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IN THE HOUSE

BY MESSRS. CASHEL, DEVEAU, TAYLOR  
DITMAN, REED AND KENDALL

HOUSE BILL NO.156

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act establishing a board of plumbing examiners; providing for the licensing of master plumbers; providing fees and penalties; providing for the adoption of a State Plumbing Code; providing an appropriation; and providing for an effective date."

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

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

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

Sec. 3. The Board shall hold a regular annual meeting and may hold special meetings at the call of the chairman of the Board with prior approval of the Governor. Two members shall constitute a quorum. The Board shall issue rules and regulations, subject to the Administrative Procedure Act, relating to examination and licensing of master plumbers and the suspension or revocation of such licenses.

Licensing examinations under the supervision of the Chairman of the Board or his designee, shall be conducted at least two

1 times during each year at any appropriate place in the state.

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

14           b. No person, firm, partnership or corporation shall act as  
15 a "Master Plumber" in Alaska without first being licensed by the  
16 Board.

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

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

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

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

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

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

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

- 24 (1) The application therefor is fraudulent or misleading;  
25 (2) The licensee has knowingly violated this Act or  
26 any lawful rule, order or regulation of the Board; or  
27 (3) The licensee is incompetent, or has engaged in  
28 fraudulent practices.

29 Notice of any proposed suspension or revocation of license

1 shall be given in writing, stating the grounds therefor; all  
2 proceedings shall be governed by the provisions of the Administra-  
3 tive Procedure Act.

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

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

16 Sec. 9. a. The budgeting, clerical, inspections, and  
17 recording functions of the Board of Plumbing Examiners is assigned  
18 to the Department of Labor.

19 b. The Commissioner of Labor shall appoint two plumbing  
20 inspectors who shall have a minimum five years experience each in  
21 the plumbing field and who shall have been certified by the Board  
22 as qualified.

23 c. The inspectors shall certify to the Commissioner of Labor  
24 during the performance of their duties that each plumbing project  
25 subject to the provisions of this Act meet the specifications of  
26 Sec. 5.

27 d. The Commissioner of Labor may promulgate such rules and  
28 regulations as he may deem necessary to carry out the intent of  
29 this Act.

1           Sec. 10. This Act shall not apply to plumbing construction  
2 and maintenance where such systems are owned and operated by a  
3 public service corporation or the steam, water, gas and sewer  
4 system of a municipality and the work is performed by the employees  
5 of that public utility or municipality. This Act shall not apply  
6 to plumbing systems belonging to and maintained by railroads,  
7 airlines, and steamship lines or to any business engaged solely  
8 in the manufacture or repair of plumbing apparatus or equipment.  
9 This Act shall not apply to any construction or work regulated  
10 herein under the jurisdiction and ownership of the United States  
11 of America.

12           Sec. 11. No persons shall be required to take an examination  
13 or to obtain a Master Plumber's license to make plumbing installa-  
14 tions or repairs on residential property which is owned by the  
15 installer or a member of his immediate family and not at the time  
16 of the work intended for sale.

17           Sec. 12. Any person or persons who shall violate any of the  
18 provisions of this Act, or who shall knowingly violate any valid  
19 rule, regulation or order of the Board, shall be deemed guilty of  
20 a misdemeanor, and upon conviction thereof may be fined not more  
21 than \$300, or may be imprisoned for not more than 60 days, or may  
22 be both fined and imprisoned.

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

26           Sec. 14. The sum of \$30,000 is hereby appropriated out of  
27 monies in the general fund not otherwise appropriated to carry out  
28 the provisions of this Act.

29           Sec. 15. This Act takes effect on the day after its passage

1 and approval or on the day it becomes law without such approval.  
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