

ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 1369

By: Snyder of the Senate

and

Fields of the House

[professions and occupations - Construction

Industries Board -

effective date]

AMENDMENT NO. 1. Strike the stricken title, enacting clause and entire bill and insert

"An Act relating to professions and occupations; amending 59 O.S. 2001, Section 1000.5, which relates to the Construction Industries Board Act; modifying fee authority to provide for fee for administration of examinations; amending 59 O.S. 2001, Section 1006.1, which relates to the Plumbing License Law of 1955; eliminating statutory fee; providing that fee will be set by rule by the Construction Industries Board pursuant to statute; amending 59 O.S. 2001, Section 1037, which relates the Oklahoma Inspectors Act; eliminating statutory fee; providing that fee will be set by rule by the Construction Industries Board pursuant to statute; amending 59 O.S. 2001, Section 1685.1, which relates to the Electrical License Act; eliminating statutory fee; providing that fee will be set by rule by the Construction Industries Board pursuant to statute; amending 59 O.S. 2001, Section 1850.8, which relates to the Mechanical Licensing Act; eliminating statutory fees; providing that fees will be set by rule by the Construction Industries Board pursuant to statute; repealing 59 O.S. 2001, Sections 1008 and 1687, which relate to fees charged under the Plumbing License Law of 1955 and the Electrical License Act; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2001, Section 1000.5, is amended to read as follows:

Section 1000.5 A. The Construction Industries Board may establish a system of fees to be charged for the issuance and renewal of licenses and permits, for administration of examinations, and for formal project reviews under the Board's authority. This provision is subject to the following limitations:

1. No schedule of fees may be established or amended by the Board except during such times as the Legislature is in session; provided, the Board may establish or amend a schedule of fees at a time when the Legislature is not in session if the fees or schedule of fees has been specifically authorized by the Legislature pursuant to ~~subsection~~ paragraph 2 of this ~~section~~ subsection. The Board must follow the procedures required by Article I of the Administrative Procedures Act for adoption of rules in establishing or amending any such schedule of fees; and

2. The Board shall charge fees only within the following ranges, except as may be otherwise specified in this section.

For license or permit issuance: not to exceed \$300.00

For license or permit renewal: not to exceed \$200.00

For formal project review for

code conformance: not to exceed \$200.00

For permit issuance for the use

of alternative materials or

methods: not to exceed \$50.00

For administration of license

examinations: not to exceed \$200.00.

B. The Board shall base its schedule of fees upon the reasonable costs of review and inspection services rendered in connection with each license, permit, or review, but shall be within the ranges specified in paragraph 2 of subsection A of this section, except as otherwise specified in this section. The Board shall establish a

system of training for all personnel who render review and inspection services in order to assure uniform statewide application of rules. The Board shall include the reasonable costs associated with such training in the fees provided for in this section.

C. The Board may exempt by rule any class of licensee or permittee from the requirements of the fee schedule if the Board determines that the creation of such a schedule for any such class would create an unreasonable economic hardship.

D. All statutory fees now in effect for the issuance and renewal of any license, permit, or review under the authority of the Construction Industries Board shall remain in effect until such time as the Board acts to implement new fee schedules pursuant to the provisions of this section.

E. Unless otherwise provided, licenses and permits issued by the Construction Industries Board shall be for a one-year period.

SECTION 2. AMENDATORY 59 O.S. 2001, Section 1006.1, is amended to read as follows:

Section 1006.1 A. Within one (1) year of the date the Governor of this state declares a state of emergency in response to a disaster involving the destruction of dwelling units, the Construction Industries Board shall issue a distinctively colored, nonrenewable, temporary journeyman plumber license which shall expire one (1) year after the date of the declaration to any person who is currently licensed as a journeyman plumber by another state and who:

1. Submits, within ten (10) days of beginning journeyman plumber's work in this state, an application and fee for a journeyman plumber's examination;

2. Takes and passes the examination at the first opportunity thereafter offered by the Board; and

3. Pays a temporary journeyman plumber's license fee ~~of Twenty-five Dollars (\$25.00)~~ to be established by rule by the Board pursuant to Section 1000.5 of this title.

B. Nothing in this section shall be construed as prohibiting any person from qualifying at any time for any other license by meeting the requirements for the other license.

SECTION 3. AMENDATORY 59 O.S. 2001, Section 1037, is amended to read as follows:

Section 1037. Application for examination, certification, or license or renewal of license shall be made to the Construction Industries Board in writing on forms furnished by the Board and each application shall be accompanied by a fee ~~of Twenty-five Dollars (\$25.00)~~ to be established by rule by the Board pursuant to Section 1000.5 of this title. Applicants for renewal may also be required to submit proof of compliance with continuing education requirements established by the Board.

SECTION 4. AMENDATORY 59 O.S. 2001, Section 1685.1, is amended to read as follows:

Section 1685.1 A. Within one (1) year of the date the Governor of this state declares a state of emergency in response to a disaster involving the destruction of dwelling units, the Construction Industries Board shall issue a distinctively colored, nonrenewable, temporary journeyman electrician license which shall expire one (1) year after the date of declaration to any person who is currently licensed as a journeyman electrician by another state and who:

1. Submits, within ten (10) days of beginning journeyman electrician's work in this state, an application and fee for a journeyman electrician's examination;

2. Takes and passes the examination at the first opportunity thereafter offered by the Board; and

3. Pays a temporary journeyman electrician's license fee ~~of Twenty-five Dollars (\$25.00)~~ to be established by rule by the Board pursuant to Section 1000.5 of this title.

B. Nothing in this section shall be construed as prohibiting any person from qualifying at any time for any other license by meeting the requirements for the other license.

SECTION 5. AMENDATORY 59 O.S. 2001, Section 1850.8, is amended to read as follows:

Section 1850.8 A. The Construction Industries Board shall issue a license as a mechanical journeyman or mechanical contractor to any person who:

1. Has been certified by the Committee of Mechanical Examiners as having successfully passed the appropriate examination; and

2. Has paid the license fee and has otherwise complied with the provisions of the Mechanical Licensing Act. The license fees shall be ~~annually as follows:~~

- ~~a. mechanical contractor Fifty Dollars (\$50.00),~~
 - ~~b. mechanical journeyman Twenty-five Dollars (\$25.00),~~
 - ~~c. apprentice registration Fifteen Dollars (\$15.00), and~~
 - ~~d. apprentice registration renewal Fifteen Dollars (\$15.00)~~
- established by rule by the Board pursuant to Section 1000.5 of this title.

B. All licenses shall be nontransferable. No license shall be issued for longer than one (1) year and all licenses shall expire on June 30 of each year. Licenses may be renewed upon application and payment of the required fees and payment of any penalty for late renewal, as shall be established by the Board. Licenses, issued without state examination, that have not been renewed by June 30 of the year following expiration, shall not be renewed until the applicant passes the appropriate examination. Persons who are licensed under the Mechanical Licensing Act may have their license placed on inactive status by paying the annual renewal fee and eliminating the bonding and insurance requirements. No late fee shall be charged to renew a license which expired while the applicant

was in military service if application is made within one (1) year of discharge from the military service.

C. The Board is authorized to establish and issue, subject to the provisions of the Mechanical Licensing Act, limited licenses in each area of mechanical work based on the experience, ability, examination scores and the education of the applicant. The limited licenses shall authorize the licensee to engage in only those activities and within the limits specified in the license.

SECTION 6. REPEALER 59 O.S. 2001, Sections 1008 and 1687, are hereby repealed.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval."

Passed the House of Representatives the 17th day of April, 2002.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2002.

Presiding Officer of the Senate