

# HOUSE BILL REPORT

## ESHB 1361

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### As Amended by the Senate

**Title:** An act relating to regulation of electricians and electrical installations.

**Brief Description:** Regulating electricians and electrical installations.

**Sponsors:** By House Committee on Commerce & Labor (originally sponsored by Representatives Clements, Skinner and Honeyford).

**Brief History:**

**Committee Activity:**

Commerce & Labor: 2/13/97, 3/3/97 [DPS].

**Floor Activity:**

Passed House: 3/14/97, 92-2.

Senate Amended.

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### HOUSE COMMITTEE ON COMMERCE & LABOR

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 5 members: Representatives McMorris, Chairman; Honeyford, Vice Chairman; Boldt; Clements and Lisk.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Conway, Ranking Minority Member; Wood, Assistant Ranking Minority Member; Cole and Hatfield.

**Staff:** Selwyn Walters (786-7117).

**Background:** The Department of Labor and Industries administers the electrical contractor licensing statutes. The department issues journeyman electrician certificates of competency and speciality electrician certificates of competency to qualified individuals who wish to engage in the electrical construction trade.

An applicant for a journeyman certificate must meet certain eligibility requirements to take an examination to establish his or her competency in the electrical construction trade. An applicant must have four years of full-time supervised work in the electrical construction trade or have successfully completed an apprenticeship program in the electrical construction trade.

An applicant may be allowed to substitute two years of technical school for two years of supervised experience.

Graduates of a trade school program in the electrical construction trade established during 1946" are eligible to take the journeyman electricians' examination ( the Perry Institute exemption--).

An electrical apprentice may work in a nonspecialty area in the electrical construction trade if directly supervised by a certified journeyman on a one-to-one ratio. The ratio requirement does not apply to graduates of the Perry Institute's program.

In 1992, the Washington Court of Appeals invalidated the Perry Institute exemption on the ground the exemption created a single entity classification which violated the privileges and immunities clause of the state constitution.

**Summary of Bill:** The ratio of non-certified students to certified journeyman electricians working on a job site must be one certified journeyman electrician to four students. The students must be enrolled in public community and technical schools or working as part of an electrical construction program at not-for-profit nationally accredited trade or technical schools licensed by the Workforce Training and Education Coordinating Board. In meeting the ratio requirements, a trade school may receive input and advice from the Electrical Board.

An electrician from another jurisdiction applying for a certificate of competency must provide evidence to the Department of Labor and Industries that he or she has qualifications equal to those established under Washington's electrician certificate of competency law.

An applicant for the journeyman certificate of competency examination who has successfully completed a two-year electrical construction trade program at public community or technical colleges or at not-for-profit nationally accredited trade school may substitute up to two years of the school's program for two years of work experience under a journeyman electrician. The trade or technical school must be licensed by the Workforce Training and Education Coordinating Board and accredited by the Accrediting Commission of Career Schools and Colleges of Technology

**EFFECT OF SENATE AMENDMENT(S):** The Senate amendment adds that the Director of the Department of Labor and Industries is directed to appoint a chief electrical inspector who must provide the final interpretation of electrical standards, rules, and policies, subject to review by the director. The amendment establishes minimum education and experience qualifications for electrical inspectors.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill addresses the constitutional deficiencies of current law and assures the continuation of the electrical program at the Perry Technical Institute. There was never any question raised about the quality of the school's program. The Perry Technical Institute does not wish to be the only training program for electricians. Schools across the state may now develop programs that will assure men and women the opportunity to gain skills that will develop family living wages. The quality of a program should be the determining factor for its success or failure rather than one group of gatekeepers. The legislation is fair and equitable for all institutions that want to promote the education of men and women in the electrical trade.

**Testimony Against:** The current training offered by the Perry Technical Institute is not adequate to meet the health and safety concerns of the public with regard to electrical work. Safety is an issue. The effectiveness of the training is not good. The ratio requirements are not effective compared with present apprenticeship requirements and programs.

**Testified:** (Pro) Representative Jim Clements, prime sponsor; Dr. Jim Tuman, Perry Technical Institute; Kenneth McKee, Perry Technical Institute; Henrique Valerio; Tina Brittain; Ronald Lee Zike; Pat McKimmy; Donald S. Picatti, Washington Society of Professional Engineers; Gary Webster; Gary Smith, Independent Business Association; Cliff Webster, Associated Builders and Contractors; Mike Tucker. (Con) Larry Stevens, United Subcontractors Association; Peggy Boe, National Electrical Contractors Association, Cascade Chapter; Greg Fox, Washington State Association of Plumbers and Pipefitters; Frank Forrest, State Apprenticeship Councils; Jeff Johnson, Washington State Labor Council; Karen Carter, Northwest Washington Electrical Apprenticeship; and Lou Stewart. (Comments) Ellen O'Brien Saunders, Workforce Training and Education Coordinating Board. (Concerns) Dennis Williamson.