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ELECTRICAL BOARD MEETING

TRANSCRIPT OF PROCEEDINGS

July 31, 2025



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DEPARTMENT OF LABOR AND INDUSTRIES
STATE OF WASHINGTON

ELECTRICAL BOARD MEETING
TRANSCRIPT OF PROCEEDINGS
July 31, 2025
Via Videoconference
Pages 1 through 99

CERTIFIED
TRANSCRIPT

Taken Before:

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1 BE IT REMEMBERED that an Electrical Board meeting
2 was held on Thursday, July 31, 2025, via Zoom
3 videoconference at 9:02 a.m., before CHAIRPERSON JASON
4 JENKINS, SECRETARY/CHIEF ELECTRICAL INSPECTOR WAYNE
5 MOLESWORTH, MIKE NORD, BOBBY GRAY, BYRON ALLEN, GREGORY
6 JOHNSON, ERICK LEE, KERRY COX, JAMES TUMELSON, JACK
7 KNOTTINGHAM, STEPHEN ENTREKIN, KEVIN DAVIS, IVAN ISAACSON.
8 Also present was ASSISTANT ATTORNEY GENERAL BEN BLOHOWIAK,
9 representing the Board.

10 WHEREUPON, the following proceedings were had, to
11 wit:

12
13 <<<<<<<<< >>>>>>>>>
14

15 CHAIR JENKINS: Welcome. We'll call the meeting
16 to order. It's Thursday, July 31, 2025, and at
17 approximately 9:02 a.m. I want to thank everybody for
18 joining us here on the Zoom and all the effort it takes to
19 get here. Much appreciated. This meeting is taking place
20 over the Zoom platform due to the recent governor executive
21 order on spending.

22 If you are not part of the Electrical Board, I'm going
23 to ask you to please turn off your cameras and mute your
24 mics, unless you're going to be speaking.

25 And for the good of the court reporter, I'm going to



1 ask that one person speak at a time. Please identify
2 yourself prior to speaking so the court reporter can
3 properly attribute your comments to the record.

4 So I spoke with our secretary, and it looks like we
5 have -- Item No. 1 on our list here is a safety message.
6 Hopefully we have Lorin Lathrop here available.

7 MR. LATHROP: I am here, Chair Jenkins.

8 CHAIR JENKINS: Awesome. Can you enlighten us on
9 some safety messages this morning.

10
11 SAFETY MESSAGE
12

13 MR. LATHROP: Sure. My name is Lorin Lathrop. I
14 am an electrical technical specialist for the Department
15 working for Chief Molesworth, and I have been thinking about
16 something that I've noticed around my own home. I have the
17 honor and privilege of having my father live on the property
18 here with my family. My dad is a very active man. He's
19 been active his whole life. He's an electrician for over
20 50 years. And he's always muttering and puttering and doing
21 something around the house, but I've noticed something over
22 the last year, year and a half is that he's slowing down.
23 He's not as active as he once was.

24 He is -- he's picking what jobs he does, and it's
25 really starting to show what we all deal with is that it



1 is -- excuse me for a second -- that we have limitation as
2 we get older, and those limitations can really affect how we
3 work and how we recreate.

4 Our general fitness has a big impact on what we can do.
5 Your overall fitness level, your cardiovascular health, your
6 strength, your endurance impacts your ability to perform
7 physical tasks and to withstand environmental stressors.
8 And here in the Pacific Northwest we've got highs and lows.
9 We've got hot summers, cold winters, and everything in
10 between.

11 Do we have any medical conditions that limit what we
12 can do? Medications we're taking, things of that nature
13 that can severely impact our ability to accomplish things as
14 simple as climbing up and down a ladder all day or maybe
15 getting out and playing a game of basketball with your kids.

16 So my -- I would encourage the community, the Board,
17 and everyone listening that we need to prioritize our
18 physical lifestyle, our physical health, and give ourselves
19 an opportunity to enjoy those things by recognizing our
20 limitations and doing everything we can to be successful and
21 overcoming them. Have a great meeting.

