

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 3/16/87

HOUSE BILL 1831

By: Representative Willems

"AN ACT TO CREATE AN APPRENTICE PLUMBER PROGRAM IN THE STATE DEPARTMENT OF HEALTH; TO AUTHORIZE THE STATE BOARD OF HEALTH TO ENTER A MEMORANDUM OF AGREEMENT WITH THE DEPARTMENT OF EDUCATION FOR SUCH PROGRAM; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DEFINITIONS. (A) "Apprentice Plumber" means any person other than a journeyman or master plumber who is engaged in learning and assisting in the installation of plumbing and drainage and enrolled in a State-approved apprenticeship program.

(B) "Board" means the State Board of Health.

(C) "Department" means the State Department of Health.

(D) "BAT" means the United States Department of Labor, Bureau of Apprenticeship and Training.

SECTION 2. The Board shall have the following powers:

(A) To insure that all persons working as apprentice plumbers are properly registered as such.

(B) To adopt rules and regulations as to the qualifications, training, and supervision of apprentice plumbers.

(C) To adopt rules and regulations establishing the roles and duties of the following organizations or officials in the plumbing apprenticeship program in compliance with the National Plumbing Standards as approved and registered with the BAT.

- (1) Arkansas Department of Health;
- (2) The State Apprenticeship Committee;
- (3) The Local Apprenticeship Committee;
- (4) The Local Plumbing Inspector.

(D) To review and approve a correspondence course for apprentice plumbers in hardship cases, provided that:

(1) The Department of Health will maintain the responsibility for a correspondence course; however, the Department will delegate the administration of the correspondence course to the Vocational and Technical Education Division of the Department of Education by Memorandum of Agreement.

(2) The correspondence course material shall be developed by the Vocational and Technical Education Division of the Department of Education, approved by the State Apprenticeship Committee, and made available and to be implemented by the local Apprenticeship Committee no later than July 1, 1987; and

(3) The apprentice is tested for adequate progress no less than four times a year.

SECTION 3. STATE APPRENTICESHIP COMMITTEE, TERMS, DUTIES, PAY.

(A) The Board shall, within ninety (90) days after the effective date of this Act, appoint a State Apprenticeship Committee consisting of seven (7) voting members. The Board shall prescribe their qualifications and assign their duties, provided that two (2) shall be Arkansas State Licensed Journeyman Plumbers, one registered engineer, one citizen member, and three (3) Arkansas State Licensed Master Plumbers. One of the voting members shall be appointed from each Congressional District, and three of the voting members shall be appointed from the State at large. At least three (3) of the five (5) journeyman and master plumber members must be members of existing functioning local apprenticeship committees. The Director of the Plumbing and National Gas Section of the Department of Health shall serve as Executive Secretary of the Committee. Furthermore, the Director of the Vocational and Technical Education Division of the Department of Education, or his designee, shall serve as a non-voting advisory member to the Committee.

(B) The members of the Committee shall be paid a per diem of ten dollars (\$10.00) per day for the actual number of days served by such member, in the performance of his duties, and in addition thereto, shall be reimbursed for his actual expenses necessarily incurred in the performance of his duties.

(C) The term of office of the voting members shall be four (4) years except that the initial appointment shall be made in such manner as will result in one member serving a one (1) year term, two members serving a two

(2) year term, two members serving a three (3) year term, and two members serving a four (4) year term. Subsequent appointees shall serve four (4) year terms. The Board may remove a member for cause.

(D) The local apprenticeship committee shall establish criteria for eligibility for hardship status, provided that the applicant for hardship status must reside at least thirty (30) miles by the most direct route from the nearest established apprenticeship school. The thirty (30) mile criteria is a minimum qualification to be considered as hardship and complete qualifications will be established by the local or state committee. If the local committee does not act on the application within forty-five (45) days of the date it was filed, the application shall be automatically transmitted to the State Apprenticeship Committee who shall act on the application at its next regularly scheduled meeting after receipt thereof; and if the State Committee fails to act, the application shall be automatically transmitted to the State Board of Health, who shall act on the application within forty-five (45) days after receipt. Furthermore, the decision of the local committee regarding the hardship application may be appealed to the State Committee, and the State Committee shall act on the appeal at its next regularly scheduled meeting upon receipt of the appeal, and the decision of the State Committee may be appealed to the State Board of Health, and the State Board of Health shall act on the appeal within forty-five (45) days of receipt.

(E) All actions of the State Committee may be appealed to the Board in accordance with the Board's established policies.

SECTION 4. (A) The Department of Health and the Department of Education shall enter into a Memorandum of Agreement defining the duties and responsibilities of the Department of Education in support of the plumber apprentice program.

(B) The Department shall, by July 1, 1987, propose to the Board of Health the initial rules and regulations authorized under this Act.

(C) The Department is authorized to charge reasonable fees to those persons approved for correspondence courses for the costs of development, procurement, administration, and material associated with the correspondence course.

SECTION 5. All fees or payments of any type collected by the Department

under this Act shall be deposited in the State Treasury on or before the fifth day of the month next following the month of collection thereof, and the State Treasurer shall credit the same to the credit of the "Plumbers Licensing Fund" created by Act 200 of 1951, as amended.

SECTION 6. All laws and parts of laws in conflict with this Act are hereby repealed.

/s/ Frank Willems

