

1 S.220

2 Senators Ashe and Pearson move that the bill be amended by striking out  
3 Secs. 33 (specified regulatory entities; Office of Professional Regulation;  
4 report on current and recommended continuing education; climate change and  
5 State energy goals) and 34 (effective dates) and their accompanying reader  
6 assistance headings and inserting in lieu thereof the following:

7 \* \* \* State Energy Goals \* \* \*

8 Sec. 33. 3 V.S.A. § 138 is added to read:

9 § 138. REQUIRED EDUCATION FOR SPECIFIED LICENSEES; STATE  
10 ENERGY GOALS

11 (a) The following licensees are required to complete the education module  
12 regarding the State’s energy goals as described in this section:

13 (1) architects licensed under 26 V.S.A. chapter 3;

14 (2) landscape architects licensed under 26 V.S.A. chapter 46;

15 (3) pollution abatement facility operators licensed under 26 V.S.A.

16 chapter 99;

17 (4) potable water supply and wastewater system designers licensed

18 under 26 V.S.A. chapter 97;

19 (5) professional engineers licensed under 26 V.S.A. chapter 20;

20 (6) property inspectors licensed under 26 V.S.A. chapter 19;

21 (7) real estate appraisers licensed under 26 V.S.A. chapter 69; and

1           (8) real estate brokers and salespersons licensed under 26 V.S.A.  
2           chapter 41.

3           (b) The Office shall ~~adopt rules to~~ require each of the licensees described in  
4           subsection (a) of this section to complete an education module regarding the  
5           State’s energy goals and how each licensee’s specific profession can further  
6           those goals.

7           (1) The education module shall be not more than two hours and shall be  
8           required as a condition of initial licensure and each license renewal. The  
9           module shall include education on any State or utility incentives relevant to the  
10          profession.

11          (A) The education module for initial licensure shall provide general  
12          information regarding the State’s energy goals.

13          (B) The education module for license renewal shall provide any  
14          updates on the State’s energy goals and any updates regarding corresponding  
15          State energy programs applicable to the profession.

16          (2) The Office shall consider any recommendations on these education  
17          modules provided by relevant stakeholders and ~~adopt these rules~~ approve  
18          education modules in consultation with the Agency of Natural Resources and  
19          the Department of Public Service for all the licensees set forth in subsection (a)  
20          of this section and in consultation with the Department of Taxes for real estate  
21          appraisers and real estate brokers and sales persons.

1       ~~(c)(1) The education module shall be provided to the required applicants~~  
2       ~~for initial licensure and license renewal at no cost.~~

3       ~~(2) The Office may incorporate any cost of providing this education~~  
4       ~~module into the Office's licensing fee structure if that incorporation is~~  
5       ~~approved by the General Assembly.~~

6       Sec. 34. 20 V.S.A. chapter 173, subchapter 2 is amended to read:

7                               Subchapter 2. ~~Fire Safety~~ Division of Fire Safety

8   \* \* \*

9       § 2731. RULES; INSPECTIONS; VARIANCES

10       (a) Rules.

11               (1) The Commissioner is authorized to adopt rules regarding the  
12       construction of buildings, maintenance and operation of premises, and  
13       prevention of fires and removal of fire hazards, and to prescribe standards  
14       necessary to protect the public, employees, and property against harm arising  
15       out of or likely to arise out of fire.

16               (2)(A) The Commissioner shall ~~adopt rules to~~ require each of the  
17       following certificants to complete an education module regarding the State's  
18       energy goals and how each certificant's specific profession can further those  
19       goals:

20                       (i) gas appliance installers, inspectors, and servicers certified  
21       under subdivision (c)(4)(C) of this section;

1                   (ii) oil burning equipment installers, inspectors, and servicers  
2 certified under subdivision (c)(4)(D) of this section; and

3                   (iii) limited oil burning equipment installers, inspectors, and  
4 services certified under subdivision (c)(4)(F) of this section.

5                   (B) The education module shall be not more than two hours and shall  
6 be required as a condition of initial certification and certification renewal. The  
7 module shall include education on any State or utility incentives relevant to the  
8 profession.

