

25 Did everybody sign that wanted to sign?

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1 Before we get started I'd like to introduce the
2 members of the panel. Please introduce yourselves
3 starting with Don.

4 COMMITTEE MEMBER KOPCZYNSKI: Good morning. I'm Don
5 Kopczyński. I'm a member of the Electrical Board. I
6 represent utilities.

7 COMMITTEE MEMBER SIMMONS: Good morning. I'm Jim
8 Simmons and I am a member of the Electrical Board and I
9 represent electrical contractors.

10 CHAIRMAN PHILLIPS: And I'm Tom Phillips and I
11 represent cities on the Board, cities that have an
12 electrical program.

13 COMMITTEE MEMBER PREZEAU: Tracy Prezeau. I
14 represent electricians on the Electrical Board.

15 COMMITTEE MEMBER TRICARICO: I'm Fred Tricarico. I
16 represent telecommunication workers on the Board.

17 CHIEF FULLER: Ron Fuller. I'm secretary of the
18 Board and also the chief electrical inspector.

19 CHAIRMAN PHILLIPS: And Mary Ann Pennington is our
20 court reporter for today.

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22 Review Petitioners Input

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24 CHAIRMAN PHILLIPS: So if we could start, if we could
25 have a member of the proponents that proposed the original

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1 petition that we're discussing today, if you could come up
2 and maybe give a quick summary on what your original
3 proposal was and then clarification of what was sent in,
4 explain the additional requirements that you've added.
5 When you come up, please state your name and spell your
6 last name.

7 MR. SMITH: Thank you, Mr. Chairman. Gary Smith.
8 That's S-M-I-T-H. I'm with Independent Business
9 Association. Proponents have asked me --

10 CHAIRMAN PHILLIPS: Gary, use the mic, please, so we
11 can hear you better.

12 MR. SMITH: My name is Gary Smith, S-M-I-T-H. The
13 proponents have asked me to try and present this to you.
14 You have in front of you what you asked for last time,
15 which was a clarification of a proposed scope of work for
16 a new or revised electrical specialties for the HVAC/R

17 industry. This was taken starting with the existing 06A
18 and made some modifications to the 06A. Those
19 modifications primarily deal with eliminating the
20 three-floor rule, eliminating the single-floor rule,
21 allowing the specialty electrician to work on the entire
22 system.

23 There are portions of the existing 06A that says they
24 can work within the equipment. You could have a component
25 within the equipment -- in fact, it's the same as a

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1 component outside of the equipment -- but the way the
2 current scope of work in 06A is written, you can only work
3 on the components within the equipment and not outside of
4 the equipment. That clarification has been made.

5 A clarification dealing with being able to work on
6 conductors has been made. It does not -- it is very clear
7 in the proposal that it does not allow the original
8 installation of line-voltage conductors.

9 That's just a really quick overview. I think
10 probably the best thing for me to do is answer questions
11 from you about the specifics, if you have them.

12 Subsequent to that there was a request by Secretary
13 Fuller for additional information about various elements
14 of this proposal, such as how many hours in order to
15 qualify for the proposal, supervision requirements, and
16 all. So we have provided information on that.

17 Also, it is a 4,000-hour specialty as is consistent
18 with other specialties or other specific limited trades
19 within the electrical rules. The ratio is the same ratio
20 as currently provided for other 4,000-hour specialties,
21 which is two to one -- two trainees to one journeyman,
22 max.

23 Grandfathering provisions were requested. The
24 grandfathering on this is -- there's been a number of
25 options because a number of you at the last meeting

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1 indicated that you would probably prefer not to have a new
2 specialty, that you would like to amend the 06A specialty
3 that now exists. So the grandfathering would be different
4 than if you established a new specialty. So we can
5 address both options if you'd like or we can address one
6 option. So we'll leave that to you.

7 And hours of credit would be consistent with the
8 other specialties, 4,000-hour specialties. Verification

9 of hours, it's the same as all the other electrical laws.
10 Both the employee and the employee's employer must verify
11 the hours and those are subject to verification through an
12 audit process through the department.

13 Electrical administrator requirements, we would hope
14 that the Board would also include an administrator to also
15 supervise the electricians under this new specialty.

16 The electrical contractor requirements would be the
17 same as they are now for any other specialty electrical
18 contractor.

19 I hope that gives you a quick overview of what's
20 here. I'm more than happy to try and answer any questions
21 you might have.

22 CHAIRMAN PHILLIPS: Okay. Thanks. Any questions
23 from the committee?

24 COMMITTEE MEMBER SIMMONS: Sure. I guess I still am
25 having trouble understanding -- and you mentioned that at

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1 the last meeting that I was one of the people that is
2 very, very reluctant to add to an already very long list
3 of specialties another specialty for Washington state.
4 And Gary, there's a myriad of reasons behind that. I just
5 talked to an electrical inspector yesterday that said,
6 "Oh, my God. Please don't add another specialty for us to
7 have to keep track of because these people are required to
8 do compliance and they've got to understand and keep track
9 of all the specialties we currently have." This is just
10 one reason.

11 But why do we need another one? And I guess that's
12 one of my questions to you is: Why? What's the
13 substantiation for having another specialty in Washington
14 state instead of changing the rules in an existing law, an
15 existing specialty? What's your substantiation for that?

16 MR. SMITH: Mr. Simmons, I think the proponents are
17 completely flexible in saying we can modify the 06A for
18 this limited expansion of scope of work and not have a new
19 specialty. So if that is the committee and the Board's
20 desire, the proponents have no problem with that. It's
21 part of the discussion at this point. But we have no
22 problem with it if you want to expand the scope of an 06A
23 to include these items. We're very comfortable with that.

24 COMMITTEE MEMBER PREZEAU: Here's where I disagree
25 with your assessment of this. This is no longer an HVAC

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1 specialty and it's no longer an HVAC specialty, as I see
2 it. I want to get Ron's interpretation here because
3 there's two bullet points in here that actually allow you
4 to go outside -- as I interpret this -- any HVAC system.
5 And the first instance of that is in the second bullet
6 point and I'm not going to read the entire piece but
7 basically it says that you can "Install, repair, replace,
8 and maintain, line voltage" -- I'll read the whole thing
9 -- "components of an HVAC/refrigeration system" -- which
10 is a change from the language of an 06 license. And I
11 understand the 06 license it was internal to that to -- an
12 internal component, not the entire system. An entire
13 system -- we can go into that -- is defined in WAC, but
14 I'm deviating from my point. "Such line-voltage
15 components include product illumination luminaires
16 installed within and powered from the HVAC/refrigeration
17 system (e.g., reach-in beverage coolers, frozen food
18 cases, produce cases, etc.) and new or replaced factory
19 authorized accessories" -- now this is where we need to
20 pay attention -- "such as internally mounted outlets, as
21 well as power outlets installed on a circuit primarily
22 used to power an HVAC/refrigeration system and where the
23 outlet is primarily used to power equipment used for
24 testing, repairing or maintaining the HVAC/refrigeration
25 system."

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1 Now, what I'd like to do is ask Ron -- because I read
2 this -- I don't know what the definition is of
3 "primarily," but there's oftentimes you're going to have
4 an installation where you have exhaust fans, very small
5 exhaust fans or other, you know, HVAC components that
6 don't require a dedicated circuit that are going to be on
7 the same circuit as outlets within the room, assuming
8 that's what we're talking about. There is no definition
9 of an outlet. In the NEC there's a definition of a
10 device, which is "anything that carries electrical current
11 but doesn't use it." So, you know I, in my mind, look at
12 that -- it's not just a receptacle in the wall anymore.
13 It can be much greater than that. And I think if you have
14 the ability to make those installations, what I'm
15 wondering then is if the way this is written, Ron, does
16 this allow somebody to install branch circuit wiring that
17 is tied to the HVAC system but is completely outside the
18 HVAC system?
19 CHIEF FULLER: I think that it does but, again, I

20 think the question really should be directed toward Gary
21 about what is their intent versus maybe what they wrote.

22 MR. SMITH: I think that the language is very clear.
23 It says in the second line, "except for original
24 installation." You can't install it.

25 COMMITTEE MEMBER PREZEAU: So I thought that was only

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1 a modifier for "associated conductors."

2 MR. SMITH: I believe it is intended -- we're not
3 installing outlets. Now there may be -- there may be an
4 existing circuit where you may need to have an outlet.
5 Now we ought to be able to maintain the outlet if, in
6 fact, the outlet is broken. You can't use it. You got to
7 be able to put a new receptacle in there.

8 COMMITTEE MEMBER PREZEAU: External to the HVAC
9 system?

10 MR. SMITH: You've got a big blower fan on the
11 circuit. And it's got some sensors on it and you have to
12 monitor those sensors. And there is an outlet close to
13 the sensor that is there for you to plug in your testing
14 equipment in order to test those sensors. Okay? And if
15 that outlet is broken, should the contractor, the HVAC
16 contractor have to call an 01 or an 07 electrician to say,
17 "Change a broken outlet"? If, currently, that outlet was
18 within a cabinet, the answer is "No." We're suggesting
19 that they have the same opportunity if the outlet is
20 outside of the cabinet. The design here was it is not
21 allowing the 06 -- whatever specialty you want to call it.
22 You want to call it an 06A or an 06C -- it's very clear
23 here that we're not talking about installing.

24 COMMITTEE MEMBER PREZEAU: Then why does the first
25 word in bullet point two say "Install"? "Install, repair,

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1 replace, and maintain line-voltage components of an
2 HVAC/refrigeration system including associated
3 conductors" -- then the modifier -- "except for original
4 installation."

5 MR. SMITH: That's what it's all about right there.

6 COMMITTEE MEMBER PREZEAU: So how I read this is with
7 the exception of conductors, you can "install, repair,
8 replace, and maintain line-voltage components" of an
9 entire HVAC system.

10 MR. SMITH: Correct.

11 COMMITTEE MEMBER PREZEAU: That's how -- so how I

12 look at this is you can install conduit systems. You can
13 install --

14 MR. SMITH: Except for the original installation --

15 COMMITTEE MEMBER PREZEAU: Well, then why does is say
16 "install"?

17 MR. SMITH: Because there may be a -- you have a
18 retrofit and you the need to put a new sensor wire in.
19 Okay? They have to be able to install it. It's a
20 retrofit. It's not the original installation of the
21 system. There's retrofits.

22 Right now it's going on in the grocery industry and
23 there's going to be a huge retrofit in the grocery
24 industry on refrigeration equipment. And all these folks
25 are going to have change their systems. Okay? They're

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1 going to have to modify their systems. We're going to
2 have to have two different electricians in there, one
3 that's got limited scope and another one that can do some
4 of the other stuff. Or should we have one electrician in
5 there so the customer has one party that is responsible
6 for the entire job? I think the customer is going to be
7 far better served if they have a technician that is
8 totally capable of doing all the work they need to have
9 done.

10 COMMITTEE MEMBER PREZEAU: I agree. I agree. But
11 that person needs to be qualified to do that.

12 MR. SMITH: And we're suggesting they be qualified.
13 We're not suggesting they not be qualified. That would
14 be -- that would be foolhardy on our part.

15 COMMITTEE MEMBER PREZEAU: Well -- and I think that
16 unless you guys tell me if you disagree -- I read this as
17 a completely different scope of work than what you just
18 told me. I read this as you have the ability to install
19 original installation, everything except -- just bear with
20 me -- everything except "associated conductors." That's
21 how I read this proposal.

22 MR. SMITH: We can certainly perfect the wording. I
23 think Ms. Peacey's letter to you indicated that the intent
24 was to not include original installation. The intent is
25 clear.

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1 COMMITTEE MEMBER PREZEAU: No. It reads, "does not
2 include first-time installation of line-voltage
3 conductors."

4 MR. SMITH: First-time --
5 COMMITTEE MEMBER PREZEAU: First time of line-voltage
6 conductors.
7 MR. SMITH: That's original installation.
8 COMMITTEE MEMBER PREZEAU: That does not include --
9 yeah, but there's all other components. There's a
10 complete conduit system. There's a disconnect system.
11 There's an over-current system. The associated conductors
12 is a piece of that, but if you're -- if you can put in the
13 entire backbone, but all you can't do on the original
14 installation -- but you just can't pull the wire? That's
15 how I read this.
16 MR. SMITH: I believe that's not the intent. I can
17 clarify it with the rest of the proponents. The idea
18 behind this is the system is in. Now the HVAC specialty
19 electrician can maintain and repair, modify, whatever, the
20 system. But they're not -- they're not putting in a brand
21 new system. That's not the intent. If it needs to be
22 clarified, I'm sure the proponents are willing to do that.
23 COMMITTEE MEMBER PREZEAU: The other place where I
24 think -- the original point that we were on -- I said that
25 this is not an HVAC specialty because it goes outside of

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1 the HVAC system. And that was my first point was reading
2 bullet point two. I believe that the way it is written
3 right now allows you to do that.
4 MR. SMITH: I don't understand where you're getting
5 that.
6 COMMITTEE MEMBER SIMMONS: Maybe from the word
7 "install."
8 MR. SMITH: I'm sorry?
9 COMMITTEE MEMBER SIMMONS: Maybe from the word
10 "install."
11 COMMITTEE MEMBER PREZEAU: And additionally, in the
12 second half of that where you have the scope would allow
13 for somebody -- this license holder -- to maintain outlets
14 primarily used to power equipment, but not necessarily,
15 you know. So now -- and you still have the install
16 moniker up on the top that is a flag for me, right.
17 MR. SMITH: The word "install" is in the existing
18 WACs.
19 COMMITTEE MEMBER PREZEAU: Correct.
20 MR. SMITH: This language was taken from the original
21 WAC. This came out of --
22 COMMITTEE MEMBER PREZEAU: But it has been modified.

23 MR. SMITH: The word "install" is right where it was.
24 COMMITTEE MEMBER PREZEAU: Correct.
25 MR. SMITH: Install, repair, replace, maintain

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1 line-voltage components.

2 COMMITTEE MEMBER PREZEAU: Correct. But where it
3 reads in the existing WAC is, it's "Install, repair,
4 replace and maintain line-voltage components" -- and I
5 have it in front of me. You've changed the wording --
6 "within HVAC/refrigeration equipment." This now reads
7 "line-voltage components of an HVAC/refrigeration system."

8 MR. SMITH: Yes.

9 COMMITTEE MEMBER PREZEAU: Which if you look at the
10 definition of what an HVAC/refrigeration system is, it
11 means "a system of HVAC/refrigeration, wiring equipment,
12 and components integrated to generate, deliver, or control
13 heated, cooled, filtered, refrigerated, or conditioned
14 air."

15 MR. SMITH: Correct.

16 COMMITTEE MEMBER PREZEAU: So we're no longer talking
17 about a stand-alone unit. You're talking about the whole
18 system. And I think until I see some language that
19 assures me that we're not talking about original
20 installation of anything outside of line-voltage
21 conductors, I think this request as I understand it is
22 very far reaching.

23 MR. SMITH: I've got some folks from the industry
24 here that are certainly willing to clarify. Do you have
25 something you want to add, either one of you? Introduce

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1 yourselves.

2 MR. FRICKBERG: Mike Frickberg with the Washington
3 State HVAC/R Association. The purpose for looking at this
4 specialty -- or whether we modify the 06A -- is that the
5 industry feels that staying within the individual piece of
6 equipment is far reaching to the other extent towards
7 confining. Within the HVAC industry we need to be able to
8 look at the entire system -- not the installation of the
9 line-voltage from the primary means of disconnect to the
10 service disconnect. We look at that that that's most
11 likely an 01's job. But once you actually get that piece
12 of equipment there are interconnecting controls and
13 devices. There might be electric pneumatic devices for
14 air components of the older systems. There might be DEC

15 components that we turn on and off, fans which control the
16 entire environment of the facility. By containing us
17 within just a manufactured piece of equipment, it severely
18 ties our hands.

19 And so therefore, the ones that have the opportunity
20 to recognize that when the 07 was being grandfathered
21 in -- which most of our industry didn't get that
22 notification -- that they look at the 07 as, "Oh, that
23 helps us do this aspect." The 06 allows us to do go
24 beyond the third floor and run conduit for our local
25 wirings.

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1 What we're looking to do is make it to where we're
2 not contained within the unit. If we need to run a piece
3 of conduit for low voltage that we can do it and we can
4 put a temperature box into it. And if we need to service
5 that pump motor that's operating the hydronic heat -- hot
6 water system for a heat pump loop because the system's
7 down because of that, that we can be able to change that
8 electrically. Not install it originally, but change it.

