

SENATE BILL NO. 421

BY SENATOR THOMPSON AND REPRESENTATIVE WILLMOTT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ACT

To amend and reenact R.S. 37:1361(B) and (E), 1366(A), 1367(A), 1368(A), 1371(A), 1373(A), 1377(B), and 1378(A)(3),(6), and (8), and to enact R.S. 37:1366(J) and (K), relative to plumbers; to provide relative to the licensure of plumbers; to create and provide for the qualifications for a new "tradesman plumber" license; to provide relative to the membership and duties of the State Plumbing Board; to provide for definitions; to provide relative to the registration of apprentice plumbers; to provide relative to training programs, requirements, and examinations for plumbers; to provide for fees; to provide for disciplinary actions for violations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1361(B) and (E), 1366(A), 1367(A), 1368(A), 1371(A), 1373(A), 1377(B), and 1378(A)(3),(6), and (8) are hereby amended and reenacted and R.S. 37:1366(J) and (K) are hereby enacted to read as follows:

§1361. State Plumbing Board, appointments; qualifications; legislative intent

* * *

B. The State Plumbing Board is created. The board, which shall be appointed by the governor, shall consist of one registered engineer, one plumbing inspector, three master plumbers, ~~and three journeyman plumbers,~~ **and one tradesman plumber**. Each appointment shall be made from a list of three names, ~~one of which shall be an individual as defined by R.S. 51:2347(B)(5),~~ for each appointment submitted by the following:

(1) The registered engineer and the plumbing inspector by the president of the Louisiana State Board of Health.

1 (2) Master plumbers by the Louisiana Association of Plumbing, Heating and
2 Cooling Contractors ~~of Louisiana~~ or its successors.

3 (3) Journeymen plumbers by the Louisiana Pipe Trades Association or its
4 successor.

5 **(4) The tradesman plumber by the executive director of the State**
6 **Plumbing Board of Louisiana.**

7 * * *

8 E. ~~Four~~ **Five** members shall constitute a quorum.

9 * * *

10 §1366. Duties of the board

11 **A.(1) The board shall adopt tests of qualification to be possessed by any**
12 **persons actually engaged in the repair of existing plumbing in one- and**
13 **two-family dwellings and see that any person engaged in the duties of a**
14 **tradesman plumber shall possess a tradesman plumber limited license.**

15 **(2)** The board shall adopt tests of qualification to be possessed by any persons
16 actually engaged in plumbing installation or plumbing work of any character; and
17 see that any person engaged in the duties of a journeyman plumber shall possess a
18 journeyman plumber's license.

19 * * *

20 **J. Not later than January 1, 2017, the board shall establish and maintain**
21 **a registry of all apprentice plumbers employed in Louisiana and shall issue a**
22 **certificate to all registrants.**

23 **K. The board shall assist the Board of Supervisors of Community and**
24 **Technical Colleges in developing training, program, and course requirements**
25 **that will prepare individuals to meet the qualifications established by the board**
26 **for a tradesman plumber limited license.**

27 §1367. License required, **tradesman**, journeyman, and master plumber; medical gas
28 piping installer; medical gas and vacuum systems verifier; water
29 supply protection specialist endorsement; local examination
30 preempted

1 A.(1) No natural person shall engage in doing the work of a tradesman
2 plumber unless he possesses a tradesman plumber limited license or renewal
3 thereof issued by the board. At the direction of a master plumber, a tradesman
4 plumber may independently repair existing plumbing in one- and two-family
5 dwelling, without the supervision of a journeyman plumber.

6 (2) No natural person shall engage in doing the work of a journeyman
7 plumber unless he possesses a license or renewal thereof issued by the board. A
8 journeyman plumber may engage in the art of plumbing only when he is under the
9 supervision of a master plumber licensed by this board. Notwithstanding any other
10 provision to the contrary, a journeyman plumber may repair existing plumbing
11 independently and without the supervision of a master plumber. Apprentices may
12 engage in the art of plumbing only when they are under the direct constant,
13 on-the-job supervision of a licensed journeyman plumber. Direct, constant on-the-job
14 supervision means that a licensed journeyman plumber will supervise apprentices as
15 governed by the Louisiana Workforce Commission.

