**02-395**

**DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION**

**PLUMBERS’ EXAMINING BOARD**

***ALL RULE CHAPTERS***

Includes:

Ch. 1, Advisory Rulings

### Ch. 2, Complaints, Investigations and Adjudicatory Hearings *(repealed)*

### Ch. 3, Licensing Requirements

Ch. 4, Installation Standards

### Ch. 5, Examination Requirements *(repealed)*

### Ch. 6, Reciprocity

## Ch. 7, Fees *(repealed)*

## Ch. 8, Conflict of Interest *(repealed)*

**Last Updated: October 1, 2016** (Chapter 4)

**02 DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION**

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**Chapter 1: ADVISORY RULINGS**

**Summary:** This rule establishes guidelines relating to advisory rulings.

**1. MEETING NOTICES** *(REPEALED)*

**2. MEETING AGENDAS** *(REPEALED)*

**3. RECORDS** *(REPEALED)*

**4. ADVISORY RULINGS**

 A. **Authority and Scope**

 The board may issue an advisory ruling in accordance with 5 MRSA §9001 concerning the applicability of a statute or rule to existing facts. The board shall review each request for an advisory ruling to determine whether the requested ruling is appropriate. The board may, at its discretion, decline to issue an advisory ruling if the request is hypothetical, if there is insufficient information upon which to base a ruling or for any other reason the board deems proper.

 B. **Submission**

 A request for an advisory ruling must be submitted to the board in writing and must set forth in detail all facts pertinent to the question. The board may require submission of additional information as it deems necessary to provide a complete factual background.

 C. **Ruling**

 The board shall issue advisory rulings in writing. The advisory ruling must include a statement of facts or assumptions, or both, upon which the ruling is based. The statement, without reference to other documents, must be sufficiently detailed to apprise the reader of the basis of the opinion. The assent of three members of the board is required for the issuance of an advisory ruling. The ruling must be signed by the board chair, must be identified specifically as an advisory ruling, and must be numbered serially.

 D. **Publication**

 The department shall mail the advisory ruling to the requesting party and the Board Administrator shall retain a copy. An advisory ruling is a public document and shall be available for public inspection during the normal working hours of the board. In addition, the board may otherwise publish or circulate an advisory ruling as it deems appropriate.

STATUTORY AUTHORITY: 5 MRSA §8051 and §9001(4)

EFFECTIVE DATE:

 February 3, 1980 - Chapter 1 (as Chapter 110)

 March 31, 1985 - Ch. 110 - 150

AMENDED:

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## 02 DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION

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### Chapter 2: COMPLAINTS, INVESTIGATIONS AND ADJUDICATORY HEARINGS

**Summary:** This Chapter describes the procedure by which complaints and adjudicatory hearings will be handled by the Board.

STATUTORY AUTHORITY: 32 M.R.S.A. §§ 3403-A, 3403-B, and 3404

EFFECTIVE DATE:

 February 3, 1980 - in Chapter 1

 March 31, 1985 - part of Chapters 110-150

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## 02 DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION

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### Chapter 3: LICENSING REQUIREMENTS

**Summary:** This chapter sets forth the requirements for initial licensure, examination and license renewal. This chapter also describes the manner in which a lapsed license may be reinstated.

[Note: The statutory requirements for licensure as a trainee plumber, journeyman-in-training, journeyman plumber and master plumber are set forth in 32 MRSA §§ 3501 and 3501-A.]

## 1. TRAINEE PLUMBER

 A. *REPEALED*

 B. A person may apply for licensure as a trainee plumber on forms provided by the board. The application must be accompanied by the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees.” The minimum age for licensure is 16.

 C. Whenever a licensed trainee plumber is no longer employed or supervised by a licensed master or journeyman plumber, the trainee plumber may not perform any plumbing work for which a license is required.

 D. Hours of work accumulated by a trainee plumber shall commence from the date of licensure. Hours completed before a trainee plumber’s 16th birthday will not be recognized.

