

1 DEPARTMENT OF LABOR AND INDUSTRIES

2 STATE OF WASHINGTON

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5  
6 ELECTRICAL BOARD MEETING

7  
8 TRANSCRIPT OF PROCEEDINGS

9  
10 Thursday, January 30, 2014  
11 \_\_\_\_\_  
12

13 BE IT REMEMBERED, that a quarterly Electrical Board  
14 meeting was held at 9:00 a.m. on Thursday, January 30,  
15 2014, at the address of the Department of Labor and  
16 Industries, 7273 Linderson Way SW, Tumwater, Washington,  
17 before CHAIRPERSON TRACY PREZEAU, BOARD MEMBERS RODNEY  
18 BELISLE, JOHN BRICKEY, JANET LEWIS, CATHLEEN BRIGHT, DAVID  
19 CORNWALL, MIKE NORD, DON BAKER, DENNIS TOWNSEND, BRAD  
20 KING, ALICE PHILLIPS, and SECRETARY/CHIEF ELECTRICAL  
21 INSPECTOR ROD MUTCH. Also present was ASSISTANT ATTORNEY  
22 GENERAL PAM REULAND representing the Board.

23 WHEREUPON, the following proceedings were held, to  
24 wit:

25  
26 Reported by:  
27 H. Milton Vance, CCR, CSR  
28 (License #2219)

29 EXCEL COURT REPORTING  
30 16022-17th Avenue Court East  
31 Tacoma, WA 98445-3310  
32 (253) 536-5824

Thursday, January 30, 2014  
Tumwater, Washington

## I N D E X

5	Agenda Item	Page
6		
7	1 Approve Transcripts from October 31, 2013, Electrical Board Meeting	3
8		
9	Motion	3
	Motion Carried	4
10		
	Motion	9
	Motion Carried	11
11		
	Motion	11
12	Motion Carried	12
13	2 Departmental/Legislative Update	12
14	3 Appeals	4
15		
	Motion	6
	Motion Carried	7
16		
	4 WAC Rule Change Proposal	38
17		
	Motion	171
18	Motion Carried	173
19	5 Secretary's Report	174
20	6 Certification/CEU Quarterly Report	181
21	7 Public Comment(s)	-
22		
	Motion to Adjourn	199
	Motion Carried	199
23		
24		
25		

## PROCEEDINGS

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CHAIRPERSON PREZEAU: Good morning. It is 9:00, and the January 30, 2014, Electrical Board will come to order. Good morning.

THE BOARD: Good morning.

Item 1. Approve Transcripts From October 31, 2013,  
Electrical Board Meeting

CHAIRPERSON PREZEAU: So the Chair would entertain a motion to approve the transcripts from the October 31, 2013, Electrical Board meeting.

Motion

BOARD MEMBER NORD: Motion.

BOARD MEMBER BELISLE: Second.

CHAIRPERSON PREZEAU: So a motion and seconded to approve the transcripts. Any discussion? Seeing none, all those in favor signify by saying "aye."

THE BOARD: Aye.

CHAIRPERSON PREZEAU: Opposed? Motion carries.  
Great.

///

1 Motion Carried

2

3 CHAIRPERSON PREZEAU: I have talked to Jose'  
4 Rodriguez and our Director, Joel Sacks, is attending the  
5 meeting. But certainly we will wait for that agenda item  
6 for those gentlemen to join us.

7

8 Item 3. Appeals

9

10 CHAIRPERSON PREZEAU: So with your permission, we'll  
11 skip to agenda item 3. And we have A, B, C, D, and E  
12 obviously.

13 But what I'd like to do under appeals is actually go  
14 backwards and start with the easiest lift, which is as you  
15 guys can see, there was an appeal between CFM Heating &  
16 Cooling that was dismissed.

17 Just to bring you guys in the loop on agenda items 3D  
18 and 3C, the Tamarack Ridge Construction appeal was  
19 continued -- will be continued to the April 24th meeting.  
20 There was a request by the AAG due to a procedural request  
21 for information, and Mr. Holly, the principal at Tamarack  
22 agreed to that continuance. So we will hear that in  
23 April.

24 And the Metalsmiths, Inc., appeal, the  
25 representatives from Metalsmiths requested a continuance,

1 and the AAG agreed to that.

2 So those two will -- if they're not resolved in the  
3 interim will be heard in April.

4 So just updates on those three.

5 And then we do have presentation of proposed orders  
6 in two cases: the Dennis Webb Electric and George  
7 Johanson, and Stanley Access. So ...

8 ASSISTANT ATTORNEY GENERAL KELLOGG: And I am  
9 presenting for Dana Tumenova.

10 CHAIRPERSON PREZEAU: So Ms. Kellogg, you're going to  
11 do both?

12 ASSISTANT ATTORNEY GENERAL KELLOGG: I'll do both,  
13 yes.

14 My name is Nancy Kellogg representing the Department  
15 of Labor and Industries.

16 The case that I am presenting is Stanley Access. I  
17 have a final order. And this was -- has been presented to  
18 opposing counsel many, many, many months ago. I never got  
19 a signature and a response, and so I went ahead and noted  
20 it up for presentation today.

21 CHAIRPERSON PREZEAU: So is there a representative  
22 from Stanley Access in the room today? Anybody?

23 So let the record reflect there is nobody present to  
24 represent Stanley Access in the matter.

25 Pam, do you want to talk about the presentation of

1 orders?

2 ASSISTANT ATTORNEY GENERAL REULAND: As I indicated  
3 to the Board last time is the presentation of the order is  
4 not opening the matter up for further debate on the merits  
5 of the decision. It is simply whether the order as  
6 written comports with the Board's ultimate decision,  
7 whether it's consistent with the record.

8 For the record, I did review the Stanley Access  
9 order, and in my opinion it is -- meets the requirements  
10 for a final order and is consistent with the Board's  
11 position, at least as I read it.

12 And you don't have anybody opposing the order, so  
13 there's nothing contrary being presented for the Board to  
14 consider. So I would suggest that if there is no  
15 objections that the Board should approve the order as  
16 drafted.

17 CHAIRPERSON PREZEAU: So hearing that, the Chair  
18 would certainly entertain a motion to approve the final  
19 order in the case of Stanley Access as presented by  
20 Ms. Kellogg.

21

22 Motion

23

24 BOARD MEMBER LEWIS: So moved.

25 BOARD MEMBER: Second.

1 CHAIRPERSON PREZEAU: So it's been moved and seconded  
2 for the Board to accept the order that has been presented  
3 in the matter of Stanley Access by Ms. Kellogg as  
4 assistant attorney general.

5 Any discussion? Seeing none, all those in favor  
6 signify by saying "aye."

7 THE BOARD: Aye.

8 CHAIRPERSON PREZEAU: Opposed? Perfect. Motion  
9 carries.

10

11 Motion Carried

12

13 CHAIRPERSON PREZEAU: Okay. Great. So Ms. Kellogg.

14 ASSISTANT ATTORNEY GENERAL KELLOGG: Okay. So the  
15 next two orders are for Dennis Webb Electric and George W.  
16 Johanson. These were prepared by Ms. Tumenova, and she  
17 has indicated to me that she has made a couple of changes  
18 which are not substantive but they need to be pointed out  
19 to you.

20 So if you take a look at the George Johanson final  
21 order in your packet, specifically page 2, 2.4, the  
22 sentence that says, "The Board adopts the following  
23 conclusions of law as conclusions of law 5.6" has been  
24 omitted and just the finding itself is in the final order.

25 And the same thing with 2.5. The sentence, "The

1 Board adopts the final conclusions of law as conclusions  
2 of law 5.7," that sentence is removed and just the finding  
3 -- just the conclusion of law has been inserted.

4 And that's the only change in that order.

5 ASSISTANT ATTORNEY GENERAL REULAND: Can you explain  
6 how this service was provided to Webb Electric?

7 ASSISTANT ATTORNEY GENERAL KELLOGG: Yes. My  
8 understanding is it was sent by both e-mail. It was --  
9 the firm was notified by telephone. There was a  
10 discussion with Ms. Tumenova and Mr. Webb and  
11 Mr. Johanson. And it was also sent by mail.

12 CHAIRPERSON PREZEAU: Okay. So hearing that, is  
13 there a representative for Mr. Dennis Webb Electric here  
14 in the room this morning?

15 Let the record reflect there is no representative for  
16 Dennis Webb Electric.

17 Is there a representative for George Johanson in the  
18 room this morning?

19 Let the record reflect that there is no one in the  
20 room present for George Johanson.

21 So Nancy, I'm confused -- excuse me -- so the order  
22 that you just presented was in regards to George  
23 Johanson?

24 ASSISTANT ATTORNEY GENERAL KELLOGG: Yes.

25 And I can go ahead and present Dennis Webb at the

1 same time.

2 CHAIRPERSON PREZEAU: Let's do one at a time, please.

3 ASSISTANT ATTORNEY GENERAL KELLOGG: Okay.

4 CHAIRPERSON PREZEAU: Thank you.

5 So hearing presentation of final order in regards to  
6 George Johanson, the Chair would certainly entertain a  
7 motion to approve the final order as presented.

8

9 Motion

10

11 BOARD MEMBER BELISLE: So moved.

12 BOARD MEMBER LEWIS: Second.

13 CHAIRPERSON PREZEAU: Moved and seconded to accept  
14 the final order as presented with regards to George  
15 Johanson. Any discussion?

16 Yes, Cathy.

17 BOARD MEMBER BRIGHT: I have a question.

18 On the cover letter, it says that this was delivered  
19 to Dennis Webb and George Johanson via U.S. Mail, but it  
20 does not indicate that it was delivered via e-mail. But  
21 the other ones that we have say "via e-mail and U.S.  
22 Mail." Is that accurate? Because I think you just said  
23 that they were e-mailed this information as well.

24 ASSISTANT ATTORNEY GENERAL KELLOGG: Yes. The  
25 original orders went out by U.S. Mail. The changed orders

1 went out by e-mail, U.S. Mail, and there was a  
2 conversation by telephone because the time was short when  
3 the changes were made before this particular meeting.

4 BOARD MEMBER BRIGHT: So the cover letter didn't get  
5 changed? Is that --

6 ASSISTANT ATTORNEY GENERAL KELLOGG: The cover letter  
7 is from the original documents. There is no cover letter  
8 for the changed orders.

9 BOARD MEMBER BRIGHT: Okay.

10 ASSISTANT ATTORNEY GENERAL REULAND: And if I could  
11 address that, the change is purely procedural.

12 When I went through the record and looked at the  
13 orders which, of course, didn't happen until this week,  
14 and if you remember, that was a sort of a convoluted  
15 discussion, and the Board sort of changed its mind a  
16 couple times. That line was confusing, so I suggested  
17 that the AG's office take that out because it does not --  
18 it did not accurately reflect the procedural background.  
19 But there was no substantive changes to the actual  
20 contents of the order.

21 CHAIRPERSON PREZEAU: Any other discussion on the  
22 motion? Okay. So just to clarify the motion in front of  
23 us is to approve the final order in the matter of George  
24 Johanson. So no further discussion? All those in favor  
25 signify by saying "aye."

1 THE BOARD: Aye.

2 CHAIRPERSON PREZEAU: Opposed? Motion carries.

3

4 Motion Carried

5

6 CHAIRPERSON PREZEAU: Okay. So Ms. Kellogg, we'll go  
7 with the last one please.

8 ASSISTANT ATTORNEY GENERAL KELLOGG: Okay. Then the  
9 final order is the Dennis Webb order, and it's the very  
10 same situation as the prior order. The wording that  
11 states, "The Board adopts the following conclusions of  
12 law" has been removed on 2.4 and 2.5 and just the  
13 conclusion has been -- it remains.

14 CHAIRPERSON PREZEAU: Excellent.

15 Any questions for Ms. Kellogg?

16 The Chair would entertain a motion to approve the  
17 final order in the matter of the Electrical Board and  
18 Dennis Webb Electric.

19

20 Motion

21

22 BOARD MEMBER TOWNSEND: So moved.

23 BOARD MEMBER BELISLE: Second.

24 CHAIRPERSON PREZEAU: So motion and second to approve  
25 the final order. Any discussion? Seeing none, all those

1 in favor signify by saying "aye."

2 THE BOARD: Aye.

3 CHAIRPERSON PREZEAU: Opposed? Motion carried.

4

5 Motion Carried

6

7 CHAIRPERSON PREZEAU: Thank you. Super. Look at  
8 that.

9

10 Item 2. Departmental/Legislative Update

11

12 CHAIRPERSON PREZEAU: Rod.

13 SECRETARY MUTCH: I would like to introduce our  
14 Director, Joel Sacks, and Jose' Rodriguez, our Assistant  
15 Director for Special -- it's not Specialty Compliance  
16 anymore -- Field Services and Public Safety. And they're  
17 going to come at this time and say "Hello."

18 CHAIRPERSON PREZEAU: Thank you.

19 Gentlemen.

20 MR. SACKS: Good morning.

21 I guess I'll start out by complimenting you. I think  
22 watching how quickly you went through the agenda in your  
23 proceedings, I think we can all -- as we think about Lean  
24 management what we're trying to do across state government  
25 is we should just take a page out of your book. That was

1 outstanding.

2 CHAIRPERSON PREZEAU: You should come visit us more  
3 often.

4 So Mr. Sacks, I must say that it is a pleasure to  
5 have you here.

6 As you I'm sure know that Jose' comes and sees us  
7 almost every quarter, and we genuinely appreciate that.

8 But I was having a conversation with him this  
9 morning, and I think you're the first Director to ever --  
10 I've been on this Board since 2005, and I think you're the  
11 first Director to ever attend one of our Board meetings,  
12 and I genuinely appreciate that. Thank you very much.

13 MR. SACKS: Absolutely.

14 CHAIRPERSON PREZEAU: And before -- I don't want to  
15 interrupt you, but before you start your remarks, with  
16 your permission what I would like to do is ask the Board  
17 members to introduce themselves and who they represent on  
18 the Electrical Board so that you have a better grasp of  
19 who's in the room.

20 Alice, can we start with you please.

21 BOARD MEMBER PHILLIPS: Alice Phillips. I'm the  
22 business manager for IBEW Local 43, and I represent the  
23 outside line industry.

24 BOARD MEMBER KING: I'm Brad King. I'm with  
25 Evergreen Technologies. And I represent the

1 telecommunications contractor seat.

2 BOARD MEMBER TOWNSEND: Good morning, Joel. I'm  
3 Dennis Townsend. I represent CenturyLink, and I represent  
4 the telecom industry.

5 BOARD MEMBER BAKER: I'm Don Baker. I represent the  
6 contractors.

7 BOARD MEMBER NORD: I'm Mike Nord. I'm with the  
8 communication workers union, and I represent telecom  
9 workers.

10 ASSISTANT ATTORNEY GENERAL REULAND: I'm Pam Reuland.  
11 I'm the AG assigned to represent the Board.

12 CHAIRPERSON PREZEAU: I'm Tracy Prezeau. I'm the  
13 Chair. And I represent electricians.

14 BOARD MEMBER CORNWALL: Dave Cornwall, Platt Electric  
15 Supply, manufacturing representative.

16 BOARD MEMBER BRIGHT: I'm Cathleen Bright. And I  
17 represent the general public.

18 BOARD MEMBER LEWIS: I'm Janet Lewis, representing  
19 electricians from IBEW Local 46.

20 BOARD MEMBER BRICKEY: I'm John Brickey, Director of  
21 Community Development for City of Longview, representing  
22 city jurisdictions.

23 BOARD MEMBER BELISLE: Rod Belisle, representing  
24 electricians. I work for the NECA/IBEW electrical  
25 training center.

1           SECRETARY MUTCH: I'm Rod Mutch. I'm the secretary  
2 to the Electrical Board and the Chief Electrical Inspector  
3 for Labor and Industries.

4           MR. SACKS: So let me start by expressing my  
5 gratitude and on behalf of the Governor expressing his  
6 gratitude for your willingness to serve.

7           I think these voluntary positions are incredibly  
8 important to the way many of us believe we should be  
9 having a governing structure in the state of Washington.  
10 And it's dependent upon citizens willing to dedicate their  
11 time to engaging in a whole variety of issues.

12           As I've listened to you introduce yourselves, your  
13 willingness to take on some of the challenges that you  
14 take on, some of the challenges going beyond maybe not  
15 being directly connected to the industry that you  
16 represent but still incredibly important to the overall  
17 electrical system, I think it speaks volumes as to your  
18 commitment and sort of your willingness to sort of serve  
19 that governance role. And I think that from my  
20 perspective, that advisory role to the Department is just  
21 incredibly important.

22           And so I know speaking for Rod, speaking for Jose',  
23 we take the role of the Board seriously. We think you  
24 play an important role in helping to guide our  
25 decision-making and make sure that what we're doing and

1 what we're thinking about doing actually will have our  
2 desired impacts.

3 Because one of my real firm beliefs is that many  
4 times where government making it wrong is we can agree on  
5 intentions and goals, but sometimes when we move from that  
6 big picture goal down to how do we actually implement, we  
7 may get it 15, 20 percent off if we don't do the right  
8 kind of stakeholdering. And by engaging with all of you,  
9 I think there have been many times and there will continue  
10 to be times where you'll help sort of redirect us in a way  
11 that allows us to have the desired goal that we all share  
12 without having a series of unintended events. And so I  
13 really do appreciate that.

14 I wanted to sort of in that vein just quickly give  
15 you an overview of the L & I strategic focus and direction  
16 that the Governor and I have been focusing on for the past  
17 year and will continue to for the rest of his  
18 administration. And most of those goals from my  
19 perspective really connect with the electrical program.

20 For me, the first goal is an emphasis on safety.  
21 There's nothing more important than having a worker be  
22 able to go home at the end of the day to their family  
23 rather than having to go to the hospital. When you sort  
24 of think about that notion of safety and expand it to --  
25 (inaudible) -- but also includes public safety.

1           And we have many opportunities to spend time with our  
2 electrical staff. It's clear to me that they share that  
3 value. The reason that they're out there every day doing  
4 8, 10, 12, sometimes more inspections a day is because of  
5 their very firm commitment to public safety. And the  
6 things that they're finding are being corrected.

7           It's really all about ensuring people will be safe  
8 when they go into their homes or when they go into public  
9 buildings.

10           Our second emphasis is looking within the workers'  
11 compensation system that we have here in the state and  
12 ensuring ourselves that when someone is hurt on the job  
13 that the entire system puts an emphasis on helping workers  
14 heal and get back to work.

15           I think historically for a number of good reasons our  
16 system has more from sort of that mission focus --  
17 (inaudible) -- have been very focused on process and  
18 procedure. And sometimes when you focus too much on  
19 process and procedure, you lose sight of the ultimate  
20 goal.

21           And so we're launching dozens of different  
22 initiatives that really are trying to inculcate a culture  
23 in the provider community, in the employer community, in  
24 the worker community, and in this building that every day  
25 your job is what can you do to help somebody get the

1 medical treatment that they're entitled to under the law  
2 and then help them think about what their next steps are  
3 to get them back to work.

4 Our third emphasis area has been how do we make it  
5 easier for people to interact with this Department.

6 And it's my -- again, it's my strong believe that  
7 most electrical contractors recognize the importance of  
8 the underlying code that they need to purchase permits.

9 As I've talked to a number of folks, many of the  
10 concerns that they raise is less about the specifics  
11 around some of the requirements and more about how hard it  
12 is to comply with some of the requirements.

13 And so we're putting a really strong emphasis across  
14 the agency on what can we do to make it easier. And in  
15 many cases, that's really all about simplifying our  
16 processes and procedures.

17 So over the last few years, we've put a real emphasis  
18 on allowing electrical contractors, as an example, to do  
19 as many transactions as possible over the Web rather than  
20 having them to come into the office or use some of the  
21 older technology.

22 Those types of initiatives -- we're doing that across  
23 all of our programs -- is beginning to have a positive  
24 impact.

25 The fourth area for me is premised upon a pretty

1 simple but I think really important notion which is it's  
2 my very strong belief that most workers, most employers,  
3 most doctors wake up in the morning wanting to do the  
4 right thing. It's our responsibility to figure out how to  
5 make it easier for the people who want to do the right  
6 thing to do the right thing, and then target our  
7 compliance resources toward those few who make a conscious  
8 decision to say "It's in my business model to cheat" if  
9 you're on the employer side. And that maybe someone that  
10 chooses -- that knowingly chooses time and again to not  
11 hire certified electricians, willing to put homeowners at  
12 risk, not purchasing permits, not paying any of their  
13 taxes, not paying workers' compensation, they deserve to  
14 experience a different Labor and Industries, not one  
15 that's necessarily focused on making it easy to do  
16 business, but one that focuses on real consequences for  
17 real decisions to make bad -- knowingly making bad  
18 choices. The trick there is how do we make sure that  
19 we're putting our resources into focusing on the real bad  
20 actors.

21 So, for example, over this past year what we did is  
22 convene a task force of business representatives, labor  
23 representatives to focus on the underground economy in  
24 construction. And the question that we asked the task  
25 force to focus on was not what new laws do we need,

1 because that historically is what we've done in government  
2 is we sat and we talk about what the legislature can do  
3 and what changes we can make, and we've run up against  
4 some real difficult issues and not necessarily be able to  
5 move something forward. But basically we started the  
6 premise to say we have good law -- we have laws today and  
7 we may not be enforcing them as efficiently and  
8 effectively as we can.

9 And so we like brought those groups together and  
10 said, where can we target our enforcement resources to  
11 really get at the true underground economy.

12 Our fifth priority then is based upon, for me, it is  
13 recognition that everything I just told you is at best  
14 empty rhetoric absent one thing, which is a skilled and  
15 qualified workforce, that we cannot -- that we cannot  
16 effectively promote public safety and have an effective  
17 electrical program without being able to hire and retain  
18 the best staff.

19 And so what we're looking at is what are the things  
20 that we can be doing within our control as an agency to  
21 ensure that this agency is the employer of choice, that  
22 people who are certified electricians have a choice  
23 whether to work here or work someplace else choose to work  
24 here.

25 And we come at that -- and to be perfectly honest,

1 and you know this sitting on this Board, we come at this  
2 at a competitive disadvantage, which is we will never be  
3 able to pay the same kind of compensation that  
4 electricians will be able to get in the private market.  
5 Being a government agency, it's just not going to happen.

6 So we need to be focusing on what we can on the  
7 compensation side which is in many ways outside of my  
8 control as an agency director, but then also looking at  
9 what are the things that are within our control. And  
10 Jose' can talk in a little bit more detail about that.

11 For us in the electrical program in the past year,  
12 the highest priority there has been looking at -- because  
13 what has happened over the last few years, as you're aware  
14 when the recession hit, we saw a plummeting of electrical  
15 work. We had to lay off some of our staff. In some ways  
16 it makes sense. The economy's beginning to improve.  
17 We're seeing an increase in electrical permits. But the  
18 governance system that we have in this state does not give  
19 the Electrical Board, does not give the Department direct  
20 access to the electrical fund. We have to go through the  
21 legislature.

22 So we're in the midst now of trying to work with the  
23 legislature to say, "Here's the increase in permit sales.  
24 Here's where we used to be and we had this level of  
25 electrical permit sales. We need to have additional

1 resources to respond to contractors' demands, that we can  
2 actually go out and do the inspection so that we are not  
3 holding up jobs in the state of Washington because folks  
4 are waiting on electrical inspectors."

5 We're doing the best we can with the resources that  
6 we've got. I think Jose' and Rod have been very creative  
7 in actually figuring out a way within our existing budget  
8 to bring on new staff, and we're currently asking the  
9 legislature while they're in town to increase our staff by  
10 another 17 FTE's.

11 And so with that sort of as an overview, I welcome  
12 the opportunity to engage in a dialogue with you, your  
13 thoughts, comments, feedback for Jose' and I about the  
14 things we should be focusing on as we think about the  
15 agency program.

16 CHAIRPERSON PREZEAU: Well, Joel, while the Board  
17 members are thinking, I would like to thank you, and not  
18 only for being here today, but several Board members were  
19 -- the Board was invited -- we had a finite number of  
20 slots to attend the two-day training that the Department  
21 hosted for all the -- for the entire electrical program.  
22 And I wasn't -- I was able to attend one day. I wasn't  
23 able to attend both days because of my schedule. But it  
24 was -- a) I want to thank you for the opportunity.

25 But we had three Board members attend?

1           SECRETARY MUTCH: Four.

2           CHAIRPERSON PREZEAU: Four. -- four Board members  
3 attend. It was a terrific opportunity to interact with  
4 the inspectors and all the folks that make the program  
5 work.

6           And, you know, the first day of training that I  
7 experienced was phenomenal. And I heard the same review  
8 about the second day as well.

9           And so I just wanted to thank you for allowing that,  
10 for the electrical program to have access to that  
11 training.

12           It was difficult because you had to bring every field  
13 person in, you know, and basically shut down the program  
14 for two days, which becomes a nightmare for, you know,  
15 people like Don as a contractor.

16           But I also think, though, that -- you know, so it's  
17 great for the Department, it was great for us as Board  
18 members -- at least I can say for myself; I'm sure the  
19 other three will agree.

20           But I also think it gives the industry a better  
21 understanding of the value that the Department delivers  
22 every day. When it has two days where it's not delivering  
23 that value, I think folks -- it might shift a little some  
24 perspective, and I think in itself is valuable.

25           So thank you for that.

1 MR. SACKS: I appreciate the feedback.

2 And for me, the most gratifying part of that training  
3 was hearing from the inspectors how satisfied they were  
4 with the quality of the training. And really hats off to  
5 Rod and his team. Because I think folks coming in with a  
6 degree of skepticism that we can actually provide high  
7 quality training that makes it worth coming all the way  
8 over from Wenatchee. I think most of what I heard was  
9 "This was time well spent, and we got a lot out of it."

10 The other thing that I think is worth noting that Rod  
11 did with this training is also open it up to local  
12 jurisdictions so that all -- regardless of whether we have  
13 jurisdiction or the locals do, we were operating from the  
14 same foundation.

15 CHAIRPERSON PREZEAU: Yeah, success on all fronts I'm  
16 sure.

17 Any questions or comments for Mr. Sacks?

18 Don.

19 BOARD MEMBER BAKER: I was at that training.

20 Thanks for the invitation by the way.

21 Great opportunity. Got a chance to hear you speak on  
22 I think it was the second day you were there.

23 And I guess a comment about your question about  
24 things maybe the Department can focus on. One of the  
25 inspectors raised a question about, you know, the training

1 and, you know, the ethics issue -- (inaudible).

2 I've caught and heard a lot of feedback from guys in  
3 the industry about how devastating that is. And I know  
4 that there's inspectors that have left the program because  
5 of that very ruling.

6 So I would encourage you to get that squared away.  
7 Because your inspectors are like gods out there to some of  
8 the electricians. And the opportunity for our  
9 apprentices, our best and brightest, you know, the future  
10 of our industry, to be in front of those guys to get some  
11 first-hand information is extremely valuable. It was  
12 valuable to me when I came onto the program. And I think  
13 that's still true today.

14 So it would be really great to get that fixed so  
15 those inspectors can be in front of those apprentices.

16 MR. SACKS: And just for the rest of the Board  
17 members, the issue is sort of two competing sets of public  
18 values. On the one hand, for a number of years, our staff  
19 had been invited when they were not on L & I time to come  
20 and teach the electrical classes. And there's -- from my  
21 perspective, a) you know, it helps the inspectors; b) it  
22 does provide from my perspective access to first-class  
23 training -- (inaudible).

24 The flip side of that is a series of ethics laws that  
25 at a high level basically say in the state of Washington

1 if you are a state employee and you are regulatory, you  
2 can't be in a place where what compensation that you're  
3 earning off the clock could influence what it is that you  
4 do on the clock.

5 And so the question then is: How do you balance  
6 those two sets of competing interests where we aren't  
7 putting ourselves and more importantly we aren't putting  
8 our inspectors in a place where they could be violating  
9 state law and still meet the demand?

10 So I know Jose' and Rod have agreed to pull a team  
11 together and to try to sort through is there a way to  
12 navigate this so that we're meeting the needs that are  
13 identified and still be consistent with state ethics  
14 laws.

15 MR. RODRIGUEZ: So we've reached out -- right now  
16 we're at the point of identifying who might sit on this  
17 panel and help us work through the issues. We're thinking  
18 it would be scenario based. There are some scenarios that  
19 we think merit having a look at and running them up to the  
20 ethics board. But I think we got to flush those out  
21 first, and then get them up there so that we can get a  
22 reading on whether or not it will fly.

