

1 DEPARTMENT OF LABOR AND INDUSTRIES
2 STATE OF WASHINGTON

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5
6 ELECTRICAL BOARD POLICY ADVISORY COMMITTEE MEETING
7
8 TRANSCRIPT OF PROCEEDINGS

9
10 Thursday, June 21, 2007

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13 BE IT REMEMBERED, that a meeting of the Policy
Advisory Committee of the Electrical Board was held at
14 10:00 a.m. on Thursday, June 21, 2007, at the address of
the Thurston County Fairgrounds Expo Hall, 3054 Carpenter
15 Road S.E., Olympia, Washington before COMMITTEE CHAIRMAN
TOM PHILLIPS and BOARD MEMBERS JIM SIMMONS, FRED
16 TRICARICO, DON KOPCZYNSKI, DAVID S. BOWMAN, TRACY PREZEAU,
and CHIEF ELECTRICAL INSPECTOR RONALD FULLER.

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18 WHEREUPON, the following proceedings were held, to
wit:

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Reported by:
H. Milton Vance, CCR, CSR
(License #2219)

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EXCEL COURT REPORTING
16022-17th Avenue Court East
Tacoma, WA 98445-3310
(253) 536-5824

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25

1 Thursday, June 21, 2007
Olympia, Washington

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1 PROCEEDINGS

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3 Call to Order & Introduction

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5 CHAIRMAN PHILLIPS: All right. I'd like to bring the
6 first meeting of the Electrical Board Policy Advisory
7 Committee to order.

8 Why don't we start with introductions of the
9 committee members. Fred, do you want to start?

10 COMMITTEE MEMBER TRICARICO: My name's Fred
11 Tricarico. I represent the telecom workers on the Board.

12 COMMITTEE MEMBER KOPCZYNSKI: Good morning. My
13 name's Don Kopczynski. I represent the utilities.

14 COMMITTEE MEMBER BOWMAN: My name's David Bowman, and
15 I represent the manufacturers.

16 CHAIRMAN PHILLIPS: I'm Tom Phillips, a building
17 official with the City of Kirkland. And I represent
18 cities that have electrical programs.

19 COMMITTEE MEMBER SIMMONS: Good morning. My name is
20 Jim Simmons. And I am an electrical contractor
21 representative on the Electrical Board.

22 COMMITTEE MEMBER PREZEAU: Good morning. My name's
23 Tracy Prezeau. And I represent electricians on the
24 Electrical Board.

25 CHIEF FULLER: And Ron Fuller, chief electrical

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1 inspector and secretary to the Board.

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3 Discussion of Committee Objectives and
4 Procedures

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6 CHAIRMAN PHILLIPS: We're a committee of the
7 Electrical Board, and this is our first meeting. So we

8 still might need to work out a few issues and procedures
9 on how we're going to operate. We went over that a little
10 bit at the last Electrical Board meeting. We set out some
11 guidelines and objectives.

12 The reason that we were created is that the
13 Electrical Board often gets complex issues that it's asked
14 to decide on. And the Electrical Board only meets once a
15 quarter. So we often don't have time to really get into
16 the complexities of some of these issues. So the Board
17 created this committee with the hopes that it would delve
18 more into the complex issues and then report back to the
19 Electrical Board with a recommendation on those issues.
20 So this committee itself makes no decisions, but only
21 gives recommendations to the Electrical Board. And this
22 committee will only review and investigate issues that are
23 referred to by the Electrical Board.

24 And we're going to follow the same general procedures
25 as the Electrical Board, which is basically Roberts' Rules

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1 of Order.

2 Are there any questions or discussion by any of the
3 committee member on that part of it? I think that got
4 hammered out pretty good at the last Electrical Board
5 meeting.

6

7 Discussion of HVAC/R Petition Request

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9 CHAIRMAN PHILLIPS: So with that, I think we can jump
10 right into why we're here today. And that is that Ron
11 Fuller received a petition by the Washington State HVAC/R
12 Association. And that was a petition to -- well, I'll
13 just read the petition.

14 (Reading) "Dear Secretary Fuller, in accordance with
15 RCW 19.28.051, please accept this formal petition on
16 behalf of the Washington State Electrical Board from the
17 Washington State HVAC/R Association for the establishment
18 of a new specialty electrician, a new specialty electrical
19 contractor administrator, and a new specialty electrical
20 contractor in order to do all necessary electrical work to
21 install, service, repair and replace all heating,
22 ventilation, air conditioning and refrigeration equipment
23 and systems commonly done in the heating, ventilation, air
24 conditioning and refrigeration industry.

25 "Please advise us of the formal process used by the

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1 Washington State Electrical Board in order to act on this
2 petition."

3 And the process that the Board is using is to have
4 this committee hold this meeting and possibly others,

5 depending how this meeting goes if we feel that we need
6 more input.

7 This is really maybe just a kick-off meeting. If we
8 see that there's a lot of interest from different groups
9 out there, then it's likely that we'll have additional --
10 at least one more, maybe two more public meetings to make
11 sure everyone's had a voice and that the committee is
12 hearing enough from all sides to make a good
13 recommendation back to the Board.

14 Maybe, Ron, would you be able to maybe just quickly,
15 if that's possible, explain what the specialty license is
16 now that the HVAC workers would work under?

17 CHIEF FULLER: We have new HVAC specialties right
18 now. We have an 06A and an 06B.

19 The 06A has been in existence since 1998/99 when it
20 was created and the first open window was made available
21 to existing people that didn't have a license.

22 The 06B was added I believe in 2003. It's a more
23 limited scope of work than the 06A is.

24 The 06A is basically allowed to do all the
25 low-voltage work pertaining to an HVAC system. And they

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1 can do line-voltage work that's inside the system or
2 outside of it to the first disconnect switch. They can't
3 replace that disconnect switch, but they can replace the
4 components inside of it. The 06A has no voltage
5 limitations, so they can work on high-voltage like 4300
6 volt systems or they can work on 12 volt systems. They're
7 limited to running no conduit except for protecting
8 exposed conductors or short links. Typically that's less
9 than a ten-foot piece of pipe. So typically cable systems
10 is what we're interested in here in that specialty. The
11 specialty is limited on new construction in commercial and
12 industrial facilities to a maximum of three floors on new
13 construction only with their low-voltage work. Once you
14 exceed three floors, then it requires an 06A electrician
15 or a journeyman electrician to do the control work. The
16 exception to that is on retrofits when you have tenant
17 improvements, if there was an HVAC system in place on a
18 higher building of four, five or six or higher story
19 building, then the HVAC people can do the tenant remodel
20 as long as they stay on the floor that the tenant is on.
21 You can't cross floors. So they do have that opportunity
22 there.

23 The 06B has a voltage and amperage limitation. It's
24 primarily meant to encompass small commercial
25 installations that use residential type equipment and

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1 residential systems.

2 The difference in hours between the two is that the
3 06A is a two-year specialty, and the 06B is a one-year
4 specialty. The hours that are accredited toward the 06A
5 can be put towards journeyman classification and
6 qualification. So you could have up to the two years go
7 toward journeyman as an HVAC 06A electrician trainee. The
8 06B cannot go toward journeyman. And it's a one year
9 requirement. Short time frame. Once they work a few
10 months, then they can go apply to take the test. And if
11 they pass the examination, they can work unsupervised for
12 the rest of their training period. And when they finish
13 their hours, then they're automatically converted into an
14 HVAC 06B electrician. 06A can take hours from 06B. So if
15 a person has 06B hours, they can credit them toward the
16 06A, but they can't move those hours on up to journeyman
17 level.

18 So that's it in a nutshell I guess. There's lots of
19 language, but that's pretty much it I think.

20 CHAIRMAN PHILLIPS: Thanks. Just so I understand, on
21 the 60A -- 6A, the line voltage from the equipment
22 disconnect to the equipment itself, can they install that?
23 Or is it a reinstallation only?

24 CHIEF FULLER: They can do it on a replacement.

25 CHAIRMAN PHILLIPS: Replacement. But not the

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1 original installation?

2 CHIEF FULLER: Not the original installation.

3 The electrician, 01, 02, whatever the right category
4 is, has to make the initial connection to the equipment.

5 CHAIRMAN PHILLIPS: And the 0A (sic) can become an 01
6 with enough --

7 CHIEF FULLER: If they get their 06A electrician
8 certificate, they've got two years worth of credit. And
9 they can apply that toward their four years of credit for
10 a journeyman. You can apply up to two years of specialty
11 work. So that person would have to go to work for a
12 commercial electrical contractor to do the last two years.

13 CHAIRMAN PHILLIPS: Okay, great.

14 All right. Is there a representative from the
15 Washington State HVAC/R Association that would like to go
16 over their petition and maybe explain it in a little more
17 detail?

18 MS. PEACEY: My name is Karen Peacey. I am the
19 president of the Washington state HVAC/R Association. And
20 there's actually three of us -- we've broken it up into
21 three sections -- for our presentation. I'll be giving
22 the introduction. Curt Anderson will give the why. And
23 Mike Frickberg will give the technical report. So it will
24 take approximately 15 minutes if that's okay?

25 CHAIRMAN PHILLIPS: Yeah, I think we can spend 15

1 minutes on that.

2 MS. PEACEY: I am president of the Washington state
3 HVAC/R Association. And I was the one who submitted the
4 petition to establish a new HVAC/R electrical specialty.
5 The Washington HVAC/R Association members and HVAC/R
6 contractors across the state need a new HVAC/R electrical
7 specialty. Others who will speak today will provide you
8 much greater detail. We are not asking for, nor did our
9 petition request, that there be any changes to the current
10 06A and 06B electrical specialties. I want to be very
11 clear about that to the committee and to all stakeholders.

12 For some in the industry, those specialties meet
13 their needs, and changes to those specialties would be
14 unfair to those people. However, for others in the
15 industry, the 06A and 06B are totally inadequate. Many
16 HVAC/R contractors are having to become 01 electrical
17 contractors and have some 01 electricians on staff to do
18 the electrical work they need to do just on the HVAC/R
19 systems. Other firms have multiple certifications such as
20 an 06, 06A and 07 just to be able to do the electrical
21 work that they need to do on the systems.

22 Requiring an 01 or multiple electrical specialties in
23 order to do HVAC/R electrical work is simply wrong.
24 Washington state is totally unique among all the other
25 states in its HVAC/R electrical specialties. The

1 three-floor rule was a political compromise that works for
2 some, but simply does not work for too many other HVAC/R
3 contractors in Washington state. The single-floor
4 restriction in an 06A simply does not allow HVAC/R
5 mechanics to do the electrical work they need to do to
6 meet their customers' needs.

7 Remember, we are not suggesting any changes to the
8 06A or 06B electrical specialty because it does work for
9 some. But clearly it doesn't work for all.

10 The Electrical Board has a long history of
11 establishing electrical specialties for many other
12 industries that meet the needs of that industry, and the
13 Board has not limited the electrical work commonly done in
14 those industries. A couple of examples are the sign
15 specialty, the pump installer specialties, and the door
16 and gate specialties.

17 In talking with Mr. Fuller and Mr. Woods earlier in
18 the week about this meeting, they told us that your goal
19 today is to determine the process that will be used to
20 consider our petition. Therefore, I want to address the
21 processes used in my remaining two minutes. And others
22 who will follow me will provide more of the specific

23 details about why a new HVAC/R electrical specialty is
24 needed.
25 In our petition, we asked for Mr. Fuller or the Board

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1 to provide us the details about what process will be used
2 to consider our petition. Today we have not received any
3 information other than a notice about this meeting. So
4 today I hope we can establish a process that is fair, open
5 and transparent, productive and constructive.

6 Mr. Fuller in our phone conversation earlier this
7 week said that our petition lacked specifics. I am not
8 clear on what specifics he is looking for, and he has not
9 specified which ones he needs. We are asking for a new
10 electrical specialty to allow the holder of that
11 certificate to install, service, repair or replace all
12 heating, ventilation air conditioning and refrigeration
13 equipment in systems commonly done in the heating,
14 ventilating, air conditioning and refrigeration industry.

15 So I have a number of questions to pose to you so
16 hopefully you in conjunction with the stakeholders in this
17 room as well as stakeholders who are not in this room can
18 develop a fair, clear and transparent, productive and
19 constructive process to consider our petition.

20 First, we need to know what more specifics you need
21 or want.

22 Second, how should those specifics be provided to
23 you.

24 Third, how will stakeholders including those here and
25 not here today be able to access the specifics you want

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1 plus all the other information submitted to this committee
2 so that they and we have a chance to comment on all such
3 input to this committee.

4 Fourth, we strongly prefer a process of dialogue with
5 you and the over stakeholders in developing this new
6 HVAC/R electrical specialty. We believe it will be far
7 more productive for there to be a discussion and give and
8 take among the stakeholders and yourselves to develop a
9 specialty that meets the needs of all stakeholders if at
10 all possible. We have had those types of discussions with
11 the other HVAC/R stakeholders last summer and during the
12 legislative session. However, on this issue, we were told
13 that those discussions could only take place in a forum
14 arranged by the Electrical Board.

15 So my questions are: Will this be the forum to allow
16 for such give-and-take discussions so as to become an
17 informal negotiated rule-making in order to maximize the
18 productivity of this effort? If not, why not? If not,
19 will there be a quorum -- will a forum will provided and

20 who do we have to contact to make that happen?
21 I have submitted my comments to you in writing as
22 well and put the questions I have asked on a separate
23 sheet of paper to make them easier for you to find.
24 Thank you.
25 CHAIRMAN PHILLIPS: Where are those written

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1 questions?
2 MS. PEACEY: I'll make sure you end up with them.
3 CHAIRMAN PHILLIPS: Okay, thanks.
4 COMMITTEE MEMBER SIMMONS: One quick comment as we
5 continue on here.
6 If you could, whenever you come up to speak, make
7 sure that you say your name clearly and speak clearly for
8 Milton's (our court reporter's) benefit and for everybody
9 in the audience. We would appreciate it. Sometimes
10 people that speak quickly are a little hard to follow.
11 Thanks very much.
12 CHAIRMAN PHILLIPS: Thanks, Jim.
13 Yes.
14 MR. ANDERSON: I'm Curt Anderson with Air Systems
15 Engineering in Tacoma. And I'm from Alabama. It may be
16 hard for me to speak clearly enough for you.
17 I'm a licensed HVAC contractor, and I'm a licensed
18 professional engineer. I was previously president of the
19 National Air Conditioning Contractors of America. And so
20 through that got some pretty good ideas of what
21 regulations and legislation is around the country.
22 And from the charter that the Electrical Board
23 established for your committee at the April meeting, it
24 says, "All recommendations proposed by the committee must
25 be proposed in the spirit of benefiting the safety or

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1 economic condition of the people of the state of
2 Washington. I like that.
3 Given that charter, we're confident that the
4 committee will think very seriously and judiciously about
5 the things that come before you.
6 I got three reasons -- overwhelming reasons why the
7 public needs a new HVAC/R electrical specialty.
8 First, is safety and time. Other people that'll
9 speak later on will have some specific examples, more
10 about safety and time. But when the furnace is out, and
11 somebody's freezing, you go repair -- you go to repair.
12 And when you get there, it's an electrical problem. So
13 you must say to the owner then, "I'd like to do this, but
14 I must call an electrician." That does not happen exactly
15 in our company, but it happens in many, especially in
16 smaller companies.

17 So at the current time if you call an electrician, it
18 may take a day to get an electrician. If you're
19 fortunate, you can get one out in three or four hours.
20 Then the consumer has to pay for both the electrician and
21 the HVAC contractor. If we had one person that could do
22 all the task, then it could be done at that time, get on,
23 and not keep people in the cold.
24 Think about the elderly person situation that may be
25 on a fixed income. They can't afford to pay two different

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1 people to do the job that one person should be able to do.
2 And to add to do the time delay. Sometimes this can be a
3 health-threatening thing. People are in poor health as
4 they get older. And I understand a little bit of that
5 process of getting older because I've got a lot more days
6 behind me than I have ahead of me.

7 The second reason is cost. Think about the cost.
8 Work is not cheap. It's not cheap. Anything you get from
9 the state, anything you get from a private party, it has a
10 cost. And the cost of one person getting there, leaving,
11 going back -- the HVAC guy can't afford to stand around
12 and wait for the electrician come in. He has to go back
13 and either stand around or he has to leave and then come
14 back.

15 You've got the travel time. Travel is not real
16 inexpensive these days. But he has to come back. He or
17 she has to come back after the electrician has done the
18 work there. So you get that doubling up of expense. And
19 that can happen very much. It increases the cost of a
20 service call 50 percent to 100 percent. And it shouldn't
21 be. Rationally it should not be.

22 The third reason is consumer protection. Consumers
23 want to know who is responsible for the HVAC work. If you
24 have two different firms doing the repair, if something
25 does not work right -- and sometimes that happens -- then

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1 who's responsible? The homeowner may call us back. If
2 the homeowner calls us back or the business calls us back,
3 and we have to say, "Well, our stuff is working fine. Our
4 equipment's working fine. But it's an electrical problem.
5 You'll need to call an electrician." So then they're
6 having trouble getting the job done. One company will
7 blame the other. Sometimes that happens.

8 So it just puts a real -- in the meantime the
9 consumer is not protected. And the consumers normally
10 many times are not sophisticated enough to know whose
11 problem it is, whether it's an electrical problem or
12 whether it's an HVAC problem. So the same party should be
13 responsible for both.

14 Those of my three points that there is an
15 overwhelming public need for the specialty.
16 I have two additional items. First, is fairness to
17 the electricians in the HVAC industry. As Karen noted,
18 electricians in the HVAC industry have to have two
19 licenses, multiple certifications where any other -- some
20 of the other similar trades, they can use just one.
21 Second, if a new HVAC specialty is not created, it
22 puts more pressure on HVAC/R contractors to become 01
23 electrical contractors. And frankly, we've done that
24 already in our company. I personally had no desire to
25 become an electrical contractor. But the way the laws are

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1 written, we almost have to be or else it's very expensive
2 for us. And so it happens. Then as other people, as
3 other HVAC contractors become 01 electricians, then when
4 times are slow, then they begin to look for electrical
5 work from people -- the electrical contractors that are
6 more established.

7 So there's a disadvantage through first the public,
8 there's a disadvantage to the HVAC contractors, and there
9 may be a disadvantage to the electrical contractor as well
10 unless we get a specialty.

11 Any questions you have for me?

12 COMMITTEE MEMBER BOWMAN: I have one. Has anyone
13 ever documented the number of times that you've had to
14 call an electrician in when you went in for a furnace
15 repair or some other repair?

16 MR. ANDERSON: We probably have never documented
17 that.

18 People I've heard say that -- one of the contractors
19 here told me he had that situation yesterday. He said it
20 happens all the time, maybe three or four times out of
21 ten. That's not a very scientific statistic. But there
22 are people in the room that can say that better than I
23 can. Because we are primarily -- we are commercial than
24 residential.

