1	H.863
2	Introduced by Representatives Copeland Hanzas of Bradford, Campbell of St.
3	Johnsbury, Kornheiser of Brattleboro, and O'Sullivan of
4	Burlington
5	Referred to Committee on
6	Date:
7	Subject: Professions and occupations; Office of Professional Regulation;
8	Department of Public Safety; continuing education; State energy
9	goals; architects; boiler inspectors; electricians; gas appliance
10	installers; landscape architects; oil burning equipment installers;
11	plumbers; pollution abatement facility operators; potable water supply
12	and wastewater system designers; professional engineers; property
13	inspectors; real estate appraisers; real estate brokers and salespersons
14	Statement of purpose of bill as introduced: This bill proposes to require
15	specified professionals to obtain education on the State's energy goals as a
16	condition of initial licensure and license renewal.
17 18	An act relating to educating specified professionals on the State's energy goals

1	It is hereby enacted by the General Assembly of the State of Vermont:
2	Sec. 1. PURPOSE
3	The purpose of this act is to further the State's energy goals through the
4	education of specified licensed professionals.
5	Sec. 2. 3 V.S.A. § 138 is added to read:
6	§ 138. REQUIRED EDUCATION FOR SPECIFIED LICENSEES; STATE
7	ENERGY GOALS
8	(a) The following licensees are required to complete the education module
9	regarding the State's energy goals as described in this section:
10	(1) architects licensed under 26 V.S.A. chapter 3;
11	(2) landscape architects licensed under 26 V.S.A. chapter 46;
12	(3) pollution abatement facility operators licensed under 26 V.S.A.
13	chapter 99;
14	(4) potable water supply and wastewater system designers licensed
15	under 26 V.S.A. chapter 97;
16	(5) professional engineers licensed under 26 V.S.A. chapter 20;
17	(6) property inspectors licensed under 26 V.S.A. chapter 19;
18	(7) real estate appraisers licensed under 26 V.S.A. chapter 69; and
19	(8) real estate brokers and salespersons licensed under 26 V.S.A.
20	chapter 41.

1	(b) The Office shall adopt rules to require each of the licensees described in
2	subsection (a) of this section to complete an education module regarding the
3	State's energy goals and how each licensee's specific profession can further
4	those goals.
5	(1) The education module shall be not more than two hours and shall be
6	required as a condition of initial licensure and each license renewal.
7	(2) The Office shall adopt these rules in consultation with the Agency of
8	Natural Resources and the Department of Public Service for all the licensees
9	set forth in subsection (a) of this section and in consultation with the
10	Department of Taxes for real estate appraisers and real estate brokers and sales
11	persons.
12	(c)(1) The education module shall be provided to the required applicants
13	for initial licensure and license renewal at no cost.
14	(2) The Office may incorporate any cost of providing this education
15	module into the Office's licensing fee structure if that incorporation is
16	approved by the General Assembly.
17	Sec. 3. 20 V.S.A. chapter 173, subchapter 2 is amended to read:
18	Subchapter 2. Fire Safety Division of Fire Safety
19	* * *

1	§ 2731. RULES; INSPECTIONS; VARIANCES
2	(a) Rules.
3	(1) The Commissioner is authorized to adopt rules regarding the
4	construction of buildings, maintenance and operation of premises, and
5	prevention of fires and removal of fire hazards, and to prescribe standards
6	necessary to protect the public, employees, and property against harm arising
7	out of or likely to arise out of fire.
8	(2)(A) The Commissioner shall adopt rules to require each of the
9	following certificants to complete an education module regarding the State's
10	energy goals and how each certificant's specific profession can further those
11	goals:
12	(i) gas appliance installers, inspectors, and servicers certified
13	under subdivision (c)(4)(C) of this section;
14	(ii) oil burning equipment installers, inspectors, and servicers
15	certified under subdivision (c)(4)(D) of this section; and
16	(iii) limited oil burning equipment installers, inspectors, and
17	services certified under subdivision (c)(4)(F) of this section.
18	(B) The education module shall be not more than two hours and shall
19	be required as a condition of initial certification and certification renewal.
20	(C) The Commissioner shall adopt these rules in consultation with
21	the Agency of Natural Resources and the Department of Public Service.

