

**OPINION**  
**50-160**

April 14, 1950 (OPINION)

PLUMBING

RE: Qualifications Before Examination

I am in receipt of your letter of April 8, 1950, in which you request an opinion relating to rule number six (6) of the Rules and Regulations of the State Plumbing Board.

You wish to know "the extent the Board may take in deciding upon the applicant's qualifications before permission is allowed for him to submit to the examination."

Rule Six is as follows:

No applicant shall be entitled to take the examination for either the master or journeyman plumber's certificate and license unless and until said applicant furnishes the board satisfactory evidence that said applicant possesses sufficient practical experience to enable him to perform satisfactorily the duties of the classification for which he has made application."

It seems to this office that the rule is quite clear, requiring the applicant to submit satisfactory evidence of practical experience in the field of plumbing before being permitted to take the examination.

There are no arbitrary requirements as to education, length of past experience, or type of past experience. The Board must only satisfy itself that the applicant, as far as practical working experience is concerned, will be able to perform the duties of his classification if granted a license. The specific evidence which the Board should accept as satisfactory is largely within the discretion of the Board. Qualifications should be such as to convince the Board that a reasonable probability exists that the applicant will be able to successfully carry out the duties of master or journeyman plumber, as the case may be.

If the Board refuses to permit the applicant to take the examination, it should set out fully the reasons therefor, and inform the applicant that if desired the Board will grant him a public hearing on the reasons for the refusal.

WALLACE E. WARNER

Attorney General