

Chapter 21. Construction Contractors

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 21.010 is repealed:

12 AAC 21.010. Joint venture agreement. Repealed [A NOTARIZED COPY OF A JOINT VENTURE AGREEMENT ENTERED INTO FOR THE PURPOSE OF AS 08.18.011 MUST BE ON FILE AT THE MAIN BUSINESS OFFICE IN THE STATE OF EACH PARTY TO THE JOINT VENTURE. THIS COPY MUST BE AVAILABLE FOR PRESENTATION ON DEMAND AS PROOF OF THE JOINT VENTURE AND PROPER REGISTRATION IN ACCORDANCE WITH AS 08.18.011. NOTICE OF A JOINT VENTURE AGREEMENT NEED NOT BE ON FILE WITH THE DEPARTMENT UNLESS SPECIFICALLY REQUESTED BY THE DEPARTMENT]. (Eff. 7/2/77, Register 62; repealed ____/____/____, Register ____)

Authority: AS 08.18.011 AS 44.33.020

12 AAC 21.020 is repealed and to readopted to read:

12 AAC 21.020. Application for registration as a construction contractor. (a) An applicant for registration as a construction contractor must submit:

- (1) a complete application on a form provided by the department;
- (2) the applicable fees established in 12 AAC 02.180;
- (3) if applicable, evidence of workers' compensation insurance as required under AS 08.18.101;
- (4) evidence of public liability and property damage insurance as required under

AS 08.18.101;

(5) evidence of bonding as required under AS 08.18.071 by submitting either:

(A) a surety bond on a form provided by the department, and the surety’s power of attorney; or

(B) negotiable security as described in 12 AAC 21.090.

(b) The application submitted under (a)(1) of this section must be the current form provided by the department.

(c) For purposes of (a)(1) of this section, only an individual who is an authorized officer, manager, or member of a corporation or limited liability company, or general partner of a limited partnership, may complete and sign a contractor registration application for an entity.

(Eff. 7/2/77, Register 62; am 3/1/78, Register 65; am ___/___/___, Register ___)

Authority:	AS 08.01.080	AS 08.18.021	AS 08.18.101
	AS 08.18.011	AS 08.18.071	AS 44.33.020

The introductory language of 12 AAC 21.040(a) is amended to read:

(a) If the **business** name under which a contractor is registered requires change, the contractor shall [RETURN THE CERTIFICATE OF REGISTRATION UNDER THE OLD NAME TO THE DEPARTMENT FOR CANCELLATION AND SHALL] submit

...

12 AAC 21.040(b) is amended to read:

(b) If the address under which a contractor is registered requires change, the contractor

shall notify the department in writing. A duplicate certificate of registration reflecting the new address will be provided upon request [AND PAYMENT OF THE DUPLICATE LICENSE FEE ESTABLISHED BY 12 AAC 02.105].

(Eff. 7/2/77, Register 62; am 4/3/88, Register 105; am ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.051

12 AAC 21.043 is amended by adding a new subsection to read:

(c) A registered contractor that has filed a written notice under (a) of this section may reactivate a registration that has not lapsed, by submitting a written request for reactivation and evidence of current bonding and insurance; if the registration has lapsed, the registration may be reinstated not later than five years after the expiration date of the registration by submitting the renewal requirements of 12 AAC 21.070. (Eff.1/21/2004, Register 169; am ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.021 AS 08.18.051

12 AAC 21.045(a)(5) is amended to read:

(5) if applicable, **evidence of** workers' compensation insurance as required under AS 08.18.101.

12 AAC 21.045(b)(5) is amended to read:

(5) if applicable, **evidence of** worker's compensation insurance as required under AS 08.18.101. (Eff. 4/3/88, Register 105; am 1/22/2004, Register 169; am ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.051 AS 08.18.101
AS 08.18.021 AS 08.18.071 AS 44.33.020

The section heading of 12 AAC 21.050 is being amended to read:

**12 AAC 21.050. Changing sole proprietorship or partnership
[PROPRIETORSHIPS AND PARTNERSHIPS] to a corporation or other entity
[INCORPORATION].**

12 AAC 21.050(a) is being amended to read:

(a) A registered contractor that is a sole proprietorship or partnership that forms a corporation, **limited liability company, limited partnership, limited liability partnership, or other entity**, for the purpose of engaging in the contracting business must apply for a new registration under this section. The **entity** [CORPORATION] must submit

...

