

45:14C-1 et seq.

March 14, 1969

LEGISLATIVE HISTORY OF R.S. ~~26-3531~~
(Licensing of plumbers)

45:14C-1 et seq.

Recommitted

1963 - A583

- April 1 - Introduced by Keegan and Kordja.
- April 1 - Business Affairs Committee.
- May 20 - Fiscal note received.

1964 - S347

- April 27 - Introduced by Sarcone and Grossi.
- April 27 - Business Affairs Committee.

1965 - S14

- January 12 - Introduced by Sarcone and Grossi.
- January 12 - Business Affairs Committee.
- May 17 - Reported, 2nd reading.
- November 29, amended.
- November 29 - 2nd reading, amended.

1966 - S136

- January 31 - Introduced by Keegan and Scholz.
- January 31 - Business Affairs Committee.
- April 4 - Reported, 2nd reading.
- May 9 - Amended.
- May 9 - 2nd reading, amended.
- June 22 - Recommitted.

1967 - S298

- February 14 - Introduced by Keegan and Scholz.
- February 14 - Business Affairs Committee.
- March 13 - Reported, 2nd reading.
- May 8 - Lost in Senate.
- May 8 - Recommitted.
- November 27 - Reported with committee amendment.
- November 27 - 2nd reading.
- No statement.

1968 - A517

- March 18 - Introduced by Coury, Olsen and Garibaldi.
- March 18 - Commerce, Ind. & Professions Committee.

The bill which became law was:

1968 - S243 - *Chap 362*

- January 15 - Introduced by Dumont, Schoem, and Sciro.
- April 18 - Passed in Senate, amended.
- May 6 - Passed in Assembly.
- Sept. 10 - Returned by Governor with recommended amendment.
- Sept. 13 - Amended as recommended, re-enacted in Senate.
- Nov. 18 - Re-enacted in Assembly.
- December 26 - Approved, Chapter 362

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Amendments attached; Governor's veto message attached.
No statement.

There was a 1969 bill (A76) on licensing plumbers
prefiled before the Governor signed 1968 S243.

No hearings or reports were located.

In the vertical file under N.J.--Licenses and Permits,
only one short article was located:

~~SL 4/1968 "Licenses for plumbers no longer a pipe dream".~~

JH/PC

CHAPTER 362 LAWS OF N. J. 1968

APPROVED 12/26/68

CORRECTED COPY

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 243

STATE OF NEW JERSEY

INTRODUCED JANUARY 15, 1968

By Senator DUMONT

Referred to Committee on Commerce, Industry and Professions

AN ACT concerning master plumbers, providing for the State licensing thereof in certain cases, establishing a State Board of Examiners of Master Plumbers, making an appropriation and amending section 26:3-31 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Sections 1 through 27 of this act shall be known and may be cited as
2 "The State Plumbing License Law of 1968."

1 2. When used in this act,

2 (a) "Master plumber" shall mean and include any person, firm, corpora-
3 tion or other legal entity skilled in the planning, supervision and installation
4 of plumbing and who is engaged in contracting to furnish labor, or labor and
5 materials, for the installation, maintenance, repair, extension, alteration or
6 renovation of plumbing.

7 (b) "State board" shall mean and include the State Board of Plumbing
8 Examiners, as created hereunder.

9 (c) "Act" means this act and the rules and regulations adopted under it.

10 (d) "Bona fide representative" shall mean a licensed master plumber
11 who is the holder of not less than 10% of the issued and outstanding shares
12 of stock in a corporation, or not less than 10% of the capital of a partner-
13 ship, or not less than 10% of the ownership of any other firm or legal en-
14 tity engaging in the business of master plumber in the State of New Jersey.

1 3. There is created hereunder a State Board of Examiners of Master
2 Plumbers in the Department of Law and Public Safety, consisting of 7 citi-
3 zens to be appointed by the Governor, without regard to political affiliation,
4 and except as to members first appointed, for terms of 4 years and until the
5 appointment of their successors. Of the members first appointed 2 shall be
6 appointed for terms of 1 year, 2 for 2 years, 2 for 3 years and one for 4
7 years. Three members shall be master plumbers of at least 10 years experi-

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

8 ence, **[2]** *one* shall be local plumbing inspectors who have held such
 9 appointment for at least 10 years, one shall be a journeyman plumber of at
 10 least 10 years experience and **[one]** *2* shall be **[a representa-**
 11 **tive]** *representatives* of the public having no association with the
 11A plumbing industry.

12 No member shall be eligible for appointment for more than 2 terms. Ap-
 13 pointments to fill vacancies on the board shall be made for the remainder of
 14 the unexpired term.

15 Members of the board shall be subject to removal by the Governor for
 16 cause.

1 4. Each member of the State board shall receive \$25.00 for each day of
 2 actual service in attending meetings of the board at which business is trans-
 3 acted and in addition shall be entitled to be reimbursed for his necessary
 4 traveling expenses; provided such compensation in **[1]** *any* fiscal
 5 year shall not exceed \$1,000.00 per member.

1 5. A majority of the State board shall constitute a quorum for the
 2 transaction of business.

1 6. The State board shall organize annually by the selection from among
 2 its members of a chairman, a vice-chairman and a secretary, *subject to the*
 3 *approval of the Attorney General*. Such officers shall so serve without addi-
 4 tional compensation. The chairman, vice-chairman and secretary shall serve
 5 in such capacities for a period of 1 year or until their successors are
 6 selected. Vacancies in such offices shall be filled for the unexpired terms by
 7 the State board in the manner set forth above. The State board with the
 8 approval of the Attorney General is authorized to appoint **[a director]**
 9 *an executive-secretary without regard to the provisions of Title 11, Civil*
 10 *Service* and such clerical assistants as may be required and within the
 11 limits of available appropriations and to fix their compensation **[subject to**
 12 **the civil service laws]**. The State board is hereby authorized to incur such
 13 other necessary expenses, within available appropriation therefor, as may
 14 be required to carry out its functions and purpose. All moneys received by
 15 the State board shall be remitted to the State Treasury. *All expenditures*
 16 *deemed necessary to carry out the provisions of this act shall be paid by the*
 17 *State Treasurer from the license fees and other sources of income of the*
 18 *board, within the limits of available appropriations according to law, but in*
 19 *no event shall expenditures exceed the revenues of the board during any fiscal*
 20 *year.*

1 7. **[The State board may adopt, amend and promulgate rules and**
 2 **regulations which may be reasonably necessary for the [proper performance**
 3 **of its duties and the furtherance of the purposes and provisions of this act]**
 4 *examining of applicants, for and the issuance of licenses.*

5 *In no event shall the board have any authority to adopt any rules and*
 6 *regulations pertaining to the definition of plumbing or plumbing practices.****

7 ****The State board may adopt, amend and promulgate such rules and*
 8 *regulations which may be necessary to carry out the provisions of this act;*
 9 *provided, however, that the board's jurisdiction shall not include the regula-*
 10 *tion or determination of matters relating to trade or craft jurisdiction or the*
 11 *determination of whether any particular class of employee is entitled to per-*
 12 *form any particular work.****

1 8. The State board, under the hand of its chairman and the seal of the
 2 State board, may subpoena witnesses and compel their attendance before it
 3 and may require the production of such papers or documents in any matter
 4 involving proceedings for the revocation, refusal to issue, or suspension of
 5 any State license issued hereunder. Any member of the State board may ad-
 6 minister oaths or affirmations to witnesses appearing before the State board.