9                   (i) The education module for initial certification shall provide  
10 general information regarding the State's energy goals.

11                   (ii) The education module for certification renewal shall provide  
12 any updates on the State's energy goals and any updates regarding  
13 corresponding State energy programs applicable to the profession.

14                   (C) The Commissioner shall consider any recommendations on these  
15 education modules provided by relevant stakeholders and ~~adopt these rules~~  
16 approve education modules in consultation with the Agency of Natural  
17 Resources and the Department of Public Service.

18                   ~~(D)(i) The education module shall be provided to the required~~  
19 ~~applicants for initial certification and certification renewal at no cost.~~

1 ~~(ii) The Commissioner may incorporate any cost of providing this~~  
2 ~~education module into the Division of Fire Safety's certification fee structure if~~  
3 ~~that incorporation is approved by the General Assembly.~~

4 (b) Inspections.

5 (1) The Commissioner shall conduct inspections of premises to assure  
6 ensure that the rules adopted under this subchapter are being observed and may  
7 establish priorities for enforcing these rules and standards based on the relative  
8 risks to persons and property from fire of particular types of premises.

9 (2) The Commissioner may also conduct inspections to assure ensure  
10 that buildings are constructed in accordance with approved plans and drawings.

11 (c) Fees. The following fire prevention and building code fees are  
12 established:

13 \* \* \*

14 (4) Three-year initial certificate of fitness and renewal fees for  
15 individuals performing activities related to fire or life safety established under  
16 subsection (a) of this section shall be:

17 (A) Water-based fire protection system design:

18 (i) Initial certification: \$150.00.

19 (ii) Renewal: \$50.00.

20 (B) Water-based fire protection system installation, maintenance,  
21 repair, and testing:

1 (i) Initial certification: \$115.00.

2 (ii) Renewal: \$50.00.

3 (C) Gas appliance installation, inspection, and service: \$60.00.

4 (D) Oil burning equipment installation, inspection, and service:  
5 \$60.00.

6 (E) Fire alarm system inspection and testing: \$90.00.

7 (F) Limited oil burning equipment installation, inspection, and  
8 service: \$60.00.

9 (G) Domestic water-based fire protection system installation,  
10 maintenance, repair, and testing:

11 (i) Initial certification: \$60.00.

12 (ii) Renewal: \$20.00.

13 (H) Fixed fire extinguishing system design, installation, inspection,  
14 servicing, and recharging:

15 (i) Initial certification: \$60.00.

16 (ii) Renewal: \$20.00.

17 (I) Emergency generator installation, maintenance, repair, and  
18 testing: \$30.00;

19 (J) Chimney and solid fuel burning appliance cleaning, maintenance,  
20 and evaluation: \$30.00.

21 \* \* \*

1 (e) Variances; exemptions. The Except for ~~the~~ any rules requiring the  
2 education module regarding the State’s energy goals described in subdivision  
3 (a)(2) of this section, the Commissioner may grant variances or exemptions  
4 from rules adopted under this subchapter where strict compliance would entail  
5 practical difficulty, unnecessary hardship, or is otherwise found unwarranted,  
6 provided that:

7 (1) any such variance or exemption secures the public safety and health;

8 (2) any petitioner for such a variance or exemption can demonstrate that  
9 the methods, means, or practices proposed to be taken in lieu of compliance  
10 with the rule or rules provide, in the opinion of the Commissioner, equal  
11 protection of the public safety and health as provided by the rule or rules;

12 (3) the rule or rules from which the variance or exemption is sought has  
13 not also been adopted as a rule or standard under 21 V.S.A. chapter 3,  
14 subchapters 4 and 5; and

15 (4) any such variance or exemption does not violate any of the  
16 provisions of 26 V.S.A. chapters 3 and 20 or any rules adopted thereunder.

17 \* \* \*

18 Sec. 35. 20 V.S.A. chapter 173, subchapter 5 is amended to read:

19 Subchapter 5. Boilers and Pressure Vessels

20 \* \* \*

1 § 2883. BOILER INSPECTIONS

2 (1) The ~~commissioner~~ Commissioner has authority to obtain specific  
3 information from boiler inspectors on forms ~~which~~ that shall first be approved  
4 by the ~~commissioner~~ Commissioner.