16 * * *

17 §1368. Issuance of tradesman, journeyman, and master plumber's license; medical
18 gas piping and installation license; medical gas and vacuum systems
19 verifier license; water supply protection specialist endorsement;
20 exemption

21 A.(1) The board shall issue a tradesman plumber limited license to any
22 person who meets the following qualifications:

23 (a) Has a current apprentice registration certificate issued by the board.

24 (b) Has worked at least four thousand hours at the manual labor of
25 plumbing under the direct, constant, on-the-job supervision of a journeyman
26 or master plumber licensed by the board.

27 (c) Has successfully completed any educational requirements established
28 by the board.

29 (d) Has passed any written or manual examination required by the
30 board.

1 (e) Has paid the fees established by the board.

2 (2) The board shall issue a license to any person who qualifies under the state
 3 board's regulations and who desires to engage in doing the work of a journeyman
 4 plumber if he passes a written and manual journeyman plumber's examination given
 5 by the board and pays the fees established by the board.

6 * * *

7 §1371. Fees

8 A. The board may fix and charge reasonable examination, licensing, and
 9 renewal fees for tradesman, journeyman, and master plumbers, temporary permit
 10 fees for journeyman plumbers, restricted license fees for journeyman and master
 11 plumbers, and renewal fees for inactive master plumbers. The board may fix and
 12 charge reasonable examination, licensing, and renewal fees for persons engaged in
 13 the work or business of medical gas piping installation and for persons engaged in
 14 the work or business of a medical gas and vacuum system verifier. The board may
 15 also fix and charge reasonable examination, licensing, and renewal fees associated
 16 with endorsements issued to journeyman or master plumbers relative to the work of
 17 a water supply protection specialist. The board may also fix and charge a
 18 reasonable registration fee for apprentice plumbers. These fees shall not exceed
 19 the amount required to maintain the board and pay the expenses of operating the
 20 board and enforcing the provisions of this Chapter.

21 * * *

22 §1373. Injunctions

23 A. The board may enjoin any person from engaging in doing the work of a
 24 tradesman plumber, journeyman plumber, master plumber, medical gas piping
 25 installer, medical gas and vacuum systems verifier, or water supply protection
 26 specialist wherever it appears that a person is violating or is conspiring to violate the
 27 provisions of this Chapter. The board may also enjoin an employing entity from
 28 violating or conspiring to violate the provisions of this Chapter.

29 * * *

30 §1377. Definitions; exceptions

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

* * *

B.(1) Journeyman plumber. A "journeyman plumber" is a natural person who possesses the necessary qualifications and knowledge to install, alter, ~~and/or~~ or repair plumbing systems; is licensed as such by the board; is supervised by a master plumber; and is in the employ of an employing entity.

(2) Tradesman plumber. A "tradesman plumber" is a natural person who possesses the necessary qualifications and knowledge to repair existing plumbing systems and is licensed by the board to repair existing plumbing systems in one- and two-family dwellings at the direction of a master plumber, without the supervision of a journeyman plumber.

* * *

§1378. Revocation of licenses; other disciplinary actions

A. The board may, pursuant to the procedures provided in the Administrative Procedure Act, revoke, suspend, or refuse to renew any license or endorsement issued by the board to any natural person. Grounds for revocation, or lesser disciplinary action, include but are not limited to the following:

* * *

(3) The habitual performance of the work of either a tradesman plumber, journeyman plumber, or a master plumber which is substantially below the standards established by the Department of Health and Hospitals or any of its agencies or offices, or the habitual performance of work of a medical gas installer or medical gas and vacuum systems verifier not in compliance with regulations of the state fire marshal or related local governmental codes.

* * *

(6) The habitual practice of a tradesman plumber, journeyman plumber, master plumber, medical gas piping installer, or holder of a water supply protection specialist endorsement to knowingly allow any person not licensed by the board to perform plumbing work, medical gas piping installation, or the work of a water supply protection specialist, except as otherwise authorized by this Chapter.

* * *

1 (8) The habitual violation by a master plumber, journeyman plumber,
 2 tradesman plumber, apprentice plumber, medical gas piping installer, medical gas
 3 and vacuum systems verifier, or holder of a water supply protection specialist
 4 endorsement of the rules and regulations adopted by the board.

5 * * *

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____