25 COMMITTEE MEMBER BOWMAN: But it does happen

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1 frequently, though?

2 MR. ANDERSON: It happens very frequently, yes.

3 CHAIRMAN PHILLIPS: I'm thinking you can -- you've
4 got one more speaker to finish the presentation. Then
5 we'll open it up for more questions and discussion.

6 MR. ANDERSON: Thanks. Thank you.

7 MR. FRICKBERG: Good morning. My name is Mike
8 Frickberg. I'm the vice president of the Washington State
9 HVAC/R Association.

10 I'll abbreviate mine. There's some things that have

11 been doubled up here.

12 I'm currently -- I'm an 06, an 06A and an 07
13 electrician. I've been in the electrical HVAC industry
14 for 35 years.

15 Currently with the 06A license in its present
16 structure and rule, it specifically limits working on
17 electrical components outside the HVAC/R equipment with a
18 couple of exceptions that Ron had talked about for the
19 service disconnect. But items such as motor starters,
20 actual repairs to the service disconnect itself --
21 replacement. Repairs we can do. But replacements, again,
22 the breakers going back to the breaker panel and simply
23 changing a little 20-, 30-, 40-amp breaker that's
24 defective, well, we're excluded from that. Electric
25 solenoid valves, Economizer motors, pneumatic electric

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1 control valves, actuators, defrost timers, circulation
2 pumps for --

3 (Whereupon, the court
4 reporter admonished the
5 speaker to slow down.)

6 (Continuing) I'll back up. I'm going back to such as
7 motor starters, service disconnects, breakers, electric
8 solenoid valves, Economizer motors, pneumatic electric
9 control valves, actuators, defrost timers, circulation
10 pumps for hydronic to boilers or cooling towers, and many
11 other interconnecting yet functional components necessary
12 to the operation of the HVAC/R system. And these are
13 external items.

14 We can work on the internal items if they're in the
15 exact same piece of equipment. But if it's outside, we
16 can't work on it with an 06A.

17 These components may be installed within the
18 manufacturer's equipment, again, if it's on the inside, we
19 can. If it's on the outside, we can't.

20 So it comes down to where it's installed on the HVAC
21 system whether an 06A can work on it or not.

22 With the 06A, there exists a very restricted
23 limitation against electrical work being done above three
24 floors. This restriction does not exist in any other
25 state to our knowledge. It restricts any installation of
electrical mechanical tubing, or EMT, for the protection

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1 of control wires or interconnecting line voltage other
2 than in the short distances. But if we need to go a
3 longer distance, we are restricted.

4 The aforementioned is currently why many HVAC/R
5 technicians need to hold three licenses to perform their
6 trade properly. They need to hold an 06A to do the basic

7 work, work that is contained within a manufactured HVAC/R
8 system. They need to hold an 06.

9 For some of the people that have been around for a
10 few years, they have an 06 because that was one of the
11 original HVAC licenses. That's for running electronic --
12 or electric metallic tubing for limited energy wire
13 control circuits, controlling HVAC/R systems. In
14 addition, we can do work above three floors with that
15 license.

16 We need an 07 license. The 07 is for maintenance or
17 repair of line volt electrical components outside the HVAC
18 equipment such as, again, motors, starters, service
19 disconnects, breakers, electric solenoid valves, et
20 cetera.

21 All of these are part of the HVAC/R systems, and
22 HVAC/R mechanics need them. We need them to be able to
23 install, maintain, repair and replace these components and
24 devices in order to properly serve the customer.

25 It is important to note that many 06A electricians

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1 were eligible for 07 grandfathering. It was provided
2 several years ago. However, the information regarding
3 this grandfathering was focused toward building operators
4 and the building owners trades, and few HVAC/R technicians
5 and contractors were aware of this opportunity.

6 Without an 01 license or the combination of the 06,
7 06A and the 07 license, an HVAC/R worker cannot provide
8 the consumer with complete unrestricted, cost effective
9 and economical product in a timely manner.

10 With multiple licenses there are unnecessary
11 obstacles and burdens on the technician to perform their
12 trade. Excessive fees and the testing, let's alone the
13 hurdles of interpreting the WAC's.

14 The HVAC/R electrical specialties are the only
15 specialties with these types of limits within the
16 industry. The pump and irrigation, door and gate, and
17 sign specialties do not have these types of restrictions
18 within their industry's electrical specialty. The only
19 method for an 06A to work fully in his or her trade is to
20 become an 01 electrician to provide the scope of work
21 necessary to perform the HVAC/R work economically to the
22 public.

23 Most HVAC/R shops are not full electrical contractors
24 and do not produce 01 electricians, unlike many of the
25 larger shops that have these 01 electrical divisions.

23

1 Overall, it is unnecessarily increasing the cost to
2 the consumers without any increase in value or benefit.
3 In many cases, it's making the repairs or needed upgrades

4 to higher efficiency and more environmentally friendly
5 equipment unaffordable.

6 The question shared by most HVAC/R technicians and
7 contractors is why the door and gate, license 10, can
8 perform line volt installations with a lower minimum
9 required hours. And why the pump and irrigation, license
10 03, can do line volt with the same amount of hours.

11 The Washington State HVAC/R Association is requesting
12 creation of the new HVAC/R electrical specialty that may
13 do all of the HVAC electrical work related only to the
14 HVAC/R equipment and systems. The association is not
15 suggesting any changes to the 06, the 06A, the 06B, or the
16 07. We wish to have this new HVAC electrical specialty to
17 have the same time frame as other specialties like the 03
18 or 10 that would provide a quality of line volt
19 installation that is specific to our industry with the
20 similar latitude to what is currently being given to the
21 03 and 10 licensed electricians.

22 It is our goal to work with this committee and
23 Electrical Board to help provide a clear path of
24 progression of trade for current and future HVAC/R
25 technicians, trainees and certified electricians, one that

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1 is based on actual industry needs, one that makes sense
2 for the worker, the contractor, and ultimately a quality,
3 safe, affordable and timely product for the consumer.

4 Thank you.

5 CHAIRMAN PHILLIPS: Thank you.

6 MR. FRICKBERG: Any questions?

7 CHAIRMAN PHILLIPS: Well, I would like to open it up
8 for questions for the committee for all three of the
9 presenters.

10 Jim, did you have a question?

11 COMMITTEE MEMBER SIMMONS: Yeah, I had one for Curt.
12 And maybe you can answer this.

13 One of the things you mentioned was that you are an
14 01 electrical contractor in addition to the 07 -- or
15 excuse me -- the 06A and B licenses. I was wondering what
16 kind of things you run into that require the 01 license
17 for your company? What kind of things do you run into
18 where it requires the 01 license to be able to do your
19 work? Could you explain that to me?

20 MR. FRICKBERG: We do a lot of service work. We do a
21 lot of replacement work. And sometimes when we -- we get
22 in equipment where maybe there's not enough capacity in a
23 current air conditioning system. Maybe it's been an
24 office and becomes now a computer room. So instead of
25 four tons, it has to have ten tons. So at that point in

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1 time we have to get an electrical -- we have an 01
2 electrician go from the panel out to that new piece of
3 equipment.

4 That would be one case. And that happens with us
5 quite frequently.

6 COMMITTEE MEMBER SIMMONS: Well, and I guess I'm
7 wondering in that -- that's a good example to me of when
8 an electrician is needed. I agree with you. You need a
9 larger circuit run, more capacity for that piece of
10 equipment. That's typically work that an electrical
11 contractor does.

12 I guess maybe to clarify a little bit, you know, as
13 you are working in your industry, in your business, are
14 there situations, and can you give us some examples, of a
15 time where "Oh, my God, I can't do this work because we're
16 not licensed for it. We've got to call the 01 guy in to
17 take care of this"?

18 That's what I'm trying to get at is -- and maybe my
19 question wasn't worded properly. And maybe we've got
20 somebody else that can answer that better.

21 Curt, if you want to try, sure.

22 MR. ANDERSON: For us, I suppose it is the same
23 computer room, for example, the equipment is there, and we
24 find out that it's not really the HVAC equipment, but it
25 is a breaker or something in the -- something external to

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1 the unit. It could be an exhaust fan or it could be some
2 kind of a -- say, just an exhaust fan. We have a five
3 horsepower motor. You get out, and it looks like the
4 motor's not running. It turns out the starter's bad. And
5 so you have to call an electrician to replace the starter.
6 That type of thing. That makes more sense.

7 Could I -- the question that was asked a while ago,
8 one of these guys here can probably answer that question
9 that came up.

10 COMMITTEE MEMBER SIMMONS: We've got a gentleman that
11 wants -- when you come to the microphone, please introduce
12 yourself so we know who you are.

13 MR. McKEOWN: My name's Tom McKeown. I'm an 01 --

14 CHAIRMAN PHILLIPS: Excuse me.

15 MR. McKEOWN: -- in Port Angeles.

16 CHAIRMAN PHILLIPS: Are you representing the
17 Washington Association of HVAC/R?

18 MR. McKEOWN: Yes.

19 CHAIRMAN PHILLIPS: Okay.

20 MR. McKEOWN: If what you're asking is that on
21 weekends or on Fridays we'll get calls where the main
22 breaker to the equipment is tripped inside the panel. And
23 all we should have to be able to do is replace the breaker
24 or tighten the wires to it. It doesn't take a rocket

25 scientist to do that particular part of the deal. But

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1 what ends up happening is is that customer has to call an
2 electrician or we try and call an electrician.

3 Electricians won't come out. We can't get them there.

4 We had an incident this last winter where the people
5 had just come back from the hospital. They had open heart
6 surgery. They had to leave their home, go to a hotel for
7 the weekend. By the time the electrician got there on
8 Monday -- if we would have come back out on Monday, it
9 would have been overtime again. So they would have had
10 two overtime calls just to repair one stupid breaker that
11 needed to be replaced or the wiring tightened to it.

12 There are so many calls that are like that in the
13 wintertime. I believe that we scheduled 20 of them last
14 year where people ended up either being cold for the
15 weekend or leaving and then staying in a hotel for reasons
16 that are theirs because of health reasons. Because our
17 community is more of a retirement community.

18 And not to be able to let us go in and take four
19 screws off a panel door, replace a breaker or tighten up a
20 wire is really demeaning to our trade. Because we're not
21 idiots. Nobody has stamped "stupid" on our head. We've
22 done this for the last -- I've done this trade for 35
23 years.

24 What we've always done -- when we go into a panel,
25 when we find a breaker where it's burnt a bus bar, I don't

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1 believe that there's any one of us that would try to
2 repair or move breakers around. We call electricians at
3 that point. There is a point where we all need to stop,
4 and that's in the panel, not replacing panels. We're not
5 electricians; I understand that 100 percent.

6 But when you leave people cold over the weekend or
7 you're charging them three or four times what you should
8 have to to get something up and running in a few minutes,
9 that's highway robbery to the public, and you're not
10 taking care of the public when you do those kinds of
11 things. And it's a health and safety issue. Those people
12 have to come up with all this extra money to do a small
13 repair because we can't get into the electrical panel.

14 And I have gotten 100 different other incidences
15 where this has actually happened in the last couple years.
16 I mean, it happens every day. And I know everybody else
17 runs into this same situation that's out here. You can't
18 take care of your customer because you've handcuffed us.

19 CHAIRMAN PHILLIPS: Can I get your name one more
20 time?

21 MR. McKEOWN: Tom McKeown, M-c-K-E-O-W-N.

22 COMMITTEE MEMBER PREZEAU: I have another question
23 for you, Tom.
24 So do you see this specialty -- and I know there's
25 not a lot of -- Karen's or the Washington Association of

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1 HVAC's request is fairly general. And so do you see this
2 specialty license as really following the examples that
3 you have given here today, which is in a single phase, 200
4 amp or smaller residential application, repairing or
5 replacing a 20-amp single --

6 MR. McKEOWN: I'm actually talking about a 60 or 100
7 amp breaker. Because if you take an electric boiler with
8 single point connection, and it's 20 TW, you're talking
9 125 amp breaker. It's still just a breaker.

10 I mean, if I go to the house and I show a 90-year-old
11 lady how to remove those six screws, pull -- turn the
12 breaker off, pull the wire out, have her put it back in,
13 put the screws back on it, that's legal. So you can have
14 a 90-year-old lady do the work that I can't do?

15 COMMITTEE MEMBER PREZEAU: No, I understand that.

16 But -- so you're looking at this as a residential
17 application?

18 MR. McKEOWN: Residential, light commercial.

19 COMMITTEE MEMBER PREZEAU: Okay. But have you guys
20 really formulated what you think reasonable limits would
21 be?

22 UNIDENTIFIED: I'd like to --

23 CHAIRMAN PHILLIPS: I'd like to keep this down to our
24 three presenters.

25 UNIDENTIFIED: I just want --

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1 CHAIRMAN PHILLIPS: If I open it up to everybody,
2 then -- we will do that. We're going to do that after
3 lunch, but I'd like to keep this just to the original
4 presenters please. Thank you.

5 MR. LEIBOWITZ: I can come after lunch, but I have a
6 \$111,000 price tag to a consumer for a \$5 part. I'll be
7 happy to tell you about it later.

8 CHAIRMAN PHILLIPS: All right. Thanks.

9 COMMITTEE MEMBER PREZEAU: So again, the question is:
10 Have you guys internally thought about what you think the
11 scope should be? Are we talking about going into -- when
12 Tom was talking about light commercial settings, are you
13 talking about, you know, three phase, 480 volt panels? Or
14 what do you guys envision on this?

15 MR. FRICKBERG: Those are things that we need to work
16 out.

17 We're talking about the 06A license as it currently
18 is, we need to expand that to allow the trade to do its

19 work. And if that is 230 three phase or 460 three phase,
20 we need to discuss that. It is an area that -- again,
21 we're not looking to take over the electrical 01 industry;
22 we're looking to set a guideline for our industry that is
23 reasonable for our industry.
24 COMMITTEE MEMBER PREZEAU: So you don't -- at this
25 time you guys haven't developed a --

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1 MR. FRICKBERG: We don't have a matrix that would be
2 taking the industry and trying to break it down and strip
3 it down or whatever. We're looking at the industry as a
4 trade and not to break it down into little nuts and bolts.
5 COMMITTEE MEMBER PREZEAU: And so maybe this next
6 question I have might be problematic, but I'm wondering if
7 you guys have had discussions internally about whether or
8 not you see this as being a service type scenario
9 allowability only or if you're looking at new installation
10 scope of work as well.
11 MR. FRICKBERG: There are areas that's applicable for
12 new installation, that's applicable for the service arena.
13 So it's things that we will be definitely talking about.
14 COMMITTEE MEMBER PREZEAU: Okay, thank you.
15 MR. FRICKBERG: Any further questions?
16 CHAIRMAN PHILLIPS: Any other questions?
17 MR. ANDERSON: Just comments that when -- especially
18 on residential, the power is there. The power has already
19 been put in. Maybe you go and have an outdoor unit. So
20 you're -- you've got your outdoor unit and your indoor
21 unit. You can do that, the line set, and go out and do
22 all that work on one trip, start it up and so on.
23 Whereas, if you set the equipment, then have to wait for
24 the electrician to hook that up, then you leave and he
25 comes in or she -- she comes in; sorry.

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1 COMMITTEE MEMBER PREZEAU: Thanks for that, Curt. I
2 appreciate that.
3 MR. ANDERSON: But anyway, so she comes in, does the
4 electrical. Then you have to go back the next day and do
5 the rest of the HVAC. So that could happen very quickly
6 -- or very easily on small installations.
7 MR. FRICKBERG: Can I respond on that?
8 CHAIRMAN PHILLIPS: Sure.
9 MR. FRICKBERG: Earlier you had asked about the
10 residential applications and whether Curt was an 01
11 license. Our shop out of Redmond, we have over 150
12 employees, and we have a residential division as well,
13 even though we are a -- we're primarily a commercial
14 company. But we do have our 01 administrator license, and
15 we do have 01 licensed individuals on staff. But that's

16 not our trade. That's not what we're looking for. So
17 when we do residential, we sub that out 99 percent of the
18 time.

19 The question that comes up from our consumers is why
20 it's costing them -- and it literally can cost from our
21 subcontractor an additional \$400 to \$1,500 to do
22 electrical. Obviously \$1,500 is a more substantial job.
23 But many times it's just \$4- or \$500 that we have to tack
24 onto that because we have to have that 01 license there
25 that our tech has the knowledge, knows what to do, but he

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1 can't do it. And we are constantly being asked: Why is
2 your price higher?

3 COMMITTEE MEMBER SIMMONS: Can I ask you another
4 question on that, sir?

5 What we want to do is narrow this down a little bit
6 to try to figure out how to fairly administer the law.
7 Okay? We're all after that. We want it to be fair. But
8 the description you just gave me of having to call in an
9 electrician to do that wiring to the new HVAC unit you are
10 installing and having to increase the cost of your job to
11 the consumer for that, are you suggesting that what you
12 would like to be able to do as a normal part of your
13 installation is run the new circuit back to the panel for
14 that new piece of HVAC equipment?

15 MR. FRICKBERG: I can answer that in two parts.
16 One, is some of the \$400 expense or \$500 expense might be
17 simply that the disconnect is here, but it's a little bit
18 further than we're allowed to run. Maybe it's six or
19 seven feet, or maybe the disconnect needs to be moved down
20 just a little bit. Minor modifications to an existing
21 system.

22 There is times that -- well, without going through
23 all the WAC, there's certainly little loopholes in there
24 that it requires that 01 and -- I mean, to do it legally,
25 which your (indicating) shop does it legally. I know

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1 there's a lot of shops that don't. But we have to have
2 that.

3 Now, kind of a question back to you is: We are a
4 very technical industry. We know electricity. Our 06,
5 we're allowed to work on unlimited voltage. We're allowed
6 to do very sophisticated things.

7 Other trades, the 03 and the 10 are allowed to run --
8 somebody installing a pump out in the -- a domestic water
9 pump, they're allowed to run the power back to the breaker
10 panel.

11 The door and gate, somebody puts in automatic doors
12 or gates, they're allowed to run their power back to the

13 power panel.

14 So I guess the question is: Why is our industry
15 being restricted or given the same latitude?

16 COMMITTEE MEMBER SIMMONS: Well -- and I can't -- and
17 this is probably a better question for Ron to answer, and
18 I'll let him do that as soon as I'm done. But one thing
19 that I do know is that as an electrical contractor and
20 understanding what's involved, both of those other
21 specialties that you noted are very focused and very
22 concentrated in what they do. They don't do a huge
23 variety of work.

24 If you are suggesting the possibility that you be
25 able to hook up any equipment whatever's installed,

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1 wherever, however, that's HVAC in scope, you're talking
2 about a huge variety of work, a huge amount of work,
3 various voltages, wire sizes, voltage drop calculations,
4 service drop calculations, all kinds of things have to be
5 involved, voltage from 120 volt systems to 480 on up,
6 there's a huge amount of work that's involved potentially
7 that you're asking to be able to do.