1	(D)(i) The education module shall be provided to the required	
2	applicants for initial certification and certification renewal at no cost.	
3	(ii) The Commissioner may incorporate any cost of providing this	
4	education module into the Division of Fire Safety's certification fee structure	
5	that incorporation is approved by the General Assembly.	
6	(b) Inspections.	
7	(1) The Commissioner shall conduct inspections of premises to assure	
8	ensure that the rules adopted under this subchapter are being observed and ma	
9	establish priorities for enforcing these rules and standards based on the relative	
10	risks to persons and property from fire of particular types of premises.	
11	(2) The Commissioner may also conduct inspections to assure ensure	
12	that buildings are constructed in accordance with approved plans and drawings	
13	(c) Fees. The following fire prevention and building code fees are	
14	established:	
15	* * *	
16	(4) Three-year initial certificate of fitness and renewal fees for	
17	individuals performing activities related to fire or life safety established under	
18	subsection (a) of this section shall be:	
19	(A) Water-based fire protection system design:	
20	(i) Initial certification: \$150.00.	
21	(ii) Renewal: \$50.00.	

1	(B) Water-based fire protection system installation, maintenance,
2	repair, and testing:
3	(i) Initial certification: \$115.00.
4	(ii) Renewal: \$50.00.
5	(C) Gas appliance installation, inspection, and service: \$60.00.
6	(D) Oil burning equipment installation, inspection, and service:
7	\$60.00.
8	(E) Fire alarm system inspection and testing: \$90.00.
9	(F) Limited oil burning equipment installation, inspection, and
10	service: \$60.00.
11	(G) Domestic water-based fire protection system installation,
12	maintenance, repair, and testing:
13	(i) Initial certification: \$60.00.
14	(ii) Renewal: \$20.00.
15	(H) Fixed fire extinguishing system design, installation, inspection,
16	servicing, and recharging:
17	(i) Initial certification: \$60.00.
18	(ii) Renewal: \$20.00.
19	(I) Emergency generator installation, maintenance, repair, and
20	testing: \$30.00 ; .

20

1	(J) Chimney and solid fuel burning appliance cleaning, maintenance,
2	and evaluation: \$30.00.
3	* * *
4	(e) Variances; exemptions. The Except for the rules requiring the
5	education module regarding the State's energy goals described in subdivision
6	(a)(2) of this section, the Commissioner may grant variances or exemptions
7	from rules adopted under this subchapter where strict compliance would entail
8	practical difficulty, unnecessary hardship, or is otherwise found unwarranted,
9	provided that:
10	(1) any such variance or exemption secures the public safety and health;
11	(2) any petitioner for such a variance or exemption can demonstrate that
12	the methods, means, or practices proposed to be taken in lieu of compliance
13	with the rule or rules provide, in the opinion of the Commissioner, equal
14	protection of the public safety and health as provided by the rule or rules;
15	(3) the rule or rules from which the variance or exemption is sought has
16	not also been adopted as a rule or standard under 21 V.S.A. chapter 3,
17	subchapters 4 and 5; and
18	(4) any such variance or exemption does not violate any of the
19	provisions of 26 V.S.A. chapters 3 and 20 or any rules adopted thereunder.