9 Right now our 06 license limits us on that. We can't
10 do that. So we contend that it's far reaching the other
11 way by containing us. We're not trying to reach outside
12 and wire an entire building.

13 On the electrical disconnect outlets that we were
14 referring to, there are many times that we are going out
15 and our technicians are put at risk if they cannot use the
16 proper test equipment. Simply if the outlet has been
17 damaged, that's a 115 volts plug-in device. It's -- we
18 feel that we should be able to replace that outlet. Not
19 rewire it all the way back. Just simply replace it and
20 put it into a safe manner.

21 A lot of times they will ignore it because they can't
22 touch it. And that is leaving an unsafe situation for the
23 building. The building owner usually won't -- I won't say
24 usually -- but many times won't even know about it or
25 address it. But we'd like to address the safety issues at

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1 the time. Does that help?

2 COMMITTEE MEMBER PREZEAU: Yeah. I just, you know, I
3 think it's probably the consensus of this Board you read
4 this and you don't get that sense at all. You get the
5 sense that basically what you're saying is you're going to
6 install the original installation on everything except for

7 line-voltage conductors. That's how I read this.

8 MR. FRICKBERG: The intent, again, in it's simplest
9 form is to take the elements of the 06, the elements of
10 the 07 license and the parts of those two licenses that
11 pertain to our industry --

12 COMMITTEE MEMBER PREZEAU: And parts of the 06A.

13 MR. FRICKBERG: Well, 06A stays intact. It provides
14 us about 80 -- oh, I don't know what percent. I'll say
15 80 percent but anybody can debate that. It provides us a
16 good portion of what we need to do, but it really creates
17 to where people are having to choose between being legal
18 and illegal for something as simple as just a
19 clarification of the law. Let's make the law -- let's
20 make the 06A license for our industry work to fit our
21 industry. Let's get the people onboard. Let's get them
22 to where they are, across the board, able to comply
23 properly and give them the proper licenses is what we're
24 asking for.

25 CHIEF FULLER: What I'm hearing from you, Mike, is

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1 not what the 06A allows right now. By definition right
2 now most of the stuff that you just described is already
3 allowed. If you're in the system -- and a boiler room is
4 probably the easiest way to explain it and we actually
5 have a drawing in the WAC rule about this -- that if
6 you're within the definition of the system, which you are
7 with pumps and damper motors and sensors and air valves
8 and all those things, you're in the system. You're able
9 now with the 06A to do that work.

10 What you're describing that you can't do is work on
11 receptacle outlets and circuit breakers and things that
12 are back downstream that are not in the system. So I want
13 to make sure everybody understands that the scope of work
14 is quite broad for the 6A now for line voltage. It was
15 hugely expanded about three or four years ago to include
16 everything in the system. And the system is not just
17 inside of a box from Trane. It could be an entire boiler
18 room if it's wired to look like a system.

19 MR. FRICKBERG: There's a lot of confusion over that
20 in the industry and I think I maybe -- I could be
21 corrected on this -- but I think there's a lot of
22 interpretation from the field inspectors on that as well.
23 I might be wrong. Being contained within the box itself
24 is what everybody is perceiving. The breaker, the wiring
25 from the breaker to the disconnect and all that is fairly

1 clear. There is a line delineated within the -- I think
2 there's even a picture showing that you can't go past
3 that. So that was clearly asking for just a redefinition
4 of repair.

5 COMMITTEE MEMBER PREZEAU: There already is a
6 definition in WAC. The HVAC/refrigeration component and
7 it reads, "means electrical power and limited energy
8 components within the HVAC/refrigeration system including
9 but not limited to pumps, compressors, motors, heating
10 coils, controls, switches, thermostats, humidistats, low
11 voltage damper controls, outdoor sensing controls, outside
12 air dampers, stand alone duct smoke detectors, air
13 monitoring devices, zone control valves and equipment for
14 monitoring of HVAC/refrigeration control panels and low
15 voltage connections. This definition excludes equipment
16 and components of a nonHVAC/refrigeration control system."
17 So it's very broad.

18 MR. FRICKBERG: So do you see a system as within this
19 building? If we have a Trane unit up on the roof and
20 there is a line voltage -- you know, some of the older
21 systems -- a line-voltage time clock with low voltage
22 wiring coming off of that, do you consider that
23 line-voltage time clock that's got 115 volts running
24 through it --

25 COMMITTEE MEMBER PREZEAU: I'm going to defer to Ron.

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2 CHIEF FULLER: Has to be in the same room, just like
3 a boiler room, but when you get outside of that then
4 you're doing electrician-type work. You're running
5 through walls. You're running through fire walls. You're
6 running conduit systems. You're doing other things that
7 are outside of what the intent of the HVAC industry was
8 originally about. So you're asking for a huge expansion
9 in scope here, with what you're asking for.

10 MR. FRICKBERG: I don't see it as huge. If you're
11 talking install, yes. If you're talking about repair --
12 if I have a unit on the roof that comes in, has the
13 controlling device within the room, whether it be electric
14 pneumatic -- that might be a 110 volt electric switch that
15 switches a pneumatic air signal or whether it be a fan
16 control -- whether it's in this room or whether it's in
17 the other room -- we need to be able to diagnose and

18 repair a building system. An operation -- when you turn
19 on a fan if -- it needs to have the exhaust fans going.
20 It needs to have all the dampers going. In some built-up
21 rooms, they can be spread out the entire building and if
22 you're not able to balance and look at the building as a
23 whole, you're not able to service that consumer from the
24 HVAC industry. It's -- when you can go in and you can
25 work on the roof, adjust that fan, come down to realize

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1 that this switch here needs to be replaced because it's
2 affecting the exhaust fan that's got the building in
3 imbalance, and that is affecting the kitchen hood exhaust
4 because it's got too much air going out or too little air.
5 You need to be able to touch and work and repair those
6 items.

7 Not install them, but do the necessary repairs. And
8 if I understand your definition of a system pertaining to
9 one room, it is insufficient from our point of view.

10 CHAIRMAN PHILLIPS: So I'm little confused now on the
11 scope of the 06A, whether or not it includes line-voltage
12 replacement other than a six-foot whip. That's the only
13 thing I can find in the current language for line-voltage
14 conductors is pertaining to the 6-foot whip. Is that the
15 way you understand this?

16 MR. FRICKBERG: That's how I understand it. If
17 it's -- if we need to -- if there's a wire that's running
18 between the units and a device external to it -- whether
19 it be a pump -- we can't repair that as I currently
20 understand it.

21 CHAIRMAN PHILLIPS: Is that the way you understand
22 it, Ron?

23 CHIEF FULLER: No. If you look at figure 920-2 in
24 the WAC rule book it, I think, very clearly shows what an
25 HVAC system is on line voltage. And it can include the

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1 HVAC control panel. It can include disconnect switch. It
2 can include the conduit and wiring. It can include the
3 pumps. And that drawing was specifically drawn primarily
4 for the boiler systems because they do bring power into a
5 controller -- the electricians do -- and terminate it in a
6 control provided by the boiler people. And then
7 everything that comes out of that controller is allowed to
8 be done under this specialty, including the new
9 installation, currently, because it's included in the

10 system.

11 MR. FRICKBERG: If it's in that room?

12 CHIEF FULLER: If it's in that room.

13 MR. FRICKBERG: But if it goes to the other side of
14 the wall --

15 CHIEF FULLER: That's why I think this is a huge
16 expansion that you're asking for because you're asking for
17 something that's -- if you've done it historically, you've
18 done it illegally. You're not being tested to do that.
19 It's just not what we've ever looked at before. So this
20 is a big step. I mean, this is as big a step to me as
21 when you negotiated -- the HVAC industry negotiated
22 getting into the disconnect switch. And this is another
23 step that is much beyond that because the way your
24 proposal is worded -- Tracy's correct -- you're only
25 limiting yourself on "new" to wires. You're not limiting

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1 yourself to conduits. You're not limiting yourself for
2 disconnects or panel boards or anything else.

3 COMMITTEE MEMBER PREZEAU: Switch gear.

4 CHIEF FULLER: Switch gear. You haven't put a limit
5 on yourselves. So what you've got in a proposal so far is
6 not -- it doesn't meet what Gary was saying the intent is.
7 And I think that's going to really confuse people.

8 MR. SMITH: I think it's important for us to talk
9 about what it is we're asking for. If the words aren't
10 exactly right, okay. Let's clarify it. Mr. Fuller is an
11 expert at putting words down on paper. So if we messed up
12 somehow, how you read it is different from how we read it.
13 Let's work on the words. Let's understand the concept
14 first rather than saying, "Gosh, the words say"
15 We're trying to explain the concept to you. And I think
16 we're pretty straightforward on what it is we're
17 suggesting and not suggesting. No, we're not suggesting
18 that they can do all the switchgear and all the conduits
19 and everything else in the original installation but not
20 pull wire. That's not what's proposed. If the words say
21 that to you, that's not what they intend. We can fix the
22 words. Let's understand the intent.

23 MS. PEACEY: Karen Peacey, Washington State HVACR
24 Association. One item I want to address, Tracy, is the
25 word "install." For the 06A we had to have "install" in

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1 there because we have to install the equipment. We have

2 to install our low voltage wiring. This is based upon an
3 06C specialty which would be a new specialty. So we do
4 have to have "install" included to be able to do our
5 proper wiring on low voltage side. One item that we
6 addressed at the last meeting was we need the expansion
7 outside of the room because we go to different locations
8 that may have a disconnect -- well, they all have a
9 disconnect -- outside of the equipment room itself. And
10 if that disconnect is bad -- which I ran into last week
11 again -- trying to find a local -- or a line-voltage
12 electrician, an 01, to go replace the disconnect, only the
13 box itself, when it is extremely busy out in the
14 construction industry is extremely difficult. Just to try
15 and find an electrician to change a breaker in a breaker
16 box is extremely difficult. We need to be able to do that
17 work.

18 That is why we put it in to the 06C so it would not
19 get muddled with the 06A scope. And that is why we do
20 have the additional testing requirements. We're saying
21 that if the people are not capable of performing the work,
22 don't allow them to perform it. We want to be completely
23 aboveboard in what is being done. There are a lot of
24 companies out there that are going ahead and replacing it.
25 We don't want that. We want it legal, aboveboard. We

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1 need to be able to take care of the consumers, both
2 commercially and residentially, when they need it. I
3 don't know how many of you are involved in HVAC by any
4 aspect. But when you get the 90-degree weather like what
5 we had and you have office buildings or a medical practice
6 or any type of commercial building that their A/C system
7 is down for days waiting for an electrician to change one
8 simple breaker or the one simple disconnect, a lot of them
9 actually go home. Medical practices actually shut down.
10 We have office complexes where they call and say that
11 their office staff is extremely ill because of the heat.
12 Their customers are complaining. It's very difficult.
13 And what we're asking for is not a huge expansion of
14 scope, but to be able to do that work to take care of the
15 consumer. We're not asking to run new line voltage by any
16 means. We're leaving that to the 01s. We just need to be
17 able to go out there and perform our work and take care of
18 the consumer.

19 CHAIRMAN PHILLIPS: So, to clarify, your proposal
20 would allow you to replace all line-voltage conductors,

21 conduit, equipment associated with the HVAC system without
22 restriction -- as long it was on a replacement basis --
23 from the switchgear to the disconnect?

24 MS. PEACEY: Yes. To replace and repair. Not to run
25 new wiring by any means. We have no intent to run new

28

1 wiring.

2 CHAIRMAN PHILLIPS: And then would you restrict it to
3 the same type of installation materials that were used on
4 the original installation or would the installer have the
5 choice of changing the type of material?

6 MS. PEACEY: No. It would have to be like and kind.
7 Except for there are situations out there where we have
8 what's called a "triple-split unit." Carrier made them
9 way back when. They no longer make triple splits, which
10 you have the indoor unit, a compressor is separate from
11 the condensing unit, and there's three components. They
12 are no longer made, so when a heat pump is changed out the
13 circuitry within the panel box is still the same. It
14 doesn't need to be updated. And we have -- when we
15 replace it, we have to replace it with two pieces of
16 equipment for a heat pump. It's an outdoor condensing
17 unit plus the indoor air handler. So there are some
18 modifications for equipment that is obsolete.

19 But as far as replacing components with the
20 line-voltage wiring, if it needed to have new line voltage
21 ran to it to accommodate the new split system, then yes,
22 that would have to be done by an electrician. But to
23 modify -- if you're taking out a triple split and putting
24 in a split system, that would not be like and kind.

25 MR. FRICKBERG: What we're referring to on that

29

1 particular triple split is the line-voltage wiring was run
2 to the middle section and then out to the outdoor section.
3 And you'd probably go to that J-box and take two wire nuts
4 and originally it went into the unit and just wrap it out
5 to the outdoor section, put a wire nut on, put the cover
6 back on and hook up the outdoor section as you normally
7 would. Again, it's not rocket science.

8 But back to answer your question, would we be going
9 in and retrofitting all the way back and changing all the
10 conduit and all of the wiring and everything. No. If you
11 had a wire that was damaged because maybe the flex was
12 crimping the wire, you'd probably just change the wire

13 vault. You don't need to be changing -- change that at
14 the conduit. You need to change that on the flexible.
15 Sometimes it's six foot, sometimes it's a little bit
16 longer. Or maybe it's just an interconnecting piece of
17 conduit. Nobody is desiring to just go down to the
18 electrical supply house and just get a hundred-foot bundle
19 of three-quarter inch pipe and buy three rolls of wire and
20 go out run a circuit. That's not the intent here.

21 COMMITTEE MEMBER PREZEAU: I hate to tell you this
22 but I read from bullet point four -- three that allows you
23 to do that. So the question that I have is, so let's say
24 you've got a 26-story office building with a chiller
25 mounted on the roof. It's already there. It's already

30

1 existing. But the chiller is going to have to be -- the
2 size is going to have to be increased and so the feeders
3 for that chiller are no longer adequate. So I read
4 this -- and this license holder can repull -- can pull out
5 the existing conductors, pull in 500 MCM if the conduit is
6 big enough. And if the conduit is not big enough abandon
7 the original run of conduit and put in parallel runs with
8 four-inch conduit and pull parallel runs of 500 MCM to
9 that chiller now on the roof. That's how I read this.

10 MR. FRICKBERG: I appreciate your interpretation of
11 this. I can see where we probably do need to look at the
12 extremes to get examples of where this can really run
13 amuck.

14 COMMITTEE MEMBER PREZEAU: Correct. Additionally, I
15 read this it allows you to go back to a motor control
16 center, change out motor starters, change out variable
17 speed frequency drives. You know, if this -- this I agree
18 with Ron. This is a huge expansion of work.

19 MR. FRICKBERG: Our industry does work on variable
20 frequency drives, as well as the 01 industry. But our
21 industry installs --

22 COMMITTEE MEMBER PREZEAU: But you don't work on
23 motor control centers.

24 MR. FRICKBERG: It depends on your definition of
25 motor control centers. Yes, we do. That's why we have to

31

1 go get our 07 licenses which allow us to be legally able
2 to do that. We -- there are aspects of it that we're very
3 well versed on and we're very well trained on.
4 Manufacturers respect us for our quality of work in that

5 area.

6 So, if the words, again, are not right let's talk
7 about the words. If the concept -- if there is a debate
8 over motor control centers or frequency drives, then let's
9 talk about that. But let's don't lose the overall intent
10 here. We're trying to clear the obstacle course that we
11 believe that we have in our industry.

12 01s have just a clear course. They're trained.
13 They're great. They're doing great work. Our 06As,
14 they're trained. They're doing good work, but they've got
15 all of these little obstacles in the way that makes it
16 almost impossible to compete. So there's some very clear
17 things that can be taken down, clear the path. There's
18 maybe a few more challenging things that we need to talk
19 about.

20 I've heard you say that this sounds like it's huge,
21 and I respect that from your perspective. Our
22 perspective, it's not that huge. It's -- we are -- we are
23 a trained industry. We do understand -- whether working
24 inside the box or outside the box -- excuse my pun, but
25 let's work -- let's think outside the box here. Let's try

32

1 to find a solution for our industry to accommodate it
2 properly.

