SENATE DOCKET, NO. 140 FILED ON: 1/11/2017

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:	
Bruce E. Tarr	*First Essex and Middlesex*	
Ryan C. Fattman	*Worcester and Norfolk*	*2/3/2017*
Richard J. Ross	*Norfolk, Bristol and Middlesex*	*3/3/2017*

SENATE DOCKET, NO. 140 FILED ON: 1/11/2017

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:

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

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

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

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

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

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

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

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

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

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

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

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