8 UNIDENTIFIED: And that wouldn't be involved on a big
9 gate? All of those things you mentioned are --

10 CHAIRMAN PHILLIPS: I can't tell who's talking.

11 MR. FRICKBERG: Let's -- we realize there's things
12 that need to be worked out. There are things that will be
13 objectionable, and there's some things that are probably
14 easily doable if we agree to agree on certain things. So
15 we are open to not say this is what we want or else.
16 We're looking for a dialogue to discover this. So we're
17 not trying to dig in here. But we're trying to correct
18 some things that's difficult for our industry.

19 CHAIRMAN PHILLIPS: Ron, would you be able to
20 enlighten on why some of the specialties are allowed to
21 run the original installations, the power?

22 CHIEF FULLER: The door and gates, I want to be quite
23 clear. Several people have mentioned this already.

24 They cannot work on circuits any more than the HVAC
25 industry can. They can only work from their control box

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1 at the gate or the door and inside that door and gate
2 system. That's all. They can't run a circuit back to the
3 house or into the panel or do any of that kind of work.
4 They're actually more limited in that respect than HVAC
5 is.

6 The pump and well industry, if you get into domestic
7 wells, they have the same types of limitations that you
8 do. If you're in the 03 specialty, that was one of the
9 original specialties, and that scope of work was designed

10 to let a pump installer do what was necessary to install a
11 pump. And that could include doing a service. But it's
12 strictly regulated to that building's only use for a pump.
13 They can't be used for any other purposes.

14 So again, and very strict limitations on that
15 specialty. They're not allowed to go into some person's
16 house and change a circuit breaker any more than you are.
17 So very tight guidelines on those other specialties. And
18 I don't think that's clear with some of the people in the
19 industry here.

20 CHAIRMAN PHILLIPS: I have one question. What
21 assurances would you propose that would -- that we would
22 ensure that the installers have the same qualifications as
23 already required in the state for making those
24 installations for installing the conduits and the larger
25 feeders that are going over, you know, a larger distance?

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1 MR. FRICKBERG: Those are things that are going to
2 have to be talked about. As far as bending conduit and
3 the number of feeders, you have to have that knowledge.
4 Whether they need it to know how to design a full house or
5 how to put together industrial complex volt calculations,
6 obviously there's some complexities there that need to be
7 talked about. And there's certain things that we
8 shouldn't be able to do; I would agree with that.

9 Again, we're here to start talking about it.

10 MS. PEACEY: One issue that I have had several,
11 several, several consumers ask me about is: Why can you
12 come into my existing house, and if I have a bad line or a
13 bad whip on my A/C unit, the condenser unit sitting
14 outside, why can you replace it? What is the difference
15 between replacing it and installing it? You have to know
16 the electrical codes. You have to know the electricity.
17 You have to be familiar with the process in order to do
18 the replacement. You can't just send someone out to the
19 field that is unaware of any of the electrical laws.
20 That's why we're asking for a new specialty to accommodate
21 for the work that we need to do.

22 And I have had so many consumers approach me and say,
23 "Why are you charging me an additional \$1,000, \$1,500 for
24 this little process? Why am I being charged? And three
25 days off of work to get a person here to change my circuit

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1 breaker? And I have to take another day off because you
2 can't schedule the electrician and the technicians
3 together."

4 Just a reality; it doesn't work. So they have three
5 days that they're missing from work. They're paying the
6 time for three days. They're missing three days of work.

7 It's very, very expensive. It's more than running a line
8 circuit that they're ending up paying.
9 And I've had this approach by the consumers: What's
10 the difference between replacement and running a new line?
11 Why --
12 CHAIRMAN PHILLIPS: Well, I would think that the
13 difference being that it was originally installed by a
14 licensed electrician, assumably inspected and complies
15 with code, and now when you're reinstalling it, you have
16 maybe a template to work from. The conductor's already's
17 sized for the load. The strapping's already there. You
18 can see how it's supposed to be installed. And you
19 wouldn't be expected to know the installation
20 instructions; just kind of follow what was there before.
21 My understanding is that you would not be allowed to
22 -- if the equipment were sized larger and the circuit
23 needed to be increased, that you wouldn't be able to
24 reinstall it if that involved increasing the conductor
25 size.

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1 Is that correct, Ron? Would they be allowed to
2 upsize the conductor size or the circuit size?
3 CHIEF FULLER: No, they cannot work on the circuit.
4 MR. FRICKBERG: We fully support -- absolutely fully
5 support training and licensing and the testing competency.
6 We fully support -- and actually we look at the permit
7 process as it currently is. There is far too many people
8 that aren't taking out permits and having their equipment
9 inspected. Therein lies more of your problem than the
10 definition of scope. Whether we know what we're doing or
11 we don't know what we're doing, if we're doing our permits
12 -- I guess some people might say, "Well, why should the
13 inspector be out there trying to train people? No. It's
14 to inspect it. We're pushing the permits, and we're
15 getting the permits done. The inspector's going to be
16 shutting down those contractors that don't know what
17 they're doing.
18 So I think that's a bigger problem than trying to
19 decide are we capable or are we not capable. We'll test.
20 We'll train. We will.
21 CHAIRMAN PHILLIPS: Okay, thanks.
22
23 Background Presentation - Trista Zugel
24
25 CHAIRMAN PHILLIPS: I think we need to move to

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1 Trista's PowerPoint because we want to break by 11:30 for
2 lunch. So let's do that now.
3 All right. Hi, Trista.

4 MS. ZUGEL: Hi. Good morning. And thank you.
5 My name is Trista Zugel. I am the policy research
6 manager of the Specialty Compliance Services of the
7 Department of Labor and Industries. And Ron asked me to
8 come and give some background on the legislative and
9 policy activities around the HVAC industry for about the
10 last 20 years.

11 The next slide. So in terms of the history before
12 2003 -- this is before my time at the agency. So if there
13 are any questions, or Ron, if there's anything you feel
14 you need to add onto, please do. Because that's really
15 sort of more of the historical background with the
16 Electrical Board and Ron would have.

17 But it's my understanding that in 1985 an Electrical
18 Board policy was enacted to allow the HVAC industry to
19 install a single thermostat wire in a single-family
20 dwelling without an electrical license.

21 In 1998, however, the Electrical Board in conjunction
22 with their attorney general -- with the Attorney General's
23 office, a determination was made that that policy was not
24 legal. And the HVAC and electrical industry agreed to
25 work together to develop a new specialty of license under

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1 which they could do that scope of work.

2 In 1999 a creation of a new specialty scope of work
3 limited to line-voltage components within the HVAC
4 equipment and low voltage for all residential occupancies
5 and other buildings that did not exceed three floors above
6 the grade.

7 In the year 2000, the scope of work was expanded to
8 allow the HVAC industry to install and connect line
9 voltage supply whips not over six feet in length.

10 And that was added to the 06A specialty, Ron? Is
11 that accurate?

12 CHIEF FULLER: Correct.

13 MS. ZUGEL: In 2001, the 06A scope was changed again
14 to include line voltage work and allowed the HVAC
15 specialty to disconnect and reconnect the line voltage
16 power supply to the equipment.

17 A piece of legislation was passed in 2003: Senate
18 Bill 6630. It allowed certain electrical specialties to
19 have the work experience requirement reduced.

20 The HVAC industry requested further scope expansions
21 to include all HVAC work in all building types and
22 additional line voltage expansion. After many meetings,
23 the HVAC and electrical industry could not come to a
24 consensus on the requested proposed expansions.

25 Also in 2003 there was a special Electrical Board

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1 meeting which resulted in the following changes: Creation
2 of the 06B specialty, which is the one-year specialty Ron
3 spoke of earlier. Scope was also expanded to allow
4 certified electricians and supervised trainees to work on
5 high voltage, meaning above 6,000 volt systems.

6 COMMITTEE MEMBER SIMMONS: 600.

7 MS. ZUGEL: 600. Thank you.

8 And the scope was expanded to include line voltage
9 work in many types of equipment outside the HVAC system.

10 After the 2003 activities, that prompted several
11 legislative activities. And I'm just going to list some
12 of the pieces of legislation now.

13 In 2004, Senate Bill 6607, to develop a plan to
14 transfer regulation of the HVAC specialty contractors from
15 the Electrical Board.

16 In 2004, House Bill 2900 and Senate Bill -- companion
17 bill 6267 was intended to certify certain persons as HVAC
18 and refrigeration specialty electrical administrators or
19 electricians without examination.

20 In 2006, we had Senate Bill 6772 and its companion
21 bill Senate -- I mean, House Bill 3177 integrating HVAC
22 mechanics and contractors into provisions governing
23 plumbers. And a provision of that was an expansion of the
24 Plumbing Board to a Mechanical Board, and the HVAC
25 specialty would be licensed under that body.

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1 In 2007, we had two pieces of legislation. Senate
2 Bill 5875 and its companion bill House Bill 1917, changing
3 the regulation of plumbing to also include HVAC. This was
4 a bill similar to the telecom model in electrical which
5 requires an electrical administrator. This would have
6 been a mechanical administrator.

7 And Senate Bill 5831 and House Bill 1876, also in
8 2007, provided for the certification of mechanics
9 performing HVAC and gas piping work. That bill would also
10 have created a -- these new HVAC specialties and they
11 would be regulated under that.

12 COMMITTEE MEMBER SIMMONS: A quick question. These
13 -- the legislative activity that you've got listed here
14 were proposed legislation?

15 MS. ZUGEL: These were all proposed.

16 COMMITTEE MEMBER SIMMONS: These were not passed?

17 MS. ZUGEL: Not -- yeah, none of them was passed.

18 COMMITTEE MEMBER SIMMONS: Thank you.

19 MS. ZUGEL: After the legislative activity in 2004,
20 the Joint Legislative Audit and Review Committee commenced
21 a study entitled the HVAC/R Licensing and Testing
22 Requirements Study. It was published in fall of 2005.
23 And it directed the committee to review the licensing,
24 certification and testing requirements of contractors and

25 installers in the HVAC industry.

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1 This report contained two recommendations from the
2 committee to the Department of Labor and Industries.

3 Recommendation number 1 was that L & I should provide
4 consumers with assurance that technicians have electrical
5 knowledge and experience before certification.

6 The Department responded that when the HVAC/R
7 specialty was created in 1998, the agency decided that it
8 was appropriate to allow an HVAC trainee credit for all
9 work experience in the HVAC trade.

10 Recommendation number 2 was that L & I should more
11 clearly explain its methodology for determining training
12 requirements and clarify agency rules to inform HVAC
13 technicians of their industry's options to reduce
14 required training hours.

15 In response, the agency, in particular the electrical
16 program, has provided scope of work training to HVAC/R
17 industry organizations, training programs and contractors.

18 Recommendation number 3 was to provide policy makers
19 and industry with a better sense of possible options and
20 L & I should provide fiscal and public safety estimates of
21 scenarios that would certify other aspects or mechanical
22 aspects of HVAC/R work.

23 In response, the Department conducted a
24 stakeholder-driven process in which we developed and
25 reviewed several comprehensive solutions. This resulted

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1 in the HVAC/R task force -- which occurred in 2006 -- and
2 the resulting report to JLARC, which I believe all members
3 of the committee have a copy of.

4 And finally recommendation number 4 was that if the
5 legislature wishes to more broadly represent regulated
6 entities with the knowledge of trade-specific equipment,
7 it should revisit the Board's current composition.

8 The agency responded that this would require
9 legislation. However, we did add a new member to the
10 Electrical Board who is an HVAC/R contractor.

11 So in getting back to recommendation number 3, in
12 response to that, the agency formed the HVAC/R task force.
13 We've met frequently from February to August 2006. The
14 task force consisted of 37 members with representatives
15 from business, labor and the agency. The committee
16 organized into three subcommittees: regulatory
17 alternatives, public safety, and consumer and business
18 protection. This group reported to JLARC in September of
19 2006.

20 The three subcommittees were the most labor intensive
21 of the committees on the task force, and we met several

22 times. The public safety committee was intended to
23 consider the public safety issues surrounding the
24 industry. The business and consumer protection committee
25 was to consider the impact of regulatory options on

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1 consumer and business. And the regulatory alternatives
2 committee reviewed all possible regulatory alternatives
3 and recommended those final few -- it was five eventually
4 -- that the task force reported to JLARC as regulatory
5 options.

6 And I think it's worth noting that we started out
7 with 15 proposals in that subcommittee. We whittled it
8 down to five that went into the report and eventually down
9 to two during this last legislative session.

10 The criteria that the task force used for evaluation
11 of all proposals was: protection of public safety,
12 consumer protection, that there be no unnecessary
13 regulatory obstacles, that a level playing field be
14 maintained, and that there be no stranded capital for
15 workers or business.

16 So as I stated earlier, we identified five -- or the
17 committee identified five regulatory alternatives. The
18 first was no change, which is fairly self-explanatory.
19 The telecom model, which required a firm doing mechanical
20 -- I mean doing mechanical work to have on staff at all
21 time a mechanical administrator. This is similar to the
22 electrical requirements. Increased verification of
23 electrical hours, which would have required HVAC trainees
24 to report -- or to actually require the agency to verify
25 that the hours reported were hours actually done doing

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1 electrical work. The Mechanical Board proposal which
2 created a broad-based licensing scenario for technicians
3 under the Mechanical Board which was comprised of the
4 expanded Plumbing Board. And the HVAC Board which was
5 similar to the Mechanical Board, but it was its own board
6 with broad-based technician licensing, and it would have
7 created its own program within the Department of Labor and
8 Industries.

9 So finally, most recently there were two options
10 submitted to the legislature in 2007. House Bill 1776,
11 which I mentioned earlier -- this is the administrator
12 license -- requiring every firm that does mechanical work
13 to have one on staff. And House Bill 1876, HVAC/R
14 mechanic licensing, required licensing of all HVAC/R
15 mechanics and gas piping mechanics.

16 During the legislative session, the two sides made
17 significant progress toward one solution. Ultimately
18 neither piece of these legislation passed this session.

19 And if you have any questions, please feel free to
20 contact me.
21 COMMITTEE MEMBER PREZEAU: Can we ask her --
22 CHAIRMAN PHILLIPS: Sure.
23 COMMITTEE MEMBER PREZEAU: Well, the first thing --
24 Trista, thank you for the presentation.
25 I think I would offer a potential addition, which is

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1 -- it was -- and, of course, I'm not going to be able to
2 find it in here now.
3 MS. ZUGEL: Is this in the regulatory history?
4 COMMITTEE MEMBER PREZEAU: No. I was just going to
5 suggest that if we go back to the discussion of the HVAC/R
6 task force and you put in here that they reported to the
7 JLARC in September, I think it would be prudent to add
8 that they also reported to a joint meeting of the
9 electrical and plumbing advisory boards September 26th
10 because we did have that presentation.
11 Additionally I'm curious on -- and I don't know what
12 page it is. But this is under JLARC recommendations and
13 agency scope, the recommendation number 1 and agency
14 response, and you stated that when the HVAC/R specialty
15 was created in 1998, L & I decided to allow an HVAC/R
16 trainee credit for all work experience in the HVAC/R
17 trade.
18 And Trista, if you -- and maybe Ron can answer this
19 as well. But -- so this determination of credit worked
20 for all experience in the HVAC trade was made in 1998; is
21 that correct?
22 MS. ZUGEL: Is that accurate, Ron?
23 CHIEF FULLER: It was made -- it was before me
24 actually. So I'm going to say before 2000.
25 COMMITTEE MEMBER PREZEAU: Okay. So that policy was

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1 there safe to say before 2000 and quite possibly in 1998.
2 CHIEF FULLER: Correct.
3 COMMITTEE MEMBER PREZEAU: Is that safe to assume?
4 CHIEF FULLER: But in reality we don't question the
5 hours for any of the specialties as long as it's work
6 related directly to that specialty.
7 COMMITTEE MEMBER PREZEAU: Okay.
8 CHIEF FULLER: So you have similar kinds of concerns
9 that were voiced about the HVAC with -- with signs, for
10 instance. Sign contractors that pour concrete
11 foundations, they put poles in the air. They do those
12 kind of things. And as long as it's related to the sign,
13 we allow the sign credit. So what they're doing should be
14 related to the electrical specialty if they're trying to
15 get credit for it.

16 COMMITTEE MEMBER PREZEAU: Okay.
17 And so basically since that time -- because the first
18 -- in 2000 -- I'm going back to the regulatory history --
19 in the year 2000, the scope of work for an 06A specialty
20 license was expanded to allow the HVAC industry to install
21 and connect line voltage supply whips not over six feet in
22 length, which sort of goes back to I think comments made
23 earlier by Karen Peacey.
24 And then, again, the scope of work was expanded in
25 2001 to include line voltage work and allowed the HVAC/R

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1 specialty to disconnect and reconnect the line voltage
2 power supply to their equipment.
3 And then there was a third change -- but I don't know
4 what year -- when they created the 06B specialty and
5 expanded certified electricians.
6 CHAIRMAN PHILLIPS: 2003.
7 COMMITTEE MEMBER PREZEAU: This was 2003. Oh, this
8 is all the same page, okay.
9 So we've expanded the scope of these licenses -- the
10 06A license three times, have not increased the on-the-job
11 training hours, and have not revisited the decision made
12 presumably in 1998 or before 2000; is that correct?
13 MS. ZUGEL: That's my understanding, yes.
14 COMMITTEE MEMBER PREZEAU: Okay. Thank you.
15 MS. ZUGEL: Any other questions?
16 CHAIRMAN PHILLIPS: Any other questions?
17 I've got one. So the JLARC study was done, and it
18 listed five options. So what's happening with those five
19 options?
20 MS. ZUGEL: The five options that the task force gave
21 to JLARC?
22 CHAIRMAN PHILLIPS: Yes.
23 MS. ZUGEL: Two of them became legislative proposals
24 this last session.
25 CHAIRMAN PHILLIPS: Okay. So the two options -- one

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1 was House Bill 1776. Did that increase the scope of the
2 HVAC installer?
3 MS. ZUGEL: Actually I think that that's a question I
4 would like for Ron to answer in terms of the technical
5 aspect.
6 I believe it just required a mechanical administrator
7 and didn't have -- wasn't intended to have an impact on
8 the electrical statute.
9 CHIEF FULLER: You're talking just the two bills now,
10 correct?
11 MS. ZUGEL: He's just talking about on 1776, the
12 administrator.

13 CHIEF FULLER: There was no -- I'm trying to remember
14 that bill exactly. That bill was -- it was -- it included
15 some electrical work, as I remember, that would be allowed
16 to be done under that administrator in that license. But
17 it didn't change technically the HVAC -- or the electrical
18 statute or the electrical rules or requirements.

19 But what likely would happen in that kind of a
20 scenario is that people would by default abandon their
21 electrical licenses. Because they would be able to do the
22 same work under the HVAC. So in a roundabout fashion, the
23 electrical work would be removed from the Electrical Board
24 and the electrical program and transferred to the HVAC
25 just by default. Because there would be an option --

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1 MS. PEACEY: Ron, that isn't correct. We wrote it.