1 9. The State board shall keep a record of all proceedings conducted before
 2 it.

1 10. The State board shall keep a register of all applications for State
 2 licenses, which register shall show: (a) name, age and residence of the ap-
 3 plicant, (b) date of application, (c) principal place of business of applicant,
 4 (d) name and address of employer firm or corporation, if not self-employed,
 5 (e) whether or not an examination was required, (f) whether the applicant
 6 was accepted or rejected, (g) the number of the license, if issued, (h) the
 7 date of the action of the State board, (i) any other information prescribed by
 8 the State board.

1 11. On and after the effective date of this act, any person desiring to
 2 obtain a State master plumber's license shall make application to the State
 3 board to be licensed as described herein and shall pay all the fees required
 4 in connection therewith, and be examined as herein required.

1 12. Upon the issuance of a State license by the State board to such per-
 2 son, it shall be lawful for such person, the provisions of Revised Statutes
 3 26:3-31(e) notwithstanding, to practice or to be engaged as a master plumber
 4 in the business of plumbing in any municipality in this State; and such per-
 5 son, during the term specified in such State license, shall not be compelled
 6 nor required to (a) be licensed by any municipality or subdivision thereof,
 7 including local boards of health, or (b) apply for and take any examination in
 8 connection therewith, or (c) pay, or be obligated to pay, any examination
 9 or licensing fees in connection therewith.

1 13. On and after the effective date of this act, it shall be lawful for any
 2 corporation, partnership, firm or other legal entity, the provisions of Revised
 3 Statutes 26:3-31 (e) notwithstanding, to practice or to be engaged as a

4 master plumber in the business of plumbing in any municipality in this State
 5 during the term specified in the State license held by a bona fide representa-
 6 tive of such corporation, partnership, firm or other legal entity and such
 7 corporation, partnership, firm or other legal entity shall not be compelled
 8 nor required to (a) be licensed by any municipality or subdivision thereof,
 9 including local boards of health, or (b) apply for and take any examination in
 10 connection therewith, or (c) pay, or be obligated to pay, any examination or
 11 licensing fees in connection therewith; provided, a bona fide representative
 12 of such corporation, partnership, firm or other legal entity shall have se-
 13 cured a State license issued hereunder and shall have paid all fees in con-
 14 nection therewith.

1 14. This act shall not deny to any municipality the power to inspect
 2 plumbing work or plumbing equipment or the power to regulate the standards
 3 and manner in which plumbing work shall be done, but no municipality shall
 4 require any master plumber licensed under this act to obtain a municipal
 5 license or business permit to engage in the business of or perform the work
 6 of master plumber in such municipality.

1 15. Not less than 30 days and no more than 60 days prior to the date set
 2 for the examination for a master plumber's State license, every person,
 3 except as herein provided, desiring to apply for a State license, who shall
 4 meet the qualifications as set forth herein, shall deliver to the State board,
 5 personally or by certified mail, return receipt requested, postage prepaid, a
 6 certified check or money order payable to the Treasurer of the State of New
 7 Jersey in the required amount as set forth herein, together with such written
 8 application as shall be required by the State board, completed as therein de-
 9 scribed, and together with proof of qualifications as described hereunder.

10 The qualifications which shall be met and satisfied shall be as follows:
 11 Such person shall be ****[25]** **21**** or more years of age and shall have been
 12 engaged or employed in the plumbing industry for a period of ****[7]** **5****
 13 years next preceding the date of his application for such State license.
 14 ****[Five]** **Three**** or more of such ****[7]** **5**** years shall have been
 15 spent while engaged or employed as a journeyman plumber. In lieu of such
 16 7 years, such person shall have been awarded a bachelor's degree in engi-
 17 neering from an accredited college or university in the United States and in
 18 addition shall have been engaged or employed in the practical work of
 19 installing plumbing systems for ****[2 consecutive years next preceding the**
 20 **date of the application for such State license]** **1 year****.

21 Proof of compliance with such qualifications or those in lieu thereof shall
 22 be submitted to the State board in writing, sworn to by the applicant, and

23 such written proof shall be accompanied by a recent photograph of the
24 applicant.

1 16. (a) Every State master plumber's license examination shall be sub-
2 stantially uniform and shall be designed so as to establish the competence
3 and qualifications of the applicant to perform the type of work and business
4 as described by this act. The examination may be theoretical or practical in
5 nature, or both.

6 (b) The examination shall be held at least 4 times a year, at Trenton or
7 such other place as the State board shall deem necessary. Public notice of the
8 time and place of the examination shall be given.

9 (c) No person who has failed the examination shall be eligible to be re-
10 examined for a period of 6 months from the date of the examination failed by
11 such person.

12 (d) The following shall be the fees charged by the State board:

13	First application for master plumber's	
14	**[State examination]** **license**.	\$100 00
15	**[Initial master plumber's State license..	\$ 50 00]**
16	Annual renewal of master plumber's	
17	State license	**[\$ 25 00]** **\$50 00**
18	Re-examination for master plumber's	
19	State examination	\$ 35 00

1 17. The State board shall, upon application to it and the payment of the
2 prescribed fee, issue a State master plumber's license without examination
3 to any person who, within 6 months following the effective date of this act,
4 submits satisfactory evidence that he **[is either (a) the holder of not less
5 than 3 municipal master plumber's licenses which shall have been in effect for
6 at least *[5 consecutive years]* *1 year* next preceding the date of his
7 application for a State license or (b) a master plumber who has been con-
8 tinuously so engaged for at least *[7 consecutive years]* *1 year* next
9 preceding the date of his application for a State license, and that his princi-
10 pal business for at least *[2 years]* *1 year* next preceding his applica-
11 tion for a State license has been that of master plumber]** **has been em-
12 ployed or engaged in the business of plumbing for 5 years prior to the date
13 of his application for a State license.** The persons entitled to State license
14 under this provision of this act shall comply with the remaining provisions
15 of this act.