5 (2) The ~~commissioner~~ Commissioner may authorize qualified inspectors  
6 to conduct inspections under such rules as the ~~commissioner~~ Commissioner  
7 may prescribe.

8 (A) If a boiler or pressure vessel is insured, the inspection may be  
9 conducted by a qualified inspector who is employed, or contractually  
10 authorized, by the insurer.

11 (B) If a boiler or pressure vessel is not insured, the inspection may be  
12 conducted by any qualified inspector authorized by the ~~commissioner~~  
13 Commissioner. In case the inspection is made by such an inspector, ~~no~~ a fee  
14 shall not be charged by the ~~division~~ Division, except a process fee of \$30.00  
15 for issuance of an operating certificate.

16 (3)(A) The fee for a person requesting a three-year authorization to  
17 conduct inspections shall be \$150.00.

18 (B) A licensed boiler inspector shall carry liability insurance in an  
19 amount determined by the ~~department~~ Department.



1 § 2884. QUALIFICATIONS OF INSPECTORS

2 (a) Examination. All boiler inspectors shall have passed the examination  
3 required by the National Board of Boiler and Pressure Vessel Inspectors, and  
4 hold annual certification from ~~such~~ that board.

5 (b) Education. The Commissioner shall ~~adopt rules to~~ require each boiler  
6 inspector to complete an education module regarding the State’s energy goals  
7 and how the boiler inspection profession can further those goals.

8 (1) The education module shall be not more than two hours and shall be  
9 required as a condition of initial authorization and authorization renewal. The  
10 module shall include education on any State or utility incentives relevant to the  
11 profession.

12 (A) The education module for initial authorization shall provide  
13 general information regarding the State’s energy goals.

14 (B) The education module for authorization renewal shall provide  
15 any updates on the State’s energy goals and any updates regarding  
16 corresponding State energy programs applicable to the profession.

17 (2) The Commissioner shall consider any recommendations on these  
18 education modules provided by relevant stakeholders and ~~adopt these rules~~  
19 approve education modules in consultation with the Agency of Natural  
20 Resources and the Department of Public Service.





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(g) In addition to other education requirements of this subchapter, the Commissioner shall ~~adopt rules to~~ require each applicant to complete an education module regarding the State’s energy goals and how the electrician profession can further those goals.

(1) The education module shall be not more than two hours and shall be required as a condition of initial licensure and license renewal. The module shall include education on any State or utility incentives relevant to the profession.

(A) The education module for initial licensure shall provide general information regarding the State’s energy goals.

(B) The education module for license renewal shall provide any updates on the State’s energy goals and any updates regarding corresponding State energy programs applicable to the profession.

(2) The Commissioner shall consider any recommendations on these education modules provided by relevant stakeholders and ~~adopt these rules~~ approve education modules in consultation with the Agency of Natural Resources and the Department of Public Service.

~~(3)(A) The education module shall be provided to applicants for initial licensure and license renewal at no cost.~~

1                   ~~(B) The Commissioner may incorporate any cost of providing this~~  
2                   ~~education module into the Board's license fee structure if that incorporation is~~  
3                   ~~approved by the General Assembly.~~

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5                   Sec. 37. 26 V.S.A. chapter 39 is amended to read:

6   CHAPTER 39. PLUMBERS AND PLUMBING

7   \* \* \*

8   Subchapter 2. Plumber's Examining Board

9                   § 2181. PLUMBER'S EXAMINING BOARD; MEMBERSHIP; POWERS

10                  (a) ~~A~~ The Plumber's Examining Board, within the Department of Public  
11                  Safety, ~~hereinafter called "Board,"~~ shall consist of five members, one of whom  
12                  shall be the Commissioner of Public Safety or designee and one of whom shall  
13                  represent the Commissioner of Health or designee. The remaining three  
14                  members shall be appointed by the Governor with the advice and consent of  
15                  the Senate. One of the appointive members shall be a master plumber, one  
16                  shall be a journey plumber, and one shall be a public member not associated  
17                  with the plumbing or heating trades.

