

# MAINE STATE LEGISLATURE

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# EIGHTY-FIFTH LEGISLATURE

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**Legislative Document**

**No. 505**

H. P. 984                      House of Representatives, Feb. 11, 1931.

Referred to Committee on Public Health and 500 copies ordered printed. Sent up for concurrence.

CLYDE R. CHAPMAN, Clerk.

Presented by Mr. Biddle of Portland.

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## STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THIRTY-ONE

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AN ACT to Create a Board of Registration of Plumbers.

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Be it enacted by the People of the State of Maine, as follows:

Section 1. Definitions of a master plumber and a journeyman plumber. A master plumber is hereby defined to be a person who assumes responsible charge and direction of other persons in the installation of plumbing and drainage and is skilled in the planning, superintending and the practical installation of plumbing and drainage.

A journeyman plumber is hereby defined to be a person who performs the work of installing plumbing and drainage under the direction of a master plumber.

Any person who assumes responsible charge and direction of other persons in the installation of plumbing and drainage, and who employs for gain or reward a person not registered, as provided herein, to perform and install plumbing and drainage, shall be guilty of violating the provisions of this act and shall be punishable under the terms thereof. Provided, however, the provisions of this act shall not apply to anyone who is employed as or acting as a maintenance man by any person, firm or corporation, and who does not practice as his principal trade or business the occupation of a journeyman plumber; and, provided further, the provisions of this act shall not apply to persons employed by any water company or water district

in the laying, maintenance and operations of its water mains and other appurtenances in the conduct of its business.

An owner shall be permitted personally to install plumbing in his own building without the license required under the conditions of this act. All plumbing installed by the owner shall comply with the requirements of the rules and regulations of the state department of health.

Sec. 2. Appointment of board of registration of master plumbers and journeymen plumbers; vacancies; removal of members. There shall be a board of registration of plumbing consisting of three members; the director of the division of sanitary engineering of the state department of health shall be a member ex-officio, and the executive officer of said board; two other members, one of whom shall be a master plumber as defined in this act, and who has been engaged in the plumbing business for at least five years, and the other a journeyman plumber as defined in this act, and who has worked at least two years as such, shall be appointed by the governor with the advice and consent of the council. One of said appointive members shall be appointed for a term of three years, and one for a term of two years. Thereafter as the terms of said appointive members expire, new members shall be appointed for terms of three years. Any vacancy in said board caused by the death, resignation or removal of any member shall be filled by the appointment of a person qualified as aforesaid, to hold office during the unexpired term of the member whose place is thus filled. Any member of said board may be removed from office for cause, by the governor with the advice and consent of the council.

Sec. 3. Meetings for choice of officers; regular meetings; seal. The board of registration of plumbing shall hold regular meetings semi-annually and shall hold additional meetings at such other times as they shall determine by their rules, or upon request of any two members. Said board shall cause a seal to be engraved and shall keep correct records of all its proceedings, and make such rules and regulations as it shall deem necessary for the successful enforcement of its authority and for the performance of its duties.

Sec. 4. Registration of master plumbers. Any person shall, upon the payment of a fee of twenty-five dollars, be entitled to examination, and if found qualified by a majority of the

members of the board present shall be registered as a master plumber, and shall receive a certificate thereof under the seal of the board, and signed by the executive officer, which shall state the facts and which must be publicly displayed at the principal place of business of said master plumber as long as said person continues in the business as herein defined. Any person refused registration may be re-examined at the next regular meeting of said board for examinations, without additional fee and thereafter may be examined as often as he may desire upon payment of the fee of twenty-five dollars for each examination.

Sec. 5. Registration of journeymen plumbers. Any person shall, upon payment of a fee of five dollars, be entitled to examination and if found qualified by a majority of the members of the board present shall be registered as a journeyman plumber, and shall receive a certificate thereof under the seal of the board, and signed by the executive officer, which shall state the facts, and which shall be carried on the person and displayed at any time upon request. Any journeyman plumber refused registration may be re-examined at the next regular meeting of said board for examinations, without additional fee and thereafter may be examined as often as he may desire upon payment of the fee of five dollars.

Sec. 6. All applicants shall be examined for registration; exceptions; qualifications of applicants; conduct of examinations; rules for reciprocity of licensing with boards of other states. The board may without examination, and upon the payment of the required fee, issue a license as a master plumber or journeyman plumber to any applicant therefor who shall present satisfactory evidence that he has the qualifications of a master plumber or journeyman plumber and was engaged in the business of plumbing in the state of Maine at the time of the approval of this act. Each applicant for registration, other than as above provided, shall present to the secretary of the board on blanks furnished by the board, a written application for examination and license, containing such information as the board may require, accompanied by the fee provided for in sections four and five. Examinations shall be in whole or in part in writing and shall be of a thorough and practical character. They shall cover the theoretical and practical nature of plumbing and such branches thereof

as the board may deem necessary. The board may make such rules and regulations as may be necessary for reciprocity of licensing with the boards of other states which maintain standards at least equal to this state.