12 AAC 21.050 is amended by adding a new subsection to read:

(b) A contractor registration may only be issued to a single entity in good standing.
(Eff. 7/2/77, Register 62; am 1/22/2004, Register 169; am ____/____/____, Register ____)

Authority: AS 08.18.011 [AS 08.18.021] [AS 08.18.071]
AS 08.18.021 **AS 08.18.051** **AS 08.18.101**
[AS 08.18.051] **AS 08.18.071** AS 44.33.020
[AS 08.18.101]

12 AAC 21.070 is repealed and readopted to read:

12 AAC 21.070. Renewal; lapsed registration. (a) An applicant for renewal of a contractor registration shall submit

- (1) a complete renewal application on a form provided by the department;
- (2) the registration renewal and license enforcement support fee required under

12 AAC 02.180;

- (3) evidence of current bonding as required by AS 08.18.071;
- (4) evidence of current public liability and property damage insurance; and
- (5) if applicable, evidence of workers' compensation insurance as required by AS 08.18.101.

(b) The division may require evidence of current bonding and insurance issued not earlier than 30 days before the date an application for renewal is submitted. (Eff. 7/2/77, Register 62; am ___/___/___, Register ___)

Authority: AS 08.18.031 AS 44.33.020

12 AAC 21 is amended by adding a new section to read:

12 AAC 21.075. Changing handyman, specialty, or mechanical contractor registration. A registered handyman, specialty, or mechanical contractor that is changing to another category, or a specialty contractor changing to another specialty, must apply for the change of registration under this section. The contractor must submit

- (1) a complete application on a form provided by the department;
- (2) the applicable fee established in 12 AAC 02.180;
- (3) either a new surety bond or an endorsement to the surety bond on file with the

department, as required under AS 08.18.071;

(4) evidence of current public liability and property damage insurance as required under AS 08.18.101; and

(5) if applicable, evidence of workers' compensation insurance as required under AS 08.18.101. (Eff. ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.051 AS 08.18.101
AS 08.18.021 AS 08.18.071 AS 44.33.020

The introductory language of 12 AAC 21.080 is amended to read:

12 AAC 21.080. Changing from handyman, specialty, or mechanical contractor, to general contractor. A registered handyman, specialty, or mechanical contractor, that is changing to a general contractor must apply for the change in registration under this section. The contractor must submit

...

12 AAC 21.080(5) is amended to read:

(5) if applicable, **evidence of** workers' compensation insurance as required under AS 08.18.101. (Eff. 7/2/77, Register 62; am 4/3/88, Register 105; am 1/22/2004, Register 169; am ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.051 AS 08.18.101
AS 08.18.021 AS 08.18.071 AS 44.33.020

The introductory language of 12 AAC 21.085 is amended to read:

12 AAC 21.085. Changing from general contractor to handyman, specialty, or mechanical contractor. A registered general contractor that is changing to a **handyman, specialty, or mechanical contractor,** must apply for the change in registration under this section.

The contractor must submit

...

12 AAC 21.085(5) is amended to read:

(5) if applicable, **evidence of** worker's compensation insurance as required under AS 08.18.101. (Eff. 01/22/2004, Register 169; am ____/____/____, Register ____)

Authority:	AS 08.01.080	AS 08.18.051	AS 08.18.101
	AS 08.18.021	AS 08.18.071	AS 44.33.020

12 AAC 21.090(a) is amended to read:

12 AAC 21.090. Negotiable security in place of surety bond. (a) When a negotiable security is filed with the commissioner in place of **or in addition to** the bond as provided in **AS 08.18.071(c)** [AS 08.18.071(b)], the owner of the security shall execute an assignment of the security to the state which is attached to and becomes a part of the security.

