

SB180 INTRODUCED



1 SB180

2 M36Z11H-1

3 By Senator Gudger

4 RFD: Fiscal Responsibility and Economic Development

5 First Read: 29-Feb-24



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SYNOPSIS:

Under existing law, the State of Alabama Plumbers and Gas Fitters Examining Board is responsible for certifying and regulating plumbers, gas fitters, and medical gas piping fitters in this state.

This bill would increase the compensation of board members from \$200 to \$750 for each day spent in active service for the board.

This bill would provide for the annual transfer of a certain portion of each registration and certification fee collected during a fiscal year to the nonprofit Alabama Home Builders Foundation to be used exclusively for classroom training tools at educational facilities providing plumbing and gas fitting curriculums.

This bill would also permit certified plumbers, gas fitters, and medical gas piping fitters, deemed qualified by the board, to perform certain electrical work required to energize the equipment being installed, serviced, or repaired on one-family and two-family dwellings.

A BILL
TO BE ENTITLED



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AN ACT

Relating to the State of Alabama Plumbers and Gas Fitters Examining Board; to amend Sections 34-37-4, 34-37-5, and 34-37-6, Code of Alabama 1975, to increase the compensation of board members; to provide for the transfer of a portion of each registration and certification fee annually to the nonprofit Alabama Home Builders Foundation for training and educational programs; and to permit certified plumbers, gas fitters, and medical gas piping fitters, deemed qualified by the board, to perform certain limited electrical work required to energize equipment being installed, serviced, or repaired on one-family and two-family dwellings.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-37-4, 34-37-5, and 34-37-6 of the Code of Alabama 1975, are amended to read as follows:

"§34-37-4

(a) The board shall meet when necessary for the proper performance of its duties, but in no case less than once a year. Meetings shall be held at places in the state as the board deems necessary. At its first meeting ~~next~~ following May 2, 1989, and every two years thereafter, the board shall organize itself by electing from its membership a chair, ~~vice-chair~~ vice chair, and a recording secretary. The board shall appoint, employ, or contract with an executive director for the board, and may appoint, employ, or contract with a deputy director, neither of whom shall be subject to the state Merit System. The executive director shall serve as treasurer



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57 of the board, ~~but~~ and the deputy director may serve as
58 treasurer of the board in the absence of the executive
59 director or when otherwise directed by the board. The
60 executive director and the deputy director shall not be a
61 member of the board and shall not be engaged in or otherwise
62 connected with the plumbing or gas fitting industry. The board
63 shall set the compensation of the executive director and the
64 deputy director in accordance with ~~regulations~~ rules of the
65 State Personnel Board. Four members of the board shall
66 constitute a quorum for transacting business. ~~Each~~ Commencing
67 on October 1, 2024, each member of the board shall receive as
68 compensation for services the sum of ~~two hundred dollars~~
69 ~~(\$200)~~ seven hundred fifty dollars (\$750) per day for each day
70 spent in active service for the board. In addition to per diem
71 compensation, each board member shall be reimbursed for any
72 necessary expense incurred in performing duties as a board
73 member. The expenses allowable to each board member shall not
74 exceed the per diem amount of state travel expenses allowed by
75 law, ~~from time to time,~~ for state employees traveling on state
76 business. Employees of the board shall also be entitled to
77 reimbursement for traveling expenses incurred when traveling
78 on official board business at the same rate as provided for
79 state employees traveling on state business. The board may
80 employ or contract for stenographic or clerical help and
81 compliance officers when needed, and may purchase necessary
82 office supplies, equipment, and services.

83 (b) The compensation and expense provided for in this
84 section, and all other authorized expenses, shall be payable



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85 solely from fees collected by or on behalf of the board. In no
86 event shall any expense incurred by the board be charged
87 against any funds of ~~the State of Alabama~~ this state other
88 than the funds collected under this chapter."

89 "§34-37-5

90 (a) There is established a separate special revenue
91 trust fund in the State Treasury to be known as the State of
92 Alabama Plumbers and Gas Fitters Examining Board Fund. All
93 receipts collected by the board under this chapter shall be
94 deposited in this fund and used only to carry out this
95 chapter. The fund shall be disbursed only by warrant of the
96 ~~state~~ Comptroller upon the State Treasury upon itemized
97 vouchers approved by the executive director of the board or,
98 in the absence of the executive director, by the deputy
99 director. No funds shall be withdrawn or expended except as
100 budgeted and allotted according to ~~Sections 41-4-80 to~~
101 ~~41-4-96, inclusive, as amended,~~ Article 4 of Chapter 4 of
102 Title 41, and only in amounts as stipulated in the general
103 appropriation bill or other appropriation bills. All money
104 remaining at the end of the fiscal year which exceeds 25
105 percent of the board's budget for the previous year, and an
106 amount equating to thirty-three cents (\$0.33) of each
107 registration and certification fee collected during that
108 fiscal year, shall be transferred to the 501(c)(3) nonprofit
109 Alabama Home Builders Foundation to be used exclusively for
110 classroom training tools at educational facilities that
111 provide plumbing and gas fitting curriculums to include any
112 program approved or accredited by ~~the State of Alabama~~ this



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113 state, the United States federal government, or the board. If
114 at any time the Alabama Home Builders Foundation ~~should lose~~
115 loses its nonprofit status, those funds shall be transferred
116 to the State General Fund.

