

Introduced: 2/27/73
Referred: Labor & Management
and Finance

1 IN THE HOUSE

BY THE LABOR AND MANAGEMENT
COMMITTEE

2 HOUSE BILL NO. 274

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 EIGHTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act creating the Board of Plumbing Examiners."

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

8 * Section 1. AS 08 is amended by adding a new chapter to read:

9 CHAPTER 11. BOARD OF PLUMBING EXAMINERS

10 ARTICLE 1. BOARD OF PLUMBING EXAMINERS.

11 Sec. 08.11.010. CREATION AND MEMBERSHIP OF BOARD OF PLUMBING
12 EXAMINERS. There is created a Board of Plumbing Examiners consisting
13 of five members.

14 Sec. 08.11.020. QUALIFICATION OF BOARD MEMBERS. Each member of
15 the board shall be a citizen of the United States and a resident of the
16 state. Two members shall be qualified plumbing contractors with at
17 least 10 years practical experience; two members shall be qualified
18 journeymen plumbers with at least five years practical experience, and
19 one member shall be from the public at large.

20 Sec. 08.11.030. APPOINTMENT AND TERM OF OFFICE. Board members
21 are appointed and serve at the pleasure of the governor. Board members
22 shall hold office for terms of three years. However, of the members
23 first appointed, one shall be appointed for a term of one year; two for
24 two years; and two for three years.

25 Sec. 08.11.040. MEETINGS. The board shall meet at least once
26 each year.

27 Sec. 08.11.050. POWERS AND DUTIES. (a) The board shall:

28 (1) promulgate regulations to establish uniform criteria for
29 the licensing of plumbers;

1 (2) develop, designate, and administer examinations to
2 determine the competency and knowledge of persons doing plumbing and
3 drainage work;

4 (3) issue a certificate to persons who successfully complete
5 designated examinations.

6 (b) The board shall compile, once each year, a roster showing the
7 name, registration number and last known address of all registered
8 plumbers. The roster shall be placed on file with the lieutenant
9 governor and upon request may be distributed or sold to the public.

10 (c) It shall be the duty of the board to notify each applicant for
11 examination, the time and place of examination, at least 15 days prior
12 to the examination.

13 Sec. 08.11.060. POWER OF BOARD TO ADOPT SEAL. The board shall
14 adopt a seal and affix it to all certificates issued.

15 Sec. 08.11.070. APPLICABILITY OF ADMINISTRATIVE PROCEDURE ACT.
16 The board shall comply with the Administrative Procedure Act (AS 44.62).

17 ARTICLE 2. EXAMINATION AND CERTIFICATE.

18 Sec. 08.11.080. CERTIFICATE REQUIRED. No person may engage in the
19 trade of plumbing in the capacity of journeyman plumber without first
20 having had issued to him a valid journeyman plumber's certificate by
21 the Board of Plumbing Examiners.

22 Sec. 08.11.090. EXEMPTIONS. This chapter shall not apply to:

23 (1) an authorized representative of the United States gov-
24 ernment or the state;

25 (2) a person working on his own property, whether occupied by
26 him or not, which is not intended for sale at the time of making the
27 installation;

28 (3) an owner of commercial property who uses his own employees
29 to do maintenance, repair and alteration work upon that property;

1 (4) a person performing construction work incidental to
2 farming, dairying, agriculture, horticulture, stock and poultry raising,
3 mining, logging or fishing, providing the plumbing installations are
4 made to conform with the recommendations of the appropriate local or
5 district board of health and AS 18.60.705 - 18.60.740.

6 Sec. 08.11.100. APPLICATION FOR CERTIFICATE. A person who is
7 required by sec. 80 of this chapter to possess a plumber's certificate
8 shall make application on a form prescribed by the board.

9 Sec. 08.11.110. QUALIFICATION FOR CERTIFICATE. An applicant
10 shall be issued a certificate to engage in the trade of journeyman
11 plumber if he:

12 (1) is a citizen of the United States or is a resident alien
13 in the United States who intends to become a citizen of the United
14 States;

15 (2) is of good moral character;

16 (3) can show proof of a minimum of five years as an apprentice
17 plumber or a minimum of five years of continuous experience in the trade
18 of plumbing; and

19 (4) has successfully completed an examination as certified
20 by the board.