22 Thank you, Chair Jenkins.

23 CHAIR JENKINS: Thank you very much. Appreciate
24 that.

25 ///



ROLL CALL

CHAIR JENKINS: Moving on, what I would like to do is have the Electrical Board unmute your mics, go through a roll call so we can see who is here, make sure we have a quorum, so give just a second here.

We'll start with Secretary of the Board, Wayne Molesworth.

SECRETARY MOLESWORTH: Present.

CHAIR JENKINS: Board Member Kerry Cox?

BOARD MEMBER COX: Present.

CHAIR JENKINS: Board Member Erick Lee?

BOARD MEMBER LEE: Present.

CHAIR JENKINS: Board Member Jack Knottingham?

BOARD MEMBER KNOTTINGHAM: Present.

CHAIR JENKINS: Board Member Mike Nord?

BOARD MEMBER NORD: Present.

CHAIR JENKINS: Board Member Ivan Isaacson?

BOARD MEMBER ISAACSON: Here.

CHAIR JENKINS: Board Member Don Baker?

(No response.)

CHAIR JENKINS: As expected.

Board Member Kevin Davis?

BOARD MEMBER DAVIS: Present.

CHAIR JENKINS: Board Member Bobby Gray?



1 BOARD MEMBER GRAY: Present.
2 CHAIR JENKINS: Our counsel, Ben Blohowiak?
3 MR. BLOHOWIAK: Present.
4 CHAIR JENKINS: Board Member Gregory Johnson.
5 BOARD MEMBER JOHNSON: Present.
6 CHAIR JENKINS: Board Member James Tumelson?
7 BOARD MEMBER TUMELSON: Here.
8 CHAIR JENKINS: Board Member Stephen Entrekin?
9 BOARD MEMBER ENTREKIN: Here.
10 CHAIR JENKINS: And Board Member Byron Allen?
11 BOARD MEMBER ALLEN: Present.
12 CHAIR JENKINS: Wow. We did really good today.
13 So, for the record, we do have quorum.

14
15 APPROVE TRANSCRIPT FROM THE APRIL 24, 2025,
16 ELECTRICAL BOARD MEETING

17
18 CHAIR JENKINS: Moving on to our next item on our
19 agenda is the -- yeah. The Chair would entertain a motion
20 to approve the transcript of the last meeting of April 24,
21 2025.

22 BOARD MEMBER NORD: Board Member Nord, motion.

23 CHAIR JENKINS: We have a motion.

24 Do we have a second?

25 BOARD MEMBER ALLEN: Board Member Allen, second.

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1 CHAIR JENKINS: Board Member Allen, we have a
2 second.

3 Any discussion?

4 Hearing none, all in favor please indicating by saying
5 "aye."

6 (Chorus of ayes.)

7 CHAIR JENKINS: Any opposed?

8 (No response.)

9 CHAIR JENKINS: Hearing none, motion passes.

10
11 APPEALS

12
13 CHAIR JENKINS: So we're going to change the order
14 up just a little bit for the sake of trying to expedite the
15 meeting.

16
17 GREEN HAMMER HOMES: ESICO01061

18
19 CHAIR JENKINS: We're going to -- we have a
20 proposed order here from Green Hammer Homes, Incorporated.
21 Is there anybody here representing Green Hammer Homes on the
22 meeting?

23 And hearing none, we have a proposed order sent to us
24 to reflect the opinion made by -- the order made by the
25 Board in our last meeting so I'll be signing that one as it



1 stands from the Department.

2

3 EMPLOYER SOLUTIONS STAFFING GROUP INC: EROJE03683

4 AND EROJE03684

5

6 CHAIR JENKINS: The next one we have here is
7 Employer Solutions Staffing Group, Incorporated, is going to
8 be continued to the October 30th meeting.

9

10 JOE HALL CONSTRUCTION

11

12 CHAIR JENKINS: And the next item here is Joe Hall
13 Construction. Do we have somebody here from Joe Hall
14 Construction?

15 Hearing none, we also have a proposed order for the
16 Department for Joe Hall Construction, and hearing no
17 argument against it, I'll be signing that one here also to
18 complete that final order.

