing and Beauty Culture Examiners (AS 08.28.010);
- (5) Board of Electrical Examiners (AS 08.40.010);
- (6) State Board of Registration for Architects, Engineers and Land Surveyors (AS 08.48.011);
- (7) Guide Licensing and Control Board (AS 08.54.010);
- (8) Board of Marine Pilots (AS 08.62.010);
- (9) Real Estate Commission (AS 08.88.011);
- (10) Board of Welding Examiners (AS 08.99.010);
- (11) Board of Governors of the Alaska Bar Association (AS 08.08.040).

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

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

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

STATUTES FOR
WELDING BOARD BILLS

44.62.250.

Sec. 44.62.250. Emergency regulations. A regulation or order of repeal may be adopted as an emergency regulation or order of repeal if a state agency makes a written finding, including a statement of the facts which constitute the emergency, that the adoption of the regulation or order of repeal is necessary for the immediate preservation of the public peace, health, safety, or general welfare. The requirements of §§ 60 and 190 — 210 of this chapter do not apply to the initial adoption of emergency regulations; however, upon adoption of an emergency regulation the adopting agency shall immediately submit a copy of it to the lieutenant governor for filing and for publication in the Alaska Administrative Register, and within five days after adoption the agency shall give notice of the adoption in accordance with § 190(a) (1) — (6) of this chapter. Failure to give the required notice by the end of the 10th day automatically repeals the regulation. (§ 2(2) art IV (ch 1) ch 143 SLA 1959; am § 2 ch 45 SLA 1969; am § 1 ch 46 SLA 1972)

Effect of amendment. — The 1972 amendment added the language beginning "however" in the second sentence, and added the last sentence. see 1969 House Journal, p. 414. For report on ch. 46, SLA 1972 (HB 108 am S), see 1972 House Journal, pp. 265, 512.

Legislative committee reports. — For report on ch. 45, SLA 1969 (HB 20 am S),

44.62.260.

Sec. 44.62.260. Limitation on effective period of emergency regulations. (a) No regulation adopted as an emergency regulation remains in effect more than 120 days unless the adopting agency complies with §§ 60 and 190 — 210 of this chapter either before submitting the regulation to the lieutenant governor or during the 120-day period.

(b) Before the expiration of the 120-day period, the agency shall transmit to the lieutenant governor for filing a certification that §§ 60 and 190 — 210 of this chapter were complied with before submitting the regulation to the lieutenant governor, or that the agency complied with those sections within the 120-day period. Failure to so certify repeals the emergency regulation; it may not be renewed or refiled as an emergency regulation. (§ 4 art IV (ch 1) ch 143 SLA 1959; am § 3 ch 45 SLA 1969)

STATUTES FOR
WELDING BOARD BILLS

01.10.070.

Sec. 01.10.070. Time statutes take effect. (a) All laws passed by the legislature become effective 90 days after enactment. The legislature may by concurrence of two-thirds of the membership of each house, provide for another effective date.

(b) The actual effective date of a bill having no effective date clause is determined by starting with the day after signature by the governor or the day on which he gives written notice that he is allowing it to become law without his signature, and counting 90 calendar days, the law becoming effective at 12:01 a.m., Pacific Standard time, on the 90th day.

(c) A law having an immediate effective date clause becomes law at 12:01 a.m. on the day after it is signed by the governor or on the day after he has given written notice that he is allowing the law to become effective without his approval.

(d) A law which specified a definite effective date becomes effective at 12:01 a.m., Pacific Standard time, on the date specified. (§ 5 ch 62 SLA 1962; am § 8 ch 126 SLA 1966)

Effect of amendment.—The 1966 amendment rewrote this section.

Key to References

- (Y) - (yellow cover) - State of Alaska Sunset Review, 1979.
Prepared by the Division of Occupational Licensing
- (B) - (blue cover) - Division of Legislative Audit Performance Review
- (W) - (white cover) - Senate Commerce Committee Public Hearing Testimony, October 23, 1979.
- A. The Board of Welding Examiners should be discontinued.
(Y) - p 1; p 11, paragraph 3
(B) - p 7, paragraph 2; p 8, Recommendation 1
(W) - p 38, paragraph 4; p 39, paragraph 1

If the Board of Welding Examiners is to continue, the following changes are recommended:

1. To insure adequate representation of the regulated occupation and the general public, the sources of nomination for board membership should be accepted from the entire industry rather than only nominations by the Alaska Chapter of the American Welding Society and the Alaska Society of Professional Engineers.
AS 08.99.030 should be amended as such.
(Y) - p 11, paragraph 4; p 13, paragraph 2
(B) - p 10
(W) - p 5 (written testimony by Donald Lockman, Chairman of the Board of Welding Examiners)
2. Reduce the number of board members from 7 to 5 members only. The board currently licenses only 50 persons.
Amend AS 08.99.010
(Y) - p 11, paragraph 4; p 13, paragraph 2
(B) - p 11, paragraph 4
3. Add one public member to the board if total number of board members is reduced to five (add two public members if total number remains at seven)
(Y) - p 13, paragraph 2; p 14, paragraph 3
(B) - p 11, paragraph 2
(W) - p 6 (written testimony by Donald Lockman, Chairman of the Board of Welding Examiners)
4. Limit the term of board members to no more than two consecutive terms which would create a more responsive, active board.
(Y) - p 11, paragraph 4
(B) - p 11, paragraph 3
(W) - p 4 (written testimony by Donald Lockman)
5. Increase application fee from \$25 to \$50 and increase biennial fee from \$10 to \$50
(Y) - p 16, paragraphs 2 and 3

STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

April 28, 1980

SUBJECT: Section-by-section analysis of SCS CSHB 994
regarding the Board of Welding Examiners
(Work Order Number 8524)

TO: Senator Brad Bradley
Chairman, Senate Commerce Committee

FROM: Tamara Brandt Cook *TBC*
Legislative Counsel

You have requested a section-by section analysis of SCS for CSHB 994 entitled "An Act continuing the existence of the Board of Welding Examiners, and amending the statute relating to its powers and responsibilities; and providing for an effective date."

Section 1. The Board of Welding Examiners is reduced from seven members to five members.

Section 2. Board members may not serve more than two consecutive terms. No limit is placed on the number of terms one person may serve. This section also deletes the provision for staggering terms of members because the current board members will complete their terms, and, since the terms are staggered, new terms are automatically staggered also.

Section 3. This was amended to provide that the governor will appoint three members from the list of persons submitted by the Alaska Chapter of the American Welding Society and the Alaska Society of Professional Engineers. The remaining two board members shall be appointed from the general public, however, one of them must have knowledge of welding.

Section 4. One member of the board is required to be registered as an engineer with five years engineering experience or to hold an engineering degree and to have three years of experience in welding. Two members must be welding inspectors. The existing law provides for three board members who are engineers.

Section 5. The board must adopt regulations concerning certification of welding inspectors, as well as regulations concerning certification of welders.

Section 6. This section was amended so that certification tests required for work done for the state be also required for work done for a political subdivision of the state.

Section 7. A duty of the board is changed to eliminate the requirement that the board work with other groups to establish testing and certifying methods for all welders in the state. While the board must still work with these groups to establish testing and certifying methods, the change provides the board with some flexibility as to the particular welders which it will choose to regulate.

Section 8. The duty of the board to adopt regulations concerning the quality of welds has been expanded to include a duty to adopt regulations concerning the inspection of welds, and these obligations have been particularly applied to construction by or on behalf of the state or a subdivision of the state.

Section 9. This section adds new duties to the board including a requirement that the board prepare and submit a budget to the legislature. The board is authorized to request an appropriation to cover operating expenses, but this appropriation must not exceed the income received from fees generated through board activities. This section also requires the board to adopt regulations which would apply the latest standards and codes adopted by the American Welding Society in cases where a job specification fails to designate the standards or codes to be used.

Section 10. This change allows the board to request personnel from the Department of Commerce and Economic Development to review and analyze reports or provide field inspection. Under existing law, personnel are to be requested from the Department of Labor.

Section 11. A new power of the board is added allowing it to adopt regulations to permit welding inspectors to certify and renew certifications of welders.

Section 12. A section was added to create an exemption to AS 08.01.100(a), which requires that the Department of Commerce and Economic Development establish dates for renewal of occupational licenses. This was done so that the certificate of a welding inspector issued under this act expires on the date of expiration of the welding inspector's certification by the American Welding Society.

Section 13. June 30, 1984 is the new date of termination of the Board of Welding Examiners.

Section 14. Provisions which are inconsistent with this act are repealed.

AS 08.99.110 deletes standards set by outdated codes;

AS 08.03.010(b)(10) repeals the termination date for the Board of Welding Examiners.

Section 15. This is a temporary law providing that existing members of the board will continue to serve for the duration of their terms. In the year that the terms of three existing members expire, two terms shall not be refilled, cutting down board membership from seven to five persons.