23 The other thing, though, that we -- it's a competing  
24 interest. There's a lot of things involved here is that  
25 right now we are behind on our workload. You know, we've

1 been trying to -- we're committed to getting 94 percent of  
2 our inspections done within 48 hours. And right now we're  
3 at 84 -- or excuse me -- 89 percent. So a possible scheme  
4 where we provide that training may have an impact on our  
5 workload depending on how we can do that.

6 So there's just all these things that we have to  
7 consider when we undertake that.

8 But your feedback is important.

9 I'm not sure yet how we will incorporate some of  
10 those ideas into this committee. We will reach out to  
11 you.

12 CHAIRPERSON PREZEAU: If I may, because this is a  
13 topic that we've had some lengthy conversation. It's one  
14 near and dear to Rod's heart. I know to mine as well.

15 And I'm excited that the conversation is continuing.  
16 Because from my perspective, previously sort of the  
17 reports, what I interpreted was happening was the decision  
18 has been rendered and it's done, and inspectors can never  
19 teach. And I thought that's where we were.

20 So I'm thrilled to hear that there is a group of  
21 folks that is going to work on this issue and figure out  
22 is it possible, what does the scenario look like.

23 And any -- I would assume that any Board member would  
24 welcome being a part of that conversation or assist in  
25 that conversation in any way, myself included. So

1 whatever you need, we're -- you know, pick up the phone;  
2 we're here. Because we would love to ...

3 MR. RODRIGUEZ: Just for clarification, we did  
4 implement the policy in the agency. So currently it is a  
5 conflict of interest.

6 CHAIRPERSON PREZEAU: No, I understand. But like I  
7 said, I'm thrilled that the conversation continues. Even  
8 though I under -- you know, I heard what Joel said. I  
9 don't want state inspectors to violate state law either.  
10 Right? I would not want to see -- I would not ever want  
11 to see a state inspector be brought up to the ethics  
12 board.

13 But if there is a way -- because just like you said  
14 in your opening remarks, people do not get up in the  
15 morning and think, How can I be a bad actor? including  
16 inspectors. So -- and they are a tremendous resource to  
17 the industry.

18 Rod.

19 BOARD MEMBER BELISLE: Yeah. I just have to second  
20 that. I can't say how pleased I am to hear that we're  
21 having this discussion still.

22 Because as Tracy said, the last conversation was that  
23 the case was closed.

24 So I'm thrilled to hear that. I think the inspectors  
25 too are the finest educators to apprentices learning about

1 electrical codes. I think the more educated they are, the  
2 easier it's going to be for that inspector to go out and  
3 do more inspections because there's less to deal with  
4 honestly.

5 I think the better a building is wired, the more  
6 efficiently it can be inspected. So there's benefit in  
7 that investment. And I would be glad to be any part of  
8 that discussion or committee or whatever to help.

9 Thank you.

10 MR. SACKS: Appreciate that.

11 And from my perspective, the reason we need to take  
12 on these kinds of questions -- I don't know that we can  
13 get to a satisfactory answer for everybody. But we need  
14 to commit to looking at these things, getting back to that  
15 fifth goal.

16 It really pains me to hear -- this is not the first  
17 time that I've heard that we lost some good inspectors  
18 over this issue. And if we're going to be the employer of  
19 choice, then what we need to do is be very open to our  
20 staff saying, "Hey, these are some of the reasons why we  
21 didn't think about not being here anymore" and ask  
22 ourselves, "Is there something that we can do that's  
23 legal, that's appropriate, that's consistent with our  
24 mission that addresses some of those concerns?"

25 And so we will continue, regardless of what the issue

1 is, to be open to asking ourselves these questions. We  
2 can't always resolve them, but we have to be committed to  
3 doing it and asking, "Is there a way of navigating through  
4 it" so that certified electricians say, "You know what? I  
5 do want to work at L & I. They have my interest at heart.  
6 This is a good place to work."

7 CHAIRPERSON PREZEAU: Any other questions or comments  
8 for Mr. Sacks?

9 Well, I'm certainly not going to dismiss you, but I  
10 know you're a busy man. So if you need -- if you have  
11 something you need to attend to, great. If you can stay  
12 with us for as long as you can, honestly your presence is  
13 always welcome.

14 MR. SACKS: Great. Thank you. And thank you very  
15 much for all of your service.

16 CHAIRPERSON PREZEAU: Thank you.

17 Jose', are you done? Are you --

18 MR. RODRIGUEZ: I was just going to share a few  
19 comments that I did have.

20 Again, based on the electrical permit sales trends,  
21 as you all know, the forecast right now is we're  
22 anticipating in FY14 to see a growth in the electrical  
23 permits of about 14 percent. So due to this steady permit  
24 sales growth, we have been having a hard time meeting our  
25 goal of conducting the under 48 within -- at 94 percent.

1 So again, we're at 89 percent. It's a challenge for us  
2 right now.

3 I am getting a lot of feedback from contractors out  
4 there and from our staff about our timeliness. So that is  
5 our focus right now. But we are maintaining as well an  
6 emphasis on compliance.

7 So all this, as Joel mentioned, has -- it's an impact  
8 on our staff morale. They want to provide good customer  
9 service. And when they can get there in time, it impacts  
10 their morale. And it holds up work in some cases, so it  
11 costs people money -- our customers money.

12 So we're focused on that.

13 Again, I think you all know that part of our solution  
14 was to bring on eight additional inspectors with the  
15 variance that we did have. Those inspectors have now all  
16 been hired. Some of them have already been deployed to  
17 the field. Others are going through their training --  
18 finishing up their training phase.

19 We had established a what we call a succession  
20 planning inspection program -- training program. So the  
21 idea there is to get the inspectors, bring them on board,  
22 get them trained, and then send them out to the field  
23 rather than training them in the field. So some of them,  
24 they've been hired, but they're going through the training  
25 now before they deploy out in the field.

1           So we think that will help. But it's still a  
2 challenge for us to meet our workloads.

3           So as Joel mentioned and I've mentioned to the Board  
4 before, we do have a decision package in the supplemental  
5 budget for 17 additional inspectors. We're still debating  
6 -- if we get the 17, we're still working some of the  
7 details out. But the majority of those inspectors will go  
8 to the field. We may take a few of those inspectors and  
9 give them to ECORE to work compliance issues to help us  
10 with compliance. And we will probably create one  
11 technical specialist program in the central office working  
12 with the chief, and he will become the trainer.

13           This program has never had a dedicated trainer. And  
14 we think that a couple of things can happen. The person  
15 can do the training of our inspectors and help run our  
16 program in terms of the training, provide that expertise  
17 and assistance that some of our staff need out in the  
18 field. But sometimes our inspectors claim that they run  
19 across a contractor who's having issues, and they're kind  
20 of repeat issues. And right now with the workload, they  
21 just don't have time to go back and explain the situation  
22 and try to get that rectified. So we're hoping that the  
23 trainer can do that as well, do some outreach with  
24 contractors and help get them on board so we don't have to  
25 do the inspections.

1           So that's our plan. And we're just watching very  
2 closely what's going on with the budget and the  
3 legislature.

4           And that's all I have to report.

5           CHAIRPERSON PREZEAU: Great. So Jose', before you  
6 leave, any questions?

7           Janet.

8           MR. RODRIGUEZ: Yes, ma'am.

9           BOARD MEMBER LEWIS: Hi.

10          I know Joel mentioned that in terms of compliance,  
11 the Department's going to be looking at targeting bad  
12 actors. And I'm wondering how you're going to classify  
13 contractors or individuals as bad actors. You know, for  
14 example, are you going to go after the ones without  
15 licenses, without certificates or contractors who maybe  
16 forgot to buy a permit timely on -- you know. Because  
17 it's so easy to be a contractor who tries to do the right  
18 thing and then makes one mistake. Do they automatically  
19 become a bad actor? Or is there a process that the  
20 Department's going to do to classify bad actors?

21          MR. RODRIGUEZ: So that is goal team 4. And we have  
22 a -- it's an inter-agency -- or cross-division work group  
23 that's working that issue. I'm on that group.

24          And what we're going to do for each of our programs  
25 in the agency is make sure that each program has what we

1 call an escalation strategy. So the escalation strategy  
2 would go from everywhere from the first encounter where  
3 that might be a education and warning kind of an  
4 opportunity to the fifth encounter -- and we haven't  
5 figured out which -- you know, each program will have to  
6 develop a strategy. But say it goes to the fourth and the  
7 fifth, then that's at the point where it's strong  
8 enforcement. The thing that the agency -- and I think the  
9 electrical program already has lot of that.

10 So right now for the underground economy, we're  
11 looking at licensing, certification and permits. Those  
12 are the three that we look at right now. That's what we  
13 consider for lack of -- and we're trying to get away from  
14 the term "bad actors." Joel still uses it because he  
15 developed it at the beginning. But we're -- not  
16 everybody's a bad actor.

17 And so -- again, it's more of a progressive  
18 enforcement.

19 But the piece that has been lacking in the agency is  
20 the cross-division checks and balances. So the sharing  
21 data across divisions about -- it may be our first  
22 encounter with somebody in electrical, but they may  
23 already have run into our safety folks. They may have  
24 already -- they may have a problem with industrial  
25 insurance. So this is going to be a holistic look at

1 anybody that we have an encounter with. So that'll be a  
2 second piece of that.

3 So maybe you don't have your electrical contractor  
4 and maybe this is your first electrical violation or  
5 encounter, but, you know, if you've got workers on the  
6 premises and you haven't established an industrial  
7 insurance account, then that's a different problem.

8 So we're going to be looking at them that way. And  
9 the really, really bad actors will be those who have dealt  
10 with multiple divisions and have multiple issues with the  
11 Department.

12 CHAIRPERSON PREZEAU: Any other questions? Comments?  
13 No?

14 So Jose', I just want to say -- I want to go on the  
15 record as saying I am excited to hear that maybe some of  
16 those additional inspectors are going to go to E CORE. I'm  
17 a big fan of the E CORE team and the work that they do, and  
18 Faith and the rest of the folks that are part of that is  
19 amazing. And so just consider -- I think that's a really  
20 good investment.

21 MR. RODRIGUEZ: Maybe I'll just commit.

22 CHAIRPERSON PREZEAU: What?

23 MR. RODRIGUEZ: We've got Faith over there.

24 "FAITH": I heard nothing.

25 CHAIRPERSON PREZEAU: I heard. It's on the record.

1           And the last thing -- and I don't want -- my husband  
2           and I went to the Tacoma Home Show, and I was thrilled  
3           because not only did I run into Mary Ness (phonetic), one  
4           of the inspectors, but I saw the -- the Department of  
5           Labor and Industries had a booth there, and before I could  
6           -- I walked right -- sort of like "Wow, Labor and  
7           Industries."

8           And he says, "Do you know how to hire a contractor?"  
9           And he handed me this sheet of paper.

10          I was like, "Exactly. Yes, I do. But I'll take  
11          that."

12          I thought it was great that L & I had a presence  
13          there interacting with homeowners about electrical  
14          contractors and general contractors. So a great  
15          decision.

16          MR. RODRIGUEZ: We have a very strong -- we have a  
17          strong outreach program for construction compliance. And  
18          Sharon -- (inaudible), she's got two staff that do all the  
19          home shows. We've got a presence statewide at all those  
20          home shows.

21          CHAIRPERSON PREZEAU: You may want to give her at  
22          least a little bit more in the budget to buy candy. It  
23          seems to me everybody else had candy.

24          MR. RODRIGUEZ: This is government.

25          CHAIRPERSON PREZEAU: Thank you, Jose'. Appreciate

1 you coming here. Thank you very much.

2 MR. RODRIGUEZ: It sounds like he had a question.

3 CHAIRPERSON PREZEAU: Oh, sorry. Rod.

4 BOARD MEMBER BELISLE: If I could.

5 CHAIRPERSON PREZEAU: Of course.

6 BOARD MEMBER BELISLE: Kind of to follow up on what  
7 Joel said and yourself, I participate on the TAC  
8 committee.

9 The first time I've been on it -- I've watched from  
10 afar in the past. And I've been on the Board a long time.  
11 And I felt like the goals that Joel just reminded us of  
12 that the Department have taken on to simplify, to address  
13 things, to be proactive, Rod Mutch did an incredible job  
14 really making that clear that that was part of the  
15 directive there.

16 And I really appreciate the fact that what we're  
17 hearing is these are goals that we're going to take on.  
18 They're filtering down to the end user. And it was  
19 obviously clear at that committee. And I just -- I want  
20 you to know that that's happening. And I appreciate that.  
21 It was very clear.

22 MR. RODRIGUEZ: Thank you.

23 CHAIRPERSON PREZEAU: Thank you, Mr. Rodriguez.

24 MR. RODRIGUEZ: All right.

25 CHAIRPERSON PREZEAU: Have a great day.

1 MR. RODRIGUEZ: You too.

2

3 Item 4. WAC Rule Change Proposal

4

5 CHAIRPERSON PREZEAU: Okay. So Rod, do you want to  
6 do the -- do you want to start in on the WAC rules? Are  
7 you ready for this?

8 SECRETARY MUTCH: I do. I'm ready.

9 So just a little bit of overview of the WAC rule  
10 process. I believe it was August we started announcing to  
11 the stakeholders and through the Electrical Currents  
12 newsletter that we would be reviewing and accepting  
13 proposals for revisions to the WAC rules.

14 In October -- throughout the month of October we  
15 accepted proposals from anyone that wanted to submit them.  
16 So we sent out the proposal form and the information on  
17 how to submit proposals.

18 And so in December the Department compiled the  
19 proposals, put them together into two documents. One  
20 document was external proposals that came in. And we'll  
21 review that in a minute first I believe. And then the  
22 other document was the Department proposals. So we have  
23 inspectors and supervisors that use the WAC rules every  
24 day, and they find things in there that are -- you know,  
25 they have good suggestions to make the WAC rules more

1 usable. And so we had the document that had Department  
2 proposals.

3 In the TAC committee meeting -- and it was a long  
4 grueling meeting. It started at 8:30 in the morning, and  
5 we were there until after 5:00. And we had a working  
6 lunch too. We didn't even stop to break for lunch. We  
7 took a lot of time. And it was 32 members I believe, a  
8 great cross-section of the industry. We had  
9 representatives from all walks of the industry:  
10 electricians, contractors, manufacturers, engineers, kind  
11 of similar to the makeup of this panel. And we took lots  
12 of time on each proposal, allowed for lots of discussion.  
13 And we actually took a vote on each proposal. We showed  
14 hands, and we counted.

15 And so you'll see the results when I go through the  
16 proposals here. But what I wanted to say was these  
17 proposals were very thoroughly vetted and discussed at  
18 that TAC committee meeting.

19 Rod Belisle and John Brickey were members of the TAC  
20 committee for the Board. And I really appreciate their  
21 participation. It's a volunteer board. All of these  
22 members of the industry serve as volunteers. And so it  
23 was very effective.

24 So what I want to do today is present to you the  
25 external proposals, and then the proposals that we took

1 from the TAC committee recommendations and put into the  
2 Department's proposal document.

3 And so I sent those to you -- or Elissa did earlier.  
4 And so what you received was the actual proposal forms  
5 from the external proposals with the suggested proposal  
6 and the substantiation.

7 This document -- and I apologize for the fine print.  
8 Does anybody have a hard time -- can you read that okay?  
9 It's kind of fine.

10 So this document is the document that I had at the  
11 TAC committee meeting. And so, for example, each proposal  
12 had a number. This is proposal number 1. It gives the  
13 rule reference and the proposed changes. And these are,  
14 again, the external proposals that came in.

15 What the TAC committee's options were: They could  
16 support the proposal as proposed; they could offer  
17 modifications to the proposal and support it as modified;  
18 or they could not support it.

19 And so when you look at this column, for example,  
20 this first proposal had a modification to it. It wasn't  
21 supported really as proposed, but someone suggested a  
22 modification, and we talked about it, and there was only  
23 one objection to the modification as proposed.

24 And so down here, we forwarded it to the Board. What  
25 that means is I took this proposal, and I incorporated it

1 into the document that you'll see next, which is actually  
2 the WAC rules with the line changes on it.

3 So I'd like to go through each proposal. I won't  
4 show you the big sheet that I sent you, which is the  
5 actual proposal that was submitted. I want to go through  
6 this document which summarizes the proposal. And this is  
7 the document that we used at the TAC committee meeting.

8 And so rather than stop and ask for comments each  
9 time -- I want to encourage you guys. I want your  
10 feedback on these proposals. But I don't want to stop  
11 each time. I want you to be able to feel free to ask  
12 questions as we go through the proposals. Go ahead and  
13 interrupt me if you like. If you don't have any comments,  
14 then we'll just move on to the next proposal. I think we  
15 can get through them that way.

16 At the end I want the Board's recommendation on the  
17 final version of the rules.

18 And so with that, I think we'll just go through the  
19 proposals.

20 So this is proposal number one. What it is is an  
21 allowance for installation of a single piece of conduit to  
22 serve for the serving utility to be placed inside a  
23 footing in a stem wall and be poured prior to inspection.

24 So what happens is the contractors will form the  
25 footings. They'll have a -- they'll want a flush meter

1 base, and this conduit will be the service entrance  
2 conduit that goes into the footing and stem wall. And  
3 that gets poured prior to an inspector actually looking at  
4 that piece of conduit. And that would be a continuous  
5 piece of electrical conduit in the foundation of a one-  
6 and two-family dwelling or residential outbuilding. So  
7 it's pretty limited, but it allows that to be installed  
8 without an additional inspection trip.

9 And that was supported by the TAC subcommittee and  
10 forwarded to the Board.

11 BOARD MEMBER BRIGHT: Rod?

12 SECRETARY MUTCH: Yes.

13 BOARD MEMBER BRIGHT: Sorry.

14 I didn't look up every single one of these proposals.  
15 So I am being less familiar with the existing language.  
16 So I hope you'll give me some allowance for that today as  
17 we go through these because I have repeated questions -- I  
18 mean, I have many questions about things that are probably  
19 no brainers to you guys.

20 But in this particular one, I wanted to know if  
21 "raceway" was a term that is defined?

22 SECRETARY MUTCH: Yes.

23 So a lot of these are very technical. And that's why  
24 we had experts from all over the industry review the  
25 proposals and thoroughly went through all the technical

1 terms.

2 And so, yeah, a raceway is defined.

3 BOARD MEMBER BRIGHT: It's defined in the WAC?

4 SECRETARY MUTCH: It's a commonly used term in the  
5 industry. Every electrician knows what a raceway is.

6 And in the National Electrical Code, there are many  
7 different types of raceways listed.

8 CHAIRPERSON PREZEAU: Rod, completely -- well,  
9 related to the process, I just want -- there are people  
10 here that have signed in to make public comment on the  
11 rule-making process.

12 My intent is to allow the Board to review the  
13 external proposals. And then I'm going to ask for public  
14 comment on the external proposals. Then we'll go through  
15 the Department's piece. And then we'll ask for public  
16 comment on the Department's proposals.

17 So that's the way I intend to allow access, but also  
18 allow the Board to review chunks of the rule-making in  
19 their entirety. Right? External, and then public  
20 comment, and then internal, and then public comment.

21 SECRETARY MUTCH: Okay.

22 CHAIRPERSON PREZEAU: I just wanted to make sure  
23 everybody knew that that's the way we're going to do it  
24 today.

25 SECRETARY MUTCH: All right.

1           So this proposal was to amend the definitions of the  
2 term "HVAC refrigeration systems." And there was a lot of  
3 discussion at the TAC committee about this.

4           The problem with amending -- what the proposal was  
5 was to break this into a definition of an HVAC system and  
6 another definition for a refrigeration system. The  
7 problem with that is the reason this definition is in the  
8 WAC rules is because in 920 in the WAC is the description  
9 of the work scopes for the different specialties. And  
10 that term "HVAC refrigeration system," the reason it's  
11 here is to define what that is for the purpose of defining  
12 what the work scope is.

13           And so we played around with maybe trying to split  
14 this up and give an HVAC refrigeration system definition  
15 in two different places ultimately because it really  
16 affects the scope of work, and we didn't want to -- in  
17 this rule-making we didn't open up 920 section for scopes  
18 of work.

19           And so to incorporate something like this into the  
20 definitions because the definition is there to define the  
21 scope of work and it wasn't unanimously supported, I did  
22 not forward that into the Department's proposals.

23           Proposal 3 is another definition, but what the  
24 definition does is it adds a sentence to the definition to  
25 allow an HVAC refrigeration system to include the

1 line-voltage conductors between a split refrigeration  
2 system. In other words, you have a condenser on the  
3 outside and a unit on the inside, and it takes a  
4 line-voltage cable that's required to be installed by a  
5 certified electrician, either an 01 or an 02 basically  
6 depending on what their -- if it's a residence or not.  
7 This would have changed the work scope to allow the HVAC  
8 system certified electricians and contractors to install  
9 that line-voltage cable which is in conflict with the  
10 scope of work definition in 920. So that was not  
11 supported. There was one person in support of that  
12 proposal in the TAC committee.

13 Proposal number 4 was simply to add an informational  
14 note about water-damaged equipment. This is a NEMA  
15 publication about water-damaged equipment.

16 And the feeling was there aren't other references in  
17 the WAC rules to external documents. So that proposal  
18 didn't receive much support. It did not get rolled into  
19 the final rule.

20 Proposal number 5 was to delete the subsection in the  
21 NEC that required GFCI protection for kitchen dishwasher  
22 branch circuits.

23 You'll see throughout the proposals here that in  
24 general the TAC committee was in favor of adopting the NEC  
25 without amendments.

1           So this is one of them. It was a requirement that  
2 was added to the 2014 NEC. This proposal was to amend the  
3 2014 NEC and delete the section requiring GFCI protection  
4 for dishwashers. And you can see it was not supported.  
5 There were two in favor of that proposal.

6           Proposal number 6 was to delete the section in the  
7 WAC rules -- the prior WAC rules that limited arc-fault  
8 protection to only bedroom circuits.

9           Arc-fault protection was introduced in the 1999  
10 version of the National Electrical Code. And it slowly  
11 went from being required in bedroom circuits to other  
12 areas of the house to provide additional protection for  
13 wiring and arc faults.

14           Washington state has had a WAC rule to limit that  
15 protection only to bedrooms. We are one of the few states  
16 left that amend the National Electrical Code by only  
17 requiring arc fault in the bedroom circuits.

18           So this proposal is basically to incorporate the  
19 actual requirements of the 2014 National Electrical Code  
20 with regard to arc-fault protection.

21           And that was supported. And it was also a Department  
22 proposal. So there were no oppositions to that. And it  
23 was forwarded to the Board for the Department's review.

24           And the proposal was to add this language out of the  
25 National Electrical Code into the WAC rule. That's not

1 necessary because the WAC rule is only to amend what's  
2 written in the code we've already adopted in the 2014, so  
3 we don't need to add the language from the National  
4 Electrical Code into the WAC rules.

5       So then proposal number 7 was an opposite proposal.  
6 And it was to limit arc-fault protection to only bedroom  
7 dwellings, bedroom areas. And so this would keep the WAC  
8 rules the way they are and not expand it to incorporate  
9 the requirements of the NEC. And that was not supported  
10 either.

11       So proposal number 8 was similar. And it's a little  
12 bit different. But it's the section that deals with  
13 branch circuit extensions. So the point of the proposal  
14 -- you can see down here an example during a service panel  
15 change.

16       So the NEC allows already to -- a typical service  
17 panel change may involve leaving the enclosure, installing  
18 an additional new panel and using the existing enclosure  
19 to splice the existing conductors with the conductors from  
20 the new panel. The NEC allows that to happen without  
21 arc-fault protection if the conductors are no more than  
22 six feet and it's a service change.

23       So this proposal is taken care of in the NEC  
24 language. And so that proposal was not supported by the  
25 TAC committee either.

1           Number 9 is to delete -- we had an exception in the  
2 WAC rules to not require a receptacle on a balcony or a  
3 deck or a porch that's less than 20 square feet. And so  
4 this proposal was to replace that exception with the text  
5 "and follow the requirements of the NEC." And so that  
6 proposal was -- well, actually that proposal was withdrawn  
7 because it's already -- it was already in the Department's  
8 proposals. That's right.

9           So this one went into -- was one of the Department's  
10 proposals. And basically what it does is it eliminates  
11 that exception in the WAC rule and goes with the NEC  
12 requirements.

13           Proposal 10 -- I've got to kind of refresh myself on  
14 some of these. So this is an exception for -- that said  
15 receptacles in an appliance garage may be counted as part  
16 of the required outlets for a countertop.

17           And since the 2005 NEC I believe, it's been clear in  
18 the NEC that if a receptacle was in an appliance garage or  
19 it had a fixed piece of equipment in front of it that that  
20 did not count in the amount of required receptacles on a  
21 countertop.

22           So this one is another one where it would go with  
23 what the NEC requirements are. So that one was supported.  
24 There were 21 in support of that, which means there were  
25 about 10 or 11 opposed to it. But since the trend from

1 the general consensus of the TAC committee and the  
2 Department and to make it more consistent with the  
3 national consensus standard, I forwarded this to the Board  
4 for inclusion.

5 This is a proposal that --

6 CHAIRPERSON PREZEAU: So Rod, can we -- can we go  
7 back to the appliance garage question?

8 SECRETARY MUTCH: Yep.

9 CHAIRPERSON PREZEAU: Appliances fastened in place.  
10 What does that mean? Is that defined?

11 SECRETARY MUTCH: It's an appliance -- like let's say  
12 maybe it's a space-safer microwave that's under the  
13 counter. Probably there's a receptacle behind it that's  
14 with an outlet that's plugged in that you cannot get to it  
15 to use. And so you have a portable blender or something  
16 that you want to plug in, there would be no way to get to  
17 it because that appliance is blocking that receptacle.

18 CHAIRPERSON PREZEAU: Okay.

19 SECRETARY MUTCH: This proposal was withdrawn because  
20 it was a similar proposal in the Department's proposal.  
21 So we'll talk about this one.

22 It has to do with lighting load calculations and  
23 being able to use the provisions in the energy code. So  
24 since it was a Department proposal, this was withdrawn.  
25 You'll see that in the next document.

1           This was a proposal to amend the little drawings in  
2 the WAC rules that specify how you support a service mast  
3 when the service conductor is attached to it.

4           There were some technical problems with what they  
5 wanted to include in this drawing. And the drawing itself  
6 is not to give all of the code requirements in the  
7 drawing; it's simply to show acceptable methods of  
8 supporting conduits for overhead services.

9           So that was not supported and not included in the  
10 Department's proposal.

11           This one is a proposal to require couplings in a mast  
12 -- an overhead service mast only below the roof flashing  
13 where the roof flashing is braced or secured. And that's  
14 kind of covered in the 2014 NEC. And so there wasn't  
15 support for this proposal because it's kind of already  
16 addressed in the 2014 NEC.

17           This one is a proposal -- so last rule-making cycle  
18 we required the use of what's called a concrete-encased  
19 electrode. There's areas in Washington state where the  
20 traditional method for grounding electrodes is driving two  
21 ground rods. And it doesn't provide a low-enough  
22 resistance to ground to make an effective electrode.  
23 And so in the last rule-making cycle we required the use  
24 of this concrete-encased electrode which basically  
25 incorporates the concrete footing of a building into the

1 electrode system. It's a very effective grounding  
2 method.

3 The provision was that if you did not use a  
4 concrete-encased electrode that you had to install a  
5 ground ring, which meant digging all the way around the  
6 building and burying a piece of copper wire 30 inches deep  
7 around the building.

8 And so this proposal would provide an alternate  
9 method to that ground ring by requiring an additional  
10 concrete-encased electrode maybe alongside the building  
11 and pouring another electrode which may or may not meet  
12 the requirements in the NEC of a grounding electrode.

13 And so the Department also has a proposal to provide  
14 an additional method for grounding electrodes. And so  
15 this method was not supported because there is an  
16 additional method in the Department's proposal to achieve  
17 the same thing.

18 CHAIRPERSON PREZEAU: That the participants thought  
19 was superior.

20 SECRETARY MUTCH: Yes.

21 Rod.

22 BOARD MEMBER BELISLE: Rod, I think this one actually  
23 may be more related to who can inspect it I think.

24 SECRETARY MUTCH: Oh, did I get that wrong?

25 BOARD MEMBER BELISLE: I'm sorry, I should have

1 caught that.