12 AAC 21.090(b) is amended to read:

(b) The following negotiable securities are acceptable for the purposes of **AS 08.18.071(c)** [AS 08.18.071(b)]:

(1) for a **mechanical or** specialty contractor, a time certificate of deposit in the

face amount of **\$10,000, [\$5000] or the amount necessary to bring the total bond amount to \$10,000,** issued by a bank or trust company authorized to do business in **the state** [ALASKA], and meeting the requirements of 12 AAC 21.120; [AND]

(2) for a general contractor, a time certificate of deposit in the face amount of **\$25,000, [\$10,000] or the amount necessary to bring the total bond amount to \$25,000,** issued by a bank or trust company authorized to do business in **the state** [ALASKA], and meeting the requirements of 12 AAC 21.120;

(3) for a general contractor with residential endorsement, who performs exclusively residential work, a time certificate of deposit in the face amount of \$20,000, or the amount necessary to bring the total bond amount to \$20,000, issued by a bank or trust company authorized to do business in the state, and meeting the requirements of 12 AAC 21.120; and

(4) for a handyman contractor, a time certificate of deposit in the face amount of \$5000 issued by a bank or trust company authorized to do business in the state, and meeting the requirements of 12 AAC 21.120.

12 AAC 21.090(c) is amended to read:

(c) Negotiable securities other than those listed in this section, filed for the purposes of **AS 08.18.071(c)** [AS 08.18.071(b)], will be considered on a case-by-case basis.

12 AAC 21.090(e) is amended to read:

(e) When either cash or a negotiable security filed in accordance with this section and

AS 08.18.071(c) [AS 08.18.071(b)] is accepted by the commissioner in the place of the surety bond required by AS 08.18.071, it shall remain filed with and pledged to the state for the purposes of AS 08.18.071 for a period of three years after **the**

(1) [THE] effective date of a surety bond in like amount written in compliance with AS 08.18.071;

(2) [THE] lapse without reinstatement of the certificate of registration; [OR]

(3) **surrender**, [THE] suspension, or revocation, without reinstatement of the certificate of registration; **or**

(4) contractor files a notarized statement notifying the department that the contractor is no longer doing business as a contractor in the state. (Eff.7/2/77, Register 62; am 4/3/88, Register 105; am ___ / ___ / ___, Register ___)

Authority: AS 08.01.080 AS 08.18.071

12 AAC 21.110 is amended to read:

12 AAC 21.110. Prohibitions. (a) A [PERSON] registered [AS A] specialty contractor may not undertake, [OR] offer to perform, [OR] claim to have the capacity to perform, or submit a bid, for a project **that** [WHICH] requires the use of a trade for which **the contractor** [HE] is not **actively** registered.

(b) A business or individual may not do business as, advertise, or claim to have the capacity to perform construction contracting services without a corresponding active contractor registration.

(c) A business or individual who is not registered as a contractor may not use the following terms to describe business operations, including advertising, or claiming to have the capacity to perform construction contracting services as defined in 12 AAC 21.990:

- (1) “builder” as defined in AS 08.18.171(1);**
- (2) “contractor” as defined in AS 08.18.171(4);**
- (3) “general contractor” as defined in AS 08.18.171(7);**
- (4) “mechanical contractor” as defined in AS 08.18.171(12);**
- (4) “residential contractor” as defined in AS 08.18.171(15);**
- (5) “specialty contractor” as defined in AS 08.18.171(16);**
- (6) “handyman” as described in 12 AAC 21.700.**

(d) The department may refuse to issue a registration with a “doing business as” name or owning entity name that includes electrical, mechanical, plumbing, or heating if the registration does not have the appropriate licensed administrator assigned. (Eff. 7/2/77,

Register 62; am ___ / ___ / ___, Register ___)

Authority: AS 08.18.011 [AS 08.18.171(2)] AS 44.33.020
AS 08.18.031 **AS 08.18.171**

The introductory language of 12 AAC 21.120(a) is amended to read:

12 AAC 21.120. Cash deposits instead of bond. (a) A certificate of deposit or other negotiable instrument filed with the commissioner instead of **or in addition** to a **security** bond must

...