1 18. Every State license issued hereunder shall automatically expire
2 on **[December 31]** **June 30** following the date of its issuance.
3 **[The board may by rule or regulation provide for prorating fees to be
4 charged for the initial year of licensing under this act.])** Licenses may be

5 renewed annually by the State board upon written application of the holder
6 and payment of the prescribed fee and renewal of required bond. Such license
7 may be renewed without the holder having to be re-examined, provided said
8 application for renewal is made within 30 days next preceding or following
9 the scheduled expiration date. Any applicant for renewal making application
10 at any time subsequent to the 30 days next following the scheduled expira-
11 tion date may be required by the State board to be re-examined, and such
12 person shall not continue to act as a State licensed master plumber, as de-
13 scribed in this act, and no firm, corporation or other legal entity for which
14 such person is the bona fide representative shall operate thereafter under a
15 State license in the plumbing business, as described in this act, until a valid
16 State license has been secured or is held by a bona fide representative.
17 ****[In the event that any person shall not apply for renewal of the State**
18 **license within 1 year next following the scheduled expiration date, it shall be**
19 **mandatory for the State board to require such applicant to be re-examined**
20 **if he desires to reapply for a State license.]****

21 Any State license expiring while the holder thereof is outside the conti-
22 nental limits of the United States in connection with any project under-
23 taken by the Government of the United States, or while in the services of
24 the Armed Forces of the United States, shall be renewed without such holder
25 being required to be re-examined, upon payment of the prescribed fee at any
26 time within 4 months after such person's return to the United States or dis-
27 charge from the armed forces, whichever is later.

1 19. The State board may in its discretion grant State licenses without
2 examination to applicants so licensed by other States; provided that equal
3 reciprocity is provided for New Jersey master plumbers by law of such ap-
4 plicant's domiciliary State ***and provided further that such sister State's*
5 *standards are equal to or comparable to those of this State***.

1 20. No firm, corporation or other legal entity operating under and by
2 virtue of this act shall be denied the privilege of conducting and continuing
3 the business of plumbing, by reason of the death, illness or other substantial
4 disability of the bona fide representative of such firm, corporation or other
5 entity, provided (a) such firm, corporation or other entity has complied
6 with the other provisions of this act, and (b) that such firm, corporation or
7 other entity maintains a place of business within this State, and (c) another
8 bona fide representative of such entity obtains for a State license within 6
9 months from the date of such death, illness or disability. The State board
10 may promulgate additional regulations governing the management and oper-
11 ation of such an entity during that period of time when such entity shall
12 be in operation without having a bona fide representative.

1 21. All State licenses issued hereunder shall be nontransferable and non-
 2 assignable; and at a hearing held before the State board, any license which
 3 shall have been found to have been so transferred or assigned shall be sus-
 4 pended or revoked by the State board upon due notice to the holder thereof.
 5 Such hearing and notice shall be conducted in accordance with the terms of
 6 this act.

1 22. The State board shall act as a hearing board which may on its own
 2 motion investigate and conduct hearings regarding the suspension or revo-
 3 cation of any State license issued hereunder. The State board, on its own
 4 motion or on complaint by any aggrieved person, in writing, duly signed
 5 and sworn to by the complainant, and filed with the secretary of the State
 6 board, may suspend or revoke any State license issued hereunder, as here-
 7 inafter set forth, if any licensee has:

8 (a) Made a material misstatement on his application for an original or
 9 renewal State license or examination; or

10 (b) Willfully committed fraud in his occupation; or

11 (c) Practiced his occupation in a willfully negligent manner; or

12 (d) Willfully violated any State or local plumbing code**~~]~~** **; or

13 (e) *Been convicted of a crime involving moral turpitude; or*

14 (f) *Violated any provision of this act or any rule or regulation adopted*
 15 *pursuant thereto.***

15a The State board shall notify the accused licensee of the time and place of
 15b the hearings and the nature of the charges against him. **~~]~~** All such hearings
 15c shall be held and conducted within 2 months after the date of the filing of
 16 the complaint with the secretary of the State board.~~]~~** The notice to the
 17 accused licensee shall be in writing, directed to his last known place of busi-
 18 ness and shall be mailed by certified mail, return receipt requested, postage
 19 prepaid, not less than 15 days before such hearing date. At any hearing the
 20 accused licensee shall have the right to appear personally and by counsel and
 21 shall have the right to confront and cross-examine witnesses appearing
 22 against him and to produce evidence and witnesses in his defense. If a ma-
 23 jority of the State board shall vote for suspension or revocation of the ac-
 24 cused's State license, the record of the State board shall be so marked and
 25 the licensee shall be notified of the State board's decision as soon as practi-
 26 cable. Any person whose State license shall have been revoked may apply for
 27 a new State license and shall meet all of the requirements of this act for ap-
 28 plicants for new State licenses; provided that such applicant shall not have
 29 the right to apply for such new State license within 6 months from and after
 30 the date of revocation of such license.

1 23. Every person whose State license has been suspended or revoked
2 shall have the right to appeal from the decision of the State board by a pro-
3 ceeding in lieu of prerogative writs.

1 24. Every person who shall not elect to secure a State license hereunder
2 shall remain under the provisions of Revised Statutes 26:3-31 (e) and the
3 licensing and examination of such persons shall be solely governed by the
4 municipal bodies implementing such provisions.

1 25. Any person, firm or corporation who violates any of the provisions
2 of this act ***or any rule or regulation adopted pursuant thereto*** shall be
3 fined not less than ***[\$50.00* nor more than \$100.00 or be imprisoned for not
4 more than 30 days, or both~~]~~*** \$100.00 or more than \$500.00 for the first*
5 *offense and not less than \$500.00 or more than \$1,000.00 for the second and each*
6 *subsequent offense***. Penalties shall be collected and enforced by the State
7 board in the name of the State by summary proceedings in any county district
8 or municipal court pursuant to the Penalty Enforcement Law (N. J. S.
9 2A:58-1 et seq.)

1 26. In addition to such other bonds as may be required pursuant to con-
2 tract, no master plumber who is the holder of a license under the provisions
3 of this act shall undertake to do any plumbing work in the State of New Jer-
4 sey or any political subdivision thereof unless and until he shall have first
5 entered into a bond in favor of the State of New Jersey in the sum of \$3,000.00
6 executed by a surety company authorized to transact business in the State of
7 New Jersey, approved by the Department of Banking and Insurance and to
8 be conditioned on the faithful performance of the provisions of this act. No
9 municipality shall require any similar bond from any master plumber licensed
10 under this act. The board shall by rule and regulation provide who shall be
11 eligible to receive the financial protection afforded by the bond required to
12 be filed hereunder. The aforesaid bond shall be for the term of 12 months
13 and shall be renewed at each expiration for a similar period.

1 27. The provisions of this act are severable and if any provision of this
2 act, or any part thereof, or the application thereof to any person or circum-
3 stances is held unconstitutional, the remaining provisions, and parts thereof,
4 and application of such provisions, or part thereof, to other persons or cir-
5 cumstances shall not be affected thereby.