2 CHIEF FULLER: That's the way it was written, not our
3 -- in our opinion. That's my opinion.

4 CHAIRMAN PHILLIPS: Okay. So would that be the most
5 closest to the HVAC/R board model, the I think option 5?

6 MS. ZUGEL: No. That is the telecom model.

7 CHAIRMAN PHILLIPS: Oh.

8 COMMITTEE MEMBER SIMMONS: The second one.

9 CHAIRMAN PHILLIPS: Okay. All right. Any other
10 questions or comments from the committee members?

11 Okay, we're at the point now where we would break to
12 go to lunch, and the next item would be stakeholder input.
13 So recommendations from the committee. Do we want to take
14 a few comments now or do you want to break now?

15 COMMITTEE MEMBER BOWMAN: Let's take comments.

16 CHAIRMAN PHILLIPS: Take a few comments now? All
17 right.

18

19 Stakeholder Input

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21 CHAIRMAN PHILLIPS: So I need the sign-in sheet. And
22 I'll just go from the top of that. We're going to limit
23 comments to five minutes each. And I'd appreciate it if
24 you'd please respect that so everybody will get a voice.
25 It looks like it's a manageable enough people that we can

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1 do that.

2 Ron, do you want to make an announcement about lunch
3 or the logistics of that?

4 CHIEF FULLER: We could do that now.

5 We planned on the agenda for an hour and a half
6 lunch. So that'll put us back here at 1:00 if we break at
7 11:30. To get to the closest restaurant, you go back out
8 -- probably most of you came toward I-5. Pacific is the
9 first major street that you come to where the red light

10 is. If you go straight through that, there's another red
11 light another half mile on or so called Martin. You can
12 actually either go left on Pacific and find restaurants
13 within the next mile or two. On both sides of the street
14 there's quite a few. And there's also some on Pacific
15 there. There's some deli's and there's a couple of
16 grocery -- there's a Safeway and Albertson's, all kinds of
17 places. But you do have to go three or four miles from
18 here.

19 UNIDENTIFIED: May I --

20 CHAIRMAN PHILLIPS: Yes, sir.

21 UNIDENTIFIED: Would you consider delaying lunch?

22 Because there's some people from Eastern Washington that
23 might want to get out here early. I mean, I'm just
24 throwing it. And just keep on going through until you get
25 it done?

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1 CHAIRMAN PHILLIPS: When were you suggesting we break
2 for lunch?

3 UNIDENTIFIED: An hour and a half is a long time.

4 CHIEF FULLER: I think we had 11:30 to 1:00 on the
5 agenda.

6 CHAIRMAN PHILLIPS: I think it says 12:00. The last
7 one says noon. But you were recommending 11:30 just
8 because of the --

9 CHIEF FULLER: If we -- we need to go till 11:30 for
10 sure.

11 CHAIRMAN PHILLIPS: Let's just poll the committee
12 and --

13 UNIDENTIFIED: Skip lunch.

14 CHAIRMAN PHILLIPS: Okay, I got your question, and
15 we're going to discuss it now. Thanks.

16 What would the committee like to do? Would you like
17 to try and work through? Or stretch?

18 COMMITTEE MEMBER TRICARICO: How many stakeholders do
19 we have on the list for comment?

20 CHAIRMAN PHILLIPS: I think there's about 20.

21 COMMITTEE MEMBER BOWMAN: How many from Eastern
22 Washington?

23 UNIDENTIFIED: Whether from Eastern Washington or
24 Bellevue, everyone's got to get back to work.

25 CHAIRMAN PHILLIPS: I have 17 speakers. So five

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1 minutes each, what's that come out to?

2 CHIEF FULLER: You've already heard from several of
3 them, haven't you?

4 CHAIRMAN PHILLIPS: Yeah, through presentation.

5 COMMITTEE MEMBER PREZEAU: My thought is -- it just
6 popped into my mind -- is a) is it problematic to deviate

7 from the published agenda in case somebody wants to -- is
8 assuming that public is going to be held after 12:00 or
9 after 1:00? I don't want to disenfranchise anyone, but
10 also I'm curious in the room by a show of hands who wants
11 to work through lunch and just continue with commentary.

12 (A showing of hands.)

13 COMMITTEE MEMBER PREZEAU: And who wants to take
14 lunch.

15 (A showing of hands.)

16 CHAIRMAN PHILLIPS: It looks like a split crowd
17 maybe.

18 COMMITTEE MEMBER PREZEAU: I'm just in general very
19 concerned about a published agenda that we deviate from
20 and somebody arrives here according to schedule on the
21 published agenda and we're -- and they're not allowed to
22 participate.

23 COMMITTEE MEMBER TRICARICO: But the agenda does show
24 that sign-in was to be done at 9:30. So would you -- I
25 mean, that would be a decision I think you would make as

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1 to whether you would allow people to sign in at 1:30 to
2 speak.

3 COMMITTEE MEMBER PREZEAU: That's a good point, Fred.

4 CHAIRMAN PHILLIPS: I think as long as we're back
5 here by 1:00 and we stay here at least till 1:30 to give
6 anybody a chance who doesn't arrive until 1:00 --
7 conceivably have a chance -- but you're right, Fred, that
8 we have collected the sign-in sheets.

9 UNIDENTIFIED: Mr. Chairman, I think in connection
10 with Tracy's -- about staying with the agenda -- the
11 agenda does say lunch starts at 12:00. And if we were to
12 start, that would give some people an opportunity to speak
13 that might not be able to stay. That would be staying
14 with the agenda?

15 CHAIRMAN PHILLIPS: I understand the question.

16 UNIDENTIFIED: The agenda says --

17 CHAIRMAN PHILLIPS: Is that okay with the committee?
18 We'll just stick with the agenda, the published agenda
19 which says noon?

20 COMMITTEE MEMBER PREZEAU: How is Milton (the court
21 reporter) doing?

22 COMMITTEE MEMBER SIMMONS: How are you doing, Milton?

23 THE REPORTER: I'll need something, some nourishment.

24 CHAIRMAN PHILLIPS: You want something now?

25 THE REPORTER: No. I'm fine now.

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1 CHAIRMAN PHILLIPS: Can you go till noon?

2 THE REPORTER: Sure.

3 COMMITTEE MEMBER SIMMONS: Let's go to a little

4 before 12:00.

5 CHAIRMAN PHILLIPS: We'll go to about five to 12:00.

6 All right. The first person on the sign-up sheet is
7 Karen Peacey. Would you like to speak for five minutes?

8 MS. PEACEY: I'm going to give mine to Chris because
9 he has to leave early. So Chris can go ahead and have my
10 time.

11 CHAIRMAN PHILLIPS: Okay.

12 MR. MERCURIO: Sorry for the confusion there.

13 CHAIRMAN PHILLIPS: What's your name?

14 MR. MERCURIO: Chris Mercurio.

15 CHAIRMAN PHILLIPS: All right.

16 MR. MERCURIO: Thank you. My last name is spelled
17 M-E-R-C-U-R-I-O.

18 I'm a heating contractor in the Pierce County area.
19 Been in the industry for 30 years. Been in business for
20 over 15. I'm a 06A electrician and administrator. I run
21 a small residential, light commercial company, so most of
22 mine is, you know, retrofit, replacement type stuff.

23 Since 2000 and before I've -- well, it didn't make
24 sense, but I've always hired an electrical contractor, and
25 they do all my work, the permits, the whole nine yards.

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1 It's become extremely expensive. It's making me less and
2 less competitive. And I'm talking about things that my
3 guys would be qualified to do, you know. I'm not -- I'm
4 saying qualified by experience, not legally.

5 COMMITTEE MEMBER SIMMONS: Could you give us some
6 examples of that?

7 MR. MERCURIO: Sure. Number one, just changing out a
8 simple gas furnace, if I got to change the switch. Okay?
9 Hooking up a air handler, doing the aluminum to copper
10 conductor changes. Grounded circuits. We go into homes
11 all day long. They have old circuits, and the circuits
12 aren't grounded, and you put the furnace in. Three months
13 later, we get a fault on the board, it's got a nongrounded
14 circuit. We can't touch it. That's just many -- you
15 know, three of many cases that we run into.

16 So we've got to call our licensed electrician out.

17 Our customers just don't understand that. I mean,
18 you can't get it through their head why we've got to call
19 a guy out to do the work and we've got to double bill
20 them. And it just goes on and on and on. They just don't
21 understand it.

22 We compete with this underground. Okay? We do it
23 legally. I think everybody in this room does it legally
24 or we wouldn't be sitting here. And it's not about us
25 getting into your work; it's about us being able to do, as

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1 Curt said, what we can do. We don't want to change
2 panels. We don't want to run circuits to bedrooms. We
3 don't -- we want to run a circuit to a furnace if we can
4 because we know how to. Or replace it. I'm talking more
5 in the service industry. Okay? We're not new
6 construction. We're not putting in circuits to all these
7 big units. Okay? That's the way I look at it. And I
8 think everybody can agree with that.

9 Another thing I'd like to bring up here is the
10 inspection process. Right now for us, we have to get our
11 licensed electrician to pull our permit. So he pulls the
12 permit. We have to get our mechanical. What we're
13 running into now is the customers having to stay home two
14 and three days just to get an inspection. Okay? I mean,
15 it's crazy. They don't understand it. They can't afford
16 it. And they're refusing to give us access to their homes
17 now to get inspections.

18 There's got to be a process we can all work together
19 here, a common-sense approach, and work through some of
20 this some to make it easier for this industry. I know
21 this industry's a little different than as you mentioned
22 the wells and everything else, but the bottom line is it's
23 a very complex industry.

24 COMMITTEE MEMBER PREZEAU: Can I interrupt you really
25 quick?

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1 MR. MERCURIO: Yes.

2 COMMITTEE MEMBER PREZEAU: You're not -- this piece
3 about access and the burden put on customers, you're not
4 suggesting that this new license would allow -- would
5 exempt inspections? You're not --

6 MR. MERCURIO: No, no. It would just streamline the
7 process because there's not two companies involved. Okay?

8 Another scenario is -- and I think somebody mentioned
9 this before, but -- I had an example this morning. Two of
10 them as a matter of fact came up before I even left my
11 office today at 8:00 in the morning.

12 Yesterday we put in a heat pump. So our electrician
13 was there. Did the job. Everything's fine. I hear this
14 call this morning, called in and talked to the installer:
15 "Hey, my range clock and light's not working." Okay? So
16 the only thing I can think of is the electrician got in
17 the panel and maybe dropped the neutral off the circuit or
18 whatever. But now that customer's confused. Who the heck
19 do they call? Okay? They call me because I'm the guy.
20 Okay? But the bottom line is I got to make a call -- I
21 can't even send my guy out there to look at it. And it's
22 my job. Okay? So, you know, that's the kind of stuff
23 we're talking about here. We're not talking about, you
24 know, powering up the King Dome or whatever.

25 So I guess that's pretty much it.

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1 One last comment I would like to say. I've been
2 involved with this from the start. And I remember meeting
3 with Doug Erickson here, you know, back in 2000. Because
4 I just -- my naive sense just didn't understand why all of
5 a sudden I had to become an electrical contractor. I
6 didn't want to be. But at that time, they assured me that
7 our goal was public safety, which we're all for that,
8 number one. That's the bottom line. And to be able to
9 build an alliance with you, the electrical people, et
10 cetera, and make this better for all of us. And I really
11 think in a lot of ways it has done our industry, you know,
12 a lot better. But there's still a lot of people out there
13 running around that are licensed general contractors doing
14 the business and not licensed like they should be. And
15 you guys are aware of it and you don't do anything about
16 it. Okay?

17 And one last thing.

18 CHAIRMAN PHILLIPS: You need to wrap it up.

19 MR. MERCURIO: Okay. This is my last point here.

20 CHAIRMAN PHILLIPS: Ten seconds here.

21 MR. MERCURIO: The underground, unions, nonunion
22 people are out there big time. Okay? I just want to make
23 that clear, and I think you're aware of that. And we are
24 competing with it.

25 CHAIRMAN PHILLIPS: Thanks, Chris.

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1 MR. MERCURIO: Thank you.

2 CHAIRMAN PHILLIPS: I have Curt Anderson.

3 MR. ANDERSON: I'm Curt Anderson. Personally I'm not
4 a mechanic myself. If you look at them (indicating),
5 they look all right, but they're all five thumbs. I don't
6 do mechanical or electrical work.

7 I do -- I did contact a number of contractors. And I
8 said to a number of especially smaller contractors, I
9 said, "When you get to a situation, you get to a point
10 where you have done your mechanical work and the
11 electrical is simple, I would expect that about 25 percent
12 of the time you call an electrician, and about 75 percent
13 of the time your guy does that." Nobody in this room is
14 one of those calls. But nobody, nobody disputed that
15 statistic, that percentage.

16 The point that was just made about the underground,
17 think about how in the world this really is not enforced
18 presently and would not be enforced more as time goes on.

19 Thanks.

20 CHAIRMAN PHILLIPS: Thank you.

21 Curtis Dahl.

22 MR. DAHL: All right, made it before lunch. I'm
23 Curtis Dahl. I'm kind of representing the Washington Air
24 Conditioning Contractors of America Association. I'm on
25 their board. But I'm really representing Sundance Energy

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1 Services which is my company.
2 1988 we decided that -- we're a residential retrofit,
3 loosely HVAC, but I call myself an old solar bozo.
4 1985 we looked for something else to do that met our
5 mission statement, and gas heating did. It was
6 environmentally sound and a way for people to make their
7 homes more comfortable.
8 1988 I now understand from a historical perspective
9 we realized we had become an 01 electrical company.
10 And shortly after that I got my electrical license.
11 At one time I've been our only residential electrician. I
12 am now our AD-01 administrator. And I've had that license
13 for over ten years. And it's just so that we can do
14 residential retrofit work.
15 Obviously, the goals stated all along is public
16 safety. What's good for the public. Clearly win, win,
17 win is the situation we should look for. There's no
18 question that the HVAC industry has people that do work
19 unpermitted.
20 I've attended a couple of these meetings, and never
21 has anybody presented any permitted job that has posed a
22 public safety in any of these forums. I think we've been
23 shown pictures of jobs in Korea that have been blown up
24 and stuff like that, but nothing in this state.
25 I do believe that this idea that's presented here

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1 today has merit where many of the others do not have much
2 merit.
3 We are a general contractor and a electrical
4 contractor in this state just so I can do things.
5 You asked for specifics. The process why he needs
6 that ground is through a process called flame
7 rectification. Maybe everybody understands that process.
8 But you can pass a DC current through a flame. This
9 proves that the system has a flame present and it will
10 operate safely. That's the purpose that if that thing
11 loses ground, it will no longer work. HVAC contractors
12 understand that more than most electricians because it's
13 something that makes their equipment work.
14 Presently in the state, you know, my business being a
15 company that works with residential retrofit energy
16 efficiency, we now have DC motors, which the AC current is
17 inverted, much to the chagrin of Tesla, to the benefit of
18 Edison, and we now have a more efficient motor that uses

19 one-third the amount of electricity to operate. Some of
20 the Japanese equipment does this in a funny way, and we
21 actually run the DC current on one leg of the hot side,
22 and it's called piggybacking it. And I guess it's legal
23 in the NEC. But anytime I have a residential job where
24 the electrician of the job is doing our HVAC work, this
25 gets really problematic. So we've almost got to the point

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1 on our split -- ductless split systems we will not allow
2 us to have the homeowner hire another electrician to do
3 that work because it doesn't work out a lot.

4 So clearly for the win, win, win for the customer,
5 making sure that you allow these trained technicians -- by
6 the way I'm also NATE certified -- North American
7 Technician Excellence -- which is a national certification
8 program, and I have more of those certified technicians on
9 my staff than anybody in this state. We also have more
10 National Fireplace Institute certified technicians on our
11 staff than anybody in this state. And that's another
12 national certification program to sub out for gas
13 fireplaces.

14 And again, there's a big push now to change gas
15 fireplaces from piloted systems that don't need electrical
16 permits to intermittent pilot systems which do need an
17 electrical circuit so that they don't operate
18 inefficiently.

19 And again, who understands the IBI systems that are
20 also using the AC current? Well, it's the manufacturers
21 that are trained, the people that are installing them who
22 are understanding those systems.

23 So clearly expanding something that fits that void
24 would be well for the public.

25 I have had lots of conversations over the years with

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1 different people. I've got a great job right across from
2 your office (indicating) in Kirkland where we have all
3 these inverter systems I'd love to show you. But over the
4 years I've had people from the City of Seattle tell me
5 that their studies say that if everybody pulled a permit
6 they would be backed nine months on delay. That being
7 said, clearly the problem that we have with any issues out
8 there is nonpermitted work that is going out and being
9 installed.

10 In my case, I had a job yesterday I looked at, we had
11 got the job, we have the down payment on it, and we were
12 called to say, "Hey, someone else was going to do the
13 work."