2 SECRETARY MUTCH: So there's another -- okay.

3 So there's another one that deals with the  
4 installation of a concrete-encased electrode.

5 Thanks, Rod.

6 What this proposal does is it would instead of --  
7 it would allow a qualified building inspector to come out  
8 and do a visual inspection on the concrete-encased  
9 electrode.

10 And so in the statute we have some requirements for  
11 electrical inspectors, and they have to be, you know, four  
12 years as an 01 electrician. This may run into statutory  
13 requirements. Plus, the Department already has a method  
14 where we do not have to visually inspect a concrete-  
15 encased electrode.

16 So if the installers install the rebar in a certain  
17 way that we can be able to test it after the fact, the  
18 contractors can go ahead and pour the footing and it does  
19 not have to be visually inspected.

20 So there wasn't general support for this proposal  
21 among the TAC committee either.

22 BOARD MEMBER BRIGHT: So I have a question about  
23 that.

24 On the proposal number 14, it said, "Building  
25 officials see this as a viable alternative to contractors

1 subsequently chipping or cutting into the concrete  
2 foundation to expose the rebar after the electrical  
3 inspector has written corrections for no concrete encased  
4 electrode and thus compromising the intended integrity of  
5 the footing or foundation."

6 Has that happened? I mean, is that -- is this a  
7 problem?

8 SECRETARY MUTCH: I don't know how widespread it is.  
9 But that would be something that the electrical contractor  
10 would have to work out with the building inspector.  
11 Because the concrete-encased electrode is required. But  
12 you'll see in the Department's proposal, we would allow  
13 another method, a different electrode to be installed if  
14 it meets the NEC and it's tested -- the resistance value  
15 is tested.

16 So what was happening is if a contractor didn't  
17 install a concrete-encased electrode, then in the previous  
18 requirement they would have to install the ground ring all  
19 the way around the building which is very cost prohibitive  
20 to do that. So their alternative was to get the  
21 jackhammer out and chip away at the footing and expose  
22 some of that rebar, which would violate some building code  
23 requirements.

24 And so this would have been a proposal to allow that  
25 inspection to be made by the building official at the time

1 the rebar was installed.

2 BOARD MEMBER BRIGHT: Right. No, I understand that.  
3 I'm just saying, if this is a problem, I can see that it  
4 would be a very expensive problem to resolve.

5 SECRETARY MUTCH: Right.

6 BOARD MEMBER BRIGHT: Even with the ground ring  
7 option.

8 SECRETARY MUTCH: Yep.

9 BOARD MEMBER BRIGHT: But I don't know. I mean,  
10 there's probably a better way of addressing it than this  
11 particular proposal.

12 SECRETARY MUTCH: Right.

13 And you'll see in the Department's proposal, we allow  
14 -- we're going to allow any other type of grounding  
15 electrode to be used. It's just that the resistance has  
16 to be verified.

17 BOARD MEMBER BRIGHT: Have to be able to test it.  
18 Okay.

19 SECRETARY MUTCH: Yep.

20 Okay. Is this the one that I was just talking about?

21 BOARD MEMBER BELISLE: Yeah. Yeah, it is.

22 SECRETARY MUTCH: All right. So this is a proposal  
23 to allow an additional concrete-encased electrode to be  
24 installed if the -- if it wasn't installed at the time of  
25 pouring the footing. Because of the proposal to allow any

1 type of electrode as long as the resistance is verified,  
2 this proposal wasn't supported either.

3 16 is to add a new section about power distribution  
4 blocks. This is actually in the NEC, the 2014 NEC.

5 And so what it is, it's to allow power distribution  
6 blocks to be installed on the line side of the service  
7 disconnect as long as the blocks are listed for the use,  
8 which apparently there are no power distribution blocks  
9 that are listed for installation on the line side of the  
10 service yet.

11 So this one since it's already in the NEC, we just  
12 went with the requirements of the NEC. And this proposal  
13 wasn't in support to be put into the WAC rules.

14 So this one is to -- okay. This is one that was  
15 withdrawn by the person that submitted it. It has to do  
16 with tamper-resistant receptacles. And it would limit --  
17 I think what this does is it -- we had some exceptions in  
18 the WAC rules that were incorporated into the 2011 NEC.  
19 And we're going with the language in the NEC rather than  
20 using the language in the WAC. So that's why it was  
21 withdrawn. Because the Department's proposal accomplished  
22 the same thing.

23 This one is to -- in section -- in article 406 which  
24 is receptacles, when you replace a receptacle, the NEC  
25 requires that that receptacle be arc-fault protected. So

1 this proposal was to delete that requirement. Arc-fault  
2 receptacles are now widely available. They've been around  
3 for a while. And so we're just going with the language  
4 in the NEC with regard to arc-fault protection.

5 This one was not supported. It was a -- if a  
6 luminaire is in a bathtub or a shower stall, it shall be  
7 enclosed and listed for the type and be ground-fault  
8 protected for personnel.

9 This requirement is already in the National  
10 Electrical Code. But it says that a luminaire that has  
11 exposed metal parts has to be GFCI protected. And this  
12 would require it for any luminaire in a bathtub or shower  
13 stall area. Some of these are pretty high, and if there's  
14 no exposure to shock hazard, then we'll just go with the  
15 NEC language on it.

16 Proposal 20 has to do with what's called non-isolated  
17 power systems. And this is a system where it provides  
18 extra protection for patients.

19 This proposal would say that you cannot have  
20 receptacles from a grounded non-isolated power system in  
21 the same operating room with receptacles from an isolated  
22 power system. And so it would discourage the introduction  
23 of this safer technology into operating rooms by making  
24 the hospital eliminate all of their other receptacles  
25 which are on non-isolated power systems. It would also

1 require additional transfer switches because the isolated  
2 power system would have to be separated from the  
3 non-isolated power system. And so they felt like this  
4 would inhibit the expansion of safer power systems for  
5 operating rooms. So it was not supported. And that was  
6 unanimous.

7       Proposals 20 through -- there's about four proposals  
8 that have to do with electric signs. And these were  
9 included in the Department's proposal as well.

10       We got some comments from the sign industry and one  
11 of the folks that serves on the NEC code-making panel for  
12 the sign article.

13       Our previous WAC rules were a little bit in violation  
14 of UL standards where we required a UL label to be  
15 installed in the field, which was a violation. And so  
16 David Servine helped us with this article. And all of  
17 these four proposals were from him. And so we included it  
18 in the Department's proposal. And also it was -- he  
19 submitted them separately. So we supported all of the  
20 sign amendments. So there's one for -- anywhere it says  
21 article 600, there was support for all of those, support  
22 as proposed.

23       This one, proposal 25, is similar to two other  
24 proposals that you'll see. And it basically has to do  
25 with what's called selective coordination. And so in an

1 emergency system, which article 700 is emergency system.  
2 701 I think is another proposal. 701 is legally required  
3 stand-by systems. And 708 is for critical operations  
4 power systems.

5       These are important systems where if you have a  
6 ground fault let's say on a branch circuit, you only want  
7 the circuit breaker to trip that is protecting that branch  
8 circuit. So in other words, you would not want to have a  
9 ground-faulted branch circuit take out the main breaker in  
10 the building and shut down the whole system.

11       And so the way that's accomplished is by a method  
12 called selective coordination where a fault -- the fault  
13 characteristics of a circuit breaker are coordinated with  
14 the fault characteristics of the upstream circuit breaker  
15 so that they trip at more increasing levels and they don't  
16 -- they prohibit tripping and losing unnecessary power.

17       And so this proposal was to -- this proposal was to  
18 require available fault currents and their associated --

19       BOARD MEMBER BELISLE: It kind of restates what's  
20 already there.

21       SECRETARY MUTCH: It does.

22       Okay. So this proposal goes with what's in the NEC.  
23 And so since it's in the NEC, we didn't want to include it  
24 in the WAC rules.

25       So these proposals are -- there's three proposals

1 like this that were not included into the WAC rules  
2 because we're going with what the NEC requires.

3 And so proposal 26 is also for emergency systems.  
4 And it's an exception that allows an electrical engineer  
5 to provide a method for coordination that isn't completely  
6 selective. In other words, he can specify that a circuit  
7 breaker system is coordinated to within one-tenth of a  
8 second. Okay? That doesn't provide total selective  
9 coordination. So if you look at the sine wave, that's six  
10 cycles of power that's allowed to pass through. And  
11 there's a possibility that the upstream circuit breaker  
12 could be tripped because of that.

13 And so this proposal was not supported because the  
14 committee felt to go with complete selective coordination  
15 as required by the NEC.

16 CHAIRPERSON PREZEAU: So then, Rod, assuming that the  
17 -- and I'm looking at the original proposals because the  
18 text is larger. And the statement of the problem included  
19 in this -- and I'm just -- and not everybody maybe has it  
20 in front of them, and I don't know if this is true. It  
21 reads: The City of Seattle has adopted less restrictive  
22 code language recognizing that, you know, ten second time  
23 limit similar to that previously rejected by NFPA 70.  
24 This creates a discrepancy in enforcement between the City  
25 of Seattle and areas of the state governed by Labor and

1 Industries.

2 So that is going to continue. Is that a true  
3 statement?

4 SECRETARY MUTCH: That is a true statement for now.

5 So as you know, cities are required to adopt an  
6 equal, higher or better standard of installation than the  
7 state does.

8 So we're going with the requirements in the National  
9 Electrical Code. And the City of Seattle has a standard  
10 that's a little bit less than what the National Electrical  
11 Code requires at this time.

12 Does that answer your question?

13 CHAIRPERSON PREZEAU: Yes.

14 SECRETARY MUTCH: So these two proposals that I just  
15 went through are the same for article 701, and you can see  
16 they were not supported because we're going with the text  
17 of the NEC.

18 And for article 70 -- okay, this one was inserted in  
19 the middle. And we talked about this one. And then we'll  
20 go to 708.

21 So article 702, the NEC says that if you have an  
22 automatic transfer switch, that the generator and the  
23 feeder must be sized to handle the entire load that's  
24 transferred by that transfer switch. So in the event of a  
25 loss of power, the generator has to be sized to handle all

1 the power that's going to get switched back on. And so  
2 this one was a proposal that would say, okay, if you have  
3 loads that don't automatically restart, you don't have to  
4 include those in the calculation. And so I think the NEC  
5 covers that by saying that the loads -- the generator and  
6 the feeder have to be sized for the loads that are  
7 automatically transferred. And so if you have a loss of  
8 normal power, you're going to have loads that shut off.  
9 And then when power is transferred back on, only those  
10 loads that start automatically are going to be  
11 transferred. And so I think the text of the NEC already  
12 covers this.

13 And so this was not supported as proposed. We played  
14 around with eliminating the -- you know, we said if it's a  
15 range, an oven, a dishwasher, a disposal, a dryer, washer,  
16 whatever similar appliance that doesn't start  
17 automatically, you don't have to include that. But it  
18 didn't have wide support because the NEC kind of already  
19 covers that.

20 Okay. Proposals 30 and 31 are the same as the  
21 selective coordination proposal we talked about before.  
22 And those were not supported as well.

23 Proposal 32 was to eliminate the requirement in WAC  
24 that refers communication systems to have to follow the  
25 requirements of previous chapters in the code. And so we

1 were running into communication systems that were being  
2 installed, and the method of installation violated the  
3 manufacturer's warranty. So they would install  
4 communications cables in conduits underground that would  
5 be in wet locations, and the manufacturers would not be  
6 able to warrant those cables for the customers.

7 If you go by the NEC, article 110 which requires  
8 installations to follow manufacturer's instructions  
9 doesn't apply to communications cables. And so that's why  
10 we put this in here.

11 Also, there's no requirements for burial depth on  
12 underground conduits for communication systems. And so  
13 this was put in last WAC cycle. And it allows inspections  
14 if an installation is made that doesn't meet the  
15 manufacturer's requirements to go ahead and write a  
16 correction so that they can fix it so that the customer is  
17 -- the manufacturer can warrant the installation.

18 CHAIRPERSON PREZEAU: Is this a direct result of that  
19 -- wasn't there a school that was built? Is that where  
20 this is coming from?

21 SECRETARY MUTCH: Yes.

22 CHAIRPERSON PREZEAU: And then the customer -- the  
23 wiring method was not in compliance, but then the school  
24 ended up as the customer and said, "We will take the  
25 variance"?

1 SECRETARY MUTCH: Yes.

2 CHAIRPERSON PREZEAU: Or it was way more complicated  
3 than that, but that's what's driving this?

4 SECRETARY MUTCH: Yes, right.

5 And the manufacturer came out and said they would not  
6 cover the installation. So to get the situation resolved,  
7 they applied for a variance. And the school district had  
8 to accept responsibility for that installation.

9 But this clarifies that, you know, communication  
10 systems have to meet manufacturers installation  
11 instructions.

12 CHAIRPERSON PREZEAU: Okay. So just to be -- so I'm  
13 a little bit confused, and maybe it's because I need more  
14 coffee -- which we're going to take a break after this.

15 So this proposal was to make a change, and that  
16 change was not supported.

17 SECRETARY MUTCH: Correct.

18 CHAIRPERSON PREZEAU: So with that, Rod, what I'd  
19 like to do is take a break.

20 And I don't know -- how many more external proposals  
21 we have. I know there was several, but some of them were  
22 duplicative.

23 SECRETARY MUTCH: We've consolidated them, so I'd say  
24 there's probably 10 or 12 more.

25 CHAIRPERSON PREZEAU: So how about a 15-minute break,

1 then we'll come back -- and a reminder, again, we'll take  
2 public comment on the externals. But I will only call on  
3 folks that are signed in. So if you want to comment,  
4 please get on the sign-in sheet. Thank you.

5 15-minute recess.

6 (Recess taken.)

7 CHAIRPERSON PREZEAU: Okay. So our 15-minute break  
8 is -- or 15-minute recess is over. So we are coming back  
9 on the record under agenda item 4, WAC Rule Changes. And  
10 we are still reviewing the external proposals. And I  
11 believe we are on proposal 33; is that correct?

12 SECRETARY MUTCH: 33.

13 So proposal 33 is a proposal to define the word  
14 "emergency."

15 You might recall an appeal was heard before the  
16 Board, and it has to do with whether or not -- there's a  
17 provision that says if you're working repairing emergency  
18 repairs to an existing electrical system, that you can  
19 obtain -- if you're a contractor working in a city's  
20 jurisdiction that doesn't have provisionals, you can get  
21 the permit the following day.

22 And so this defined the term "emergency" as an  
23 unforeseen combination of circumstances or resulting in a  
24 state that calls for immediate action.

25 And so I actually -- we had a lot of discussion about

1 this. And you'll see in the Department's proposal that we  
2 had a definition of "emergency" that referred to something  
3 that was necessary to protect immediate hazard of life and  
4 property or something like that. And so we were kind of  
5 up and down on this.

6 What I ended up doing -- and you'll see this in the  
7 Department's proposal -- is pulling that definition of  
8 "emergency" and focusing on existing -- repairs to an  
9 existing electrical system. And so, you know, leaving the  
10 term "emergency" there but really it's repairs to an  
11 existing electrical system that we're talking about.  
12 We're not talking about going in and, you know, starting a  
13 project or installing a bigger circuit or something like  
14 that. It's about like-in-kind replacement to get  
15 something up and running.

16 So we'll talk about this more in the Department's  
17 proposals. But I didn't include this definition of  
18 "emergency" in the WAC rule proposals.

19 CHAIRPERSON PREZEAU: So Rod?

20 SECRETARY MUTCH: Yep.

21 CHAIRPERSON PREZEAU: I remember this. And we took  
22 some action on this appeal today, right?

23 SECRETARY MUTCH: Yep.

24 CHAIRPERSON PREZEAU: And had conversations --  
25 several conversations about this rub.

1           How often does it happen that an electrical  
2 contractor is in a city's jurisdiction that they don't  
3 have provisionals and their permit -- you know, unlike the  
4 state, they can't buy permits on-line 24 hours a day. How  
5 often does this happen?

6           SECRETARY MUTCH: I don't know that there are many  
7 city jurisdictions that you cannot purchase a permit  
8 on-line.

9           John, do you have any --

10          CHAIRPERSON PREZEAU: I was just going to say, John,  
11 are you -- can you talk about this?

12          SECRETARY MUTCH: -- reference about that?

13          BOARD MEMBER BRICKEY: I can't speak to all  
14 jurisdictions.

15          I know that we have electrical permits on-line.  
16 They're not validated until something happens in our  
17 office, but we do know that they have applied for the  
18 permit prior to starting the work, and we have --  
19 recognize that.

20          But I can't speak to other jurisdictions.

21          BOARD MEMBER BAKER: Tracy?

22          CHAIRPERSON PREZEAU: Yes.

23          BOARD MEMBER BAKER: When I have guys end up in those  
24 situations where it's cities jurisdictions, I now have  
25 them post provisional permits, and then later we'll go

1 back and correctly get a city permit. But at least we're  
2 satisfying the state's requirement of posting a permit.

3 CHAIRPERSON PREZEAU: Which -- and I think it goes to  
4 intent, right? It's like there's an intent to comply, and  
5 there's also an intent to service a customer that is in a  
6 state of need or situation and state of need.

7 And the reason for my -- I think that's -- I mean,  
8 that would be what I would do if I was a contractor in  
9 that scenario and was not able to buy a permit on-line in  
10 a city jurisdiction, I'd get it, right?

11 BOARD MEMBER BAKER: So again, we're talking about  
12 situations that are after hours, on weekends, no one in  
13 the office.

14 CHAIRPERSON PREZEAU: Service calls.

15 BOARD MEMBER BAKER: Yeah, exactly.

16 CHAIRPERSON PREZEAU: All right. Thanks.

17 SECRETARY MUTCH: 34 was a proposal to add a  
18 occupancy switch replacing a snap switch with less than or  
19 equal to 15 amps.

20 So this is the permit-exempt list. And the proposal  
21 was to be able to take out a regular switch and put in an  
22 occupancy sensor. Doing that would sometimes require you  
23 to connect a equipment-grounding conductor to the switch  
24 or a grounded conductor to the switch. And so we didn't  
25 -- the TAC didn't support adding it to the permit-exempt

1 list, but they did support moving it to the Class B  
2 eligible list for random inspections.

3 So that's what we did. You'll see in the  
4 Department's proposals that that was added to the Class B  
5 list.

6 BOARD MEMBER BRIGHT: How many people were  
7 participating in this? Because I'm getting confused by  
8 the numbers on the right-hand side.

9 You know, it appears that --

10 SECRETARY MUTCH: There were 30 -- well, actually  
11 voting members like the two Board members that  
12 participated didn't vote. So I think there were 30  
13 approximately voting members.

14 BOARD MEMBER BRIGHT: So some of them were -- so not  
15 all issues got voted on by everybody.

16 SECRETARY MUTCH: Correct.

17 BOARD MEMBER BRIGHT: Right?

18 SECRETARY MUTCH: So like, for example, this one had  
19 two in support as written. To put this proposal into the  
20 Class A list, there were two people that supported that.

21 And then we said, Well, how about moving it to the  
22 Class B eligible list, and that got more support. There  
23 were 22 people in favor of moving it to the Class B list.

24 BOARD MEMBER BRIGHT: Because the last one, it said  
25 12, and it looked like in some of the previous ones that

1 12 would have been a majority. So --

2 SECRETARY MUTCH: Yeah.

3 Okay. This proposal was to allow replacing things  
4 like a -- so this would make -- add to the permit-exempt  
5 list to replace things like an occupancy sensor for a  
6 security system. It's an equipment unit that's not  
7 necessarily on the list. It's circuit board or a fuse or  
8 something like that that's -- that you're replacing. The  
9 proposal was to add that to the list of permit-exempt  
10 items. And so that was not supported. There were nine  
11 folks that were in support of doing that.

12 And then we modified it to add replacement of  
13 low-voltage equipment that consists of a single circuit  
14 board.

15 So the first proposal was low-voltage equipment that  
16 consists of a single circuit board within a protected  
17 enclosure like an occupancy sensor or a -- you know, some  
18 kind of a piece of equipment that's plug-in that's not a  
19 component that doesn't fall within that definition. That  
20 only had six support it when we modified it. So there  
21 wasn't wide-spread support for expanding the list of  
22 things you can do without a permit.

23 CHAIRPERSON PREZEAU: Rod, I apologize, but I have a  
24 question about 34. I just want to clarify.

25 So I get what happened. But my question is: You're

1 talking about a like-in-kind replacement and this  
2 occupancy switch replacing a snap switch. You tell me  
3 what the quantity is because I don't -- is that 150  
4 occupancy --

5 SECRETARY MUTCH: You'll see that in the Class B  
6 list.

7 CHAIRPERSON PREZEAU: Okay.

8 SECRETARY MUTCH: So we have a quantity that you can  
9 replace receptacles. I think it's -- I can't remember --  
10 I think it's 20?

11 BOARD MEMBER BELISLE: Isn't it 5?

12 SECRETARY MUTCH: 5?

13 BOARD MEMBER BELISLE: That says 5 snap switches,  
14 occupancy switches, dimmers --

15 SECRETARY MUTCH: No. That's on the Class A list.

16 CHAIRPERSON PREZEAU: Exactly.

17 SECRETARY MUTCH: So in the Class B list, I think  
18 you're allowed to do more. I think it's up to 20. So can  
19 go into a building and do 20 of these on the Class B  
20 permit. I think that's how it works.

21 CHAIRPERSON PREZEAU: I have -- the reason that I'm  
22 hesitant is, you know, having a snap switch in a --  
23 replacing an occupancy switch with a snap switch, a snap  
24 switch you don't have to have a neutral. Some of those  
25 occupancy switches require a neutral; some don't.

1 SECRETARY MUTCH: Right.

2 CHAIRPERSON PREZEAU: And then some of them, even the  
3 ones that don't require a neutral, you can still get some  
4 unbalanced load. And I'm really wondering if the TAC  
5 committee discussed that and weighted that. Because what  
6 I'm having some reluctance with or anxiety about is the  
7 number. Right?

8 SECRETARY MUTCH: Oh, okay. As far as loading on the  
9 circuit?

10 CHAIRPERSON PREZEAU: Yes.

11 SECRETARY MUTCH: So what that does is -- and I think  
12 UL standards are going to be changing because right now  
13 these devices, there are some that utilize the  
14 equipment-grounding conductor. And the last code cycle,  
15 they required a grounded conductor to be pulled to all  
16 switch locations. And so -- but -- and I think the  
17 standard on these devices will be changing to require a  
18 grounded conductor to be connected to it.

19 CHAIRPERSON PREZEAU: You want to get in on this,  
20 Rod?

21 SECRETARY MUTCH: You remember that, Rod?

22 BOARD MEMBER BELISLE: Yeah. And I actually worked  
23 on this code panel that deals with the neutral conductor.  
24 And when these occupancy sensors are listed by UL, they  
25 say connect it to a grounded conductor. And then there's

1 an exception that says if no grounded conductor exists,  
2 connect it to an equipment grounding conductor as long as  
3 you only conduct one to that circuit.

4 So we changed that requirement for a neutral because  
5 consumers were putting in ten of them in a house. And  
6 that far exceeded the voltage that was going on the  
7 equipment grounding conductor. So if you follow the  
8 directions with the device, you would only be allowed to  
9 put in one without a neutral on any given circuit at a  
10 time.

11 CHAIRPERSON PREZEAU: If you follow --

12 BOARD MEMBER BELISLE: If you follow the installation  
13 instructions.

14 New code requires the neutral eliminate that concern.  
15 But realistically we're talking about replacing things and  
16 how many do we replace. It doesn't eliminate the  
17 requirement to replace it properly.

18 So I'm not sure limiting that number is going to fix  
19 the did he install it right or not.

20 CHAIRPERSON PREZEAU: Got it.

21 How do you feel about this?

22 BOARD MEMBER BELISLE: I kind of feel exactly that  
23 way is I'm not sure if we -- I mean, really, if we're  
24 going to limit it, we either need to limit it to one or  
25 it's irrelevant what the number is because they're either

1 going to install it properly or they're not. If they  
2 don't install it properly any more than one, then you  
3 violated the installation instructions. In most cases.

4 Now, some of these switches, the technology is  
5 changing too. But certainly there's ones out there that  
6 exist that the limit is one.

7 SECRETARY MUTCH: So the limit is one if you utilize  
8 the equipment-grounding conductor.

9 BOARD MEMBER BELISLE: Yeah.

10 SECRETARY MUTCH: And so, you know, if they're  
11 properly installed and there's a grounded conductor there  
12 and they can install multiples of these, that would allow  
13 them to do so.

14 Limiting it to one would prohibit -- you know.

15 CHAIRPERSON PREZEAU: No, I appreciate that. I'm not  
16 going to -- I just wanted to have the -- I would feel bad  
17 if we didn't have the conversation.

18 SECRETARY MUTCH: Right.

19 CHAIRPERSON PREZEAU: I just wanted to talk about the  
20 unbalanced load. So thank you for that opportunity.

21 SECRETARY MUTCH: And we'll have another opportunity  
22 to discuss the same issue later.

23 CHAIRPERSON PREZEAU: Make me a happy woman, Rod.

24 SECRETARY MUTCH: Okay.

25 And so this was the circuit board replacement that

1 was not supported, expanding of the permitting network.

2 This one, proposal 36, was to add low-voltage wiring  
3 in, you know, communication circuits in one- and  
4 two-family dwellings to the permit-exempt list, which by  
5 the way is already exempt. If it's a true  
6 telecommunications system circuit in a one- and two-family  
7 dwelling, it is exempt from permits. Or installations of  
8 1,000 square feet or less for communication systems or  
9 wireless alarm systems.

10 And so these are currently Class B eligible. And the  
11 committee felt that we did not want to exempt them  
12 completely from permits.

13 This one was withdrawn. What happened is this has to  
14 do with how many items you can replace on a Class B list  
15 -- or a Class B label.

16 So when you're allowed to do a furnace replacement on  
17 a Class B label, it wasn't clear that that did not include  
18 the low-voltage work. So folks were -- well, if it was a  
19 regular permit, they would be separate line items, and  
20 you'd have to buy a circuit permit for replacing the  
21 furnace and a low-voltage permit for replacing the  
22 thermostat wiring.

23 And so this proposal was to allow unlimited use of  
24 line items with one Class B permit. That wasn't  
25 supported. But expanding two items on a Class B label was

1 supported by 12 folks.

2 So I kind of -- you'll see a compromise in the  
3 Department's proposal where I say, you know, like-in-kind  
4 of replacement if a furnace and associated Class 2  
5 low-voltage control wiring in one line item. So that kind  
6 of goes to the intent of what the submitter wanted, but it  
7 doesn't open it wide open to allow multiple items to be  
8 used on one label.

9 CHAIRPERSON PREZEAU: Did you talk to Tina about  
10 this?

11 SECRETARY MUTCH: Yeah.

12 CHAIRPERSON PREZEAU: The compromise?

13 SECRETARY MUTCH: Yeah.

14 CHAIRPERSON PREZEAU: Does that make her happy?

15 SECRETARY MUTCH: Yeah. She was good with the  
16 compromise, yeah.

17 This one had multiple things. These two were  
18 withdrawn. She wanted to be able to replace the internal  
19 wiring of a unit and not require an additional Class B  
20 when it can be included on the work list. So she withdrew  
21 both of those. And we kind of come up with a solution  
22 that's going to meet her intent.

23 38 was not supported. This would require the  
24 Department to notify in writing a contractor or individual  
25 within ten business days of any violation that will result

1 in an offense; the violation is to be considered null and  
2 void.

3 So many of our investigations go longer than ten days  
4 when we're requesting information. This would be  
5 impossible to implement. When we are notified of a  
6 violation, there's usually conversations with the  
7 contractor and evidence that's collected. And so this was  
8 not supported by the TAC committee.

9 This proposal exempts all power-over-ethernet systems  
10 from licensing and certification requirements. And that  
11 was not supported by the TAC committee.

12 This is proposal 40. And the only thing on the  
13 proposal was this WAC rule. So we couldn't figure out  
14 what it was. It happens to be the requirement for visibly  
15 displaying the certificate. So we didn't support that one  
16 because it wasn't clear what the proposal was.

17 Now you'll see several proposals. This one has to do  
18 with allowing an individual to display while they're  
19 working a color-coded copy of their certificate. And it's  
20 also exempting displaying the certificate when working or  
21 climbing on a ladder or when working on HVAC equipment.