1 28. There is hereby appropriated to the Department of Law and Public
2 Safety for the administration of this act until June 30, ~~**[1968~~ the sum of
3 \$25,000.00~~**~~ ***1969 all revenues received by the board, the expenditure of*
4 *which shall be subject to the approval of the Attorney General and the Direc-*
5 *tor of the Division of Budget and Accounting***.

1 29. Section 26:3-31 of the Revised Statutes is amended to read as follows:

2 26:3-31. The local board of health shall have power to pass, alter or
3 amend ordinances and make rules and regulations in regard to the public
4 health within its jurisdiction, for the following purposes:

5 a. To protect the public water supply and prevent the pollution of any
6 stream of water or well, the water of which is used for domestic purposes,
7 and to prevent the use of or to close any well, the water of which is polluted
8 or detrimental to the public health.

9 b. (1) To prohibit the cutting, sale or delivery of ice in any municipality
10 without obtaining a permit from the local board. No person shall cut, sell
11 or deliver ice in any municipality without obtaining such permit.

12 (2) To refuse such permit or revoke any permit granted by it when in its
13 judgment the use of any ice cut, sold or delivered under the permit would
14 be detrimental to the public health. Upon the refusal or revocation of a per-
15 mit by the local board, an appeal may be taken to the State department. Upon
16 order of the State department a permit shall be granted or the revocation
17 set aside.

18 (3) To prohibit the importation, distribution or sale of any impure ice
19 which would be detrimental to the public health.

20 c. To license and regulate the sanitary conditions of hotels, restaurants,
21 cafes, and other public eating houses and to provide for the posting of rat-
22 ings or score cards setting forth the sanitary condition of any public eating
23 house after inspection of the same, and to post the rating or score card in
24 some conspicuous or public place in such eating house.

25 d. To compel any owner of property along the line of any sewer to con-
26 nect his house or other building therewith. This paragraph shall be enforced
27 by the local board within its jurisdiction and it shall by ordinance provide
28 a fine of \$25.00 to be imposed upon any person who shall not comply with any
29 order issued under the authority of this paragraph, within 30 days after
30 notice by the proper officer of the board to make the required connections.
31 An additional fine of \$10.00 shall be provided for each day of delay, after
32 the expiration of the 30 days, in which the provisions of the order or notice
33 are not complied with. Such notice may be served upon the owner personally
34 or by leaving it at his usual place of abode with a member of his family
35 above the age of 18 years.

36 e. To regulate the practice of plumbing, to issue licenses and to create
37 an examining board to determine the qualification of any applicant for a license
38 to practice plumbing. The board shall consist of 3 persons, of whom one
39 shall be a plumbing inspector in the employ of the local board, one a master
40 plumber, and one a journeyman plumber. *No such ordinance or rule or reg-*

41 *ulation adopted thereunder shall require the obtaining of a license by any*
42 *person, firm or corporation licensed in accordance with the "State Plumbing*
43 *License Law of 1968."*

44 f. To regulate, control, and prohibit the accumulation of offal and any
45 decaying or vegetable substance.

46 g. (1) To regulate the location, construction, maintenance, method of
47 emptying or cleaning, and the frequency of cleaning of any privy or other
48 place used for the reception or storage of human excrement, and to prohibit
49 the construction or maintenance of any privy or other such place until a li-
50 cense therefor shall have been issued by the board, which license shall con-
51 tinue in force for 1 year from the date of issue.

52 (2) To fix the fee, not exceeding \$5.00, for such license, and to use the
53 fees so collected in supervising and maintaining said privies or other places
54 and in removing and disposing of the excrement therefrom.

55 (3) To revoke such license at any time if the owner or tenant of the
56 property on which any privy or other such place is located, maintains the
57 same in violation of law, or of the State sanitary code, or any ordinance or
58 rule of the board.

59 h. To regulate, control, or prohibit the cleaning of any sewer, the dump-
60 ing of garbage, the filling of any sunken lot or marsh land, and to provide for
61 the filling up of any such lot or land, which has become filled with stagnant
62 water and is located in any built-up area.

63 i. (1) To license and regulate the business of cleaning cesspools and
64 privies, which license shall continue for the term of 1 year from the date of
65 granting, and to fix the fee that shall be charged for such license, not exceed-
66 ing \$20.00 for each vehicle or conveyance.

67 (2) To prohibit unlicensed persons from engaging in such business.

68 (3) To require any vehicle or conveyance used in such business within
69 its jurisdiction to be approved by it.

70 (4) To revoke such license if any licensee or his employee or agent shall
71 violate any ordinance or rule of the board in cleaning any cesspool or privy,
72 or in removing the contents thereof.

73 j. To aid in the enforcement of laws as to the adulteration of all kinds
74 of food and drink, and to prevent the sale or exposure for sale of any meat
75 or vegetable that is unwholesome or unfit for food.

76 k. To regulate, control, or prohibit the keeping or slaughtering of animals.

77 l. To license and regulate the keeping of boarding houses for infants and
78 children and to fix a license fee for the same and to prevent unlicensed persons
79 from keeping such boarding houses. This paragraph shall not apply to:

80 (1) [The State Board of Children's Guardians.] *The Bureau of Chil-*
80A *dren's Services.*

81 (2) Any children's home, orphan asylum, or children's aid society incor-
82 porated under the laws of this State.

83 (3) Any aid society of a properly organized and accredited church or
84 fraternal society organized for aid and relief to its members.

85 (4) Any charitable society incorporated under the laws of this State hav-
86 ing as one of its objects the prevention of cruelty to children or the care and
87 protection of children.

88 m. To compel owners of buildings, designed to be occupied, or occupied,
89 as residences by more than 2 families and when the owners have agreed to
90 supply heat, to provide heat from October 1 in each year to May 1 of the suc-
91 ceeding year so that the temperature of said apartment where one or more
92 persons reside shall always be kept at 68 degrees Fahrenheit or above, be-
93 tween the hours of 6 ante meridian and 10 post meridian.

94 n. To regulate the practice of midwifery, but the exercise of such au-
95 thority shall not conflict with the provisions of chapter 10 of the Title Pro-
96 fessions and Occupations (§ 45:10-1 et seq.).

97 o. To enforce the making of returns or reports to the local board on the
98 part of any person charged with such duty under any law and to take cog-
99 nizance of any failure to make such returns and deal with the same in an
100 effective manner.

1 30. This act shall take effect immediately **[but no licenses shall be
2 issuable pursuant thereto until 4 months thereafter]**.

STATE OF NEW JERSEY

INTRODUCED JANUARY 15, 1968

By Senator DUMONT

Referred to Committee on Commerce, Industry and Professions

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1 2. When used in this act,

2 (a) "Master plumber" shall mean and include any person, firm, corpora-
3 tion or other legal entity skilled in the planning, supervision and installation
4 of plumbing and who is engaged in contracting to furnish labor, or labor and
5 materials, for the installation, maintenance, repair, extension, alteration or
6 renovation of plumbing.