14 It was a \$9,800 job, and he has a bid from another
15 heating contractor who is not a licensed electrical

16 contractor like myself, and the bid is \$7,200. He faxed
17 us a quote on it. There's not a word about electrical on
18 it whatsoever on the whole quote.
19 And I called him up and said, "We'll match this
20 price, but we will not do any electrical work."
21 He said, "No way." He says, "The other guy tells me
22 it's a complete job."
23 Now, I've checked his license. And, of course, he
24 does not have even the 06B license.
25 Anyway, so --

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1 CHAIRMAN PHILLIPS: That's five minutes. If you
2 could wrap up in a couple seconds here.
3 MR. DAHL: Well, the bottom line is over the win, win
4 win. The win is for the public; this is to make it
5 simple. The win for the contractors, allowing them to do
6 their work. And obviously the win for you guys is to
7 ensure that your mission is fulfilled and that we have
8 safe work installed. And I think, again, this is a good
9 avenue at doing that.
10 Thank you.
11 CHAIRMAN PHILLIPS: Thank you.
12 Thomas McKeown.
13 MR. McKEOWN: My last name again is M-c-K-E-O-W-N.
14 I guess my main idea of this whole thing is that I
15 think the public safety issue is a deal -- a huge deal.
16 We had a fire last year, an electrical panel. It was
17 one of the coldest days of the year.
18 We went out on a Friday afternoon. We got a call in
19 the morning that it was a no heat on electric boiler. My
20 service guy got out there about 3:00, started up the
21 boiler, let it run after resetting the breaker for about
22 20 minutes. The breaker got hot. Turned off the breaker.
23 Turned off the breaker that was in the boiler. Also
24 disconnected the thermostat wires. Left the people a note
25 at the front door and on the boiler. Called them at work;

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1 they were not available. We also left a phone message for
2 the people to let them know not to start the boiler back
3 up; they needed to get ahold of an electrician.
4 Monday afternoon we got a call from the electrical
5 inspector in Port Angeles that they'd had a fire in the
6 electrical panel. The homeowner themselves came back and
7 turned the breaker back on, turned the breaker on in the
8 boiler, rehooked up the thermostat wire, and started it
9 up. And consequently it burnt the bus and everything else
10 in the panel. The fire department was called out.
11 This could have been resolved by us just changing a
12 breaker or doing our job. It's not that hard to change a

13 breaker out or tighten a wire. The electrical inspector
14 said that the wires were loose that were in the panel.
15 And this was our first call to this particular residence.
16 We've also had people that have had their air
17 handlers, which is a 15KW unit, where the main circuit
18 breaker inside the panel is tripped on a Friday or a
19 Saturday or an evening call, can't get ahold of an
20 electrician, they end up having to have an electrician
21 come back out tighten up the wires or replace the breaker.
22 Safety's a huge deal for us. We do not want to leave
23 people cold because elderly people -- you know, they have
24 to go out of their homes or they don't have the money.
25 You know, it can drop down into the low 40's inside their

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1 houses in a couple days.
2 I just would like to see some way of having the HVAC
3 contractors take care of their customers in a way that
4 they can assure that their bills are going to be
5 inexpensive for the most part and at the same time make
6 sure that that unit's not going to have any problems with
7 catching on fire or any other issue.
8 That's the most part that I'd like to say at this
9 point.
10 COMMITTEE MEMBER SIMMONS: A question for you. In
11 that example that you said with the panel where the
12 breaker was getting hot, one of the issues that you can
13 certainly have there is bussing damage that you can't see
14 from the face until you pull that breaker out and you have
15 the breaker fall apart and you have bussing damage in
16 there.
17 MR. McKEOWN: Exactly.
18 COMMITTEE MEMBER SIMMONS: How far would you go? I
19 mean, if your electrician -- or your HVAC guy is there and
20 you've got a -- you know, he traces the problem down to
21 possibly a bad breaker or a hot breaker, how far do you
22 recommend or suggest that we let him go? I mean, just
23 changing a breaker, all of us understand that may be
24 something that's fairly simple. But how far do you go?
25 MR. McKEOWN: Well, you're never going to -- if that

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1 bus bar is discolored at all, you're not going to go in
2 and put something back into it. I mean, that's just
3 common sense. So consequently as far as we go is that
4 breaker. I don't want to fool with that panel. I really
5 don't want to fool with running a new wire. That's an
6 electrician's job. But 99 percent of the time it's just
7 the breaker or the wires going to the breaker that are
8 bad.
9 COMMITTEE MEMBER SIMMONS: Thank you.

10 CHAIRMAN PHILLIPS: Thanks.
11 Steve Kreckler.
12 MR. KRECKER: Thank you. My name is Steve Kreckler --
13 K-R-E-C-K-E-R. I'm the owner of Air Masters Heating in
14 Port Orchard, Washington.
15 This thing clearly is something that has to come to
16 some point of usability that works for everybody. Like
17 the gentleman said a little bit ago, there needs to be a
18 win, win, win situation for everybody.
19 Just recently we changed out a package unit on the
20 roof of a Montessori school where there was 20 to 25
21 children I'd say between the ages of 4 and 8. The way the
22 old unit sat as opposed to the way the new unit needed to
23 be mounted, there needed to be an expansion on the line
24 side of the disconnect which was clearly a modification
25 that we cannot do. At that particular point, I had a

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1 devil of a time being able to get ahold of one of the
2 three contractors -- electrical contractors that we work
3 with. And that building was left with no power to that
4 unit until just this morning. The electrician that I was
5 able to get ahold of called me on my way here and told me
6 that it was done. This particular time of year, it turned
7 out to be not a very big problem because of the
8 temperature. But the teacher of the school, the lady in
9 charge, did tell me that in the mornings it was chilly. I
10 decided to keep in contact with her. I was just very,
11 very concerned over the fact that if it got real cold,
12 these children would either have to be sent home or, you
13 know, would have to be warmed up somehow, which turns into
14 become a real problem.
15 This could have very well been a situation that
16 existed and came down on us in the middle of winter. You
17 know, all we needed to do was to extend those wires with a
18 weather-tight closure and to disconnect and -- you know,
19 we are perfectly capable of doing that. But again, it
20 wound up being a situation where we could not do it.
21 The program has put us into a square peg and a round
22 hole scenario. It does not fit. We need something that
23 fits us. It's totally different. We are kind of the
24 redheaded stepchild of the electrical industry evidently
25 because a lot of our schooling deals and has dealt with --

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1 I mean, I went through all three years of the RAC
2 electrical through RSES. I taught at Bates and for RSES
3 at some point in the past.
4 We get into our trade. We know what we're doing.
5 And when it comes to simple modifications, there's no
6 reason why we can't be allowed to do them. And it would

7 help the consumer as well as us and everybody involved in
8 an immense proportion.

9 Thank you for giving me the opportunity to speak.

10 CHAIRMAN PHILLIPS: Thank you.

11 Jason Eagstrom.

12 MR. EAGSTROM: My name is Jason Eagstrom. The last
13 name E-A-G-S-T-R-O-M.

14 Earlier on, Tom, I believe a lady asked why we
15 weren't allowed to install a whip to a condensing unit but
16 we could replace one, you made the argument beautifully
17 for the reason that we should be able to replace a
18 breaker. You said there was a template. So at the very
19 least, we ought to look at modifying that.

20 Thank you.

21 COMMITTEE MEMBER PHILLIPS: Thank you.

22 Phil Brown.

23 MR. BROWN: Phil Brown, Air Flow Heating out of
24 Sequim.

25 I actually had a different agenda on this, but I

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1 understand that now you're asking questions on exactly how
2 this would work in our industry.

3 Let's say you're expanding your deck and you have a
4 heat pump in the way, we're limited to a six foot whip.
5 We may only want to move it maybe ten feet possibly. So
6 that's adding refrigerant lines, expanding the whip or
7 moving the disconnect. That's one area.

8 When Chief Fuller was talking, he said we're limited
9 to a third level and we can't cross the levels. Well,
10 usually the indoor unit's, of course, on the third level.
11 And maybe the HVAC heat pump would be on the roof of the
12 fifth level or something like that. How I understand that
13 is we cannot cross a line to go up onto the roof to change
14 the heat pump or work on the electrical up there. I'm not
15 sure if that's correct.

16 But I guess if we go back to the beginning when the
17 01 and the 02 -- I believe would be back in the 60's when
18 the electrical license was required by --

19 COMMITTEE MEMBER SIMMONS: 1975.

20 MR. BROWN: '75?

21 COMMITTEE MEMBER PREZEAU: '73.

22 MR. BROWN: '73?

23 COMMITTEE MEMBER SIMMONS: I was close.

24 MR. BROWN: There had to be this type of dialogue
25 going on in that process, exactly what do we need to have

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1 the training on, what can they encompass through the
2 apprentice up to the journeyman. So if we break this
3 down, this is exactly where we're at in our industry.

4 I think I counted 12 limited issues when Chief Fuller
5 was talking. There was probably up to 18 when I started
6 counting; I wasn't sure. But it's just -- get into a
7 dialogue doing the same thing, what type of schooling do
8 we need to do, where do you want to limit us to what we
9 can actually handle. You're going to hear several issues
10 of a blown breaker.

11 That's a big issue on the peninsula since our grid is
12 very weak out there. I'm also from Eastern Washington,
13 Lake Wenatchee, Levanworth. That poor grid up there,
14 trees blown down, and the main breaker is an issue. We
15 will -- we do have to call electricians that way. And
16 we're so far out -- it's in Forks -- it could be three or
17 four days, you know, to get an electrician there. Simple
18 repair for us. But if we have the guidelines, the
19 training that we need to follow, which had to be set up on
20 the 01/02 license in '73, we could follow how the
21 electricians have developed their 01/02 license and just
22 piggyback with a lot of their experiences already built.
23 Just from the 1999 A61 and where we're at now -- or 061 --
24 06A one, we have developed a lot of classes for continued
25 education to encompass a lot of our stuff that has been

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1 limited to what we're doing. A lot of that education is
2 also dealing with this high voltage issue that we're not
3 allowed to touch also. So that's where I say I need
4 training setting up the rules that we have to do like we
5 had to do in the 01 and the 02 times, let's get back to
6 that and very basic building what we can encompass on our
7 industry.

8 Thank you.

9 CHAIRMAN PHILLIPS: Thank you.

10 Richard King.

11 COMMITTEE MEMBER SIMMONS: Do you have anything to
12 say?

13 MR. KING: I'm Richard King, and I lobby for the
14 International Brotherhood of Electrical Workers. I did
15 not sign up to speak, but I wanted to let you know that
16 there really was no way that we could anticipate exactly
17 what kind of proposal was before us. And after listening
18 to everything this morning, I still don't know.

19 I would like to see some specifics in writing that I
20 could share with the thousands of workers that I represent
21 and their leaders so that they could formulate a response
22 to it. But so far it's been interesting, but I'd like to
23 see what the proposal is. When that happens, why, we'll
24 be able to respond to it.

25 CHAIRMAN PHILLIPS: Thank you.

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1 David McFerran.

2 MR. McFERRAN: Good morning. My name is David
3 McFerran. That's M-c-F-E-R-R-A-N. And I am the HVAC
4 apprenticeship chairman for the Construction Industry
5 Training Council for Washington.

6 And the reason I am attending here today was to
7 express some frustrations that we have during our training
8 with the limitations on the 06A.

9 We adopted apprenticeship standards from the
10 principle trade with the Department of U.S. Labor --
11 Department of Labor, sorry. The description was:
12 Installs, services and repairs of ground rental control
13 systems in residence, apartment stores, office buildings
14 and commercial establishments irregardless of floors.
15 Replaces defective breaker controls, thermostat, switches,
16 fuses and electrical wiring and repair and installs units
17 using a variety of hand tools and test equipment. So we
18 adopted standards under that. We took them to the
19 Washington State Apprenticeship Training Council. They
20 approved them. We took them to the administrative law
21 judge also. So we trained to that.

22 But the restrictions on the 06A being the three-floor
23 rule, the replacing like for like components, and also the
24 conduit and the -- the low voltage wiring, we had a tough
25 time training. So we had to provide a journeyman with an

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1 07, a journeyman with an 06, and a journeyman with an 06A
2 to try and provide these people with all the training they
3 need.

4 So when we heard this coming along with the
5 opportunity to expand on the scope of work, we thought it
6 pertinent that we come down and express our frustrations
7 to you and to the Electrical Board to provide something
8 for the HVAC/R industry.

9 And that's pretty much it.

10 COMMITTEE MEMBER PREZEAU: I have a question for
11 Dave. How long is your -- this apprenticeship that you're
12 referring to, speaking of the scope of work, the
13 standards, how long of a duration is the -- what's the
14 on-the-job training requirements for that apprenticeship?

15 MR. McFERRAN: Our on-the-job training is 8,000 hours
16 of on-the-job training and 800 hours related to
17 supplemental instruction, which is classroom time, which
18 approximately about 4,000 hours is electrical.

19 COMMITTEE MEMBER PREZEAU: And did you plan on
20 providing this policy subcommittee with a copy of your
21 apprenticeship standards or could you do that?

22 MR. McFERRAN: I absolutely could.

23 COMMITTEE MEMBER PREZEAU: Thank you.

24 MR. McFERRAN: Any other questions? Thank you.

25 CHAIRMAN PHILLIPS: Thank you.

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1 I mistakenly passed over Mike Frickberg. You want to
2 come up now?

3 MR. FRICKBERG: Again, Mike Frickberg, Washington
4 State HVAC/R Association.

5 I've said most of what I wanted to say earlier.

6 I want to remind the committee that we are
7 electricians. We are -- we're not just the HVAC industry;
8 we are electricians. And there's -- so we do have people
9 in training courses throughout the state. They do teach
10 electricity, electrical aspects. And it's not a
11 subservient trade. It is a trade unto itself.

12 And, again, we're just looking for something that
13 recognizes the highly trained, highly capable individuals
14 in this industry.

15 Somebody mentioned earlier the training with the
16 RSES. I've been for I believe it was at least five years
17 the past president of RSES. That stands for Refrigeration
18 Service Engineers Society.

19 The term "engineers" in itself, the HVAC group,
20 especially if you start talking about service technicians
21 that really -- and start-up technicians that really get
22 into their trade, they truly have substantial diagnostic
23 and installation capabilities. And that doesn't demean
24 any other trade, but it is -- and they cross from plumbing
25 to electrical to HVAC design from -- into basic to complex

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1 physics, building automation systems. They are in charge
2 of the air quality within the facilities. There's a lot
3 to know in the electrical part of it. It's a big part of
4 it. So let's don't forget that we are electricians.
5 We're also service engineers, and we just like to have
6 that respect.

7 Thank you.

8 CHAIRMAN PHILLIPS: Thank you.

9 Well, if we're going to break for lunch, this would
10 be the time. We have about six more people signed up to
11 speak. It will probably take us 30 minutes to go through
12 those six. So what's the pleasure of the committee?

13 COMMITTEE MEMBER PREZEAU: I would suggest that we
14 continue moving through public comment, and then take --
15 as long as that's all right with Milton (the court
16 reporter) since he's the guy that's working the hardest
17 here probably today. And then break for lunch after that,
18 and then reconvene to talk about process, policy and --

19 COMMITTEE MEMBER SIMMONS: Or we could take a break
20 now and then keep going.

21 CHAIRMAN PHILLIPS: Okay, so you're -- Tracy, you're

22 suggesting that we take a short break now for Milton, and
23 then finish up with the public comments, and then take a
24 break after the -- lunch break after the public comments
25 and come back and --

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1 COMMITTEE MEMBER PREZEAU: The only reason I would
2 offer that we take a break is if Milton wanted one.

3 THE REPORTER: Sure (nodding affirmatively).

4 COMMITTEE MEMBER PREZEAU: Okay.

5 CHAIRMAN PHILLIPS: (To Mr. Simmons) Was yours --

6 COMMITTEE MEMBER SIMMONS: The same.

7 CHAIRMAN PHILLIPS: Okay. All right.

8 How about the other members? Are you okay with that?

9 COMMITTEE MEMBERS: (Nodding affirmatively.)

10 CHAIRMAN PHILLIPS: All right. Let's just take five,
11 ten minutes. Ten minutes max.

12 (Brief recess taken.)

13 CHAIRMAN PHILLIPS: (Continuing) All right, we're
14 going to start the meeting again. We are missing one
15 member.

16 Okay, we've only got about six, maybe seven, and we
17 should run -- get through that in about a half an hour.

18 And then we can either break for lunch or we can finish
19 the rest of the meeting which will probably take another
20 20 or 30 minutes. So I guess we can decide at that time
21 after we get done with the rest of the public comment.

22 Let's see where we left off. I also got a letter
23 from Brown's Heating.

24 Trista, was that a letter from Brown's Heating that
25 we're going to put into the testimony today?

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1 MS. ZUGEL: The letter you just handed me is --

2 (inaudible comments -- speaking from the back of the room)

3 CHAIRMAN PHILLIPS: And then you'll make copies and
4 distribute to all the committee members?

5 MS. ZUGEL: Yes.

6 CHAIRMAN PHILLIPS: All right. Thanks.

7 All right, the next speaker is -- Scott, I can't read
8 your last name. Scott --

9 MR. LEIBOWITZ: Leibowitz.

10 CHAIRMAN PHILLIPS: Thank you.

11 MR. LEIBOWITZ: My name's Scott Leibowitz --
12 L-E-I-B-O-W-I-T-Z.

13 So I'm going to kind of -- I've got a bunch of
14 different thoughts, so you'd excuse me if I ramble back
15 and forth.

16 So a couple things before I get into my examples of
17 how this has affected the consumers I've personally been
18 trying to -- how I'm a little different than the majority

19 of the people here is I'm a "registrant" (phonetic). I'm
20 a journey "registrant" every 15 years. I'm now business
21 owner, still turning wrenches. So in the evolution of my
22 career, I've seen the evolution of the laws change, how we
23 have squeezed more people into the underground because of
24 the laws.

25 But the one thing that has been said is anyone can be

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1 an 01 contractor. I've never met an HVAC contractor with
2 less than 30 employees who got their 01. You have to be
3 that big to really have the benefit and need for it.

4 Provided by the Department of Labor and Industries,
5 73 percent of this industry is small and medium business.
6 Medium business is \$1.5 million a year in revenue. That's
7 the equivalent of about five employees or less in the
8 field. So 73 percent of the industry doesn't even fit the
9 potential of going into an 01 contractor. You've got the
10 ability to work -- what is it -- 4,000 hours towards an
11 01? Where do you get those rest of hours? You can't --
12 the HVAC industry or you have to work for a contractor who
13 has 01 people with 30 employees and maybe one or two 01
14 guys. You can't just get that kind of time one on one and
15 spread them out across 30 people.

16 So if you think about it, when it comes to the
17 installation of residential air conditioning, 90 percent
18 of the time, the wires will be one of probably five sizes
19 because the equipment doesn't change. I live in a
20 community of 4,000 homes. From my personal guesstimate,
21 3,500 to 3,700 of those homes have one of three model
22 furnaces. The electricity is all the same. The air
23 conditioners are all the same. They're all probably five
24 tons or less.

25 So going back looking at the time line that we were

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1 shown earlier, 1985 legislation came up for you have to --
2 now before 1985 you could do 180 degree panoramic view of
3 any HVAC-related work without a license. 1985, it came to
4 the point where you can -- you have to get a license to
5 pull a thermostat. That's one little itty-bitty thing.

6 Then in 1999 we had the low voltage. So now all this
7 work we've been doing now we're being regulated a little
8 bit.

9 Then in 2000 they said we can put a six foot whip.

10 Around 2001 the 06A had showed up.

11 At the same time, we've been doing this work for many
12 years. So very slowly -- I've had a 180 degree panoramic
13 view of work, very slowly sections of it have been
14 consumed by legislation or laws that now is saying I can't
15 do this work.

16 I work for employers who have great communication
17 skills and poor communication skills. And when these laws
18 changed, I didn't know about them. Other people in the
19 industry don't know about them because Labor and
20 Industries does not contact the worker. And if an
21 employer has an issue with Labor and Industries because
22 they don't like the laws, maybe they're just going to have
23 the attitude "I'm going to ignore it." The laws are going
24 to change, and people might miss the grandfathering
25 license. And there's a lot of communication issues.

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1 A couple of examples why the consumers that I've been
2 in personal contact with need this license to change to be
3 able to give us the ability to do the work.

4 About seven years ago, I used to work for a
5 contractor that did performance for Costcos. It was
6 snowing out. It was Saturday. It was 15 degrees. There
7 was 12 inches of snow in the parking lot. The main cooler
8 went down. Why? Because a simple 20-amp circuit breaker
9 failed for the evaporator motors. Home Depot's in the
10 parking lot. They lost \$111,000 of product because there
11 was snow on the ground and an electrician couldn't get
12 there in a reasonable amount of time. \$111,000.

13 I'm a small contractor from a small town. I do a lot
14 of work out in the rural areas heading towards from
15 Snoqualmie to Cle Elum.