22 So we already have exemptions in the requirement to  
23 allow you to put that inside your clothes when you're  
24 working on machinery as rotating machinery or if you're  
25 crawling in an attic. So the TAC committee did support

1 using color-coded copies of the certificates.

2 CHAIRPERSON PREZEAU: And Rod, you know, just to be  
3 clear, displaying the certificate in a lanyard is not the  
4 only way to display it.

5 SECRETARY MUTCH: Correct.

6 CHAIRPERSON PREZEAU: There's vests that have, you  
7 know, pockets. You know, there's a litany of other ways  
8 to display it and, you know, the other pieces. I have a  
9 hard time believing that an inspector is going to follow  
10 you into a crawl space looking for your certificate.

11 SECRETARY MUTCH: Right.

12 This one is -- this is a proposal to eliminate the  
13 requirement to wear the certificate. And it was not  
14 supported. One person in support of it.

15 And this, proposals 43A through 43X, were proposals  
16 to eliminate the requirement for displaying the  
17 certificates as well. And that was not supported by the  
18 TAC committee.

19 All of those were duplicates of the same proposal,  
20 submitted by different submitters.

21 BOARD MEMBER BRIGHT: I wanted to comment on some of  
22 the justifications that were included on a number of  
23 these.

24 SECRETARY MUTCH: Okay.

25 BOARD MEMBER BRIGHT: They say that -- well, I mean,

1 in one -- most of them say it's an unnecessary burden to  
2 the individual carrying the tools. But one of them even  
3 went as far as -- the first one I think it is -- went as  
4 far to say an unfair act of capriciously singling out a  
5 group of construction trade people when no other  
6 construction trades are required to have -- and that's not  
7 true, for one thing.

8         There are a number of venues. If you're working on a  
9 hospital. If you're working on a port property, for  
10 example, you have to have the permission to be there  
11 visibly displayed at all times. But it also doesn't  
12 single out -- there are other trades that are required to  
13 have identification.

14         But I think that in response to the volume of  
15 suggestions that you got regarding this, I think it might  
16 be in the Department's interest to send a letter or  
17 something like that to the individuals that submitted  
18 these proposals or the companies that submitted these  
19 proposals saying exactly that, saying, well, you know,  
20 there are vests. Wearing it on a lanyard isn't the only  
21 way of displaying it. What the exceptions are, you know,  
22 when you can tuck it inside your shirt and it's okay, all  
23 that kind of stuff so that it's clear. Because it seems  
24 to me like they're not understanding the magnitude of the  
25 requirement which is in my opinion kind of de minimis,

1 right?

2 CHAIRPERSON PREZEAU: I like that. So Electrical  
3 Currents newsletter article.

4 But I also think it's a great idea the folks that  
5 sent the, you know, A through X, we have their addresses.  
6 I think you may want to send them specifically, right? I  
7 mean, I know they probably are on the listserv, but send  
8 them specifically the article that you write so that you  
9 can clarify any misconceptions. I think that would be a  
10 great move and in the spirit of the Director's goals.

11 BOARD MEMBER BRIGHT: Well, in fact, if there were  
12 people who had submitted proposals that weren't adopted or  
13 were modified significantly and they weren't able to  
14 attend any of these procedures, I think it's a really good  
15 idea to get back to them and tell them the result of their  
16 proposal and what happened maybe if it wasn't adopted, the  
17 justification, or if it was modified, what the rationale  
18 was behind the changes. And that's -- if the people were  
19 there, then they don't need it, right? If they went to  
20 the meetings and stuff, they don't need it. But for  
21 somebody who does send something in, you don't want them  
22 to think that their proposal just kind of got lost in a  
23 black hole.

24 SECRETARY MUTCH: Right.

25 Okay. So this proposal, 44, was withdrawn and would

1 -- let's see.

2 CHAIRPERSON PREZEAU: It's concurrent training.

3 BOARD MEMBER BELISLE: Using CEU's towards their  
4 training.

5 SECRETARY MUTCH: So yeah. Currently basic trainee  
6 classes have to be classroom only, and they have to be  
7 approved as basic trainee classes. And this would allow  
8 using a CEU class for a specialty electrician to count for  
9 basic classroom training when there's differing  
10 requirements for those. And so that was withdrawn by the  
11 submitter.

12 This one's a little complicated. But the result is  
13 it was not supported. We tried to -- so when you see  
14 paragraph -- subparagraph 3 not supported, that's this  
15 one. And it would require the Department to accept  
16 evidence of out-of-state licensing requirements.

17 And we already have in the rule criteria for  
18 acceptance and what needs to be submitted to the  
19 Department to verify proper training. And so that didn't  
20 receive support.

21 Then we tried to modify it. And it had two support  
22 it.

23 So then subparagraph -- okay. The first one was two  
24 supported it as written. The second one, 11 supported it  
25 as modified, which just changed the word from "will" to

1 "may." But it was a little redundant because there are  
2 already requirements for the Department to evaluate  
3 experience for electricians.

4 So subparagraph 7 was not supported as written. And  
5 there was one person that supported it as modified. And  
6 it had to do with accepting an out of state -- for an  
7 out-of-state employer hours worked, the description of the  
8 type of work performed, and the dates of employment, the  
9 Department will use -- apply the type of work performed to  
10 the total number of verified hours.

11 And so it limited the Department's ability to  
12 evaluate work experience is basically what it did.

13 CHAIRPERSON PREZEAU: And so, Rod, just for  
14 clarification, so this is -- I'm assuming this was not --  
15 this is not included in the Department's --

16 SECRETARY MUTCH: Correct.

17 CHAIRPERSON PREZEAU: And so you feel from your being  
18 the -- as the Chief, you feel that the process by which  
19 the Department has the ability to evaluate out-of-state  
20 work experience is adequate at this time?

21 SECRETARY MUTCH: Yes.

22 And what this would do is it would require the  
23 Department to accept that experience that's given without  
24 allowing us to evaluate. Whether that's within the work  
25 scope -- you know, a lot of states have different

1 licensing requirements, and they have different work  
2 scopes. And we have to compare what that person is  
3 licensed to do in that state compared to what the person  
4 is licensed to do in this state.

5 So we feel that we have an adequate system to  
6 evaluate that at this time.

7 CHAIRPERSON PREZEAU: Cathy, go ahead.

8 BOARD MEMBER BRIGHT: Are there states that you have  
9 reciprocal agreements with?

10 SECRETARY MUTCH: Not currently.

11 46 is a proposal to -- for basic trainee classes have  
12 to have 48 hours to renew their -- every two years to  
13 renew their training certificate and to qualify for the  
14 exam.

15 So this would expand in rule to allow classes in  
16 workplace safety such as NFPA 70E to be used for that 48  
17 hours requirement, which is a great idea.

18 We have in statute 161 specifies that basic trainee  
19 classes have to consist of this chapter which is RCW/WAC,  
20 the National Electrical Code and electrical theory. So  
21 that's in statute. So we have to provide that 48 hours of  
22 that content by statute. But there was unanimous support  
23 for 70E training in addition to the minimum basic training  
24 requirements. So we're in favor of 70E electrical  
25 training for trainees.

1           So how we administer that I'm not sure. Because it  
2 would be an additional training requirement -- well, it  
3 would be -- so would you make it mandatory or would you  
4 make it optional? It just gets into an administration  
5 kind of a nightmare, especially the way the statute is  
6 written now.

7           BOARD MEMBER BRIGHT: That's what I was going to ask  
8 is: Would this require a statutory change?

9           SECRETARY MUTCH: It would require -- to accept this  
10 proposal the way it's written would require statutory  
11 change.

12          BOARD MEMBER BRIGHT: So has the Department  
13 considered that, submitting it to the legislature?

14          SECRETARY MUTCH: No. We didn't submit it at this  
15 time.

16          And my personal feeling is that 70E training is very  
17 important. It's -- safety training for trainees is very  
18 important.

19          CHAIRPERSON PREZEAU: And required by DOSH.

20          SECRETARY MUTCH: Yes.

21          CHAIRPERSON PREZEAU: The employers to provide.

22          SECRETARY MUTCH: Right.

23          And so your electrical certificate means that you've  
24 been adequately trained in WAC and RCW, our electrical  
25 theory and the National Electrical Code. And I believe

1 that that 48 hours of required training should be in the  
2 electrical field.

3 And in addition to that, I would be agreeable to  
4 adding a requirement to allow safety training. But to  
5 take away from that minimum requirement of electrical  
6 training and put safety training in there diminishes the  
7 amount of electrical training that they get.

8 Does that make sense?

9 BOARD MEMBER BRIGHT: Yeah.

10 Is it required -- what did you say?

11 CHAIRPERSON PREZEAU: It's required under DOSH --  
12 right? -- for employers to provide -- in an electrical  
13 construction industry, there is -- in different  
14 industries, there's education and safety training  
15 requirements that's on the burden of the employer to  
16 provide.

17 SECRETARY MUTCH: Right.

18 CHAIRPERSON PREZEAU: And electrical safety is one of  
19 them.

20 And we've had people come -- and you guys will  
21 remember we've had training providers and, you know, other  
22 industry supporters come to the -- when the legislature  
23 adopted the basic classroom training requirements for  
24 trainees, it was applauded by much of the industry. And  
25 then once people figured out that hey, there's no safety

1 component to this, then there was some push-back. And it  
2 wasn't push-back because they didn't like the basic  
3 classroom training; it was push-back because they said,  
4 hey, wait a minute, safety is integral, which everybody in  
5 here will agree with, right? Safety is integral.

6 But there's also been some -- you know, from my  
7 perspective is 48 hours of basic classroom training when  
8 you're talking about electrical construction for somebody  
9 that has no -- that's just bought their trainee  
10 certificate, how do you prioritize, well, they need to  
11 know what the installation requirements are, they need to  
12 know what the rules and laws are in Washington state, and  
13 they need to understand some electrical theory, well, then  
14 where does the rest of this fit in there?

15 And so I'm not sure that the outcome's been  
16 perfected. And, you know, I agree I would have to say  
17 unanimous support that all trainees -- electrical trainees  
18 get access to NFPA 70E, but ...

19 BOARD MEMBER BRIGHT: But this is required on certain  
20 jobs, right? I mean, like the OSHA train -- you have to  
21 get your certificate --

22 CHAIRPERSON PREZEAU: There are some customers that  
23 would require certain levels of safety training in order  
24 to be on their property.

25 BOARD MEMBER BRIGHT: But it should be universal.

1 This should be universal is what you're saying.

2 CHAIRPERSON PREZEAU: In a perfect world, yes.

3 And I get what Rod said is -- you know, and the  
4 world's not perfect. And the way the statute is written,  
5 you can't require that this be part of the certificate --  
6 the trainee's certificate renewal. So then do you require  
7 it in addition to? And I don't know that statutorily we  
8 can do that.

9 Rod.

10 BOARD MEMBER BELISLE: I think to reenforce what the  
11 Chief said here, you know, 70E training is very technical.  
12 And to take somebody who's had 48 hours of training and  
13 add it to it, that might be an option.

14 To take away from the 48 hours of basic electrical  
15 theory and put this in its place, I'll be honest; we have  
16 journeymen that go through this course, and when you start  
17 talking about available fault current and flash hazard  
18 analysis and PPE evaluations and hazard risk category,  
19 you've lost the average person who doesn't have a fairly  
20 in-depth understanding of electrical theory at the very  
21 base sine-wave level.

22 So when you take a trainee who's had perhaps 40 hours  
23 of training in the last year and try to throw that at  
24 them, I think you're just wasting time unfortunately.  
25 Although it's absolutely necessary to remove this from the

1 basically electrical theory is an injustice to that  
2 apprentice trainee.

3 BOARD MEMBER BRIGHT: Would it be better -- I mean,  
4 obviously we're talking about down the road when there's a  
5 statutory change. But would it be better to be something  
6 that was -- that they got like before they got their  
7 license or -- I mean, to me it's like I'm thinking, Gosh,  
8 well, if this is important safety information, you don't  
9 want that worker on the job until they understand how to  
10 -- you know, how to do it, how to have a workplace.

11 CHAIRPERSON PREZEAU: Rod.

12 BOARD MEMBER BELISLE: I'll just speak from our  
13 experience. We teach this to apprentices in their second  
14 year who have had, you know, 200 plus hours of -- and then  
15 again in their fourth year. So we teach it twice  
16 throughout their apprenticeship, and then they typically  
17 would take it at a journeyman level for formative  
18 training. This is not just a one-time topic. This is a  
19 -- and it's ever changing.

20 CHAIRPERSON PREZEAU: Safety culture.

21 Rod, did you --

22 SECRETARY MUTCH: Just -- you know, there's two  
23 different entities that regulate this. Workplace safety  
24 is regulated by another division of the Department. And  
25 so I think it's required -- you know, employers are

1 required to provide adequate training for their employees  
2 related to hazards. It's not specific to NFPA 70E in  
3 DOSH's and in WISHA's standards. But employers are  
4 required to provide adequate safety training for hazards  
5 involved in the job. So they are required to have safety  
6 training.

7 So the question is: Do we want to incorporate that  
8 into our world where we're considering electrical  
9 installation hazards, hazards involved with the  
10 installation of electrical systems? So ...

11 BOARD MEMBER BRIGHT: It seems to me that -- I mean,  
12 portions of it obviously would be integrated, right?  
13 integrated into the already -- the theory part of it, the  
14 whole -- I mean, you wouldn't necessarily have to have  
15 that. But if -- I mean, we're just having a philosophical  
16 discussion at this point because if it would require  
17 statutory change, we can't do that right now.

18 CHAIRPERSON PREZEAU: Well, and the other thing that  
19 I will share with the Electrical Board, and maybe some of  
20 you know that there's legislation pending that may make  
21 this a moot point. So there's legislation that's being  
22 considered right now, and I have no idea what the status  
23 is that would address the issue. It's not Department  
24 sponsored, but it's there.

25 Any other comments about basic classroom training?

1           Okay, Rod.

2           SECRETARY MUTCH:   Okay.  I think this is the last  
3   proposal -- external stakeholder proposal.

4           It would require the Department to provide free  
5   telephone services for stakeholders at these meetings --  
6   at the Board meetings.  And also all hearings before the  
7   Board as a whole would be required to provide free  
8   telephone services for stakeholders.

9           And so this -- we got to looking into the cost of  
10   this thing.  We have a system that we could use, but the  
11   cost would be pretty high to do it.

12           And another consideration would be if we run into  
13   technical difficulties, this being in rule as a  
14   requirement, does the Board meeting stop at that point?

15           So there was one person that supported this proposal.

16           CHAIRPERSON PREZEAU:  So Rod, when I was reviewing  
17   these, something that -- part of the conversation that I  
18   was having with some stakeholders was -- and I understand  
19   that our April meeting is going to be in Ellensburg.  Is  
20   that correct?  -- is that perhaps -- and I see that this  
21   comes from Tina Risley (phonetic) in Spokane and, you  
22   know, the Electrical Board and the electrical program was  
23   all over the state.  But almost exclusively our meetings  
24   are here in Tumwater, which is probably somewhat driven by  
25   cost and staff and we have the space.

1           But that is really from my perspective a question  
2 about access. And I sort of applaud -- and I applaud the  
3 intent and would certainly ask the Department to consider  
4 maybe one meeting a year being on the other side of the  
5 Cascades so to potentially create a greater access so that  
6 these conversations about telephone deals, maybe it's a  
7 better outcome than using a telephone.

8           This Board has had a long conversation about  
9 telecommunicating and appeals and sort of recognize that  
10 it's problematic to do anything other than face to face.  
11 But perhaps in the spirit of access, we'll -- I mean,  
12 we'll see how the one goes in Ellensburg, but I think it's  
13 a great idea.

14           SECRETARY MUTCH: I do too. I think it's good to  
15 provide that access across the other side of the state  
16 because I live over there.

17           BOARD MEMBER BRIGHT: Could you be a little bit more  
18 specific about what you look into in terms of  
19 teleconference services?

20           SECRETARY MUTCH: So we have a call-in system that  
21 provides teleconference service. And it is -- they charge  
22 by the minute per participant. And so we calculated for a  
23 four-hour Board meeting -- which some of these meetings go  
24 four, some of them last longer -- would be about \$1,800 to  
25 provide that service.

1           It's a cost factor. And then it's -- the wording of  
2 this would require the Department to do that.

3           BOARD MEMBER BRIGHT: Yeah. No, I'm not suggesting  
4 that we -- but I under -- but I do understand the concern  
5 about accessibility.

6           SECRETARY MUTCH: Sure.

7           BOARD MEMBER BRIGHT: And I know that, for example,  
8 the Office of Administrative Hearings conducts the vast  
9 majority of their hearings over the phone. And I think  
10 it's kind of a shame that we can't do that as well.

11           Although, I will say that it certainly makes it -- I  
12 think that our hearings are better when we've got people  
13 here in person.

14           CHAIRPERSON PREZEAU: Well, and be mindful it's a  
15 different set of rules, right? I mean, this has to comply  
16 with the Open Public Meetings Act.

17           BOARD MEMBER BRIGHT: Well, we're a Board, and  
18 they're just an ALJ.

19           CHAIRPERSON PREZEAU: Rod, are you --

20           BOARD MEMBER BELISLE: I was just thinking Oregon has  
21 a live webcast of their electrical board meetings. So if  
22 you can't go to the meeting, you just log in and you watch  
23 the meeting. You can't participate, but you can watch.  
24 And actually I think they have a phone number you can call  
25 the person who's running the cameras to tell them to turn

1 up the volume or something. And then they archive that.  
2 So if you miss it, if you're out of town, you come home a  
3 week later, you can actually play back and watch the  
4 entire electrical board meeting. And you can hear the  
5 conversation, and you know what people are thinking. It  
6 doesn't allow you to participate, and it's not a required  
7 thing. But it's a service they provide as access. And it  
8 might be something to look at, to call and ask what the  
9 cost might be.

10 BOARD MEMBER BRIGHT: Well, and TVW might --

11 CHAIRPERSON PREZEAU: Yeah, there you go. Maybe we  
12 could be on the TVW.

13 BOARD MEMBER BRIGHT: Yeah. I mean, I'm kind of  
14 cringing thinking about that.

15 But they do have a number of boards, and they could  
16 broadcast, you know, legislative hearings and all kinds of  
17 stuff.

18 CHAIRPERSON PREZEAU: That's a good suggestion.

19 All right. So that concludes the external proposals,  
20 right, Rod?

21 SECRETARY MUTCH: Yeah.

22 The external proposals -- one thing I didn't mention  
23 about the process is we have this hearing before the  
24 Electrical Board. In April we will have a public hearing,  
25 which we will take comments from the general public, and

1 they'll be recorded. And so we're going to have to hear  
2 public comments here. You can open it up to the public.  
3 You know, that can be comments to the Board. But we will  
4 in addition to that have a public comment hearing in  
5 April.

6 CHAIRPERSON PREZEAU: Great. So do you know the date  
7 of that?

8 SECRETARY MUTCH: April 10th I believe.

9 BOARD MEMBER TOWNSEND: I just have two quick  
10 questions if it's appropriate.

11 CHAIRPERSON PREZEAU: Sure.

12 BOARD MEMBER TOWNSEND: The first one is just a  
13 matter of semantics. Maybe it's just an eagle eye, you  
14 know, computer geek that I am, but on number 23, which was  
15 apparently supported, this is really nitpicking, but Ariel  
16 like with an E-L is not a font; A-L is. If you specify a  
17 font, you'd better have one that exists. It's Arial 16 --

18 SECRETARY MUTCH: Okay. So we'll check the language  
19 in the -- that may be in the NEC. We'll check that.

20 BOARD MEMBER TOWNSEND: Anyway, number 39, the  
21 power-over-ethernet thing and that issue there, I really  
22 appreciate the Board's participation on the TAC and Rod's.  
23 And I would have liked to have been there, but my wife  
24 treated me to a trip to San Diego. So I'm sorry I  
25 couldn't take everybody.

1           But the question I have for that is: Can you  
2 summarize or maybe just speak to a little bit of the  
3 dynamics behind the conversation that the TAC had over  
4 that and what the concerns were over the power-over-  
5 ethernet issue? Was it safety? Was it technical? Was it  
6 procedural? Maybe that's a pretty wide open question, but  
7 I'm just curious. And it kind of goes back to Cathleen's  
8 question as to it's an issue that's out there that  
9 probably deserves, you know, engagement with a response to  
10 the stakeholders.

11           SECRETARY MUTCH: So we put together a stakeholder  
12 group that discussed that issue. I don't know if you're  
13 familiar with that.

14           BOARD MEMBER TOWNSEND: I was not on the TAC. So  
15 yeah, I didn't --

16           SECRETARY MUTCH: This is aside from the TAC. We  
17 discussed this issue with a group of telecommunications  
18 contractors. NECA, IBEW, labor was represented there.

19           And the issue has to do with when the  
20 telecommunications bill was written in 2000 that there was  
21 no provision specified in statute to allow  
22 telecommunications workers to install power basically.  
23 And so with the progression of utilizing power in  
24 communications cables to supply end-use equipment, that  
25 has moved into the realm of the limited-energy specialty

1 contractors and outside the realm of the 09  
2 telecommunications contractors.

3 And so the task group put together some proposals for  
4 legislation. And there's two bills before the legislature  
5 right now to consider allowing telecommunications  
6 contractors to do a limited amount of that power work.

7 Does that give you some background?

8 We discussed that at the TAC committee that we had a  
9 group working on that -- those proposals. And so --

10 BOARD MEMBER TOWNSEND: So it's a fundamental premise  
11 then, right?

12 SECRETARY MUTCH: Right.

13 BOARD MEMBER TOWNSEND: Thank you.

14 CHAIRPERSON PREZEAU: All right. So we are preparing  
15 -- and I appreciate Trent and Larry getting ready for  
16 public comment.

17 And I believe -- we have two people that have asked  
18 -- or at least have signed in on individuals requesting to  
19 speak.

20 The first is Larry Sweatt who is -- so Larry, if you  
21 would please come up and join us up at the table up here  
22 so we can --

23 And we are -- just to clarify, we're only going to  
24 entertain public comment on the external proposals that we  
25 have just reviewed.

1           So Larry, if you would state and spell your name for  
2 our court reporter. And then we welcome your comments.

3           MR. SWEATT: My name is Larry Sweatt. Larry --  
4 L-A-R-R-Y. And Sweatt -- S-W-E-A-T-T.

5           CHAIRPERSON PREZEAU: The floor is yours.

6           MR. SWEATT: Basically I wanted to comment a little  
7 bit about stakeholder proposal 19 and 20 that was  
8 concerning hospitals for the light fixture in there. I  
9 think it was -- yes, the luminaires.

10           I've listened to a comment incorrectly if I  
11 misunderstood you, but it looks like you stated I guess it  
12 was already required in the NEC for the exposed metal? Am  
13 I correct?

14           SECRETARY MUTCH: That's correct.

15           MR. SWEATT: Actually it's not in the NEC where it  
16 was required. I know our WAC does have that requirements.  
17 But it's not for in a hospital setting.

18           The only thing that the NEC requires for a GOCI (sic)  
19 is if the shower's located in a RV or a parked trailer.  
20 And I think that was originally required because of the  
21 height.

22           My biggest concern is the safety of things that I've  
23 seen firsthand. I spend some time working in hospitals.  
24 I do more than just construction, but I also do  
25 maintenance. And there's also some extra testing that we

1 have to do when it comes to patient safety that are not  
2 required in the general public. Everything from tension  
3 testing to the receptacle to differentiating between the  
4 potentials, exposed metal or non-exposed metal type.

5 So basically what I've seen inside the shower is that  
6 the ceilings were pretty old. They're -- some are in the  
7 older hospitals. And this was actually a plastic fixture.  
8 And what had happened is that the heat in everything had  
9 gotten in there and exposed the -- somehow corroded the  
10 connections of the ground. And there was a report that  
11 there was a shock. Even though we didn't find anything  
12 right offhand, but we thought maybe a GOCI (sic) would  
13 have helped prevented that particular incident or any kind  
14 of potential safety issue.

15 Not asking to be required in the general public even  
16 though I do feel that it should. Even if you wanted to  
17 amend it just for a ceiling height reference, I'd be  
18 willing to accept anything of that nature.

19 But I really think this would be something that's  
20 really needed because a lot of people really don't  
21 understand when a patient has a what I call a compromised  
22 immune system, compromised health. A shock that would hit  
23 me, a healthy person, probably wouldn't put me down as  
24 quickly as a patient, someone who's going through  
25 chemotherapy, cancer, you know, someone who just had a

1 lung or a liver transplant.

2 The most ceiling that I've seen was like seven foot  
3 high. This guy that was working in the -- well, actually  
4 bathing in there, there was an incident. He was like 6'2  
5 or something like that. And basically he just lifted his  
6 arm just I guess bathing or whatever. And we had to --  
7 you know, there was some people that had to go help him  
8 get him out of there.

9 And that's pretty much -- and what I ask for is  
10 something to be enclosed.

11 Some of the manufacturers do already require GOCI  
12 (sic) protection for their cans. But not all of them do.  
13 But not all of them are enclosed. The ones that have the  
14 open cans, even if you follow the WAC if it had exposed  
15 metal, had GOCI (sic) protection, they could still reach  
16 inside directly to the fixture itself. It's not required  
17 to be blocked off.

18 And so that's why I'm requesting that particular  
19 incident.

20 I just think it's kind of ironic where they can have  
21 more safety inside of a parked trailer for a shower but  
22 not have the same standard of safety which is governed by  
23 the joint commission which everything is always a lot more  
24 stricter requirements than a hospital. It makes no sense.

25 CHAIRPERSON PREZEAU: Any questions or comments for

1 Mr. Sweatt about this proposal?

2 BOARD MEMBER BRIGHT: I just want to know, can you  
3 expand on the regulations as they currently exist?

4 SECRETARY MUTCH: Yeah. And I did misspeak. It's  
5 not in the NEC; it is a WAC rule requirement. You're  
6 correct.

7 So currently all luminaires within an enclosed shower  
8 area or within five feet of the waterline of the bathtub  
9 must be enclosed. And -- unless they are specifically  
10 listed for such use. And these luminaires with exposed  
11 metal parts that are grounded must be ground-fault circuit  
12 interrupter protected. So that is the requirement in the  
13 WAC.

14 BOARD MEMBER BRIGHT: And where is that?

15 SECRETARY MUTCH: That's WAC 296-46B-410,  
16 subparagraph (1).

17 CHAIRPERSON PREZEAU: So let me see if I am  
18 understanding is what I hear you say is that Mr. Sweatt's  
19 concern is actually addressed in current WAC rule.

20 SECRETARY MUTCH: Except that current WAC doesn't  
21 require GFCI protection unless there are exposed metal  
22 parts.

23 CHAIRPERSON PREZEAU: Got it.

24 MR. SWEATT: I also wanted to mention about when I  
25 see non, you know, the exposed metal. I understand about

1 the exposed metal that you think it would be --  
2 (inaudible). It is. But when you have a lower ceiling  
3 and it's not sealed, there was actually -- like I say,  
4 this was a plastic casing on the fixture. But yet the  
5 water that had got in there and it created some kind of a  
6 path electricity just followed along the water path.

7 So it wasn't the metal that was the problem. It was  
8 the water that was conducting that was the problem.

9 So like I said, in a patient area -- because we have  
10 stricter requirements. We have the joint commission which  
11 is the health board that certifies hospitals -- everything  
12 else that we do electrically-wise in a patient bed  
13 location or anything directly affected or have patient  
14 contact, there are extra requirements. The only thing  
15 that really doesn't have a extra testing or requirement is  
16 the light fixture. Because normally those are way above.  
17 Or if they are in close proximity like in the hottub  
18 things, they say the NEC address that.

19 So if it was a hottub within 12 feet, then the  
20 fixture has to be GOCI (sic) protected. And these ceiling  
21 are a lot lower.

22 BOARD MEMBER BRIGHT: What would be the -- would  
23 there be obstacles to removing the language that specifies  
24 metal? In other words, he's talking about a plastic -- it  
25 -- he's talking about a plastic fixture that caused a

1 hazard.

2 MR. SWEATT: Well, yes, the water. The electricity  
3 conducts --

4 BOARD MEMBER BRIGHT: Right, exactly.

5 MR. SWEATT: And it was the ceiling.

6 BOARD MEMBER BRIGHT: I mean, would that -- is there  
7 statutory impediments or something like that? I mean,  
8 what if we just said it has to be enclosed, period?