## 2. JOURNEYMAN-IN-TRAINING

 A. A person who meets the educational qualifications of 32 MRSA §3501(2-B) may apply to sit for the journeyman plumber examination. Upon passing the journeyman plumber examination, a person may apply for licensure as a journeyman-in-training in order to obtain the licensed work experience required for licensure as a journeyman plumber. Application for licensure must be made on forms provided by the board and must be accompanied by the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees.”

 B. Whenever a licensed journeyman-in-training is no longer supervised by a licensed master or journeyman plumber, the journeyman-in-training may not perform any plumbing work for which a license is required.

## 3. JOURNEYMAN PLUMBER

 A. Upon passing the journeyman plumber examination, a person may apply for licensure as a journeyman plumber. Application for licensure must be made on forms provided by the board and must be accompanied by the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees.”

 B. Whenever a licensed journeyman plumber is no longer employed by a licensed master plumber, the journeyman plumber may not perform any plumbing work for which a license is required.

## 4. MASTER PLUMBER

 Upon passing the master plumber examination, a person may apply for licensure as a master plumber. Application for licensure must be made on forms provided by the board and must be accompanied by the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees.”

## 5. RESPONSIBILITY OF THE MASTER OR JOURNEYMAN PLUMBER REGARDING SUPERVISION

 A. By the supervising master plumber’s signature on an application for licensure as a trainee plumber, the master plumber acknowledges supervisory responsibility for the work ethics, performance, and training of the trainee plumber.

 B. *REPEALED*

 C. A master plumber is responsible for ensuring that all journeyman plumbers, journeymen-in-training and trainee plumbers in the employ of or under the supervision of the master plumber are licensed and that they practice within the scope of the license held. A journeyman plumber is responsible for ensuring that all journeymen-in-training and trainee plumbers under the supervision of the journeyman plumber are licensed and that they practice within the scope of the license held.

 D. A master plumber must provide upon request an affidavit attesting to the work experience and work hours completed by a trainee plumber, journeyman-in-training or journeyman plumber while under the employment or supervision of the master plumber.

 E. Whenever a supervising master plumber ceases to provide supervision to a trainee plumber, the master plumber shall promptly notify the board in writing.

## 6. EXAMINATION

 A. An applicant for examination must submit all of the following items to the board:

 (1) Completed application;

 (2) The nonrefundable application fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees;”

 (3) Academic transcript or certificate, if applicable; and

 (4) Affidavits of work experience and work hours furnished pursuant to Section 5(D) of this chapter.

 B. Incomplete or illegible applications will be returned to the applicant along with any attachments received.

 C. An applicant must receive board approval before sitting for an examination. Examination scores of applicants who take an examination before receipt of board approval will not be recognized.

 D. Board approval will remain valid for a period of 2 years following the date of the approval. If an applicant fails to pass an examination within this time, or fails to apply for licensure within 2 years from the date of notification of a passing score on the qualifying examination, the applicant must reapply as a new applicant and retake the examination.

**7. LICENSE EXPIRATION** (*REPEALED)*

**8. LICENSE RENEWAL**

The licenses of master plumbers, journeyman plumbers and trainee plumbers expire 2 years after the date of issuance. To renew a license, the licensee shall follow the on line renewal procedure prescribed by the board and shall remit the license fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration, entitled “Establishment of License Fees.”

## 9. LATE RENEWAL; REINSTATEMENT

 A. **Late Renewal**

 A license may be renewed up to 90 days after expiration upon payment of the late fee set forth in Chapter 11, Section 2(1) of the rules of the Office of Licensing and Registration, entitled “Late Renewals” along with the license fee.

 B. **Reinstatement**

 A master plumber or journeyman plumber who fails to renew a license more than 90 days but less than 2 years after expiration may reinstate the license without taking the examination by filing a new application for renewal and paying the license fee, the late fee set forth in Chapter 11, Section 2(1) of the rules of the Office of Licensing and Registration, entitled “Late Renewals,” and the additional late fee set forth in Chapter 10, Section 5(29) of the rules of the Office of Licensing and Registration entitled “Establishment of License Fees.”