* * *

1	Sec. 4. 20 V.S.A. chapter 173, subchapter 5 is amended to read:
2	Subchapter 5. Boilers and Pressure Vessels
3	* * *
4	§ 2883. BOILER INSPECTIONS
5	(1) The commissioner Commissioner has authority to obtain specific
6	information from boiler inspectors on forms which that shall first be approved
7	by the commissioner Commissioner.
8	(2) The commissioner Commissioner may authorize qualified inspectors
9	to conduct inspections under such rules as the commissioner Commissioner
10	may prescribe.
11	(A) If a boiler or pressure vessel is insured, the inspection may be
12	conducted by a qualified inspector who is employed, or contractually
13	authorized, by the insurer.
14	(B) If a boiler or pressure vessel is not insured, the inspection may be
15	conducted by any qualified inspector authorized by the commissioner
16	<u>Commissioner</u> . In case the inspection is made by such an inspector, $\frac{a}{b}$ fee
17	shall <u>not</u> be charged by the <u>division</u> <u>Division</u> , except a process fee of \$30.00
18	for issuance of an operating certificate.
19	(3)(A) The fee for a person requesting a three-year authorization to
20	conduct inspections shall be \$150.00.

1	(B) A licensed boiler inspector shall carry liability insurance in an
2	amount determined by the department Department.
3	§ 2884. QUALIFICATIONS OF INSPECTORS
4	(a) Examination. All boiler inspectors shall have passed the examination
5	required by the National Board of Boiler and Pressure Vessel Inspectors, and
6	hold annual certification from such that board.
7	(b) Education. The Commissioner shall adopt rules to require each boiler
8	inspector to complete an education module regarding the State's energy goals
9	and how the boiler inspection profession can further those goals.
10	(1) The education module shall be not more than two hours and shall be
11	required as a condition of initial authorization and authorization renewal.
12	(2) The Commissioner shall adopt these rules in consultation with the
13	Agency of Natural Resources and the Department of Public Service.
14	(3)(A) The education module shall be provided to boiler inspector
15	applicants for initial authorization and authorization renewal at no cost.
16	(B) The Commissioner may incorporate any cost of providing this
17	education module into the Division of Fire Safety's certification fee structure if
18	that incorporation is approved by the General Assembly.
19	* * *

1	Sec. 5. 26 V.S.A. chapter 15, subchapter 3 is amended to read:
2	Subchapter 3. Licensing Electricians
3	§ 901. ELECTRICIANS' LICENSING BOARD
4	(a) A board for the licensing of electricians is created, to be known as the
5	"Electricians' Licensing Board."
6	(b) The board Board consists of the Commissioner of Public Safety or a
7	member of that Department designated by the Commissioner and four persons
8	appointed by the Governor with the advice and consent of the Senate.
9	(1) The four appointed members shall serve for terms of three years,
10	beginning on July 1 in the year of appointment, and they shall include one
11	licensed master electrician, one licensed journeyman electrician, one person
12	associated with the public electrical utility industry who is knowledgeable in
13	technical as well as operational issues of the electrical utility industry, and one
14	person associated with the fire insurance industry.
15	(2) No Not more than two appointed members' terms shall expire in the
16	same year.
17	(c) The Governor shall appoint one of the members of the Board to serve as
18	its chair.
19	* * *

1	§ 905. APPLICATION; EXAMINATIONS, EDUCATION, AN	D FEES
2	(a)(1) Each applicant for a license shall submit to the Board,	on forms
3	furnished by it, a written application containing such relevant inf	formation as
4	the Board may require, accompanied by the required examination	n fee.
5	(2) The examination fee shall be established by the Board	but shall be
6	no greater than the cost associated with administering the examin	nation.
7	Notwithstanding 32 V.S.A. § 502(a), if the examination is condu	cted by an
8	outside testing service, the required examination fee may be paid	directly to the
9	testing service.	
10	* * *	
11	(d)(1) Three-year electrical license fees shall be:	
12	(A) For a masters license (initial and renewal)	\$150.00;
13	(B) For a journeyman's license (initial and renewal)	\$115.00;
14	(C) For a type-S journeyman's license (initial and renev	wal) per field
15		\$115.00 ; .
16	(2) The fee for a certificate for framing shall be:	\$10.00.
17	* * *	
18	(g) In addition to other education requirements of this subcha	pter, the
19	Commissioner shall adopt rules to require each applicant to comp	olete an
20	education module regarding the State's energy goals and how the	e electrician
21	profession can further those goals.	