9 SECRETARY MUTCH: I guess my question would be: Has  
10 this been raised to the level of an NEC proposal? And has  
11 the code-making panels discussed this issue?

12 MR. SWEATT: To my knowledge, I can't say "yes" on  
13 that. I just know that the other areas that did get  
14 proposed -- like I seen a park trailer. Most of them look  
15 at a shower is a shower --

16 SECRETARY MUTCH: Right.

17 MR. SWEATT: -- regardless of where it's located at.  
18 And that was passed.

19 I've never made a proposal to the NEC. I was  
20 recommended to try to do it locally first to see if we can  
21 -- because you don't necessarily have to accept the NEC,  
22 amend it, reject it, do whatever you want. Even the city  
23 can do that.

24 SECRETARY MUTCH: Right.

25 MR. SWEATT: So they say if you can get it at least

1 at your local level, then you can try to pursue it on a  
2 national level.

3 CHAIRPERSON PREZEAU: Yeah, what comes first? The  
4 chicken or the egg?

5 Rod, did you have --

6 BOARD MEMBER BELISLE: Well, this is kind of a  
7 difficult one. I understand where he's coming from.

8 From the other side of the coin, if you've got a  
9 fixture that's rated for a wet location subject to shower  
10 spray in direct contact with moisture and plastic,  
11 realistically you're covered. And if somehow something  
12 has happened from the time it was installed until the time  
13 sometime later to where water has been able to get into  
14 there and actually create a fault path from exposed metal  
15 parts and realistically from energized parts to that  
16 patient, I think there's something else wrong.

17 My personal opinion is there's more to that issue.  
18 It's not really about -- I mean, if that's a plastic  
19 fixture and it's rated for that location, I have a hard  
20 time believing that it's a hazard. And that's why switch  
21 plates aren't required to be grounded; they're plastic.  
22 And yet that arc is right behind there every day.

23 So I'm not sure -- I understand the concern. I'm  
24 just not sure if that's the whole problem.

25 CHAIRPERSON PREZEAU: Any other questions/comments

1 about proposal 19?

2 BOARD MEMBER BRIGHT: I think the scenario he's  
3 describing, though, Rod, wasn't necessarily that the  
4 fixture wasn't appropriate; it was that the grounding  
5 conductor had eroded because of the location. And an  
6 enclosed fixture would have resolved that. It wouldn't  
7 have corroded because it's not --

8 BOARD MEMBER BELISLE: So there must have been  
9 something else wrong. That's my point.

10 Because it's required to be enclosed. It's required  
11 already by the NEC to be suitable for a damp location or  
12 marked for wet location where subject to shower spray. I  
13 mean, there's clearly requirements in place that says if  
14 this thing's going to be wet, it has to be safe.

15 So putting GFCI's, although it's nice to enhance  
16 safety, that's kind of like throwing a cure out there to  
17 fix everything when there's really probably one distinct  
18 problem that we're not seeing.

19 BOARD MEMBER BRIGHT: So do you know, was the fixture  
20 rated for a damp location?

21 MR. SWEATT: I think it was rated for that particular  
22 location. But like I was saying, I mean, we can use the  
23 same idea for a waterproof receptacle, okay? It's rated  
24 for, you know, weather resistant -- you know, rated for a  
25 wet location. But we still require the GOCI (sic) outside

1 even though there may be some other issues that are going  
2 on that's causing that ground fault.

3 In this particular scenario, it just didn't make any  
4 sense.

5 All the ones that I've seen -- and I even got a copy  
6 of a manufacturer's instructions that tells you that you  
7 have to GOCI (sic). And I think the only reason they  
8 started requiring that was there a legal action that  
9 happened.

10 But you always take the extra precaution. That's why  
11 article 517 existed. If the standard practice for a  
12 waterproof fixture in the general public was acceptable  
13 and no general wiring practice was acceptable, there would  
14 be no need for article 517. That's why article 517  
15 existed.

16 And even in addition to that, we have what they call  
17 the NFPA 99, which basically health care is like a whole  
18 separate industry in and of itself.

19 I even started getting petition signatures just  
20 recently. And all the anesthesiologists, even some of the  
21 doctors, they agree with me once they understand what's  
22 going on. Some of them already knew what it was, and they  
23 support that.

24 So I can definitely understand your point that if  
25 something's weatherproof then, you know -- and if it was a

1 perfect world, I would have no issue with that. But the  
2 fact is I just like to call them weather resistant, but  
3 they're not weatherproof. And a patient in a -- a patient  
4 is extremely vulnerable.

5 And like I said, article 517 was specifically made  
6 for hospitals. And we always took extra precaution. And  
7 even after we done the installation where we perform  
8 maintenance, we have to measure the difference of  
9 potential between at least 500 millivolts. Out here  
10 probably millivolts probably doesn't mean anything to you,  
11 but to a patient, it could kill 'em.

12 CHAIRPERSON PREZEAU: So keeping -- I'm not trying to  
13 shut you down by any means, but I'm trying to keep us on  
14 schedule.

15 Any other comments or questions about proposal 19?

16 Then Mr. Sweatt, I would ask that you address your  
17 comments about proposal 20, if you would please.

18 MR. SWEATT: Proposal 20, that's concerning the  
19 non-isolated power systems and routed power systems being  
20 in the same operating room. I think if I understood you  
21 correctly, you all stated it would have to come from a  
22 different transfer switch or add an additional transfer  
23 switch?

24 SECRETARY MUTCH: An operating room is required to  
25 have two separate systems. And so in order to comply with

1 this proposal, you would have to have two isolated power  
2 systems on separate transfer switches. You know what I  
3 mean?

4 MR. SWEATT: Okay.

5 CHAIRPERSON PREZEAU: So let me -- I just want to  
6 make sure that these are comments directed to the Board.  
7 I mean, I get the fact that the Chief has a unique set of  
8 skill set to answer questions. But --

9 So Rod, if you would explain to the Board why the  
10 operating rooms have two separate sources of power.

11 SECRETARY MUTCH: So in case you lose power on one  
12 system, you've got a backup for it. So they're required  
13 to have two separate sources of power in an operating  
14 room.

15 CHAIRPERSON PREZEAU: That are protected by two  
16 separate transfer switches. Okay.

17 Rod.

18 BOARD MEMBER BELISLE: If I might add to this, I kind  
19 of recall this conversation. And one of the things that's  
20 occurred in the 2014 NEC that's different from all  
21 previous installations is now the minimum required number  
22 of outlets in an operating room has been expanded to 36  
23 receptacles. I believe it used to be 12.

24 So part of the concern was during a surgery, during  
25 an emergency, people come in and go out, and they plug

1 stuff in wherever it's convenient. Because they're not  
2 worried about where they plug stuff in; they just got to  
3 put a machine on the patient.

4 CHAIRPERSON PREZEAU: They're looking to save  
5 somebody's life.

6 BOARD MEMBER BELISLE: Right. And so when there was  
7 only eight receptacles, it was inherent that that wasn't  
8 observed.

9 And now with the new requirement, you know, tripling  
10 the number of receptacles, and they've defined how many  
11 are on the normal system and so forth, hopefully the idea  
12 was this would potentially resolve the concern that you  
13 have. Now, I'm not sure that it would directly resolve  
14 it, but that was part of the reasoning by the TAC  
15 committee.

16 CHAIRPERSON PREZEAU: Mr. Sweatt, I'll open it up to  
17 you please.

18 MR. SWEATT: Okay. I think there's a  
19 misunderstanding of what I'm trying to get across.

20 It is true we have to have two systems. But those  
21 two systems is normal and emergency. Okay? It's not  
22 grounded and non -- unisolated grounded or ungrounded.

23 An ungrounded system for the non-electrical type is  
24 basically when you bring in the power on the primary side,  
25 you're not bonding the neutral ground at the surface

1 basically.

2 Basically when you take a meter, you go from a hot to  
3 ground, you should -- (inaudible). Say, if you're a 120  
4 volt system, you would need 120 volts.

5 On the non-isolated system, when you go from a -- one  
6 of the phases into ground, you're not going to get that.  
7 Okay? That's the only purpose. That's intentional.

8 And those systems are monitored. They are what we  
9 call a line-isolation monitor. And any time that one of  
10 those conductors become -- they temporarily have some type  
11 of leakage of five milliamps which is supposed to rate it  
12 to cause the GOCI (sic) to trip or to cause the person's  
13 heart to defibrillate, that's -- that alarm has to go off.  
14 So if they have a bad piece of equipment, what he was  
15 referring to with the receptacles, why I think --  
16 (inaudible), they already have the number to plug in.

17 The problem is is when that equipment goes bad and it  
18 has leakage, it should be given an alarm. That alarm,  
19 what is does is signals the doctor, nurses or whoever the  
20 medical staff is, okay, do I want to proceed with this  
21 next procedure with the heart transplant or whatever or do  
22 I not or do I want to wrap up what I'm doing.

23 They can't -- because a lot of times they cannot  
24 tolerate the loss of power. That's why they have  
25 isolation systems in there. Because normally if

1 something's leaking enough to ground, the breaker will  
2 trip, like I said, in the normal world.

3 In the operating room, it's not set up that way.  
4 They can't just suddenly shut the power off immediately  
5 depending on where they're at in the surgery.

6 The reason I'm asking for this is because I've seen  
7 jobs where they're allowed to put both a grounded system  
8 and a non-isolation grounded system right beside each  
9 other. The medical staff and doctors, not all of them are  
10 what we call electrically educated in that regard. I  
11 still have to teach isolated and non-isolated systems to  
12 fellow electricians because if you don't really work on  
13 that specialty, you're not going to be as familiar. Some  
14 of them think is unheard of. "You're not going to bond  
15 the service? You're not going to it?" But that's what  
16 you do. That's what's required to do. Because it reduces  
17 the flow of current.

18 When that patient's laying on the table and it's  
19 metal or they're doing a procedure, it just gives them  
20 alarm. It doesn't shut it off, and it doesn't kill 'em.  
21 It's not like the person will come out of anesthesia and  
22 say, "Hey, you're shocking me to death," you know. You're  
23 under.

24 So basically what you have here, when you put a  
25 grounded system there, a receptacle, they look identical,

1 you are required to label it that. And that's only  
2 because of the NFPA 99 to label it grounded or  
3 non-grounded.

4 CHAIRPERSON PREZEAU: So help me understand -- help  
5 me understand what you are asking for. Help me  
6 understand. You want --

7 MR. SWEATT: I want them -- right now, hospitals are  
8 required to perform a risk assessment, which they have the  
9 right to do. If they declared it was a wet procedural  
10 location or not.

11 I do not want them to put a grounded system  
12 receptacle in the same operating room as an ungrounded --  
13 in an isolated receptacle. Basically if it's a grounded  
14 system, and he plugs that medical device in there, when  
15 they have leakage current, one, the breaker, if it's  
16 enough current that's leaking, it's going to cause the  
17 breaker to trip. They going to lose power. Okay?

18 CHAIRPERSON PREZEAU: Got it. I got it.

19 MR. SWEATT: If it's not leaking enough, which is  
20 possible, because a 20-amp breaker is going to need how  
21 much to cause it to trip? It can go through the patient.  
22 The bond, the casing and that stuff if already leaking;  
23 they're not going to be aware of it. There's no  
24 monitoring, and there's no alarm.

25 CHAIRPERSON PREZEAU: Okay.

1 Rod.

2 BOARD MEMBER BELISLE: So could I ask then, the  
3 intent of this proposal would essentially do one of two  
4 things.

5 If I wire an operating room, regardless of the number  
6 of receptacles, I would either have to have entirely all  
7 isolated receptacles or I would have all entirely  
8 equipment-grounded receptacles, correct? And if so, which  
9 are you desiring to have?

10 MR. SWEATT: Right. Isolation receptacles.

11 BOARD MEMBER BELISLE: So you want every receptacle  
12 in a operating room to be isolated.

13 MR. SWEATT: Isolation. If they make -- they have  
14 the right to make the decision. It's just that once you  
15 make the decision --

16 BOARD MEMBER BELISLE: One or the other.

17 MR. SWEATT: -- don't confuse the doctors and the  
18 staff.

19 That's what I'm asking for. And that's what I see  
20 happening. Just --

21 CHAIRPERSON PREZEAU: So -- wait a minute. I just  
22 want to -- so the people that participated in the TAC  
23 including you, Rod, was that clear? This conversation  
24 that just happened about intention of proposal 20, was  
25 that clear in the Technical Advisory Committee what the

1 intention was?

2 SECRETARY MUTCH: Yes.

3 So the discussions centered around, you know, these  
4 isolated power systems. Everybody agrees that they are  
5 safer.

6 This proposal goes a little bit farther in requiring  
7 them. And it would require two isolated power systems in  
8 an operating room because you have to have a normal system  
9 -- you have to have a normal power system and an emergency  
10 system. And so the conversation had to do with it would  
11 be cost prohibitive to do that so that the hospitals would  
12 elect not to move towards isolated power systems. They  
13 would not be able to add isolated power systems to an  
14 operating room without tearing out everything else and  
15 making them all isolated power systems. I think that's  
16 what it was about.

17 CHAIRPERSON PREZEAU: Go ahead, Cathy.

18 BOARD MEMBER BRIGHT: Well -- but if I'm  
19 understanding correctly, though, the non-isolated system  
20 really is -- in an operating room is hazardous.

21 SECRETARY MUTCH: I wouldn't go there.

22 BOARD MEMBER BRIGHT: No?

23 SECRETARY MUTCH: I wouldn't say that.

24 BOARD MEMBER BRIGHT: Okay. Not in your opinion,  
25 okay.

1 BOARD MEMBER BELISLE: Some people would say this is  
2 an equipment issue because all this discussion surrounds  
3 about the fact that when you plug in a piece of equipment  
4 if there's leakage current. My first thought is that's  
5 because that piece of equipment is faulty.

6 CHAIRPERSON PREZEAU: And it shouldn't be in an --

7 BOARD MEMBER BELISLE: And it shouldn't be in an  
8 operating room.

9 We're having a conversation -- this is the old  
10 standard of trying to create a new rule to cure something  
11 that's broken when we ought to really just fix the broken  
12 piece, back to the beginning.

13 And this is a major change. I think this would be a  
14 great proposal for the NFPA process because it would be  
15 vetted through the entire country, and there would  
16 definitely be an opinion on this by the end of the day.

17 BOARD MEMBER BRIGHT: But is it possible that -- I  
18 mean, I think what he -- the basic premise of the proposal  
19 is that there -- you're not going to have the two systems  
20 in the same -- so you're going to go to one or the other.

21 But it seems to me like if they're labeled -- they're  
22 required to be labeled if it's an isolated system, right?  
23 So you wouldn't be plugging in a machine that should be on  
24 the isolated system that could potentially be hazardous if  
25 there was a malfunction into the grounded one to begin

1 with, right? I mean, as a responsible --

2 BOARD MEMBER BELISLE: If the technicians --

3 BOARD MEMBER BRIGHT: -- medical provider, --

4 BOARD MEMBER BELISLE: -- knew that, --

5 BOARD MEMBER BRIGHT: -- you wouldn't do that.

6 BOARD MEMBER BELISLE: -- yes, that's true.

7 CHAIRPERSON PREZEAU: Yeah. And I think that's the  
8 big thing is if the technicians in the room, the health  
9 care providers in the room understood the difference. And  
10 that's maybe why Mr. Sweatt was bringing this up.

11 MR. SWEATT: I guess that gets back to the perfect  
12 world again.

13 Sometimes the labels don't always stay there. I've  
14 seen where contractors done work, didn't label it because  
15 they weren't familiar with NFPA 99, which is a separate  
16 notebook.

17 It's also not just limited to the actual equipment  
18 itself that they're plugging in. I just use that as an  
19 example, but that's one of the more common things.

20 But it's also some of the nurses that's working in  
21 there, you know, moving stuff around.

22 And like I stated before, the hospital already is  
23 required to do what they call a risk-based assessment. So  
24 if they already made that determination on whether or not  
25 that room is a wet procedure location or not, which most

1 doctors and anesthesiasts would argue wholeheartedly that  
2 it's a wet procedure location, they would have to require  
3 the isolated power system. Yes, you would have the normal  
4 in emergency, but it makes no sense from a practical  
5 standpoint, at least the first things that I've seen  
6 firsthand, to be able to put an isolation power system in  
7 there, whether it be the normal one or the emergency one,  
8 and didn't have a grounded system in there, whether it be  
9 normal or emergency, and have them side by side because  
10 you already done made that determination.

11 And we talking about people's lives here.

12 CHAIRPERSON PREZEAU: No, I completely -- you know, I  
13 agree with the there's the world as it could be, the world  
14 as it should be, and the world as it is.

15 And I -- I want to thank --

16 Are there any other questions for Mr. Sweatt?  
17 Because I think -- I want to make sure we give you  
18 adequate time to talk, you know, public comments. But  
19 there's also a need to move on to the Department's  
20 proposals.

21 Are there any other questions for Mr. Sweatt?

22 Thank you for your time today. And maybe, you know  
23 -- thank you for your time, Mr. Sweatt. Appreciate you  
24 coming.

25 I know that it's five minutes to 12:00. But I also

1 know that if we break for lunch at noon, lunch is going to  
2 have to be longer because most folks in this building if  
3 they go upstairs and have lunch in the cafeteria have  
4 lunch at noon. So my intent and hopefully it will be  
5 supported by the rest of the Board is to continue to move  
6 forward till right about 12:30, we'll break for lunch  
7 because I'm pretty sure we're not going to be done in the  
8 next 30 minutes, and then we can have a much more pleasant  
9 lunch experience and continue to move on with the business  
10 that needs to be conducted.

11 (To reporter) Milton, is that going to work for your  
12 fingers?

13 THE REPORTER: It will.

14 CHAIRPERSON PREZEAU: And if it doesn't, then just  
15 let me know. Because we can take a break at any time to  
16 change paper.

17 THE REPORTER: If I fall on the floor and I'm just  
18 tired, then yeah.

19 CHAIRPERSON PREZEAU: Okay. Yeah, if you flop on  
20 the --

21 So I missed Randy Ambuehl. You did not want to make  
22 public comment on the external rules; is that correct?

23 MR. AMBUEHL: That is correct.

24 CHAIRPERSON PREZEAU: All right. So no other public  
25 comment on the external proposals.

1           Seeing none, Rod, if you would please, let's move on  
2 to the Department proposals.

3           SECRETARY MUTCH: Okay.

4           So these are the Department's proposals and the  
5 stakeholder proposals that were accepted and recommended  
6 by the TAC to go into the rule. So in your copy that I  
7 sent by e-mail there are comments over here on the side,  
8 and just for the sake of space, I've reduced the comments.  
9 If you'd like to see the comments, all I have to do is go  
10 like this and the comments will show up over here. So I'm  
11 just -- I'll go through them, and if you have questions,  
12 let me know.

13           So several places where we're changing "journeyman"  
14 to "journey level" based on some legislation that  
15 happened last session.

16           101 is where it specifies the adopted standards. And  
17 we're simply updating the adopted standards to the new  
18 version, the 2014 NEC. And some of the other standards in  
19 the NESC we're changing to the 2012 version.

20           All right. So this is the exception that we talked  
21 about for the service conduit to be allowed to be poured  
22 into the foundation without inspection. So that's only  
23 for one- or two-family dwellings or residential  
24 outbuildings. And the service entrance raceway is the  
25 only one that qualifies for that. So it's not wide open

1 to all conduits in footings; it just allows the service  
2 raceway to be installed without an additional inspection  
3 trip.

4 This proposal is to correct an error that happened  
5 last rule-making cycle. So it has to do with the way you  
6 can wire a educational or institutional facility.

7 So currently it's required to have metal or  
8 non-metallic raceways, which means conduit or MI, MC or AC  
9 cable in an educational or institutional facility.

10 We had a table in the previous edition of the WAC,  
11 and when the table was deleted, the text that was left  
12 required metal raceways only in places of assembly located  
13 within a school, for example.

14 So this puts it back the way it was before the  
15 previous code change. So that's all that we did there.

16 Numbering changes.

17 Throughout the rule, we changed "journeyman" to  
18 "journey level." And here's a definition that we added to  
19 the definition section. So "journey level electrician" is  
20 synonymous with the term "journey level" and "journey  
21 person."

22 So in statute there is reference to a "journey  
23 person." So most of the places in statute, that got  
24 changed to "journey level." So this just clarifies that  
25 wherever we're talking about a journeyman or a journey

1 level or a journey person, it all refers to the same  
2 thing.

3 The same with "lineman" and "lineworker." So that's  
4 just updating the terms.

5 This is a requirement for flash protection. And in  
6 the NEC there was a new -- we required what's called an  
7 identification plate, and we defined that in rule as a  
8 plate that had to be installed. But this change for flash  
9 protection marking was added to the NEC. And so we  
10 deleted this, and we're going with what the language in  
11 the NEC requires for flash protection markings. It's a  
12 new section that has some definitions of a hazard warning  
13 label in the National Electrical Code.

14 Okay. So this one was to address things like  
15 electric fireplaces within a bathtub enclosure. So if you  
16 go into some of the newer homes, they'll have a nice  
17 garden bathtub, and right there on the edge of the tub is  
18 a fireplace, and it's got an electric connection to it.  
19 So this requirement would just say that if it's a piece of  
20 electrical equipment with grounded metal parts and it's  
21 within five feet of a bathtub that we're going to put it  
22 on GFCI protection.

23 Sometimes we see big green TV's right there at the  
24 bathtub location, and so this just requires GFCI  
25 protection for those pieces of equipment.

1 BOARD MEMBER TOWNSEND: And to think we were worried  
2 about hair dryers.

3 SECRETARY MUTCH: Yeah.

4 This one went into the NEC in 2011. So we had a WAC  
5 rule that said if it's in a wet location you had to have  
6 GFCI protection. Since it went into a requirement in the  
7 NEC, we deleted it from the rule.

8 And this section was where we limited arc-fault  
9 protection to only dwelling-unit bedrooms. And so we are  
10 eliminating that exception and we're going with the  
11 requirements of the NEC for arc-fault protection.

12 This one was an exception that allowed you not to be  
13 able to have -- not to have to have a receptacle on a  
14 balcony or a deck or a porch with an area of less than 20  
15 square feet. And so we've eliminated that because it's  
16 now required in the NEC to have a receptacle in those  
17 locations.

18 Also, this is the one about the appliance garages  
19 where the receptacle in an appliance garage may be counted  
20 towards the countertop outlets, and we've eliminated that  
21 exception as well.

22 This one is just when ground-fault protection testing  
23 is required on a system, this rule required the tester to  
24 provide the inspector with documentation. And so it  
25 created a requirement to generate paperwork that we may or

1 may not need. And so we just changed that from "provided  
2 for the inspector's records" to making them available to  
3 the inspector at the time of inspection. It eliminates  
4 the records and the paper storage.

5 There's a couple of places where we've updated things  
6 to eliminate having to store a piece of paper. And so  
7 that's a good thing.

8 This is just a modification to a previous allowance.  
9 So the lighting load calculation for a building, we  
10 previously allowed the Washington State Energy Code to be  
11 used in lieu of the calculation requirements in article  
12 220. That changed in the NEC, and there are some  
13 requirements in the NEC about that. But what we're saying  
14 in the rule is if a building is designed and constructed  
15 to comply with the currently adopted Washington state  
16 energy code, then you can use that lighting calculation.  
17 And so an allowance of 3 watts per square foot in a  
18 building that's designed with LED lighting may be an  
19 excessive calculation to do, so we're allowing -- if it's  
20 designed and constructed to comply with the energy code,  
21 we're allowing them to use a lower calculation for  
22 determining the lighting mode.

23 CHAIRPERSON PREZEAU: Don, did you want to make a  
24 comment?

25 BOARD MEMBER BAKER: So currently who's enforcing

1 that Washington Energy Code?

2 SECRETARY MUTCH: So the Washington Energy Code is  
3 adopted locally by the building officials. And they're  
4 required to enforce the Washington State Energy Code.

5 BOARD MEMBER BAKER: Yeah. Who's enforcing that?

6 SECRETARY MUTCH: Building officials. It's their --  
7 so the State Building Code Council adopts the requirements  
8 for mechanical, you know, plumbing. And the Washington  
9 Energy Code is one of those that they've adopted. And  
10 they require cities and counties to perform inspections  
11 and enforce those standards.

12 BOARD MEMBER BAKER: It's been my experience that the  
13 authorities having jurisdiction over that which --  
14 (inaudible) -- there is nobody coming out and checking  
15 when you get done with these buildings confirming that  
16 we've complied with that code. I've had two jurisdictions  
17 over the last five years that have actually shocked me and  
18 come out and looked. But generally speaking across the  
19 board, it's not getting looked at.

20 I was going to ask you later on, is there any talk  
21 the Department taking on that responsibility? Because it  
22 seems strange to me that a building official would do  
23 that. It seems like it's way out of their --

24 SECRETARY MUTCH: Right. Currently statutorily,  
25 we're limited to enforcing the provisions of the NEC that

1 provide safety, you know, reasonable safety to life and  
2 property. So it would take a statute change to require  
3 the Department to enforce the provisions of the energy  
4 code which is not necessarily life and property safety but  
5 it's energy consumption. So it's a little bit different  
6 mission than what the Department is required to enforce.

7 BOARD MEMBER BAKER: So no one's talking about you  
8 guys taking that on?

9 SECRETARY MUTCH: There are some conversations  
10 happening, yes.

11 BOARD MEMBER BAKER: Okay.

12 It's difficult to get straight answers when you're  
13 doing a design and build and you're trying to find out --  
14 trying to navigate the system. The building officials  
15 don't have a clue if they don't know.

16 SECRETARY MUTCH: Right.

17 You know, and there's -- any project has multiple  
18 jurisdictions that govern different things. You know, we  
19 will inspect a fire alarm system for compliance with the  
20 NEC, but we don't specify where those devices are located.  
21 That's found in another section that's enforced by  
22 somebody else. So, you know, you'll see different  
23 jurisdictions having different responsibilities.

24 BOARD MEMBER BAKER: Well, and it might be good that  
25 you guys are talking about it because it would be helpful

1 I think if the Department was doing that compliance rather  
2 than the building official.

3 SECRETARY MUTCH: So the energy code involves a lot  
4 more than electrical requirements.

5 BOARD MEMBER BAKER: I just want you to do the  
6 electrical part.

7 CHAIRPERSON PREZEAU: The world as it is, the world  
8 as it could be, and the world as it should be. I  
9 appreciate that.

10 SECRETARY MUTCH: So we get to use the load  
11 calculation that's specified in the energy code if the  
12 building is designed and constructed to comply with it.

13 All right. So this section is the one that we talked  
14 about concrete-encased electrodes. And we've eliminated  
15 the requirement that if the concrete-encased electrode is  
16 not available for connection that a ground ring must be  
17 installed. That got eliminated.

18 We clarified that when we're doing the testing to  
19 check a grounding -- or a concrete-encased electrode, that  
20 it has to be 20 feet between spans, testing points,  
21 because that's what the requirement for a concrete-encased  
22 electrode is.

23 And then we've added in here if the building does not  
24 have a concrete-encased electrode, and this only applies  
25 to new buildings that are built on foundations, that

1 another type of electrode specified in article 250 can be  
2 used, but you just have to measure it and verify that it's  
3 25 ohms to ground. So you get to use any other grounding  
4 electrode method; you just have to verify the ground  
5 resistance on it.

6 CHAIRPERSON PREZEAU: Do they have to supply that on  
7 a document to the Department, a piece of paper?

8 BOARD MEMBER BELISLE: Available. It has to be  
9 available.

10 SECRETARY MUTCH: Yes.

11 CHAIRPERSON PREZEAU: Okay, good.

12 SECRETARY MUTCH: It doesn't have to be on a document  
13 that we're going to keep but have to make it available.

14 So tamper-resistant receptacles, in the previous WAC  
15 cycle we had some exceptions to allow where you didn't  
16 have to provide tamper-resistant receptacles. Those got  
17 added into the NEC in 2011.

18 Well, actually we didn't adopt the 2011 code, and  
19 tamper-resistant receptacles went into that, and the NEC  
20 had these exceptions so we put them into our WAC rule.  
21 Now that we're adopting the '14 code, we can take them out  
22 of our WAC rule.