 An applicant who fails to renew a license 2 years or longer after expiration must apply for initial licensure pursuant to Section 6 of this chapter, meet the qualifications for initial licensure in effect at the time of the application and pass the appropriate examination.

 [NOTE: Reinstatement of an expired license held by a plumber separating from the United States Armed Forces may be governed by 32 MRSA §3504.]

STATUTORY AUTHORITY: 32 MRSA §3403-A(1)

EFFECTIVE DATE:

 February 3, 1980 - Chapter 1

 March 31, 1985 - Ch. 110 - 150

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**02 DEPARTMENT OF PROFESSIONAL & FINANCIAL REGULATION**

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**Chapter 4: INSTALLATION STANDARDS**

**Summary**: This Chapter adopts standards for plumbing installations in the State of Maine.

**1. PLUMBING INSTALLATIONS**

 A. The Plumbers’ Examining Board adopts and incorporates herein by reference the International Association of Plumbing and Mechanical Officials *Uniform Plumbing Code*, 2015 edition, as the standard for plumbing installations in the State of Maine, subject to the exclusions and amendments set forth in this chapter.

 The above Code, hereinafter referred to as “the UPC," may be purchased from:

 International Association of Plumbing and Mechanical Officials

 5001 E. Philadelphia Street

 Ontario, CA 91761-2816

 Telephone: (909) 472-4100 or 1-800-85-IAPMO

 Webpage: [www.iapmo.org](http://www.iapmo.org)

 B. All plumbing installations must comply with the UPC (except as excluded or amended in this chapter); Title 32, Chapter 49 of the *Maine Revised Statutes*; and the rules of the board. Plumbing installations must also comply with all applicable statutes or rules of the State and all applicable ordinances, orders, rules and regulations of local municipalities.

 C. **Exclusions and Amendments**

 (1) **Chapter 1, Administration**

 a. The board amends Chapter 104.2, Exempt Work, by adding 104.2.3 and 104.2.4 as follows:

 **104.2.3** Installation of domestic heating appliances by master oil burner technicians and propane and natural gas technicians licensed pursuant to Title 32, Chapter 139 of the Maine Revised Statutes.

 **104.2.4** The work excluded from the definition of “plumbing” in Title 30-A, Chapter 185, Section 4201(3).

 b. The board amends Chapter 104.3.1, Construction Documents, as follows:

 Construction documents, engineering calculations, diagrams, and other data may be required to be submitted in two or more sets with each application for a permit.

 c. The board does not adopt Chapter 104.3.2, Plan Review Fee.

 d. The board does not adopt Chapter 104.3.3, Time Limitation of Application.

 e. The board does not adopt Chapter 104.4.3, Expiration.

 f. The board does not adopt Chapter 104.4.4, Extensions.

 g. The board repeals and replaces Chapter 104.5, Permit Fees, which includes 104.5.1, 104.5.2, and 104.5.3, as follows:

 **104.5 Permit Fees**

 **104.5.1** Any person who begins any work for which a permit is required by the Code without first having obtained a permit shall, if subsequently eligible to obtain a permit for that work, pay double the permit fee for such work. However, this provision shall not apply to any emergency work when it can be proved to the satisfaction of the LPI that such work was necessary and that it was not practical to obtain a permit before the commencement of the work. In all emergency cases, a permit must be obtained within four (4) working days or a double permit fee shall be charged.

 **104.5.2** For the purpose of this section, a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees for reconnection and retest of existing plumbing systems in relocated buildings shall be based on the number of plumbing fixtures that requires a permit to be issued.

 **104.5.3** Permit fees shall be charged for the following permits.

 (1) Fixture fee, per fixture.

 (2) When only new water distribution and/or drainage pipes are installed or relocated in a building, but no fixtures installed.

 (3) Testable backflow prevention assembly.

 (4) A hookup fee shall be charged for the connection of a mobile home, which bears the Housing and Urban Development (HUD) seal or a modular home, which bears the Manufactured Housing Board seal to a building sewer.