7 (b) "State board" shall mean and include the State Board of Plumbing
8 Examiners, as created hereunder.

9 (c) "Act" means this act and the rules and regulations adopted under it.

10 (d) "Bona fide representative" shall mean a licensed master plumber
11 who is the holder of not less than 10% of the issued and outstanding shares
12 of stock in a corporation, or not less than 10% of the capital of a partner-
13 ship, or not less than 10% of the ownership of any other firm or legal en-
14 tity engaging in the business of master plumber in the State of New Jersey.

1 3. There is created hereunder a State Board of Examiners of Master
2 Plumbers in the Department of Law and Public Safety, consisting of 7 citi-
3 zens to be appointed by the Governor, without regard to political affiliation,
4 and except as to members first appointed, for terms of 4 years and until the
5 appointment of their successors. Of the members first appointed 2 shall be
6 appointed for terms of 1 year, 2 for 2 years, 2 for 3 years and one for 4

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

7 years. Three members shall be master plumbers of at least 10 years experience, 2 shall be local plumbing inspectors who have held such appointment for at least 10 years, one shall be a journeyman plumber of at least 10 years experience and one shall be a representative of the public having no association with the plumbing industry.

No member shall be eligible for appointment for more than 2 terms. Appointments to fill vacancies on the board shall be made for the remainder of the unexpired term.

Members of the board shall be subject to removal by the Governor for cause.

4. Each member of the State board shall receive \$25.00 for each day of actual service in attending meetings of the board at which business is transacted and in addition shall be entitled to be reimbursed for his necessary traveling expenses; provided such compensation in 1 fiscal year shall not exceed \$1,000.00 per member.

5. A majority of the State board shall constitute a quorum for the transaction of business.

6. The State board shall organize annually by the selection from among its members of a chairman, a vice-chairman and a secretary. Such officers shall so serve without additional compensation. The chairman, vice-chairman and secretary shall serve in such capacities for a period of 1 year or until their successors are selected. Vacancies in such offices shall be filled for the unexpired terms by the State board in the manner set forth above. The State board with the approval of the Attorney General is authorized to appoint a director and such clerical assistants as may be required and within the limits of available appropriations and to fix their compensation subject to the civil service laws. The State board is hereby authorized to incur such other necessary expenses, within available appropriation therefor, as may be required to carry out its functions and purpose. All moneys received by the State board shall be remitted to the State Treasury.

7. The State board may adopt, amend and promulgate rules and regulations which may be reasonably necessary for the ***[proper performance of its duties and the furtherance of the purposes and provisions of this act]*** **examining of applicants, for and the issuance of licenses.*

*In no event shall the board have any authority to adopt any rules and regulations pertaining to the definition of plumbing or plumbing practices.**

8. The State board, under the hand of its chairman and the seal of the State board, may subpoena witnesses and compel their attendance before it and may require the production of such papers or documents in any matter involving proceedings for the revocation, refusal to issue, or suspension of any State license issued hereunder. Any member of the State board may administer oaths or affirmations to witnesses appearing before the State board.

1 9. The State board shall keep a record of all proceedings conducted before
2 it.

1 10. The State board shall keep a register of all applications for State
2 licenses, which register shall show: (a) name, age and residence of the ap-
3 plicant, (b) date of application, (c) principal place of business of applicant,
4 (d) name and address of employer firm or corporation, if not self-employed,
5 (e) whether or not an examination was required, (f) whether the applicant
6 was accepted or rejected, (g) the number of the license, if issued, (h) the
7 date of the action of the State board, (i) any other information prescribed by
8 the State board.

1 11. On and after the effective date of this act, any person desiring to
2 obtain a State master plumber's license shall make application to the State
3 board to be licensed as described herein and shall pay all the fees required
4 in connection therewith, and be examined as herein required.

1 12. Upon the issuance of a State license by the State board to such per-
2 son, it shall be lawful for such person, the provisions of Revised Statutes
3 26:3-31(e) notwithstanding, to practice or to be engaged as a master plumber
4 in the business of plumbing in any municipality in this State; and such per-
5 son, during the term specified in such State license, shall not be compelled
6 nor required to (a) be licensed by any municipality or subdivision thereof,
7 including local boards of health, or (b) apply for and take any examination in
8 connection therewith, or (c) pay, or be obligated to pay, any examination
9 or licensing fees in connection therewith.

1 13. On and after the effective date of this act, it shall be lawful for any
2 corporation, partnership, firm or other legal entity, the provisions of Revised
3 Statutes 26:3-31 (e) notwithstanding, to practice or to be engaged as a
4 master plumber in the business of plumbing in any municipality in this State
5 during the term specified in the State license held by a bona fide representa-
6 tive of such corporation, partnership, firm or other legal entity and such
7 corporation, partnership, firm or other legal entity shall not be compelled
8 nor required to (a) be licensed by any municipality or subdivision thereof,
9 including local boards of health, or (b) apply for and take any examination in
10 connection therewith, or (c) pay, or be obligated to pay, any examination or
11 licensing fees in connection therewith; provided, a bona fide representative
12 of such corporation, partnership, firm or other legal entity shall have se-
13 cured a State license issued hereunder and shall have paid all fees in con-
14 nection therewith.

1 14. This act shall not deny to any municipality the power to inspect
2 plumbing work or plumbing equipment or the power to regulate the standards
3 and manner in which plumbing work shall be done, but no municipality shall
4 require any master plumber licensed under this act to obtain a municipal

5 license or business permit to engage in the business of or perform the work
6 of master plumber in such municipality.

1 15. Not less than 30 days and no more than 60 days prior to the date set
2 for the examination for a master plumber's State license, every person,
3 except as herein provided, desiring to apply for a State license, who shall
4 meet the qualifications as set forth herein, shall deliver to the State board,
5 personally or by certified mail, return receipt requested, postage prepaid, a
6 certified check or money order payable to the Treasurer of the State of New
7 Jersey in the required amount as set forth herein, together with such written
8 application as shall be required by the State board, completed as therein de-
9 scribed, and together with proof of qualifications as described hereunder.

10 The qualifications which shall be met and satisfied shall be as follows:
11 Such person shall be 25 or more years of age and shall have been engaged
12 or employed in the plumbing industry for a period of 7 years next preceding
13 the date of his application for such State license. Five or more of such 7
14 years shall have been spent while engaged or employed as a journeyman
15 plumber. In lieu of such 7 years, such person shall have been awarded a bache-
16 lor's degree in engineering from an accredited college or university in
17 the United States and in addition shall have been engaged or employed in
18 the practical work of installing plumbing systems for 2 consecutive years next
18A preceding the date of the application for such State license.

19 Proof of compliance with such qualifications or those in lieu thereof shall
20 be submitted to the State board in writing, sworn to by the applicant, and
21 such written proof shall be accompanied by a recent photograph of the
22 applicant.