3 COMMITTEE MEMBER SIMMONS: Mike, a couple points in
4 your little dissertation there that I want to clarify.
5 Karen had mentioned that what we're trying to do is to be
6 able to service our emergency situations and we can't get
7 an electrician to do those things which, whether you agree
8 or disagree, may have some merit in my opinion. But your
9 point there was, "Well, we want to be able to compete."
10 Okay. You just said that. And my question is: Compete
11 with who? Are you trying to compete with the 01 industry?
12 Is that part of your purpose here? Or are you trying to
13 accommodate your customers as Karen said? Which is the
14 point?

15 MR. FRICKBERG: My choice of words of "compete," it
16 is -- let's look at it in two ways. Number one is safety.
17 We want to provide better service to our consumers. We do
18 not feel right when we're going out and we have to ask
19 them to yet call another person and shut them down.

20 To compete is -- maybe put it into another
21 perspective -- is we have undue obstacles which makes us
22 less competitive in our industry. And so we're not --

23 COMMITTEE MEMBER SIMMONS: Competitive with who, sir?

24

25 MR. FRICKBERG: With each other, whether it's legal

33

1 or illegal contractors and whether it is an O1 industry.
2 It's -- we're not trying to take over the O1 industry. We
3 want to have an equal share of our ability to do our work.
4 An O1 can literally go in and do any of our work without
5 any restrictions, anything they want to do. They can
6 install, they can -- as long as they have the engineering
7 done on it, they can go put in our systems and do
8 anything. We can't even put in our system all the way.

9 COMMITTEE MEMBER SIMMONS: Okay. I want to clarify
10 one thing here. The O1 industry, number one, has been
11 licensed to do this for eons and they're tested and
12 trained. They have to have at least four years of
13 certified experience, et cetera, et cetera, et cetera, to
14 be able to do what they do. And there's nothing in the
15 law that precludes you or your people from getting an O1
16 license, if that's what you're interested in doing.
17 There's nothing that says you can't do that.

18 So what you're asking for is an expansion of your
19 classification to be able to go in and do work that O1
20 licensed people have been able to do for eons. You're
21 right. And I'll tell you, me as one -- and I'm just one
22 voice on the Electrical Board and one person up here -- I
23 am very, very reluctant to hand that work over to HVAC
24 people. And you've got to convince me that there's a
25 need.

34

1 Now, Karen went back and said, you know, we've got to
2 be able to service these people in an emergency situation.
3 And like I said, I can kind of understand that. If you
4 can't get ahold of an electrician, it's an emergency and
5 you've got to replace a circuit breaker in a panel, I'm
6 not sure I'd have a major issue with that.

7 But I do have an issue with you replacing wiring,
8 disconnects, components, going outside and replacing
9 anything clear back to the panel. As Tracy said, I mean,
10 those could be 500 kc milliconductors and I'm just going
11 I'm not sure that's necessary. So you need to clarify
12 some things for me.

13 MS. PEACEY: One problem that we at Olympic
14 Mechanical are having is our competitors -- and I believe
15 this is what Mike was meaning when he means "compete"

16 because he and I have discussed this on a very deep
17 level -- our competitors -- we're dealing with people that
18 are not licensed electrically. They don't care if their
19 employees have a license.

20 In fact, I was on vacation the week that it got
21 extremely hot and I had to carry my phone with me. I had
22 building owners literally calling me, telling me that our
23 guys shut them down because they could not find an
24 electrician fast enough. And I had some of my staff
25 literally going through the yellow pages of the telephone

35

1 book because the regular electricians we contract were not
2 available. I had them going through the telephone book.
3 No one could come out to replace the disconnect on one
4 commercial structure and a breaker on another. So they
5 ended up calling another company up north that would do it
6 because they're not licensed for it. They're not going to
7 permit it. How is the state going to know?

8 And so we're running into the situation where that is
9 the compete problem. We are having HVAC contractors out
10 there illegally performing the work. We need to make a
11 standard where we can do our service for our consumers and
12 actually take care of them. The disconnects are not
13 always in the same room with the equipment. If you have
14 an indoor unit and the disconnect is bad, it's not going
15 to be right with the indoor unit. The indoor unit may be
16 in the ceiling. It may be above the T-Bar. You have the
17 outdoor unit, the roof-top units, that is going to have a
18 disconnect by it. We have BVT systems and there's items
19 that have to be done. And right now we're not being
20 allowed to do the work.

21 COMMITTEE MEMBER PREZEAU: Here's my problem with
22 what you just said: You said that -- and we all know that
23 there are contractors -- unscrupulous contractors out
24 there that are performing electrical work and they're
25 doing it illegally, whether they're not licensed and

36

1 bonded, whether they don't have an administrator, whether
2 they don't employ -- use the right ratio of supervision.
3 But my problem I have with what you just said is your
4 proposal is -- the solution to that is to open the
5 floodgates and go down to their level rather than tighten
6 the floodgates and make it more -- and crack down on that
7 underground economy rather than open it up and just

8 make -- you know, allow everybody to do this work, whether
9 they're trained or not. That's how I interpret what you
10 just said.

11 MS. PEACEY: Not whatsoever. What I'm saying is
12 that's why we have education information in here. Allow
13 us to test for the work. If they have an 06A, 07, allow
14 them to grandfather in to the 06C. If they have an 06A,
15 let them take a minitest. If they don't pass it, they
16 don't get it. If they pass it, they can. Make them
17 responsible for their knowledge.

18 The problem that I was trying to get to you is the
19 fact that since we -- our company would not go out there
20 and illegally perform the work -- they called a company
21 until they would find someone that would do it. And --

22 COMMITTEE MEMBER PREZEAU: So that's my point. So
23 now we're going to have to expand the scope of work to
24 allow everybody to do this work that is now illegal to do?

25 MS. PEACEY: No. Because for them to do it they

37

1 would have to be within the legal system anyway. It's
2 been how many years -- what 1999-2000 -- since the 06A
3 came about? And they haven't --

4 COMMITTEE MEMBER PREZEAU: 1985.

5 MS. PEACEY: No. 1985 was part of the exemption. It
6 was in 1999/2000 when the 06A came about. And this -- we
7 have to have crack down on them as well. But we need to
8 be able to do the work to take care of the consumer
9 because that consumer is at risk by having someone that
10 may not have the knowledge performing the work. What
11 we're asking for is allow us to take care of it and test
12 us if you want to. We're very qualified to perform it.
13 We're trained.

14 CHIEF FULLER: I want to back up just a little bit
15 because I'm still unclear a little bit on what your intent
16 is. When you're -- an example would be if you're changing
17 from a gas to an electric or an electric to a gas furnace.
18 With what you've got written you could change that circuit
19 wiring, do whatever it takes to make that unit work,
20 because it's a replacement. Is that the intent? That's
21 question number one. The second one is: How will what
22 you're describing, Karen, eliminate the effects of the
23 underground economy on your industry, because if they're
24 underground they're going to say underground if you're
25 only raising the bar in my mind?

1 MS. PEACEY: Well, one issue is if we were legally
2 able to replace that disconnect or legally able to replace
3 the bad circuit breaker we wouldn't have had an illegal
4 contractor going out to perform the work. And once I
5 found out -- once the property owner called me and said
6 that they had this other company come out and perform the
7 work, I told them that they weren't legal and explained
8 the situation to them. Property owners aren't really
9 aware of all the requirements.

10 CHIEF FULLER: Did you turn them in?

11 MS. PEACEY: I did. But there again, it's not just
12 the industry that's responsible for turning these
13 individuals in. They're actually licensed as an HVAC
14 contractor through the state but they have no licensing
15 within the requirements for HVAC.

16 CHIEF FULLER: What about the circuiting?

17 MR. FRICKBERG: It's defined within our -- I don't
18 know which page it is here -- but it says that repair or
19 replace, maintain line-voltage flexible supply whips
20 provided there are no modifications to the characteristics
21 of the branch circuit or feeder. Here it is.

22 CHIEF FULLER: That's a whip, though. I'm getting
23 back to where we were earlier, I guess, on bullet two.
24 Bullet two is wide open.

25 MR. FRICKBERG: The intent. If we're changing out an

1 electric furnace and putting in a gas -- I can't speak for
2 all contractors in the state of Washington -- but we call
3 out an electrical contractor to have that modified.

4 CHIEF FULLER: So your answer is it's not your intent
5 to change any circuit characteristics, period?

6 MR. FRICKBERG: Correct.

7 CHIEF FULLER: Then that -- I'm sorry but that flies
8 in the face of your triple split and other -- I mean, even
9 other types of furnaces where you have duct dual feeders
10 to a furnace even.

11 MR. SMITH: Inaudible.

12 CHAIRMAN PHILLIPS: You need to use the microphone.

13 MR. FRICKBERG: There's no change in the
14 characteristics of that triple split that we're talking
15 about. It is just the routing of whether the line-voltage
16 is being -- going through a contact or not or whether it's
17 being singled.

18 CHIEF FULLER: Okay.

19 MR. FRICKBERG: Do you have any more questions?

20 CHIEF FULLER: No.

21 MR. FRICKBERG: To respond to Mr. Simmons' question
22 about why we don't all become 01s, we haven't -- in our
23 company we have over 150 employees. We have probably
24 not -- I don't know the exact number but I guess 25 to 30
25 maybe -- let's say 25 people that could easily go towards

40

1 an 01 license. But our intent of our company is not to be
2 an electrical company. We're an HVAC company. We have 01
3 people but we don't have that many. To convert them you
4 need supervision. We do -- our company is one of the
5 companies that does go through an indentured training
6 program because we're a CITC -- Construction Institute
7 Training Center. We follow some fairly strict guidelines.
8 But we cannot produce 01 people legally. And we're not
9 trying to. We can't do it. We have had people quit to go
10 to work for electrical contractors so they can round off
11 that last two years. That's unfair. That is -- it floors
12 me that in order for them to continue in this trade they
13 have to leave our trade to go get that. And so the answer
14 to your question -- it's very disheartening to watch this
15 happen. We have an unfair competitive.

16 COMMITTEE MEMBER SIMMONS: You said you have people
17 that are qualified for 01 in your company now.

18 MR. FRICKBERG: I guess I said that wrong.

19 COMMITTEE MEMBER SIMMONS: Okay.

20 MR. FRICKBERG: I have --

21 COMMITTEE MEMBER SIMMONS: That's what you said.

22 MR. FRICKBERG: My mind -- sometimes my mouth goes
23 faster than my mind sometimes. We have 06 people -- 06A
24 people, that have 2,000 -- or 4,000 of the hours required
25 towards their 8,000 hour license. They can take -- we

41

1 have many 06As. We have people with 07 and 06s. But
2 under the current law you can take a 06A and count 4,000
3 of those hours towards their 8,000. We can't -- we
4 haven't tried to advance any of those people because our
5 01s -- we don't have enough to do it.

6 COMMITTEE MEMBER SIMMONS: Okay. Well, I go back to
7 my same point again is: You could. If you have people in
8 your business that are qualified to be 01s, they could --
9 you could have one of them become your administrator. Get
10 one journeyman electrician. Start training your people

11 and certify their hours and bring them up through your own
12 business without having to go outside. You could do that.

13 And then that would also negate the issue here,
14 "Well, we need to be able to change disconnects and
15 everything else." Then a company your size, especially,
16 could have a couple of 01 people that take care of those
17 emergency situations and go do that. You keep saying we
18 couldn't. We couldn't. Well, yes, you could. And the
19 law allows that right now. If you want to be able to do
20 all that work you could then have those people do pretty
21 much anything that you want them to do.

22 MR. FRICKBERG: We can. Let me correct myself. We
23 could.

24 COMMITTEE MEMBER SIMMONS: Okay.

25 MR. FRICKBERG: A company our size could. A company

42

1 of five people may not. We do have people that can -- and
2 they do change disconnects. We have 07s. They're legally
3 able to do that. We've filled out the proper permits for
4 those. We do have an 01 administrator. The work that you
5 have to have, we don't have the 01 work that -- maybe I
6 need some better training on this -- but we're not going
7 out and pulling permits for the full buildings to get the
8 hours to legally document the hours of 01 work. We could
9 have them ride around with an 01, yeah. But they're going
10 to be doing HVAC work -- probably 85 percent HVAC work and
11 a little bit of 01 work. So it's difficult.

12 CHAIRMAN PHILLIPS: I'd like to clarify then what the
13 proposal is and that is -- what I'm hearing -- is that
14 this proposal would allow the installer to replace any of
15 the conductors, equipment, conduit associated with the
16 HVAC system provided that that circuit is not -- the
17 characteristics of the circuit are not changed. So if
18 it's EMT, it stays an EMT. If it's No. 8 copper, it goes
19 back to No. 8 copper. That is if you install a
20 replacement equipment that drops 30 amps with a piece of
21 equipment that drops 40 amps, you will then have to have
22 an 01 licensed person come in and install the new
23 conductors.

24 MR. FRICKBERG: Correct. And typically, in the
25 wording -- we need to discuss the wording -- I don't think

43

1 our industry is going to be going out after the ought,
2 double-ought wires or larger. Typically the industry is

3 dealing with 50-, 20-, 30-, 40-, 50-, 60-amp circuitry.
4 When -- I can't speak for the rest of the HVAC
5 industry, but my background -- I've worked with the full
6 service panel in my own personal residence 25 years ago.
7 I know how to do it. And I've done it 30 years ago when I
8 was an electrician down in California.

9 But when you start to get into the bigger wires for
10 our industry the majority of us are out of our league.
11 And so when you start talking about that extreme, you're
12 probably going have people that's not been -- want to deal
13 with it. But you want to make sure that you don't have
14 people --

15 CHAIRMAN PHILLIPS: But you may have people that do.
16 And so the proposal would allow these installers to
17 install -- or I should say reinstall -- all of the wiring
18 methods in the NEC, which there is a large variety of.
19 And that's one of the reasons I think you need an
20 8,000-hour training because of all the different
21 configurations and varieties that person is going to run
22 into.

23 And my concern is how are you going to get that
24 training in 4,000 hours to be able to install, or
25 reinstall, all the different options that might be out

44

1 there?

2 MR. FRICKBERG: The 07 doesn't require an 8,000-hour
3 course and they're able to replace that. What's the
4 difference between the requirements of an 07? Or what's
5 the requirements with the well drillers or the -- I can
6 name all the different specialties if you'd like.

7 So we're not looking to make it more difficult.
8 We're looking for quality. We don't want to have the bar
9 so high that it's impossible to achieve this. We respect
10 the safety. We respect the 01 knowledge. I, personally
11 myself, just spent this last weekend getting my continuing
12 education hours. I had eight already on the books and I
13 had to get 16 more. I spent 16 hours over this last
14 weekend and part of it was eight hours on NEC code
15 updates. It was 100 percent -- well, probably close to
16 100 percent of it was 01's world, reviewing the 01 world.
17 There's a lot of knowledge there. There was many things
18 that I knew. There was many things -- I learned some
19 things, but I'll never apply them.

20 CHIEF FULLER: I guess you kind of asked a question
21 there and I think the Board is probably not -- the

22 committee members aren't the right ones to answer it. You
23 asked a question about why isn't 4,000 hours okay for this
24 specialty that you're proposing because it's okay for all
25 other specialties. And I think the difference is, is what

45

1 you're proposing is a new and an existing. Right now your
2 specialty for 06A is primarily predicated on installing,
3 repairing, and maintaining the HVAC system. Period.
4 That's new installs, repairs, whatever you want to do to
5 it. And yes, that's 4,000 hours and that's probably
6 appropriate.

7 When you're into the 07s, those people -- even though
8 it looks like they're journeymen wiremen, they're not.
9 They have to put it in exactly as they took it out. They
10 can't deviate. They can't do anything different.

11 And what you're asking to do is to do all of your new
12 stuff and do what they do and do a little bit more because
13 you want to do some of the outside line work that you
14 haven't been able to do in the past. And to me that's not
15 a 4,000-hour specialty anymore.

16 MR. FRICKBERG: 07 is a 4,000 hour. 06A by law was
17 originally 2,000 hour or is -- by statute is 2,000 hours,
18 but it was negotiated in lieu of the hours several years
19 back. The 02 is 4,000. The newly designed well drillers,
20 I believe, is 4,000.

21 CHIEF FULLER: Well drillers hasn't changed. The
22 statute does not limit specialties to 4,000 hours.

23 MR. FRICKBERG: Excuse me?

24 CHIEF FULLER: There's no limitation for hours on
25 specialties. We could have a 20,000-hour specialty if

46

1 that was appropriate.