21 Sec. 08.11.120. CHARACTER OF EXAMINATION. The board shall deter-
22 mine the character and extent of the examinations.

23 Sec. 08.11.130. EXAMINATION WAIVER. The board may issue a
24 certificate to any person who submits an application, pays the required
25 fees and possesses and presents to the board a valid journeyman plumber's
26 certificate of competency issued to him by any plumber's examining agency
27 giving an examination, the scope and character of which, in the opinion
28 of the board, is at least equal to that given by the Board of Plumbing
29 Examiners.

1 Sec. 08.11.140. RE-EXAMINATION. A person who fails to pass the
2 examination as prescribed by the board, may upon payment of an
3 additional fee prescribed by the board, apply for re-examination after
4 the expiration of 30 days. Should the applicant fail to pass the second
5 time, the board may refuse a third application for six months.

6 Sec. 08.11.150. EXPIRATION OF CERTIFICATE. Every certificate
7 shall remain in force and effect until its expiration date unless
8 canceled or revoked. Certificates shall expire biennially on a date
9 set by the Department of Commerce. Notice at least 60 days prior to
10 expiration of a certificate shall be given to each certificate holder
11 by sending a notice of expiration to his last known address.

12 Sec. 08.11.160. FEES. (a) Every person applying for a plumber's
13 certificate shall pay to the Department of Commerce, at the time he
14 makes application, the sum of \$40.

15 (b) All certificates except certificates which have been canceled
16 or revoked, may be renewed upon request and payment of the required fee.
17 If a renewal of a certificate is requested and the required fee is paid
18 within 30 days of the expiration date of the certificate, the renewal
19 fee is \$20. If a renewal is requested and the required fee is paid
20 more than 30 days but less than 90 days after the expiration date of the
21 certificate, the renewal fee is \$40. No certificate may be renewed
22 more than 90 days after expiration of the certificate.

23 Sec. 08.11.170. REVOCATION OF CERTIFICATE. (a) The board may
24 revoke a certificate upon finding that

- 25 (1) the application is fraudulent or misleading;
26 (2) the licensee has knowingly violated this chapter or a
27 lawful order or regulation of the board;
28 (3) the licensee is incompetent in matters relevant to his
29 certificate.

1 (b) Notice of proposed revocation of a certificate shall be given
2 in writing, stating the grounds.

3 (c) Proceedings for the revocation of a certificate shall be
4 governed by the Administrative Procedure Act (AS 44.62).

5 (d) If a person's certificate is revoked, another certificate may
6 not be granted to that person within 12 months of the date of revoca-
7 tion.

8 Sec. 08.11.180. CERTIFICATE NONTRANSFERABLE. Certificates are
9 not transferable from one person to another. The use of another's
10 certificate with his knowledge is cause for revocation of the certifi-
11 cate.

12 ARTICLE 3. UNLAWFUL ACT AND PENALTIES.

13 Sec. 08.11.210. VIOLATION OF SEC. 80 OF THIS CHAPTER. A person
14 who violates sec. 80 of this chapter is guilty of a misdemeanor and
15 upon conviction is punishable by a fine of not more than \$1,000 or by
16 imprisonment for not more than six months, or both.

17 Sec. 08.11.220. FRAUDULENT CERTIFICATES. A person who obtains or
18 attempts to obtain a certificate by dishonest or fraudulent means, or
19 who forges, counterfeits or fraudulently alters a certificate, is
20 punishable by a fine of not more than \$1,000 or by imprisonment for not
21 more than six months, or both.

22 ARTICLE 4. GENERAL PROVISIONS

23 Sec. 08.11.230. DEFINITIONS. In this chapter

24 (1) "board" means the Alaska State Board of Plumbing
25 Examiners;

26 (2) "certificate" means a Plumber's Certificate of Qualifi-
27 cation;

28 (3) "plumber" means a qualified workman who has completed his
29 apprenticeship, supervises, engages in or works at the actual

1 installation, alteration, repairs, and renovating of plumbing and who
2 has successfully fulfilled the examinations and requirements of the
3 Board of Plumbing Examiners.

4 * Sec. 2. AS 08.01.010 is amended by adding a new subsection to read:

5 (19) Board of Plumbing Examiners.
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