Section 16. This is temporary law requiring that the board adopt emergency regulations in accordance with the Alaska Administrative Procedure Act at its next meeting. These regulations must

(1) provide that only if a job has been advertised or is done pursuant to a written contract must the work be performed by a certified welder;

(2) require the signature and license number of the welding inspector who issues a welding qualification certificate to appear on it;

(3) provide that a welder not be required to be continuously employed using the welding process for which he is certified in order to keep his certification valid;

(4) provide that if inspection of a weldment is required, the inspection must be performed only by a licensed welding inspector unless exempted;

Senator Brad Bradley
Page 4
April 28, 1980

(5) permit an exemption to (4) by allowing the inspection of a weldment in a public works project by an engineer if a licensed welding inspector is not available; however, the engineer must be approved by the board; the inspection must be done under the general direction of a licensed welding inspector, and this special exemption expires January 1, 1982;

(6) include any other regulations needed to implement this act.

Section 7. This section should be corrected to read Section 17. It provides an immediate effective date.

If you have any further questions, please contact me.

TBC:jdn

SSHB SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 779 (relating to the development of geothermal resources) was read the second time with the Resources Committee report (page 930 of the journal).

Mr. Anderson moved and asked unanimous consent that the Resources COMMITTEE SUBSTITUTE FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 779 (relating to state resources and the development of geothermal resources) be adopted in lieu of the original bill. There being CS
SSHB no objection, it was so ordered.
779

Mr. Anderson moved and asked unanimous consent that CSSSHB 779 be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSSSHB 779 was read the third time.

The question being: "Shall CSSSHB 779 pass the House?"
The roll was taken with the following result:

CSSSHB 779

Yeas:	28	Anderson, Branson, Buchholdt, Carney, Chatterton, Cotten, Duncan, Eliason, Freeman, Fuller, Gardiner, Guy, Halford, Haugen, Hurlbert, McKinnon, Malone, Miles, Miller, Munson, Osterback, Parker, Parr, Phillips, Rogers, Schaeffer, Smith, Zharoff
Nays:	9	Barnes, Beirne, Bettisworth, Brown, Hayes, Martin, Montgomery, O'Connell, Randolph
Not Voting:	3	Meekins, Metcalfe, Moss

And so, CSSSHB 779 passed the House.

Representative Brown served notice of reconsideration of the vote on CSSSHB 779.

HB HOUSE BILL NO. 994 (continuing the existence of the Board of Welding Examiners, and amending the statute relating to its powers and responsibilities; providing for an effective date) was read the second time with the Commerce Committee report (page 948 of the journal).
994

April 16, 1980

HOUSE JOURNAL

981

Mr. Anderson moved and asked unanimous consent that COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 994 (same title) be adopted in lieu of the original bill. There being no objection, it was so ordered.

CSHB
994

Mr. Anderson moved and asked unanimous consent that CSHB 994 be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSHB 994 was read the third time.

Representative Rogers moved and asked unanimous consent that CSHB 994 be returned to second reading for the purpose of specific amendment. There being no objection, it was so ordered.

Amendment No. 1 by Rogers and Brown:

Page 2, lines 5 - 8

Delete sentence: "At least" through "in welding"

Insert "At least one [THREE] member shall have an [BE PERSONS WITH] engineering degree or registration as an engineer and [EACH ENGINEER MEMBER] shall have at least five years engineering experience and at least three years experience in welding"

Representative Rogers moved and asked unanimous consent that Amendment No. 1 be adopted.

Representative O'Connell objected and withdrew his objection. There being no further objection, Amendment No. 1 was adopted.

CSHB
994
am

Mr. Anderson moved and asked unanimous consent that CSHB 994am be considered engrossed, advanced to third reading and placed on final passage. There being no objection, it was so ordered.

CSHB CSHB 994am was read the third time.
994
am

The question being: "Shall CSHB 994am pass the House?"
The roll was taken with the following result:

CSHB 994AM

Yeas:	30	Anderson, Airne, Bettisworth, Branson, Brown, Buchholdt, Carney, Chatterton, Cotten, Duncan, Eliason, Freeman, Fuller, Gardiner, Guy, Halford, Hayes, Hurlbert, McKinnon, Malone, Miles, Miller, Montgomery, Munson, O'Connell, Osterback, Parker, Parr, Rogers, Smith
Nays:	4	Barnes, Martin, Phillips, Randolph
Not Voting:	6	Haugen, Meekins, Metcalfe, Moss, Schaeffer, Zharoff

And so, CSHB 994am passed the House.

Mr. Anderson moved and asked unanimous consent that the roll call on the passage of CSHB 994am be considered the roll call on the effective date clause. There being no objection, it was so ordered.

CSHB 994am was referred to the Chief Clerk for engrossment.

CS Representative Rogers moved and asked that the reconsideration of the vote on CSSHB 779 be brought up at this time. There being no objection, it was so ordered.

THIRD READING OF HOUSE BILLS

CSSHB 779 was automatically in third reading and was read the third time.