19

20 TOLEDO TELEPHONE CO. INC: EALCG00377, EALCG00378,
21 EALCG00379,

AND EALCG00391

22

23 CHAIR JENKINS: All right. So moving on quite
24 quickly, actually, to the Toledo Telephone Company, is there
25 someone here that's representing the Department or for the



1 Toledo Telephone Company?

2 MS. ROBERTS: So this Natalie Roberts. I'm the
3 Assistant AAG representing the Department of Labor &
4 Industries.

5 CHAIR JENKINS: Thank you. Can you spell your
6 name for the court reporter, please.

7 MS. ROBERTS: Yes. N-a-t, as in Tom, -a-l-i-e, as
8 in elephant. R-o-b, as in boy, -e-r-t, as in Tom, -s, as in
9 Sam.

10 CHAIR JENKINS: Thank you very much.

11 Is there representation from the Toledo Telephone here
12 today?

13 MR. ENDSLEY: Yes, Your Honor. Ryan Endsley on
14 behalf of ToledoTel.

15 CHAIR JENKINS: Thank you. Spell your name for
16 the court reporter, please.

17 MR. ENDSLEY: That is R-y-a-n, Endsley, E-n-d, as
18 in dog, -s-l-e-y.

19 CHAIR JENKINS: Thank you very much.

20 This matter is before us today in the appeal of the
21 matter of the Toledo Telephone Company, Incorporated, Docket
22 No. 102024LI02263. This hearing is being held in --
23 pursuant and due to -- due all and proper notice to all
24 interested parties and proceeding via Zoom on July 31, 2025,
25 at approximately 9:10 a.m.



1 This is an appeal from initial order issued by the
2 Office of Administrative Hearings on March 21, 2025. It is
3 my understanding that the decision is affirmed, citation
4 numbers EALCG00377, EALCG00378, EALCG00379, and EALCG00391
5 issued by the Department -- Department of Labor & Industries
6 on June 18, 2024.

7 It is further my understanding the firm has timely
8 appealed the decision to the Electrical Board. The
9 Electrical Board is a legal body authorized by the
10 legislature not only to advise the Department of --
11 regarding the electrical program but to hear appeals when a
12 Department issues citations or takes some other adverse
13 action regarding an electrical license certification and/or
14 compliance. The Electrical Board is a completely separate
15 entity from the Department and will independently review the
16 action taken by the Department.

17 When the Department issues penalties, the hearing is
18 assigned to the Office of Administrative Hearings to conduct
19 the hearing pursuant to the Administrative Procedure Act.
20 The ALJ who conducts the hearing then issues a proposed
21 decision and order. If either party appeals, that decision
22 is subjected to review by the Electrical Board.

23 Please keep in mind that while our review is de novo --
24 in other words, we sit in the same position as an
25 administrative law judge and will review the entire record



1 regardless whether a certain piece of evidence is referenced
2 by the ALJ. We are bound by the evidence in the record, and
3 no new evidence can be submitted at this hearing.

4 Each party will be given approximately 15 minutes today
5 to argue their merits of the case. Any board member may ask
6 questions at the time and may extend -- and it may be
7 extended at the discretion of the Board.

8 At the conclusion of the hearing, the Board will
9 determine if the finding and conclusions reached by the ALJ
10 are supported by the finding by the facts and the rules
11 pertaining to electrical installations.

12 Are there any questions before we begin?

13 Hearing none, as the appealing party, you have the
14 burden of proof to establish the proposed decision is
15 incorrect; therefore, we'll hear from you first. That will
16 be the Department.

17 MR. ENDSLEY: Sorry?

18 CHAIR JENKINS: The AAG has the floor to explain
19 why this -- my bad. Is that right?

20 MR. ENDSLEY: The ALJ affirmed the citations.

21 CHAIR JENKINS: I'm sorry. It would be your --
22 you have the floor.

23 MR. ENDSLEY: Okay. Thank you very much. So the
24 matter before the Board today isn't really a question of
25 facts or evidence. Frankly, in this matter, the evidence is



1 pretty undisputed and the facts are really relatively agreed
2 among the parties. There was a hearing. Testimony took
3 place at that hearing.