 (5) A hookup fee shall be charged for connection to a public sewer when piping is installed outside the jurisdiction of the sanitary district. A hookup is considered a fixture when calculating the fee.

 (6) Relocated mobile homes, modular homes or any other similar structures shall be considered as new conventional stick built structures. A plumbing fixture fee shall be charged based on this section.

 h. The board does not adopt Table 104.5, Plumbing Permit Fees.

 i. The board amends Chapter 105.2.6, Reinspections, by deleting the following paragraph:

 To obtain reinspection the applicant shall file an application therefore in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with Table 104.5.

 j. The board amends Chapter 105.3, Testing of Systems, by adding 105.3.4 as follows:

 **105.3.4** Allowing the testing of plastic schedule 40 DWV (drainage waste and vent) piping systems with 5 psi (pounds per square inch) maximum of air. For safety purposes, when testing with air, a listed 6 psi relief valve is required.

 Co-extruded ABS (Acrylonitrile Butadiene Styren) and PVC (Poly Vinyl Chloride) schedule 40 (cellular core) piping systems with referenced standards ASTM F1488 and ASTMF 891 shall not be tested with air.

 PVC and CPVC (Chlorinated Poly Vinyl Chloride) building supply and water distribution piping systems shall not be tested by air.

 k. The board does not adopt Chapter 105.4, Connection to Service Utilities.

 l. The board does not adopt Chapter 106.3, Penalties.

 m. The board does not adopt Chapter 107.0, Board of Appeals.

 n. The board does not adopt Chapter 107.1, General.

 o. The board does not adopt Chapter 107.2, Limitation of Authority.

 (2) **Chapter 2, Definitions**

 a. The board does not adopt the following definitions:

(i) Chapter 203.0: Anesthetizing Location; Appliance, Low-Heat;

Appliance, Medium-Heat; Appliance Categorized Vent Diameter/Area; Appliance Fuel Connector.

(ii) Chapter 205.0: Category 1; Category 2; Category 3; Category 3 Medical Vacuum Systems; Chimney; Chimney, Factory Built; Chimney, Masonry; Chimney, Metal; Chimney Classifications; Chimney, High-Heat Appliance-Type; Chimney, Low-Heat Appliance-Type; Chimney, Medium-Heat Appliance-Type; Chimney, Residential Appliance-Type; Confined Space.

(iii) Chapter 206.0: Direct-Vent Appliances.

(iv) Chapter 207.0: Effective Ground-Fault Current Path; Excess Flow Value (EFV).

(v) Chapter 208.0: Flammable Vapor or Fumes; Flue Collar; Fuel Gas Quick Disconnect; Fuel Gas Vent; Fuel Gas Venting System.

(vi) Chapter 209.0: Gas Piping; Gas Piping System; General Care Areas; Governing Body; Grounding Electrode.

(vii) Chapter 214.0: Levels of Sedation; Deep Sedation; General Anesthesia; Moderate Sedation; Liquid Petroleum Gas (LP-Gas) Facilities.

(viii) Chapter 215.0: Medical Air; Medical Gas; Medical Gas Manifold; Medical Gas System; Medical Support Gas; Medical Surgical Vacuum; Medical Surgical Vacuum System.

(ix) Chapter 216.0: Nitrogen, NF (Oil-Free, Dry).

(x) Chapter 218.0: Patient Care Room; Basic Care Room; Critical Care Room; General Care Room; Patient Medical Gas; Proportioning System for Medical Air USP.

(xi) Chapter 221.0: Scavenging; Service Piping; Station Inlet; Station Outlet.

(xii) Chapter 222.0: Transition Gas Riser; Type B Gas Vent; Type BW Gas Vent; Type L Gas Vent.

(xiii) Chapter 224.0: Vacuum System-Level-1; Vent Connector, Gas.

