

MAINE STATE LEGISLATURE

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E I G H T Y - E I G H T H L E G I S L A T U R E

Legislative Document

No. 842

H. P. 1730

House of Representatives, March 17, 1937.

Reported by Mr. Everett from Committee on Public Health and laid on table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT Relating to Plumbing.

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

Sec. 1. P. L., 1933, c. 1, § 180, amended. Section 180 of chapter 1 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 180. Plumbers. ~~In water districts and in cities and towns which own and control municipal water works, either by direct ownership of the plant or by ownership of the majority of the stock thereof, No plumbing shall hereafter be done for compensation, except as hereinafter provided, on any pipes or fixtures for the use of water from such water works, unless done by a plumber or other person licensed by the trustees of such district, or the board of water commissioners of such cities, or the municipal officers of such towns. Said trustees, commissioners, and municipal officers are hereby authorized to grant and revoke licenses plumbing examining board hereafter created.'~~

Sec. 2. P. L., 1933, §§ 181, 182, and 183, repealed. Sections 181, 182, and 183 of chapter 1 of the public laws of 1933 are hereby repealed and the following sections are enacted in place thereof:

'Sec. 181. Definitions. The following words and phrases when used in this act shall be construed as follows:

1. A "master plumber" shall mean any person, firm or corporation that as a business, hires or employs a person or persons to do plumbing work, or without hiring any person does such work as a principal business or as auxiliary to a principal business for his or its own account.

2. A "journeyman plumber" shall mean any person who customarily performs the work of installing plumbing and drainage under the direction of a master plumber, or, not being a master plumber as herein defined, does plumbing repair work as a regular part time occupation.

3. "The board" shall be the plumbers' examining board appointed under the provisions of section 182.

4. "Apprentice" shall mean any person other than a journeyman plumber or master plumber who is engaged in learning and assisting in the installation of plumbing and drainage.'

'Sec. 182. Appointment of plumber's examining board; vacancies; removal of members. A plumbers' examining board, hereinafter called "the board" is hereby created, which shall consist of an executive officer who shall be the director of the division of sanitary engineering of the state bureau of health and 2 other members, hereinafter called the appointive members, who shall be appointed by the governor with the advice and consent of the council. One of said appointive members shall be a master plumber as defined in section 181, and the other a journeyman plumber as defined in section 181, and who has been engaged in the business of plumbing for at least 2 years. One of said appointive members shall be appointed for a term of 2 years, and the other for a term of 1 year. Thereafter as the terms of said appointive members expire, new appointive members shall be appointed for terms of 2 years. Any vacancy in said board caused by 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. 183. Meetings; rules and regulations. The plumbers' examining board 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 2 appointive members of their board, or upon request of the director of the division of sanitary engineering. Said board shall keep correct records of all its proceedings and shall be authorized to make such rules and regulations as it shall deem necessary for the holding of examinations and for carrying out the purpose of the provisions of sections 180 to 183-M inclusive, and to provide for reciprocity of licensing with similar boards of other states which maintain standards at least equal to this state.'

'Sec. 183-A. Licensing of master plumbers. Any person shall, upon the payment of a fee of \$15 be entitled to examination, and if found qualified by a majority of the members of the board shall be licensed as a master plumber, and shall receive a certificate thereof under the seal of the board, and with the signature of 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 a license may be re-examined at any subsequent meeting of said board, within 1 year of the time of such refusal, without additional fee and thereafter may be examined as often as he may desire upon payment of the fee of \$15 for each examination.'

'Sec. 183-B. Licensing of journeymen plumbers. Any person shall, upon payment of a fee of \$3 be entitled to examination, and if found qualified by a majority of the members of the board shall be licensed as a journeyman plumber, and shall receive a certificate thereof under the seal of the board, and with the signature of 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 a license may be re-examined at any subsequent meeting of said board, within 1 year of the time of such refusal, without additional fee and thereafter may be examined as often as he may desire upon payment of a fee of \$3 for each examination.'

