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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Tally Teal  
Department of Labor & Workforce Development

**FROM:** Scott Meriwether, Office of the Lieutenant Governor 465.4081 

**DATE:** April 10, 2018

**RE:** Filed Permanent Regulations: Department of Labor & Workforce Development

Department of Labor and Workforce Development update to regulations re: electrical standards, amusement ride and tramway standards, commissions for special inspectors, boiler repair tracer tracking, and journeyman certificates of fitness (8 AAC 70.025; 8 AAC 78: 8 AAC 80.040; 8 AAC 80.120; 8 AAC 90.130; 8 AAC 90.160; 8 AAC 90.162)

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Attorney General File:	2018200102
Regulation Filed:	4/9/2018
Effective Date:	5/9/2018
Print:	226, July 2018

cc with enclosures: Linda Miller, Department of Law  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS  
OF THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT


The attached 18 pages of regulations, dealing with electrical codes, amusement rides, tramways, boiler special inspector commissions, boiler repair tracer tracking, and journeyman certificates of fitness, are adopted and certified to be a correct copy of the regulation changes that the Department of Labor and Workforce Development adopts under the authority of AS 05.20.020 – AS 05.20.070, AS 18.60.180, AS 18.60.220, AS 18.60.240, AS 18.60.315, AS 18.60.360, AS 18.60.580, AS 18.60.600, AS 18.62.020, AS 18.62.030, AS 18.62.050, AS 18.62.060, and AS 18.62.070 and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Labor and Workforce Development paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: March 30, 2018

  
\_\_\_\_\_  
Heidi Drygas, Commissioner  
Department of Labor and Workforce Development

FILING CERTIFICATION

I, Byron Mallott, Lieutenant Governor for the State of Alaska, certify that on

April 9, 2018, at 3:30p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
\_\_\_\_\_  
Lieutenant Governor

Effective: May 9, 2018

Register: 226, July 2018

Register 226, July 2018 LABOR AND WORKFORCE DEV.

8 AAC 70.025 is amended to read:

**8 AAC 70.025. Minimum electrical standards.** (a) The 2017 [2014] Edition of NFPA 70, [THE] *National Electrical Code* [(NFPA 70-2014)], issued [ADOPTED] by the National Fire Protection Association on August 4, 2016 [JUNE 10 – 13, 2013], and approved by the American National Standards Institute on August 24, 2016 [AUGUST 1, 2013], constitutes the minimum electrical code for the state and is adopted by reference.

(b) The 2017 [2012] Edition of the *National Electrical Safety Code* (ANSI C2-2017) [(ANSI C2-2012)], approved by the American National Standards Institute on April 26, 2016 [JUNE 3, 2011], constitutes the minimum electrical safety standards of the state and is adopted by reference. (Eff. 4/27/96, Register 138; am 12/17/99, Register 152; am 9/25/2002, Register 163; am 6/14/2006, Register 178; am 9/27/2008, Register 187; am 10/16/2012, Register 204; am 10/23/2014, Register 212; am 3/6/2016, Register 217; am 5/9/2018, Register 226)

**Authority:** AS 18.60.580 AS 18.60.600

*None O.S" J-226/111* > **Editor's note:** Copies of the NFPA-70, *National Electrical Code* and the *National Electrical Safety Code*, adopted by reference in 8 AAC 70.025, are available for public review at the Mechanical Inspection Section, Division of Labor Standards and Safety, Department of Labor and Workforce Development, 1251 Muldoon Road, Suite 113, Anchorage, AK 99504; telephone (907) 269-4925. Additionally, copies of the NFPA-70, *National Electrical Code* may be obtained by contacting the National Fire Protection Association, One Batterymarch Park, Quincy, MA 02169-7471; telephone: (800) 344-3555; facsimile: (617) 770-0700; Internet address: <http://www.nfpa.org>. Copies of the *National Electrical Safety Code* may be obtained by

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contacting the Institute of Electrical and Electronics Engineers Inc., 3 Park Avenue, New York, NY 10016-5997; Internet address: <http://www.ieee.org>.

8 AAC 78.020(a)(4) is amended to read:

(4) be mailed, faxed, sent by electronic mail, ~~e-mailed~~, or hand delivered to the department's mechanical inspection section.

8 AAC 78.020(b) is repealed and readopted to read:

(b) In addition to submitting of this section the notification in (a), an operator or owner shall obtain a certificate of operation for the amusement ride before the ride is placed in service to the public. To obtain a certificate of operation, the operator or owner shall ask the department or National Association of Amusement Ride Safety Officials (NAARSO) Level II Inspector designated by the department to inspect the ride. An inspector designated under this subsection shall file a copy of the inspection report with the department for review not later than 15 days after the inspection. Upon review of the inspection report, if the department determines that the ride complies with this chapter and AS 05.20.010, the department will ~~shall~~ issue to the owner or operator a certificate of operation that is valid for one year after issuance. If the operator or owner intends to place the ride in service to the public after the certificate of operation has expired, the operator or owner shall obtain a new certificate of operation under the process in this subsection before operating the ride for the public.

8 AAC 78.020(c) is repealed:



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(c) Repealed 5/9/2018.

8 AAC 78.020(f) is amended to read:

*lowercase*

(f) An inspector who is designated under (b) [OR (C)] of this section may not condemn equipment under AS 05.20.050.