4 What is relevant here and what the Board needs to reach
5 a decision on is the interpretation of a couple of different
6 statutes as well as some of the administrative codes. I'm
7 going to first address citation EALCG00377, and that
8 citation alleges a violation of RCW 19.28.420. Now,
9 RCW 19.28.420 has to do with the question of whether or not
10 ToledoTel has violated by acting outside the scope of the
11 telecommunications license, and, frankly, the statutory
12 language in this provision is extremely clear. What this is
13 intended to cover is individuals and companies who perform
14 telecommunications work without either a telecommunications
15 license, a valid 06 limited energy license, or, of course,
16 an electrical general 01 license.

17 So, for instance, if somebody had a pumps and
18 irrigation 03 license and performed telecommunications work,
19 this statute would apply to them.

20 What doesn't appear in this statute is the phrase
21 "outside the scope," and that's the phrase that the
22 Department has been relying on. And I think it's
23 particularly impactful that the Department's argument in the
24 brief on this literally misquotes the statute.

25 They make up language that is not in the statute. They



1 quote it as offering, bidding, advertising, or performing
2 electrical installations, alterations, or maintenance
3 outside the scope of the firm's specialty telecommunications
4 contractor license and cites the RCW 19.28.420. That whole
5 provision is in quotes. That language is not in the
6 statute. If this was a normal civil proceeding, we would be
7 moving for sanctions on that basis. That is a misquote of
8 the statute.

9 What the statute, in fact, states is it is unlawful for
10 any person, firm, partnership, corporation, or other entity
11 to advertise, offer to do work, submit a bid, engage in,
12 conduct, or carry on the business of installing or
13 maintaining telecommunications systems without having a
14 telecommunications contractor license. The Department has
15 gotten this one exactly backwards. This is a statute
16 intended to prohibit and punish performance of
17 telecommunications specialty work without a
18 telecommunications specialty license.

19 It is undisputed in the matter that ToledoTel has a
20 valid telecommunications license, but instead any violations
21 that ToledoTel may have approved by acting outside the scope
22 of their telecommunications license are really punishable by
23 other provisions of statute. There are certainly provisions
24 in the electrical statutes that prohibit someone from
25 performing general electrical work without a general



1 electrician's license. If ToledoTel did that, that is
2 something that can be prohibited. It's just not part of
3 this statute, and this citation has to fall apart.

4 No other argument has really been raised by the
5 Department as to why outside the scope applies because the
6 language isn't in the statute. It is simply not what this
7 statute's intended to prohibit, and this citation really
8 needs to be dismissed.

9 With respect to all of the citations, the central issue
10 here really hinges on the question of whether or not
11 ToledoTel acted within the scope of its telecommunications
12 license. That definition is provided by WAC 294-46B-920 and
13 particularly at issue here is whether or not it falls under
14 part (m) (i) (h) and that has to do with the installation of
15 cameras.

16 Because what happened here is ToledoTel installed two
17 cameras in a park. It is undisputed in the record that
18 these cameras were not remote controllable. They did not
19 have any ability to pan, to scope. They did not follow
20 individuals. They could not be adjusted in any way. In the
21 event that the camera was dislodged, it can't be moved
22 remotely back to its place. These are simply ordinary
23 static security cameras that were installed, but the
24 question has to do with the definition in that WAC.

25 And the relevant portion here that's been debated is



1 that as part of a telecommunications specialty license,
2 they're entitled to install closed circuit video monitoring
3 systems. However, there are some exceptions to that, and
4 particularly there's an exception for remote controlled
5 cameras and equipment, which are considered intrusion
6 security systems. So the question is what that means.

7 The Department and the ALJ have advanced the position
8 that remote controlled means remote accessible, and it is
9 undisputed in this matter that these cameras are remote
10 accessible. The way that these cameras function is that the
11 cameras runs to a router which then broadcasts that signal
12 to a closed off closed circuit access, but it can be
13 accessed by password onto a phone.

