SLS 23RS-320 REENGROSSED

2023 Regular Session

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SENATE BILL NO. 218

BY SENATOR WOMACK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WORKFORCE DEVELOPMENT. Provides for powers, duties, and functions of the State Plumbing Board. (8/1/23)

AN ACT

2	To amend and reenact the introductory paragraph of R.S. 37:1361(B) and 1361(B)(1),
3	1366(C), 1367(A)(2), 1368(A)(1)(b), 1377(C), and 1380(A) and (B)(3), relative to
4	plumbers; to provide relative to the licensure of journeyman and master plumbers;
5	to provide relative to the membership and qualifications of the State Plumbing
6	Board; to remove certain duties of the board; to provide relative to comprehensive
7	and property damage insurance limits for certain licenses; to provide relative to
8	definitions; and to provide for related matters.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. The introductory paragraph of R.S. 37:1361(B) and 1361(B)(1), 1366(C),
11	1367(A)(2), 1368(A)(1)(b), 1377(C), and 1380(A) and (B)(3) are hereby amended and
12	reenacted to read as follows:
13	§1361. State Plumbing Board, appointments; qualifications; legislative intent;
14	authority
15	* * *
16	B. The State Plumbing Board is created. The board, which shall be appointed
17	by the governor, shall consist of one registered engineer who is also licensed by the

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1	State Plumbing Board, one plumbing inspector who is also licensed by the State
2	Plumbing Board, three master plumbers, three journeyman plumbers, and one
3	tradesman plumber. Each appointment shall be made from a list of three names for
4	each appointment submitted by the following:
5	(1) The registered engineer and the plumbing inspector by the president of
6	the Louisiana State Board of Health the Louisiana Department of Health.
7	* * *
8	§1366. Duties of the board
9	* * *
10	C. The board shall recognize the system of qualification or registration of
11	apprentices as administered by joint and nonjoint apprenticeship committees
12	approved by the state of Louisiana the director of apprenticeship and
13	nonregistered apprentices in the employ of an employing entity. However, the
14	board may accept an affidavit from an individual certifying his work experience in
15	the field of plumbing, and such individual may be certified as a journeyman plumber
16	provided he passes the written examination and pays the fees established by the
17	board under R.S. 37:1368(B).
18	* * *
19	§1367. License required; tradesman, journeyman, and master plumber; medical gas
20	piping installer; medical gas and vacuum systems verifier; water
21	supply protection specialist endorsement; gas fitter and master gas
22	fitter; local examination preempted
23	A. * * *
24	(2) No natural person shall engage in doing the work of a journeyman
25	plumber unless he possesses a license or renewal thereof issued by the board. A
26	journeyman plumber may engage in the art of plumbing only when he is under the
27	supervision employment of a master plumber licensed by this board.
28	Notwithstanding any other provision to the contrary, a journeyman plumber may

repair existing plumbing independently and without the supervision of a master

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plumber. Any journeyman plumber that repaired plumbing independently and 2 without the supervision of a master plumber prior to January 1, 2024, may 3 continue to operate in such a manner for a period of five years, and shall within that five-year period pass the master plumber examination to obtain a master 4 5 **plumber license.** Apprentices may engage in the art of plumbing only when they are 6 under the direct, constant, on-the-job supervision of a licensed journeyman plumber. 7 Direct, constant on-the-job supervision means that a licensed journeyman plumber 8 will supervise apprentices as governed by the Louisiana Workforce Commission. 9 10 §1368. Issuance of tradesman, journeyman, and master plumber's license; medical 11 gas piping and installation license; medical gas and vacuum systems 12 verifier license; water supply protection specialist endorsement; 13 exemption; gas fitter A.(1) The board shall issue a tradesman plumber limited license to any 14 person who meets the following qualifications: 15 16 (b) Has worked at least four thousand hours as an unindentured apprentice 17 or at least three thousand hours as an indentured apprentice at the manual labor 18 19 of plumbing under the direct, constant, on-the-job supervision of a journeyman or master plumber licensed by the board. 20 21 22 §1377. Definitions; exceptions 23 24 C.(1) Apprentice plumber. An "apprentice plumber" is a natural person engaged in learning the plumbing trade by working under the direct on-the-job 25 supervision of a journeyman plumber and in the employ of an employing entity. 26 27 Apprentice plumbers shall be indentured in an apprenticeship program approved by 28 the Louisiana Workforce Commission, or unindentured and in the employ of an 29 employing entity.