23 This was just relocated. So all we did was we moved  
24 it from down below. And the designation of "042" changed  
25 I believe. So it's the same requirement, and this is the

1 one we talked about -- no, this is not the one we talked  
2 about. This is one that has to do with replacing a light  
3 fixture where you do not have an equipment-grounding  
4 conductor in the box. So nothing changed on the  
5 requirement; we just moved it from down here to up there.

6 So wind-driven generator requirement. We had some  
7 requirements in article 445 of -- WAC 445. Article 445 in  
8 the NEC is generators. And they created a new NEC section  
9 for wind-driven generators. So we took the requirements  
10 that were here and put them into that new section in the  
11 WAC, and you'll see that down below.

12 CHAIRPERSON PREZEAU: So it's just housekeeping.

13 SECRETARY MUTCH: Yep.

14 Article six something -- never mind, we'll find it.

15 CHAIRPERSON PREZEAU: 694.

16 SECRETARY MUTCH: Thank you.

17 This is another relocation. It was just the NEC had  
18 this section in article 555 which was docks, piers and  
19 wharfs, and the requirement didn't change, but we moved it  
20 from WAC 555 to WAC 514. So this was just a relocation of  
21 that article. And you'll see where we deleted it down  
22 below.

23 Okay. So here is something that was changed in the  
24 NEC and then we changed it in the WAC to match the NEC.

25 Article 517 no longer has the term "emergency system"

1 in it. They replaced that with "essential electrical  
2 system." And so when they did that, they didn't define  
3 that the essential electrical system included the life  
4 safety, critical and equipment branch. So we just removed  
5 the term "emergency system" from the WAC, replaced it with  
6 "essential electrical system" and clarified that the  
7 essential system contains three branches: the life  
8 safety, the critical, and the equipment branch. Just put  
9 that in to match what the NEC requirements are.

10 So subparagraph (3) in 517.13 in the WAC, this was  
11 put into the WAC to correct what we think is an error in  
12 the NEC. In 250.118, we have a list of what defines  
13 equipment grounding conductors. And in the 2011 NEC, they  
14 added to that list MC cable that contains an insulated  
15 equipment grounding conductor. Basically what that did  
16 was it allowed patient care areas in hospitals to be wired  
17 with a wiring method that doesn't qualify as an equipment  
18 grounding conductor but it's just -- it contains an  
19 equipment grounding conductor. So we -- in putting this  
20 in the WAC, it kind of puts it back the way it was, and it  
21 deletes the exception -- well, the requirement that  
22 250.118, the list of MC cables that qualify as an  
23 equipment grounding conductor, you have to use cables that  
24 are listed as the outer sheath as an equipment grounding  
25 conductor. It's hard to explain. But it puts it back the

1 way it was before the NEC made that change.

2 The next one, ground-fault protection, this was a  
3 change in the NEC. It kind of had some -- had a little  
4 bit to do with when they changed the emergency system to  
5 only include the critical branch. And so ground-fault  
6 protection is required on feeders. And it's not --  
7 article 517 had an exception that ground-fault protection  
8 of equipment was not required on the life safe -- on the  
9 emergency system. Okay? So you wouldn't want a ground  
10 fault to take out an emergency system at the distribution  
11 level. And so we're putting this in the WAC because they  
12 -- the NEC limited that exception for not having to have  
13 ground-fault protection, only to the critical branch. So  
14 we're allowing that exception to be the way it was before  
15 the 2014 NEC eliminated that requirement.

16 Does that make sense?

17 CHAIRPERSON PREZEAU: Was this put in front of the  
18 Technical Advisory Committee?

19 SECRETARY MUTCH: Yeah.

20 CHAIRPERSON PREZEAU: What was their reaction to  
21 that? Just sort of like understanding the theme of going  
22 along with the NEC, which is cool, but --

23 SECRETARY MUTCH: Yeah.

24 CHAIRPERSON PREZEAU: -- like what -- so help me  
25 understand what that --

1           SECRETARY MUTCH: The engineers in the room  
2 understood it and agreed.

3           So what this did is it would exempt the life safety  
4 branch from having to have ground-fault protection on it,  
5 but it would require the critical branch and the equipment  
6 branch to have ground-fault protection on it even in an  
7 essential electrical system. So it left a lower level of  
8 protection for the life safety branch and the -- or the  
9 critical branch and the equipment branch. And so the  
10 engineers in the room chimed in and said yes, this was  
11 something that was inadvertent in the NEC. It kind of --

12           CHAIRPERSON PREZEAU: And that this was a stronger  
13 standard.

14           SECRETARY MUTCH: Yes. This would be a higher  
15 standard than what the NEC requires.

16           Subparagraph (5) is a requirement to require when --  
17 and this is only for hospitals -- when load bank testing  
18 happens, what they typically do is they come out and they  
19 add load to the generator system. If they're performing  
20 that test and normal power drops out, now you've got a  
21 generator system that's going to transfer the normal power  
22 load to the generator system at the same time it's  
23 supplying the load bank.

24           CHAIRPERSON PREZEAU: That's not a good situation.

25           SECRETARY MUTCH: And so you could potentially

1 overload the generator system or you may have workers that  
2 run to disconnect the load bank when they lose normal  
3 power. And the requirement is that that generator be  
4 supplying power within ten seconds. And so this  
5 requirement is only for new newly designed essential  
6 electrical systems. It's going to require provisions to  
7 do a load test that will automatically disconnect in the  
8 event of loss of normal power. So that could be a shunt  
9 trip breaker where they connect the load bank to that in  
10 the event of loss of normal power it would shut off the  
11 load bank so that the generator can transfer the load to  
12 the hospital.

13 Here's the one that was moved from article 555 up to  
14 514.

15 Okay. These are the updates to the sign article that  
16 we got some help with from the sign industry.

17 And so the requirement before had to do with markings  
18 and field-applying a UL label to a sign. There was also  
19 some language added to the NEC about retrofit kits and  
20 listed sign retrofit kits.

21 And so this is just an update to bring our  
22 requirements into line with the NEC.

23 All of these changes are to the sign article based on  
24 the help that we got from the sign industry.

25 CHAIRPERSON PREZEAU: Through the TAC process.

1           SECRETARY MUTCH:  Yep.

2           Here's another one where we've changed from  
3 "provided" -- the paperwork to be provided to the  
4 Department to being made available.

5           And this requirement for utility interactive systems,  
6 we had a requirement there that systems like a PV system  
7 that connects to the utility have to meet the utility's  
8 requirements.  And so that's -- actually if you look at  
9 article 705 in the NEC, it has to do with interconnected  
10 power systems.  So we took that requirement out of article  
11 690 and put it in a new WAC section 705 to address  
12 interconnected power systems.  The requirement is still  
13 there.  They still have to meet the serving utility  
14 requirements, but we just put it in a different place to  
15 match the NEC section.

16           And this is another label that is covered already in  
17 the NEC.  So we're going with the NEC's description of a  
18 hazard warning marking rather than our identification  
19 plate.

20           And here's the one that had to do with wind electric  
21 systems.  And so we moved the requirements from up above  
22 and put them in this article here.  So a wind-driven  
23 generator system design review must be available at the  
24 time of first inspection rather than provided.

25           This was just some numbering that changed in the NEC

1 from 700.27 to 28. I think there was some more up here.  
2 700.8 changed to 700.7.

3 And here's the new 705 interconnected electric power  
4 production sources. So we took those requirements out of  
5 the 690 and the 694 and put them into 705.

6 We removed the words "classification" from plan  
7 review definitions of occupancies because classification  
8 in most other places where the NEC talks about  
9 classification, it's hazardous locations. So we just  
10 cleaned that up and said "definition of occupancies"  
11 rather than "classification of occupancies."

12 And this is a different type of facility that DOH has  
13 just put into statute. So it's called an enhanced service  
14 facility. It's a health care facility that's for  
15 in-patient treatment, but it doesn't fit into the  
16 categories of the other types of facilities. So we took  
17 this language right out of the DOH and that statute  
18 requirements and put it into WAC to define exactly what  
19 that is for the purposes of plan review.

20 Renumbering the articles.

21 Apparently they changed --I think it was DOH that  
22 changed from "ambulatory health care center" to  
23 "ambulatory health care occupancy." So we changed that to  
24 coordinate.

25 So this the section where plan review is required,

1 and it's a section that talks about plan review is  
2 required except for. And so we have a list of things  
3 where it may be in a school or a health care facility.  
4 But if it's a low-voltage system, for example, plan  
5 review's not required on a low-voltage system.

6 We didn't change any of those requirements. What we  
7 did is we rearranged it a bit, and we added a section so  
8 that the contractors would be clear on what needs to be  
9 provided to the inspectors to determine if plan review is  
10 required or not. So, for example, plan is not required  
11 for heating and cooling specific retrofit projects where  
12 there's not a corresponding increase in available fault  
13 current and it's a load reduction.

14 So if it's an electrical load reduction, we don't  
15 require a plan review. But the contractors have to give  
16 us some information to show what that is.

17 And so down below -- we just rearranged this section  
18 up here; just got rearranged from down here. But the new  
19 section is right here.

20 So for installation outlined in the sections above  
21 that don't require plan review, the following must be  
22 available to the electrical inspector before the work is  
23 initiated. So they have to describe the project's scope.  
24 They have to provide a load calculation and what the load  
25 changes are. So providing the before and after panel

1 schedules as needed. Some projects wouldn't have panel  
2 schedules. And where the work is taking place and  
3 adequate capacity -- so where the work is taking place has  
4 adequate capacity for any increased load and has code  
5 compliant overcurrent protection for that supply.

6 So they need to provide this documentation to the  
7 inspector so we can determine whether plan review is not  
8 required or not. So it didn't really change -- it didn't  
9 change at all where plan review is not required, but it  
10 clarified the documentation that we need to make that  
11 determination.

12 CHAIRPERSON PREZEAU: Because has this been a  
13 problem?

14 SECRETARY MUTCH: Yes.

15 So we'll get a permit that gets taken out. We'll get  
16 -- the installation will be made. We'll go out and do an  
17 inspection, and the contractor will say, "Well, this  
18 doesn't require plan review because it's a load  
19 reduction."

20 Okay. So show us how it's a load reduction.

21 Just renumbering here.

22 Okay. We added this enhanced service facility to  
23 the list of occupancies that require plan review.

24 CHAIRPERSON PREZEAU: So Rod, that seems like maybe a  
25 good place -- we're getting close to the 12:30 mark.

1 SECRETARY MUTCH: Okay.

2 CHAIRPERSON PREZEAU: So, you know -- I don't know  
3 how far we are through, but we'll continue to move  
4 forward.

5 What I would like to try to accomplish is a 45-minute  
6 lunch break. So that brings us back here at a quarter  
7 after 1:00. And so I would like to take a lunch recess  
8 and be back a quarter after 1:00. Does that work for  
9 everybody?

10 All right. Recess.

11 (Lunch recess.)

12 CHAIRPERSON PREZEAU: Okay, so it is 1:17, and our  
13 lunch recess is concluded. We are back on the record, and  
14 we are under agenda item 4, and we are reviewing the  
15 Department's rule change proposals.

16 So Rod, if you would please continue, we would love  
17 it if you would.

18 SECRETARY MUTCH: Okay.

19 So this is the section that requires an electrical  
20 permit to be purchased before the installation is begun.  
21 And this has to do with the discussion we had in the TAC  
22 committee about the definition of emergency. And so  
23 rather than define "emergency," this is an alternative  
24 that I put in after the TAC committee meeting because we  
25 couldn't really arrive at a consensus on how to define the

1 word "emergency."

2 CHAIRPERSON PREZEAU: But there was a -- I would  
3 imagine there was an industry desire to address the issue.

4 SECRETARY MUTCH: Yes, yes.

5 And so here's the proposal. It doesn't really change  
6 the concept that much. But it highlights what can be done  
7 without a permit and being able to purchase it the  
8 following business day.

9 So for an owner, an electrical work permit for  
10 emergency like-in-kind repairs to an existing electrical  
11 system must be obtained no later than the next business  
12 day.

13 And the same thing for a contractor in a city's  
14 jurisdiction where the city does not have a provisional  
15 system, an electrical work permit for emergency  
16 like-in-kind repairs to an existing electrical system must  
17 be obtained and posted the next business day.

18 This doesn't open it up to any type of electrical  
19 work to be started without a permit. This is for  
20 emergency like-in-kind repairs which means they can repair  
21 something and put it back to the state it was before it  
22 blew up or whatever the problem was and get it back going.

23 We still have the term "emergency" in there, which  
24 may be subject to interpretation, but I think this  
25 addresses most of the concerns by highlighting that this

1 is just allowed for repairing something.

2 So since this was put in after the TAC committee  
3 meeting, I'd just kind of like your thoughts on that, if  
4 anybody has a comment on this.

5 CHAIRPERSON PREZEAU: Rod, you had the first hand up.

6 BOARD MEMBER BELISLE: Well, I just have a question.

7 So would this eliminate the local jurisdiction that  
8 doesn't have a provisional system from citing that  
9 contractor for no permit if they were to post an  
10 electrical permit for emergency like-in-kind repairs, it  
11 must be obtained and posted no later than the next day?

12 So I mean, right now we've had local jurisdictions  
13 that don't have a provisional system basically turning in  
14 the violator to the state and then the state follows up.  
15 So this would eliminate that from happening.

16 SECRETARY MUTCH: Well, this doesn't really change  
17 that much. It just clarifies by putting the words "like  
18 in kind" there. But this is for repairs.

19 BOARD MEMBER BELISLE: Right.

20 SECRETARY MUTCH: So theoretically this really  
21 doesn't change the requirement. Because the requirement  
22 is emergency repairs to an existing electrical system.

23 So it doesn't allow any type of work to be begun  
24 without a permit, but it allows emergency repairs. And we  
25 still have to define what "emergency" is, and that's going

1 to be subjective, and maybe that's a good thing. Maybe  
2 putting it in a box like that and defining it specifically  
3 is limiting.

4 But when we clarify that it's repairs, and it's  
5 like-in-kind repairs, I think it's --

6 BOARD MEMBER BELISLE: But Don, he made the point  
7 that their company posts a provisional even though it's  
8 not obtained in that jurisdiction. Therefore, they're  
9 admitting we did work, you know. Whereas, this doesn't  
10 necessarily require that to happen, right?

11 SECRETARY MUTCH: Right.

12 And the problem with posting a provisional in a  
13 city's jurisdiction is you're kind of interjecting the  
14 state's requirements for -- well, you're giving -- a  
15 provisional allows two days grace period to purchase the  
16 permit. And so if you post the provisional in a city's  
17 jurisdiction that may not have the allowance for a two-day  
18 grace period, it's kind of conflicting there. So ...

19 BOARD MEMBER BELISLE: But it does show good faith.

20 CHAIRPERSON PREZEAU: So I'm going to go to Alice,  
21 and then I'm going to go to Cathy.

22 BOARD MEMBER PHILLIPS: I can't help but notice that  
23 -- you just heard the appeal. The same company turned in  
24 a change to this -- are we changing this to clarify it or  
25 are we changing it because we had a contractor turn in --

1 I guess I'm asking, is it necessary? Are we changing  
2 something just to change it? Or are we changing it  
3 because somebody lost an appeal? Or are we changing it  
4 because it needs to be changed?

5 SECRETARY MUTCH: Well, I think in my opinion the  
6 discussion got off track. It got centered on emergency --  
7 the term "emergency."

8 BOARD MEMBER PHILLIPS: Right.

9 SECRETARY MUTCH: When the actual problem was that it  
10 was not a repair to an existing system.

11 So we spent a lot of time talking about, you know,  
12 this is an emergency and they have to be able to get back  
13 up, but that specific installation was not a repair to an  
14 existing system, it was an entire new branch circuit.

15 BOARD MEMBER PHILLIPS: Correct.

16 SECRETARY MUTCH: The only thing this does is it kind  
17 of focuses that it's like-in-kind repairs. And that's the  
18 intent of the original language that it's something that  
19 you're going to go in there and you're going to fix it.  
20 You're not going to upgrade it, but you're okay to go  
21 ahead and fix it and put it back the way it was and get  
22 the permit the next day.

23 So it's more of getting the focus off of the  
24 emergency and putting the focus on repairs. I think that  
25 was my intent.

1 CHAIRPERSON PREZEAU: So it's clarifying the intent  
2 of the Department.

3 BOARD MEMBER PHILLIPS: Okay. Thank you.

4 CHAIRPERSON PREZEAU: Cathy.

5 BOARD MEMBER BRIGHT: Well, when reviewing these WAC  
6 changes and rules and stuff like that, I mean, I always  
7 have -- I always get hung up if we are making something  
8 more subjective and less objective than it was before.  
9 That makes me uncomfortable.

10 And you said that this is limiting. And I think --  
11 I'm not going to argue -- I'm not trying to argue  
12 semantics, but I don't think it's necessarily limiting; I  
13 think it's clarifying exactly what the intent originally  
14 was.

15 However, what I'm saying is I want to -- when I look  
16 at these and do an analysis, I want it to be as objective  
17 as it possibly can be. And I want it to be clear. So I  
18 want it -- there -- so someone who like the guy who had  
19 the hearing, you know, doesn't come in making an argument  
20 that, you know, the definition of "emergency" is the  
21 issue, that's not the issue.

22 So I think this does provide a little bit of clarity  
23 as opposed to being limiting, but I still have a concern  
24 about the subjective nature of the term "emergency."

25 I mean, if we have -- you couldn't come to consensus

1 in the TAC? Is that what you said?

2 SECRETARY MUTCH: What the Department did is they --  
3 we proposed a defining -- for work that is necessary to --  
4 repairs necessary to protect immediate danger to life and  
5 property, something like that. Okay? That's subjective  
6 as well. So property -- property damage --

7 BOARD MEMBER BRIGHT: But it's less subjective than  
8 not having any parameters set.

9 SECRETARY MUTCH: Right. But -- I mean, you're  
10 always going to have some subjectivity in it.

11 CHAIRPERSON PREZEAU: Well, and I'm going to offer  
12 something in hopes that it will partially assuage Cathy's  
13 concern, and that is "like in kind" which has been added  
14 to this is clearly defined in the definition.

15 BOARD MEMBER BRIGHT: Right.

16 CHAIRPERSON PREZEAU: So "like in kind" means having  
17 the same overcurrent protection requirements and similar  
18 characteristics such as voltage requirement, current draw,  
19 short circuit characteristics, and function within the  
20 system, blah, blah, blah, blah.

21 So I think it does give you some additional  
22 objectivity because that piece is in there. And I think I  
23 agree with Rod's comment about some reluctance to putting  
24 "emergency" in a box and giving the Department some  
25 ability to recognize -- I hate to use this analogy, but as

1 far as the supreme court, you know, I know what  
2 pornography is when I see it. Sort of I know what an  
3 emergency is when I -- when you see one.

4 BOARD MEMBER BRIGHT: Well, but the -- okay. And I  
5 agree that the "like in kind" addresses that particular  
6 situation that we were talking about for that hearing.  
7 Because it says that replacing it with a higher voltage  
8 isn't the same thing.

9 But I -- like I said, I am still really uncomfortable  
10 that we -- because for all intents and purposes at that  
11 hearing we did define "emergency." We defined it the way  
12 that the Department wanted to define it. And if that's  
13 the standard that we're going to apply when we have a  
14 hearing, then why wouldn't we codify it to make it clear  
15 to everybody what we're talking about when we use the term  
16 "emergency."

17 CHAIRPERSON PREZEAU: Okay.

18 Alice.

19 BOARD MEMBER PHILLIPS: I have to agree with -- well,  
20 let me back up.

21 From my perspective, I did not -- I do not remember  
22 defining "emergency." What I remember about that hearing  
23 was the new circuit, that they didn't put the original ice  
24 machine in, they put a new one in. And that's what the  
25 clincher was for me. I don't know -- besides the fact

1 that I don't think an ice machine is an emergency. But  
2 that's -- I mean -- I think that goes back to what you  
3 were saying, Tracy, about when you see it, you see it, and  
4 somebody not having ice in their water -- but for me, the  
5 real issue was that circuit.

6 CHAIRPERSON PREZEAU: Janet.

7 BOARD MEMBER LEWIS: Right, in that particular case.  
8 But I'm worried that this wording now is going to still  
9 bring up the same instance. Someone's going to argue that  
10 I put an exact like, you know, receptacle for an ice  
11 machine, or I had to go into this room or this hallway and  
12 put in six light fixtures; otherwise people couldn't see.  
13 Does -- you know, it might be like in kind, but it still  
14 doesn't rise to the level of an emergency.

15 So that's why I'm wondering why you maybe didn't  
16 insert the definition, insert both like-in-kind repairs to  
17 an existing electrical circuit or systems presenting --  
18 what was the issue? To life and safety or something?

19 SECRETARY MUTCH: Immediate danger to life and  
20 property.

21 BOARD MEMBER LEWIS: Yeah, right.

22 SECRETARY MUTCH: So then what's immediate? What's  
23 dangerous? What's property? You know, I mean, you're  
24 always going to have a little bit of that.

25 BOARD MEMBER LEWIS: That's easier to define than a

1 broad set of what's an emergency.

2 CHAIRPERSON PREZEAU: Rod.

3 BOARD MEMBER BELISLE: Well, you know, I have to make  
4 a statement that I made at the TAC committee. And  
5 listening to all this discussion, it's come up again. And  
6 it's really -- to me, it comes down to when did they buy  
7 their permit. And my understanding is if you can buy an  
8 on-line permit from the state, you can buy it as a  
9 contractor or a homeowner, and you can buy it on a  
10 Saturday, right?

11 SECRETARY MUTCH: Uh-huh.

12 BOARD MEMBER BELISLE: And then I could post it at  
13 the property, and then I could work on Sunday, and I  
14 haven't violated the law.

15 Yet in some areas where I can't buy it on-line, now  
16 I'm not allowed to work on Sunday. It really -- we're  
17 trying to define "emergency," and it has absolutely  
18 nothing to do with what the electrical task is. It's  
19 about time of day. And I think maybe a committee needs to  
20 be formed, something needs to be addressed. Because this  
21 will continue on long after I'm gone. And really it's not  
22 at all about what the electrician is doing; it's about  
23 what time they decided to do the work.

24 We're in a 24-hour-a-day, seven-day-a-week world, and  
25 yet we are still trying to say you can only take out a

1 permit at 9:00 a.m. on a Monday. That's ridiculous.

2 CHAIRPERSON PREZEAU: Yeah, go ahead.

3 BOARD MEMBER CORNWALL: Well, I think the reason --  
4 the whole purpose of this is because we had to  
5 differentiate between working with a permit before the  
6 work starts versus I got to do it right now.

7 We got to put -- there has to be a word in there of  
8 some sort. So "emergency" really is the only word we can  
9 put in there.

10 BOARD MEMBER BELISLE: I believe we need to change it  
11 to where a permit is available 24 hours a day, seven days  
12 a week, and then this conversation is over.

13 CHAIRPERSON PREZEAU: Yeah. And so -- and  
14 unfortunately we don't have control over that, though.

15 BOARD MEMBER BELISLE: But why not? Why don't we  
16 have control over that?

17 SECRETARY MUTCH: Well, there's areas where there's  
18 not Internet service connectivity, for example. I mean,  
19 you're always going to have some reason why they can't  
20 take out that permit.

21 The provisional system allows the contractors to  
22 purchase it ahead of time. It's a sticker. And all the  
23 service vans have one. So they're kind of -- we provided  
24 them a method to do that 24 hours a day where purchasing a  
25 permit may not be possible even in an area where they

1 allow it. So that's kind of ...

2 CHAIRPERSON PREZEAU: Cathy.

3 BOARD MEMBER BRIGHT: What if we removed the word  
4 "emergency" altogether? We've got "like in kind" now. We  
5 know exactly what type of repairs are allowed no later  
6 than the next business day. What if we took out  
7 "emergency"? Because there's no -- then we're just going  
8 to end up arguing about what constitutes an emergency  
9 again.

10 SECRETARY MUTCH: Well, I think you're opening it up  
11 to any type of electrical work.

12 BOARD MEMBER BRIGHT: Like-in-kind repairs?

13 SECRETARY MUTCH: Yes.

14 BOARD MEMBER BRIGHT: That's not clear enough?

15 SECRETARY MUTCH: Any type of like-in-kind repair.

16 I mean -- so this -- I guess the intent of this was  
17 to allow the work to take place in the event of an  
18 emergency.

19 So a tree falls across the mast or something. You  
20 lose power. You call the power company out in the middle  
21 of the night. You know, put it back the way it was. Get  
22 the permit the next day.

23 BOARD MEMBER BRIGHT: But if I don't know what an  
24 emergency is and what it isn't, then we get back to that  
25 where the person performing the work doesn't know what to

1 expect, doesn't know if loss of revenue for a business  
2 constitutes an emergency or not. It certainly does to the  
3 business owner who hired him.

4 SECRETARY MUTCH: Sure.

5 BOARD MEMBER BRIGHT: So unless we say specifically  
6 that we are -- that that's the standard that we're going  
7 to apply -- which we did; we established -- well, we  
8 didn't because of the other issue. But if that's the  
9 standard that we're going to apply, then that's what we  
10 should tell people, that's the standard that we're going  
11 to apply.

12 CHAIRPERSON PREZEAU: So Alice.

13 BOARD MEMBER PHILLIPS: I guess I have -- help me  
14 understand.

15 What you were saying about we are in a 24/7  
16 operation, doesn't what you're indicating mean that the  
17 contractor doesn't have any kind of forethought in  
18 planning? If I have a job and I know I need to get a  
19 permit, why do I wait until Saturday to get a permit so I  
20 can work on Sunday? See, to me, that doesn't make any  
21 sense.

22 BOARD MEMBER BELISLE: My point was, if I am a  
23 contractor and I have 24-hour electricians on standby with  
24 service vans, and I get a call, and they say, "We're out  
25 at this plant, and we're trying to print the Sunday paper,

1 and this motor went down, and we need to replace this  
2 motor on this conveyor."

3 And I show up there and realize the only motor they  
4 have sitting there is two horsepower larger. And so now I  
5 have to change the branch circuit or the fuse or the  
6 overcurrent device.

7 Why do I have to say, "This doesn't qualify as  
8 emergency and I can't get a permit, so therefore, I can't  
9 do it?"

10 Whereas, if that happened on a Tuesday at 10:00 a.m.,  
11 I would just simply call, get a permit, and I would do it.  
12 Why does it matter that it happened on a Saturday versus a  
13 Tuesday? That's my point.

14 I'm not saying we can fix it in this paragraph. What  
15 I'm saying is I think the industry, the Electrical Board,  
16 L & I needs to look at this from a 10,000 foot view and  
17 think about why do we care when it happened; let's just  
18 create a method to fix it. Simple as that.

19 I'm not saying we can fix it in this WAC rule because  
20 I don't think we'll all agree ever.

21 CHAIRPERSON PREZEAU: Yeah. And I guess to your  
22 point, I am sure -- I'm looking for some guidance here,  
23 but I'm pretty sure that we can't put in the WAC rule to  
24 mandate cities have 24/7 permitting processes or --

25 BOARD MEMBER BELISLE: We can require an equal or

1 better standard. Does that not apply to service?

2 SECRETARY MUTCH: No. That only applies to the  
3 standards of installation. So the code requirements for  
4 the installation have to be equal or better.

5 CHAIRPERSON PREZEAU: So for point of clarification,  
6 Rod, your definition or the Department's definition of  
7 "emergency" being imminent threat to property and life,  
8 even at the Technical Advisory Committee level could not  
9 generate consensus around that phrase?

10 SECRETARY MUTCH: Nope.

11 BOARD MEMBER BRIGHT: What were the concerns?

12 SECRETARY MUTCH: The concerns were if I have an ice  
13 machine that goes out or a data center that loses power  
14 and -- you know, some kind of a -- some kind of any type  
15 of a failure where it's going to impact something that  
16 should be able to start the work and get the permit the  
17 next day. And I could kind of go along with that as long  
18 as it's a repair to an existing installation, but not an  
19 upgrade.

20 CHAIRPERSON PREZEAU: So in the spirit of concluding  
21 -- well -- or coming to some type of resolution, I guess,  
22 you know, I'm hearing that some people want to define  
23 "emergency," some people don't. It looks very similar I  
24 think. Unless somebody tells me I'm making the wrong  
25 conclusion here, it looks fairly similar to I am assuming

1 what it looked like at the Technical Advisory Committee.  
2 And I am somewhat reluctant to -- if we can't come to  
3 consensus to -- if we can't come to consensus, then maybe  
4 what Rod's suggesting of ongoing conversation is a great  
5 idea and sort of helping create more objectivity in the  
6 face of subjectivity, but I'm also sort of concluding that  
7 that is not going to happen today.