(Eff. 11/30/89, Register 112; am 6/15/2001, Register 158; am 5/9/2018, Register 226)

**Authority:** AS 05.20.030 AS 05.20.060 AS 05.20.070

AS 05.20.040

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Tab 11 >*

**Editor's note:** The contact information [ADDRESS] for the mechanical inspection section is:

Department of Labor and Workforce Development, Mechanical Inspection Section, 1251

Muldoon Road, Suite 113 [MECHANICAL INSPECTION SECTION, P.O. BOX 107020],

Anchorage, AK 99504; phone: (907) 269-4925; fax: (907) 269-4932; e-mail address:

Anchorage.LSS-MI@alaska.gov [99510].

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[AS OF REGISTER 151 (OCTOBER 1999), THE REGULATIONS ATTORNEY  
MADE TECHNICAL REVISIONS UNDER AS 44.62.125(B)(6) TO REFLECT THE NAME  
CHANGE OF THE DEPARTMENT OF LABOR TO THE DEPARTMENT OF LABOR AND  
WORKFORCE DEVELOPMENT MADE BY CH. 58, SLA 1999 AND THE  
CORRESPONDING TITLE CHANGE OF THE COMMISSIONER OF LABOR.]

8 AAC 78 is amended by adding a new section to read:

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**8 AAC 78.025. Annual operating schedule.** (a) Each operator of an amusement ride shall submit an annual operating schedule of every ride the operator intends to operate in a calendar year, on a form provided by the department, on or before January 1 of that year. The schedule must be mailed, (sent by electronic mail,) faxed, ~~e-mailed~~, or hand delivered to the department's mechanical inspection section. The schedule must identify each ride the operator intends to operate, and specify the intended dates of operation and locations of use. An operator shall notify the department's mechanical inspection section in writing of any change to the annual operating schedule at least 15 days in advance of the intended change. (Eff. 5/9/2018, Register 226)

**Authority:** AS 05.20.020

AS 05.20.030

AS 05.20.060

AS 05.20.070

*"One O.S" Job"* > **Editor's note:** The contact information for the mechanical inspection section is: Department of Labor and Workforce Development, Mechanical Inspection Section, 1251 Muldoon Road, Suite 113, Anchorage, AK 99504; phone: (907) 269-4925; fax: (907) 269-4932; e-mail address: Anchorage.LSS-MI@alaska.gov.

8 AAC 78.150(a) is amended to read:

(a) The owner or operator of an amusement ride **shall** [MUST] have at least \$1,000,000 liability insurance. Evidence of the insurance must be mailed, (sent by electronic mail,) **faxed, e-mailed, or hand delivered** to the department's mechanical inspection section at least 10 days before planned operation, and must be available at the location where the amusement ride is operated.

8 AAC 78.150(c) is repealed:

(c) Repealed 5/9/2018.

8 AAC 78.150 is amended by adding new subsections to read:

(d) The owner or operator of an amusement ride shall immediately notify the department's mechanical inspection section, by telephone, of any occurrence involving an amusement ride, if the occurrence results in

(1) the death of a person;

(2) injury to a person that requires ambulance or emergency vehicle transport to a hospital or clinic, and the injury is the result of a mechanical or structural failure of the amusement ride; or

(3) a mechanical or structural failure of the amusement ride that affects the safe operation of the amusement ride.

(e) The owner or operator of an amusement ride shall, within 24 hours, notify the department's mechanical inspection section, by telephone, facsimile, or electronic mail, of an injury to a person involving an amusement ride, other than a death or injury that is reportable under (d)(1) <sup>or</sup>

(2) of this section.

of the department's mechanical inspection section

(f) If an occurrence described in (d) of this section occurs after ordinary business hours, the owner or operator of an amusement ride shall immediately notify the local police or local office of the Department of Public Safety, division of state troopers, in addition to the notification required in (d) of this section.

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(g) The owner or operator of an amusement ride shall prepare a written report of an occurrence described in (d) of this section and mail, ~~email~~ <sup>send by electronic mail,</sup> fax, or hand deliver the written report to the department's mechanical inspection section not later than 48 hours after the occurrence. The written report must include ~~the following:~~

- (1) the date of the occurrence;
- (2) the name, manufacturer, and serial number of the amusement ride involved;
- (3) the name, age, address, and telephone number of the injured or deceased person, if any;
- (4) a description of the injury, and medical treatment administered to the injured or deceased person, if any; and
- (5) a narrative description of the occurrence.

(h) The owner or operator of an amusement ride involved in an occurrence described in (d)(1) <sup>or</sup> (2) of this section shall, after securing the scene to prevent additional injuries and to remove any injured or deceased persons, immediately remove the ride from service. The department <sup>will</sup> ~~shall~~ conduct a prompt investigation of an amusement ride removed from service under this subsection. The ride may not be repaired or operated until the department completes its investigation. (Eff. 11/30/89, Register 112; am 5/9/2018, Register 226)

**Authority:** AS 05.20.030 AS 05.20.070

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July 11/

**Editor's note:** The contact information [ADDRESS] for the mechanical inspection section is:

Department of Labor and Workforce Development, Mechanical Inspection Section, 1251

Muldoon Road, Suite 113 [MECHANICAL INSPECTION SECTION, P.O. BOX 107020],



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Anchorage, Alaska 99504 [99510]; phone: (907) 269-4925; fax: (907) 269-4932; e-mail  
address: Anchorage.LSS-MI@alaska.gov [(907) 264-2447].