(xiv) Chapter 225.0: Waste Anesthetic Gas Disposal (WAGD); Wet Procedure Locations.

b. The board amends Chapter 220.0, Roughing-In, as follows:

 (i) The installation of all parts of the plumbing system that can be completed prior to the installation of fixtures. This includes drainage, water supply, vent piping, and the necessary fixture supports.

 (3) **Chapter 3, General Regulations**

 a. The board does not adopt Chapter 312.12.3, Tub Waste Openings.

 b. The board does not adopt Chapter 312.13, Exposed ABS Piping.

 c. The board does not adopt Chapter 312.14, Exposed PVC Piping.

 d. The board does not adopt Chapter 313.7, Gas Piping,

 e. The board amends Chapter 315.1, as follows:

 Approved unions shall be permitted to be used in drainage piping when accessibly located in the trap seal or between a fixture and its trap in the vent system, except underground or in wet vents and at any point in the water supply system.

 f. The board does not adopt Chapter 319.0, Medical Gas and Vacuum Systems.

 g. The board does not adopt Chapter 319.1, General.

 (4) **Chapter 5, Water Heaters**

 a. The board **only** adopts the following sections of Chapter 5. All other sections of Chapter 5 the board does not adopt.

 (i) Chapter 501.1, Applicability.

 (ii) Table 501.1(1).

 (iii) Chapter 505.1, Water Heaters.

 (iv) Chapter 505.2, Safety Devices.

 (v) Chapter 505.4, Indirect-Fired Water Heaters.

 (vi) Chapter 505.4.1, Single-Wall Heat Exchangers.

 (vii) Chapter 507.1, Dielectric Insulator.

 (viii) Chapter 507.4, Ground Support.

 (ix) Chapter 507.5, Drainage Pans.

 (x) Chapter 507.24, Installation Instructions.

 (5) **Chapter 6, Water Supply and Distribution**

 a. The board does not adopt Chapter 612.0, Residential Fire Sprinkler Systems.

 (6) **Chapter 7, Sanitary Drainage**

 a. The board amends Chapter 705.5.2, Solvent Cement Joints, as follows:

 Solvent cement joints for PVC pipe and fittings shall be clean from dirt and moisture. Pipe shall be cut square and pipe shall be deburred. Where surfaces to be joined are cleaned and free of dirt, moisture, oil and other foreign material, apply primer in accordance with ASTM F656.

 b. The board does not adopt Chapter 713.5, Permits.

 c. The board does not adopt Table 721.1.

 (7) **Chapter 9, Vents**

 a. The board adopts Chapter 906.0, Vent Terminations, with the following amendments:

 (i) 906.1, Roof Terminations. Each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than two (2) feet above the roof nor less than one (1) foot from any vertical surface.

 (ii) 906.3, Use of Roof. Vent pipes shall be extended separately or combined, of full required size, not less than two (2) feet above the roof or fire wall. Flagpoling of vents shall be prohibited except where the roof is used for purposes other than weather protection. Vents within ten (10) feet (3,048 mm) of any part of the roof that is used for such other purposes shall extend not less than seven (7) feet (2,134 mm) above such roof and shall be securely stayed.

 (iii) 906.7, Frost or Snow Closure. Where frost or snow closure is likely to occur in locations having minimum design temperature below 0°F (-17.8°C), vent terminals shall be not less than two (2) inches (50 mm) in diameter, but in no event smaller than the required vent pipe. The change in diameter shall be made inside the building not less than one (1) foot (305 mm) below the roof in an insulated space and terminate not less than two (2) feet above the roof, or as required by the Authority Having Jurisdiction.

 (8) **Chapter 11, Storm Drainage**

 a. The board does not adopt Chapter 1101.6, Subsoil Drains, which includes:

 (i) Chapter 1101.6.1, Discharge.

 (ii) Chapter 1101.6.2, Sump.

 (iii) Chapter 1101.6.3, Splash Blocks.

 (iv) Chapter 1101.6.4, Backwater Valves.

