

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Willems**

A BILL ACT 412 OF 1991
HOUSE BILL 1264

For An Act To Be Entitled

8 "AN ACT TO AMEND VARIOUS SECTIONS OF TITLE 17, CHAPTER 31,
9 SUBCHAPTER 4 OF THE ARKANSAS CODE ANNOTATED OF 1987,
10 PERTAINING TO THE APPRENTICE PLUMBER PROGRAM; AND FOR
11 OTHER PURPOSES."

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13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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15 SECTION 1. Ark. Code Ann. §17-31-401 is hereby amended to read as
16 follows:

17 "17-31-401. Definitions.

18 As used in this subchapter, unless the context otherwise requires:

- 19 (1) 'Apprentice plumber' means any person other than a journeyman or
20 master plumber who is engaged in learning and assisting in the installation of
21 plumbing and drainage and enrolled in a state-approved apprentice program;
22 (2) 'Board' means the State Board of Vocational Education;
23 (3) 'Department' means the State Department of Education. "

24
25 SECTION 2. Ark. Code Ann. §17-31-402 is hereby amended to read as
26 follows:

27 "17-31-402. Powers of State Board of Vocational Education.

28 The board shall have the following powers:

- 29 (1) To insure that all persons working as apprentice plumbers are
30 properly registered;
31 (2) To adopt rules and regulations as to the qualifications, training,
32 and supervision of apprentice plumbers subject to the approval of the
33 Department of Health;
34 (3) To adopt rules and regulations establishing the roles and duties of
35 the following organizations or officials in the plumbing apprenticeship
36 program in compliance with the National Plumbing Standards as approved and

1 registered with the United States Department of Labor, Bureau of
2 Apprenticeship and Training:

3 (A) Division of Vocational and Technical Education of the
4 Department of Education;

5 (B) The State Apprenticeship Committee;

6 (C) The local apprenticeship committee;

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8 (4) To review and approve a correspondence course for apprentice
9 plumbers in hardship cases, provided that:

10 (A) The department will maintain the responsibility for a
11 correspondence course. However, the department shall delegate the
12 administration of the correspondence course to the Division of Vocational and
13 Technical Education of the Department of Education ;

14 (B) The correspondence course material shall be developed by the
15 Division of Vocational and Technical Education of the Department of Education,
16 subject to the approval of the State Apprenticeship Committee and the
17 Department of Health, and made available and to be implemented by the local
18 apprenticeship committee; and

19 (C) The apprentice is tested for adequate progress no less than
20 four (4) times a year."

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22 SECTION 3. Ark. Code Ann. §17-31-403 is hereby amended to read as
23 follows:

24 "17-31-403. State Apprenticeship Committee.

25 (a) The board shall appoint a State Apprenticeship Committee consisting
26 of seven (7) voting members as follows:

27 (1) Two (2) shall be Arkansas state licensed journeyman plumbers;

28 (2) One (1) shall be a registered engineer;

29 (3) One (1) shall be a citizen member; and

30 (4) Three (3) shall be Arkansas state licensed master plumbers.

31 (b)(1) One (1) of the voting members shall be appointed from each
32 congressional district and three (3) of the voting members shall be appointed
33 from the state at large.

34 (2) At least three (3) of the five (5) journeyman and master plumber
35 members must be members of existing functioning local apprenticeship

1 committees.

2 (c) The Director of Vocational and Technical Education of the
3 Department of Education, or his designee, shall serve as a nonvoting advisory
4 member to the committee.

5 (d) Voting members shall serve four-year terms.

6 (e) The members of the committee shall be paid a per diem of ten
7 dollars (\$10.00) per day for the actual number of days served by the member in
8 the performance of his duties. In addition thereto, the members shall be
9 reimbursed for their actual expenses necessarily incurred in the performance
10 of their duties.

11 (f) The board shall prescribe their qualifications and prescribe their
12 duties.

13 (g) The board may remove a member for cause."
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16 SECTION 4. Ark. Code Ann. §17-31-404 is hereby amended to read as
17 follows:

18 "17-31-404. Hardship status - Criteria and applications.

19 (a) (1) The local apprenticeship committee shall establish criteria for
20 eligibility for hardship status. The applicant for hardship status must
21 reside at least thirty (30) miles by the most direct route from the nearest
22 established apprenticeship school.

23 (2) The thirty-mile criterion is a minimum qualification to be
24 considered as hardship, and complete qualifications will be established by the
25 local or state committee.

26 (b) If the local committee does not act on the application within
27 forty-five (45) days of the date it was filed, the application shall be
28 automatically transmitted to the State Apprenticeship Committee, which shall
29 act on the application at its next regularly scheduled meeting after receipt
30 thereof.

31 (c) If the state committee fails to act, the application shall be
32 automatically transmitted to the board , which shall act on the application
33 within forty-five (45) days after receipt."
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35 SECTION 5. Ark. Code Ann. §17-31-405 is hereby amended to read as

1 follows:

2 "17-31-405. Hardship status - Appeals.

3 (a) The decision of the local committee regarding the hardship
4 application may be appealed to the State Apprenticeship Committee, and the
5 State Apprenticeship Committee shall act on the appeal at its next regularly
6 scheduled meeting upon receipt of the appeal.

7 (b) The decision of the State Apprenticeship Committee may be appealed
8 to the board . The board shall act on the appeal within forty-five (45) days
9 of receipt.

10 (c) All actions of the State Apprenticeship Committee may be appealed
11 to the board in accordance with the board's established policies."

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13 SECTION 6. Ark. Code Ann. §17-31-406 is hereby repealed in its
14 entirety.

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16 SECTION 7. Ark. Code Ann. §17-31-408 is hereby amended to read as
17 follows:

18 "17-31-408. Disposition of fees and payments.

19 (a) All fees or payments of any type collected by the department under
20 this subchapter shall be deposited in the State Treasury on or before the
21 fifth day of the month next following the month of collection of the fees or
22 payments. The State Treasurer shall credit the fees or payments to the credit
23 of the Apprentice Plumbers Training Fund which is hereby created on the books
24 of the State Treasurer.

25 (b) All funds deposited in the Apprentice Plumber Training Fund shall
26 be used for the maintenance, operation, and improvement of the apprentice
27 plumbers training program administered by the department."

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29 SECTION 8. All provisions of this act of a general and permanent nature
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
31 Revision Commission shall incorporate the same in the Code.

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33 SECTION 9. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 10. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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7 APPROVED: 3-8-91

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