[AS OF REGISTER 151 (OCTOBER 1999), THE REGULATIONS ATTORNEY  
MADE TECHNICAL REVISIONS UNDER AS 44.62.125(B)<sup>(((lowercase)))</sup>(6) TO REFLECT THE NAME  
CHANGE OF THE DEPARTMENT OF LABOR TO THE DEPARTMENT OF LABOR AND  
WORKFORCE DEVELOPMENT MADE BY CH. 58, SLA 1999 AND THE  
CORRESPONDING TITLE CHANGE OF THE COMMISSIONER OF LABOR.]

8 AAC 78.250 is amended to read:

**8 AAC 78.250. Minimum tramway standards.** The department adopts by reference the  
2017 [2006] edition of B77.1-2017, American National Standard for Passenger Ropeways -

[THE AMERICAN NATIONAL STANDARDS INSTITUTE DOCUMENT B77.1-2006,]

*Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors - Safety Standard, approved*

by the American National Standards Institute on May 11, 2017 [REQUIREMENTS]. (Eff.

11/30/89, Register 112; am 6/15/2001, Register 158; am 10/16/2012, Register 204; am 5/9/2018,

Register 226)

**Authority:** AS 05.20.070

**Editor's note:** Copies of B77.1-2017, American National Standard for Passenger Ropeways -

*Aerial Tramways, Aerial Lifts, Surface Lifts, Tows and Conveyors - Safety Standard*

[REQUIREMENTS], adopted by reference in 8 AAC 78.250 are available for public review at

the Mechanical Inspection Section, Division of Labor Standards and Safety, Department of

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**Labor and Workforce Development, 1251 Muldoon Road, Suite 113, Anchorage, AK**

**99504; telephone (907) 269-4925. Additionally, copies are** available from the American

National Standards Institute, Inc., 25 West 43rd Street, New York, New York 10036; **telephone:**

**(212) 642-4980; Internet address: www.ansi.org.**

8 AAC 78.290(a) is amended to read:

(a) The owner or operator of a tramway **shall** [MUST] have at least \$1,000,000 liability insurance. If the owner or operator of a tramway is a municipality, the municipality is not required to post a liability insurance binder if it can provide proof of **self-insurance** [SELF INSURANCE] satisfactory to the department. Evidence of the insurance or proof of **self-insurance** [SELF INSURANCE] must be **mailed, faxed, <sup>(sent by electronic mail,)</sup> e-mailed, or hand delivered to** [RECEIVED BY] the **department's mechanical inspection section** [DEPARTMENT] at least 10 days before planned operation of the tramway, and must be available at the tramway site.

8 AAC 78.290(d) is repealed:

(d) Repealed 5/9/2018.

8 AAC 78.290 is amended by adding new subsections to read:

(e) The owner or operator of a tramway shall immediately notify the department's mechanical inspection section, by telephone, of any occurrence involving a tramway, if the occurrence results in

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(1) the death of a person;

(2) injury to a person that requires ambulance or emergency vehicle transport to a hospital or clinic, and the injury is the result of a mechanical or structural failure of the tramway;  
or

(3) a mechanical or structural failure of the tramway that affects the safe operation of the tramway.

(f) The owner or operator of a tramway shall, within 24 hours, notify the department's mechanical inspection section, by telephone, facsimile, or electronic mail, ~~e-mail~~, of an injury to a person involving an amusement ride, other than a death or injury that is reportable under (e)(1) <sup>or</sup> (2) of this section.

of the department's mechanical inspection section

(g) If an occurrence described in (e) of this section occurs after ordinary business hours, the owner or operator of a tramway shall immediately notify the local police or local office of the Department of Public Safety, division of state troopers, in addition to the notification required in (e) of this section.

(h) The owner or operator of a tramway shall prepare a written report of an occurrence described in (e) of this section and mail, ~~e-mail~~, send by electronic mail, fax, or hand deliver the written report to the department's mechanical inspection section not later than 48 hours after the occurrence. The written report must include the following:

(1) the date of the occurrence;

(2) the name, manufacturer, and serial number of the tramway involved;

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(3) the name, age, address, and telephone number of the injured or deceased person, if any;

(4) a description of the injury, and medical treatment administered to the injured or deceased person, if any; and

(5) a narrative description of the occurrence.

(i) The owner or operator of a tramway involved in an occurrence described in (e)(1) <sup>or</sup> (2) of this section shall, after securing the scene to prevent additional injuries and to remove any injured or deceased persons, immediately remove the tramway from service. The department <sup>will</sup> ~~shall~~ conduct a prompt investigation of a tramway removed from service under this subsection.

The tramway may not be repaired or operated until the department completes its investigation.

(Eff. 11/30/89, Register 112; em am 1/16/90 - 5/15/90, Register 113; am 6/15/2001, Register 158; am 5 / 9 / 2018, Register 226)

**Authority:** AS 05.20.030 AS 05.20.070

**Editor's note:** The contact information [ADDRESS] for the mechanical inspection section is:

Department of Labor and Workforce Development, Mechanical Inspection Section, 1251

Muldoon Road, Suite 113 [P.O. BOX 107020], Anchorage, Alaska 99504 [99510]; phone:

(907) 269-4925; fax: (907) 269-4932; e-mail address: Anchorage.LSS-MI@alaska.gov.