2 MR. FRICKBERG: The minimum was 2,000 hours, minimum
3 hours required.

4 CHIEF FULLER: That's the minimum. But if you look
5 at those specialty scopes of work they're extremely
6 limited. You're asking for something that's more than a
7 07 here, more than a 6A.

8 MR. FRICKBERG: No. Maybe we're missing in our
9 delivery here. We are not intending to ask for more than
10 an 07. We're asking for the elements of 07 --

11 CHIEF FULLER: Are you asking for more than an 06A?

12 MR. FRICKBERG: We are redefining 06A to include the
13 attributes. The precedent was set here several years ago

14 that the 06As were able to do 07 work by the
15 grandfathering that was put into place. And there was a
16 substantial amount of people that took that. We don't
17 need -- we don't need full rights of an 07. We don't need
18 to go and be able to change circuitry in a hospital,
19 change out anything that's in a building. You've given it
20 to some of the people that grandfathered. We're just
21 trying to set the 06A back into its proper form.

22 CHIEF FULLER: And that, I guess, is where we're all
23 struggling because the proposal that's for a new specialty
24 and that's technically what we're here to hear I suppose.

25 But if you're really looking for an expansion of

47

1 scope, maybe the process was started the wrong way. And I
2 think that's what we're struggling with because now, you
3 know, I'm getting the feeling and I think some of the
4 other Board members are too, is that we're looking at a
5 new specialty that does different things than the 6A. And
6 when we look at what your intent -- what you say your
7 intent is and what you write, that's clearly more than an
8 06A. So is what you really want here an expanded 06A or
9 do you want a new specialty?

10 MR. FRICKBERG: If you gave us the 06A, expanded it
11 with the intentions that we have here and with or without
12 the minimal testing, if you just said, "Okay. You can
13 change the disconnect or you can change the breaker," you
14 get rid of the three-floor rule, took down some of these
15 barriers, I'm fine with an 06A and no further expansion
16 into a specialty. The reason we're looking at the
17 specialty is there -- we are trying to anticipate your
18 concerns over the qualifications. That's one of the main
19 reasons. We're fine with an 06A as long as it's expanded.
20

21 CHIEF FULLER: Okay. So you're fine with an 06A as
22 long as it's expanded. But so far I see no expansion of
23 requirements. So you're asking for a scope expansion with
24 no more responsibility.

25 MR. SMITH: The expansion is -- I guess I'm not

48

1 agreeing with you. You can do a control if it's inside
2 the box, but you can't do the control if it's outside the
3 box -- outside the room, I'm sorry. Same control, same
4 circuit, same circuit characteristics, same everything.
5 We have a scope of work that is artificially limited in

6 order to meet the customer's needs.
7 And if you have an HVAC problem you generally don't
8 call an electrician because you don't know what the
9 problem is. The air conditioner doesn't work and that's
10 not electricity in most people's minds. It's something to
11 do with the compressor over there and that other thing
12 outside. And you call somebody that knows how to work on
13 that. I work on the air conditioning unit that has
14 refrigeration in it and it might have pneumatics in it and
15 all that. Ols aren't trained in that. So you call a
16 person that's supposed to know that complete system. That
17 person comes in and starts working on the system and finds
18 out, by golly, it's not the refrigeration but it's
19 something electrical.
20 At that point the consumer would like me to fix it.
21 And the current law is too limiting in many cases for them
22 to do the work. So the consumer is sitting out there
23 inconvenienced, not able to solve their problem, has to go
24 find somebody else. And now we have the consumer with two
25 people to say, "Gosh, something's wrong with my system."

49

1 And they all point at one another and say, "Well, it was
2 his problem." And the other one says, "No, it was what he
3 did." And the consumer is left in the lurch.
4 We're looking for a law in the state of Washington
5 that works. We're all running around a bunch of semantics
6 here today. We're trying to get a law that works in the
7 state of Washington to serve the consumers. We have to
8 have a law -- whether it's an expanded scope or a new
9 specialty. We're trying to accommodate you folks.
10 But there is a problem out there. And the problem is
11 the consumer is getting the run around because of the way
12 the existing laws are written. And we all -- we're taking
13 our responsibilities seriously and I believe you are, need
14 to find a way to solve that. Now we can get stuck in the
15 semantics, "Well, maybe you should have approached it this
16 way or should have approached it that way." Really the
17 issue comes down to are we going to solve the problem or
18 not. We're here to say that we want to help solve the
19 problem. And I'd like -- I know the proponents would all
20 like to work with you to do that. Nobody is saying,
21 "Gosh, you know, let's let these guys wire everything."
22 That's not what we're asking for.
23 COMMITTEE MEMBER PREZEAU: It is what they're asking
24 for -- if you read this -- in my interpretation, this

25 proposal.

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1 MR. SMITH: That's your interpretation. That's not
2 what they're asking for. And they've explained it several
3 times. They want to change the characteristics but if
4 there is a bad conductor do we say, "I'm sorry. Until we
5 find an electrician, you're out of business. Your HVAC
6 system won't work."

7 Our job, I think, in these meetings is to meet the
8 needs of the consumer. And we can do that in a number of
9 different ways and I'm eager to help you get there. If,
10 in fact, we want to get there, I guess, you know, we
11 tried. Beyond that, we're here to help clarify what the
12 intent is. If there's some words that aren't correct,
13 we'll change the words. But let's try and focus on what
14 the real goal here is and that's to meet the needs of the
15 customers.

16 CHAIRMAN PHILLIPS: All right. Thanks. Mary Ann,
17 could you use a break?

18 THE COURT REPORTER: Sure, if you'd like to take one.

19 CHAIRMAN PHILLIPS: Why don't we take a 15-minute
20 break. So let's start back again at 10:30. Thank you.

21 (Short recess.)

22

23 Committee Discussion

24

25 CHAIRMAN PHILLIPS: I'd like to call the meeting back

51

1 to order. So at this point we can discuss amongst
2 ourselves, see if we have any comments to make and we can
3 certainly at any time ask for additional clarification
4 between the members and the audience. Or we can go into
5 the public testimony portion right now and then have some
6 internal committee discussion. So any preference from the
7 committee members on that?

8 COMMITTEE MEMBER SIMMONS: Well, I would -- and I see
9 Karen and Mike and everybody is not in here yet -- Gary --
10 oh, Mike's here. I think that they need to clarify what
11 our goal is in this because to me it has become very
12 muddled here. I don't know exactly what they're after.
13 There is Mike and Gary right now. Unless somebody here on
14 the panel can tell me exactly what we're trying to
15 accomplish here. Can somebody do that?

16 CHAIRMAN PHILLIPS: Well, what I got out of this was

17 their proposal was to expand the scope of their work under
18 the 06A either by creating a new specialty -- being an
19 06C -- or to expand the current 06A. And the major
20 expansion would be to clarify -- go beyond what the
21 current WAC says -- but to clarify that this specialty
22 whether it's an 06C or an expansion, can replace all
23 equipment, conductors, conduit, all wiring associated with
24 the HVAC system. So right now, the way I understand, it's
25 limited to -- depending on how you read it -- either on

52

1 the load side of the disconnect -- the way I read it if
2 it's protected by an additional over-current protection or
3 is limited to the six-foot whip. This would expand that
4 to pretty much anything going back to the service provided
5 that the characteristics of that circuit are not changed.
6 So if I missed the boat, you might want to clarify that
7 briefly.

8 MR. SMITH: Mr. Chairman, I think that you've done a
9 good job in explaining that it could be either a new
10 specialty or an expanded 06A specialty. The idea behind
11 it -- and I don't know how you do this -- and Mr. Fuller's
12 an expert at writing this kind of stuff. It is not the
13 desire to go in there and completely rewire the HVAC
14 system in a building. But if you find -- and here's the
15 nuance -- if you find a problem in something that's
16 running that HVAC system that is making it so it won't
17 work right, we need to be able to fix it. We're not
18 saying, "Gosh, let's go in there and pull all the wires
19 out and put all brand new wires in just for sport." But
20 the consumer -- that's where I come from. I represent
21 more consumers than I do HVAC people. Okay?

22 The businesses that I represent rely on their HVAC
23 systems so their business stays open. When they need
24 somebody to come out and fix the system, they want to be
25 able to have somebody come out and fix the system legally

53

1 and solve the problem, not end up with two or three
2 different people.

3 So if we need to clarify that it doesn't mean that
4 you tear out all the wires, put all the wires back in --
5 which an 07 can do -- I'm sure the proponents can go along
6 with that. I don't know exactly how to word it. And
7 again, Mr. Fuller is an expert in this. Our goal here is
8 to try and communicate with you what the intent is. I

9 think the intent is pretty clear. I've tried to explain
10 it. Are you clear on where we're were coming from?
11 COMMITTEE MEMBER PREZEAU: Gary, just say your name
12 again for the court reporter.
13 MR. SMITH: Gary Smith. I'm sorry.
14 CHAIRMAN PHILLIPS: The statement I made, was that
15 accurate?
16 MR. SMITH: The nuance is this: Is being able to
17 change out all the conduit and all the conductors and
18 all -- that's not what they're -- they're trying to run
19 the system. They're not trying to completely rewire the
20 system. So if there's something bad, you can fix it. If
21 the low voltage wire is bad, somebody's crimped it -- a
22 forklift has come by and they hit it with a pallet and
23 they've crimped the wire and it's no longer conducting.
24 They have to be able to replace that.
25 CHAIRMAN PHILLIPS: Okay. So I don't know how you

54

1 can accomplish what you're saying without allowing the 06
2 to do what I said, which is to replace all of those areas
3 that potentially could go bad.
4 MR. SMITH: The way you'd probably do it is define it
5 has become defective or damaged or something. So we're
6 not saying, "Gosh, just go willy-nilly and rewire an
7 entire system." Does that make sense?
8 CHAIRMAN PHILLIPS: Okay.
9 COMMITTEE MEMBER TRICARICO: But we're not talking
10 just about repair. We're also talking about retrofits,
11 correct? Which is a completely different scenario; is it
12 not?
13 MR. SMITH: The triple -- and I can't remember what
14 she said -- it's a triple-something system. You can't
15 repair the system because there's no parts for them
16 anymore so you have to replace them. They don't make it
17 anymore. So we have to be able to take the customer and
18 say, "Gosh, in order to get you back with an HVAC system
19 you have to have a different system." Now, the line
20 characteristics of that circuit should not change. We're
21 not suggesting that if you've got, you know, a 4,000 watt
22 load or 20 amp or 30 amp circuit, that you expand the load
23 on that. That's not what this is about.
24 COMMITTEE MEMBER TRICARICO: But anything that the
25 scope of work expanding to allow you to do on a repair

55

1 would also allow you to do on a brand new installation,
2 correct?

3 MR. SMITH: But it was specifically it would not do
4 the initial installation of line voltage. It's very
5 clear. That's their position. That's how I understand it
6 and they've been very clear about that all along. They're
7 not trying to install line-voltage original installation
8 at all. They don't want it on the conduit. They don't
9 want it on the cables and the conduit. They don't want to
10 put in all the switchgear. That's not what they're
11 proposing.

12 COMMITTEE MEMBER TRICARICO: But if your forklift
13 hits conduit and ruins the conduit, you want to be able to
14 replace that on a repair visit, correct?

15 MR. SMITH: Probably so.

16 COMMITTEE MEMBER TRICARICO: Right. So that would be
17 in the scope of work. So then we also would -- you'd want
18 to do that on a brand new installation also. It would
19 also be your scope of work in a brand new installation.

20 MR. SMITH: We are not proposing original
21 installation. No.

22 COMMITTEE MEMBER TRICARICO: So then this scope would
23 be specifically for repair?

24 MR. SMITH: Yes. Yes.

25 CHAIRMAN PHILLIPS: Or replacement?

56

1 MR. SMITH: Or replacement, maintaining. I mean all
2 those words are in it. The word "install" may be
3 necessary because the new equipment requires installation
4 into the low voltage wire.

5 CHAIRMAN PHILLIPS: Right. I think that --

6 MR. SMITH: We're not talking line-voltage, we're
7 talking low voltage.

8 CHAIRMAN PHILLIPS: For the purposes of this meeting
9 I think my statement is best that will fit for now. I
10 understand that there may be little nuances but we need to
11 ask questions. We need to take testimony, and it has to
12 be based on some kind of a general consensus of what your
13 proposal is.

14 And I think that's what it should be is that you're
15 asking for the ability to replace conductors, equipment --
16 all conductors and equipment -- wiring components
17 associated with an HVAC system -- not the original
18 installation, but to replace it with the caveat that the
19 conductors and conduits have the same characteristics of

20 the original installation.

21 CHIEF FULLER: So kind of tied to what Fred just said
22 and Tom both here -- and it may take Mike or somebody to
23 answer this one -- but I think because of what we do and
24 the worst-case scenarios: A forklift runs into the
25 conduit, yanks it off the wall. When it does that it

57

1 yanks the conductors with it, pulls them out of a 1200 amp
2 panel board, pulls the busing on that panel board out,
3 pulls the panel board off the wall too. Now, we've got
4 the conductors going back to a 1600 amp service that are
5 also damaged. How far are you going to go?

6 MR. SMITH: I think the proposal was pretty clear.
7 You go back to the first breaker in the box. If the box
8 is damaged, if the bus bar is damaged, it's way beyond the
9 scope of this.

10 CHIEF FULLER: I don't think it says that anymore.

11 MR. FRICKBERG: I've been told to speak up here a
12 little bit, so forgive me. It's not -- if that particular
13 scenario that you just described is not what I personally
14 would interpret as an interruption in the circuit due to
15 normal use, wear and tear, or minor damage. The repair
16 would be major damage and in our shop we would be
17 referring that off to an electrician to do the repairs for
18 that major of a situation. I think what our intention is,
19 is when there are just easily repairable minor things that
20 are interrupting the volt circuit.

21 COMMITTEE MEMBER TRICARICO: Right. But to that
22 point the words that are written to the scope of the work
23 is what's going to matter, not your intention that we
24 would normally ship that out to an 01 contractor. If you
25 are written into the scope that you have the ability to do

58

1 the work, then we have to view it as you have the ability
2 to do the work, period.

3 MR. FRICKBERG: We're here to create the dialogue, to
4 define the scope that works for both of us, for both
5 industries and for the department. The intention is,
6 again, to open up the industry not beyond the department's
7 comfort or the 01's world of comfort, but it's for the
8 reality of our industry.

9 Sometimes the word "install" is appropriate. Use an
10 example of refrigeration which comes under the HVAC/R, the
11 refrigeration. There are times that you may need to go

12 out, you've got a walk-in box -- whether it's a small one
13 or whether it's a food warehouse -- that needs a simple
14 fan cycling control device added to it to deal with
15 extreme weather conditions. Now, we can do that
16 mechanically through the refrigeration pipe which involves
17 no electricity, or we can do it with an electric switch
18 that goes off temperature or pressure. That creates a
19 modification or the installation of a fan cycle switch and
20 you have to rewire that device. We know how to do that.
21 So from that standpoint, if we didn't have the word
22 install we wouldn't be able, technically legally, to do
23 that I don't believe. So it's -- where do we draw the
24 line? Well, we're hear to talk about it.
25 COMMITTEE MEMBER PREZEAU: So here's what's running

59

1 across my mind: Is a -- and I, you know, Gary Smith made
2 a comment earlier about we're here to solve a problem and
3 I agree with you. And we're also here to solve a problem.
4 I want to be very clear on that. And I can tell you one
5 way right now that you can solve probably a significant
6 portion of this problem -- and there's a specialty that
7 already exists in the current licensing structure that
8 will solve probably, especially for smaller shops, it will
9 solve the problem 100 percent.
10 And there was a gentleman at the June 21st meeting
11 that said that he does residential retrofits exclusively,
12 but for some reason he thought that he needed to have an
13 01 license to repair or to replace a circuit breaker in a
14 panel in a residential setting. That is not true. You
15 can get an 02 specialty electrical journeyman's license
16 and you can do -- perform any electrical work in a
17 residential occupancy, whether it is a single family
18 dwelling, a multiple family dwelling, as long as that
19 structure is three stories or less above grade. And
20 there's a reason for that limitation, because once you get
21 greater than that then the systems become more complex.
22 But as far as I'm concerned you would not need an 06
23 license, an 06B license, an 07 -- 07 wouldn't apply
24 because it's nonresidential maintenance. But if you get
25 an 02, if you have a contractor that's set up to be an 02

60

1 contractor and even though all you want to do is HVAC work
2 in a residential setting, that covers your entire basis
3 and it's a 4,000-hour specialty. So I think that needs to

4 be considered.

