

1 IN THE HOUSE

BY COMMERCE AND LABOR COMMITTEE

2 CS FOR HOUSE BILL NO. 156

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SECOND LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act establishing a board of plumbing and  
7 gas piping examiners; providing for the  
8 licensing of master plumbers and gas fitters  
9 providing fees and penalties; providing for  
10 the adoption of a State Plumbing Code and  
11 State Gas Piping Codes; authorizing necessary  
12 rules and regulations; providing an appro-  
13 priation; and providing for an effective  
14 date."

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

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

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

26 Sec. 3. The Board shall hold a regular annual meeting and  
27 may hold special meetings at the call of the chairman of the Board  
28 with prior approval of the Governor. Two members shall constitute  
29 a quorum. The Board shall issue rules and regulations, subject

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1 to the Administrative Procedure Act, relating to examination and  
2 licensing of master plumbers and gas fitters and the suspension  
3 or revocation of such licenses.

4 Licensing examinations under the supervision of the Chairman  
5 of the Board or his designee, shall be conducted at least two  
6 times during each year at any appropriate place in the state.

7 Sec. 4. a. The term "Master Plumber" shall mean any person,  
8 firm, partnership or corporation engaged in the business of  
9 installing or repairing, or contracting to install or repair, any  
10 plumbing, any water filters, water softeners, water meters,  
11 fixtures and all appliances that are integral parts of plumbing,  
12 and related piping systems in power plants, industrial plants,  
13 sewage disposal plants, business buildings, public buildings,  
14 hotels, restaurants, apartment buildings, homes and all outside  
15 plumbing and related piping on private or public property either  
16 underground, on ground or overhead for the transportation of all  
17 fluids.

18 The term "Gas Fitter" shall mean any person, firm, partner-  
19 ship or corporation engaged in the business of installing or  
20 repairing, or contracting to install or repair, any gas piping for  
21 illuminating or fuel gas, or any gas burning devices, or metering,  
22 controlling or regulating devices connected thereto.

23 b. No person, firm, partnership or corporation shall act as  
24 a "Master Plumber" or "Gas Fitter" in Alaska without first being  
25 licensed by the Board; provided, however, this prohibition shall  
26 not apply to Gas Fitters acting as such within the corporate  
27 limits of a municipal corporation, when such municipal corporation  
28 has in effect a licensing procedure for Gas Fitters with standards  
29 for such licensing at least equal to those provided by this Act.

1           c. Application for a license, and supporting information,  
2 shall be made and submitted in such form as the Board shall pre-  
3 scribe. Each applicant shall be examined to determine his know-  
4 ledge of plumbing or gas piping installations as well as his  
5 personal skill and ability. No separate examination as gas fitters  
6 shall be required of applicants who are gas fitters licensed by  
7 a municipal corporation under any ordinance or ordinances thereof  
8 providing for a code or codes for gas fitters examination and for  
9 gas piping installations, when in the opinion of the Board, the  
10 standards established by such ordinance or ordinances are at least  
11 equal to those provided by this Act.

12           d. Each applicant, other than an individual, shall designate  
13 a supervisory employee or member of the firm to take the required  
14 examination, who shall be designated as a master plumber, or gas  
15 fitter under the license. No person may qualify as a master  
16 plumber or gas fitter under more than one license. If the rela-  
17 tionship of the master plumber, or gas fitter, with the firm or  
18 corporation is severed or terminated, the license shall become  
19 void within 30 days after the next meeting of the Board to hold  
20 examinations after such severance or termination. Licenses  
21 issued hereunder shall be valid for one year after issuance, unless  
22 sooner revoked or suspended as herein provided. Licenses are  
23 non-transferable and may be renewed without further examination  
24 upon appropriate application.

25           e. Each successful applicant for examination or for licensing  
26 without examination as a gas fitter, as provided in subsection (c)  
27 of this section, shall receive an appropriate certificate of  
28 license, as shall be designated by the Board, which shall there-  
29 after be prominently displayed, while in effect, in the holders

1 principal place of business in the state. Each applicant for a  
2 license as a master plumber shall pay an original license fee of  
3 \$100.00. The fee for renewal shall be \$50.00. Each applicant  
4 for a license as a gas fitter shall pay an original fee of \$25.00,  
5 and the annual renewal fee shall be \$10.00.