[AS OF REGISTER 151 (OCTOBER 1999), THE REGULATIONS ATTORNEY MADE TECHNICAL REVISIONS UNDER AS 44.62.125(B)(6) TO REFLECT THE NAME CHANGE OF THE DEPARTMENT OF LABOR TO THE DEPARTMENT OF LABOR AND



Register 226, July 2018 LABOR AND WORKFORCE DEV.

WORKFORCE DEVELOPMENT MADE BY CH. 58, SLA 1999 AND THE  
CORRESPONDING TITLE CHANGE OF THE COMMISSIONER OF LABOR.]

8 AAC 80.040 is amended to read:

**8 AAC 80.040. Identification of special inspectors.** An individual commissioned as a special inspector shall pay a fee of \$50 and obtain an identification card issued by the department. The identification card, issued for a one-year period, must be carried at all times when performing inspections within the state. An identification card may be obtained in person at the Anchorage office of the department. Arrangements may be made in advance to obtain the identification card at any other office of the department by contacting the Anchorage office. The identification card must be returned to the department upon termination of employment. (Eff. 5/24/78, Register 66; am 6/21/84, Register 90; am 10/21/92, Register 124; am 12/17/99, Register 152; am 5/9/2018 Register 226)

**Authority:** AS 18.60.180      **AS 18.60.220**      AS 18.60.240

8 AAC 80.120(2)(C) is amended to read:

(C) has submitted a tracer number request form, paid the department a \$100 tracer tracking fee, and received a tracer number from the department's Anchorage office. (Eff. 6/21/84, Register 90; am 10/21/92, Register 124; am 12/17/99, Register 152; am 11/1/2000, Register 156; am 5/9/2018, Register 226)

**Authority:** AS 18.60.180      AS 18.60.315      **AS 18.60.360**

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Tab III

**Editor's note:** The tracer number request form prescribed in 8 AAC 80.120(2) is available by contacting the Department of Labor and Workforce Development, Mechanical Inspection Section, 1251 Muldoon Road, Suite 113 [P.O. BOX 107020], Anchorage, Alaska, 99504 [99510-7020], or by calling (907) 269-4925.

8 AAC 90.130(b) is amended to read:

(b) A plumber journeyman certificate of fitness will be issued by the department upon payment of the applicable fees required by AS 18.62.030, if the applicant

(1) passes an examination given by the department; and

(2) submits one of the following:

(A) [(1)] Y SUBMITS] documented proof on a notarized form provided by the department, or by notarized statements on letterhead stationery from employers, that the applicant has a minimum of 8,000 hours of legally obtained work experience in work subject to standards established in AS 18.60.705 and 8 AAC 63.010 [, AND PASSES AN EXAMINATION GIVEN BY THE DEPARTMENT; AN ACCREDITED APPRENTICESHIP CLASSROOM PROGRAM OR EDUCATIONAL TRAINING IN THE PLUMBING FIELD MAY BE SUBSTITUTED FOR UP TO 1,000 HOURS OF WORK EXPERIENCE IN WORK SUBJECT TO STANDARDS ESTABLISHED IN AS 18.60.705 AND 8 AAC 63.010]; or

(B) [(2) PRESENTS TO THE DEPARTMENT, ON A FORM PROVIDED BY THE DEPARTMENT,] a sworn affidavit from an official of an Alaska-

based union, on a form provided by the department, that demonstrates that the applicant meets the experience requirements set out in (A) [(1)] of this paragraph [SUBSECTION AND PASSES AN EXAMINATION GIVEN BY THE DEPARTMENT]; the affidavit must specify

(i) [(A)] the number of qualifying hours of [HOURS'] experience the applicant claims for classification for which the applicant seeks certification; [APPRENTICESHIP HOURS MUST BE NOTED IF APPRENTICESHIP HOURS ARE BEING USED FOR QUALIFICATION;]

(ii) [(B)] the inclusive dates during which the hours claimed in (i) [(A)] of this subparagraph [PARAGRAPH] were worked; and

[(C) REPEALED 12/25/98;]

(iii) [(D)] the type of work performed and the name of each contractor for whom the work was performed.

8 AAC 90.130(c) is amended to read: *'''leave lowercase'''*

(c) The department shall ~~WILL~~ count no more than

(1) 500 hours of plumber restricted PU work toward the work experience required in (b) [(b)(1)] of this section; or

(2) 2,000 hours of plumber restricted PG work toward the work experience required in (b) [(b)(1)] of this section.