1 16. (a) Every State master plumber's license examination shall be sub-
2 stantially uniform and shall be designed so as to establish the competence
3 and qualifications of the applicant to perform the type of work and business
4 as described by this act. The examination may be theoretical or practical in
5 nature, or both.

6 (b) The examination shall be held at least 4 times a year, at Trenton or
7 such other place as the State board shall deem necessary. Public notice of the
8 time and place of the examination shall be given.

9 (c) No person who has failed the examination shall be eligible to be re-
10 examined for a period of 6 months from the date of the examination failed by
11 such person.

12 (d) The following shall be the fees charged by the State board:

13	First application for master plumber's State examination ..	\$100 00
14	Initial master plumber's State license	\$ 50 00
15	Annual renewal of master plumber's State license	\$ 25 00
16	Re-examination for master plumber's State examination ...	\$ 35 00

1 17. The State board shall, upon application to it and the payment of the
2 prescribed fee, issue a State master plumber's license without examination
3 to any person who, within 6 months following the effective date of this act,
4 submits satisfactory evidence that he is either (a) the holder of not less than
5 3 municipal master plumber's licenses which shall have been in effect for
6 at least ***[5 consecutive years]*** **1 year** next preceding the date of his
7 application for a State license or (b) a master plumber who has been con-
8 tinuously so engaged for at least ***[7 consecutive years]*** **1 year** next
9 preceding the date of his application for a State license, and that his princi-
10 pal business for at least ***[2 years]*** **1 year** next preceding his applica-
11 tion for a State license has been that of master plumber. The persons
12 entitled to State license under this provision of this act shall comply with the
13 remaining provisions of this act.

1 18. Every State license issued hereunder shall automatically expire
2 on December 31 following the date of its issuance. The board may by rule or
3 regulation provide for prorating fees to be charged for the initial year of
4 licensing under this act. Licenses may be renewed annually by the State
5 board upon written application of the holder and payment of the prescribed
6 fee and renewal of required bond. Such license may be renewed without the
7 holder having to be re-examined, provided said application for renewal is
8 made within 30 days next preceding or following the scheduled expiration
9 date. Any applicant for renewal making application at any time subsequent
10 to the 30 days next following the scheduled expiration date may be required
11 by the State board to be re-examined, and such person shall not continue to
12 act as a State licensed master plumber, as described in this act, and no firm,
13 corporation or other legal entity for which such person is the bona fide rep-
14 resentative shall operate thereafter under a State license in the plumbing busi-
15 ness, as described in this act, until a valid State license has been secured
16 or is held by a bona fide representative. In the event that any person shall
17 not apply for renewal of the State license within 1 year next following the
18 scheduled expiration date, it shall be mandatory for the State board to re-
19 quire such applicant to be re-examined if he desires to reapply for a State
20 license.

21 Any State license expiring while the holder thereof is outside the conti-
22 nental limits of the United States in connection with any project under-
23 taken by the Government of the United States, or while in the services of
24 the Armed Forces of the United States, shall be renewed without such holder
25 being required to be re-examined, upon payment of the prescribed fee at any
26 time within 4 months after such person's return to the United States or dis-
27 charge from the armed forces, whichever is later.

1 19. The State board may in its discretion grant State licenses without
2 examination to applicants so licensed by other States; provided that equal
3 reciprocity is provided for New Jersey master plumbers by law of such ap-
4 plicant's domiciliary State.

1 20. No firm, corporation or other legal entity operating under and by
2 virtue of this act shall be denied the privilege of conducting and continuing
3 the business of plumbing, by reason of the death, illness or other substantial
4 disability of the bona fide representative of such firm, corporation or other
5 entity, provided (a) such firm, corporation or other entity has complied
6 with the other provisions of this act, and (b) that such firm, corporation or
7 other entity maintains a place of business within this State, and (c) another
8 bona fide representative of such entity obtains for a State license within 6
9 months from the date of such death, illness or disability. The State board
10 may promulgate additional regulations governing the management and oper-
11 ation of such an entity during that period of time when such entity shall
12 be in operation without having a bona fide representative.

1 21. All State licenses issued hereunder shall be nontransferable and non-
2 assignable; and at a hearing held before the State board, any license which
3 shall have been found to have been so transferred or assigned shall be sus-
4 pended or revoked by the State board upon due notice to the holder thereof.
5 Such hearing and notice shall be conducted in accordance with the terms of
6 this act.

1 22. The State board shall act as a hearing board which may on its own
2 motion investigate and conduct hearings regarding the suspension or revo-
3 cation of any State license issued hereunder. The State board, on its own
4 motion or on complaint by any aggrieved person, in writing, duly signed
5 and sworn to by the complainant, and filed with the secretary of the State
6 board, may suspend or revoke any State license issued hereunder, as here-
7 inafter set forth, if any licensee has:

8 (a) Made a material misstatement on his application for an original or
9 renewal State license or examination; or

10 (b) Willfully committed fraud in his occupation; or

11 (c) Practiced his occupation in a willfully negligent manner; or

12 (d) Willfully violated any State or local plumbing code.

13 The State board shall notify the accused licensee of the time and place
14 of the hearings and the nature of the charges against him. All such hear-
15 ings shall be held and conducted within 2 months after the date of the filing
16 of the complaint with the secretary of the State board. The notice to the
17 accused licensee shall be in writing, directed to his last known place of busi-
18 ness and shall be mailed by certified mail, return receipt requested, postage
19 prepaid, not less than 15 days before such hearing date. At any hearing the

20 accused licensee shall have the right to appear personally and by counsel and
21 shall have the right to confront and cross-examine witnesses appearing
22 against him and to produce evidence and witnesses in his defense. If a ma-
23 jority of the State board shall vote for suspension or revocation of the ac-
24 cused's State license, the record of the State board shall be so marked and
25 the licensee shall be notified of the State board's decision as soon as practi-
26 cable. Any person whose State license shall have been revoked may apply for
27 a new State license and shall meet all of the requirements of this act for ap-
28 plicants for new State licenses; provided that such applicant shall not have
29 the right to apply for such new State license within 6 months from and after
30 the date of revocation of such license.

1 23. Every person whose State license has been suspended or revoked
2 shall have the right to appeal from the decision of the State board by a pro-
3 ceeding in lieu of prerogative writs.

1 24. Every person who shall not elect to secure a State license hereunder
2 shall remain under the provisions of Revised Statutes 26:3-31 (e) and the
3 licensing and examination of such persons shall be solely governed by the
4 municipal bodies implementing such provisions.

1 25. Any person, firm or corporation who violates any of the provisions
2 of this act shall be fined not less than \$50.00 nor more than \$100.00 or be
3 imprisoned for not more than 30 days, or both. Penalties shall be collected
4 and enforced by the State board in the name of the State by summary pro-
5 ceedings in any county district or municipal court pursuant to the Penalty
6 Enforcement Law (N. J. S. 2A:58-1 et seq.)