16 I found myself this last winter, a consumer up
17 towards the pass, it was snowing. He had 30 feet on both
18 sides of his house, but he's got it plowed and so he can
19 get into the driveway. His furnace failed, the circuit
20 breaker. Naturally it was my suspicion of what had
21 failed. He couldn't get an electrician up there. His
22 pipes in his house burst.

23 He wanted to go after my insurance because I couldn't
24 -- I could have gone and got a circuit breaker and
25 replaced it. I could have gone to the house next door

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1 under construction, pulled a circuit breaker out of the
2 panel because it was open and accessible, but because I
3 chose to be one of the contractors standing here, standing
4 on the appropriate side of the law, this person's
5 insurance skyrocketed because all the pipes in his house
6 burst because an electrician couldn't get there in a
7 reasonable amount of time.

8 Now, there are many different -- whether we're doing
9 the first installation or the second installation, I, just
10 like the contractors behind me, we're going to pull the
11 permit. An inspector's going to come out. What's the
12 difference if it's I or an electrical contractor to do

13 this minimal from the breaker forward, not the bus panel?
14 I don't want to do a bus panel. That's an electrician's
15 job. He's going to inspect the wire; size; which wire;
16 conduit, is it supported? That's all part of the permit
17 process.
18 I think if it became more hospitable for the
19 technician to be able to do their work efficiently, the
20 consumer's going to save an awful lot of money because the
21 repeated trips by an electrician and an HVAC contractor
22 coming back. What about the time the electrician didn't
23 do something right? The electrician has to come back.
24 And they might not always safe the warranty. Then the
25 HVAC contractor has to call back again. So now we have a

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1 consumer who has to take a day off for the original work,
2 they have to take another day off because of the
3 electrician when -- some situations with Home Depots down
4 the street. I can spend \$12 and buy a part and come back
5 put it in, but because the laws don't allow me -- at the
6 same time, if we're going to replace that circuit breaker,
7 what about that class B permit? They're going to come
8 inspect it anyways, whether I do it or an electrician does
9 it.

10 We would like to be able to do the job that we have
11 been trained for. A lot of our responsibility has been
12 slowly stripped away. And a lot of us are a little upset
13 about it because one piece at a time we've just lost some
14 of our rights. And that's external components.

15 I don't want to go -- like I said, I don't want to go
16 to the bus bar. But external components of the unit,
17 whether it's in a box next to the unit or in the unit,
18 it's the same component, same capacity. But because of
19 geography, often enough consumers have to pay way more
20 money to get the exact same amount of work done.

21 So thank you for hearing me and thank you for your
22 time.

23 CHAIRMAN PHILLIPS: Thank you.

24 Mark Anton.

25 MR. ANTON: I didn't sign up to speak.

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1 CHAIRMAN PHILLIPS: Pardon me?

2 MR. ANTON: I didn't sign up to speak.

3 CHAIRMAN PHILLIPS: Oh, I'm sorry.

4 Ida McKeown.

5 MS. McKEOWN: Ida -- I-D-A, McKeown -- M-c-K-E-O-W-N.

6 I actually live in Sequim; though, lived most of my life
7 in Port Angeles.

8 So I felt that perhaps I should speak on behalf of a
9 consumer.

10 I'll give my mother as an example. Widowed at 69.
11 She'll be 76 in about six weeks. Because her small
12 business, the person who purchased it claimed bankruptcy
13 about a year and a half after she sold it, she now has a
14 little over \$700 in Social Security. Out of that Social
15 Security, she pays her rent and utilities, which I would
16 say probably together are about \$425 to \$450. And that's
17 all the money she has left. She sometimes goes without
18 her medication. And doggone it, she's so independent.
19 She just won't let anyone help her.

20 But I'd like to use her as an example because I think
21 there are a lot of people out there who are just like her.
22 And I really wouldn't want us to be in a situation where
23 we can't take care of them.

24 If we have to have an additional person there to
25 supervise while they're being trained, then I'm greatly

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1 concerned that a \$3- or \$400 bill is now going to be \$800
2 or \$1,500. And how would she pay it? How would anyone
3 pay it who's on a fixed income?

4 And I'm sure that if you had enough people come and
5 talk to you about the financial strain -- well, I guess I
6 would hope that you wouldn't be surprised. Because I'm
7 sure that there are a lot of people just like her and
8 people who are disabled.

9 And so we would like to take care of them. We're in
10 a small community. And they mean a lot to us.

11 Thank you.

12 CHAIRMAN PHILLIPS: Thank you.

13 Michael Washburn.

14 MR. WASHBURN: Yeah, I'm Michael Washburn.
15 W-A-S-H-B-U-R-N. I'm with the Boeing Company.

16 I'm going to offer you a different perspective. We
17 are self-insured, and so these licenses -- we're not
18 required to have these licenses. But I think this would
19 be a great opportunity within our craft, which is the HVAC
20 craft, to have this license. It would lend credibility to
21 our craft within the Boeing company and outside of it.
22 And also as a possibility that might reduce our insurance
23 costs because we are self-insured.

24 Some things I would like to leave under consideration
25 for L & I and for the HVAC/R Association is that we do

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1 work on a variety of equipment. We've got V80 boxes.
2 We've got control systems. We have centrifugal chillers
3 and exhaust fans. So our equipment's quite broad what we
4 work on. And our voltages are very -- very, you know,
5 when you get into control motors for minus five volts, and
6 we get all the way up to 4160 on our centrifugal

7 chillers. So I want you, if you would, take that under
8 consideration and in the association as well when you make
9 these proposals.

10 Thank you.

11 CHAIRMAN PHILLIPS: Thank you.

12 Pete Crow, you had a question mark next to it.

13 MR. CROW: Yeah, I got questions.

14 CHAIRMAN PHILLIPS: All right.

15 MR. CROW: We all have questions.

16 My name's Pete Crow -- C-R-O-W. And I'm representing
17 the Washington State Association of Plumbers and Pipe
18 Fitters. We also represent HVAC/R mechanics and
19 refrigeration mechanics.

20 We would like to submit written comments, but we
21 cannot because the proposal as we understand it right now
22 doesn't really have a scope or any details to look at it
23 to make written comments about.

24 We would request that the process that the Board use
25 be a speedy one, and the sponsors of the new specialty

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1 submit a written scope with details before any future
2 meetings are held.

3 We request also the Electrical Board adopt a plan and
4 schedule to conclude the process by the end of October.
5 We would like to get down to it and get through the
6 process so we can all understand what's being proposed,
7 and then let the Board make their decision on whether a
8 new specialty ought to be created.

9 Thank you.

10 CHAIRMAN PHILLIPS: Thank you.

11 Dale Wentworth.

12 MR. WENTWORTH: Dale Wentworth -- W-E-N-T-W-O-R-T-H.

13 I just like to state that the petition -- there's --

14 we don't really know what we're looking at. There is a
15 petition requesting, but we don't have the facts of what
16 they're requesting.

17 So until we see that, I would like to reserve the
18 right to make written comment until we see that.

19 CHAIRMAN PHILLIPS: Thank you.

20 Christian Duke.

21 MR. DUBE: Dube.

22 CHAIRMAN PHILLIPS: Dube. Sorry.

23 MR. DUBE: Hello. For the record my name is
24 Christian Dube. I'm with the International Union of
25 Operating Engineers, Local 286, based out of Auburn,

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1 Washington.

2 I come here to speak today regarding the proposed
3 legislation or proposed idea for a new license. We've

4 been working with members of the group that had proposed
5 this license for the last four months. And prior to that,
6 in the last term.

7 Regarding the issue, I've heard the same theme come
8 up. I didn't realize there was a crisis in Washington
9 state due to a lack of electricians. Each person who has
10 come up has said the exact same thing: An electrician
11 could not be there. An electrician could not be there in
12 a reasonable amount of time. And this is why they should
13 have the license.

14 I think there's a big difference between training and
15 being able to get the appropriate person out there in an
16 appropriate time.

17 That being said, creating a new electrical
18 certification or expanding the current certification in
19 the task force -- or of stakeholders that was brought
20 together regarding proposed HVAC legislation was never
21 part of the bill. It had been requested by members of the
22 other group, and it was looked into and decided that we
23 would look -- it would be looked into and could possibly
24 be opened up. But members of that group went away from
25 the table, and so the issue became moot. And we went

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1 along with the bill regarding HVAC.

2 The JLARC study on the HVAC did not recommend
3 expanding the scope for current electrical certifications,
4 but, in fact, found that the existing certification
5 requirements do not guarantee an electrical trainee has
6 electrical knowledge or experience.

7 And so we've gone through this process regarding HVAC
8 legislation and JLARC did not find any reason to open up
9 the electrical code.

10 The Washington State HVAC Association has proposed a
11 new certification with expanding scope during negotiations
12 of a proposed HVAC/R certification as I said. We feel
13 that this would derail the negotiations and the
14 legislation that we've already been working on for months
15 and have spent an enormous amount of time and effort and
16 resources to try to get an HVAC/R license to the public
17 which would enhance the industry.

18 They also told them that the proposed legislation
19 would put the contractors out of business, strand current
20 workers currently in the industry even though they knew
21 there was sufficient grandfathering language in this
22 legislation.

23 The Washington State HVAC Association we feel has not
24 demonstrated any need to create a new electrical
25 certification with an expanded scope. In fact, during the

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1 HVAC/R certification legislation, negotiations that
2 constantly imposed reasonable required hours of experience
3 and required classroom training. They want an all less
4 regulation expanding scope, no additional hours of
5 experience and no required classroom training. We feel
6 that, why it may be more expedient for the consumer, we
7 feel that training and the appropriate safety precautions
8 are something that should be first and foremost.

9 The proposed new certification with expanded scope
10 would replace properly trained and experienced
11 electricians currently working in the industry with lesser
12 trained and experienced electricians.

13 As I said, we've heard that there are not enough
14 electricians. And I think that is something that should
15 be looked at with hiring more or training more
16 electricians. But at this time, the consortium that we
17 have regarding proposed HVAC legislation is comprised of
18 four contractors and four unions.

19 The International Union of Operating Engineers would
20 be considered potentially the weakest link in this group
21 if anyone were to break away.

22 I'm here to say that through negotiations and
23 good-faith bargaining regarding the agreements that we've
24 made, we are resolute in staying with this coalition and
25 making sure that there is a bill that works for the

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1 consumer, for the people that work, and for the industry
2 as a whole.

3 Thank you.

4 CHAIRMAN PHILLIPS: Thank you.

5 Larry Stevens.

6 MR. STEVENS: Thank you. My name is Larry Stevens --
7 S-T-E-V-E-N-S. And I represent the National Electrical
8 Contractors Association, the Seattle, Tacoma and Spokane
9 chapters, as well as the Mechanical Contractors
10 Association of Western Washington.

11 And we do all kinds of work. We do service. We do
12 installation. We do repair/replacement of all systems.

13 Some of our members were probably around 34 years ago
14 or so when electrical licensing was put on the books in
15 legislation. As one of the gentlemen earlier mentioned,
16 there was probably a lot of give and take when those
17 rules, those statutes, were written. And, in fact, I'm
18 sure that a lot of our members at that time didn't like
19 them, griped about them, didn't want to go through with
20 that stuff, didn't want to follow all those rules and
21 become certified and licensed workers. So I'm sure there
22 was. And there were big ones and small ones. And I'll
23 tell you what, some of them probably did not get
24 certification, did not get licensure at that time. They

25 probably kept working in whatever nitch they had. But

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1 some actually followed the law, did what they needed to do
2 to certify their workers to be licensed as contractors.
3 So they put a lot of time, a lot of money, a lot of effort
4 into doing that. And over the years they have kept that
5 up. They have grown. They've expanded. Some haven't.
6 Some have gone out of business. Some have gone away. But
7 they did invest a lot in following the law and becoming
8 qualified to do the work of electricians and do the work
9 of electrical contractors.

10 So I guess what that says is we are always very
11 concerned when somebody comes along and wants to have a
12 specialty created to do what we do without having to do
13 what we did. And so that's a concern that we have every
14 time. And not just the people here today, but whenever
15 anyone comes and wants to have -- just do a little bit of
16 our work that we've been doing so we don't have to get
17 that call on Sunday afternoon or whenever it is to come
18 out and do the work.

19 I tend to agree with Dick King. When I came in here,
20 there wasn't -- I didn't know what the proposal was. I
21 haven't seen a written proposal. But I did hear enough
22 witnesses testify that it seemed like all they wanted to
23 do was install, service, repair, replace all HVAC
24 equipment and apparently all electrical work to go with
25 the installation, service, repair, replacement of all HVAC

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1 equipment. So I guess we -- I see that as maybe the scope
2 of what some people are looking for. And that does
3 concern us.

4 We participated over the what's become known as the
5 summer of love when the parties got together to try to
6 work out some things in the HVAC area. And we
7 participated with the coalition that worked during the
8 last legislative session. But we knew we were, you know,
9 basically looking at creating a -- and I would really call
10 it an upgrade. And I think this is an important thing.
11 An upgrade in the training of the HVAC industry that we
12 participated and we think that we should, you know, do
13 that kind of thing. But we didn't anticipate that it
14 would be changing the electrical statutes or specialties.
15 We would expect as we have to be complied with and follow
16 those rules all along. And we have been able to do it.
17 Our members have been able to do whatever had to be done
18 to continue to do our work that we've been working on for
19 a number of years.

20 So we'll be participating and interested in what goes
21 on here, and we'll look forward to seeing the proposal.

22 So thank you.
23 CHAIRMAN PHILLIPS: Thank you.
24 Gary Smith.
25 MR. SMITH: I'm Gary Smith. That's S-M-I-T-H. I'm

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1 with the Independent Business Association.
2 I was actually around in '73/74 when the first
3 electrical law was established in the state of Washington
4 and was involved in that process.
5 I think it's been pretty clearly demonstrated earlier
6 today that there's a need for a new specialty. There's
7 other specialties in the electrical trade that are clearly
8 delineated to meet the needs of the electricians doing the
9 work in that specialty. The existing specialties, 06A and
10 06B, are too limiting for what's needed to be done in the
11 HVAC industry.
12 I'd like to make it really clear that the reason that
13 we are here is part of the process that's gone on in both
14 last summer and earlier this year where the issue of
15 electrical for HVAC was brought up a number of times, and
16 the bottom line was is that we were told by the other
17 stakeholders this was the forum, not the legislature to
18 work on this issue. So the HVAC/R association did make
19 petition to the Board, and now I guess you folks have got
20 it. But that's the process that the other stakeholders
21 asked us to go through, so that's what we're doing.
22 I think it's important -- I've heard earlier today
23 that it's sort of like, well, if you can't do this, you go
24 hire an electrician. Well, these folks are electricians.
25 Okay? They go through training. They have to pass exams.

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1 They have to pay their fees. They have to do their
2 continuing education. They have to have administrators.
3 They have to have contractor -- electrical contractors.
4 These are electricians.
5 The whole issue is is what can they and can't they do
6 under the scope of their work. And that is really an
7 important issue. It's an important issue to the
8 customers. The people I serve are their customers.
9 I got a lot of small business owners that rely on
10 HVAC contractors and service firms to keep their
11 businesses comfortable as far as heating, ventilating and
12 air conditioning. The real key issue I guess today before
13 you is where do we go from here. That really is the key
14 issue.
15 And quite honestly I think this is going to be most
16 productive if it is a collaborative effort, a discussion
17 amongst the stakeholders and you in developing something
18 that works for everybody. For somebody to say, "Well,

19 here exactly is what we think ought to be there," and it
20 doesn't work for somebody else, then they're in there
21 saying, "Well, that doesn't work for me."
22 I think this group here is in a prime position to
23 develop an answer to this issue on a collaborative basis.
24 Now, I don't know if you want to call it a
25 quasi-negotiated rule, if you want to call it a work

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1 session, whatever. This kind of a forum limits that kind
2 of give and take. It is a good forum for some things. It
3 isn't necessarily a good forum for other things.
4 So I hope that you decide today that we will get into
5 that kind of a collaborative relationship so all
6 stakeholders can sit around a table and work out something
7 that works for everybody, not just for one or not for just
8 for another. The petitioners did ask for the process.
9 And, of course, no process has yet been developed because
10 you all haven't done it yet. And I guess that's what
11 we're doing today. So I'm eager to help you with the
12 process issues and with policy issues and look forward to
13 working with you.
14 Thank you.
15 CHAIRMAN PHILLIPS: Thank you.
16 Tonia Neal.
17 MS. NEAL: Good afternoon. Thank you. My name is
18 Tonia Neal. I work for the Sheet Metal and Air
19 Conditioning Contractors National Association here in
20 Western Washington.
21 Gary Smith is correct; this is the right forum to
22 answer this question: whether or not there needs to be an
23 expansion.
24 On behalf of the contractors that I represent
25 throughout Western Washington, our answer is you don't

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1 need to do anything further. The current regulation is
2 working well. We have abided by the current laws. We
3 have adjusted to the new rules that came into place when
4 the 06 came into effect.
5 Additionally, if you make changes and it can reduce
6 the amount of training that's required doing the
7 expansion, what you're also going to do is strand the
8 capital of my contractors who are abiding by the current
9 regulation. And that's not fair to them.
10 One of the things that's required by state law is
11 that we not strand capital. We're working under the
12 system.
13 I do have contractors from the size of two employees
14 up to 400. And when necessary, we have an 01 on staff.
15 We are working fine with the system the way it is. We are

16 working both in Eastern Washington and Western Washington.
17 So I agree. I think this question needs to be
18 answered. I think we need to put this to bed. We need to
19 know what the question is and what the exact proposal is.
20 I don't think we need to expand this out any further.
21 Additional regulations of the HVAC industry need to
22 be dealt with at the state legislature. We have
23 legislation that's pending. We want to do that.
24 But as far as the scope of what's currently being
25 regulated in the electrical industry, our contractors are

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1 doing just fine the way it is and we are not looking for
2 an expansion or even reducing the amount of training
3 necessary.

4 Thank you.

5 CHAIRMAN PHILLIPS: Thank you.

6 That is all I had on the list to speak. Did I miss
7 anybody? Great. I appreciate all your comments.

8 So now we can break for lunch. Or we can spend time
9 now discussing where we go from here. Any suggestions?
10 I'd be happy to try and work through it. I suspect we'll
11 probably get done in 30 to 45 minutes.

12 COMMITTEE MEMBER PREZEAU: (To court reporter) What
13 do you think, Milton?

14 THE REPORTER: I can hang on, sure.

15 CHAIRMAN PHILLIPS: Just let us know.

16 THE REPORTER: I can hang on. If it's 30 to 45
17 minutes, I can -- yeah, that's fine.

18

19 Continued Committee Discussion & Planning

20

21 CHAIRMAN PHILLIPS: Okay.

22 Well, this is certainly a difficult issue. And
23 there's a lot of parties concerned/involved that are
24 represented -- need to be represented. And so taking all
25 issues into account, how do we serve the citizens of

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1 Washington by coming up with the best recommendation back
2 to the Electrical Board?