14 I want to address the question of closed circuit, and
15 this is a closed circuit. We had testimony about this. We
16 went over this with the inspector, and he acknowledged that
17 they have no evidence that this is an open circuit system.
18 And a closed circuit system really is differentiated from an
19 open circuit system. This is not -- for instance, you're
20 probably familiar with, like, trail cameras which are simply
21 cameras that go to an online website and anyone in the world
22 can access them and view whatever that camera happens to be
23 viewing at the particular moment. That's an open circuit
24 system. A lot of our systems are open circuit.

25 This is a closed circuit system. It is limited in



1 access to individuals who have a password who can access
2 this system. It is true that they can do it from off-site.
3 That does not make it not a closed circuit system. There's
4 no definition of that term, and really nothing's ever been
5 provided by the Department or by the ALJ that suggests that
6 this would be an open circuit.

7 So the real question here is remote control. The
8 Department and the ALJ have both taken the position that
9 remote controlled means remote accessible. That's stated
10 explicitly. That is not a definition that makes sense. I
11 should note that in the WACs that "remote controlled" is not
12 a defined term. We're really down to working off of
13 ordinary definitions. What is a remote controlled camera?

14 We had testimony about the nature of the cameras. We
15 had testimony establishing that they do not pan, track,
16 zoom, scope in on anyone, follow them around. We also had
17 testimony that they've established they are remotely
18 accessible.

19 But the Department doesn't offer, first of all, any
20 reason why that's relevant. The statute could say remote
21 accessible. It doesn't. It says remote control. And
22 simply because you have access to something does not mean
23 you have control over it. If I said you had a remote
24 controlled car and sold that to you and it turned out that
25 all you could do is look at the car remotely, you wouldn't



1 be very happy. They're not the same term.

2 Additionally, the intrusion security language makes
3 this point even clearer. There is nothing more intrusive
4 about the fact that the camera can be -- the camera's feed
5 can being accessed off-site. In fact, someone who is
6 off-site being able to view it is less able to act and
7 interfere in the immediate area than someone who is
8 literally posted up in a hut to which the video feed goes.

9 By contrast, a camera which can track an individual,
10 whether that's by simple, you know, motion or sound tracking
11 or whether that's something that can be actually controlled
12 directly by an individual, that is intrusive. It can follow
13 a person. It can follow them around the park. These aren't
14 those sorts of cameras. These are cameras that are static.
15 They broadcast a single image of a single location, and
16 nothing can be done short of physically adjusting the camera
17 at the site to actually allow you to control it.

18 I think from a public safety perspective it is also
19 apparent that what is in consideration here is about the
20 camera and not about how it's accessed. The Department's
21 definition of remote access ability is particularly odd
22 because the same sort of system would be completely allowed
23 to be installed if, let's say, the same system works the
24 same way. A camera is set up, a camera feed goes to a
25 router, that router broadcasts to a specific computer. If



1 that computer is on-site suddenly this is allowed. If that
2 computer is off-site, suddenly this is an intrusion security
3 system. That doesn't make a lot of sense.

4 It is also the case if that -- same situation. Camera,
5 and it's just now laid wire, a traditional old school
6 circuit system that runs a wire to a computer feed and you
7 can view the camera feed from that computer, if that camera
8 runs to a computer and then that computer allows for
9 accessibility elsewhere, does that suddenly make this an
10 intrusion security system? Does that make this remote
11 controlled because now the image is viewable at another
12 location? It's remotely accessible because the computer
13 uploads its feed to the internet, and none of that is a
14 coherent way to define this terms. The Department's
15 interpretation also seems to allow for genuinely intrusive
16 security system, such as ones which can track an individual
17 as they behave in the park.

18 Ultimately, this question governs the whole case on
19 every single citation that flows with this. Obviously, if
20 this was a valid telecommunications act, it was not outside
21 the scope, and ELCYG00377 can't possibly apply. If this was
22 a valid telecommunication act, ToledoTel was not hiring
23 unlicensed individuals to perform electrical work. If this
24 was a valid telecommunications act -- and this one's a
25 little more complicated -- a permit was not necessary. And



1 the reason for that is that pursuant to WAC 296-46B-910(8),
2 a permit in a telecommunications installation is only
3 required when there are more than 10 telecommunications
4 outlets.