5 Additionally, I know from the JLARC study that there
6 are over a thousand contractors that are registered to do
7 HVAC/R work. Right? A little over half of them are
8 registered as either specialty electrical contractors or
9 electrical contractors. So the balance of those are not
10 even registered as an electrical contractor, which is --
11 which would be the case for one of two reasons. One is
12 they actually perform work on HVAC/R systems but they
13 don't do any electrical components. Or they do electrical
14 work on HVAC/R components and they do so illegally right
15 now. And that's just under half of the industry.

16 So that's the piece that I don't understand is we're
17 talking about that this electrical work is integral --
18 which I believe it is -- but I'm confused by why half of
19 the contractors that are registered aren't electrical
20 contractors if that's the case. And if they are doing
21 electrical work then it tells me there's a significant
22 problem in this industry. That's how I interpret that and
23 I'd like to get some comments from the other Board members
24 on that issue specifically.

25 CHAIRMAN PHILLIPS: At this phase we're just going to

61

1 talk as a committee and if we feel we need some response
2 from the audience, we'll ask for it. If you have comments
3 based on what we're saying, please save them for your
4 public testimony portion. Any response then to Tracy's
5 comment?

6 COMMITTEE MEMBER SIMMONS: Well, I think that
7 certainly only half of their industry is licensed as
8 electricians. They have the right and the obligation to
9 be licensed since ninety --

10 COMMITTEE MEMBER PREZEAU: '98.

11 COMMITTEE MEMBER SIMMONS: '98. That's a long time
12 for only half of them to be licensed. And I am sure that
13 they are at least installing thermostat cables and doing
14 reconnections and a huge part of them are not licensed.
15 That's a significant problem that this industry needs to
16 deal with. And I have a real challenge with that trying
17 to -- on one hand they're asking for -- okay, you want
18 more rights to be able to do more things. On the other
19 hand going, "Well, we're not going to police our industry
20 and we're not going to make them become licensed and fit
21 the existing laws."

22 I also would like, you know, ultimately to find

23 out -- this proposal I think was done poorly in my
24 opinion. And trying to grapple with what this -- what
25 they're really asking for here -- Tom had a good

62

1 explanation of it and I think that fits at this point in
2 time.

3 And I'm really questioning how we can comply with
4 what the industry wants in licensing and not step on
5 existing toes, which is really a huge challenge because
6 there is, as we said before, many ways -- and Tracy just
7 brought up another one: Become an 02 person if they want
8 to do residential work. There are many ways existing for
9 the industry to comply and be able to do what they want to
10 do without creating another specialty.

11 And I'm just really, really, really hesitant to move
12 forward on any of this to be honest with you or recommend
13 that we move forward with it. One, I don't see a
14 justification for it; and two, it just seems very poorly
15 done. Well, we can change the way this is all written and
16 the way this is all applied. Well, then maybe we need to
17 do that before we start moving forward because I have a
18 very, very large concern with the way this is written and
19 the way this is being done at this point in time.

20 CHAIRMAN PHILLIPS: All right. But I would like to
21 move forward with it. And I understand that the proposal
22 written may not be worded in the way that we'd like as far
23 as feeling there might be some contradictions in it, but I
24 think we did get -- understand what the intent is. And at
25 least we can go on the premise of what the intent is and

63

1 that is to allow the replacement of all the HVAC equipment
2 and conductors within the HVAC system.

3 So if we use that as a basis for the testimony coming
4 up, I would use that for the basis. And if the committee
5 members use that as the proposal, be it a new specialty or
6 an expansion of the 06 specialty, that is the same
7 proposal. And so we'll just try and work this out
8 philosophically as far as what the committee should
9 recommend back to the Board.

10 COMMITTEE MEMBER PREZEAU: Well, and if that's the
11 assumption, which certainly is a significant step in
12 narrowing the scope as I originally -- scope of work as I
13 originally understood it. It's still, in my opinion, a
14 huge increase in the amount of work that this individual

15 holding this license can do when you compare it to an 06A
16 license. And the reason -- and an 06 license -- and the
17 reason for that is, in my opinion, is this specialty --
18 and it's written this way and the 06 is written this
19 way -- 06A, excuse me is written this way -- it's not
20 limited by voltage phase or amperage. And I know that
21 Mike Frickberg said, "Well, we would" -- it's not in the
22 scenario that Ron described, which was pretty substantial
23 installation -- "That's not something we would be looking
24 at doing."
25 But what I hear and what I heard when you asked for

64

1 clarification was so this is replacement of all
2 conductors, conduit components, whatever, of an entire
3 HVAC system. That still to me is a huge, huge piece
4 because not every HVAC system is a heat pump or is small.
5 There are -- and nor is it limited -- there's other
6 systems involved with this and I don't know if this piece
7 is going to stay, this "repair, replace, and maintain
8 integrated building control systems including associated
9 conductors that also control HVAC systems." Well, this is
10 getting -- you're getting into fire alarm. You're getting
11 into -- potentially you're getting into other coordinated
12 systems.
13 But to go back to the repair and replace all
14 conductors, conduit in an entire system, this is not
15 necessarily a half-inch piece of conduit that's coming out
16 of a single phase panel with a two-pull 30-amp breaker.
17 These are, you know, conceivably can be huge
18 installations. And I, for one, worked on a -- as an
19 electrician worked on a paint hanger for a C-17 -- for
20 C-17s at McChord Air Force Base. And I know that
21 everybody is probably at some time in their life has been
22 in an auto body shop and seen what kind of duct work and
23 what kind of equipment is contained just to -- you know,
24 in a building where you paint cars. Well, imagine what it
25 looks like -- what kind of equipment you're talking about

65

1 when you're painting C-17 airplanes. These are huge, huge
2 pieces of equipment with large conductors that are --
3 large feeders.
4 So I still, even though I know that Mike said, "Well,
5 that's not what we would really be looking at." Well,
6 that's what -- even if you pare this down and it says

7 we're not limited by voltage phase or amperage, but what
8 we really want to do is replacement of all conductors,
9 conduits, and components within that HVAC/R system, that,
10 still to me -- but -- and with no additional on-the-job
11 training requirements like Ron said. You know, I agree
12 with Ron. It's a significant increase in the scope of
13 work without any increase in the amount of training.

14 And the potential is there -- and I appreciate Gary
15 Smith's comments about it's about the consumer, it's about
16 public protection. And I agree with him on that, which is
17 why I think that I have a significant problem with that
18 scope of work, if you're not going to have any increased
19 training requirements.

20 Additionally, there's nothing on here that talks
21 about -- it does contain the language that restricts
22 installation in hazardous locations, but it does not
23 address places of assembly, institutional situations,
24 hospitals, where these situations are more complex again.
25 And if our job is to protect the integrity of the

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1 electrical industry, I have a problem with the scope of
2 work that we're -- the intent of the scope of work and the
3 on-the-job training hours.

4 You know, additionally, it was pointed out in the
5 June 21st meeting with Trista when she gave the
6 department's presentation it is the department's policy to
7 accept all hours worked for an HVAC/R contractor towards
8 the current specialties as they exist today. So there's
9 no -- there's no guarantee, as the JLARC study pointed
10 out, that an individual working for XYZ Heating and Air
11 Conditioning that is accumulating hours towards their
12 ability to sit for either an 06A or an 06B exam -- there's
13 no verification that they're actually performing
14 electrical work that would teach them or train them, allow
15 them to do the scope of work they have right now, let
16 alone increase it again.

17 And the other piece that I personally have been
18 thinking about when I prepared for this meeting -- and I
19 did have the luxury of participating in the task force,
20 the HVAC/R Task Force meetings and participating in
21 legislative negotiations in the last session down in
22 Olympia -- I completely lost my train of thought.

23 CHAIRMAN PHILLIPS: Well, if something comes up I'm
24 sure you'll have the opportunity.

25 Any other comments from the committee? Would we like

1 to move on then to the public testimony, public comments?
2 Ron, you want to mention we did receive one written
3 comment.

4 CHIEF FULLER: Yes. We received a letter from Anbgar
5 Corporation, A-N-B-G-A-R, signed by Todd Kunzman,
6 K-U-N-Z-M-A-N, general manager. And I'll just summarize
7 in that he supports the proposal. And we'll be posting
8 this letter on the committee website so it's available for
9 the public to see.

10

11 Public Input

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13 CHAIRMAN PHILLIPS: Thank you. I think we have about
14 15 people signed up who want to speak so we'll start now
15 and just see how the time goes. We'll assess the
16 situation at 11:30. We'd like to limit all the comments
17 to five minutes per person. And the first person on the
18 list is Mike Frickberg. Do you want to come on up give
19 your comments?

20 MR. FRICKBERG: Seems like I'm dominating the floor
21 here. Mike Frickberg. I pretty much covered many things.
22 I'll make this brief. There are many things that we have
23 talked about here and just to make a note here, there is a
24 section there under the Section 500 under explosion
25 classifications.

1 COMMITTEE MEMBER PREZEAU: Hazardous locations.

2 MR. FRICKBERG: Hazardous locations, excuse me.

3 What I've heard here today and the last -- last time
4 we met, you talked a little bit about the legislation that
5 was being -- attempted to be implemented this last
6 session, in previous sessions. I, as well, have been in
7 every one of the meetings, every one of the submeetings.
8 I was the consumer chairman of that committee. I'm not
9 trying to talk as much about that but there is a
10 commonality between all of these. This is -- seems to be
11 like pulling teeth to try to get movement. I've seen some
12 in this meeting. Last time, I saw some movement. And I
13 would like to encourage that. I started to personally
14 sense here -- forgive me if my interpretation is wrong --
15 but my perception is I started to see when you started
16 discussing amongst yourselves the doors start to close
17 again with lots of justifications why. If I'm wrong I

18 apologize, but that's what I was hearing. I don't want to
19 slam the door on this.

20 This is something that we're going to continue to
21 come back and talk about, not trying to take over new
22 areas but more in trying to correct something for the
23 industry.

24 We've talked about half the contractors not being
25 licensed. I'll allow the fact that maybe that's possible,

69

1 but I don't think that's quite -- I won't say it's not
2 true but I'd have to verify that for myself. I guess I
3 just need to go back and look at that.

4 The thing that I would like to see and what our
5 association would like to see is how to make this more
6 realistic for the contractor so it inspires cooperation
7 amongst the community rather than separating us all and
8 creating this animosity -- or maybe animosity is the wrong
9 word -- but this friction that we seem to be having from
10 the industry.

11 We're attempting to try to do something good for the
12 community for Washington State and for the contractors.
13 We respect the different worlds, the 01's world and the
14 06A's world, as well as the 02's world. Just don't shut
15 the door. Let's keep it moving. That's all we're asking
16 for. Let's keep the dialogue going. Thank you.

17 CHAIRMAN PHILLIPS: Thank you. Karen Peacey.

18 MS. PEACEY: Karen Peacey, Washington State HVACR
19 Association. First, I want to address why we came to the
20 Electrical Board with our petition to begin with. Maybe
21 some of you are not aware of that. I, too, participated
22 in the task force that -- well, I have been participating
23 in the WAC renewal and changes since the very initiation
24 of them as myself and two others had actually brought the
25 issue to the forefront of Janet Lewis back in the day

70

1 because we were fined because we were installing our
2 stand-alone smoke duct detectors. When I received a
3 \$3,000 fine for installing that and two other contractors
4 had received the same thing, we went to an Electrical
5 Board inspector training meeting.

6 And it was at that time that this kind of mushroomed
7 from there. We needed something for our industry to
8 actually grow upon.

9 And during the last task force committee we were in

10 negotiations in Olympia. We were asked by the task force
11 committee, which included Patrick Woods, to not discuss
12 this topic within that arena, that if we wanted something
13 changed we had to petition the Electrical Board to make
14 that happen. That is exactly what we did. So we went
15 from that direction with the petition to the Electrical
16 Board and that brought us to where we are today, just to
17 add some understanding.

18 I do want to address one issue. With the individuals
19 that are not licensed contractors, legally licensed within
20 the Electrical Department, we really need to concentrate
21 on our jobs. We do report into the department for
22 individuals that we know of, but we are not the Labor and
23 Industries police force on that issue. Labor and
24 Industries, if they are a licensed contractor and their
25 license designates a HVAC/R specialty, Labor and

71

1 Industries has the resources to find out if they are
2 indeed an electrical contractor or not or have an
3 electrical administrator.

4 I do agree with Jim Simmons that if you are a
5 contractor you have to run a thermostat wire or you're
6 going to have a motor that needs to be replaced under
7 warranty or some type of issue. So they do have the
8 resources and rather than using us that are actually
9 trying to better the industry and be legal, I think the
10 department needs to work on that issue. Also I don't
11 think that really has a bearing on what we came here for
12 today.

13 We are not in the business of electricians. We
14 became electricians once the licensing went into effect.
15 Our businesses is HVAC. Now, when we talk about HVAC
16 systems, that, to us as a contractor means the outdoor
17 unit, the indoor unit, all the components that are
18 integral to that system. It means our duct smoke
19 detectors, our thermostat, our sensors, our BVT systems,
20 VAV boxes, that is our system. So I think that there's
21 confusion with us writing our language on the system and
22 your interpretation of the system because to us the system
23 is the system beginning to end because that is what we are
24 legally liable for.

25 I think if there's a problem with the integrity of

72

1 the electrical industry -- I know back when the speaker

2 wire individuals became licensed, they were grandfathered
3 in to the 06. I still, to this day, have an issue with
4 that. They're actually dealing with life-safety issues.
5 They're licensed as an 06 to run a speaker wire in a
6 building. They were given that license. They can run,
7 legally under their license, they can run an actual alarm
8 control system. They have no idea what it is. They've
9 never been trained in that. But they were given the 06
10 license grandfathered in. Now that, to me, is a real
11 life-safety hazard.

12 What we want is simply to be able to do the work we
13 need to do for our consumer, which is simply change out a
14 breaker. If the outdoor disconnect is bad, we need to be
15 able to replace that. We're not asking for the world.
16 We're not asking for a large scope.

17 And I do believe a lot of this interpretation is
18 because we view our system as the entire thing. You're
19 viewing the system as the electrical components. And we
20 need to be able to work together on this. And we're not
21 wanting to be 01 electricians. We're not wanting to be 02
22 electricians. We're very specialized in the electrical
23 components we do.

24 We're factory authorized. We have education that is
25 endless out there on the electrical circuitries that we

73

1 use. We have our individuals take testing. They go to
2 classes on the electrical updates. They understand what
3 they're doing. And I think it would actually make the
4 industry stronger and better, not make it worse. And I
5 have no belief that it would hurt the integrity of the
6 electrical industry. I think it would actually enhance
7 it. Thank you.

8 CHAIRMAN PHILLIPS: Thank you. Dana Pieze.

9 AUDIENCE MEMBER: I'll just pass. Thank you.

10 CHAIRMAN PHILLIPS: All right. And Donna Pieze.

11 AUDIENCE MEMBER: Same thing.

12 CHIEF FULLER: Gary Price.

13 MR. PRICE: My name is Gary Price. That's P-R-I-C-E.
14 And I've been involved with these kind of meetings for
15 about five years now. I just wanted to hit a couple of
16 points. When it comes down to the ability to find an
17 electrician any odd hour of the day, the shops that I have
18 worked for in the past they do have emergency calling.
19 It's not that difficult.

20 CHAIRMAN PHILLIPS: Excuse me, Gary. Can you speak

21 up a little bit?
22 MR. PRICE: It's not that difficult to actually find
23 an EL01. As with anybody that's gotten up, it's going to
24 take them just a little bit to get there, but it is
25 achievable. One of the things that I have recognized in

74

1 the five years is it's been constant change, yet the work
2 that needs to be done by HVAC and was called out earlier,
3 that's been the work of the EL01 forever and something
4 that I've participated and quite a few people still do
5 this today. The EL01s doing HVAC industrial side. And
6 probably the best thing we could all do for each other is
7 to recognize that the EL01 and the EL02 really do cover
8 the things. I have electricians that they do HVAC.

9 On the other side, everybody finds a niche. And any
10 one of the HVAC shops, which we represent several, they
11 have either 02s or 01s. It may behoove us to actually
12 realize that we're heading that way anyway. And I have no
13 bones about the fact that the electrical being done by
14 EL01s -- there are nonunion people that are quite capable
15 of doing the work, just like there use union people. But
16 the skills are out there and it really is what the
17 industry needs. It takes the clarity out of it.

