

PROPOSED AMENDMENTS TO HB182 – REPRESENTATIVE DON ROBERTS

Section 11. Section 37-1-131, MCA, is amended to read:

(7) A board or, for programs without a board, the department may:

(d) require continuing education for licensure as provided in 37-1-306. If the board or department requires continuing education for continued licensure, the board or department may not audit or verify continuing education requirements as a precondition for renewing the license, certification, or registration. The board or department may shall conduct random audits of up to 20% of all licensees with renewed licenses for documentary verification of the continuing education requirement after the renewal period closes.

Section 110. Section 37-68-201, MCA, is amended to read:

*minimum of 50%*

**"37-68-201. Organization -- meetings -- rulemaking power -- seal.** (1) Each July, the board shall elect from its membership a president, vice president, and secretary-treasurer.

(2) The board shall meet quarterly and at other times ~~it~~ that the board considers necessary.

(3) The board may:

(a) adopt rules for the administration of this chapter, and for the licensing of electrical contractors, and for ~~the examination and licensing of~~ master and journeyman electricians;

(b) adopt a seal;

(c) cause the prosecution and enjoinder of persons violating this chapter."

Section 111. Section 37-68-304, MCA, is amended to read:

**"37-68-304. Master electricians -- application -- qualifications -- contents of examination -- fees.** (1) An applicant for a master electrician's license shall furnish written evidence of being a graduate electrical engineer of an accredited college or university and of having 1 year of practical electrical experience or that the applicant is a graduate of an electrical trade school and has at least 4 years of practical experience in electrical work or has had at least 5 years of practical experience in planning, laying out, or supervising the installation and repair of wiring, apparatus, or equipment for electrical light, heat, and power.

(2) ~~Applicants~~ An applicant for a license as a master electrician shall file an application on ~~forms prescribed by the board and a form~~ submitted by the department, submit appropriate fees, and satisfactorily pass an examination prescribed by the board. ~~The board shall, not less than 30 days prior to a scheduled examination,~~

~~notify each applicant that the evidence submitted with the applicant's application is sufficient to qualify to take the examination or that the evidence is insufficient and is rejected. If the application is rejected, the board shall set forth the reasons in the notice to the applicant. The place of examinations must be designated by the board, and examinations must be held at least once a year and at other times as, in the opinion of the board, the number of applicants warrants.~~

~~(3) The examination must consist of at least 30 questions designed to fairly test the applicant's knowledge and the applicant's technical application in the following subjects:~~

~~(a) the national electric code;~~

~~(b) cost estimating for electrical installments;~~

~~(c) procurement and handling of materials needed for electrical installations and repair;~~

~~(d) reading blueprints for electrical work;~~

~~(e) drafting and layout of electrical circuits; and~~

~~(f) knowledge of practical electrical theory.~~

~~(4) The board shall determine by rule the fees to be charged an applicant for each examination or reexamination. The fees must be commensurate with costs."~~

**Section 112.** Section 37-68-305, MCA, is amended to read:

**"37-68-305. Journeyman and residential electricians -- application -- qualifications -- contents of examination.** (1) An applicant for a journeyman electrician's license shall furnish written evidence of at least 4 years' years of apprenticeship in the electrical trade or 4 years' years of practical experience in the wiring for, installing, and repairing of electrical apparatus and equipment for light, heat, and power. Applications for license and notice to the applicant must be made and given as in the case of master electricians' licenses. The examination for a journeyman's license must consist of at least 30 questions designed to fairly test the applicant's knowledge and the applicant's technical application in the following subjects:

~~(a) the Ohm's law;~~

~~(b) the national electric code; and~~

~~(c) layout and practical installation of electrical circuits.~~

(2) An applicant for a residential electrician's license shall furnish written evidence of at least 2 years' years of apprenticeship in the electrical trade or 2 years' years of practical experience in the wiring for, installing, and repairing of electrical apparatus and equipment for light, heat, and power in residential construction consisting of less than five living units in a single structure. Application for license and notice to the applicant must be made and given as in the case of master electricians' licenses. The examination for a residential electrician's license must consist of at least 30 questions designed to fairly test the applicant's knowledge and the applicant's technical application in the following subjects:

~~(a) the Ohm's law;~~

~~(b) the national electric code; and~~

~~(c) layout and practical installation of electrical circuits."~~

**Section 113.** Section 37-68-312, MCA, is amended to read:

**"37-68-312. Electrical contractor's license -- application -- issuance -- fees -- renewal.** Each electrical contractor shall, on or before the date set by department rule, file with the department an application ~~in writing~~ together with the appropriate fees for each firm operated by the electrical contractor in this state ~~for renewal of the license~~. A license may not be issued or renewed until the applicant meets the licensure requirements and has paid to the department a license fee set by the board for each firm operated by the electrical contractor. Licenses must bear the date of issuance or renewal. A license must be renewed for a 3-year period upon payment to the department of the license fee on or before the renewal date and upon meeting the requirements set by board rule."