5 It's undisputed and in the record -- and both the
6 inspector and ToledoTel agree about this -- there were two
7 telecommunications installations. There were two cameras
8 installed, only two outlets. If this is a
9 telecommunications work, it is just crystal clear that a
10 permit was not required, and ToledoTel was not in violation
11 for failing to bring one in.

12 I'm going to reserve any remaining time for rebuttal.

13 CHAIR JENKINS: All right. Thanks very much.

14 AAG Natalie Roberts, the floor is yours.

15 MS. ROBERTS: Thank you. As I said, I'm Natalie
16 Roberts, and I'm the Assistant Attorney General representing
17 the Department of Labor & Industries, so good morning,
18 y'all. Thank you for being here.

19 As Toledo's counsel has already established, our facts
20 are pretty well known. The transcript is before you, so
21 we're going to get right down to the issue. So the
22 Department did find that Toledo worked outside its
23 telecommunications license when it installed the bullet
24 camera system at Kemp Park. We do know that Toledo is a
25 certified telecommunications contractor, and they are



1 certified to perform work within their very specific scope
2 under that RCW 19.28.420, which limits their ability to --
3 and this is where the outside comes from -- outside that
4 scope. They have to follow those very clear guidelines.

5 They are licensed to install some security systems, but
6 they, again, as counsel has mentioned, they have to be
7 closed circuit. A closed circuit system would be a system
8 that is not remote controlled, which is, again, where we're
9 going to come down to the argument of remote controlled
10 involved versus remotely accessible. Again, yes, this would
11 be an intrusion system if it was not remotely controlled.

12 Again, here Inspector Allen found that the security
13 system that Toledo installed was not closed circuit because
14 it could be remotely controlled as it was remotely
15 accessible. Accessible -- it was accessible from a smart
16 phone app, which was generally opened up at city hall, which
17 is a distance from the Kemp location. The recordings were
18 also held off-site, so that means the data that this
19 security system could collect was not held on-site.

20 The Wi-Fi router was also installed to a larger
21 structure, which was outside the closed circuit of the
22 system. Control isn't just about being able to move the
23 camera or turn it on and off. Again, control is the ability
24 to access the data or the recordings in this situation and
25 the system itself. Because the bullet cameras are remote



1 controlled, it does not qualify as a closed circuit system
2 and does not fall under the telecommunications license.

3 This means that even though Toledo was a certified
4 telecommunications contractor, its certification did not
5 cover installing these open circuit cameras. This means
6 that Toledo was required to not only have certified
7 individuals install the system but also would have required
8 a permit to be purchased.

9 Therefore, the Department does ask that the Board
10 affirm the ALJ's initial order along with the citation and
11 penalties therein.

12 Does anyone have questions or concerns or rebuttal?

13 CHAIR JENKINS: At this time, we're going to open
14 the questions up to the Electrical Board and then, as they
15 have questions, I'll refer back to both you and Ryan
16 Endsley.

17 So, yes, Board Member Gregory Johnson.

18 BOARD MEMBER JOHNSON: Yeah. This is meant, first
19 off, for Ben, a clarification. What's part of the evidence
20 record? So statute and WACs are part of the -- we can
21 reference those. What about the National Electrical Code,
22 which is adopted by reference in both RCWs and the WAC? Can
23 we rely on content in the National Electrical Code?

24 SECRETARY MOLESWORTH: You mean if they're
25 incorporated by reference in the WAC? I don't see any



1 problem. It's not new facts or evidence. It's the law, so
2 that's just fine.

3 BOARD MEMBER JOHNSON: The reason why I'm asking,
4 I looked through the WAC and the RCWs for a definition, and
5 there was -- in WAC 296-46B-901 it says definitions of
6 telecommunication technical terms will come from this
7 chapter, 19.28 RCW, this chapter or TIA/EIA standards and
8 the NECs, the National Electrical Code. I did not find any
9 definitions in the WAC or the RCWs, but in the National
10 Electrical Code I did find the definition.