3 I think part of the issue is that the petition we
4 received is very broad and probably so broad that -- I
5 have a gut feeling that it would be too broad as written
6 for the Electrical Board to accept. It may be that a
7 scaled-down or limited version might be acceptable to the
8 Board. I guess that's up to the Board ultimately to
9 decide.

10 And so -- and I'm sensing that the proposers of the
11 petition would like to see a forum where there's a lot of
12 interaction and consensus built and then a document or

13 proposal is taken forward to the Electrical Board that
14 everyone agrees on. I don't know. I don't know if that's
15 possible or not.

16 I think -- I guess just my initial comments maybe to
17 kick off discussion on the committee is that maybe the
18 proposers need to fine-tune their proposal, putting some
19 limitations on them that at least they feel would be more
20 acceptable to all the stakeholders.

21 I suppose they also would appreciate comments from
22 the committee on maybe where those restrictions should be
23 or where those limitations should be.

24 So I guess that's my initial comments. Does anyone
25 else have any comments?

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1 COMMITTEE MEMBER PREZEAU: I'll jump in here.

2 The first question I have is maybe for Ron. Has any
3 -- to your knowledge, has anybody else filed a petition
4 under 19.28.051? Has the Electrical Board ever gone down
5 this path in a similar situation?

6 CHIEF FULLER: We've never had a petition before that
7 I know of.

8 COMMITTEE MEMBER PREZEAU: And so I'm just going to
9 sort of launch into some observations. I think certainly
10 this meeting was very well attended today. And having
11 been someone who engaged and participated in both the
12 HVAC/R task force and pretty well fluent in the JLARC
13 study and L & I's response to the JLARC study, and I've
14 been involved in this issue since that HVAC task force was
15 convened, I have some specific knowledge. And it's good
16 to see a large group here today.

17 And if this process is meant to be -- to include all
18 stakeholders, then I am -- you know, most of the
19 contractors -- specific contractors that we've heard from
20 today, unless I am not making an accurate summary, their
21 anecdotal comments dealt with residential applications.
22 And I think probably the committee understood what their
23 issues were.

24 I am not sure that this process should go -- should
25 move forward without additional opportunities for

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1 comments. I know that when the HVAC task force was
2 convened there were a number of meetings held at a number
3 of different locations both on the west and east side of
4 the state.

5 Certainly I appreciate comments from -- I don't
6 remember if it was -- from some who testified about trying
7 to expedite this process. And certainly sometimes the
8 wheels of government work slowly. And I agree with you
9 that we would certainly like to come to a conclusion as

10 rapidly as possible. But I also don't want to
11 disenfranchise anyone who through no fault of their own
12 were not able to travel to this location and would sort of
13 like to talk -- engage in a discussion with the board
14 members about whether or not you think it is prudent to
15 convene one if not two more stakeholder meetings, if you
16 will, at different locations and certainly do so in a
17 timely fashion. I don't want to drag this issue out any
18 longer.

19 It has been a topic of discussion that L & I has been
20 facilitating for a long time. This process is not
21 facilitated by L & I; it's truly before the purview of the
22 Electrical Board.

23 But I'm wondering if you guys think if that is
24 prudent and then, you know, gather more information and
25 ask more questions.

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1 I do sort of agree with Gary Smith in that the
2 stakeholder public comment I found myself wanting to
3 engage in dialogue and ask more questions and gather more
4 information. And I'm wondering if you guys feel the same
5 way.

6 COMMITTEE MEMBER BOWMAN: I'd like to make a few
7 comments.

8 First of all, a question for Ron. Do we have the
9 means of having some kind of -- I don't know what word you
10 would use -- but some way on the web site to where people
11 can make comments towards the subject, like a forum of
12 some sort? Because a lot of people -- although, I agree,
13 Tracy, we need to have more dialogue on this. Up to a
14 certain point. A lot of people aren't going to be able to
15 make these meetings. But just about everybody has access
16 to a computer, to the Internet. Maybe we could -- it
17 would be more prudent or more efficient to use that as an
18 avenue to communicate?

19 CHIEF FULLER: The only thing that I know of that
20 we've got available would be to actually use a tool that I
21 use for surveys where people could write in comments.
22 But, you know, there's a couple ways to do that if you
23 decide to do that I guess. And one is you could develop
24 some questions that you want to have them answered, and
25 they could answer them. Or you could just have one big

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1 comment box and say "comment." The dilemma is that you
2 don't know who the people are that are actually submitting
3 comments. To me that's a big balloon when you're using
4 the Internet for these type of things.

5 COMMITTEE MEMBER BOWMAN: Good point.

6 CHIEF FULLER: But that is available. And it's

7 fairly easy.

8 And what that tool does is it just prints out a
9 report basically of the comments. It would be very
10 difficult and time consuming for the rest to start trying
11 to accumulate or interpret or anything like that. So it's
12 almost like you just get an answer back. So I don't know
13 how useful that would be. That's your choice. It doesn't
14 cost anything to do that except printing the final report
15 up.

16 CHAIRMAN PHILLIPS: Well, I'm thinking that everyone
17 that testified today seems to belong to a group with maybe
18 the exception of the gentleman from Boeing. But maybe we
19 could identify those groups today and then ask for
20 representatives of those groups at a future meeting to
21 discuss maybe a more refined proposal.

22 COMMITTEE MEMBER SIMMONS: Let me ask a question
23 here. And maybe I'm oversimplifying it. But why couldn't
24 we look at possibly just clarifying and/or expanding
25 possibly the scope of the 06A and 06B instead of creating

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1 another specialty? In my opinion, we got enough
2 specialties in this state already. People can't keep
3 track of the numbers. I can't keep track of the numbers
4 how many there are. I'm not sure we need another
5 specialty.

6 And this is just something I'm throwing out as a
7 general comment.

8 You know, maybe there's a way just to possibly -- and
9 again, I'm not recommending this. All I'm doing is
10 throwing it out on the table -- is to allow HVAC people to
11 possibly change a circuit breaker or clarifying some
12 things like that in those scope of works instead of
13 creating a whole new specialty. It's something I think we
14 ought to look at rather than let's create another
15 specialty. I just am putting that on the table.

16 COMMITTEE MEMBER TRICARICO: I agree that this needs
17 more discussion. It's a very complicated issue. It's a
18 large issue as far as stranding capital of the workers.
19 But I think before I could make more educated comments on
20 it, I would like to see a detailed specific scope of work.
21 And also to include items in that scope of work that would
22 relate to training of -- whether it be a new specialty or
23 an expanded specialty. I really have heard a lot of
24 comments today specifically about maybe having the ability
25 to change a breaker or having the ability to change a

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1 longer whip or to run some conduit, but nothing specific
2 in detailed writing that I could actually look at, read
3 through and analyze. So I would really make the

4 recommendation that we request from the parties that are
5 asking for this petition that they give us a detailed
6 scope of work to include items around training that we
7 could analyze.

8 Thank you.

9 CHAIRMAN PHILLIPS: Fred, how would you envision the
10 future meetings or testimony? Would you like to see open
11 public invited or try to identify representatives of
12 groups?

13 COMMITTEE MEMBER TRICARICO: Well, I mean, I think,
14 you know, Tracy had mentioned maybe other parts of the
15 state. I mean, I think that would be available. But I
16 also believe that it would be a little more specific if we
17 had a written scope to work with, then I think it would be
18 better if we work with representatives to make it a
19 smaller meeting that we could really get into the meat of
20 the subject in a little more detail. So I think the
21 representative idea is good, and I think that there's
22 already been that done already. I think that many of the
23 people interested in this have already formed coalitions
24 or have sent representatives to stakeholder meetings. So
25 I believe those groups are probably already identified. I

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1 don't think that it would be a lot of work for people to
2 go out and try to round people up. I mean, I think you
3 already know who you're working with. So I don't think
4 that would be a large task.

5 So for me, I would need to see a written document to
6 tell us what the petition really specifically wants.

7 And I know the HVAC/R association has come on earlier
8 and said, well, what details do you want? Well, at this
9 point, we want to review what details you are looking at,
10 what you really want to see changes to be, whether that be
11 an expanded scope of work for the 06A or a completely new
12 scope of work. And I think we'll need comments from the
13 other groups like the NECA group and the IBEW group who
14 also have a large stake in any decisions that are made by
15 the Electrical Board in this matter.

16 CHAIRMAN PHILLIPS: Okay. So maybe we can break this
17 into smaller bits.

18 And I agree with the suggestion of the modifying an
19 existing specialty as opposed to creating a new one. It
20 just adds another layer. It's difficult for the
21 inspectors, for the contractors, for everyone.

22 So as far as the group that would meet in the future,
23 inviting representatives or inviting the public, any other
24 comments on just that part of it?

25 COMMITTEE MEMBER PREZEAU: Well, I think this is

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1 considered a public meeting. So it's always going to have
2 to be open for public and open for stakeholder comment.

3 What I'm sort of crafting in my mind is -- expanding
4 from what Fred was saying -- is we need to have -- you
5 know, the request that was made -- and I have it in front
6 of me -- and I know they made it perfectly clear that they
7 do not -- this group does not want to have change to the
8 existing license structure. That is not what they are
9 seeking in this petition. What they are seeking is the
10 creation of a new specialty electrician certificate,
11 contractor -- specialty contractor, administrator and
12 specialty electrical contractor.

13 And the first question I have is a) --

14 CHAIRMAN PHILLIPS: Well, just a minute.

15 COMMITTEE MEMBER PREZEAU: Yes.

16 CHAIRMAN PHILLIPS: I would like to break this into
17 pieces. And if we get past the representative or
18 nonrepresentative issue, just -- I understand that these
19 are public meetings. Certainly everyone will be open to
20 attend them. But I believe -- and please correct me if
21 I'm wrong -- that we can control the format, and we could
22 allow a portion for open public dialogue or for comments
23 like we did today, but to focus on invited representatives
24 that would be allowed to participate in more of a forum
25 that has more interaction.

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1 COMMITTEE MEMBER PREZEAU: And I sort of agree with
2 you to a certain extent. I would not -- I think it might
3 be helpful to have an invited panel that sits in front of
4 this committee that we can have open dialogue that goes
5 back and forth, but I always want to have that avenue for
6 additional stakeholder comment either before and/or after
7 that panel finishes their business.

8 CHAIRMAN PHILLIPS: Okay. So just on that one issue,
9 I think we're leaning towards more of a representative
10 type of meeting.

11 Any other comments or disagreement or alternatives?

12 All right.

13 I guess maybe worth discussing what you were just
14 bringing up next was the -- Jim was suggesting that he
15 would prefer that we keep the number of specialties the
16 way they are. And you were pointing out that the petition
17 specifically said it would be a new one.

18 I'm thinking that would be something that would be
19 discussed at the next meeting and weigh the pros and cons.

20 COMMITTEE MEMBER PREZEAU: Yeah, because 19.28.051 --
21 I'm not an attorney obviously -- but it charges the
22 Electrical Board as their purpose and function to create
23 new specialties. I am not certain if it is our purpose
24 and function to alter existing specialties. I don't know

25 the answer to that question.

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1 CHAIRMAN PHILLIPS: Sure. Well, we could probably --

2 COMMITTEE MEMBER SIMMONS: I don't think our purpose
3 is to create any specialties.

4 COMMITTEE MEMBER PREZEAU: That's a quote from
5 19.28.051.

6 CHAIRMAN PHILLIPS: Because it would be my
7 interpretation, which means nothing, that it would be. If
8 you have the power to create, you could probably modify
9 and amend. But I think it's a fair enough question to ask
10 probably L & I counsel.

11 Okay. So we're -- is that okay as far as the
12 specialty portion of it, leaving that to the next meeting?
13 And then -- and I think we have a lot of notes here and
14 the testimony that we need to really go over and read,
15 reread and consider and kind of ferret out all those
16 points.

17 COMMITTEE MEMBER PREZEAU: I'm also curious. I know
18 that Karen Peacey submitted written comments. And I know
19 that I requested from Dave McFerran his apprenticeship
20 standards. But did anybody else submit written comments
21 that we have not seen?

22 CHAIRMAN PHILLIPS: There was a letter that was
23 submitted that we have not -- has not been circulated to
24 us yet from a contractor.

25 I think the next issue was the petition or the

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1 proposal itself and its scope and should we ask that a
2 more refined scope be submitted prior to the next meeting.

3 So what I'm hearing from most people --

4 COMMITTEE MEMBER SIMMONS: Yeah, I think that what
5 was submitted to us today is as has been said many times a
6 very general statement and saying that we want something
7 created for the industry that meets the industry's needs.
8 We need a little more information on what that would look
9 like. And if we had that created and presented to the
10 subpanel before the next meeting, that would give us
11 something to work from. Whether we work up on it or down
12 on it or sideways on it, it would at least give us
13 something to -- a starting point. Because right now other
14 than the 06A and 06B specialty licenses that we currently
15 have, we don't have anything else that specifically deals
16 with HVAC. And the testimony here was very helpful. I
17 can see that there's, you know, potentially some latitude
18 that needs to be arranged for the HVAC people. But we
19 also -- I want to make a couple little comments here.

20 Number one, you know, 20 years ago the HVAC people
21 didn't have any licensing and weren't doing any electrical

22 work. And that's expanded over and over and over. You
23 saw the progression that we saw too. So we've also got to
24 consider there are licensed electricians and electrical
25 contractors that have a stake in this as we've heard. And

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1 so we want to be cognizant of the public and their costs.
2 I think that merits looking at. I really do.

3 I'm an electrician. We do service calls. We do 24
4 hours service. And I know that sometimes it can be
5 challenging to get somebody out in the middle of the night
6 on the Christmas Eve. No question. And so would I be
7 opposed to having a guy throw a circuit breaker in to
8 getting the people heat again? I'm not sure I see that as
9 a big problem.

10 But am I opposed to guys changing out starters and
11 changing out motor control centers and running new feeders
12 back to the panel because it's not big enough? In my
13 opinion, I've got an issue with that. But I would like to
14 see something more concrete I guess is what I'm after.
15 And let's get something, a base to start at, work forward.

16 I was also on the HVAC subpanel and worked in that
17 negotiations for a while. You're not going to make
18 everybody happy. There's just no way to do it. It's
19 impossible. But I think that there's, as we've heard,
20 there is a need here, and let's look at it.

21 Thank you.

22 CHAIRMAN PHILLIPS: Fred.

23 COMMITTEE MEMBER TRICARICO: Another question about
24 process. Several of us on the committee have asked to see
25 some kind of a document that would explain the scope of

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1 work, training, those kind of issues. That obviously we
2 need. But then there's another group of people. I know
3 Dick spoke earlier and Larry also. They said they were
4 unable to really respond to this petition because they
5 also did not see this document. So how do we incorporate
6 so that we can get a document from the HVAC/R association
7 and their members and also have an opportunity for the
8 other groups that may want to comment on it to review that
9 and then give us their written comments? How can we do
10 that in an efficient manner? Do you have any ideas?

11 CHAIRMAN PHILLIPS: Right. I think that's -- it
12 would be nice to resolve that today. But that is -- that
13 is a big issue.

14 COMMITTEE MEMBER TRICARICO: And the only thing I was
15 thinking of, if I may, is that maybe if the HVAC
16 association and others give us their documents first, and
17 then we have another meeting and review those documents
18 and then be able to distribute them, then there may be an

19 opportunity then for a third meeting for the other groups
20 that may want to make written or comments about those
21 written proposals.

22 CHAIRMAN PHILLIPS: What is the difference between if
23 they refine their proposal to send it out to everybody or
24 for L & I to post it on the web site and then have it in
25 good time before the next meeting?

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1 COMMITTEE MEMBER PREZEAU: I would echo those
2 comments. I think, you know, to expedite things and be as
3 efficient as possible and not have people away from their
4 businesses, you know, is if we could get -- we make this
5 request to the Washington HVAC Association and a very
6 refined specific request is submitted to this policy
7 subcommittee, I'm sure that we have the technology to post
8 it on the L & I web site along with the agenda and the
9 location and time of the meeting so that everyone has it
10 ahead of time in a timely fashion, including ourselves,
11 right? so that we can speak to it in an educated fashion.

12 CHAIRMAN PHILLIPS: I would entertain the one thought
13 that I know the proposers have heard some comments from
14 all the people testifying and some comments from the
15 committee members. And I'm wondering if maybe it would be
16 a good idea to allow the proposers to ask the committee
17 any questions for five, ten minutes. That might help them
18 refine that proposal.

19 Would the proposers be interested in that to have one
20 representative doing that? Is that okay with the
21 committee?

22 COMMITTEE MEMBER SIMMONS: Yeah.

23 CHAIRMAN PHILLIPS: So if there's anything that
24 before we leave today that might give you better direction
25 in preparing revisions that would add a little more

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1 specifics to your proposal, then this would be a good
2 opportunity.

3 CHIEF FULLER: Tom, could I talk for just a minute?

4 CHAIRMAN PHILLIPS: Sure.

5 CHIEF FULLER: Part of what we've set up for this
6 subcommittee is a separate web page. There's a sub page
7 between the Electrical Board right now, and that's where
8 we post the agenda, Trista's presentation. We're going to
9 scan the written documents that are submitted unless it
10 just becomes overwhelming and put them on the web site.
11 And so my proposal from a paperwork shuffling point of
12 view I guess would be that if the proponents submit
13 something, that that would be posted on there whenever
14 they could do it. That's how we're going to keep people
15 notified is that web site basically.

16 CHAIRMAN PHILLIPS: Okay, good.
17 MR. SMITH: Thank you, Mr. Chairman.
18 I'm Gary Smith, and I'm with Independent Business
19 Association. But the Washington State HVAC/R Association
20 has asked me to help facilitate this discussion dealing
21 with my experience in the political arena.
22 What I'm understanding you to say is that you'd like
23 the proposal back. And I think that's fair. We've heard
24 input today from you all that's helpful. We've heard
25 input from other stakeholders that is helpful. So if we

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1 put a more detailed specific proposal together, I think
2 that proposal is probably going to include some areas of
3 questions so that other stakeholders can comment.
4 From the discussion I've just also understood that
5 you are going to probably have a group of representatives
6 in a quasi-work session in a discussion with you all to
7 maybe refine things and say, well, how does this work, and
8 maybe some words change based upon that kind of
9 discussion, which would then be followed up by having
10 public comment on the work product from that smaller
11 group.
12 Am I close to what your line of thinking is?
13 CHAIRMAN PHILLIPS: I think so. I didn't catch the
14 very last part you said about the smaller group.
15 MR. SMITH: The smaller group would work with you all
16 in trying to --
17 CHAIRMAN PHILLIPS: As far as the representatives --
18 MR. SMITH: Yes. -- in trying to refine a proposal
19 that meets the needs of what you all believe is necessary
20 and what other stakeholders believe is necessary in that
21 representative group.
22 Then there would be an opportunity beyond that for
23 more public comment on that finished or of that product.
24 And it might be changed again as a result of public
25 comment before you finally make a recommendation to the

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1 Board.
2 CHAIRMAN PHILLIPS: I guess, yeah, I don't want to go
3 too far down the road. But we're going to make sure that
4 there's public comment.
5 MR. SMITH: And I think it is fair. I don't know
6 what your time line is at looking at another meeting. I
7 think it is a fair request to say that -- what are we on?
8 The 21st? We all are going to probably be enjoying the
9 fireworks -- well, you can't enjoy fireworks unless you go
10 to a public display. But we will all be enjoying the 4th
11 of July holiday. So I would suggest whatever the Friday
12 of that week is that the petitioners would respond back to

13 you with a proposal. And then your time line, I would
14 assume that you'd probably want, oh, ten days, two weeks
15 for people to see that before you have your next meeting.
16 So your next meeting would probably be someplace around
17 the 20th of July or something along that line, if that
18 time line makes sense.