'Sec. 183-C. Examinations for license; exceptions. The board may, without examination and upon the payment of a fee of \$15 in the case of a master plumber, and \$3 in the case of a journeyman plumber, issue a license to any applicant therefor who shall present satisfactory written evidence that he has the qualifications of such plumber and has engaged in the business or occupation, as the case may be, of plumbing within the state for at least 2 years prior to June 30, 1937. Each applicant for license other than as above provided, shall present to the executive officer 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 section 183-A. 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.'

'Sec. 183-D. Renewal of licenses; master plumbers. 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 1 year without further examination on payment of a fee of \$10 for each year for a master

plumber. Any master plumber who fails to renew his license during any fiscal year, in subsequent years may renew his license only after payment of all unpaid renewal fees.'

'Sec. 183-E. Renewal of licenses; journeymen plumbers. 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 1 year without further examination on payment of a fee of \$1.50 for each year for a journeyman plumber. Any journeyman plumber who fails to renew his license during any fiscal year, in subsequent years may renew his license only after payment of all unpaid renewal fees.'

'Sec. 183-F. 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 1 or more officers or employees of any such corporation directly in charge of the business affairs of such corporation, or the members 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. 183-G. Records. The board shall keep a record of the name 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 be open for inspection during office hours.'

'Sec. 183-H. Investigation of complaints; licenses 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 chapter 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 license has been issued by them and after hearing, may by vote of majority of the board revoke the license and cancel the registration of the person, firm or corporation to whom the same was issued. Said board may also suspend or revoke any license by a majority vote of the board, in any case where such license has been wrongfully obtained or for any fraud connected with the said registration.'

'Sec. 183-I. Penalty for violation. Any person who installs any plumbing or drainage without having first obtained a license either as a master plumber or as a journeyman plumber or employing a person to do plumbing who has not such a license, unless he be an apprentice within the meaning of sections 180 to 183-M, inclusive, or procures any license wrongfully or by fraud, or violates any of the provisions of sections 180 to 183-M

inclusive, shall be deemed guilty of a misdemeanor and if convicted thereof shall be punished by a fine of not more than \$100 or by imprisonment for not more than 3 months, or by both such fine and imprisonment.'

'Sec. 183-J. 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 funds provided by the provisions of sections 180 to 183-M, inclusive.'

'Sec. 183-K. Compensation and traveling expenses of the board. The members of the board shall each be allowed the sum of \$10 per day and their necessary traveling expenses for actual attendance upon any examination of candidates for license, and for any necessary hearings.'

'Sec. 183-L. Disposal of fees. All fees received by the board shall be paid by the executive officer thereof into the treasury of the state and may be used for carrying out the purposes of the provisions of sections 180 to 183-M, inclusive.'

'Sec. 183-M. Exceptions. Sections 180 to 183-L inclusive shall not apply to regular employees of public utilities as defined in section 15 of chapter 62 of the revised statutes, as amended, when working as such, nor to regular employees of owners or lessees of real property, when working as such, nor to persons whose occupation is the doing of miscellaneous jobs of manual labor in the course of which some incidental plumbing repairs, but not alterations, are made by them. All plumbing installed by any person whatsoever shall comply with the requirements of the rules and regulations of the state bureau of health relating to plumbing and to all local plumbing ordinances.'

Sec. 3. P. L., 1933, c. 1, § 184, amended. Section 184 of chapter 1 of the public laws of 1933 is hereby amended to read as follows:

'Sec. 184. Provisions in city charters not effected. The 4 preceding sections 180 to 183-M, inclusive, shall not ~~affect any provisions in city charters and ordinances inconsistent therewith~~ prevent the licensing of plumbers licensed hereunder by cities under the provisions of the charters or ordinances thereof.'

Sec. 4. Repealing clause. All acts or parts of acts inconsistent herewith are hereby repealed.