18 When we talk about customers, we're talking about
19 people who want something installed and working -- work
20 flawlessly -- for years. But when something comes along,
21 they need somebody who knows how to get it fixed. And I
22 know that somebody may find that a breaker is broken or
23 doesn't work. And they pull it out and that frame may be
24 the right frame for that particular box, but the new
25 breaker may not meet the needs for the load applied to it.

75

1 A little bit of training, I guess.
2 I honestly believe that we have the tools already in
3 place and not proliferate more and more unique
4 classifications because any time you get into the
5 distribution network for power that, to me, is getting out
6 the of range of just studying these maps where you really
7 need to know what you're doing. That's it. Thanks.

8 CHAIRMAN PHILLIPS: Thank you. Brett Olson.

9 MR. OLSON: Brett Olson, IBEW. I'm going to be
10 handing out a little binder of stuff that I have really
11 issues with on this proposal. Some of the things that
12 we'll be talking about -- and I'm going to hand the

13 council the same binder at the same time so I'll have one
14 of my partners hand out the information that I'll be
15 speaking on. But we did briefly talk about JLARC and some
16 of the speaker points that came out of JLARC is they
17 cannot guarantee public and consumer safety because -- in
18 fact, I'll even do quotes here. "We compared the HVAC
19 certification requirements with other specialties
20 administered by L & I. In doing so we found that the
21 current certification requirements do not guarantee that a
22 technician has electrical experience before attaining the
23 special electrical certification." And where that even
24 comes into play, where this joint legislative review
25 committee, JLARC -- which is made up of half Republicans

76

1 and half Democrats -- one of the aides took the EL06A test
2 and passed it. Never been in the industry. And so when
3 we're talking about potentially expanding this scope,
4 we're not even taking care of the scope that's in place.
5 Other things came out of the JLARC: L & I should
6 provide the consumers with assurance that technicians have
7 electrical knowledge before certification. We're not
8 doing that. We're not guaranteeing that that person
9 that's going in front of the testing agency to get their
10 EL06 license, we're not guaranteeing that that guy had any
11 electrical experience at all.
12 Some of the comments that were made that kind of
13 shocked me is they're having a hard time finding an
14 electrical contractor to address an issue for a couple of
15 days. Well, I could tell you right now we have over 300
16 contractors available in King County alone that can
17 address those electrical needs for commercial. We also
18 have an entity called RES, Residential Electrical
19 Services, that goes up and down the I-5 corridor that is a
20 seven-day-a-week, 24-hour-a-day service to meet those
21 electrical needs.
22 Then, talk about the training needs. If you talked
23 about all the industries that are involved with HVAC:
24 Construction electrician, 8,000 hours; low voltage or low
25 energy sound communication, 4,800 hours;

77

1 HVAC/refrigeration mechanic, 10,000 hours; HVAC service
2 technician for sheet metal, 9,000 hours. You're talking
3 over 31,800 hours of people being trained in this industry
4 to do this job properly and correctly. And they're

5 advocating to do this and expand the scope and do this
6 with less hours. I am shocked and appalled.

7 The other issues that drive me crazy on this: We can
8 go to the L & I labor board and they talk about 40,000
9 fires per year. They talk about \$2 billion in total
10 damages per year. You're talking 1400 injuries per year,
11 300 deaths per year, and 44,000 electrical violations that
12 can cause electrocutions, deaths or fires. I am shocked
13 that we're even here today trying to talk about expanding
14 this scope when we're not even policing the scope that's
15 in here.

16 There's another piece of paper that you're going to
17 get with this binder that talks about residential alone:
18 Over 400 electrocutions in the United States.

19 Turn the page. It takes point zero zero three tenths
20 of an amp to kill a person and we not only let these
21 people playing with 48 volts or less, we're now letting
22 them play with unlimited voltage without having the proper
23 training.

24 Turn the page. We get into the trends in the
25 electrical industry. This is a report that came out of

78

1 Pittsburgh. And I'll skip part way down. "Between 1992
2 and 2003, 3,378 . . . remained . . . it the sixth leading
3 cause of injury-related occupational death." They're
4 talking about electricity. Skipping down a little
5 farther. The cause of death was listed as electrocutions
6 which was 99.1 percent of fatal causes. Electricity. Low
7 voltage, high voltage, it takes point zero zero
8 three-tenths of an amp to kill a person.

9 You get into the construction industry. It accounts
10 for 47 percent of all electrical deaths. All electrical
11 deaths. And we're throwing these people into an industry
12 that is very, very dangerous. It talks about
13 additional -- not just about the deaths -- it talks about
14 46,598 workers were nonfatally injured by electricity.

15 So I'm really concerned about expanding the scope for
16 an industry that hasn't stepped up so far on the training
17 aspect. And I really would hope that you guys read
18 through this document that we gave you and actually absorb
19 what we are doing here or potentially going to be doing
20 here in the near future. Thank you.

21 CHAIRMAN PHILLIPS: Thank you. Steve Paris
22 (phonetic).

23 AUDIENCE MEMBER: My concerns have been addressed.

24 Thank you. Pass.

25 CHAIRMAN PHILLIPS: David McFerran, you had a

79

1 question mark on yours. Did you want to say anything?

2 MR. MCFERRAN: Good morning. My name is David
3 McFerran, M-c-F-E-R-R-A-N. And I'm here as a
4 representative of the Construction Industry Training
5 Council under HVAC/R division program. I've been
6 following this closely over the last year and a half and
7 getting involved in issues and there is an issue here for
8 electrical and HVAC whether you like it or not.

9 And my situation is that I have apprentices that go
10 through an 8,000-hour apprenticeship program and we do a
11 lot of electrical work in that. And we do 800 hours of
12 classroom time too. And the work that we do is covered a
13 little by the 07 and the 06. So when these issues were
14 brought up that's when I jumped on board with it because
15 it is an issue because when we train and they graduate
16 they can't do their full scope of work.

17 So we sent down our standards down to the L & I
18 Electrical Department and they approved it for the 06A.
19 But my understanding is that they wouldn't be approved for
20 the 07 and they wouldn't be approved for the 06. So
21 theoretically I can't do my work. I'm looking for a
22 solution to that. Is there a solution that this body can
23 offer to that?

24 COMMITTEE MEMBER PREZEAU: Well, I think that's what
25 we're here to determine.

80

1 MR. MCFERRAN: Well, that's one of the concerns.
2 We're going from one extreme to the other. People don't
3 train. People do train. Serious electrical injuries. I
4 mean, we're jumping all over extremes here. But there is
5 an issue and I think we should deal with it. And this is
6 an opportunity to do that.

7 COMMITTEE MEMBER SIMMONS: Can you clarify for us
8 what the issue is?

9 MR. MCFERRAN: The issue is when my apprentices
10 graduate after their four years of training they can't do
11 their full scope.

12 COMMITTEE MEMBER SIMMONS: What can't they do?

13 MR. MCFERRAN: They can't do the low voltage above
14 three floors. They can't do the conduit to protect their
15 low voltage control wiring when they replace like for like

16 components, electrical components in certain areas. And
17 they are well trained. Thank you.

18 CHAIRMAN PHILLIPS: Thank you. Barry Sherman.

19 BARRY SHERMAN: Barry Sherman of Puget Sound Chapter
20 NECA. S-H-E-R-M-A-N. I think we're all at a disadvantage
21 right now because what we received prior to coming to this
22 meeting is nothing like what the HVAC folks would have you
23 believe that we are here to decide. I don't think it's
24 fair because we've got 12 pounds of expanded scope and we
25 are trying to pretend that it's down to six ounces. And I

81

1 don't think anybody really has a handle on it.

2 That being said, the intent of what happens here
3 today won't mean beans 10 years from now. The language
4 that you approve will. They will interpret the language
5 10 years from now, not the intent. If the HVAC industry
6 has expanded in the electrical world, then maybe they need
7 to become electrical contractors, not expand the scope of
8 what they're allowed to do within the electrical. I have
9 great concerns. With the way it's written, an 01
10 contractor, a licensed electrician, have to install the
11 entire -- most of the entire system, conduits, everything.
12 But for the next hundred years after that an HVAC person
13 can replace it, work on it. And I think it is the only
14 specialty that doesn't have to perform any electrical
15 work. Every other specialty has to. And obviously,
16 because we're busy is not a reason to change the scope.
17 Thank you.

18 CHAIRMAN PHILLIPS: Thank you. Gary Smith.

19 MR. SMITH: Gary Smith, S-M-I-T-H, and I'm with the
20 Independent Business Association. I believe that it's
21 been made abundantly clear at this meeting and previous
22 meetings that there is a need to expand the scope of the
23 06A or create a new specialty to serve the needs of the
24 public in maintaining, repairing the HVAC systems.

25 An example was provided at the last meeting. For a

82

1 part that was less than \$100 a major food facility lost
2 \$160,000 of food because they couldn't get an electrician
3 in time to change the component. There was a case of a
4 breaker that needed to be replaced and an elderly couple
5 was put at risk because of the inability to get an 01
6 electrician to change that breaker when weather conditions
7 were poor. There were many other examples given at the

8 last meeting.
9 HVAC is much more than just electrical. It's made up
10 of four major components. There is a heat source, a
11 cooling source, there's moving of air, and it is a
12 complete system. The system that's in this building
13 operates the entire building or conditioned air space and
14 you can't look at one room as being a complete system. If
15 you look at indoor air quality it has to do with the
16 ventilation and air changes in the entire facility. It
17 has to do with where's the exhaust and where is the intake
18 unit. It has to do with a lot of other components.
19 Electricity is part of all of those facilities, but it's
20 not something that's confined to one room. This system is
21 in the entire conditioned space. Therefore, in order for
22 the people that are in this industry to do their work they
23 have to work on all of the components in the entire
24 conditioned space.
25 The proponents are trying to provide flexibility to

83

1 work with this Board, this committee, to find a solution
2 to the problem. They're here in good faith. I'm here in
3 good faith. But there is a need for fixing the problem.
4 I think the problem is clear. How you define the solution
5 is something that needs to go through a collaborative
6 effort. Now, the Electrical Board and the Electrical
7 Division have a long history of doing this. I have sat in
8 daylong meetings where we go through the WACs word by
9 word, line by line, and words are changed and all that
10 kind of thing. If that's what we need to do, let's do it.
11 This group has got a long history of doing that. But we
12 need to solve the problem.
13 The issue of half the contractors not being licensed,
14 the folks that are here before you today are licensed.
15 They're trying to do everything they can to comply with
16 the law. They're saying there is a problem with the law,
17 the rule. They're asking for a solution. If we have an
18 issue of noncompliance, it isn't the people in this room
19 that are causing the problem.
20 One of the discussions earlier was, well, for a
21 larger firm you all can do -- you know, become an 01.
22 Well, most of the firms in the HVAC industry have six or
23 fewer employees. And they're not in a position to be an
24 01. They need to know about the entire HVAC system and
25 they need to be trained on the entire system. They need

1 an electrical specialty that meets their needs. They
2 don't need an electrical specialty to be able to wire the
3 tallest building in the city of Seattle. They don't need
4 that. They need to be able to do their work.

5 There was discussion previously about doing work in a
6 C-17 paint hanger. That's not covered by this specialty.
7 There are provisions in the specialty -- in the existing
8 specialty, in this specialty -- which I understand would
9 preclude that.

10 There was a comment earlier about the responsibility
11 was to protect the integrity of the electrical industry.
12 I hope you feel your responsibilities to protect the needs
13 of the consumers and the public. That's really the people
14 that the entire law was set up for, is to protect the
15 needs of the public and the consumers. Thank you.

16 CHAIRMAN PHILLIPS: Thank you. Tonia Neal.

17 MS. NEAL: Thank you. My name is Tonia Neal. I
18 represent the Sheet Metal Air Conditioning Contractors
19 National Association here in Western Washington. There
20 are several points that I would like to address.

21 First and foremost the group that's petitioning this
22 body is not representative of the entire HVAC industry.
23 And I'm a little irritated when I stand up here and hear
24 folks say the HVAC industry is unhappy. The HVAC industry
25 needs this. The HVAC industry wants expansion. That is

1 one particular petitioning group. My group also
2 represents the HVAC industry and there are other groups
3 that also represent it that aren't here asking you for
4 additional expansions at this time.

5 With that being said, the JLARC report -- and I know
6 it's been referenced several times here -- the JLARC
7 committee and the staff that was writing the JLARC report
8 had some recommendations and they actually went out and
9 surveyed the companies in the HVAC industry. And so I'm
10 not going to stand up here and tell you I represent the
11 entire industry because I don't. And I think it's
12 probably inappropriate for anybody else to do that as
13 well.

14 When JLARC came before the HVAC industry and said,
15 "What are your needs?" They wrote back and they did a
16 survey and I'd like to read exactly what it says. It
17 says, "79 percent of contractors who they interviewed are
18 satisfied with the current scope of work allowed for the

19 06A and B. However, 21 percent feel that it is too
20 restrictive to meet their customer's needs."
21 The people -- the contractors that they interviewed
22 were a combination of small, medium, and large firms.
23 Eighty-six percent of the large firms found that the
24 certificate scope was sufficient compared to 79 percent of
25 the medium firms, and 73 percent of the small firms. I

86

1 would like to tell you that the contractors that I work
2 for, they have OIs on staff -- not all of them -- but we
3 are sufficiently doing our work. We are sufficiently
4 working within the guidelines that are currently laid out
5 by this body as well as the rest of the state of
6 Washington.

7 One of the things I heard today was it doesn't sound
8 like -- they quite didn't understand -- the petitioning
9 group quite didn't understand what the scope of work is
10 that they can do under the 06A and B. And going back to
11 that JLARC report -- and again, the JLARC committee was
12 charged with finding out what are the needs of the HVAC
13 industry -- and one of the things that they recommended
14 was that L & I more clearly explain the methodology for
15 training requirements and what the scopes of work are.

16 Instead of expanding and making any changes here,
17 could you please just ask L & I to go back and do what
18 JLARC has already asked them to do and better educate the
19 industry as to what their scopes of work are. And I think
20 that then we might be about to come back a little later
21 and then review exactly what is going on with the HVAC
22 industry.

23 Honestly, I'm going to be one to tell you that I
24 don't want another electrical specialty. My contractors
25 do not another electrical specialty. If we want anything

87

1 at all we want our own structure, our own HVAC industry,
2 to be recognized by the Department as well as the state of
3 Washington. That is what we're proposing through
4 legislation. That is what they refer to when they asked
5 the legislature to look at this.

6 I'm asking you to answer their questions, tell them
7 about their expanded scope and then send us back to the
8 Washington State Legislature to identify exactly what the
9 HVAC industry is representative of and the structure that
10 we can continue to do our work and then we will be allowed

11 to be recognized as a professional industry, as is the
12 electrical industry and the plumbing industry. Thank you.

13 CHAIRMAN PHILLIPS: We have about -- by my estimation
14 about 30 minutes of testimony left. Do we just want to
15 keep going until noon and wrap that up? Okay. Lance
16 Deyette.

17 MR. DEYETTE: Lance Deyette, D-E-Y-E-T-T-E,
18 representing the Sheet Metal Workers Local 66. I was
19 going to talk about the JLARC report also that Tonia has
20 just talked about, the statistics, the amount of satisfied
21 contractors under the existing scope of the 06 the way is
22 now.

23 Since she's already done that I also wanted to talk
24 about the way this petition was written and the amount of
25 time that was spent today on the intent versus the

88

1 language. I don't know that you can change WAC rules
2 based on intent. If we're not sure if we're expanding the
3 scope or creating a new specialty license, we need to
4 figure that out right now before we have more meetings,
5 more meetings, this needs to get done.

6 The other thing -- I don't know how you expand the
7 scope or even create a new scope that entails part of the
8 06 and part of the 07, which are both 4,000-hour
9 specialties, combine that much work and that much
10 knowledge and still have a 4,000-hour specialty. If
11 anything it should be an 8,000-hour specialty if that's
12 what you need to do. If they want a new expanded
13 specialty, it should go to 8,000 OJT. That's all I have.
14 Thanks.