6 f. Applicants who have been engaged in the plumbing contract-  
7 ing business in Alaska for one year or more prior to the effective  
8 date of this Act shall, upon satisfactory showing of qualifications  
9 to the Board, be licensed as master plumbers without examination.

10 g. Applicants who have been engaged in the gas fitting busi-  
11 ness in Alaska for one year prior to the effective date of this  
12 Act shall, upon satisfactory showing of qualifications to the  
13 Board, be licensed without examination.

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

21 The American Standard Installation of Gas Appliances and  
22 Gas Piping Code, 1959 (ASA Z21.30-1959) including the appendices,  
23 and the American Standard Installation of Domestic Gas Conversion  
24 Burners, 1958 (ASA Z21.8-1958) are hereby adopted by the State of  
25 Alaska as the law governing installations of gas piping and other  
26 installations, described and defined in said Codes, within the  
27 corporate boundaries of municipal corporations and public utility  
28 districts and, except as hereinafter provided, outside the said  
29 corporate boundaries; provided, however, installations made

1 outside said corporate boundaries in accordance with National Fire  
2 Bureau of Underwriters Pamphlet 58 shall also be held to be in  
3 conformity with this Act. Said National Fire Bureau of Under-  
4 writers Pamphlet 58 is hereby adopted as the law of Alaska governing  
5 such installations outside said corporate limits, only.

6 Sec. 6. The Board may suspend or revoke any license upon  
7 finding that:

8 (1) The application therefor is fraudulent or mis-  
9 leading;

10 (2) The licensee has knowingly violated this Act or  
11 any lawful rule, order or regulation of the Board; or

12 (3) The licensee is incompetent, or has engaged in  
13 fraudulent practices.

14 Notices of any proposed suspension or revocation of license  
15 shall be given in writing, stating the grounds therefor; all pro-  
16 ceedings shall be governed by the provisions of the Administrative  
17 Procedure Act.

18 Sec. 7. The Board may make or cause to be made any special  
19 inspection or investigation into the work of any licensee which  
20 may be deemed necessary, and shall have the power to issue sub-  
21 poenas and process compelling the attendance of any person and the  
22 production of any papers or books, for the purpose of such  
23 investigation and examination, and shall have the power to admin-  
24 ister oaths when required, and to petition any court of this  
25 state to enforce such subpoenas and process or to compel such  
26 testimony.

27 Sec. 8. Members of the Board shall receive such payments,  
28 per diem allowances and transportation expenses as are commensurate  
29 with those allowed and paid members of other state examining and

1 licensing boards.

2       Sec. 9. a. The budgeting, clerical, inspections, and  
3 recording functions of the Board of Plumbing and Gas Piping  
4 Examiners is assigned to the Department of Labor.

5       b. The Commissioner of Labor shall appoint two plumbing  
6 inspectors who shall have a minimum of five years experience each  
7 in the plumbing field and who shall have been certified by the  
8 Board as qualified. The Commissioner of Labor shall be authorized  
9 to appoint, if required, two gas piping inspectors who have  
10 qualified as gas fitters under this Act.

11       c. The inspectors shall certify to the Commissioner of Labor  
12 during the performance of their respective duties that each  
13 plumbing project and each gas piping project subject to the pro-  
14 visions of this Act meet the specifications of Sec. 5.

15       d. The Commissioner of Labor may promulgate such rules and  
16 regulations as he may deem necessary to carry out the intent of  
17 this Act.

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

1           Sec. 11. No persons shall be required to comply with any  
2 provisions of this Act or to take an examination or to obtain a  
3 Master Plumber's or Gas Fitter's license to make plumbing or gas  
4 piping installations or repairs on residential property which is  
5 owned by the installer or a member of his immediate family and not  
6 at the time of the work intended for sale.

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

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

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