1	(1) The education module shall be not more than two hours and shall be
2	required as a condition of initial licensure and license renewal.
3	(2) The Commissioner shall adopt these rules in consultation with the
4	Agency of Natural Resources and the Department of Public Service.
5	(3)(A) The education module shall be provided to applicants for initial
6	licensure and license renewal at no cost.
7	(B) The Commissioner may incorporate any cost of providing this
8	education module into the Board's license fee structure if that incorporation is
9	approved by the General Assembly.
10	* * *
11	Sec. 6. 26 V.S.A. chapter 39 is amended to read:
12	CHAPTER 39. PLUMBERS AND PLUMBING
13	* * *
14	Subchapter 2. Plumber's Examining Board
15	§ 2181. PLUMBER'S EXAMINING BOARD; MEMBERSHIP; POWERS
16	(a) A The Plumber's Examining Board, within the Department of Public
17	Safety, hereinafter called "Board," shall consist of five members, one of whom
18	shall be the Commissioner of Public Safety or designee and one of whom shall
19	represent the Commissioner of Health or designee. The remaining three
20	members shall be appointed by the Governor with the advice and consent of
21	the Senate. One of the appointive members shall be a master plumber, one

1	shall be a journey plumber, and one shall be a public member not associated
2	with the plumbing or heating trades.
3	* * *
4	Subchapter 3. Licenses
5	* * *
6	§ 2193. APPLICATIONS AND; EXAMINATIONS; EDUCATION, AND
7	FEES
8	(a)(1) Each applicant for license shall present to the executive office of the
9	Board on blanks furnished by the Board, a written application for examination
10	and license containing such information as the Board may require,
11	accompanied by the fee required. Notwithstanding 32 V.S.A. § 502(a), if the
12	examination is conducted by an outside testing service, the required
13	examination fee may be paid directly to the testing service.
14	(2) Examinations shall be in whole or in part in writing and shall include
15	the theoretical and practical nature of plumbing or specialties, or both, and
16	knowledge of State laws and Department of Health and Environmental
17	Conservation regulations and such other regulations as the Board may
18	determine necessary to satisfactorily determine the qualifications of the
19	applicant. Examinations shall be relevant to the instructional material taught in
20	classes, codes used, and new developments and procedures within the trade.
21	* * *

1	(c) License and renewal fees are as follows:
2	(1) Master plumber license \$ 120.00
3	(2) Journeyman plumber license \$ 90.00
4	(3) Specialist license \$ 50.00
5	(4) Master renewal fee \$ 120.00
6	(5) Journeyman renewal fee \$ 90.00
7	(6) Specialist renewal fee \$ 50.00
8	(7) License certificate \$ 10.00
9	(d) Master and journeyman plumbers shall be exempt from paying license
10	or renewal fees as specialists.
11	(e) In addition to other education requirements of this subchapter, the
12	Commissioner shall adopt rules to require each applicant to complete an
13	education module regarding the State's energy goals and how the plumbing
14	profession can further those goals.
15	(1) The education module shall be not more than two hours and shall be
16	required as a condition of initial licensure and license renewal, except that
17	master and journeyman plumbers who complete this education module shall
18	not be required to complete this education module for any additional specialty
19	license.
20	(2) The Commissioner shall adopt these rules in consultation with the
21	Agency of Natural Resources and the Department of Public Service.

1	(3)(A) The education module shall be provided to applicants for initial
2	licensure and license renewal at no cost.
3	(B) The Commissioner may incorporate any cost of providing this
4	education module into the Board's license fee structure if that incorporation is
5	approved by the General Assembly.
6	* * *
7	Sec. 7. ADOPTION OF RULES; APPLICATION OF EDUCATION
8	REQUIREMENTS
9	The Office of Professional Regulation and the Commissioner of Public
10	Safety shall adopt the rules providing the State energy goals education module
11	requirements described in this act so that the education modules are established
12	and the rules are adopted and apply to the required professionals on or before
13	<u>December 31, 2020.</u>
14	Sec. 8. EFFECTIVE DATE
15	This act shall take effect on passage.