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8 AAC 90.130 is amended by adding a new subsection to read:

(d) Classroom hours earned in a United States Department of Labor registered apprenticeship program or accredited educational training program in the plumbing field may be substituted for up to 1,000 hours of work experience required under (b) of this section. (Eff. 9/13/80, Register 75; am 12/25/98, Register 148; am 11/1/2000, Register 156; am 9/27/2008, Register 187; am 5 / 9 / 2018, Register 226)

Authority:	<u>AS 18.62.020</u>	AS 18.62.050	AS 18.62.070
	AS 18.62.030	AS 18.62.060	[AS 23.05.060]

8 AAC 90.160(b) is amended to read:

(b) An electrician journeyman certificate of fitness will be issued by the department upon payment of the applicable fees required by AS 18.62.030, if the applicant

**(1) passes an examination given by the department; and**

**(2) submits one of the following:**

**(A)** [(1) SUBMITS] documented proof on a notarized form provided by the department, or by notarized statements on letterhead stationery from employers, that the applicant has a minimum of 8,000 hours of legally obtained work experience as an electrician performing work subject to standards of the *National Electrical Code* established in AS 18.60.580 and 8 AAC 70.025 [, AND PASSES AN EXAMINATION GIVEN BY THE DEPARTMENT]; or



**(B)** [(2) PRESENTS TO THE DEPARTMENT, ON A FORM PROVIDED BY THE DEPARTMENT,] a sworn affidavit from an official of an Alaska-based union, on a form provided by the department, that demonstrates that the applicant meets the work experience requirements set out in **(A)** [(1)] of this paragraph [SUBSECTION, AND PASSES AN EXAMINATION GIVEN BY THE DEPARTMENT]; the affidavit must specify

**(i)** [(A)] the number of qualifying hours of [HOURS'] experience the applicant claims for the classification for which the applicant seeks certification; [APPRENTICESHIP HOURS MUST BE NOTED IF APPRENTICESHIP HOURS ARE BEING USED FOR QUALIFICATION;]

**(ii)** [(B)] the inclusive dates during which the hours claimed in **(i)** [(A)] of this subparagraph [PARAGRAPH] were worked; and

**(iii)** [(C)] the type of work performed and the name of each contractor for whom the work was performed.

8 AAC 90.160(d) is amended to read:

United States

(d) Classroom hours earned in a U.S. Department of Labor registered apprenticeship [AN ACCREDITED APPRENTICESHIP CLASSROOM] program or accredited educational training program in the electrical field may be substituted for up to 1,000 hours of [HOURS'] work experience required under this section.

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8 AAC 90.160(e) is amended to read:

(e) Up to 1,000 hours of experience as a power lineman may be used to meet the work **experience** [EXPEDIENCE] requirements of this section.

(Eff. 9/13/80, Register 75; am 12/25/98, Register 148; am 12/17/99, Register 152; am 9/25/2002, Register 163; am 9/27/2008, Register 187; am 5 / 9 / 2018, Register 226)

Authority: **AS 18.62.020** AS 18.62.050 AS 18.62.070  
AS 18.62.030 AS 18.62.060

8 AAC 90.162(b) is amended to read:

(b) A power lineman journeyman certificate of fitness will be issued by the department upon payment of the applicable fees required by AS 18.62.030, if the applicant

**(1) passes an examination given by the department; and**

**(2) submits one of the following:**

**(A)** [(1) SUBMITS] documented proof on a notarized form provided by the department, or notarized statements on letterhead stationery from employers, that the applicant has a minimum of 8,000 hours of legally obtained work experience as a power lineman performing work subject to the *National Electrical Safety Code* established in AS 18.60.580 and 8 AAC 70.025 [, AND PASSES AN EXAMINATION GIVEN BY THE DEPARTMENT]; or

**(B)** [(2) PRESENTS TO THE DEPARTMENT, ON A FORM PROVIDED BY THE DEPARTMENT,] a sworn affidavit from an official of an Alaska-

based union, on a form provided by the department, that demonstrates that the applicant meets the work experience requirements set out in (A) [(1)] of this paragraph [SUBSECTION, AND PASSES AN EXAMINATION GIVEN BY THE DEPARTMENT]; the affidavit must specify

| ← (i) [(A)] the number of qualifying hours of [HOURS'] experience the applicant claims for the classification for which the applicant seeks certification; [APPRENTICESHIP HOURS MUST BE NOTED IF APPRENTICESHIP HOURS ARE BEING USED FOR QUALIFICATION;]

| ← (ii) [(B)] the inclusive dates during which the hours claimed in (i) [(A)] of this subparagraph [PARAGRAPH] were worked; and

| ← (iii) [(C)] the type of work performed and the name of each contractor for whom the work was performed.

8 AAC 90.162(c) is amended to read:

United States

(c) Classroom hours earned in a U.S. Department of Labor registered apprenticeship [AN ACCREDITED APPRENTICESHIP CLASSROOM] program or accredited educational training program in the electrical field may be substituted for up to 1,000 hours of [HOURS'] work experience required under this section.

(Eff. 12/25/98, Register 148; am 9/25/2002, Register 163; am 9/27/2008, Register 187; am

5 / 9 / 2018, Register 226)

Authority: AS 18.62.020

AS 18.62.050

AS 18.62.070

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AS 18.62.030

AS 18.62.060

[AS 23.05.060]



# MEMORANDUM


## State of Alaska Department of Law

**To:** Hon. Byron Mallott  
Lieutenant Governor

**Date:** April 9, 2018

**File No.:** 2018200102

**Tel. No.:** 465-3600

**From:** Steven C. Weaver   
Sr. Assistant Attorney General  
and Assistant Regulations Attorney  
Legislation and Regulations Section

**Re:** Department of Labor and Workforce  
Development update to regulations re:  
electrical standards, amusement ride  
and tramway standards, commissions  
for special inspectors, boiler repair  
tracer tracking, and journeyman  
certificates of fitness (8 AAC 70.025;  
8 AAC 78; 8 AAC 80.040; 8 AAC  
80.120; 8 AAC 90.130; 8 AAC  
90.160; 8 AAC 90.162)

We have reviewed the attached regulations from the Department of Labor and Workforce Development against the statutory standards of the Administrative Procedure Act. I have reviewed this project under a specific delegation dated April 9, 2018 from the Regulations Attorney. The regulations update minimum electrical and electrical standards for this state, update standards and procedures for amusement rides and tramways, establish fees for commissions for special inspectors and for boiler repair tracer tracking, and update standards for journeyman certificates of fitness.