1 26. In addition to such other bonds as may be required pursuant to con-
2 tract, no master plumber who is the holder of a license under the provisions
3 of this act shall undertake to do any plumbing work in the State of New Jer-
4 sey or any political subdivision thereof unless and until he shall have first
5 entered into a bond in favor of the State of New Jersey in the sum of \$3,000.00
6 executed by a surety company authorized to transact business in the State of
7 New Jersey, approved by the Department of Banking and Insurance and to
8 be conditioned on the faithful performance of the provisions of this act. No
9 municipality shall require any similar bond from any master plumber licensed
10 under this act. The board shall by rule and regulation provide who shall be
11 eligible to receive the financial protection afforded by the bond required to
12 be filed hereunder. The aforesaid bond shall be for the term of 12 months
13 and shall be renewed at each expiration for a similar period.

1 27. The provisions of this act are severable and if any provision of this
2 act, or any part thereof, or the application thereof to any person or circum-
3 stances is held unconstitutional, the remaining provisions, and parts thereof,
4 and application of such provisions, or part thereof, to other persons or cir-
5 cumstances shall not be affected thereby.

1 28. There is hereby appropriated to the Department of Law and Public
2 Safety for the administration of this act until June 30, 1968 the sum of
3 \$25,000.00.

1 29. Section 26:3-31 of the Revised Statutes is amended to read as follows:

2 26:3-31. The local board of health shall have power to pass, alter or
3 amend ordinances and make rules and regulations in regard to the public
4 health within its jurisdiction, for the following purposes:

5 a. To protect the public water supply and prevent the pollution of any
6 stream of water or well, the water of which is used for domestic purposes,
7 and to prevent the use of or to close any well, the water of which is polluted
8 or detrimental to the public health.

9 b. (1) To prohibit the cutting, sale or delivery of ice in any municipality
10 without obtaining a permit from the local board. No person shall cut, sell
11 or deliver ice in any municipality without obtaining such permit.

12 (2) To refuse such permit or revoke any permit granted by it when in its
13 judgment the use of any ice cut, sold or delivered under the permit would
14 be detrimental to the public health. Upon the refusal or revocation of a per-
15 mit by the local board, an appeal may be taken to the State department. Upon
16 order of the State department a permit shall be granted or the revocation
17 set aside.

18 (3) To prohibit the importation, distribution or sale of any impure ice
19 which would be detrimental to the public health.

20 c. To license and regulate the sanitary conditions of hotels, restaurants,
21 cafes, and other public eating houses and to provide for the posting of rat-
22 ings or score cards setting forth the sanitary condition of any public eating
23 house after inspection of the same, and to post the rating or score card in
24 some conspicuous or public place in such eating house.

25 d. To compel any owner of property along the line of any sewer to con-
26 nect his house or other building therewith. This paragraph shall be enforced
27 by the local board within its jurisdiction and it shall by ordinance provide
28 a fine of \$25.00 to be imposed upon any person who shall not comply with any
29 order issued under the authority of this paragraph, within 30 days after
30 notice by the proper officer of the board to make the required connections.
31 An additional fine of \$10.00 shall be provided for each day of delay, after
32 the expiration of the 30 days, in which the provisions of the order or notice
33 are not complied with. Such notice may be served upon the owner personally
34 or by leaving it at his usual place of abode with a member of his family
35 above the age of 18 years.

36 e. To regulate the practice of plumbing, to issue licenses and to create an
37 examining board to determine the qualification of any applicant for a license
38 to practice plumbing. The board shall consist of 3 persons, of whom one

39 shall be a plumbing inspector in the employ of the local board, one a master
40 plumber, and one a journeyman plumber. *No such ordinance or rule or reg-*
41 *ulation adopted thereunder shall require the obtaining of a license by any*
42 *person, firm or corporation licensed in accordance with the "State Plumbing*
43 *License Law of 1968."*

44 f. To regulate, control, and prohibit the accumulation of offal and any
45 decaying or vegetable substance.

46 g. (1) To regulate the location, construction, maintenance, method of
47 emptying or cleaning, and the frequency of cleaning of any privy or other
48 place used for the reception or storage of human excrement, and to prohibit
49 the construction or maintenance of any privy or other such place until a li-
50 cense therefor shall have been issued by the board, which license shall con-
51 tinue in force for 1 year from the date of issue.

52 (2) To fix the fee, not exceeding \$5.00, for such license, and to use the
53 fees so collected in supervising and maintaining said privies or other places
54 and in removing and disposing of the excrement therefrom.

55 (3) To revoke such license at any time if the owner or tenant of the
56 property on which any privy or other such place is located, maintains the
57 same in violation of law, or of the State sanitary code, or any ordinance or
58 rule of the board.

59 h. To regulate, control, or prohibit the cleaning of any sewer, the dump-
60 ing of garbage, the filling of any sunken lot or marsh land, and to provide for
61 the filling up of any such lot or land, which has become filled with stagnant
62 water and is located in any built-up area.

63 i. (1) To license and regulate the business of cleaning cesspools and
64 privies, which license shall continue for the term of 1 year from the date of
65 granting, and to fix the fee that shall be charged for such license, not exceed-
66 ing \$20.00 for each vehicle or conveyance.

67 (2) To prohibit unlicensed persons from engaging in such business.

68 (3) To require any vehicle or conveyance used in such business within
69 its jurisdiction to be approved by it.

70 (4) To revoke such license if any licensee or his employee or agent shall
71 violate any ordinance or rule of the board in cleaning any cesspool or privy,
72 or in removing the contents thereof.

73 j. To aid in the enforcement of laws as to the adulteration of all kinds
74 of food and drink, and to prevent the sale or exposure for sale of any meat
75 or vegetable that is unwholesome or unfit for food.

76 k. To regulate, control, or prohibit the keeping or slaughtering of animals.

77 l. To license and regulate the keeping of boarding houses for infants and
78 children and to fix a license fee for the same and to prevent unlicensed persons
79 from keeping such boarding houses. This paragraph shall not apply to:

80 (1) **【The State Board of Children's Guardians.】** *The Bureau of Chil-*
80A *dren's Services.*

81 (2) Any children's home, orphan asylum, or children's aid society incor-
82 porated under the laws of this State.

83 (3) Any aid society of a properly organized and accredited church or
84 fraternal society organized for aid and relief to its members.

85 (4) Any charitable society incorporated under the laws of this State hav-
86 ing as one of its objects the prevention of cruelty to children or the care and
87 protection of children.

88 m. To compel owners of buildings, designed to be occupied, or occupied,
89 as residences by more than 2 families and when the owners have agreed to
90 supply heat, to provide heat from October 1 in each year to May 1 of the suc-
91 ceeding year so that the temperature of said apartment where one or more
92 persons reside shall always be kept at 68 degrees Fahrenheit or above, be-
93 tween the hours of 6 ante meridian and 10 post meridian.