12 AAC 21.120(b) is repealed;

(b) Repealed ____/____/____ [AT THE TIME A CERTIFICATE OF DEPOSIT FILED WITH THE COMMISSIONER MATURES, THE DEPARTMENT MUST RECEIVE A LETTER FROM THE BANK OR THE CONTRACTOR REQUESTING THE COMMISSIONER TO RELEASE THE CERTIFICATE TO THE BANK FOR REISSUE. THIS LETTER MUST INCLUDE THE COMPLETE MAILING ADDRESS OF THE BANK]. (Eff. 5/2/81, Register 78; am 4/3/88, Register 105; am 10/15/2000, Register 156; am ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.071 AS 44.33.020

12 AAC 21.130(a) is amended to read:

12 AAC 21.130. Claims against cash deposits. (a) If a contractor files a cash deposit instead of **or in addition to** a surety bond under **AS 08.18.071(c)** [AS 08.18.071(b)], a person having a claim against the contractor for any of the items referred to in AS 08.18.071 may file a claim against the cash deposit by mailing a copy of the complaint against the contractor to the commissioner by registered or certified mail at the time suit is filed. The commissioner will maintain a record, available for public inspection, of all complaints received.

12 AAC 21.130(b) is amended to read:

(b) To assure adequate notice to the commissioner and other claimants, the complaint must specify for which of the items referred to in AS 08.18.071 the claim **pertains** [ARISES] and when the claim arose.

12 AAC 21.130(c) is amended to read:

(c) To assure adequate notice to the claimants, the court, and the commissioner, the complaint must specify **the complete business name of the contractor, and** the number of, or receipt number for, the cash deposit from which a final judgment is sought.

12 AAC 21.130(g) is amended to read:

(g) “Cash deposit” includes negotiable securities filed with the commissioner under **AS 08.18.071(c)** [AS 08.18.071(b)].

(Eff. 5/2/81, Register 78; am ____/____/____, Register ____)

Authority: AS 08.18.071 AS 08.18.081 AS 44.33.020

12 AAC 21.140(a) is amended to read:

12 AAC 21.140. Payment of claims against a cash deposit. (a) A claimant who obtains final judgment against a contractor may **submit** [TENDER] to the commissioner **an original or** a certified copy of the final judgment with the request that payment be made upon the judgment from the proceeds of the cash deposit.

12 AAC 21.140(b) is amended to read:

(b) To be paid from the cash deposit, a final judgment must be a judgment against the cash deposit. A judgment will be considered to be one against the cash deposit under AS 08.18.081(b) if it is rendered on a claim for one of the items specified in AS 08.18.071, and [EITHER THE COMPLAINT OR] the final judgment identifies the cash deposit as the source of payment of the claim.

The introductory language of 12 AAC 21.140(d) is amended to read:

(d) If **other claims are pending** at the time the commissioner receives the first final judgment on a pending claim against a contractor [OTHER CLAIMS ARE PENDING], the commissioner will [IMMEDIATELY] disburse the proceeds of the cash deposit to satisfy that judgment only if

...

The introductory language of 12 AAC 21.140(f) is amended to read:

(f) If a person making a claim which has lower priority than other pending claims, submits a final judgment and the other pending claims of higher priority are not resolved by judgment or settlement, or by being withdrawn, the person who has reduced **their** [HIS OR HER] claim to judgment may establish a presumption of failure to prosecute the other claims. That presumption may be established by filing with the commissioner

...

12 AAC 21.140(f)(2) is amended to read:

(2) proof that **the person** [HE OR SHE] has mailed a copy of the request by certified mail to the last known address of the claimant, [()or attorney when the claimant is represented()], with higher priority.

12 AAC 21.140(g) is amended to read:

(g) The commissioner will place a copy of a request submitted under (f) of this section in the file open for public inspection. If the claimant named in the request [AS PRESUMED NOT TO BE PROSECUTING HIS OR HER CLAIM] does not notify the commissioner within 60 days after the request is placed in the file that **the claimant** [HE OR SHE] is still pursuing **the** [HIS OR HER] claim against the contractor, the commissioner **may** [WILL, IN HIS DISCRETION,] disburse the proceeds of the cash deposit according to the procedures set out in this section.

