

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. GUNTHER, SAYWARD, GALEF, BURLING, McDONOUGH, GIGLIO, BOYLAND -- Multi-Sponsored by -- M. of A. CROUCH, FINCH, HOOPER, McENENY, PERRY, WEISENBERG -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general business law, in relation to establishing voluntary licensing of master electricians

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The general business law is amended by adding a new article  
2 28-F to read as follows:

3 ARTICLE 28-F  
4 LICENSING OF MASTER ELECTRICIANS

5 SECTION 491. DEFINITIONS.

6 492. LICENSE; MASTER ELECTRICIAN.

7 493. BOARD OF EXAMINERS.

8 S 491. DEFINITIONS. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT  
9 REQUIRES OTHERWISE:

10 1. "BOARD" MEANS THE BOARD OF EXAMINERS FOR MASTER ELECTRICIANS ESTAB-  
11 LISHED BY SECTION FOUR HUNDRED NINETY-THREE OF THIS ARTICLE.

12 2. "DEPARTMENT" MEANS THE DEPARTMENT OF THE STATE.

13 3. "SECRETARY" MEANS THE SECRETARY OF STATE.

14 S 492. LICENSE; MASTER ELECTRICIAN. 1. ANY PERSON WHO IS AN ELECTRI-  
15 CIAN IN THIS STATE MAY APPLY TO THE SECRETARY FOR A LICENSE AS A MASTER  
16 ELECTRICIAN. SUCH A LICENSE SHALL NOT BE REQUIRED FOR THE PURPOSE OF  
17 ENGAGING IN THE PROFESSION OF BEING A MASTER ELECTRICIAN. HOWEVER, SUCH  
18 LICENSE SHALL BE INDICATIVE THAT THE HOLDER THEREOF HAS MET THE STAND-  
19 ARDS FOR TRAINING, KNOWLEDGE AND EXPERIENCE NECESSARY TO BE A MASTER  
20 ELECTRICIAN, AND ALSO AUTHORIZE THE HOLDER THEREOF TO ENGAGE IN THE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

1 PROFESSION OF BEING A MASTER ELECTRICIAN IN ANY OTHER STATE WHICH GRANTS  
2 RECIPROCITY TO ELECTRICIANS LICENSED PURSUANT TO THIS ARTICLE. FURTHER-  
3 MORE, EVERY PERSON LICENSED PURSUANT TO THIS ARTICLE SHALL BE AUTHORIZED  
4 TO PRACTICE AS A MASTER ELECTRICIAN THROUGHOUT THE STATE, NOTWITHSTAND-  
5 ING THE PROVISIONS OF THE GENERAL CITY LAW AND THE COUNTY LAW.

6 2. ANY ELECTRICIAN WISHING TO BE LICENSED PURSUANT TO THIS ARTICLE  
7 SHALL:

8 (A) SUBMIT AN APPLICATION THEREFOR TO THE SECRETARY IN SUCH FORM AND  
9 MANNER AS PRESCRIBED BY THE SECRETARY AND CONTAINING SUCH INFORMATION AS  
10 THE BOARD DETERMINES TO BE NECESSARY TO DETERMINE THE QUALIFICATIONS AND  
11 FITNESS FOR LICENSING OF THE APPLICANT;

12 (B) SUBMIT THE APPLICATION FEE PRESCRIBED BY THE BOARD; AND

13 (C) COMPLETE AN EXAMINATION ESTABLISHED BY THE BOARD.

14 3. EVERY PERSON WHO SUCCESSFULLY PASSES THE EXAMINATION ESTABLISHED BY  
15 THE BOARD AND COMPLIES WITH THE PROVISIONS OF SUBDIVISION TWO OF THIS  
16 SECTION SHALL BE LICENSED PURSUANT TO THIS ARTICLE.

17 4. EVERY LICENSE ISSUED PURSUANT TO THIS ARTICLE SHALL REMAIN IN  
18 EFFECT FOR A PERIOD OF TWO YEARS, AND MAY BE RENEWED FOR ADDITIONAL TWO  
19 YEAR PERIODS UPON SUBMISSION OF A RENEWAL APPLICATION AND THE APPLICA-  
20 TION FEE ESTABLISHED BY THE BOARD.

21 S 493. BOARD OF EXAMINERS. 1. THERE SHALL BE ESTABLISHED WITHIN THE  
22 DEPARTMENT A BOARD OF EXAMINERS FOR MASTER ELECTRICIANS. SUCH BOARD  
23 SHALL CONSIST OF THIRTEEN MEMBERS AS FOLLOWS: THE SECRETARY, OR HIS OR  
24 HER DESIGNEE; FOUR MEMBERS APPOINTED BY THE GOVERNOR; FOUR MEMBERS  
25 APPOINTED BY THE TEMPORARY PRESIDENT OF THE SENATE; AND FOUR MEMBERS  
26 APPOINTED BY THE SPEAKER OF THE ASSEMBLY. THE APPOINTED MEMBERS SHALL BE  
27 BROADLY REPRESENTATIVE OF PERSONS ENGAGED IN THE PROFESSION OF BEING A  
28 MASTER ELECTRICIAN. EACH APPOINTED MEMBER OF THE BOARD SHALL BE  
29 APPOINTED FOR A TERM OF TWO YEARS. ANY MEMBER MAY BE REAPPOINTED FOR  
30 ADDITIONAL TERMS. THE STATE FIRE ADMINISTRATOR SHALL SERVE AS AN ADDI-  
31 TIONAL NON-VOTING MEMBER OF THE BOARD AND SHALL SERVE AS THE CHAIR.

32 2. THE BOARD SHALL MEET NOT LESS THAN THREE TIMES A YEAR.

33 3. THE BOARD SHALL PROMULGATE RULES AND REGULATIONS ESTABLISHING:

34 (A) THE SCOPE OF THE PROFESSION OF BEING A MASTER ELECTRICIAN;

35 (B) QUALIFICATIONS FOR BEING A LICENSED MASTER ELECTRICIAN;

36 (C) AN EXAMINATION TO DETERMINE THE KNOWLEDGE OF PERSONS APPLYING FOR  
37 A LICENSE PURSUANT TO THIS ARTICLE; AND

38 (D) FEES FOR LICENSES AND RENEWALS THEREOF PURSUANT TO THIS ARTICLE.

39 4. THE SECRETARY SHALL DESIGNATE AN EMPLOYEE OF THE DEPARTMENT TO ACT  
40 AS SECRETARY TO THE BOARD, AND SHALL PROVIDE SUCH BOARD WITH SUCH STENO-  
41 GRAPHIC OR OTHER ASSISTANCE AS MAY BE NECESSARY.

42 5. MEMBERS OF THE BOARD SHALL RECEIVE NO COMPENSATION BUT SHALL BE  
43 ENTITLED TO ACTUAL AND NECESSARY TRAVELING AND OTHER EXPENSES WHILE  
44 ENGAGED IN THE PERFORMANCE OF SUCH MEMBER'S DUTIES PURSUANT TO THIS  
45 ARTICLE.

46 S 2. This act shall take effect on the one hundred eightieth day after  
47 it shall have become a law. Provided that any rules and regulations  
48 necessary to implement the provisions of this act on its effective date  
49 are authorized and directed to be completed on or before such effective  
50 date.