We find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations.

The February 13, 2018 public notice and the March 30, 2018 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

Hon. Byron Mallott, Lieutenant Governor  
Our file: 2018200102

April 9, 2018  
Page 2

We have made some technical corrections to the regulations, in accordance with AS 44.62.125 and as shown on the attached copy.

SCW

cc w/enc: (via email)

Hon. Heidi Drygas, Commissioner  
Department of Labor and Workforce Development

Tally Teal, Special Assistant and Regulations Contact  
Department of Labor and Workforce Development

Deborah Kelly, Director  
Division of Labor Standards and Safety  
Department of Labor and Workforce Development

William C. Harlan  
Division of Labor Standards and Safety  
Department of Labor and Workforce Development

Kimber D. Rodgers, Assistant Attorney General  
Labor and State Affairs Section

# MEMORANDUM


## State of Alaska Department of Law

**TO:** Hon. Byron Mallott  
Lieutenant Governor

**DATE:** April 9, 2018

**FILE NO.:** 2018200102

**TELEPHONE NO.:** (907) 465-3600

**FROM:** Susan R. Pollard   
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation/Regulations Section

**SUBJECT:** Specific delegation of authority  
regarding regulations review on  
Department of Labor and  
Workforce Development  
regulations re: electrical  
standards, amusement ride and  
tramway standards, commissions  
for special inspectors, boiler  
repair tracer tracking, and  
journeyman certificates of fitness  
(8 AAC 70.025; 8 AAC 78;  
8 AAC 80.040; 8 AAC 80.120;  
8 AAC 90.130; 8 AAC 90.160;  
8 AAC 90.162)

By this memorandum, I am delegating my authority as Regulations Attorney under AS 44.62 to Assistant Attorney General Steven C. Weaver for the above-referenced regulations project. Under this delegation of authority, Steven Weaver has my full authority under AS 44.62 to conduct the legal review under AS 44.62 and take necessary actions on this regulations project.

If you have questions, please let me know.

SCW

cc w/enc: Scott C. Meriwether, AAC Coordinator  
Office of the Lieutenant Governor

Steven C. Weaver  
Sr. Assistant Attorney General and  
Assistant Regulations Attorney  
Legislation/Regulations Section

NOTICE OF PROPOSED CHANGES ON ELECTRICAL CODES, AMUSEMENT RIDES,  
TRAMWAYS, BOILER SPECIAL INSPECTOR COMMISSIONS, BOILER REPAIR  
TRACER TRACKING, AND JOURNEYMAN CERTIFICATES OF FITNESS IN THE  
REGULATIONS OF THE DEPARTMENT OF LABOR AND WORKFORCE  
DEVELOPMENT

BRIEF DESCRIPTION

The Department of Labor and Workforce Development proposes to change regulations to adopt current electrical and tramway codes, to change the inspection and reporting requirements for amusement rides and tramways, to require an annual schedule for amusement rides, to adopt fees in the boiler program, and to require classroom hours for journeyman certificates of fitness.

The Department of Labor and Workforce Development proposes to adopt regulation changes in Title 8 of the Alaska Administrative Code, dealing with electrical codes, amusement rides, tramways, boiler special inspector commissions, boiler repair tracer tracking, and journeyman certificates of fitness, including the following:

1. 8 AAC 70.025 will be amended to adopt by reference the current versions of the National Electrical Code and the National Electrical Safety Code.
2. 8 AAC 78.020 will be amended to allow email notification of a new amusement ride and to require an operator to submit an inspection report and receive a certificate of operation every year before opening the ride to the public that year.
3. 8 AAC 78.025 will be amended to require an operator to submit an annual operating schedule of amusement rides.
4. 8 AAC 78.150 will be amended to allow fax, e-mail, or hand delivery of proof of insurance and to set out a procedure for reporting and inspection of amusement ride occurrences involving fatalities, injuries, and ride failures.
5. 8 AAC 78.250 will be amended to adopt by reference the current 2017 edition of the ANSI standards on tramways.
6. 8 AAC 78.290 will be amended to allow mail, fax, e-mail, or hand delivery of proof of insurance and to set out a procedure for reporting and inspection of tramway occurrences involving fatalities, injuries, and ride failures.
7. 8 AAC 80.040 will be amended to adopt a fee for a boiler special inspector commission identification card.
8. 8 AAC 80.120 will be amended to adopt a fee for boiler repair tracer number tracking.