8 Do you guys agree with that?

9 Rod, do you want to --

10 BOARD MEMBER BELISLE: I will say this: What Rod has  
11 done here is what the TAC asked for. You know, to say --  
12 to kind of put it into the phrase of "like in kind,"  
13 replacing something but not new. This is, in fact, what  
14 the TAC said, yeah, come up with something that meets  
15 that.

16 They all agreed that this probably isn't the last  
17 time we'll talk about this. And I truly agree too. But I  
18 think this achieves what the TAC recommended.

19 CHAIRPERSON PREZEAU: So John, you were the other  
20 Board member that served on the TAC. Is that -- I'm not  
21 -- do you agree with what Rod just said?

22 BOARD MEMBER BRICKEY: Yes. Yes, I do.

23 CHAIRPERSON PREZEAU: So can we move on to the next  
24 approval then?

25 SECRETARY MUTCH: We can.

1 CHAIRPERSON PREZEAU: Is that --

2 Don.

3 BOARD MEMBER BAKER: I was going to say this looks  
4 like exactly what I'm currently doing right now. But I'm  
5 looking at (b), and it doesn't say that I have to post a  
6 provisional permit; it just says the next working day I  
7 need to get a permit in the jurisdiction.

8 SECRETARY MUTCH: Right.

9 So if you're working in a city jurisdiction, that  
10 provisional that you're posting, it shows good intent by  
11 the contractor, but it doesn't -- I mean, the provisional  
12 is only for use -- authorized for use in L & I's  
13 jurisdiction.

14 So basically what it does is it's putting a  
15 requirement -- well, it's allowing you to work two days  
16 without a permit in a city's jurisdiction, which is okay  
17 with us, but it may not be okay with the city.

18 BOARD MEMBER BAKER: Yeah. See, I'm still going to  
19 tell my guys to put the provisional on there. Because I  
20 think it covers my bases. I'm not going to have an L & I  
21 inspector or some city inspector back-door me and I'm  
22 going to get some citation later. I'm going to say, "No,  
23 I did put a provisional here. I know it doesn't apply to  
24 your jurisdiction, but according to the state, I met the  
25 state guidelines. I'm sorry that your city doesn't meet

1 the state guidelines." It should. I don't know why we  
2 haven't made the cities step up to meet the minimum  
3 standard. They should have. But they don't. So I'm  
4 going to meet the minimum which is a state standard, and  
5 we'll argue it out in court if we have to. But at least  
6 I'm going to put a provisional on there. Because to me  
7 that's the minimum standard. At least it's a permit.

8 CHAIRPERSON PREZEAU: Okay. Any other comments?

9 BOARD MEMBER NORD: I've got a question.

10 CHAIRPERSON PREZEAU: Sure, go ahead.

11 BOARD MEMBER NORD: Rod, what will it take to force  
12 the cities to step up to bring their requirements to the  
13 situation the same as the state's?

14 SECRETARY MUTCH: A statute change.

15 So right now the cities have authority to adopt an  
16 inspection program with an equal, higher or better  
17 standard of installation than the Department has.

18 The RCW -- I mean, they still have to comply with the  
19 RCW. And the RCW says that it's not specific to when the  
20 permit gets purchased. It says that all installations not  
21 exempt have to meet the standard. And so the way that we  
22 do that is by permits and inspections. So we've developed  
23 in the state the provisional system. And we require that  
24 the permits be purchased prior to starting the job.

25 BOARD MEMBER NORD: With the legislature currently in

1 session, if we were to start the process today to change  
2 the statute in this minor way to correct this huge  
3 problem, how long would it take in your mind?

4 SECRETARY MUTCH: It couldn't be done this session.  
5 And I'm not even -- I'd have to really think about how  
6 that could happen. And it would take a bigger group  
7 than -- it would take representation of the cities and  
8 the discussion to happen. So there's no way it could  
9 happen --

10 BOARD MEMBER NORD: We're talking multi years  
11 potentially?

12 SECRETARY MUTCH: Well, I guess we're talking about  
13 something that we need to address in the future.

14 But it won't happen.

15 BOARD MEMBER NORD: It would seem to me that this  
16 would be the easiest way of permanently fixing the  
17 problem. Because we would bring everybody up to the same  
18 level with the same rules, the same game plan so  
19 contractors like Don and the cities like John represents,  
20 the utilities that I represent, and the workers forum all  
21 have the same rules to play by. Because in our case, an  
22 emergency to us is the drunk on the Sunday night that goes  
23 out and wipes out the power pad or the remote system  
24 that's powering the fiberoptic system which gives the city  
25 of Seattle all their service.

1           CHAIRPERSON PREZEAU: So in the spirit of that, sort  
2 of incremental gains, trying to bring us, you know, back  
3 to the task at hand is if this -- and hearing from both  
4 John and Rod, if this is the spirit of what the TAC was  
5 asking the Department to create greater understanding  
6 around this, and we've achieved that, recognizing that  
7 future work is necessary but not going to be accomplished  
8 today, unless there are other comments, I would --

9           Okay, Cathy and then Don.

10          BOARD MEMBER BRIGHT: I would just suggest that we  
11 say that people are aware -- contractors are aware that  
12 loss of revenue for a business does not necessarily  
13 constitute an emergent situation so that they are knowing  
14 that if your client calls you at 4:00 on a Saturday, says  
15 the motor is down, it doesn't necessarily create an  
16 emergency -- emergent situation. Then you're at least  
17 providing some information. And if they have questions,  
18 it's best to err on the side of caution.

19          CHAIRPERSON PREZEAU: Don.

20          BOARD MEMBER BAKER: So -- and part of the reason --  
21 let me clarify why I'm instructing my guys to use the  
22 provisional permit on the weekends and stuff. I'm calling  
23 it emergency work, right? I get that we can't agree on  
24 what emergency work is. And I even agree with you that,  
25 you know, it's not life safety 90 percent of the time.

1 It's the ice machine's down; it's an emergency to the  
2 restaurant manager. But when I hang that provisional  
3 permit, it isn't -- if I'm not mistaken, it doesn't have  
4 to be emergency work. It's a permit to do any type of  
5 work that I want to do. And the next working day, you  
6 know, when I get in the office on Monday, I pull a permit  
7 and we post it. So for me, the provisional permit covers  
8 all that. I don't care if it's "like in kind." I don't  
9 care if it's emergency work. I've got an electrical  
10 permit posted on my job. To me, the emergency part isn't  
11 part of the equation.

12 CHAIRPERSON PREZEAU: Okay.

13 John.

14 BOARD MEMBER BRICKEY: I was just wondering, what if  
15 the work doesn't qualify for provisional work, would the  
16 provisional permit still serve?

17 BOARD MEMBER BAKER: I don't understand. I think you  
18 can use a provisional permit on any kind of work.

19 SECRETARY MUTCH: Any job that requires a permit can  
20 be started with a provisional permit.

21 BOARD MEMBER BELISLE: It's just about the time of  
22 day.

23 CHAIRPERSON PREZEAU: In a jurisdiction overseen by  
24 L & I.

25 SECRETARY MUTCH: Correct.

1 BOARD MEMBER BELISLE: It's all about time of day.  
2 It has nothing to do with the scope of work.

3 I really think this needs to be brought forward by  
4 the electrical industry in a big way and make it clear and  
5 make Seattle and whoever else come into today's  
6 marketplace. This is ridiculous.

7 CHAIRPERSON PREZEAU: Okay.

8 SECRETARY MUTCH: Next?

9 CHAIRPERSON PREZEAU: Yes, please.

10 SECRETARY MUTCH: This was a clarification, a  
11 Department proposal, to change from the statement -- this  
12 is the Class A exempt list. It used to say up to five  
13 snap switches, dimmers, receptacle outlets can be replaced  
14 without a permit. We just changed it to a maximum of. So  
15 up to five. Does that mean four or does that mean five?  
16 So a maximum of five is just clarification.

17 This clarifies that disconnection of electrical  
18 circuits from their overcurrent protection device for the  
19 specific purpose of removing the electrical wiring or  
20 equipment for disposal does not require an electrical  
21 permit.

22 So I think it's generally understood that the  
23 electrical law does not extend to removing equipment to  
24 throw it away, demo work, okay?

25 There's a newsletter article that dealt with in order

1 for that to not be electrical work, it has to be properly  
2 disconnected by a certified electrician working for an  
3 electrical contractor to make sure that it's safe.

4 There's another provision down below in the  
5 exemptions you'll see. But this just clarifies that if  
6 I'm going to walk up and disconnect something from a  
7 breaker, it doesn't require a permit.

8 This is in the fee schedule. And it is a fee for  
9 outside normal working hours. And we just removed it --  
10 the term "emergency inspections" to "inspection  
11 appointment requested for outside normal working hours"  
12 just to clarify so that the term "emergency" isn't  
13 misinterpreted there.

14 Clarifying that plan review fees for shipping and  
15 handling includes handling. And if they're not shipped,  
16 there's still a handling fee that applies to plan review.  
17 So that was just a clarification. Nothing in the fee  
18 schedule changed. It's just that even if we don't pay for  
19 shipping, there's still handling fees involved in it.

20 So here's what we're talking about the Class B  
21 provision. And this was added after the TAC committee  
22 considering all of the discussion at the TAC committee.

23 There was a proposal to say a Class B label could  
24 include all of the work listed on the Class B list without  
25 limits. That failed.

1           The proposal to say, okay, can we do two items had  
2 some support. And I talked with the person that presented  
3 this proposal and said, "If I added this, would that meet  
4 the intent of your proposal," and the answer was, "Yes."

5           So Class B provision for replacing a like-in-kind  
6 furnace or an air conditioner heat pump not exceeding 240  
7 volts and 100 amps, we added "and associated Class 2 low  
8 voltage wiring."

9           CHAIRPERSON PREZEAU: A thermostat for the furnace  
10 change.

11          SECRETARY MUTCH: A thermostat for a furnace change.

12          So, you know, you pull out a furnace, you put in a  
13 new furnace, the low-voltage connections and the  
14 line-voltage connections are included on that same Class B  
15 label. And that met the intent of the person that  
16 presented it. And we're good with that.

17          Here's where we added occupancy sensors. And the  
18 place we added it is "The conversion of not more than ten  
19 snap switches to dimmers." That was already there. And  
20 we added "occupancy sensors" to that.

21          So the proposal was to make this permit exempt. And  
22 our solution is to put it on the Class B list and allow  
23 them to do up to ten on a Class B permit.

24          Also on the Class B list, we changed "up to twenty"  
25 to "a maximum of twenty" just to clarify that.

1           At the end of the Class B list, we had "circuit  
2 breakers, contactors, relays, timers starters, circuit  
3 boards, fuses and similar control components." All of  
4 those items are listed on the Class A list as being exempt  
5 from permits. So this just removes it from the Class A  
6 list because it was duplicated. The intent of this was to  
7 allow them to replace up to five without a permit and to  
8 replace up to 20 with a Class B permit. But the circuit  
9 breakers, contactors, timers, relays, starters and circuit  
10 boards were not limited in the Class A list. It was just  
11 a duplication.

12           Another reference to "journal level."

13           This one, the last rule-making cycle, we lowered the  
14 penalty amounts for Class B offenses. And this is in the  
15 administrator section of the violations. And it just  
16 clarifies that standard or provisional permit offenses are  
17 at the amount that was there before, and Class B offenses  
18 are at the lower penalty amount.

19           Previously it said "Failure to obtain a Class B label  
20 or permit (sic) for Class B eligible work." And this  
21 under the administrator section includes all Class B  
22 eligible work that would be eligible for that lower  
23 penalty.

24           So this is an exemption for firms that install  
25 cord-and-plug connected utilization equipment, a company

1 that comes in with all of the washers and dryers and  
2 ranges in an apartment building, they can go ahead and put  
3 the cords on and plug them in. What they can't do is  
4 on-site servicing, maintaining or repairing of that  
5 equipment. That falls under the equipment repair  
6 specialty. And so we added that, just a clarification,  
7 that those firms can install it, but they can't get into  
8 the thing and repair it while they're on-site.

9 Okay, here's the exemption that we added for  
10 demolition. So we had a newsletter article that said, you  
11 know, a demolition can be done by uncertified people, but  
12 the power had to be disconnected ahead of time by somebody  
13 qualified. So we clarified it. It was in a newsletter  
14 article. We put that in rule. And it pretty much says if  
15 they're removing it for the purpose of disposal when all  
16 the conductors, raceways and equipment to be disposed of  
17 have been physically separated from the source of power by  
18 a properly certified electrician employed by a licensed  
19 contractor or persons meeting the exemptions listed in 261  
20 -- RCW 19.28.261. Removal of a component or only a  
21 portion of an equipment unit is considered electrical  
22 maintenance and does not qualify for this exemption.

23 And so you would not be able to disconnect the  
24 lighting circuit, have an uncertified person remove all  
25 the ballasts so that the certified people can go back and

1 do the lighting retrofit. So it has to be removal of the  
2 entire piece of equipment for disposal. That's the intent  
3 of it.

4 CHAIRPERSON PREZEAU: Did the TAC see this?

5 SECRETARY MUTCH: Yes.

6 CHAIRPERSON PREZEAU: Did they like it?

7 SECRETARY MUTCH: Yes.

8 I don't think there were any -- there were two  
9 objections from the TAC committee right down here at the  
10 bottom. And the objections were they would rather limit  
11 disconnection to qualified persons, not owners.

12 And so the RCW allows property owners to perform  
13 electrical work. That's an exemption in statute. We  
14 can't really change that.

15 We had a provision in that the Department will deny  
16 application, renewal, or reinstatement of an administrator  
17 or master electrician certificate if the individual owes  
18 money. We didn't have change of assignment.

19 So one of the tactics of administrators may be if  
20 they owe a company (sic) money would be to assign  
21 themselves to a new company. They create a new company  
22 with a different UBI number. And this prevents them from  
23 if they owe the Department money from assigning themselves  
24 to a different company and continuing in business.

25 "Lineman" changed to "lineworker."

1           This one, all we did was we eliminated the reference  
2 to (c) because it didn't fit under things that were  
3 required on an application. So that was just a  
4 housekeeping item.

5           Okay. This is a reference to basic trainee classes  
6 for pump and irrigation industry. And there's currently  
7 some talks in the legislature about this issue.

8           So when the pumping industry specialty was created in  
9 2006, it allowed a certificate -- a combination  
10 certificate to have a combination of plumbing and  
11 electrical. And the holders of that certificate can take  
12 classes -- CEU classes containing plumbing and electrical.

13           In the statute, it didn't create an allowance for  
14 trainee classes to contain plumbing content. So our  
15 statute, RCW 19.28.161 specified what electrical training  
16 has to be, and it has to be WAC, RCW, electrical theory  
17 and NEC, and there's no provision in there for plumbing  
18 content.

19           So at some point this got added to rule, the  
20 reference to pump and irrigation trainee classes, which  
21 statutorily don't exist. So we went through and  
22 eliminated reference in rule. But what I need you to  
23 know is this may be dependent on legislation that's before  
24 the legislature right now.

25           The legislation would require us to create a separate

1 training certificate for pump and irritation trainees.  
2 And they would be able to use half plumbing and half  
3 electrical content for that training certificate and for  
4 qualifying for that pumping and irrigation certificate of  
5 competency, but that wouldn't be transferable to any other  
6 electrical specialty or towards the journeyman -- journey  
7 level certificate.

8 So all of the reference in rule to pumping industry  
9 basic trainee classes we have eliminated, but that may  
10 change based on the legislation.

11 CHAIRPERSON PREZEAU: So a timing question. If I  
12 understood all that, the timing question right now, does  
13 the rule -- when is -- the legislature is -- the end of  
14 this regular session is when?

15 SECRETARY MUTCH: It's scheduled I think March 18th,  
16 something like that, middle of March.

17 CHAIRPERSON PREZEAU: And so we will know that as we  
18 move forward because the public hearing process, the next  
19 step is April 10th.

20 SECRETARY MUTCH: Correct, yep.

21 CHAIRPERSON PREZEAU: Okay.

22 SECRETARY MUTCH: And so we may or may not change  
23 this based on the outcome of the legislature.

24 But I wanted to bring that to your attention just so  
25 that we'd have that covered.

1           Okay. This section is where we -- when we find a  
2 trainee working unsupervised, the inspector has what we  
3 affectionately call the hall pass. And it's just where  
4 they have to fill out where their supervising electrician  
5 went, when they left, how long they've been on the job,  
6 who the supervising electrician was. And so when we wrote  
7 this into rule, we said when we encounter a trainee on the  
8 job site, the trainee will be given a form by the  
9 inspector.

10           There are times when an inspector can -- doesn't need  
11 the form to be able to establish that the trainee was  
12 working unsupervised. So all we did was we changed the  
13 wording from "the trainee will be given the form" to "the  
14 trainee may be given a form."

15           A lot of references to "journey level" being changed.

16           Okay. This is the chart that shows the amount of  
17 experience that's required to qualify for the different  
18 specialty certificates. And some of these specialties are  
19 1,000 hours or less. And they qualify to -- like, for  
20 example, the 07B residential maintenance certificate, they  
21 can work 720 hours, they can pass the exam, and they're  
22 given a work-alone card. So they work 720 hours under 100  
23 percent supervision. They pass the exam, and they're  
24 given a work-alone card, and they can work unsupervised  
25 for the remainder of their 2,000 hour requirement.

1           The change that we're proposing is to say that for  
2 specialties requiring less -- requiring 2,000 or less for  
3 certification will not be credited toward qualification  
4 for the journey level certificate or any of the 4,000 hour  
5 specialties except as allowed by 7 below.

6           So this would prohibit using unsupervised training  
7 time to count toward another specialty's requirement.

8           CHAIRPERSON PREZEAU: That requires a different  
9 supervision level.

10          SECRETARY MUTCH: Correct.

11          And so when it says "except as allowed by 7, below,"  
12 already in rule we have an allowance for that to apply to  
13 the HVAC industry. Because the 6B and the 6A -- the 6B  
14 trainees can credit their experience toward the 6A.  
15 That's the only exception because the work is similar,  
16 it's limited in voltage level. But we wanted to limit  
17 that to the other specialties so that unsupervised  
18 training time doesn't count toward another specialty that  
19 requires a greater level of supervision.

20          BOARD MEMBER LEWIS: But Rod, wasn't that always in  
21 there? It was always supposed to have been in there  
22 except for that one exception.

23          SECRETARY MUTCH: It wasn't. It was in there for the  
24 journey level.

25          So as you can see there, the existing language was

1 "will not be credited towards qualification for journeyman  
2 electrician."

3 BOARD MEMBER LEWIS: Right.

4 SECRETARY MUTCH: And what we added was "or any of  
5 the four thousand hour specialties."

6 BOARD MEMBER LEWIS: But a journeyman can be an 01,  
7 an 02 journeyman, 03.

8 SECRETARY MUTCH: No.

9 BOARD MEMBER LEWIS: So you're saying a journeyman is  
10 only an 01.

11 SECRETARY MUTCH: Right.

12 So that's defined. A journey level electrician is an  
13 01.

14 So a specialty electrician is one of the other  
15 specialties.

16 BOARD MEMBER LEWIS: You can be a journeyman  
17 specialty?

18 SECRETARY MUTCH: No.

19 BOARD MEMBER LEWIS: You can't, okay.

20 SECRETARY MUTCH: No. You can be a journey level  
21 certified electrician or you can be a specialty  
22 electrician.

23 Does that help?

24 BOARD MEMBER LEWIS: So it was never -- excuse me,  
25 Madam Chair.

1           CHAIRPERSON PREZEAU: Uh-huh, go ahead.

2           BOARD MEMBER LEWIS: It was never enforced that way.  
3 Because I thought when this rule was written it was  
4 supposed to have been in force not only for the 01, but  
5 for all of the other specialties as well that were 2,000  
6 hours or more.

7           SECRETARY MUTCH: No. Because journey level  
8 electrician means an 01 electrician or journeyman  
9 electrician. I think that's in the definition, maybe the  
10 definition section. So ...

11          CHAIRPERSON PREZEAU: What did the TAC think about  
12 this?

13          SECRETARY MUTCH; They were in support of it. Let me  
14 see what the comments were.

15          There were two objections to the TAC committee for  
16 that. And I think the discussion had to do with, you  
17 know, they understood that the uncertified -- or the  
18 unsupervised time shouldn't count toward a specialty that  
19 requires a greater degree of certification. But they were  
20 suggesting maybe that portion that they were supervised  
21 could be credited. So I think that's what the two  
22 objections were about.

23          BOARD MEMBER BRIGHT: I have a question. Would it  
24 count -- if I'm a trainee, and I'm out on a job, and I'm  
25 doing some sort of work that falls under one of these

1 specialty categories, would these hours that I did perform  
2 that work count towards my training? If I'm supervised,  
3 would those -- those hours would count?

4 SECRETARY MUTCH: Up to 4,000 hours.

5 So a journey level electrician has to have at least  
6 4,000 hours of commercial and industrial experience.

7 CHAIRPERSON PREZEAU: Of the 8,000.

8 SECRETARY MUTCH: Of the 8,000.

9 So a portion of that experience could count as long  
10 as it's properly supervised experience.

11 BOARD MEMBER BRIGHT: Right. But un -- so you're  
12 talking about unsupervised doesn't --

13 SECRETARY MUTCH: Correct.

14 BOARD MEMBER BRIGHT: Got'cha.

15 SECRETARY MUTCH: I was looking for the definition of  
16 "journey level." It must be somewhere else.

17 CHAIRPERSON PREZEAU: It's in the -- it is in the  
18 definitions. And if you recall, you actually added that  
19 because of the synonymous with journey person, journey --  
20 but it does not specifically call out that it needs an 01  
21 license holder and not a specialty electrician.

22 SECRETARY MUTCH: But I believe there is a place  
23 where it says a journey level electrician is an 01.

24 BOARD MEMBER BELISLE: It doesn't -- in the new  
25 definition it doesn't say that. It just says -- it might

1 just be a matter of interpretation that's never really  
2 been formalized.

3 SECRETARY MUTCH: Yeah, yeah.

4 CHAIRPERSON PREZEAU: It's implied in the qualifying  
5 for competency examinations. Because that language --  
6 which is in 945 -- it says "qualifying for journey level  
7 electrician competency examination" and then it has  
8 "qualifying for a specialty electrician certificate of  
9 competency." So it's implied that those are separate.

10 SECRETARY MUTCH: Well, all the way through the WAC  
11 it talks about qualifying for journey level and qualifying  
12 for specialty. So we've always had that separation that a  
13 journey level is an 01 and a specialty is a specialty.

14 This one is -- so I think this was a -- that was a  
15 typo. They left out the word "is provided."

16 So "when an original notarized letter of work  
17 experience accompanied by verifiable documentation" we  
18 added "is provided." That wasn't there.

19 Okay, here's another reference. And there will be  
20 several of these references to basic trainee classes.

21 Actually, this one is just simply an elimination of  
22 the expired 32-hour requirement because now it's 48 hours.  
23 And so we're just removing that up until July 1, 2013, you  
24 could have had 32 hours. It's not applicable anymore.

25 Here's another reference to pumping industry trainee

1 classes that will depend on the outcome of the  
2 legislature.

3 In the requirements for instructors for continuing  
4 education, we've always had on the instructor application  
5 form "a electrical engineer registered under chapter  
6 18.43." So it's a professional registered electrical  
7 engineer. And that was never in rule. So we proposed  
8 adding that to rule because we have a lot of approved  
9 instructors that are professional engineers and we believe  
10 that they're qualified to teach continuing education.

11 So this is a section about engineering evaluations.  
12 And they're required to submit documentation after they do  
13 an evaluation. It's just that the requirement was to send  
14 that to the chief electrical inspector. We don't need  
15 that in central office. But the inspector in the local  
16 jurisdiction does need it. So I've eliminated the  
17 requirement for the testing labs to send that  
18 documentation to the chief's office. So they send it to  
19 the inspection office and their client.

20 This is some more clean up. The Labor and Industries  
21 Department file identification number doesn't exist  
22 anymore. We don't have that, so we eliminated that from  
23 rule.

24 And this is the section under testing labs that are  
25 not -- we're going to not require them to send the

1 documentation to the chief's office.

2 That's it. So that's the end of the rule changes.

3 CHAIRPERSON PREZEAU: Excellent. Thank you, Rod.

4 Any additional comments from Board members.

5 And I'm going to -- I don't believe that anybody else  
6 has signed in for public on the Department's proposed rule  
7 changes. But I'm going to ask those in attendance if  
8 there is anybody that would like to make public comment,  
9 now would be the time. Going once, twice, three times.

10 So I'm assuming, Rod, just for clarification that  
11 what would be the next appropriate action if the Board so  
12 chooses would be to approve the WAC rule -- the proposed  
13 WAC rule changes as just reviewed.

14 SECRETARY MUTCH: Right. I need a recommendation  
15 from the Board.

16 CHAIRPERSON PREZEAU: So really what you would like  
17 is a motion in the form of recommending the Department's  
18 WAC rule proposals for 2014.

19 SECRETARY MUTCH: Correct.

20 CHAIRPERSON PREZEAU: So the Chair would entertain a  
21 motion if anyone is so inclined.

22

23 Motion

24

25 BOARD MEMBER PHILLIPS: I move.

1           CHAIRPERSON PREZEAU: So Alice, is your motion to  
2 recommend approval of the Department's WAC rule changes as  
3 reviewed January 30, 2014.

4           BOARD MEMBER PHILLIPS: Correct.

5           CHAIRPERSON PREZEAU: Is there a second to that  
6 motion?

7           BOARD MEMBER BELISLE: Second.

8           CHAIRPERSON PREZEAU: So it's been moved and seconded  
9 to recommend the Department's proposed rule changes.

10          Any discussion?

11          BOARD MEMBER BAKER: So if there's something in there  
12 that we don't think is right or we don't agree with, do we  
13 have to -- is it for the whole thing?

14          CHAIRPERSON PREZEAU: You -- right now the way the  
15 motion has been made and seconded is to adopt it in its  
16 entirety. Which is not -- certainly this Board has the  
17 ability to make a motion or to move to recommend the  
18 proposed changes with exceptions. But the motion right  
19 now -- so unless somebody -- unless that motion is  
20 amended, right now what you're voting on is an up or down  
21 on the entire package. Is everybody clear?

22          Any more discussion on the motion? Seeing none, all  
23 those in favor, signify by saying "aye."

24          THE BOARD: Aye.

25          CHAIRPERSON PREZEAU: Opposed? Motion carries.

## Motion Carried

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CHAIRPERSON PREZEAU: So Rod, do you have any other comments about agenda item 4, the rule change proposals, or are we finished with that?

SECRETARY MUTCH: I think we're finished. I just wanted to say thank you for enduring my rather boring description of that.

So the next step will be to -- it's called a CR102 will be filed. And a period will be open for public comments. We will post the proposal on our Web site on the rule-development page so everybody will be able to see it. And then the public hearing I believe is April 10th. So ...

CHAIRPERSON PREZEAU: So in light of Don's comments if there are Board members that want to provide additional stakeholder input to the Department on any of the proposed rule changes, you still have the ability to do so.

SECRETARY MUTCH: Yes.

CHAIRPERSON PREZEAU: Cathy.

BOARD MEMBER BRIGHT: And you have a listserv list that that goes out to too?

SECRETARY MUTCH: Yeah. We'll send it out to the listserv notifying them that the rules are going to be posted on the Web site.

1 CHAIRPERSON PREZEAU: Rod.

2 BOARD MEMBER BELISLE: And the posted rules be the  
3 underlined strike-out amendment so people can see the  
4 changes?

5 SECRETARY MUTCH: Yeah. It'll be this document, this  
6 last, the second document that we looked at right here.

7 BOARD MEMBER BELISLE: Perfect.

8 BOARD MEMBER BAKER: Is the public hearing, is it  
9 just one, or do you -- do you have one on each side of the  
10 mountains or --

11 SECRETARY MUTCH: It's one public hearing here in  
12 Tumwater.

13 CHAIRPERSON PREZEAU: Very good. Any other --

14 SECRETARY MUTCH: But we take pub -- there's a period  
15 where we will accept public comments, written comments as  
16 well.