15 CHAIRMAN PHILLIPS: Thank you. Danny Harka
16 (phonetic).

17 AUDIENCE MEMBER: He had to leave.

18 CHAIRMAN PHILLIPS: Larry Stevens.

19 MR. STEVENS: Thank you. My name is Larry Stevens,
20 S-T-E-V-E-N-S, and I represent, as a lobbyist, the
21 National Electrical Contractors Association, Puget Sound
22 Chapter, the Southwest Washington Chapter, and the Inland
23 Empire Chapter. I also represent the Mechanical
24 Contractors Association of Western Washington, basically
25 plumbing contractors who also do -- some of whom also do

89

1 HVAC work.

2 We recommend that you do not recommend a new

3 specialty at this time. I testified before when
4 electrical licensure and certification laws were put in
5 place many years ago. There were a lot of electrical
6 contractors who didn't like it. Didn't like to have to
7 upgrade themselves, frankly, and take tests and pass tests
8 and take training. I wasn't around at that time. Maybe
9 some of you were. I don't know if you were around at that
10 time, but some did. And some contractors, some men and
11 women who decided to follow the law, they did. They
12 basically upgraded themselves, upgraded the industry with
13 that training and with the testing that was required.

14 I think that today, in today's environment, a lot of
15 our contractors have gotten into doing different kinds of
16 work. The electrical contractors have been doing work in
17 air systems and building systems and have had to upgrade
18 themselves to do that kind of work. And our plumbing
19 contractors who do some HVAC work, they've actually been
20 able to follow the law, follow the law that's in place.

21 And we believe we've got a situation right now with
22 the electrical statutes, with the specialties that exist
23 today, that you can bring yourself up to a point where you
24 can, in fact, do the work. Anybody who says they can't do
25 it, it's not a million -- there's a difference between

90

1 willingness and ability. I think they can and I think
2 they can qualify to do the work.

3 I agree with an earlier speaker who said that the
4 testimony that it's difficult to find electricians in this
5 busy time is not a good reason to change statutes or
6 change WAC rules just because it's a busy time right now.
7 Not a great reason.

8 Another witness just testified that they need an
9 electrical specialty to fit their needs. Well, I think we
10 ought to bringing ourselves up and everybody ought to be
11 bringing themselves up to fit the statute that we've got
12 in place right now.

13 So I think that we should not have a specialty change
14 right now. I think that what's available right now for
15 HVAC contractors has been used by our contractors and is
16 available to be used. Thank you.

17 CHAIRMAN PHILLIPS: Thank you. Susan Lantzy.

18 MS. LANTZY: Good afternoon. My name is Susan
19 Lantzy, L-A-N-T-Z-Y. I am a journeyman master
20 electrician. I normally work out in the commercial field
21 but at present I am on a nine-month internship inside of

22 the IBEW union hall. So I want to apologize because I've
23 never even been to a meeting like this. Normally, I'm out
24 installing MC -- 500 MC cables. So I want to apologize.
25 I probably will make some of the words incorrect. I'm not

91

1 really clear about the difference between rules and
2 policies and what is legislated and some of the nuances
3 here, but I do want to bring up just a couple of points.
4 One of the things I really haven't heard addressed
5 here today has to do with -- it was on the back side of
6 the July 5th HVAC/R proposed new specialty. Bullet point
7 number five, and I will read that. One of the things they
8 wanted to include in this new specialty is, "Repair,
9 replace, and maintain integrated building control systems,
10 including associated conductors that also control HVAC/R
11 systems."
12 This is a huge sentence and I don't believe that it
13 was put in there because somebody didn't quite understand
14 the words. This is a well-worded sentence. The intent,
15 to me, is pretty clear. In the binders that this Board
16 was given there is a section that talks about integrated
17 building control systems. HVAC/R is indeed a part of an
18 integrated building control system. The wording they have
19 here is they want to be able to work on integrated
20 building control systems that also include HVR (sic)
21 components.
22 If we want to look on the section about integrated
23 automation -- that's a new division of specifications
24 that's been developed in the last few years. For people
25 that don't -- I don't know how many people here are

92

1 electricians or in the industry. Integrated -- when you
2 go to a building, a commercial building, you get a set of
3 blueprints and you get a set of specifications. And those
4 specifications are divided into different divisions, like
5 division 16 is electrical I believe. I'm not sure of all
6 the numbers. The plumbing is another division.
7 They've just made a new division for a new technology
8 that is now being developed, division 25, integrated
9 automation. And I've left in your binders -- or we have
10 left in your binders -- what is included in division 25,
11 integrated automation. If you turn toward the second and
12 third pages, you will see integrated automation under the
13 master format -- which is what we use for building

14 specifications -- integrated automation includes control
15 of facility equipment, conveyor belt systems, fire
16 suppression systems, control of plumbing systems, HVAC,
17 control of electrical systems, communication systems,
18 security systems.

19 The way that their proposal is written they want to
20 be able to work on integrated building control systems
21 that may also have HVAC equipment in them. To me, they're
22 talking about division 25 here. And I think they were
23 looking at it when they wrote this. This is a huge
24 expansion of work that, as the Board has already talked
25 about. Mostly the Board though has, I think, talked

93

1 about, you know, the huge -- sometimes these systems that
2 are on roofs of commercial buildings are as big a
3 container you see on these containerships. The Board has
4 addressed that very well. I believe the Board has
5 addressed -- I agree with just about everything you guys
6 have said.

7 I just wanted to point out integrated automation,
8 division 25, also know as IA, is a huge part of our --
9 it's a new part of the industry. It's up-and-coming. It
10 involves the whole building and all of the systems in the
11 building. And I want to be sure that everybody notices
12 the way bullet point five was written here on their
13 proposal.

14 Another thing I would like to address is, as I've
15 already stated when I introduced myself, I am a journeyman
16 master electrician. I put five years into an
17 apprenticeship program. It involved around 800 classroom
18 hours for me to learn to be an 01 licensed electrician. I
19 have heard a couple of the people that are -- I guess
20 proponents is the right word of this new specialty -- I've
21 heard several of them come up here today and say, "Oh, I
22 went to eight hours of CEU classes this year." I'm sorry,
23 but that does not quite compare to my 800 hours, classroom
24 hours, that I had to put in to become an 01 electrician.

25 CHAIRMAN PHILLIPS: Could you wrap this up in about

94

1 10, 20 seconds, please?

2 MS. LANTZY: One other point that's been being
3 brought up today by the proponents of this that they want
4 to -- they are concerned about the consumers. And they
5 are concerned about having to shut down possibly an office

6 building for a day because the systems aren't working. I
7 find this to be a much safer situation -- shut down the
8 office building for a day -- than to install a system that
9 is not being installed by a properly trained person.

10 Thank you.

11 CHAIRMAN PHILLIPS: Thank you. Al Reed.

12 MR. REED: I'm Al Reed. I run my own shop. R-E-E-D.
13 I am currently an 01 electrician and the 01 administrator
14 for my company. I employ approximately five employees.
15 Occasionally, with layoffs we go down to four but up to
16 six. I employ myself as an 01 electrician. I employ two
17 02 journeymen electricians, two 02 trainees, one 01
18 trainee, and one full-time office person. And I make my
19 living doing the type of work that this proposal would
20 eliminate.

21 I work for several different HVAC contractors and we
22 have developed a relationship. And we do primarily the
23 service-type work, replacement work, with trained people
24 who have high knowledge background of not just to be able
25 to identify and understand the functions of the electrical

95

1 equipment that they're working on, but understand why
2 something went wrong and to prevent it from going wrong
3 again.

4 The department's current structure of licensing is
5 defined -- as far as I'm concerned, the department's
6 enforcement inspection arms are highly stretched as it is
7 and underfunded. And to add more workload to their
8 workload would just be, I think, unfair and a waste of
9 public money.

10 The contractors -- I heard testimony that the
11 contractors aren't able to do their work as they see it.
12 I generally work as a subcontractor to an HVAC contractor.
13 When they call us to repair or replace something, they're
14 able to make their profit by marking up our work. And
15 from an economic perspective they get profit from working
16 with us.

17 Oftentimes their work includes adding load to an
18 existing dwelling or residence or building, which often
19 results in a panel change, service upgrade. There's a
20 periphery of work that would probably go unnoticed --
21 unsafe conditions that would probably go unnoticed -- by
22 someone who is just primarily focused on just, "I'm gonna
23 get this HVAC system put in and that's it." But you
24 didn't notice that the five J-boxes that you walked by had

25 been missing K.O. seals or this poorly connected neutral

96

1 connection over here, or -- oftentimes my people see and
2 diagnose conditions that a very focused specialty person
3 wouldn't see otherwise.

4 The amount of work that we do, I'd say on percentage
5 of my company when we first started it was almost in the
6 80 to 90 percent range. As we've grown and diversified
7 we've made it about 50 to 60 percent of our work.

8 We are able -- we do have a 24-hour response line.
9 When a customer or one of our contractors that we work for
10 calls us, we're able to respond to it. Obviously, the
11 customer -- if the customer needs a facility to be up and
12 running they pay a premium for it. But the work that we
13 do is installed safely because of the licensing
14 requirements of the department that are in place
15 currently.

16 CHAIRMAN PHILLIPS: You need to wrap up here.

17 MR. REED: If this were to change I would say that
18 from an economics perspective it would pretty much
19 devastate my company and companies just like it. And I
20 would ask the committee to kill this proposal. Thank you.

21 CHAIRMAN PHILLIPS: Thank you. Richard King.

22 MR. KING: Mr. Chairman, members of the committee,
23 I'm Richard King, K-I-N-G. I am a representative -- a
24 lobbyist that represents seven International Brotherhood
25 of Electrical Workers unions, all of them being in the

97

1 construction business and all of them doing work in the
2 state of Washington. Although 48 has most of its members
3 in Oregon.

4 I'm here to encourage you not to change the existing
5 specialities. I urge you to that based upon what appears
6 to me an evident lack of a sufficient need to change the
7 work, the specialty. The proponents of this change have
8 argued that -- two kinds of things -- more than a two,
9 three, I guess. One, that there are instances where an
10 electrician is needed and they may or may not have been
11 able to handle the problem themselves. But if they only
12 had been able to take this kind of training they would
13 have been able to fix the problem.

14 In the meantime, I would believe that if I were in
15 business and could not afford to have working for me a
16 trained electrician who was capable of doing those things,

17 I certainly would notify my customers of that fact and
18 explain to them what I would do in the event that I came
19 across an electrical problem. I would either know about
20 the firm we just heard about that does this kind of work
21 or I would -- I'd have some way of telling my customer
22 that, "Trust me. I can take care of all your problems
23 that deal with HVAC and related to it even though I'm not
24 capable of doing some of the electrical work that's
25 involved in this." So in other words, the problem could

98

1 be solved within the existing system without creating new
2 specialties.

3 The second major need they talked about was the
4 inability to compete with people that are doing this kind
5 of work illegally. And I don't think there's anybody in
6 this room that would object that if your subcommittee
7 would come out with a recommendation to the department
8 that they seek additional help to enforce the HVAC
9 electrical rules. I think that that is something that you
10 could recommend as a solution to the one real problem that
11 I see presented before your committee.

12 The plan itself, could -- no matter what the intent
13 is, the wording of what is asked for here goes way beyond
14 what would be recommended to solve the need that has been
15 expressed here. And you've also heard the group that
16 wants a change is not really representative of the
17 thousands of people in the state of Washington who are
18 involved in the HVAC business. They're not representative
19 of the HVAC companies nor are they representative of the
20 workers that work in the area.

21 And finally, if it were to go into effect you'd be
22 doing a lot of trusting that the businesses -- it would
23 make it legal for them to put people they have out in the
24 field with very limited amount of classroom training.
25 They may or may not have the factory training. You're

99

1 leaving it up to them to do it. You have no standards in
2 the law. And I think that's what your committee is about
3 is making sure you have standards to protect not only the
4 businesses that are involved in it, but also the consumer
5 and, from our point of view, the worker. It's very
6 important that they be properly trained. So I urge that
7 if you do anything at all you recommend to the department
8 that they strengthen their enforcement of existing

9 electrical rules as applied to HVAC.

10 CHAIRMAN PHILLIPS: Thank you. Dan Newton.

11 MR. NEWTON: Hello. My name is Dan Newton,
12 N-E-W-T-O-N, and I own a company called Sound Energy
13 Systems. And we are an energy management, temperature
14 control specialty contractor. So it is routine and 100
15 percent of our work is involved in putting control systems
16 on top of HVAC systems, building energy management.

17 And we're an 01 contractor and we employ 06
18 low-voltage electricians to do part of our work. And the
19 06 scope is limited. They can only run 10 feet of
20 conduit. They can only run open cable. And that's why we
21 have to have both classifications in order to be
22 competitive.

23 The electrical industry -- I'm an 01 electrician
24 myself -- should not be considered sidelined. We have
25 contactors that want to replace breakers and replace

100

1 disconnects who do not have the appropriate training to
2 determine what caused the breaker to go bad. That was one
3 of the examples that I listened to earlier. There's a
4 reason that that breaker went bad.

5 And we have a service department and we go out on
6 trouble calls for heating and air conditioning problems.
7 And when we troubleshoot a system back to the point where
8 we find we have a failed compressor or a piece failed
9 equipment that's beyond our capability to repair, we
10 recall in a partner in another business that does HVAC to
11 properly repair and troubleshoot that compressor to find
12 out what made that compressor fail, because there's a
13 reason that components fail. Sometimes they just wear
14 out, but normally they fail because something is not
15 correct in the system and it needs to be repaired more
16 than just replacing a breaker or a disconnect.

17 So what I'm saying is our utmost importance is to
18 protect the public safety. And having people that do not
19 have the appropriate amount of training simply replacing a
20 component that has failed does not do justice to our
21 customers because there's a reason that component failed.
22 And we need to be concerned about the safety of fire and
23 electrical shock hazard for our customers and our
24 employees.

25 We also have to keep our employees safe. To turn an

101

1 employee loose on an electrical system that does not have
2 appropriate training, it's a safety issue for shock hazard
3 for that employee as well. And I don't think any of us
4 want to deal with that.

5 But there is an industry here. There are a lot of
6 people employed in the energy management, temperature
7 control industry. There are a lot of contractors that do
8 this work. And we have enough specialty classifications
9 currently to take care of the requirements of the
10 industry. And I urge you to stop this proposal now.
11 Thank you.

12 CHAIRMAN PHILLIPS: Thank you. Was there anybody
13 that signed up that didn't get called to speak? All
14 right.

15 AUDIENCE MEMBER: I got called to speak but because
16 we took the time to make the binders I'd like to explain
17 two items that I didn't --

18 CHAIRMAN PHILLIPS: I think we need to keep the limit
19 at five minutes. Sorry.

20 AUDIENCE MEMBER: Well, you didn't give me the
21 five-minute warning whistle. And we'll only take about 10
22 seconds.

23 CHAIRMAN PHILLIPS: Ten seconds. State your name.

24 MR. OLSON: Brett Olson, IBEW 146. There's pictures
25 in the back. These pictures are from an HVAC system that

102

1 was done at a Wal-Mart store. The wires that you're going
2 to see in here were ran back to a 60-amp fuse panel. If
3 you look at the wire -- because we're all electricians in
4 this room -- they look like No. 12 size wire. The company
5 was called because the fuses blew and it was an HVAC
6 contractor which, I assume, was part of that 450
7 contractors that didn't bother to get the electrical
8 license and go through the training. And they went in and
9 just replaced the fuses, which if you turn the page it
10 shows you how it burned. This not only could have caused
11 millions of dollars in damage in that store, but it could
12 potentially put people's lives in danger on this. And
13 that's what that last gentleman spoke about. So I wanted
14 to make sure you understood that there is a huge problem
15 out there not only in residential, commercial, and I
16 wanted you to understand that. Thank you.

17 CHAIRMAN PHILLIPS: Thank you. Was there anybody who
18 wanted to sign up and didn't get a chance to sign up and
19 wanted to come up and give five minutes of comments?

20 Okay. So we need to either take a 15-minute break or a
21 lunch break. What would the preference of the committee
22 members like?
23 CHIEF FULLER: My preference would be a break and
24 then come back and do the work.
25 CHAIRMAN PHILLIPS: Fifteen-minute break? All right.

103

1 We will take a 15-minute break. And we'll be back at
2 12:15, which means our intention is not to take a lunch
3 break and try and wrap this up in the next 30, 50 minutes
4 after we come back. Thank you.
5 (Brief recess.)

6

7 Committee Discussion

8

9 CHAIRMAN PHILLIPS: All right. Thank you. We are
10 back. Appreciate all the testimony. Now, I guess we need
11 to decide where to go from here. We can discuss the
12 comments and then discuss the merits of the proposal and
13 then decide whether or not we need an additional meeting
14 or if we feel that we could move with what we have now --
15 move with a recommendation back to the Board. So I guess
16 I'll just open it up first by any reaction that we might
17 have to the comments that we heard.