9. 8 AAC 90.130 will be amended to require classroom hours to qualify for a certificate of fitness as a plumber journeyman and to clarify the types of apprenticeship and training programs that may be substituted for work experience.
10. 8 AAC 90.160 will be amended to require classroom hours to qualify for a certificate of fitness as an electrician journeyman and to clarify the types of apprenticeship and training programs that may be substituted for work experience.
11. 8 AAC 90.162 will be amended to require classroom hours to qualify for a certificate of fitness as a power lineman journeyman and to clarify the types of apprenticeship and training programs that may be substituted for work experience.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Becky Weimer, Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149. Additionally, you may submit comments by facsimile at (907) 465-6012 and by electronic mail at [becky.weimer@alaska.gov](mailto:becky.weimer@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system and using the comment link. The comments must be received not later than 3:30 p.m. on March 19, 2018.

You may submit written questions relevant to the proposed action to Becky Weimer by e-mail at [becky.weimer@alaska.gov](mailto:becky.weimer@alaska.gov) or by mail to the Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149. The questions must be received at least 10 days before the end of the public comment period. The Department will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Becky Weimer at (907) 465-6002 not later than March 9, 2018 to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System or by contacting Becky Weimer, Department of Labor and Workforce Development, Labor Standards and Safety, P.O. Box 111149, Juneau, AK 99811-1149 or [becky.weimer@alaska.gov](mailto:becky.weimer@alaska.gov) or (907) 465-6002.

A copy of material proposed for adoption by reference may be viewed at the agency's office at 1251 Muldoon Road, Suite 113, Anchorage, AK 99504.

After the public comment period ends, the Department of Labor and Workforce Development will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulation may be different from that of the proposed regulation. You should comment during the time allowed if your interests could be affected.



**Statutory authority:** AS 05.20.070; AS 18.60.180; AS 18.60.220; AS 18.60.315; AS 18.60.360; AS 18.60.580; AS 18.60.600; AS 18.62.060.

**Statutes being implemented, interpreted, or made specific:** AS 05.20.020; AS 05.20.030; AS 05.20.040; AS 05.20.060; AS 05.20.070; AS 18.60.180; AS 18.60.220; AS 18.60.240; AS 18.60.315; AS 18.60.360; AS 18.60.580; AS 18.62.020; AS 18.62.030; AS 18.62.050; AS 18.62.070.

**Fiscal information:** The proposed regulation changes are not expected to require an increased appropriation.

Date: \_\_\_\_\_

2/7/18



\_\_\_\_\_  
Greg Cashen, Acting Commissioner  
Department of Labor and Workforce Development

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))

1. Adopting agency: Department of Labor and Workforce Development, Division of Labor Standards and Safety
2. General subject of regulation: Change mechanical inspection regulations to adopt current electrical and tramway codes, to change the inspection and reporting requirements for amusement rides and tramways, to require an annual schedule for amusement rides, to adopt fees in the boiler program, and to require classroom hours for journeyman certificates of fitness.
3. Citation of regulation (may be grouped): 8 AAC 70.025, 8 AAC 78.020, 8 AAC 78.025, 8 AAC 78.150, 8 AAC 78.250, 8 AAC 78.290, 8 AAC 80.040, 8 AAC 80.120, 8 AAC 90.130, 8 AAC 90.160, 8 AAC 90.162.
4. Department of Law file number, if any: 2018200102
5. Reason for the proposed action:
  - ☐ Compliance with federal law or action (identify): \_\_\_\_\_
  - ☐ Compliance with new or changed state statute
  - ☐ Compliance with federal or state court decision (identify): \_\_\_\_\_
  - ☒ Development of program standards
  - ☐ Other (identify): \_\_\_\_\_
6. Appropriation/Allocation: Labor Standards and Safety (113)/Mechanical Inspection (346)
7. Estimated annual cost to comply with the proposed action to:

A private person: \$50 annually for each of the approximately 60 boiler special inspector commissions MI grants per year. \$100 annually for each of the approximately 155 tracer tracking number requests MI receives per year, assuming each request comes from a different entity.

Another state agency: \_\_\_\_\_

A municipality: \_\_\_\_\_
8. Cost of implementation to the state agency and available funding (in thousands of dollars):

	Initial Year FY 19	Subsequent Years
Operating Cost	\$ 0	\$ 0
Capital Cost	\$ 0	\$ 0
1002 Federal receipts	\$ 0	\$ 0
1003 General fund match	\$ 0	\$ 0
1004 General fund	\$ 0	\$ 0
1005 General fund/ program	\$ 0	\$ 0
Other (identify)	\$ 0	\$ 0

9. The name of the contact person for the regulation:

Name: Becky Weimer  
Title: Regulations Specialist II  
Address: P.O. Box 111149 Juneau, AK 99811-1149  
Telephone: (907) 465-6002  
E-mail address: Becky.Weimer@alaska.gov

10. The origin of the proposed action:

☒ Staff of state agency  
☐ Federal government  
☐ General public  
☐ Petition for regulation change  
☐ Other (identify): \_\_\_\_\_

11. Date: 2-7-18

Prepared by: Becky Weimer  
Name (printed): Becky Weimer  
Title (printed): Regulations Specialist II  
Telephone: (907) 465-6002

AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION

I, Becky Weimer, Regulations Specialist, Department of Labor and Workforce Development, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to Title 8 of the Alaska Administrative Code, dealing with electrical codes, amusement rides, tramways, boiler special inspector commissions, boiler repair tracer tracking, and journeyman certificates of fitness, has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulation;
- (5) furnished electronically to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
- (8) furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the chair of the Labor and Commerce Committee of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

