

SB180 INTRODUCED



1 SB180
2 M36Z11H-1
3 By Senator Gudger
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 29-Feb-24



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

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



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

"§34-37-5

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



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

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

"§34-37-6

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

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



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

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

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

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

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

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

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



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

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

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

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

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

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



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

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

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

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

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



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

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