 (v) Chapter 1101.6.5, Open Area.

 b. The board does not adopt Chapter 1101.7, Building Subdrains.

 c. The board does not adopt Chapter 1101.8, Areaway Drains.

 d. The board does not adopt Chapter 1101.9, Window Areaway Drains.

 e. The board does not adopt Chapter 1101.10, Filling Stations and Motor Vehicle Washing Establishments.

 f. The board does not adopt Chapter 1101.11, Paved Areas.

 (9) Chapter 12, Fuel Piping. The board does not adopt Chapter 12, Fuel Gas Piping.

 (10) Chapter 13, Health Care Facilities and Medical Gas and Vacuum Systems. The board does not adopt Chapter 13, Health Care Facilities and Medical Gas and Vacuum Systems.

STATUTORY AUTHORITY: 32 MRSA §3403-B(1)

EFFECTIVE DATE:

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PROVISIONAL ADOPTION (MAJOR SUBSTANTIVE):

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FINAL ADOPTION:

 September 17, 2005 – by action of the Legislature, Resolve 2005 c.81 approved (signed by the Governor) June 3, 2005, effective September 17, 2005

AMENDED:

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 October 1, 2016 – filing 2016-145

## 02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

## 395 PLUMBERS’ EXAMINING BOARD

### Chapter 5: EXAMINATION REQUIREMENTS

**Summary:** This chapter sets forth specific information pertaining to the examination.

STATUTORY AUTHORITY: 32 M.R.S.A. §§ 3403-A, 3501 and 3501-A

EFFECTIVE DATE:

 February 3, 1980 - Chapter 1

 March 31, 1985 - Ch. 110 - 150

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 January 20, 2002

REPEALED:

 May 11, 2010 – filing 2010-179

## 02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

## 395 PLUMBERS’ EXAMINING BOARD

### Chapter 6: RECIPROCITY

**SUMMARY:** This Chapter defines the procedures for qualifying for licensure by reciprocity.

**1. RECIPROCAL AGREEMENTS**

 A. The Board may enter into reciprocal licensing agreements with other states, provided that the Board finds that the standards and conditions for licensure of plumbers for the other state are at least equal to those of this Board. In making this determination, the factors the Board shall consider include, but need not be limited to, the type of examination administered, the passing score and provisions (if any) for waiver of examination, and the length of time those standards have been in effect.

 B. If the reciprocal state uses different terminology for its licensing grades than Maine uses, or uses the same terms with different meanings, a reciprocity agreement shall specify which degrees of licensure are subject to reciprocity.

 C. An individual licensed by reciprocity shall comply with the Maine statutes and rules governing plumbers while engaged in plumbing installations in the State of Maine.

 D. If a reciprocity agreement is terminated by either Maine or the reciprocal state, no new licenses shall be granted on the basis of that agreement, but the termination of the agreement shall not impair the validity or renewability of licenses previously issued under the agreement.

**2. APPLICATION**

 A. If a reciprocity agreement has been ratified by both the Board and the licensing authority in the reciprocal state, any plumber licensed in the reciprocal state shall be issued a Maine license of the equivalent degree in Maine. Applicants for reciprocity must submit all of the following:

 1. Completed application;

 2. Application fee (nonrefundable);

 3. License fee;

 4. Documentation of experience;

 5. Certified statement verifying licensure from the reciprocal state.

STATUTORY AUTHORITY: 32 M.R.S.A. §§ 3403-A(1), 3504-A, and 3501

EFFECTIVE DATE:

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## Chapter 7: FEES

## Summary: This Chapter defines the application, examination and licensee fee structure for all categories of licensure.

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 49 §3403-A

EFFECTIVE DATE:

 March 6, 1990 Ch. 110 - 190

AMENDED:

 March 26, 1991 Ch. 160

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## 02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

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## Chapter 8: CONFLICT OF INTEREST

## Summary: This chapter contains the Conflict of Interest Policy which sets the professional standards for Plumbers’ Examining Board members.

STATUTORY AUTHORITY: 32 M.R.S.A. Chapter 49 § 3403-A.

EFFECTIVE DATE:

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