117 (b) The executive director and the deputy director of
118 the board ~~shall~~, before entering upon the duties of their
119 office, shall make and file with the Secretary of State an
120 official bond in the sum of five thousand dollars (\$5,000),
121 unless covered by the state blanket bond. The appropriate
122 premiums on the bond shall be paid out of the funds of the
123 board, and the bond shall be executed by an approved bonding
124 fidelity or guaranty company qualified to do business in
125 ~~Alabama~~ this state and acceptable to the Secretary of State."

126 "§34-37-6

127 (a) It shall be unlawful for any person or other legal
128 entity to contract, engage in, offer to engage, or convey the
129 impression that he or she is certified in plumbing, gas
130 fitting, or medical gas piping within this state unless the
131 person has first registered or received a certificate of
132 competency, ~~hereinafter~~ referred to as "certificate," that is
133 in force and effect at the time the plumbing, gas fitting, or
134 medical gas piping is offered, performed, directed, or
135 superintended, except as ~~hereinafter~~ provided in this section.

136 (b) The board shall register all legal entities
137 engaging in, or offering to engage in, plumbing, gas fitting,
138 or medical gas piping in this state upon forms provided by the
139 board, and upon the applicant first paying all prescribed
140 fees. Disciplinary action for the registered legal entities



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141 may be the same as for certified individuals engaged in
142 plumbing, gas fitting, or medical gas piping.

143 (c) The business name that is registered with the board
144 for each legal entity engaged in plumbing, gas fitting, or
145 medical gas piping shall be displayed in a prominent manner on
146 two sides of each service or construction vehicle. The
147 lettering shall be a minimum of two inches in height.

148 (d) The board shall register every person who may apply
149 for an apprentice plumber or gas fitter registration
150 certificate upon forms provided by the board, upon the
151 applicant first paying all prescribed fees.

152 (e) The board shall examine and pass upon the
153 qualification of every person who applies for a journeyman
154 plumber or gas fitter certificate upon forms provided by the
155 board.

156 (1) An applicant for examination for a journeyman
157 plumber or gas fitter certificate shall submit proof that the
158 applicant has two years of current work experience as an
159 apprentice plumber or gas fitter or has completed an
160 apprentice training program approved by the board.

161 (2) Applicants for journeyman plumber or gas fitter
162 shall be examined upon, orally or in writing, or otherwise
163 demonstrate, by a board approved method, the fundamentals of
164 plumbing or gas fitting, the theory and practice of plumbing
165 installation and construction or gas fitting work, and the
166 experience and ability of the applicant in practical plumbing
167 installation and construction or gas fitting work.

168 (3) If the applicant is found to possess an accurate



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169 knowledge of the theory and correct practice of plumbing
170 installation and construction or gas fitting work, and
171 sufficient experience and ability in plumbing installation and
172 construction or gas fitting work to safely and competently
173 apply that knowledge and practice, the board shall issue a
174 certificate, upon the applicant first paying all prescribed
175 fees.

176 (4) The examination shall be administered by an
177 independent examining agency.

178 (f) The board shall examine and pass upon the
179 qualifications of every person who applies for a master
180 plumber or master gas fitter certificate upon forms provided
181 by the board.

182 (1) Applicants for examination for a master plumber
183 certificate shall submit proof to the board that the applicant
184 has at least one year of current work experience as a
185 journeyman plumber.

186 (2) Applicants for examination for a master gas fitter
187 certificate shall submit proof to the board that the applicant
188 has at least one year of current work experience as a
189 journeyman gas fitter.

190 (3) An applicant for a master certificate shall be
191 examined upon knowledge, training, and ability, in the
192 planning, laying out, and supervision of plumbing installation
193 and construction work or gas fitting work, and if found to
194 possess those qualifications, the applicant shall be issued a
195 master plumber or gas fitter certificate by the board upon the
196 applicant first paying all prescribed fees.



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197 (4) The examination shall be administered by an
198 independent examining agency.

199 (g) No person shall be issued a certificate without
200 passing the prescribed examination. A person who has passed
201 the examination must become certified within 90 calendar days
202 and shall not be required to take the examination thereafter
203 in order to secure a certificate in subsequent years. An
204 individual who passes the examination but fails to become
205 certified within 90 calendar days shall be required to retake
206 the examination. At least four examinations per year shall be
207 conducted, at a time and place prescribed by the board after
208 reasonable notice.

209 (h) Any master plumber, master gas fitter, journeyman
210 plumber, journeyman gas fitter, apprentice plumber, or
211 apprentice gas fitter performing medical gas piping shall
212 provide proof to the board that he or she has successfully
213 completed a current medical gas piping certification program
214 approved by the board.

215 (i) In the event the Governor or the Legislature
216 declares a state of emergency, the board may issue an
217 emergency certificate of endorsement for the performance of
218 plumbing work or gas work in the impacted area to any
219 applicant who holds a current out-of-state license that is in
220 good standing. The board may adopt rules to implement this
221 section. Emergency certificates of endorsement shall be valid
222 for the duration of the declared emergency, but in no case
223 more than 60 days.

224 (j) Any master plumber, master gas fitter, journeyman



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225 plumber, or journeyman gas fitter, who is determined qualified
226 by the board, may perform all related electrical connections
227 required to energize equipment being installed, serviced, or
228 repaired including, but not limited to, the installation of
229 electrical conductors from the electrical distribution panel
230 or disconnecting means to the equipment being installed in a
231 one-family or two-family dwelling. For the purposes of this
232 subsection, "qualified" means trained and knowledgeable in the
233 construction, operation, and maintenance of electrical
234 equipment and work methods and able to identify and avoid
235 possible electrical hazards."

236 Section 2. This act shall become effective on October
237 1, 2024.