

1 IN THE HOUSE

BY MR. GIERSDORF

2 HOUSE BILL NO. 390

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a board of plumbing
7 examiners; providing for the licensing of
8 master plumbers; providing fees and penal-
9 ties; providing for the adoption of a State
10 Plumbing Code; and providing for an
11 effective date."

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

13 Section 1. There is hereby created a Board of Plumbing
14 Examiners which shall consist of three members all of whom shall
15 be persons who are licensed master plumbers performing plumbing
16 work as herein after defined. The members of the board shall be
17 appointed by the Governor and confirmed by the Legislature for
18 staggered terms of three years, or until their successors are
19 appointed, and may be removed at the pleasure of the Governor.

20 Sec. 2. The board shall elect one of its members as chairman

21 Sec. 3. The board shall hold a regular annual meeting and
22 may hold special meetings at the call of the chairman of the board
23 with prior approval of the Governor. Two members shall constitute
24 a quorum. The board shall issue rules and regulations, subject
25 to the Administrative Procedure Act, relating to examination and
26 licensing of master plumbers and the suspension or revocation of
27 such licenses. Licensing examinations, under the supervision of
28 the chairman of the board or his designee, shall be conducted at
29 least two times during each year at any appropriate place in the

1 state.

2 Sec. 4. a. The term "master plumber" shall mean any person,
3 firm, partnership or corporation engaged in the business of, or
4 purporting to be engaged in the business of, installing or
5 repairing, or contracting to install or repair; any plumbing,
6 artificial gas, natural gas, liquified gas or fire sprinkler
7 piping systems; any water filters, water softeners, water meters,
8 gas meters, controls, regulating devices, fixtures and all
9 appliances that are integral parts of plumbing, gas, and related
10 piping systems in power plants, industrial plants, sewage disposal
11 plants, business buildings, public buildings, hotels, restaurants,
12 apartment buildings, homes and all outside plumbing and related
13 piping on private or public property either underground, on ground
14 or overhead for the transportation of all fluids and gases.

15 b. No person, firm, partnership or corporation shall act
16 as a "master plumber" in Alaska without first being licensed by
17 the board.

18 c. Application for a license, and supporting information,
19 shall be made and submitted in such form as the board shall pre-
20 scribe. Each applicant shall be examined to determine his know-
21 ledge of plumbing installations as well as his personal skill and
22 ability.

23 d. Each applicant, other than an individual, shall designate
24 a supervisory employee or member of the firm to take the required
25 examination, who shall be designated as a master plumber under
26 the license. No person may qualify as a master plumber under more
27 than one license. If the relationship of the master plumber with
28 the firm or corporation is severed or terminated, the license
29 shall become void within 30 days after the next meeting of the

1 board to hold examinations after such severance or termination.
2 Licenses issued hereunder shall be valid for one year after
3 issuance, unless sooner revoked or suspended as herein provided.
4 Licenses are non-transferable and may be renewed without further
5 examination upon appropriate application.

6 e. Each successful applicant for examination shall receive
7 an appropriate certificate of license, as shall be designed by
8 the board, which shall thereafter be prominently displayed, while
9 in effect, in the holders principal place of business in the
10 state. Each applicant shall pay an original license fee of
11 \$100.00, the fee for renewal shall be \$50.00.

12 f. Applicants who have been engaged in the plumbing con-
13 tracting business in Alaska for one year or more prior to the
14 effective date of this Act shall, upon satisfactory showing of
15 qualifications to the board, be licensed without examination.

16 Sec. 5. The Western Plumbing Officials Uniform Plumbing
17 Code and its included Fuel Gas Piping Code is hereby adopted by
18 the State of Alaska. All work of the plumbing industry described
19 in this Act, and examination of master plumbers herein provided
20 shall be under provisions of this code, which, upon passage of
21 this Act shall be in full force and effect within the State of
22 Alaska.

23 Sec. 6. The board may suspend or revoke any license upon a
24 finding that:

25 (1) The application therefor is fraudulent or misleading.

26 (2) The licensee has knowingly violated this Act or
27 any lawful rule, order or regulation of the board.

28 (3) The licensee is incompetent, or has engaged in
29 fraudulent practices.

1 Notice of any proposed suspension or revocation of license
2 shall be given in writing, stating the grounds therefor; all
3 proceedings shall be governed by the provisions of the Administra-
4 tive Procedure Act.

5 Sec. 7. The board may make or cause to be made any special
6 inspection or investigation into the work of any licensee which
7 may be deemed necessary, and shall have the power to issue sub-
8 poenas and process compelling the attendance of any person and
9 the production of any papers or books, for the purposes of such
10 investigation and examination, and shall have the power to admin-
11 ister oaths when required, and to petition any court of this
12 state to enforce such subpoenas and process or to compel such
13 testimony.

14 Sec. 8. Members of the board shall receive such payments,
15 per diem allowances and transportation expenses as are commensurate
16 with those allowed and paid members of other state examining and
17 licensing boards.

18 Sec. 9. The budgeting, clerical and recording functions of
19 the Board of Plumbing Examiners is assigned to the Department of
20 Labor.

21 Sec. 10. This Act shall not apply to plumbing construction
22 and maintenance where such systems are owned and operated by a
23 public service corporation or the steam, water, gas and sewer
24 system of a municipality and the work is performed by the employees
25 of that public utility or municipality. This Act shall not apply
26 to plumbing systems belonging to and maintained by railroads,
27 airlines, and steamship lines or to any business engaged solely
28 in the manufacture or repair of plumbing apparatus or equipment.
29 This Act shall not apply to any construction or work regulated

1 herein under the jurisdiction and ownership of the United States
2 of America.

3 Sec. 11. No persons shall be required to take an examination
4 or to obtain a master plumber's license to make plumbing installa-
5 tions or repairs on residential property which is owned by the
6 installer or a member of his immediate family and not at the time
7 of the work intended for sale.

8 Sec. 12. Any person or persons who shall violate any of the
9 provisions of this Act, or who shall knowingly violate any valid
10 rule, regulation or order of the board, shall be deemed guilty
11 of a misdemeanor, and open conviction thereof may be fined not
12 more than \$300.00, or may be imprisoned for not more than 60 days,
13 or may be both fined and imprisoned.

14 Sec. 13. The fact that any section, subsection, sentence,
15 clause or phrase of this Act is declared invalid for any reason,
16 shall not affect the remaining portion of this Act.

17 Sec. 14. This Act takes effect on the day after its passage
18 and approval or on the day it becomes law without such approval.

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