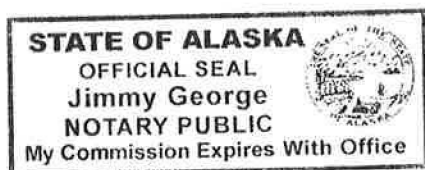
As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: 3-23-18

  
Becky Weimer, Regulations Specialist

Subscribed and sworn to before me at Juneau, Alaska on 23 273 2018

  
Notary Public in and for the State of Alaska  
My Commission Expires: with office





AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Becky Weimer, Regulations Specialist for the Department of Labor and Workforce Development, being duly sworn, state the following:

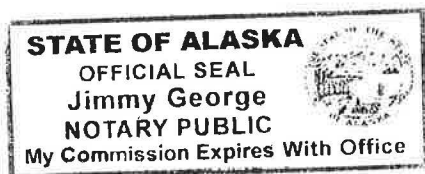
In compliance with AS 44.62.215, the Department of Labor and Workforce Development has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Labor and Workforce Development regulation dealing with electrical codes, amusement rides, tramways, boiler special inspector commissions, boiler repair tracer tracking, and journeyman certificates of fitness.

Date: 3-23-18

Becky Weimer  
Becky Weimer, Regulations Specialist

Subscribed and sworn to before me at Juneau, Alaska on 23, Mar 2018

Jimmy George  
Notary Public in and for the State of Alaska  
My Commission Expires: with office



268981  
#1416630  
\$532.88

# AFFIDAVIT OF PUBLICATION

STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Joleesa Stepetin  
being first duly sworn on oath  
deposes and says that she is  
a representative of the  
Anchorage Daily News, a  
daily newspaper. That said  
newspaper has been approved  
by the Third Judicial Court,  
Anchorage, Alaska, and it now  
and has been published in the  
English language continually as a  
daily newspaper in Anchorage,  
Alaska, and it is now and during  
all said time was printed in an  
office maintained at the aforesaid  
place of publication of said  
newspaper. That the annexed is  
a copy of an advertisement as it  
was published in regular issues  
(and not in supplemental form)  
of said newspaper on

February 13, 2018

and that such newspaper was  
regularly distributed to its  
subscribers during all of said  
period. That the full amount of  
the fee charged for the foregoing  
publication is not in excess of  
the rate charged private individuals.

Signed Joleesa Stepetin

Subscribed and sworn to before

me this 14 day of Feb

20 18

Britney Thompson

Notary Public in and for  
The State of Alaska.

Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

BRITNEY L. THOMPSON

State of Alaska

My Commission Expires Feb 23, 2019

## NOTICE OF PROPOSED CHANGES ON ELECTRICAL CODES, AMUSEMENT RIDES, TRAMWAYS, BOILER SPECIAL INSPECTOR COMMISSIONS, BOILER REPAIR TRACER TRACKING, AND JOURNEYMAN CERTIFICATES OF FITNESS IN THE REGULATIONS OF THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT

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You may submit written questions relevant to the proposed action to

2BR, 1BA, Newly Remodeled!  
400 Turpin#2, 907-575-3283  
Move in Bonus! Vouchers Accepted:  
Smkg/Pets: \$875+ Elec. S/Dep Req'd.  
W/D on site. Upstairs Apt on  
Eastside. Assigned parking. NO  
rent. W/D onsite. NO PET! Secured  
building. Background check. ASHA  
OK! 317-8410  
MUST SEE - NICE REMODELED 2 BR  
FIRST MONTH FREE  
NEW carpet, paint, vinyl, etc. Oak  
kitchen + bath. School & shopping  
close. 3124 Richmond Ave. ASHA &  
Cat OK \$995/mo. Call 782-6386.  
Newly Updated 2BR  
\$875+SD 1yr lease.  
Low util costs. References req. Pets  
on approval. Off street parking.  
Call 907-727-2336 or 907-727-7159  
Studio/Efficiency Secure Bldg.  
1st floor. Assigned parking for 1 car.  
Large common laundry room. No  
P/S \$699/mo & \$600 deposit. All  
utilities included. 1350 sq ft

2BR Condo, plus office, in Senior  
Community (55+), in Palmer.  
Required - 907-279-3055  
Pets on Approval - Sec Dep  
\$850/mo, SD \$550  
2br & 3br Apts for Rent  
(907)223-9631  
\$1200/mo+electric & SD.  
W/D in unit. Carport. No S/P.  
Midtown Anchorage.  
2BR, 1BA, Newly Remodeled!  
400 Turpin#2, 907-575-3283  
Move in Bonus! Vouchers Accepted:  
Smkg/Pets: \$875+ Elec. S/Dep Req'd.  
W/D on site. Upstairs Apt on  
Eastside. Assigned parking. NO  
rent. W/D onsite. NO PET! Secured  
building. Background check. ASHA  
OK! 317-8410  
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on approval. Off street parking.  
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Studio/Efficiency Secure Bldg.  
1st floor. Assigned parking for 1 car.  
Large common laundry room. No  
P/S \$699/mo & \$600 deposit. All  
utilities included. 1350 sq ft