94 n. To regulate the practice of midwifery, but the exercise of such au-
95 thority shall not conflict with the provisions of chapter 10 of the Title Pro-
96 fessions and Occupations (§ 45:10-1 et seq.).

97 o. To enforce the making of returns or reports to the local board on the
98 part of any person charged with such duty under any law and to take cog-
99 nizance of any failure to make such returns and deal with the same in an
100 effective manner.

1 30. This act shall take effect immediately but no licenses shall be issuable
2 pursuant thereto until 4 months thereafter.

FISCAL NOTE TO
SENATE, No. 243

STATE OF NEW JERSEY

DATED: MARCH 8, 1968

Senate Bill No. 243, designated "The State Plumbing License Law of 1968," creates a 7-member State Board of Examiners of Master Plumbers in the Department of Law and Public Safety to license and regulate the master plumbers; appropriates \$25,000.00 for the administration of this act until June 30, 1968; provides that no license shall be issued until 4 months after enactment.

If Senate Bill No. 243 is enacted, there is appropriated within the act \$25,000.00 to administer the program until June 30, 1968.

Thereafter, in the first full year of operation, fiscal 1968-69, the Division of Budget and Accounting estimates that a net revenue of \$482,500.00 would accrue to the State. In the following year, 1969-70, it is estimated that the net revenue would be \$45,000.00.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

U text

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

September 10, 1968

SENATE BILL NO. 243

To the Senate:

Pursuant to Article V, Section 1, paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 243, with my objections, for reconsideration.

This bill would provide for the State licensure of master plumbers by a State board of examiners of master plumbers.

Over the years, it has been increasingly apparent that licensure of master plumbers by individual municipalities, which has application only within the physical boundaries of such municipality, is antiquated in our modern mobile society. A plumber today, in order to work in several municipalities, is required to obtain a license in each municipality. In addition to the obvious nuisance factor, limited licenses of this nature have been known to be used in an improper manner to limit competition.

I therefore am in agreement with the main purpose of this bill, namely, to provide for a State license which will permit a master plumber to work throughout the State. The licensure provisions of this bill, however, gives the master plumber a choice between obtaining a municipal license or a State license. This will of course limit the effective supervision of activities of plumbers by the State Board and may be confusing to the public. Therefore, I would recommend to this Legislature that careful study be given to the advisability of deleting, by future legislation, the authority for municipal licensure of master plumbers.

In reviewing the provisions of this measure, certain technical defects were disclosed, and I would recommend that the Legislature amend the bill to clarify the powers and duties of the board, the qualifications for licensure, and to assure that the board will be financially self-sustaining.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

Senate Bill No. 243

Page 2

For these reasons, I return herewith Senate Bill No. 243 and recommend that it be amended as follows:

On page 2, section 3, line 8, delete "2" and insert in lieu thereof "one".

On page 2, section 3, line 10, delete "one" and insert in lieu thereof "2".

On page 2, section 3, line 10, delete "a representative" and insert in lieu thereof "representatives".

On page 2, section 4, line 4, delete "1" and insert in lieu thereof "any".

On page 2, section 6, line 2, after "secretary" insert ", subject to the approval of the Attorney General".

On page 2, section 6, line 8, delete "a director" and insert in lieu thereof "an executive-secretary without regard to the provisions of Title II, Civil Service".

On page 2, section 6, lines 9 and 10, delete "subject to the civil service laws".

On page 2, section 6, line 13, after "Treasury." insert "All expenditures deemed necessary to carry out the provisions of this act shall be paid by the State Treasurer from the license fees and other sources of income of the board, within the limits of available appropriations according to law, but in no event shall expenditures exceed the revenues of the board during any fiscal year."

On page 2, section 7, lines 1 through 6, delete the section in its entirety and insert in lieu thereof, "The State board may adopt, amend and promulgate such rules and regulations which may be necessary to carry out the provisions of this act; provided, however, that the board's jurisdiction shall not include the regulation or determination of matters relating to trade or craft jurisdiction or the determination of whether any particular class of employee is entitled to perform any particular work."

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EXECUTIVE DEPARTMENT

Senate Bill No. 243

Page 3

On page 4, section 15, line 11, delete "25" and insert in lieu thereof "21".

On page 4, section 15, line 12, delete "7" and insert in lieu thereof "5".

On page 4, section 15, line 13, delete "Five" and insert in lieu thereof "Three" and delete "7" and insert in lieu thereof "5".

On page 4, section 15, lines 18-18A, delete "2 consecutive years next preceding the date of application for such State license" and insert in lieu thereof "one year".

On page 4, section 16, line 13, delete "State examination" and insert in lieu thereof "license".

On page 4, section 16, line 14, delete the line in its entirety.

On page 4, section 16, line 15, delete "\$25.00" and insert in lieu thereof "\$50.00".

On page 5, section 17, lines 4 through 11, after "he" delete the remainder of this sentence and insert "has been employed or engaged in the business of plumbing for 5 years prior to the date of his application for a State license."

On page 5, section 18, line 2, delete "December 31" and insert in lieu thereof "June 30".

On page 5, section 18, lines 2 through 4, delete the sentence in its entirety.

On page 5, section 18, lines 16 through 20, delete the sentence in its entirety.

On page 6, section 19, line 4, after "State" insert "and provided further that such sister state's standards are equal to or comparable to those of this State".

On page 6, section 22, lines 14 through 16, delete the sentence in its entirety.

On page 6, section 22, line 12, delete "." and insert in lieu thereof "; or".

On page 6, section 22, line 12, after this line insert,

"(e) been convicted of a crime involving moral turpitude; or

(f) violated any provision of this act or any rule or regulation adopted pursuant thereto."

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

Senate Bill No. 243

Page 4

On page 7, section 25, line 2, after "act" insert in lieu thereof "or any rule or regulation adopted pursuant thereto".

On page 7, section 25, lines 2 and 3, after "less than" delete the remainder of this sentence and insert in lieu thereof "\$100.00 or more than \$500.00 for the first offense and not less than \$500.00 or more than \$1000.00 for the second and each subsequent offense."

On page 8, section 28, lines 2 and 3, delete "1968 the sum of \$25,000.00" and insert in lieu thereof "1969 all revenues received by the board, the expenditure of which shall be subject to the approval of the Attorney General and the Director of the Division of Budget and Accounting".

On pages 8 and 9, section 29, lines 36 through 43, delete in their entirety and insert in lieu thereof "deleted by amendment".

On page 10, section 30, lines 1 and 2, delete "but no license shall be issuable pursuant thereto until 4 months thereafter".

[seal]

Respectfully,

/S/ RICHARD J. HUGHES

GOVERNOR

Attest:

/S/ ALAN J. KARCHER

Acting Secretary to the Governor