Sec. 7. Renewal of licenses. All licenses issued as aforesaid shall expire on the last day of the calendar year in which issued, and they may be renewed thereafter for periods of one year without further examination on payment of a fee of ten dollars for a master plumber and one dollar for a journeyman plumber. It shall be the duty of the executive officer of the examining board to notify all master and journeyman plumbers holding certificates giving them thirty days notice prior to the expiration of the certificate; if the certificate is not renewed within the expiration of the thirty days, it shall become void and they shall be required to pay the full fee as though they had never been registered and may at the discretion of the board be required to take an examination.

Sec. 8. Corporations and partnerships may be licensed. The board may issue its license to corporations and partnerships engaged in the plumbing business and applying therefor provided that one or more officers of any such corporation directly in charge of the business affairs of such corporation, or one member of such partnership directly in charge of the business affairs, apply for the examinations hereinbefore provided and satisfy the board of their qualifications as master plumbers.

Sec. 9. Record kept which shall be open to inspection; annual report. The board shall keep a record of the names and residences of all persons registered hereunder and a record of all moneys received and disbursed by it, and said records or duplicates thereof shall always be open to inspection. Said board shall annually on or before the first day of January in each year, make a report to the governor containing a full and complete account of all its official acts during the preceding year, and a statement of its receipts and disbursements and such recommendations or suggestions as it may deem essential.

Sec. 10. Investigation of complaints; license may be revoked. The board shall investigate all complaints made to it and all cases of non-compliance with or violation of the provisions of this act and shall bring all such cases to the

notice of the proper prosecuting officers. The board, after a conviction for crime in the course of plumbing business of any person, firm or corporation, to whom a certificate has been issued by them, and after hearing, may by vote of two-thirds of the board revoke the certificate and cancel the registration of the person, firm or corporation to whom the same was issued. Said board may also suspend or revoke any certificate by a two-thirds vote of the entire board, in any case where such certificate has been wrongfully obtained or for any fraud connected with the said registration.

Sec. 11. No person shall do plumbing who has not been registered; penalty for violation. Unless duly registered by said board, no person, firm or corporation shall engage in the business of a master plumber or journeyman plumber as hereinbefore defined or any branch thereof. Whoever not being duly registered by said board engages in the business of a master plumber or journeyman plumber contrary to the provisions of this act shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars for each offense, or by imprisonment for three months, or by both said fine and imprisonment.

Sec. 12. Employees. The board shall be empowered to appoint and remove such employees as it shall deem necessary and to fix their compensation within the limitations of the appropriations therefor.

Sec. 13. Compensation and traveling expenses of the board. The executive officer of the board shall receive an annual salary not to exceed eight hundred dollars as shall be approved by the governor and council, for the additional duties created by this act. Appointive members of the board shall be paid five dollars per day and their actual expenses while actually engaged on business of the board. Bills for such compensation as well as for incidental and traveling expenses of the board shall be approved by the executive officer, audited by the state auditor, and paid by the state treasurer.

Sec. 14. Disposal of fees. All fees received by the board shall be paid by the executive officer thereof into the treasury of the state, which shall be maintained as a permanent fund, and is hereby appropriated to carry out the provisions of this act.

Sec. 15. Reports on fixtures set up, etc., to superintendents of water district or company. Every master plumber, who shall set up or cause to be set up any pipes or fixtures for the use of water from water works in the state, whether owned by a city, town, municipal or private corporation, or shall make or cause to be made additions to or alterations of any pipes or fixtures of said water works, shall between the first and tenth days of the succeeding month after the same shall be completed fill out and return to the superintendent of the water works on which such work or alterations are made on blanks furnished by said water company and approved by the board of registration, a report stating particularly what new pipes and fixtures he has set up or caused to be set up, and what additions and alterations he has made or caused to be made upon or to those previously set up, describing all fixtures, both new or old, for the use of water on the premises.

Sec. 16. Suspension of registration and penalty for misrepresentation. For any misrepresentation or omission in the report of the work done, such master plumber shall be liable, if registered, to have his or its registration suspended or revoked by the board.

Sec. 17. Provisions in city charters not affected. The two preceding sections shall not affect any provisions in city charters and ordinances inconsistent therewith.

Sec. 18. Sections one hundred twenty-five, one hundred twenty-six, one hundred twenty-seven, one hundred twenty-eight and one hundred twenty-nine of chapter twenty-two of the revised statutes of nineteen hundred and thirty are hereby expressly repealed, and so much of sections one hundred eighteen, one hundred nineteen, one hundred twenty, one hundred twenty-one, one hundred twenty-two, one hundred twenty-three and one hundred twenty-four of chapter twenty-two of the revised statutes of nineteen hundred thirty as are inconsistent with the provisions of this act are hereby repealed.