

Introduced: 2/18/75
Referred: Labor & Management
and Commerce

1 IN THE HOUSE

BY MCKINNON

2 CS HOUSE BILL NO. 174 (Comm) am

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH 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 of
13 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 least
17 10 years practical experience; two members shall be qualified journeymen
18 plumbers with at least five years practical experience, and one member
19 shall be from the public at large.

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

25 Sec. 08.11.040. MEETINGS. The board shall meet at least once each
26 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 deter-
2 mine the competency and knowledge of persons doing plumbing and drainage
3 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 is the duty of the board to notify each applicant for
11 examination the time and place of examination at least 15 days before the
12 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. The
16 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 the
21 Board of Plumbing Examiners.

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

23 (1) an authorized representative of the United States govern-
24 ment 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; however, the plumbing installations shall be
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 shall
10 be issued a certificate to engage in the trade of journeyman plumber if
11 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 States;

14 (2) is of good moral character;

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

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

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

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

28 Sec. 08.11.140. RE-EXAMINATION. A person who fails to pass the
29 examination as prescribed by the board, may upon payment of an additional

1 fee prescribed by the board, apply for re-examination after the expira-
2 tion of 30 days. If the applicant fails to pass the second time, the
3 board may refuse a third application for six months.

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

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

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

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

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

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

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

3 (d) If a person's certificate is revoked, another certificate may
4 not be granted to that person within 12 months of the date of revocation.

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

8 ARTICLE 3. UNLAWFUL ACT AND PENALTIES.

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

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

18 ARTICLE 4. GENERAL PROVISIONS.

19 Sec. 08.11.230. DEFINITIONS. In this chapter

20 (1) "board" means the Board of Plumbing Examiners;

21 (2) "certificate" means a plumber's certificate of qualifica-
22 tion;

23 (3) "plumber" means a qualified workman who has completed his
24 apprenticeship, supervises, engages in or works at the actual installa-
25 tion, alteration, repairs, and renovating of plumbing and who has
26 successfully fulfilled the examinations and requirements of the board.

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

28 (20) Board of Plumbing Examiners.
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