

Readopt with amendment, Mec 604.01, effective 9-20-17 (Document #12385), to read as follows:

Mec 604.01 Misconduct. Misconduct shall be:

- (a) The participation in, or practice of, fraud or deceit in procuring or attempting to procure a license or certificate for one's self or for the benefit of another;
- (b) While licensed or certified, any conviction of:
 - (1) A felony;
 - (2) Any criminal offense involving injury to a victim or the risk of such injury; or
 - (3) Any criminal offense involving dishonesty;
- (c) Unprofessional conduct, or dishonorable conduct unworthy of, and affecting the practice of fuel gas fitting, plumbing, oil heating or water treatment, including:
 - (1) Any violation of the adopted rules of the board;
 - (2) Any violation of RSA 153:27 through 153:38;
 - (3) Any violation of the current adopted state building code and/or the state fire safety code;
 - (4) Any violation of a local code ordinance more stringent than the state fire safety or building code;
 - (5) The allowance by a mechanical licensee or a mechanical business entity of the performance of plumbing or fuel gas fitting work by an individual who is not a licensed fuel gas fitter, plumber, or an apprentice or trainee holding a currently valid registration license; or
 - (6) The allowance by a mechanical licensee of the performance of plumbing work by an apprentice in violation of the apprenticeship agreement required by RSA 278 ***or apprenticeship as described in Mec 305.01(b)***, or fuel gas fitting work by a trainee in violation of RSA 153:27 through RSA 153:38, Mec 300, or Mec 400;
- (d) Negligent or willful acts performed in a manner inconsistent with the health or safety of persons under the care of the licensee or certificate holder;

Readopt with amendment, Mec 605.02, effective 9-10-23 (Document #13682), to read as follows:

Mec 605.02 Limitation on Number of Apprentices. ~~Except as approved by the apprenticeship council pursuant to RSA 278, plumbing licensees shall employ at any one time no more than one apprentice per licensee.~~

(a) Relative to apprentices participating in an apprenticeship approved by the United States Department of Labor apprenticeship council pursuant to RSA 278, plumbing licensees shall supervise apprentices pursuant to 29 CFR 29.

(b) Relative to apprentices participating in an apprenticeship pursuant to Mec 305.01(b), plumbing licensees shall employ at any one time no more than two apprentices per licensee.

Text added to existing rules shown in ***bold italic***
Text deleted from existing rules shown ~~struck through~~

APPENDIX I

Rule	Specific State Statute the Rule Implements
Mec 604.01	RSA 153:27-a, II(a); RSA 153:29, III; and RSA 157:27, XV pursuant to 2024, 284:1 effective 9-24-2024
Mec 605.02	RSA 153:27-a, II(a), (b); RSA 278; and RSA 157:27, XV pursuant to 2024, 284:1 effective 9-24-2024