(Eff. 5/2/81, Register 78; am ____/____/____, Register ____)

Authority: AS 08.18.071 AS 08.18.081 AS 44.33.020

12 AAC 21.160(b) is amended to read:

(b) In addition to a deactivation notice under AS 08.18.121(f) and (a) of this section, the department will, in its discretion, under AS 08.18.121(a) – (e), institute proceedings to revoke or suspend the registration of a contractor whose bonding or insurance required by AS 08.18.071 and 08.18.101 is no longer in effect. The department will also, in its discretion, deny the renewal of the contractor’s registration. Revocation, suspension, and denial of renewal of contractor’s registration are covered by **the** Administrative Procedure Act (AS 44.62). The department will also, in its discretion, issue a cease and desist order under AS 08.01.087(b)(1), issue a citation under AS 08.18.117, institute an action for an injunction under AS 08.18.131, seek criminal prosecution under AS 08.18.141, deny renewal of registration, or any combination of these actions. (Eff. 4/3/88, Register 105; am ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.071 AS 08.18.121

12 AAC 21.260(a)(1) is amended to read:

(1) **communications** [TELEPHONE] wiring and equipment;

(Eff. 7/26/90, Register 115; am ____/____/____, Register ____)

Authority: AS 08.01.080 [AS 08.18.171(8)] AS 44.33.020

AS 08.18.021 **AS 08.18.171**

12 AAC 21.540 is amended to read:

12 AAC 21.540. Water and sewer contractor. A water and sewer contractor installs water lines, **septic tanks**, and sanitary, storm, or drain sewer lines more than five feet from a building. A mechanical contractor registration under AS 08.18.028 is required before a person may install water lines or sanitary, storm, or drain sewer lines five feet or less from a building, or perform work covered by a plumbing or mechanical code identified in AS 08.18.171. (Eff.

7/26/90, Register 115; am ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.171 AS 44.33.020

AS 08.18.021

12 AAC 21.600(a) is amended to read:

(a) A mechanical contractor, as defined in AS 08.18.171, is registered under AS 08.18.028 and is subject to that section's requirement regarding mechanical administrator licensure. Unless specifically exempted under AS 08.40.390, a mechanical contractor must be registered as, or employ, a mechanical administrator licensed under AS 08.40 **and 12 AAC 39.** The mechanical contractor may only submit bids for, or work on, projects for which the contractor has a licensed mechanical administrator **assigned to the contractor registration; the**

mechanical administrator must be licensed under 12 AAC 39 in the category for which the contractor submits bids for, or works on projects.

(Eff. 7/26/90, Register 115; am 1/22/2004, Register 169; am ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.021 AS 08.18.171
AS 08.18.013 AS 08.18.028 AS 44.33.020

12 AAC 21.660(b) is amended to read:

(b) A continuing competency activity approved by one of the following organizations is approved by the department, without additional action, if the organization submits [THE INFORMATION REQUIRED BY (c)(2) OF THIS SECTION AND] verification that the activity meets the requirements of (a) of this section;

...

12 AAC 21.660(b)(6) is amended to read:

(6) the **Cold Climate Housing Research Center** [ALASKA BUILDING SCIENCE NETWORK];

(Eff. 11/12/94, Register 132; am 10/15/2000, Register 156; am ____/____/____, Register ____)

Authority: AS 08.01.080 AS 08.18.025

12 AAC 21.663(3) is repealed:

(3) repealed ____/____/____ [A TRADE CONFERENCE OR PRODUCT SEMINAR FOR A LICENSING PERIOD THAT BEGINS BEFORE JANUARY 1, 2003];

Register _____, _____ 2021 PROFESSIONAL REGULATIONS

(Eff. 10/15/2000, Register 156; am ____ / ____ / _____, Register ____)

Authority: AS 08.01.080 AS 08.18.025

12 AAC 21.665(a)(4)(A) is amended to read:

(A) recommended by the organization [SUBMITTING THE INFORMATION REQUIRED BY 12 AAC 21.660(c)(1) - (7)] if the course is approved under 12 AAC 21.660(b); or