19 CHAIRMAN PHILLIPS: We would want at least two weeks
20 I think to look at the revised document.

21 CHIEF FULLER: Tom, looking at the calendar, it might
22 be appropriate to have this group meet again on the 25th.
23 That would be two and a half weeks. But that's the day
24 before the Board meeting. So people that have to travel
25 would only have to travel once maybe. It's a Wednesday.

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1 COMMITTEE MEMBER PREZEAU: So you're saying you would
2 submit by Friday the 6th of July with a potential date
3 depending on availability of facility the 25th of July for
4 another public meeting?

5 MR. SMITH: Yes.

6 And what I'm understanding from your discussion at
7 this point is part of that meeting would be having this
8 group of representatives communicate with you all in a
9 dialogue kind of a fashion, and that proposal may -- well,
10 it's probably likely to be revised based upon that
11 discussion.

12 CHAIRMAN PHILLIPS: Right.

13 MR. SMITH: And then there will probably be a public
14 hearing following that so the public could comment on what
15 they've heard.

16 COMMITTEE MEMBER PREZEAU: Correct.

17 CHAIRMAN PHILLIPS: Again, I'm -- that sounds like a
18 good plan.

19 MR. ANDERSON: Just a comment. Curt Anderson.

20 I like the schedule. I personally will be enjoying
21 -- (inaudible) -- so I will not be here for that.

22 You mentioned that it seemed like everything was
23 residential. So I apparently did not fare well speaking
24 to the commercial side of it. Tracy -- since I was very
25 careful to speak about the lady electricians -- if you

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1 would consider the commercial HVAC, I would appreciate
2 that too.

3 COMMITTEE MEMBER PREZEAU: No. And I want to be
4 clear. I very much heard your comments. It's just the
5 majority of the contractors who testified made comments
6 about residential applications. And I think that's an
7 accurate assessment.

8 MR. FRICKBERG: I think it does affect commercial as
9 well, substantially. But what we heard, I would agree

10 with.

11 COMMITTEE MEMBER PREZEAU: And if I could jump in
12 here, I think then, Tom -- and not to take over your
13 responsibilities -- the next issue that we're charged with
14 is to determine who's going to sit on that panel?

15 CHAIRMAN PHILLIPS: Yeah, right. I'm not sure we're
16 quite there. But I want to discuss that before we --

17 So if we receive a document by July 6th that shows
18 more refinement, then we would proceed. And you would be
19 prepared to meet on the 25th to discuss it with
20 representatives.

21 MR. SMITH: I think it's fair to say, Mr. Chairman,
22 that you will receive. You don't have to worry about the
23 "if." You will receive.

24 CHAIRMAN PHILLIPS: Okay. And you feel you gleaned
25 enough from the comments today to come up with that

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1 refinement or do you need any --

2 MR. SMITH: Again, I think what you're going to see,
3 Mr. Chairman, is you're going to see a refined scope of
4 work. The issue of training is going to be addressed.
5 But there's going to be some questions. Because we have,
6 as Mr. Simmons has brought up, some issues. Okay? And
7 it's going to include probably questions, not just
8 "Here's" --

9 CHAIRMAN PHILLIPS: I guess the reason I'm
10 emphasizing this is that if we were to receive something
11 that was very general again, then I would have to consider
12 whether or not it's worth meeting again.

13 MR. SMITH: Mr. Chairman, I make this offer to you.
14 Give you a preliminary draft, then you can say, "This is
15 too general" or "This meets what I'm looking for."

16 CHAIRMAN PHILLIPS: That's fine with me.

17 MR. SMITH: So we will work with you, Mr. Chairman,
18 in trying to make sure that a draft appears responsive to
19 you.

20 CHAIRMAN PHILLIPS: Is that okay with the other
21 members?

22 COMMITTEE MEMBERS: Yes (all nodding affirmatively).

23 CHAIRMAN PHILLIPS: All right. Thank you.

24 So now, the issue of whether or not -- of the
25 representatives, do we feel that we can do that today?

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1 MR. WENTWORTH: Dale Wentworth. I'd like to make a
2 suggestion that we already have formed -- an HVAC TAC
3 committee formed last summer that we just keep that
4 committee in place and just use the e-mail addresses
5 that's already been established to get those people back
6 on board.

7 CHAIRMAN PHILLIPS: Okay, thanks.
8 CHIEF FULLER: How many people were on that, Dale?
9 MR. WENTWORTH: I think it started out -- it was
10 probably over 30. But it kind of whittled down to
11 probably just around maybe two dozen or less. But it
12 stayed pretty constant throughout it. But we've got that
13 list established.
14 CHAIRMAN PHILLIPS: Can we identify those groups now?
15 MR. SMITH: That's one of the challenges you have.
16 People that are not here today that were part of that
17 process. And it's going to be a little bit challenging.
18 I think what would be constructive to do -- I mean,
19 I'll just throw this out as an option -- is you tell the
20 interest groups how big a group you want. Let's say that
21 you want a group of eight. And let them -- there are
22 clearly two groups here. There's a group that wants to
23 support an HVAC/R specialty, a new one; and there's groups
24 that don't. So you let those groups fill their requisite
25 number of chairs. And it gets you out of saying, well,

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1 I'll pick this group but not that group. It let's them
2 pick that. And it avoids you getting into that fray.
3 CHAIRMAN PHILLIPS: Well, I was thinking more of
4 dividing it in more political or association groups.
5 (To Ms. Neal) I don't really want to open this up to
6 public comments. But --
7 MS. NEAL: I just want to be real quick. And I
8 appreciate the help -- Tonia Neal with SMACNA Western
9 Washington.
10 I appreciate the help that the Washington State
11 HVAC/R Association is giving you guys and figuring out
12 administratively how to do this. But I don't think it's
13 necessarily appropriate. I think that the Electrical
14 Board has a process and you guys are here to make those
15 decisions. And I don't agree with Mr. Smith and the fact
16 that this needs to be handed down to a group.
17 I took part in those meetings last summer. The
18 stakeholders -- if you start leaving out people, you miss
19 hearing lots of good feedback. And when you have a
20 meeting like this with public testimony and the
21 opportunity for to put stuff on the table, you know some
22 stakeholders are being left out of the process. And you
23 will have people coming and yelling and screaming at you
24 if you limit this to a few people regardless of whether or
25 not they're represented by an organization.

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1 And I personally can represent 165 contractors pretty
2 easily because I have that authority to do that. However,
3 not everybody can do that. And keeping some people out of

4 the table on an issue like that this is so important to
5 our industry -- the industry, it's just probably not
6 appropriate.

7 So I would ask that you guys take control of it
8 administratively and talk with the Department and the
9 Electrical Board and some of the other leadership you guys
10 have as opposed to necessarily taking --

11 CHAIRMAN PHILLIPS: All right. Thank you.

12 MS. NEAL: Thanks.

13 CHAIRMAN PHILLIPS: Ron, do you have a suggestion on
14 coming up with a group? Or Fred?

15 COMMITTEE MEMBER TRICARICO: Well, it's just my
16 thoughts were this. It kind of surfaced thinking after
17 Tonia's comments. But originally we had a petition that
18 was brought to the Board by a group to evaluate that
19 petition. Why don't we just address that? Why don't we
20 allow those proponents of that petition to file with us
21 their document, let us analyze that, and then after that
22 point open it up to a more general public meeting for all
23 parties who may be interested in the subject to discuss
24 the pros and cons of the petition.

25 I mean, first, I think we need to analyze the

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1 petition, not all of the other arguments against the
2 petition. First, let's analyze the petition and see how
3 it fits in with the Electrical Board and L & I. And then
4 at the next meeting open it up to a much broader audience
5 who would be able to bring supporters and opponents to
6 that petition.

7 COMMITTEE MEMBER PREZEAU: So Fred, are you saying
8 that we should evaluate the petition that's in front of us
9 today?

10 COMMITTEE MEMBER TRICARICO: No. I think what we
11 should do is wait for the specific comments -- specific
12 document that we're asking for that would more detail
13 explain that petition.

14 COMMITTEE MEMBER PREZEAU: And then have a similar
15 format as we did today is allow for public comment and
16 evaluate the petition in front of us and not have the
17 panel?

18 COMMITTEE MEMBER TRICARICO: No. I'm putting the two
19 together. Let's ask for that document that the petition
20 supporters would give us, work with that panel of
21 petitioners to make sure we clearly understand it, and
22 then see how it fits in to the Electrical Board and L & I.
23 And then at that point open it up for another meeting that
24 would be both opponents and proponents of the petition.

25 COMMITTEE MEMBER PREZEAU: So what you're saying is

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1 get this document, allow the Washington HVAC Association
2 -- sort of similarly to what we did today -- to explain
3 that proposal in detail, but not make any alterations to
4 it, and then open it up for public comment for other
5 interested parties and stakeholders to make comments, and
6 then make a determination on that?

7 COMMITTEE MEMBER TRICARICO: Right. But with the
8 understanding also that the petition that when we do
9 discuss it may have to make some changes. Because there's
10 some questions that they'll be bringing to it or part of
11 the nature of the discussion itself, and then at that
12 point we'll have a final product that then we could open
13 up to everyone who will be opponents or proponents of that
14 document -- of that proposal.

15 CHAIRMAN PHILLIPS: Okay, so that would add one more
16 meeting. And I'm still thinking I guess is there a way of
17 eliminating one of those meetings; I want to throw out one
18 more idea. And that is: Okay, have the public testimony
19 at the beginning, and then have a panel. And we would
20 decide on who those groups are, maybe between Ron and I,
21 and allow -- and tell you now if you feel like you've got
22 a group that you wanted to be represented to e-mail or
23 call Ron and make sure that we're aware of your group in
24 the chance that we're not aware of it.

25 COMMITTEE MEMBER PREZEAU: I think it's inappropriate

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1 for any of those decisions to be made outside of a public
2 format.

3 CHAIRMAN PHILLIPS: As far as who would be --

4 COMMITTEE MEMBER PREZEAU: Who would be representing
5 and who is going to participate.

6 And I'm starting to think that -- and, you know, I
7 know that Dale brought up an interesting comment about,
8 well, you know we already have this HVAC/R task force with
9 sort of regular participants. But there were additional
10 people that, you know, would come as availability allowed.
11 And I'm sort of of the mind-set right now that -- and I
12 appreciate Gary Smith's and the Washington State HVAC
13 Association's ability or desire to negotiate, but I do
14 also think -- and I also understand that you want to
15 expedite this issue.

16 But here's -- we have several questions in front of
17 us that we don't necessarily know the answers to. One of
18 which -- in my mind, and you guys can tell me if I'm wrong
19 -- is we don't even know really right now if it's --

20 CHAIRMAN PHILLIPS: We don't have a proposal.

21 COMMITTEE MEMBER PREZEAU: Yeah, we don't have a
22 proposal. So what I would suggest is that we -- that the
23 process that we undertake at this point is to request a
24 more formal proposal.

25 Because I'll be honest with you, if we made a vote

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1 today on this what was in front of us, I would absolutely
2 reject it because there is nothing in it.

3 So I say that we -- and the Washington State HVAC
4 Association has agreed that they will submit something in
5 writing. And before we establish an additional panel and
6 negotiating session, I think that we probably need to have
7 a very similar meeting constructed to what we did today
8 where the proponents have ample opportunity to explain the
9 whys and the hows, and then you open it up again for
10 public comment. During that time we will probably get
11 some more information as to what we can and cannot do.
12 And then -- and I think give us some more time knowing the
13 nature of what these meetings look like and what you think
14 is going to be functional is decide at the next meeting
15 how you want to proceed, be very much more prepared to
16 discuss moving forward.

17 CHAIRMAN PHILLIPS: Trista, did you have a comment?

18 MS. ZUGEL: Yeah. It occurs to me as the
19 conversation is going on that the rule-making petition is
20 governed by the Administrative Procedures Act. And I am
21 far from an APA expert, so I don't know what it will speak
22 to under these circumstances if the petition is clarified.
23 But I think it would be a good idea for the committee to
24 request an AG opinion on how the APA should govern in this
25 process. Does that make sense?

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1 COMMITTEE MEMBER PREZEAU: Perfect. Yeah, it would
2 be nice. I'm sure there is a format and some guidelines.

3 MS. ZUGEL: Or there is or isn't. I mean, that's
4 the question. And we don't have an answer to that.

5 CHAIRMAN PHILLIPS: I didn't follow. The process for
6 what we're talking about?

7 MS. ZUGEL: The process under which they filed the
8 petition is under the state's Administrative Procedures
9 Act, which is RCW 34.05.

10 CHAIRMAN PHILLIPS: I didn't catch that. To me it
11 was a request of the state Electrical Board.

12 UNIDENTIFIED: Yes, it was.

13 MS. ZUGEL: It's a rule-making petition under the
14 Administrative --

15 CHAIRMAN PHILLIPS: It refers to the RCW's and the
16 authority of the Electrical Board to create --

17 MS. ZUGEL: Agreed, agreed. I think in terms of the
18 rule-making petition and if it were to be altered.

19 I can't speak to whether that would change -- they
20 would need to refile. I honestly don't know.

21 I think you (indicating) might be able to respond to

22 that question.

23 MR. SMITH: The petition was filed under 19.28 to the
24 Board. The rule-making petition process is under RCW
25 34.05.

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1 So the Department has filed -- I hate to do this to
2 you all. The Department has filed a CR 101 to say that
3 they are now looking at this issue and may propose rules
4 which would be the result of the information going to the
5 Board, the Board making its recommendation to the
6 Department, and the Department then putting out a set of
7 rules under CR 102. But this is -- the petition that you
8 received is not a petition under the APA. It's a petition
9 under the Board.

10 CHAIRMAN PHILLIPS: So getting back to Tracy's
11 comments --

12 COMMITTEE MEMBER SIMMONS: Ron has something.

13 CHAIRMAN PHILLIPS: Oh.

14 CHIEF FULLER: I'm going to be with what Tracy said
15 here a little bit I think. The Department in our opinion
16 has determined that this was a petition under the APA. So
17 we do have to follow those processes.

18 We filed the 101 because our options were to deny the
19 petition or to accept the petition. We accepted the
20 petition. And now we filed our CR 101 to initiate rule
21 making, which is what we needed to do to continue.

22 And during the 101 period, what happens is that
23 people provide input. And then when you get ready to file
24 your CR 101 -- 102, you have a written comment period, 30
25 days, and you go to public hearing. But part of our

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1 statute in 19.28 requires all rules to go by the Board.

2 So we elected to have the Board hear this process
3 first because it's very specific. It's not a WAC rule
4 change like we normally do. It doesn't encompass all the
5 sections. Because it's specific, we felt like it would be
6 much more expeditious for everyone for you just to start
7 the process for the input, make your decision as you've
8 got the authority to do in 051 I believe, and give us a
9 recommendation back. And then it's going to be the
10 Department's choice at that point whether we proceed with
11 rule making or not. Because we have the rule making.
12 Odds are we're probably going to opt to go with what the
13 Board recommends.

14 CHAIRMAN PHILLIPS: How would the --

15 CHIEF FULLER: But go back and do the formal rule
16 making process, do the 102, do the comment period. We
17 will be doing -- the Department then will be doing another
18 public hearing, and eventually either dropping the rule or

19 filing a CR 103 and completing it.
20 So in my mind, what I see your function is now as a
21 subcommittee is to get a scope of work. They've committed
22 to giving us that. That's great. Evaluating it yourself,
23 and start asking the proponents questions about it and
24 other stakeholders and get that input. And this committee
25 needs to then in my mind make a decision for a

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1 recommendation back to the Board, and then the Board's
2 going to recommend to the Department.
3 CHAIRMAN PHILLIPS: Okay. But I'm wondering now how
4 would the Board ever exercise its authority under 051?
5 When would this petition or request --
6 CHIEF FULLER: That's where the vagaries of the
7 statute come in.
8 CHAIRMAN PHILLIPS: -- for a specialty --
9 CHIEF FULLER: That's why I'm saying that. The
10 Department based on 051 I think we're almost obligated to
11 accept the recommendation when it's specifically about
12 creating a new specialty.
13 CHAIRMAN PHILLIPS: Okay. So subject to counsel's
14 intervention, we will continue with Tracy's comments as
15 far as rethinking the idea and maybe going back to redoing
16 a meeting like we did today only after we've received a
17 more refined proposal. Any objections to that? And with
18 the same dates? July 25th, provided we receive the
19 proposal by July 6th?
20 COMMITTEE MEMBER SIMMONS: Okay. It sounds good.
21 COMMITTEE MEMBER PREZEAU: And certainly provided
22 that this facility's available.
23 CHIEF FULLER: Facilities won't be an issue.
24 CHAIRMAN PHILLIPS: Do we have to take formal action
25 on this petition today?

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1 CHIEF FULLER: No. You can continue the matter.
2 CHAIRMAN PHILLIPS: All right.
3 Is there any other business? Any other comments on
4 this? Any other business other than this issue?
5 CHIEF FULLER: On the scope of work, if we receive it
6 by the 6th, Gary, then my commitment will be we'll post it
7 by the 10th, which would be the Tuesday following.
8 MR. SMITH: I would hope you'd receive it before.
9 CHIEF FULLER: Well, we need a couple of days is all
10 I'm saying.
11 CHAIRMAN PHILLIPS: Well, then I would entertain a
12 motion to close the meeting.
13 COMMITTEE MEMBER TRICARICO: So moved.
14 COMMITTEE MEMBER SIMMONS: So moved.
15 COMMITTEE MEMBER PREZEAU: Second.

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(Whereupon, at 1:30 p.m.,
proceedings adjourned.)

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1 C E R T I F I C A T E

2

3 STATE OF WASHINGTON)

) ss.

4 County of Pierce)

5

6 I, the undersigned, a Certified Court Reporter in and
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8 That the foregoing transcript of proceedings was
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11 of the proceedings insofar as proceedings were audible,
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13 foregoing transcript were done and completed to the best
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15 the proceedings;

16 That I am not a relative, employee, attorney or
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18 financially interested in said matter or the outcome
19 thereof;

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21 IN WITNESS WHEREOF, I have hereunto set my hand on
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