

HOUSE BILL NO. 751

INTRODUCED BY W. CURDY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LICENSURE OF PLUMBERS; REQUIRING
5 A LICENSED MASTER PLUMBER TO PERSONALLY OBSERVE AND ATTEST TO SKILLS OF LICENSED
6 JOURNEYMAN PLUMBERS OR APPRENTICES EMPLOYED BY THE LICENSED MASTER PLUMBER;
7 PROVIDING A PENALTY OF FALSE SWEARING; PROVIDING RULEMAKING AUTHORITY; AND AMENDING
8 SECTIONS 37-69-304, 37-69-305, AND 37-69-323, MCA."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 37-69-304, MCA, is amended to read:

13 **"37-69-304. Qualifications of applicants for journeyman plumber's license -- restriction on**
14 **authority.** (1) The following requirements must be met by applicants for a journeyman plumber's license:

15 (a) a specific record of 5 years of legally obtained experience in the field of plumbing with an attestation
16 of skill by a supervising master plumber. This experience requirement may be fulfilled by:

17 (i) working 5 years in a major phase of the plumbing business, verified by time or pay records, and the
18 attestation of a supervising master plumber; or ~~by~~

19 (ii) completing an apprenticeship program meeting the standards set by the department or the United
20 States department of labor, bureau of apprenticeship, ~~or credit.~~ Credit toward this experience requirement may
21 be given for time spent attending an accredited trade or other school specializing in training of value in the field
22 of plumbing and approved by the board.

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

27 (2) A licensed journeyman plumber may perform work only in the employment of a licensed master
28 plumber unless otherwise permitted by rule of the board. Performing work in the employment of a licensed master
29 plumber means the licensed master plumber shall observe the journeyman plumber's work at different times over
30 the course of employment and for different levels of plumbing work. The board shall define the periods and the

1 levels for which the master plumber shall attest the journeyman plumber's skills, as provided in subsection (1)."

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3 **Section 2.** Section 37-69-305, MCA, is amended to read:

4 **"37-69-305. Qualifications of applicants for master plumber's license -- restriction on authority.**

5 (1) The following requirements must be met by an applicant for a master plumber's license:

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

8 (b) evidence of 3 years of experience, which may run concurrently with the requirement in subsection
9 (1)(a):

10 (i) working with a licensed master plumber who has personally observed the applicant over a period
11 specified by the board by rule and during application of plumbing skill levels, as determined by the board by rule;

12 or

13 (ii) in a supervisory capacity in the field of plumbing, ~~which may run concurrently with the requirement~~
14 ~~in subsection (1)(a); and~~

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

17 (2) For purposes of subsection (1), 1 year of experience is 1,500 hours or more of work in a continuous
18 12-month period.

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

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23 **Section 3.** Section 37-69-323, MCA, is amended to read:

24 **"37-69-323. Restrictions on and responsibility for employees of master plumber.** A licensed master
25 plumber may employ only apprentice plumbers registered with the state department of labor and industry and
26 only journeyman plumbers who are licensed by the state of Montana. A master plumber is responsible for
27 assuring that all work performed by ~~such employees~~ the journeyman plumber or apprentice employed by the
28 licensed master plumber is in compliance with the state plumbing code. The licensed master plumber may be
29 charged with unprofessional conduct under 37-1-316 and held liable for false swearing, as provided in 45-7-202,
30 if the licensed master plumber provides an assurance but has not personally observed a portion of the plumbing

1 work performed by the employed journeyman plumber or apprentice. The board shall provide by rule what portion
2 of the plumbing work must be personally observed by the licensed master plumber."

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