1	(2) Apprentice gas fitter. An "apprentice gas fitter" is a natural person
2	engaged in learning the gas fitting trade by working under the direct on-the-job
3	supervision of a gas fitter and in the employ of an employing entity. Apprentice
4	gas fitters shall be indentured in an apprenticeship program approved by the
5	Louisiana Workforce Commission, or may be unindentured and in employ of
6	an employing entity.
7	* * *
8	§1380. Insurance requirements for master plumbers and master natural gas fitters
9	A. No master plumber license or master natural gas fitter license shall be
10	issued, renewed, or revived until the applicant has provided proof acceptable to the
11	board that insurance has been issued to the employing entity which is designated in
12	accordance with R.S. 37:1367 by an insurer authorized to do business in this state.
13	B. The employing entity shall maintain:
14	* * *
15	(3) Comprehensive general liability and property damage insurance in a
16	minimum aggregate amount of one five hundred thousand dollars, except on
17	plumbing work done in parishes under thirty thousand persons in population on
18	buildings, residences, or structures being no more than six thousand square feet of
19	interior space, the minimum aggregate amount shall be fifty thousand dollars.
20	* * *
	The original instrument was prepared by Yoursheka Butler. The following digest, which does not constitute a part of the legislative instrument, was prepared by Xavier Alexander.
	DIGEST SB 218 Reengrossed 2023 Regular Session Womack
	<u>Present law</u> creates the State Plumbing Board of Louisiana (board) to consist of nine members as follows:

(1) One registered engineer.

- (2) One plumbing inspector.
- (3) Three master plumbers.
- (4) Three journeyman plumbers.

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

### (5) One tradesman plumber.

<u>Proposed law</u> retains <u>present law</u>, renames the "Louisiana State Board of Health" the "Louisiana Department of Health", and requires its appointees to be licensed by the board.

<u>Present law</u> requires the board to adopt tests of qualifications for any person engaged in the duties of a tradesman or master plumber.

<u>Proposed law</u> retains <u>present law</u> and removes the board's option to accept an affidavit from an individual certifying his work experience in the field of plumbing.

<u>Present law</u> prohibits a natural person from engaging in the work of a journeyman plumber unless he possesses a license or renewal thereof issued by the board. <u>Present law</u> also permits a journeyman plumber to engage in the art of plumbing when he is under the supervision of a licensed master plumber.

<u>Proposed law</u> retains <u>present law</u> and adds that a journeyman plumber that repaired plumbing without the supervision of a master plumber prior to January 1, 2024, may continue to operate in such a manner for a period of five years, and shall within that five-year period pass the master plumber examination to obtain a master plumber license.

<u>Present law</u> permits apprentices to engage in the art of plumbing but requires the apprentice to be under the direct, constant on-the-job supervision of a licensed journeyman plumber. Present law also defines "direct, constant on-the-job supervision".

Proposed law retains present law.

<u>Present law</u> provides that in order to obtain a tradesman plumber limited license, a person must work at least 4,000 hours at the manual labor of plumbing under the direct, constant on-the-job supervision of a licensed journeyman or master plumber.

<u>Proposed law</u> retains <u>present law</u> and further clarifies that the 4,000-hour requirement applies to unindentured apprentices. <u>Proposed law</u> also adds that indentured apprentices must complete at least 3,000 hours at the manual labor of plumbing under the direct, constant on-the-job supervision of a licensed journeyman or master plumber to obtain a tradesman plumber limited license.

Proposed law defines "apprentice gas fitter" and "indentured apprentices".

<u>Present law</u> provides that no master plumber license will be issued, renewed, or revived until the applicant has provided proof acceptable to the board that insurance has been issued to the employing entity by an insurer authorized to do business in this state.

<u>Proposed law</u> retains <u>present law</u> and makes <u>present law</u> applicable to master natural gas fitter licenses.

<u>Present law</u> authorizes the board to require master plumbers and master natural gas fitters to provide proof of comprehensive general liability and property damage insurance before issuing, renewing, or reviving an applicant's license.

<u>Proposed law</u> retains <u>present law</u> and raises the minimum aggregate amount of comprehensive general liability and property damage insurance from \$100,000 to \$500,000.

Effective August 1, 2023.

(Amends R.S. 37:1361(B) (intro para) and (B)(1), 1366(C), 1367(A)(2), 1368(A)(1)(b), 1377(C), and 1380(A) and (B)(3))

#### Summary of Amendments Adopted by Senate

# Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

- 1. Provides that a journeyman plumber that repaired plumbing without supervision prior to January 1, 2024, may continue to operate in such a manner for a period of five years.
- 2. Requires that the registered engineer and the inspector shall also be licensed by the State Plumbing Board to serve as a member of the State Plumbing Board.
- 3. Make technical changes.

#### Senate Floor Amendments to engrossed bill

1. Make technical changes.