12 AAC 21.665(b)(1) is repealed:

(1) repealed ____ / ____ / _____ [ONE NEW HOME PER LICENSING PERIOD FOR A LICENSING PERIOD THAT BEGINS BEFORE JANUARY 1, 2003, IF THE HOME IS ASSIGNED AN ENERGY RATING OF “FOUR-STAR” OR HIGHER BY AN ENERGY RATER CERTIFICATED UNDER AND USING THE ENERGY RATED HOMES OF ALASKA PROGRAM ESTABLISHED UNDER 15 AAC 155.510 – 15 AAC 155.560; THE DEPARTMENT WILL AWARD CONTACT HOURS UNDER THIS PARAGRAPH AS FOLLOWS:

- (A) FOR A “FOUR-STAR” HOME, FOUR CONTACT HOURS;
- (B) FOR A “FOUR-STAR PLUS” HOME, EIGHT CONTACT HOURS;
- (C) FOR A “FIVE-STAR” HOME, TEN CONTACT HOURS;
- (D) FOR A “FIVE-STAR PLUS” HOME, TWELVE CONTACT HOURS];

12 AAC 21.665(b)(2) is amended to read:

(2) One new home per licensing period for a licensing period that begins after January 1, 2003, if the home is assigned an energy rating of “four-star plus” or higher by an energy rater **authorized** [CERTIFICATED] under and using the **Alaska Home Energy Rating System** [ENERGY RATED HOMES OF ALASKA PROGRAM] established under 15 AAC 155.510 – 15 AAC 155.560; the department will award contact hours under this paragraph as follows:

- (A) for a “four-star” home, four contact hours;
- (B) for a “five-star” home, six contact hours;
- (C) for a “five-star plus” home, eight contact hours; [OR]

12 AAC 21.665(b)(3) is amended to read:

(3) One remodel of an existing home per licensing period, if the remodel increases, by at least a half star, the energy rating assigned to the home by an energy rater **authorized** [CERTIFICATED] under and using the **Alaska Home Energy Rating System** [ENERGY RATED HOMES OF ALASKA PROGRAM] established under 15 AAC 155.510 – 15 AAC 155.560; the department will award one contact hour for each half-star rating increase obtained on a remodel; **or** [.]

12 AAC 21.665(b) is amended by adding a new paragraph to read:

(4) one new home per licensing period for a licensing period that begins after January 1, 2021 if the home is assigned an energy rating of “five-star” or higher by an energy rater authorized under and using the Alaska Home Energy Rating System established under 15 AAC 155.510 - 15 AAC 155.560; the department will award contact hours under this paragraph as follows:

Register _____, _____ 2021 PROFESSIONAL REGULATIONS

(A) for a “five-star” home, four contact hours;

(B) for a “five-star plus” home, six contact hours;

(C) for a “six-star” home, eight contact hours.

(Eff. 10/15/2000, Register 156; am ____ / ____ / _____, Register ____)

Authority: AS 08.01.080 AS 08.18.025

12 AAC 21.680(1) is amended to read:

(1) a **complete** [COMPLETED] application on a form provided by the department, including the name of the registered general contractor to whom the endorsement will be assigned;

12 AAC 21.680(2) is amended to read:

(2) the applicable **fees** [FEE] established in 12 AAC 02.180;

12 AAC 21.680(3) is amended to read:

(3) verification that the applicant has obtained, within the 12 months immediately preceding the date of the application, a score of at least 70 percent on the residential contractor **endorsement** examination administered by **PSI Services, LLC** [EXPERIOR ASSESSMENTS, LLC] or other examination approved by the department; and

(Eff. 12/28/97, Register 144; am 10/15/2000, Register 156; am 1/22/2004, Register 169; am ____ / ____ / _____, Register ____)

Authority: AS 08.01.080 AS 08.18.013 **AS 08.18.025**

Editor’s note: Information on the residential contractor examination referred to in

Register _____, _____ 2021 PROFESSIONAL REGULATIONS

12 AAC 21.680 may be obtained from **PSI Services, LLC, East Tropicana, Las Vegas, Nevada 89121** [EXPERIOR ASSESSMENTS, LLC, 2100 NW 53RD AVENUE, GAINESVILLE, FLORIDA 32653]; telephone: **(800) 733-9267** [(800) 280-3926]; **e-mail: examschedule@psionline.com**; website: **www.psionline.com** [WWW.EXPERIORONLINE.COM].