17

18 Item 5. Secretary's Report

19

20 CHAIRPERSON PREZEAU: Okay. Do you want to step into  
21 the Secretary's report, Rod?

22 SECRETARY MUTCH: Okay. So you have a copy of the  
23 Secretary's Report in your packets. I'll just read it for  
24 the record.

25 Under budget, the fund balance through November was

1 \$10 million. At the time of printing of this report, it  
2 was \$10 million. We have new numbers since the report was  
3 printed. The fund dropped by about 104,000 through  
4 December. So it just dipped just under \$9 million.

5 So typically we have a dip in permit sales every  
6 year. This year's dip is not as drastic as last year's  
7 dip was. So it's better, but it still dropped a bit.

8 The \$1.7 million that's due to be transferred to the  
9 general fund as passed by the last legislative session,  
10 but the funds have not been withdrawn yet.

11 Permit sales growth which was 12 percent higher for  
12 the first quarter of fiscal year '14 then that of fiscal  
13 year '13 has slowed for November and December to about the  
14 same level as last year. The fund balance is now over  
15 seven times monthly expenditures.

16 The eight new inspectors that were discussed at the  
17 last Board meeting to help with increased workload should  
18 all be on board by the end of January.

19 Under customer service, 28,264 permits were purchased  
20 during the last quarter. Of all the permit purchases,  
21 25,089 or 89 percent were made on-line. 95 percent of all  
22 electrical contractor permits were sold on-line.  
23 Homeowner on-line sales increased by 3 percent to 53  
24 percent. On-line inspection requests have not changed and  
25 are currently at 78 percent. During the quarter,

1 customers made 65 percent of all electrical license  
2 renewals on-line which is a 2 percent increase from the  
3 last quarter.

4 There's no new testing labs to report for this  
5 quarter.

6 And the key performance measures for the Department,  
7 under our goal to perform 94 percent of inspections within  
8 48 hours, we're at 87 percent of our inspections are  
9 performed within 48 hours of request at this time.

10 The goal for 908 focused citations and warning, and  
11 those are citations for contractor licensing, worker  
12 certification and no permit, we didn't make the goal. We  
13 were at 736 for the quarter.

14 Inspection stops per inspector per day as a workload  
15 indicator, they're at 10.8. That's a little bit higher  
16 than the average I believe in the quarter previously.

17 There were 14,504 corrections written that if they  
18 weren't corrected, they would result in power  
19 disconnection. So these are the serious type of  
20 corrections.

21 Processing time to process an electrical license, the  
22 goal is 3 1/2 days, and currently we're at 1 1/2 days to  
23 process a license, the average license.

24 And turn-around time for average plan review, the  
25 goal is three weeks, and we are under one week. So we're

1 doing pretty good at processing plan.

2 As of last quarter, 7,095 electrical licenses were  
3 printed. And all licenses were processed in two days or  
4 under.

5 That's all.

6 CHAIRPERSON PREZEAU: Any questions for Rod?

7 I have one. And that stems back to a conversation we  
8 had at the last Board meeting that had to do with a  
9 request that actually came from Board Don Baker about when  
10 a contractor is purchasing a permit on-line and wants to  
11 identify or needs to identify the service office location  
12 in conjunction with that permit inspection piece, we just  
13 had a conversation about you following up with the IT  
14 department to see if maybe there could be some assistance  
15 electronically given at that point of exchange to create  
16 some greater understanding around what's the most  
17 appropriate service location to correlate with the address  
18 of the --

19 SECRETARY MUTCH: Right.

20 CHAIRPERSON PREZEAU: So if you could give us the  
21 follow-up to that?

22 SECRETARY MUTCH: So what the problem is is when a  
23 contractor is applying for a permit, they have to select  
24 which service location that work is going to be in. And  
25 in order to make that an automatic function where the

1 system would automatically populate that, we'd have to  
2 trigger that by something like a city, an address or a zip  
3 code. And our service location areas are such that there  
4 are several locations where the same zip code can belong  
5 in two different service locations. And so we wouldn't --  
6 the system wouldn't probably be able to identify each  
7 address. Because down to the street level, streets  
8 change, and it would introduce a lot of errors into the  
9 system. I can see going by zip code or by city, but when  
10 you do that and you have two different service locations  
11 that are in the same zip code, you're going to have some  
12 errors introduced into the system. So if I put in an  
13 address and a zip code and it's within Moses Lake's  
14 service location but the system looks at that zip code and  
15 assigns it to East Wenatchee automatically, that would  
16 create a greater number of permits that are assigned  
17 incorrectly to another service location.

18 We have a step when the lead inspector in the morning  
19 reviews the workload, he checks to make sure that it's in  
20 the correct service location and moves it to the correct  
21 one.

22 In areas like that, most of the contractors are  
23 familiar with the inspectors and the service locations.  
24 The problem is when you have a contractor from outside an  
25 area and he's trying to determine which service location

1 it belongs in. And introducing an automatic system into  
2 that in the opinion of our IT folks would create more  
3 errors.

4 So there's a possibility that what we could do is put  
5 on our Web site like a listing of each service location  
6 and their areas that are covered or even a map that shows  
7 this service location covers this area. That could be  
8 helpful to contractors. But trying to automate the system  
9 we think would introduce more errors into the system than  
10 it would help it.

11 CHAIRPERSON PREZEAU: So I would hope that you do go  
12 forward with the service location idea, the general  
13 information in the hopes that that would be a helpful  
14 resource for contractors.

15 Cathy.

16 BOARD MEMBER BRIGHT: It depends on the jurisdiction.  
17 But there's a lot of different governmental entities that  
18 are utilizing GIS, right?

19 SECRETARY MUTCH: GIS, right.

20 BOARD MEMBER BRIGHT: So to overlay your service  
21 areas into an existing system would be no big deal.  
22 Really easy. But you'd have to work with the jurisdiction  
23 that already has that system in place. So emergency  
24 services, law enforcement. You've got the voter  
25 registration. Most counties have GIS now. But I know

1 that you could run a pilot type thing in, say, Pierce  
2 County because I know they've got a really -- a lot of  
3 information. They integrated the data -- their GIS data  
4 between emergency services and voter registration and a  
5 bunch of other different jurisdictions.

6 So to overlay your service areas onto that would be  
7 no big deal at all.

8 Other areas of the state, you know, would it work in  
9 Walla Walla? I couldn't say.

10 But I think you'd find in the I-5 corridor at least  
11 that there's existing systems, data systems that you could  
12 tap into that would be able to do that automatically so  
13 when they put in the service address, it automatically  
14 tells them what -- it would be very easy to do.

15 SECRETARY MUTCH: There's actually a system that the  
16 Department is using. It's called SAM. I forget what the  
17 acronym means. But it's -- the audit folks that can look  
18 at a business address and tell the different types of  
19 interactions, whether it's prevailing wage or wage and  
20 hour standards, and that's based on GIS. So there was  
21 some talk about integrating the electrical system into  
22 that.

23 We have a system that the inspectors use to record  
24 their inspections. It's called mobile inspections. It's  
25 antiquated and it's written in a language that's no longer

1 supported that we're looking at replacing. And it's  
2 possible that we could integrate that with some kind of a  
3 GIS system. So --

4 But in the meantime, I think we can provide something  
5 for contractors to help them define the areas a little  
6 better.

7 CHAIRPERSON PREZEAU: Any questions for Rod?  
8 Excellent.

9 The only other comment that I would like to make is  
10 in reviewing the financial reports, it appears that almost  
11 every -- not only are we doing well in terms of  
12 maintaining the fund balance, a reasonable fund balance,  
13 but it looks like almost as well as agency-wide and almost  
14 every region are surplusing or at least doing a good job  
15 of maintaining the budget. So I just wanted to put that  
16 on the record.

17 So are you done with your Secretary's Report?

18 SECRETARY MUTCH: I am.

19 CHAIRPERSON PREZEAU: Okay, great.

20

21 Item 6. Certification/CEU Quarterly Report

22

23 CHAIRPERSON PREZEAU: So Larry, are you going to come  
24 up and talk us to about certification/CEU quarterly  
25 reports?

1 MR. VANCE: Yes.

2 CHAIRPERSON PREZEAU: Super.

3 Milton, how are you doing?

4 THE REPORTER: I'm hanging in there.

5 CHAIRPERSON PREZEAU: Okay.

6 MR. VANCE: Madam Chair, members of the Board, my  
7 name is Larry Vance. I am a technical specialist. I work  
8 for Chief Mutch.

9 I sent out -- provided the Board with three different  
10 reports in an attempt to kind of paint a picture, but the  
11 picture didn't come out all that well. If you looked at  
12 them, there was a two thousand -- there was a period --  
13 there was a 2013 exam report for January 1st to December  
14 31st. And if you look at the pass rates there for 01  
15 electricians, the first time for the theory and NEC exam  
16 was 73 percent. And for the Washington laws and rules, it  
17 was 68 percent. If you compare that to the six months  
18 prior -- or excuse me -- a six-month period prior to  
19 prerequisites for in-class education, meaning back in the  
20 time before there was a requirement to have in-class  
21 education to be eligible for the examination, essentially  
22 it's the same. If you look at after, the other report  
23 that I provided, which was just a three-month snapshot,  
24 and again that's just a three-month snapshot so we're  
25 getting less reliable data, but it actually dropped.

1 First time pass rates for 01 electricians on the theory  
2 and NEC exam were at 67 percent. So is that indicative of  
3 anything? I don't think so. What it didn't show was is  
4 it didn't show some drastic increase because essentially  
5 people that had 48 hours worth of experience because at  
6 that time it would have taken 48 hours of experience to  
7 qualify for the examination for an 01 electrician, just  
8 right in the tail end of that. I think I need to go back,  
9 though, and talk about the history of how we got to where  
10 we are today.

11 In 2010 the legislature passed House Bill 2546 which  
12 increased the in-class education requirements for trainees  
13 from 16 hours to 32 hours on July 1st of 2011. So they  
14 doubled.

15 On July 13th of 2013, that same legislation provided  
16 that they double again -- or not that they double again,  
17 but additional time to 48 hours -- additional hours. So  
18 that would be 16 more hours.

19 So we've had a great increase percentage-wise in the  
20 amount of in-class education required to be eligible to  
21 renew your certificate.

22 Also on July 1st of 2013, Senate Bill 6133 required  
23 all exam candidates to demonstrate minimum in-class  
24 training prior to eligibility for examination. And  
25 essentially what that provided for was it -- for a 4,000

1 hour specialty electrician examination you needed 48 hours  
2 of in-class training. So it closed the loophole. There  
3 used to be a loophole that if I was a 4,000 hour specialty  
4 electrician, I needed 48 hours to renew my certificate, but  
5 I did not need 48 hours to take the examination. So if I  
6 forgo renewal I could qualify for the examination with  
7 zero hours in of in-class education. So that was closed.

8 The other thing that -- it closed that and also  
9 required that candidates for the journey level examination  
10 demonstrate 96 hours of in-class training.

11 So having said that, what we're looking for is some  
12 sort of demonstrated movement in exam scores. And to date  
13 we're not seeing that. We're just not seeing that.

14 We wanted to look at different passing rates.  
15 Because what these reports show is it shows first-time  
16 pass rates for two different sections of the examination,  
17 but it doesn't show what we perceive as quality, meaning  
18 can a candidate come in, are they prepared to pass both  
19 sections of the examination at the same time? For  
20 instance, if there's 101 candidates that pass one section  
21 and 94 candidates pass another section, nothing's saying  
22 that that's any of the same people. Somewhere in there  
23 there's some crossroads and yes, people pass both  
24 sections, but there's some trade off back and forth. It's  
25 something that we can do as the Department to contact PSI,

1 our testing provider, and ask them to modify this report  
2 if they're willing to, it would add a column that would  
3 show first-time pass rates for both sections which would  
4 give us a great indicator of how prepared people are for  
5 the different examinations.

6 As an offshoot of that, I -- I've been working on a  
7 project for Rod for looking at different groups of exam  
8 candidates, essentially trainees and different  
9 apprenticeships looking at how prepared are these  
10 candidates for the examination. And I'm partway through  
11 the process. I've got about 3,400 lines of data right now  
12 in an Excel spreadsheet which represent exam sections that  
13 were provided in fiscal year '13. So that's July 1st  
14 through June 30th of -- July 1st of 2012 to June 30th of  
15 2013. So each one of those I have. And I have a name. I  
16 have a program. I have a Social Security number -- or  
17 excuse me, from PSI, I have the exam section they took.  
18 And I have their Social Security number and name.

19 From the Washington state apprenticeship program here  
20 in Washington I have similar data, only I have the name of  
21 the apprenticeship that they're in, their Social Security  
22 and their name. So I go through the manual process of  
23 matching everything up. And to date, I've got the  
24 Washington apprenticeship's data, their pass rates. I'm  
25 still working on the two out-of-state programs. There's

1 Local 48 and then Area 1 in Oregon. And then once I've  
2 got all of those culled out of that, we're going to  
3 separate the trainee path candidates from the out-of-state  
4 candidates because there are persons that come in  
5 qualified for examination from out of state without ever  
6 being a trainee as they meet -- you know, they have a  
7 meshing work scope.

8 So it's quite a -- it's an arduous task. But I think  
9 there's some good information in it.

10 So what I've found for Washington -- these are  
11 Washington -- all of the Washington apprenticeships. And  
12 it's a first-time pass rate, meaning you pass both  
13 sections of the examination in the first sitting. There  
14 was 317 candidates that were apprenticeship candidates.  
15 In no particular order I'll go down through the different  
16 apprenticeship programs.

17 CITC of Washington, they had 23 candidates, and their  
18 average first-time pass rate was 58 percent.

19 IEC of Washington had 22 candidates, and their  
20 average first-time pass rate was 18 percent.

21 Inland Empire Electrical Training had 23 candidates,  
22 and their average pass rate was 87 percent.

23 Local 112 had 22 candidates, and their average pass  
24 rate was 68 percent.

25 Northwest Washington Electrical Industry JATC had 63

1 candidates, and their average pass rate was 81 percent.

2 Puget Sound Electrical JATC had 129 candidates, and  
3 their average first-time pass rate was 76 percent.

4 The Southwest Washington JATC had 35 candidates, and  
5 their average passing rate was 71 percent.

6 So at a glance with that -- and again, this is a  
7 snapshot of one year, but one year is -- should be one  
8 year. It should be fairly indicative from year to year,  
9 unless there's something that was an anomaly during that  
10 one-year period.

11 So if you look at these pass rates, and if these  
12 candidates are supporting the first-time pass rate, and  
13 then you've got these -- Tracy had asked me a question  
14 about repeat fails and repeat passes. People get into a  
15 kind of a treadmill once they fail. They're trying pass.  
16 They're trying to pass. So they come back in, and they  
17 would never count again as a first-time pass. But they  
18 get back into these -- what are all these people down here  
19 doing down here in the repeat passes and repeat fails?  
20 Well, they're on the treadmill. They're trying to --  
21 they're not prepared.

22 These apprenticeship programs as a whole appear to  
23 really prepare people to pass the examination. They  
24 appear to really prepare people to make safe electrical  
25 installations. If someone can go out here and pass an

1 examination -- 23 people can -- 87 percent of them can  
2 walk in, sit down, take the test, pass the test,  
3 demonstrate that they know where to find the information  
4 in an open-book test, that's a good thing. I mean, that's  
5 quality.

6 If people are far less than that like some of the  
7 specialties are, if you look down in here, the  
8 specialties, you're not seeing a first-time pass rate.  
9 You're seeing very few people pass the examination. But  
10 those people are out there working. So there is some --  
11 there is cause for concern.

12 There's a lot more to do on this project. But I  
13 thought the Board might be interested in these  
14 apprenticeship pass rates.

15 CHAIRPERSON PREZEAU: Definitely. Thank you, Larry.  
16 I would hope that you will continue to update us as your  
17 work continues on this special project.

18 Any questions/comments for Larry?

19 Yes, Cathy.

20 BOARD MEMBER BRIGHT: The one that you said -- IEC is  
21 what I wrote down. Is that Inland Empire something?

22 MR. VANCE: Let me go back through a couple of the  
23 acronyms.

24 CITC, for instance, stands for the Construction  
25 Industry Training Council. IEC stands for the Independent

1 Electrical Contractors.

2 BOARD MEMBER BRIGHT: Okay. I just wanted to ask  
3 about that particular one because you said they had 22  
4 students and 18 percent passed --

5 MR. VANCE: 18 percent passed.

6 BOARD MEMBER BRIGHT: That means four out of five, a  
7 little bit more than that failed? Is there anything that  
8 -- to me, that's kind of alarming. Is there anything that  
9 we do to investigate, you know, why it might be that low?  
10 I mean, because the rest of them are within a range -- you  
11 know, certain range. The rest of them are performing  
12 quite well, but that one stands out as being 40 percent  
13 lower than the lowest of the others. So --

14 MR. VANCE: We separate the wheat from the chaff so  
15 to speak through the electrical examination. And I think  
16 that the apprenticeship section of Labor and Industries is  
17 the one that regulates the apprenticeship programs. And  
18 it would be up to them to probably evaluate the quality of  
19 that program and the outcomes of that program.

20 BOARD MEMBER BRIGHT: Well, and it could be -- I  
21 mean, there's a number of factors that could be involved  
22 in that. I mean, it could be that the students that maybe  
23 you bounce out of one of the other programs, end up there  
24 or something like that. But -- so there's a number of  
25 outside factors. It wouldn't necessarily mean that it was

1 -- that this was an inferior program. But -- I don't  
2 know. That seems alarming to me.

3 CHAIRPERSON PREZEAU: Rod.

4 BOARD MEMBER BELISLE: Well, you know, kind of to  
5 Cathy's point, I think it would be interesting once you're  
6 done and the project is complete that the Board perhaps  
7 recommend these numbers be sent to the apprenticeship  
8 division so they can compare based on their history of  
9 other factors. I mean, this may as you say relate to  
10 something. It may not. But I don't think either division  
11 looks at the other's thing, and so to compare that data at  
12 the council for the apprenticeship would probably be  
13 worthwhile.

14 CHAIRPERSON PREZEAU: Yeah, I agree with Rod and I  
15 agree with Cathy in that this is a tool by which -- it's a  
16 metric by which you can sort of evaluate what's happening  
17 in a snapshot of time. And I think that the -- you know,  
18 I won't speak for the apprenticeship council or the  
19 apprenticeship division, but I would imagine that they  
20 would be more informed if they had the information that  
21 you were crunching.

22 Janet.

23 BOARD MEMBER LEWIS: This is more of a comment that I  
24 think the information is valuable comparing trainees who  
25 have taken so many hours of trainee classes to their pass

1 or fail rate. But I would hate to only focus on that as  
2 the sole measurement of the value of trainee classes  
3 because there are so many other values out there. And  
4 just to have one statistic saying, well, trainee classes  
5 don't really help people pass the exam, that's not the  
6 whole story.

7 CHAIRPERSON PREZEAU: Yeah, and I don't think that  
8 Larry's arguing that the alternative is true, the converse  
9 is true. But it is the one metric that we have access to,  
10 a universal metric that can be applied across all of those  
11 categories.

12 BOARD MEMBER LEWIS: My point is maybe we should try  
13 to find other metrics as well.

14 CHAIRPERSON PREZEAU: A great point.

15 BOARD MEMBER BRIGHT: Well, in looking at the  
16 historical data like you were, I mean, the overall pass  
17 rate didn't change much when you went from 16 to 32 to 48,  
18 but maybe when you break it down like this, for example,  
19 that 18 percent is dragging everybody else down and theirs  
20 has actually gone up since there was more classroom time  
21 required. I don't know.

22 MR. VANCE: These programs have 144 hours a year as  
23 opposed to the --

24 BOARD MEMBER BRIGHT: These all do?

25 MR. VANCE: These all do, yes.

1 BOARD MEMBER BRIGHT: Okay.

2 MR. VANCE: They have significantly more classroom  
3 time than is required in the statute.

4 CHAIRPERSON PREZEAU: Any other comments or questions  
5 for Larry?

6 Thank you again for your work on this special  
7 project. We look forward to additional reports as your  
8 data is compiled.

9 So we're under the last agenda topic which is public  
10 comment regarding items not on the agenda.

11 And I know that Randy Ambuehl has signed in to  
12 address the Board. So -- and I'm going to go pick up the  
13 sign-in sheet to get other folks, but Randy, if you would  
14 make your way up to the microphone, I would appreciate it.

15 MR. AMBUEHL: Thank you, Madam Chairman, members of  
16 the Board and the Department.

17 I'm Randy Ambuehl. R-A-N-D-Y, A-M-B-U-E-H-L. I'm  
18 employed as training director for the Northwest Washington  
19 Electrical Industry Joint Apprenticeship and Training  
20 Committee.

21 And kind of on the lines of what was just being  
22 discussed, you know, we have two tracks in Washington  
23 state towards journey-level status as far as licensing  
24 goes, either through an apprenticeship program with  
25 training or just being an electrical trainee and take your

1 continuing basic classroom training and sit for the exam.  
2 But there's a lot of confusion out there about what's a  
3 trainee and what's an apprentice.

4 We offer the electrical basic classroom training  
5 classes for the general public, and I would say the  
6 majority of the trainees that contact us about classes  
7 think they're apprentices. Their journeymen they're  
8 working with think they're apprentices. Their employers  
9 do. And I don't think outside the apprenticeship  
10 community people really understand the difference between  
11 a trainee and apprentice. So I thought particularly for  
12 those of us that see value in using the apprenticeship  
13 model to train to journey-level status, if the Department  
14 could do something to help to clarify that to the people  
15 in the industry about what the difference is, whether it's  
16 maybe an article in the Electrical Currents or some other  
17 means of communicating that because people take a lot of  
18 pride in being in apprenticeship, and rightfully so. And  
19 we have people taking pride in being an apprentice that  
20 aren't an apprentice, and maybe if they'd realize the  
21 difference, maybe they or their journey level people or  
22 their employers might be more interested in adopting that  
23 model for training.

24 CHAIRPERSON PREZEAU: Thanks, Randy.

25 Any questions for Mr. Ambuehl?

1 Thank you, Randy.

2 So the only other person that has requested to sign  
3 in, general comments, is Mr. Sweatt. If you would please  
4 -- do you want to join us back up here?

5 MR. SWEATT: I want to make a general comment. This  
6 is my first time here with the L & I proposals. I enjoyed  
7 the experience.

8 But what I wanted to say is when they put the forms  
9 and stuff out there, if they can leave a comment or some  
10 kind of citation that says "this would be public record,  
11 it'll be on-line." I got more spam and stuff. I didn't  
12 know my address and personal phone number would be out  
13 there for the public. I'm just thinking --

14 CHAIRPERSON PREZEAU: Oh, so let me see if I -- so  
15 what you're specifically talking about is the WAC rule  
16 proposals?

17 MR. SWEATT: Yes. The forms and stuff, when they do  
18 the stakeholder proposal, it becomes Internet, which is,  
19 you know, fine, public knowledge.

20 CHAIRPERSON PREZEAU: But it would have been nice for  
21 you to participate in the process to have known that ahead  
22 of time. Is that what you're saying?

23 MR. SWEATT: Right, yeah. I mean, when your personal  
24 phone number and address and your personal e-mail is out  
25 there.

1           That's all. That's basically all I wanted to say.  
2           Just for future forms if -- for someone who has to do it  
3           for the first time, we don't -- (inaudible)

4           CHAIRPERSON PREZEAU: I think that is a very  
5           insightful comment that will be acted upon for sure.

6           Appreciate that, Mr. Sweatt.

7           MR. SWEATT: Thank you.

8           CHAIRPERSON PREZEAU: Thank you.

9           So whether it be posted on the form and/or some level  
10          of redacting happening with the personal information as  
11          that goes forward, whatever is more appropriate with  
12          Washington state law and ethics.

13          SECRETARY MUTCH: Yes, right. And I appreciate that  
14          comment. That was a good comment.

15          CHAIRPERSON PREZEAU: Yeah. I know that those forms  
16          have existed for many years. And I think that's the first  
17          time somebody has brought that comment that I'm aware of,  
18          and I think the process will improve because of it.

19          Thank you.

20          Any other individuals requesting to address the Board  
21          that are not signed in? Going one, going twice.

22          The last -- very quickly before the Chair would  
23          entertain a motion to adjourn is Elissa has asked every  
24          Board meeting we come in and we have documents that are  
25          shared with the Board members electronically, whether it's

1 the transcripts, the secretary's reports, the financials,  
2 all of those things. And then typically when we  
3 physically come to attend the meeting, Elissa and the  
4 Department prepares a portfolio that has many of those  
5 documents already printed. And in the spirit of  
6 conservation, both of paper, human resources, and  
7 financial resources, we would like to get a sense from the  
8 Board members as to whether or not we, the Department, can  
9 cease producing -- reproducing those forms that they sent  
10 to us electronically.

11 Additional, you also usually in your Board packet  
12 receive the Electrical Currents newsletter which I would  
13 hope most of you receive on-line.

14 So the question really that I have for you -- it  
15 doesn't require a motion -- is a general consensus. Can  
16 the Department cease providing the paper documents in the  
17 Board packet that they send to you electronically? Is  
18 that an acceptable practice?

19 Janet.

20 BOARD MEMBER LEWIS: That would be fine with me if we  
21 would be able to show them on the screen just in case  
22 people forgot to print them out or if you don't have  
23 something in front of you. If we get it sent  
24 electronically, let's view it electronically.

25 CHAIRPERSON PREZEAU: Is that possible, Rod?

1           SECRETARY MUTCH: It could be for some of the  
2 documents. I'm thinking of the appeal packets that are  
3 pretty --

4           BOARD MEMBER LEWIS: With the exception --

5           CHAIRPERSON PREZEAU: With the exception of the  
6 appeal packets.

7           SECRETARY MUTCH: Yeah. So --

8           CHAIRPERSON PREZEAU: No. I'm specifically referring  
9 to the secretary's report, the financial report, the  
10 agenda, and the Electrical Currents newsletters. That's  
11 all I'm referring to.

12          SECRETARY MUTCH: Yep, we can do that.

13          CHAIRPERSON PREZEAU: Alice.

14          BOARD MEMBER PHILLIPS: I'm assuming that if there  
15 is a modification to the agenda, that that would be  
16 provided --

17          CHAIRPERSON PREZEAU: That would be the only  
18 exception that I would hope as well, right? So some  
19 common sense being applied to if the agenda -- which  
20 normally the agenda, it may change from the point of time  
21 that it's sent to you electronically.

22          So I'm going to ask that Elissa sort of monitor that.  
23 But the general consensus I'm getting from you is that we  
24 can reduce the physical reports in our pamphlets unless  
25 there is some type of revision.

1 Cathy.

2 BOARD MEMBER BRIGHT: I don't generally print any of  
3 them. I mean, I review them on my laptop. And I don't --  
4 I'm not going to spend the ink that it would take to print  
5 out some of these. So I would suggest that if it's  
6 something really big, that we could request to have a  
7 printed copy provided at the meeting so I don't have to --  
8 because I don't even have the ability to print two-sided  
9 either. So I'm going through a lot of paper and a lot of  
10 ink if I don't -- if I have to print this myself.

11 MS. ZYSKI: If you make the request, I can make them  
12 -- I can do that.

13 BOARD MEMBER BRIGHT: I would like to be able to do  
14 that.

15 CHAIRPERSON PREZEAU: Okay. So just to clarify, so  
16 Board members, you know, if there's a document that is  
17 being shipped to you electronically and it's too laborious  
18 for you to deal with, you can make your request to have  
19 printed copies available to you at the Board, and you  
20 would do that through Elissa. Clear?

21 Are there any other comments or concerns from the  
22 Board or for Rod?

23 Seeing none, the Chair would entertain a motion to  
24 adjourn.

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Motion to Adjourn

BOARD MEMBER BELISLE: So moved.

BOARD MEMBER LEWIS: Second.

BOARD MEMBER NORD: Second.

CHAIRPERSON PREZEAU: So motion and second to adjourn the January 30, 2014, Board meeting. All those in favor, signify by saying "aye."

THE BOARD: Aye.

CHAIRPERSON PREZEAU: Opposed?

Motion Carried

CHAIRPERSON PREZEAU: We are adjourned. Thank you.

(Whereupon, at 2:52 p.m., proceedings adjourned.)

