

SENATE No. 158

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to preventing discrimination on certain boards of registration.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>2/3/2017</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>3/3/2017</i>

SENATE No. 158

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 158) of Bruce E. Tarr and Ryan C. Fattman for legislation to prevent discrimination on certain boards of registration. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 193 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to preventing discrimination on certain boards of registration.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 13 of the General Laws, as appearing in the 2014 Official Edition,
2 is hereby amended by striking out section 32 in its entirety and inserting in place thereof the
3 following new section:-

4 Section 32. The state examiners of electricians, hereinafter, called the board, shall consist
5 of the state fire marshal, the associate commissioner for the division of occupational education in
6 the department of education, ex officiiis, and eight persons to be appointed for terms of three
7 years each by the governor. One of said appointees shall be a representative of the public, subject
8 to the provisions of section nine B and one shall be a local wiring inspector who is an electrician
9 licensed under chapter one hundred and forty-one Six of said appointees shall be citizens of the
10 commonwealth, whom shall represent all of the industry, members who are signatory to a

11 collective bargaining agreement and members who are not signatory to a collective bargaining
12 agreement, the Board shall not be all exclusive of one,; one of whom shall be a master electrician
13 who holds a certificate A license issued under said chapter one hundred and forty-one and has at
14 least ten years' experience as an employing master electrician; one shall be a master electrician
15 who holds certificate A and certificate B licenses issued under said chapter one hundred and
16 forty-one, is actively engaged in such business and has at least ten years' experience as an
17 employing master electrician; one shall be a journeyman electrician who holds a certificate B
18 license issued under said chapter one hundred and forty-one, is a wage earner and has at least ten
19 years practical experience in the installation of wires and appliances for carrying electricity for
20 light, heat or power purposes; one shall be a systems contractor who holds a certificate C license
21 issued under said chapter, is actively engaged in the business of fire warning and security
22 systems as his principal business and has at least ten years' experience as an employing systems
23 contractor; one shall be a systems technician who holds a certificate D license issued under said
24 chapter, is a wage earner and has at least ten years practical experience in the installation, repair
25 and maintenance of systems; and one shall be a representative of the New England Section of the
26 International Municipal Signal Association who holds at least a level I competency certificate
27 from said association, is a municipal employee and has at least ten years practical experience in
28 the installation, repair and maintenance of fire warning or signaling systems. The state fire
29 marshal shall be chairman. The board shall appoint an executive secretary who shall be a wage
30 earner, a citizen of the commonwealth, and a practical electrician of at least ten years' experience
31 in such installation. The board may also appoint, subject to chapter thirty-one, such other clerical
32 and technical assistants as may be necessary to discharge its duties under chapter one hundred
33 and forty-one and shall establish their duties. The members, ex officiiis, shall receive no

34 compensation for their services under chapter one hundred and forty-one, but the appointive
35 members shall each receive for their services thereunder a salary of seven hundred and fifty
36 dollars. The board may expend for the salaries of the appointive members and of the secretary
37 and other employees and for necessary traveling and other expenses for themselves and their
38 employees such sums as are annually appropriated therefor.

39 SECTION 2. Chapter 13 of the General Laws, as appearing in the 2014 Official Edition,
40 is hereby further amended by striking out section 36 in its entirety and inserting in place thereof
41 the following new section:-

42 Section 36. There shall be a board of state examiners of plumbers and gas fitters, in
43 sections 37 and 38 called the examiners, to consist of nine members who shall be citizens of the
44 commonwealth, one of whom shall be the commissioner of public health or his designee, one of
45 whom shall be the commissioner of public safety or his designee and seven persons to be
46 appointed by the governor whom shall represent all of the industry, members who are signatory
47 to a collective bargaining agreement and members who are not signatory to a collective
48 bargaining agreement, the Board shall not be all exclusive of one, one of whom shall have at
49 least ten years of practical experience as a master plumber, one of whom shall be a journeyman
50 plumber with at least ten years of practical experience and who is a wage earner, one of whom
51 shall be a sanitary or plumbing engineer, one of whom shall be a master gas fitter with at least
52 ten years of practical experience in the field of undiluted liquefied petroleum gas and natural gas,
53 one of whom shall be a journeyman gas fitter with at least ten years of practical experience and
54 who is a wage earner, one of whom shall be a master or journeyman gas fitter with at least ten
55 years of practical experience in the design and installation of liquefied petroleum gas systems
56 and one of whom shall be a representative of the public subject to the provisions of section 9B.

57 As the term of office of a member expires, the governor shall appoint a successor to serve for
58 three years. The governor shall designate the chairperson of the board and may, at any time,
59 change such designation. Said board shall appoint an executive secretary who is a citizen of the
60 commonwealth and has had at least ten years' continuous practical experience as a plumber. He
61 shall receive his necessary traveling expenses incurred in the performance of his duties. No
62 member of said board shall be eligible for appointment as secretary.

63 SECTION 3. Chapter 13 of the General Laws, as appearing in the 2014 Official Edition,
64 is hereby further amended by striking out section 101 in its entirety and inserting in place thereof
65 the following new section:-

66 Section 101. (a) There shall be within the division of professional licensure a board of
67 examiners of sheet metal workers to consist of the commissioner of public safety or his designee,
68 the director of professional licensure or his designee and 5 persons, residents of the
69 commonwealth, to be appointed by the governor for terms of 3 years, whom shall represent all of
70 the industry, members who are signatory to a collective bargaining agreement and members who
71 are not signatory to a collective bargaining agreement, the Board shall not be all exclusive of
72 one, 2 of whom shall be journeyman sheet metal workers with at least 10 years of practical
73 experience and who are wage earners, 2 of whom shall be master sheet metal workers with at
74 least 10 years of practical experience in sheet metal work and 1 of whom shall be a
75 representative of the public and subject to section 9B.

76 (b) No member shall serve for more than 2 consecutive and complete 3-year terms. As
77 the term of the office of a member expires, a successor shall be appointed in like manner for a

78 term of 3 years. The governor may fill a vacancy in the board for the unexpired portion of the
79 term.

80 (c) The board shall annually elect from among its members a chairman and vice-
81 chairman. The board shall meet at least 4 times annually and may hold additional meetings as
82 necessary to discharge its duties. Members shall serve without compensation but shall be entitled
83 to reasonable travel expenses. The members of the board shall be public employees for the
84 purposes of chapter 258 for all acts or omissions within the scope of their duties as board
85 members.