18   \* \* \*

19   Subchapter 3. Licenses

20   \* \* \*

21                  § 2193. APPLICATIONS ~~AND~~; EXAMINATIONS; EDUCATION, AND

1 FEES

2 (a)(1) Each applicant for license shall present to the executive office of the  
3 Board on blanks furnished by the Board, a written application for examination  
4 and license containing such information as the Board may require,  
5 accompanied by the fee required. Notwithstanding 32 V.S.A. § 502(a), if the  
6 examination is conducted by an outside testing service, the required  
7 examination fee may be paid directly to the testing service.

8 (2) Examinations shall be in whole or in part in writing and shall include  
9 the theoretical and practical nature of plumbing or specialties, or both, and  
10 knowledge of State laws and Department of Health and Environmental  
11 Conservation regulations and such other regulations as the Board may  
12 determine necessary to satisfactorily determine the qualifications of the  
13 applicant. Examinations shall be relevant to the instructional material taught in  
14 classes, codes used, and new developments and procedures within the trade.

15 \* \* \*

16 (c) License and renewal fees are as follows:

17	(1) Master plumber license	\$ 120.00
18	(2) Journeyman plumber license	\$ 90.00
19	(3) Specialist license	\$ 50.00
20	(4) Master renewal fee	\$ 120.00
21	(5) Journeyman renewal fee	\$ 90.00

1 (6) Specialist renewal fee \$ 50.00

2 (7) License certificate \$ 10.00

3 (d) Master and journeyman plumbers shall be exempt from paying license  
4 or renewal fees as specialists.

5 (e) In addition to other education requirements of this subchapter, the  
6 Commissioner shall ~~adopt rules to~~ require each applicant to complete an  
7 education module regarding the State’s energy goals and how the plumbing  
8 profession can further those goals.

9 (1) The education module shall be not more than two hours and shall be  
10 required as a condition of initial licensure and license renewal, except that  
11 master and journeyman plumbers who complete this education module shall  
12 not be required to complete this education module for any additional specialty  
13 license. The module shall include education on any State or utility incentives  
14 relevant to the profession.

15 (A) The education module for initial licensure shall provide general  
16 information regarding the State’s energy goals.

17 (B) The education module for license renewal shall provide any  
18 updates on the State’s energy goals and any updates regarding corresponding  
19 State energy programs applicable to the profession.

20 (2) The Commissioner shall consider any recommendations on these  
21 education modules provided by relevant stakeholders and ~~adopt these rules~~

1 approve education modules in consultation with the Agency of Natural  
2 Resources and the Department of Public Service.

3 ~~(3)(A) The education module shall be provided to applicants for initial~~  
4 ~~licensure and license renewal at no cost.~~

5 ~~(B) The Commissioner may incorporate any cost of providing this~~  
6 ~~education module into the Board's license fee structure if that incorporation is~~  
7 ~~approved by the General Assembly.~~

8 \* \* \*

9 ~~Sec. 7. ADOPTION OF RULES; APPLICATION OF EDUCATION~~

10 ~~REQUIREMENTS~~

11 ~~The Office of Professional Regulation and the Commissioner of Public~~  
12 ~~Safety shall adopt the rules providing the State energy goals education module~~  
13 ~~requirements described in this act so that the education modules are established~~  
14 ~~and the rules are adopted and apply to the required professionals on or before~~  
15 ~~December 31, 2020.~~

16 \* \* \* Effective Dates \* \* \*

17 Sec. 38. EFFECTIVE DATES; APPLICATION

18 This act shall take effect on July 1, 2020, except that:

19 (1) Secs. 28 and 29 (massage therapists, bodyworkers, and touch  
20 professionals) shall take effect on November 1, 2020; and



1           (2) Secs. 33-37 (State energy goals; continuing education) shall take  
2           effect on July 1, 2021, except that all existing licensed, certified, or authorized  
3           professionals to whom these provisions apply shall be required to obtain the  
4           education module for initial licensure as a condition of their upcoming  
5           renewal, and shall thereafter be required to obtain the education module for  
6           renewal at the subsequent renewal cycle.