

# HOUSE BILL REPORT

## HB 2578

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### As Reported By House Committee On:

Commerce & Labor

**Title:** An act relating to expanding membership of the electrical board.

**Brief Description:** Modifying the composition of the electrical board.

**Sponsors:** Representatives McMorris and Wood.

### **Brief History:**

#### **Committee Activity:**

Commerce & Labor: 1/22/98, 2/5/98 [DPS].

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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 regulates the installation, repair and maintenance of electrical wires, equipment, and services. This regulatory process involves the licensing of electrical contractors, the certification of electrical administrators, and the permitting and inspection of electrical work. The department inspects all electrical wiring, appliances, devices and equipment regulated by the electricians and electrical installations statute. The statute exempts from inspection electrical wiring, appliances, devices, or equipment, or installations owned and operated by a utility.

The department is helped in its regulatory functions by the Electrical Board. The 10-member board consists of an electrical utility employee; three licensed electrical contractors, one of whom may represent a trade association in the electrical industry; a manufacturer of electrical materials; three certified electricians; a professional electrical engineer; and a representative of the public with knowledge of the electrical industry.

The Chief Electrical Inspector is secretary to the board. Members of the board are appointed by the Governor with the advice of the director of the Department of Labor and Industries.

The board advises the director of the Department of Labor and Industries on the regulation of electricians and electrical installations. The board makes recommendations to the director on the issuance or repeal of rules, and hears appeals regarding citations issued by the department for violations of the electricians and electrical installations law.

**Summary of Substitute Bill:** The substitute bill increases the membership of the Electrical Board to 12 members: (1) an employee or officer of a corporation or public electrical utility; (2) three licensed electrical contractors, one of whom may represent a trade association in the electrical industry; (3) a manufacturer of electrical materials; an employee or officer of a public electrical utility; (4) a representative of the public with knowledge of the electrical industry; (5) three certified electricians; (6) a licensed professional electrical engineer; (7) an officer of an industrial manufacturer taking utility electrical service at primary or transmission voltages; and (8) a building official from a city or town that conducts electrical inspections under a local ordinance.

The Chief Electrical Inspector provides staff assistance to the board.

**Substitute Bill Compared to Original Bill:** The substitute bill deletes from the original bill the one representative of electrical utilities and the two representatives of outside linemen. The substitute bill adds one representative of an industrial manufacturer that takes utility at primary or transmission voltages and one representative from a city or town that conducts electrical inspections under local ordinances. The substitute bill removes the provision in the original bill that the board cannot consider any rule within 90 days of the act's effective date.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Testimony For:** The Electrical Board was established not as a utility's regulator, but as an advisory board to the Department of Labor and Industries on electrical work within buildings. The National Electrical Safety Code (NESC) is a safety code that establishes standards for utilities. The Electrical Board has been issuing decisions and opinions that affect utilities without the benefit of board expertise on the NESC and the utility industry. The board not only serves as an advisory panel, but as an appellate panel for individuals and utilities that are charged with violating the laws and rules of the department on electrical installations and wiring. As such, there needs to be a better balance of

representation for all parties affected by the electrical installations law. The new composition restores a balance of representation to the board that existed prior to 1988, and adds expertise on the NESC and the utility industry.

**Testimony Against:** It is absurd to add outside linemen and utility representatives to the Electrical Board, because they are not stakeholders affected by the functions and purposes of the board. It is misguided to displace already existing representatives who have participated in the process of building a competent and professional board. The current composition of the board has not previously been raised as a major issue; therefore, no change in its composition is warranted. The board should not be handcuffed if, and while, changes to the board are being made. There is a need for a functioning board as well as a board that truly represents all interested parties.

**Testified:** (Pro) Ron Newbry, Pacific Corp.; Bardell Miller, Snohomish PUD; Jean Ryckman, Franklin County PUD & Washington PUD Assoc.; Collins Sprague, Washington Water Power Co.; Mike Tracy, Puget Sound Energy; and David Hutchins, International Brotherhood of Electrical Workers No. 77. (Con) Steve Washburn and Larry Stevens, National Electrical Contractors Association; Rick Zehner, Electrician; Mike Grundwald, International Brotherhood of Electrical Workers; Joe Devish, Mike Hendrix, & Charles Treanor, Washington State Electrical Board; Mike Glenn, Longview Fibre Co.; Janet Lewis & Suzanne Mager, Department of Labor and Industries; Gary Smith, Independent Business Association; and Rick Martin, Rick Martin Electric, Inc.