12 AAC 21.690(b)(3) is amended to read:

(3) corporation, the residential endorsement holder must be an employee of the corporation, **an authorized** [A] member of the corporation's board of directors, or an officer of the corporation; [.]

12 AAC 21.690(b) is amended by adding a new paragraph to read:

(4) limited liability company, the residential endorsement holder must be an employee or an authorized member of the limited liability company.

(Eff. 10/15/2000, Register 156; am ____/____/_____, Register ____)

Authority: 08.18.025

The introductory language of 12 AAC 21.695(a) is amended to read:

(a) The department will renew a residential contractor endorsement that has been lapsed **for more than 30 days but not more than** two years [OR LESS] if the applicant for renewal submits

...

12 AAC 21.695(b)(3) is amended to read:

(3) verification that the applicant has obtained, within the 12 months immediately preceding the date of application for reinstatement, a score of at least 70 percent on the residential contractor **endorsement** examination administered by **PSI Services, LLC** [EXPERIOR ASSESSMENTS, LLC] or other examination approved by the department.

(Eff. 1/22/2004, Register 169; am ____ / ____ / _____, Register ____)

Authority: AS 08.01.080 AS 08.18.013 AS 08.18.025

AS 08.01.100

Editor's note: Information on the residential contractor examination referred to in 12 AAC 21.680 may be obtained from **PSI Services, LLC, East Tropicana, Las Vegas, Nevada 89121** [EXPERIOR ASSESSMENTS, LLC, 2100 NW 53RD AVENUE, GAINESVILLE, FLORIDA 32653]; telephone: **(800) 733-9267** [(800) 280-3926]; **e-mail: examschedule@psionline.com**; website: **www.psionline.com** [WWW.EXPERIORONLINE.COM].

12 AAC 21 is amended by adding a new Article to read:

Article 5. Handyman Contractor

Section

700. Handyman contractor

12 AAC 21.700. Handyman contractor. A contractor doing business as described in AS 08.18.071(b)(4), may apply for registration as a handyman contractor. A holder of a handyman contractor registration may

(1) only submit bids for or work on projects within the scope of a contractor as defined under AS 08.18.171(4);

(2) not perform or employ a person to perform activities requiring an electrical or mechanical administrator under AS 08.40;

(3) not perform or employ a person to perform activities requiring a residential endorsement under AS 08.18.025. (Eff. ____ / ____ / ____, Register ____)

Authority: AS 08.18.011 AS 08.18.013 AS 44.33.020

12 AAC 21.990 is repealed and readopted to read:

12 AAC 21.990. Definitions. Unless the context requires otherwise, in this chapter and for the purposes of AS 08.18

(1) “commissioner” means the commissioner of commerce, community, and economic development;

(2) “communications” means a system for transmitting or exchanging information, including telephones and computers;

(3) “construction contracting services” means individuals or businesses that as part of a construction contract agreement and for monetary compensation, provide services and oversight for constructing, or acts in any manner as a contractor as defined in AS 08.18.171(4).

(4) “department” means the Department of Commerce, Community, and Economic Development;

(5) “entity” has the meaning given in AS 10.55.901(14);

(6) “joint venture” means an association of two or more persons to carry out construction projects for profit, for which purpose they combine their property, money, efforts, skill, and knowledge;

(7) “negotiable security” means any written security which may be transferred by endorsement and delivery or by delivery only, so as to vest in the transferee the right to demand payment of the full value stated on the face of the security, and includes time certificates of deposit, bonds issued by governmental agencies and other similar instruments;

(8) “partnership” means a legal form of business ownership between two or more natural persons;

(9) “person” means an individual, a sole proprietor, a partnership, a corporation, a limited liability company, limited liability partnership, or limited partnership;

(10) “Uniform Mechanical Code” has the meaning given in 12 AAC 39.992(b).
(Eff. 7/2/77, Register 62; am 1/19/2002, Register 161; am ____/____/____, Register ____)

Authority: AS 44.33.020