**Section 114.** Section 37-69-304, MCA, is amended to read:

**"37-69-304. Qualifications of applicants for journeyman plumber's license -- restriction on authority -- fees -- third-party services.** (1) The following requirements must be met by applicants for a journeyman plumber's license:

(a) a specific record of 5 years' years of experience in the field of plumbing of a character satisfactory to the board. This experience requirement may be fulfilled by working 5 years in a major phase of the plumbing business, verified by time or pay records, or by completing an apprenticeship program meeting the standards set by the department of labor and industry or the United States department of labor, bureau of apprenticeship, or credit towards this experience requirement may be given for time spent attending an accredited trade or other school specializing in training of value in the field of plumbing and approved by the board.

(b) satisfactory completion of an examination ~~conducted by the department, subject to 37-1-101(4), testing the applicant's knowledge of techniques and methods employed in the field of plumbing and establishing by practical demonstration competence in the special skills required in the field of plumbing prescribed by the board.~~

(2) A licensed journeyman plumber may perform work only in the employment of a licensed master plumber unless otherwise permitted by rule of the board.

~~(3) The board shall determine by rule the fees to be charged an applicant for each examination or reexamination. The fees must be commensurate with costs.~~

~~(4) The department may use a third party to provide examination and grading services."~~

**Section 115.** Section 37-69-305, MCA, is amended to read:

**"37-69-305. Qualifications of applicants for master plumber's license -- restriction on authority -- fees -- third party services.** (1) The following requirements must be met by an applicant for a master plumber's license:

(a) evidence of 4 years' years of experience as a licensed journeyman plumber in the field of plumbing, verified by time or pay records of actual plumbing experience;

(b) evidence of 3 years' years of experience working with a licensed master plumber or in a supervisory capacity in the field of plumbing, which may run concurrently with the requirement in subsection (1)(a); and

(c) satisfactory completion of an examination ~~for master plumbers testing the applicant's knowledge of the field of plumbing and demonstrating skill and ability in the field of plumbing prescribed by the board.~~

(2) For purposes of subsection (1), a year's 1 year of experience is 1,500 hours or more of work in a continuous 12-month period.

(3) A master plumber may not allow the master plumber's license to be used by any person or firm, corporation, or business other than the master plumber's own for the purpose of obtaining permits or for doing plumbing work under the license.

~~(4) The board shall determine by rule the fees to be charged an applicant for each examination and reexamination. The fees must be commensurate with costs.~~

~~—(5) The department may use a third party to provide examination and grading services."~~

**Section 116.** Section 37-69-306, MCA, is amended to read:

**"37-69-306. Examination -- issuance of license.** (1) An applicant for a license to work in the field of plumbing ~~shall be examined as to his qualifications by the department, subject to 37-1-101(4). The department shall examine each applicant for a license to determine his skill and qualifications as a master plumber or journeyman plumber.~~

~~—(2) The applicant must, upon successfully passing the an examination prescribed by the board, shall be issued a license authorizing ~~him~~ the applicant to engage in the field of plumbing as a master plumber or journeyman plumber in the state of Montana.~~

~~(3)(2) In the case of a firm or corporation, the examination and issuance of a license to an individual of the firm or to a principal of the firm or corporation satisfies the requirements of this chapter as to master plumbers but not as to journeyman plumbers. No An individual, firm, or corporation may not do the work of a master plumber unless licensed under this chapter.~~

~~(4)(3) In addition to the temporary permits authorized in 37-1-305, the ~~board~~ department may, ~~on a case-by-case basis at the board's discretion and~~ in accordance with criteria determined by ~~the board~~ department rule, renew a temporary practice permit for a person who fails the first license examination for which the person is eligible ~~but who submits a temporary practice permit renewal application to the board stating that the person intends to retake the license examination on the next available date.~~"~~