18 COMMITTEE MEMEBER SIMMONS: First of all, I want to
19 say that I believe there is some merit to the request that
20 the scope be changed. But I also feel that the written
21 request that we have on the table is much too broad,
22 expands the scope of work way too wide for what is
23 necessary and is poorly drafted. And for the people that
24 are responsible for that to say, "Well, that's not really
25 what we meant. All we mean is this," doesn't hold lot of

104

1 water with me, in my opinion. I am just one member on
2 this Board, but I do feel that the policy that is in front
3 of us and recommended for the 06C, in my opinion, should
4 not be moved forward.

5 And if the people that submitted this want to submit
6 something different, I think they should. But it should
7 say what they want and what they need, not what has been
8 presented to us.

9 COMMITTEE MEMBER PREZEAU: And Jim, I completely
10 agree with you. When you're looking at adopting language
11 it doesn't matter -- and there is somebody that made this

12 comment -- it doesn't matter what your intentions are. It
13 matters what the language is on the paper. So I echo your
14 comments.

15 Additionally, though, if we're -- when Tom was able
16 to get further explanation, I still think that if you're
17 talking about unlimited voltage phase or amperage and you
18 can replace conductors, conduit, and any equipment that's
19 associated with an HVAC/R system, I still think that the
20 proposal on the table is not in line with the rest of the
21 industry.

22 And one of the reasons I say that is I'm supposed to
23 represent electricians on the Electrical Board. And that
24 means of all electricians. That means 02 -- and we've got
25 a litany of specialties which I know somewhat -- I know

105

1 more about some and less about others. I certainly, as an
2 01 electrician understand those issues.

3 But I think that even if you -- I mean, this proposal
4 that exists right here destroys anybody that has invested
5 themselves into -- as an 06A contractor because nobody
6 would be an 06A contractor when they can do this with the
7 same amount of on-the-job training. Right? It would not
8 exist any more. Why would they? Sort of like we have an
9 06B license which has -- which this industry also
10 requested this Board create, which was created because
11 there was a need for low-skilled or entry-level workers in
12 the field and there is an absolute minimal amount of
13 people that use that 06B license. And the reason that I
14 think that's the case is because why limit yourself on an
15 06B license when you know what, you can -- with the same
16 contractor that you're working for you can get yourself an
17 06A license and increase your scope of work.

18 I've had contractors make comments to me that they've
19 got a gentlemen that is a great mechanic, he works in the
20 HVAC industry, does the electrical installation as far as
21 HVAC is concerned on residential dwellings, but he can't
22 pass the 06A test. Why is he sitting for an 06A test? If
23 he's working in single phase, 250 volts or less systems he
24 should not be taking -- he should be taking a 06B test.

25 I agree with somebody that made comments about that

106

1 this industry doesn't necessarily understand itself. And
2 there's a lot of variety. And I agree with that 100
3 percent. You know, earlier when Ron was talking about

4 what's allowed in the current scope of work and I think
5 there are probably several people in the room not in
6 addition to the ones at the podium that were surprised. I
7 don't think there's a clear understanding of what is
8 allowed under the current license. I honestly don't
9 believe that.

10 I also believe that these contractors that JLARC has
11 identified -- and I'm sure they're able to identify --
12 that aren't registered as electrical contractors, and the
13 reason they can identify them is because you can pull up
14 contractors that are registered and what their
15 registration is. Right? So I'm pretty confident in the
16 numbers. But I think potentially those guys are doing
17 electrical work and don't really realize where the line
18 is. But I don't know because we haven't heard from any of
19 those people.

20 And I also think -- and this is, again, I've been in
21 this issue in depth in the last probably year and a half,
22 two years so I'm not fluent in the history going back all
23 the way to 1985 or even much further beyond what I just --
24 that period of time that I've been involved. But here's
25 what I understand and here's what I would certainly want

107

1 everybody to be mindful of is when this license was
2 created before that time this same -- the scope of work
3 that exists for an 06A and an 06B had to be performed
4 either by an 07, an 06, an 02, or an 01. And then you
5 created this license. Right? We had this time piece,
6 history. Right? And then in 2000 we expanded the scope
7 of work to allow them to install and connect line-voltage
8 supply whips. Well, you know what that was probably
9 because a need was addressed and the Board reacted to that
10 or the Department reacted to that. And I don't know which
11 because, again, my experience doesn't go back that far.
12 Then in 2003 we have -- here's the amount of work, the
13 scope of work that was changed in 2003 and this -- correct
14 me if I'm wrong, but should all be for the 06A license:
15 That they could work on "line-voltage equipment outside
16 the HVAC equipment." And I think the -- Ron, did the
17 department furnish us with this time line?

18 CHIEF FULLER: Yes.

19 COMMITTEE MEMBER PREZEAU: That's what I thought. So
20 "line-voltage equipment outside the HVAC equipment, repair
21 and replacement of all components regardless of the
22 occupancy, expanded to allow certified electricians and

23 supervised trainees to work on high voltage above 600
24 volts. No additional on-the-job training requirements."
25 None. Right? And I wasn't here then. So I can't -- I'm

108

1 sure people made a very compelling argument that this
2 needed to happen. But what I think we need to be mindful
3 of this -- three times the 06A has been expanded in terms
4 of its scope of work. And it's never been addressed -- so
5 I understand that you might think it's reasonable. Well,
6 we can give them a little bit more. We can give them a
7 little bit more. It is my opinion that the department,
8 with the consent of the Board, has already given a
9 substantial amount in the scope.

10 And what worries me further -- and this is the point
11 that I lost my train of thought on -- is additionally, the
12 work that you -- if you're an apprentice or a trainee
13 working for a specialty for an HVAC contractor that's
14 licensed as a specialty electrical contractor as an 06A --
15 again, this was pointed out in the Department's summary on
16 the 21st of June -- they're counting all hours worked for
17 that contractor, not hours worked performing electrical
18 work as it relates to the HVAC installation or maintenance
19 or repair.

20 So, in my mind I find it extremely difficult to
21 justify an additional increase in the scope of work when
22 you haven't -- you don't have any increased on-the-job
23 training requirements and you have no ability to verify
24 that that individual is actually being trained to make
25 those repairs or installations.

109

1 COMMITTEE MEMBER KOPCZYNSKI: I agree with the
2 comments of my colleague. I haven't heard compelling
3 arguments that there is a requirement to change. It
4 sounds -- and I agree with Tracy -- it's been quite a bit
5 of compromise that's happened over the past several years.
6 It's clear that some people are frustrated by the way the
7 different licenses exist and some of the requirements.
8 But others are happy with the way that it is.

9 It is a part of our industry that, unfortunately,
10 doesn't share a common vision. People have adapted to the
11 rules as they are and have carved out -- as we heard from
12 several people today, they've made that work. And there
13 are licenses that do work for all the circumstances that
14 we heard about today that are within the provisions that

15 are already established. And it seems like, again, with a
16 little bit more education about how those work and how
17 people can fit into those, that might be enough to solve
18 the problem that we heard.

19 COMMITTEE MEMBER TRICARICO: I also agree with most
20 of what was said by the other committee members today. I
21 don't believe the huge expansion of scope is justified
22 under a 4,000 hours of training. I've believe it's
23 certainly migrating into the 8,000 range.

24 I also believe there's mechanisms within the current
25 specialties to address any kind of work in the electrical

110

1 industry that a contractor would choose.

2 There has been testimony today that 01 contractors
3 and electricians are available for those out-of-hours
4 situations. And nothing will correct everything in the
5 system, but I do believe that most of the issues that were
6 addressed today could be addressed through the current
7 system. But I also would agree with some has said that
8 more education needs to be done to the community about
9 what scope of work is available to the individuals under
10 the 06 different specialties.

11 And I also believe that more compliance is necessary.
12 I'm very strong on compliance throughout the entire range
13 of work that we govern here at the Electrical Board. So I
14 would include that we do ask L & I to do more outreach,
15 more training. I know it's been done before, but I do
16 believe there's a call from the community that we need to
17 do more. And I also believe that although their resources
18 are stretched at L & I for compliance work that more
19 compliance work is obviously necessary from some of the
20 testimony we heard today.

21 CHAIRMAN PHILLIPS: I think I also agree with the
22 other committee members. I think increasing the scope
23 creates -- makes this specialty too close to the 01. We
24 don't need two of them that are that close. And there may
25 be other inequities in the specialties that have evolved

111

1 over time -- I'm not that familiar with the 07s -- but if
2 there are inequities, that doesn't change what we feel is
3 right here. That is we wouldn't want to then bring
4 everything down to the lowest common denominator and say,
5 "Well, if we -- if there's an error in this specialty then
6 it's okay to maybe have an error in another specialty."

7 With that, would anybody care to make a motion? Any
8 comment, Ron?

9 CHIEF FULLER: No.

10 CHAIRMAN PHILLIPS: Would anyone like to make a
11 motion?

12 COMMITTEE MEMEBER SIMMONS: I would make a motion
13 that the subcommittee of the Electrical Board not
14 recommend this expansion of licensing to the general Board
15 and that at this point in time that this discussion be
16 terminated.

17 COMMITTEE MEMBER TRICARICO: I'll second that motion.

18 CHAIRMAN PHILLIPS: All right. Discussion? Any
19 comments? I guess one question is then, are we prepared
20 then with approval of this motion would be to end it today
21 and we wouldn't feel that any further meetings are
22 necessary?

23 COMMITTEE MEMBER TRICARICO: I would agree with that.

24 COMMITTEE MEMBER PREZEAU: I think you need to keep
25 in mind, even though if this motion passes, it's our

112

1 recommendation to go back to the Electrical Board and give
2 that recommendation. But if the full Board certainly
3 wanted to reject our proposal or our recommendation they
4 have the ability to do so. So, just wanted to be mindful
5 of that.

6 CHAIRMAN PHILLIPS: Good point. Any other discussion
7 by the committee members?

8 COMMITTEE MEMEBER SIMMONS: Oh, one little thing. I
9 just go back to if the HVAC industry really needs a way to
10 handle emergency situations and that's really what you're
11 after, get us something to that effect. Let's add that to
12 the 06A/06B specialty. "Hey, we want to be able to change
13 a breaker if we have to" or something to that effect in an
14 emergency situation, that may get some traction. The way
15 this is written and the way this dramatic expansion of
16 abilities for this specialty was just not well done.
17 Thank you.

18 CHAIRMAN PHILLIPS: Just to add on to that I would
19 think something like that would have a much better chance
20 of being approved by the Board if it were maybe limited
21 scope to the residential as well.

22 All right. So can we take a vote on it? I'd like a
23 show of hands. So all in favor of the motion on the table
24 please raise your hand.

25 (A showing of hands.)

1 Okay. It looks unanimous. So motion passes.

2 COMMITTEE MEMBER PREZEAU: Mr. Chairman, I'm glad
3 Fred reminded me. I'm glad Fred brought it up. And I
4 think there were two individuals that testified today that
5 brought up very good points and Fred echoed them. The
6 outreach from L & I is a very good piece. And I think
7 also we all believe and all agree with Gary Smith when he
8 says, "This is about consumer protection," as well it
9 should be. It should also be about compliance. And so I
10 would like to move that we make a recommendation to the
11 Electrical Board to ask the Department to engage in more
12 outreach to HVAC registered electrical contractors and
13 make sure they understand the current licensing structure
14 as it exists today, and also to put together some plan or
15 proposal to increase compliance, specifically in this
16 area. And that's my motion.

17 COMMITTEE MEMBER TRICARICO: I'll second that.

18 CHAIRMAN PHILLIPS: All right. Any discussion on
19 that motion? Would that involve something from the
20 department? Ron, is there anything now in writing that
21 summarizes what the 06s can do, A and B?

22 CHIEF FULLER: We've had numerous articles in the
23 Electrical Currents newsletter. We've obviously got the
24 scope of work that's been hashed out over many hours --
25 probably hundreds of hours of meetings. But what I would

1 commit to, I think, is to -- similar to what we did last
2 month with appliance repair -- is to dedicate an entire
3 newsletter maybe to this issue. And use that as a tool to
4 get out to people.

5 And then I think it's up -- you know, I heard some
6 comments here today from some people that we're not L &
7 I's police and we're here to do business and that kind of
8 thing. But I'm sorry, this is somewhat a voluntary
9 compliance arena and it's up to everybody in the audience
10 and everybody in our industry to help us help themselves.
11 So I think we have to rely on them somewhat.

12 As far as the compliance goes, we do have a budget
13 request proposal in right now to ask for three additional
14 E4 team members. So that will double that work force if
15 it gets approved and a clerical person to support them
16 because they do half the compliance for the program now.
17 Those three people equal the 144 other inspectors. So at

18 this point in time moving forward in the agency -- and I
19 hope it will move forward -- your motion, I guess, helps
20 move that forward.

21 COMMITTEE MEMBER PREZEAU: Good.

22 CHAIRMAN PHILLIPS: And discussion on that motion?

23 Okay. I'll call for a vote then. Who is in favor for

24 approving the motion to give to the Board that would

25 ask -- the Board would ask L & I to see what we can do on

115

1 the outreach efforts to help educate the HVAC industry on

2 the limitations of the current licensing system. So all

3 in favor --

4 COMMITTEE MEMBER PREZEAU: And compliance.

5 CHAIRMAN PHILLIPS: And compliance. All in favor for

6 the motion please raise your hand.

7 (A showing of hands.)

8 CHAIRMAN PHILLIPS: Thank you. That motion passes.

9 Just open it up for any general discussions if anybody

10 wants to add anything. Ron?

11 CHIEF FULLER: Well, as the secretary before we get

12 out of here, you've made a couple of motions and passed

13 them. The second one, obviously, I understand -- I'm just

14 going to do that for the Board. That's an easy one.

15 The first one, though, the question that I think you

16 need to address before you leave is how you're going to

17 report to the Board, whether it's just going to be verbal

18 from you or committee members, or whether you want

19 something drafted. How do you want to do it? I think you

20 can do it either way acceptably.

21 CHAIRMAN PHILLIPS: My thought was that I would just

22 give a short verbal presentation at the Board meeting

23 tomorrow.

24 COMMITTEE MEMEBER SIMMONS: I think you're capable.

25 COMMITTEE MEMBER PREZEAU: I know -- we scheduled

116

1 this meeting so it would be easy on the Board members to

2 attend the meeting tomorrow -- especially those

3 traveling -- to attend tomorrow's Electrical Board -- full

4 Board meeting. So the time line is going to be difficult

5 to have a summary prepared to share with the Electrical

6 Board. And so I was sort of envisioning that Tom would

7 give a summary that would allow the policy subcommittee

8 members to chime in and add comments and go from there.

9 And then if the board feels that's not enough information,

10 then maybe we'll address that issue if they feel that they
11 need something additional.

12 CHIEF FULLER: Because we do have an agenda item
13 tomorrow to update on the committee.

14 COMMITTEE MEMBER SIMMONS: One final closing note
15 here from me. All of you are certainly invited to the
16 General Electrical Board meeting that's tomorrow in
17 Tumwater at the L & I building. Starts at 9:00 in the
18 morning. All of you are welcome to attend that and see
19 what we do at the General Electrical Board meetings and
20 we'd be happy to have you there. Thank you.

21 COMMITTEE MEMBER PREZEAU: And I also would just like
22 to thank everybody that has been a part of this issue that
23 took the time to be here today. I know everybody is
24 either running a company or contracting business or --
25 there are other places that you could be today. And I

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1 certainly appreciate everybody taking the time to be a
2 part of the process. Appreciate your comments.

3 CHAIRMAN PHILLIPS: Thank you. Well, is there a
4 motion to adjourn?

5 COMMITTEE MEMEBER SIMMONS: So moved.

6 CHAIRMAN PHILLIPS: All in favor say "aye." All
7 opposed. Meeting is adjourned. Thank you.

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C E R T I F I C A T E

STATE OF WASHINGTON)

) ss.

County of King)

I, Mary Ann Pennington, a Certified Court Reporter in
and for the State of Washington, do hereby certify:

That the foregoing transcript of proceedings was
taken before me and transcribed under my direction; that
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foregoing transcript were done and completed to the best
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thereof;

IN WITNESS WHEREOF, I have hereunto set my hand on
this 3rd day of August, 2007, at Renton, Washington.

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