11 The National Electrical Code says "remote controlled
12 circuit." That is the closest definition, and they define
13 it as any electrical circuit that controls any other circuit
14 through a relay or any equivalent device. So that was the
15 closest definition that I found for the word "remote
16 controlled circuit." That's more of a question of -- I
17 mean, with that, is there any comments from either of the
18 attorneys on that?

19 MR. ENDSLEY: Here is my comment really. I don't
20 think there was really evidence taken to that effect one way
21 or the other. You know, I -- from hearing that definition,
22 I do not believe these cameras qualify. I don't think
23 there's anything in the record that establishes that they
24 would lead to that definition for remote control, but I have
25 to acknowledge that that wasn't a point that was raised at



1 the initial hearing, so I think the evidence record on that
2 is pretty slim.

3 MS. ROBERTS: Yeah, this the AAG. Again, I'm not
4 an electrician so I wouldn't know all the bits and bobs that
5 would go into that, and I would have relied on my inspector
6 for that account.

7 CHAIR JENKINS: Okay. Board Member Kerry Cox.

8 BOARD MEMBER COX: Thank you, Chair Jenkins. I'm
9 going to first address what the law says because that
10 ultimately is what the Washington Administrative Code is
11 doing is its helping to clarify what the law -- what the
12 code says. And in 19.28.400(12)(a), the law states,
13 "Telecommunications systems include but are not limited to
14 all forms of information generation, processing, and
15 transporting of signals conveyed electrically or optically
16 within or between buildings including voice, data, video,
17 and audio."

18 The devices that Toledo Telephone Company installed by
19 that codified definition, they are telecommunications
20 devices taking the light images from the park onto their
21 CCD chip, converting that, generating information,
22 processing it, and transporting that data signal between
23 buildings through another telecommunications device, the
24 Wi-Fi router, to another telecommunications device at city
25 hall or wherever the NVR -- in fact, in the record, because



1 as I understand from reading the record, the transcript was
2 created from a recording. The court reporter wrote NBR, B
3 as in boy, rather than NVR, as in video. It is a network
4 video recorder. That's where the information landed.

5 This is by the -- by the record provided to us and the
6 submittals of evidence, the photographs that are part of the
7 evidence show that these are fixed bullet cameras. I'm
8 going to now refer to the Washington administrative code,
9 which will help clarify, and this is the one that seems to
10 me that this case is based on is the WAC. And as referenced
11 before, I'm looking at WAC 296-46B-920(h), referring to
12 closed circuit video monitoring systems and these are -- in
13 fact, let me go to (m). Let me back up.

14 WAC 296-46B-920(m), which is defining
15 telecommunications scope, which is what this case is about,
16 the scope of "telecommunications, which is an 09
17 certification, is limited" -- we all understand that --
18 "limited to the installation, maintenance, and testing of
19 telecommunications equipment" -- excuse me, "testing of
20 telecommunications systems, equipment, and associated
21 hardware." And that was what I just read in the law was
22 what constituted a telecommunications system equipment and
23 associated hardware.

24 And it goes on to talk about what the specialty
25 includes. And here we keep talking about what they can't



1 do, what they can do. It says it includes -- here in
2 WAC 296-46B-920(h), there are -- is a short phrase that I
3 believe is the crux of this case and it seems to me that the
4 Department has either missed it or is purposeful in ignoring
5 it, but here's what it says, "Closed circuit video
6 monitoring systems" -- this is what is included in the
7 scope. "Closed circuit video monitoring systems if" -- and
8 we missed that -- "if there is no integration of line or
9 low-voltage controls for cameras and equipment."

10 It is clear from the record, from the testimony from
11 both parties, that there is no integration of line or
12 low-voltage controls for the cameras or equipment. And then
13 it goes on to specify, "Remote controlled cameras," which we
14 just previously defined as having integrated line or
15 low-voltage controls.

16 For those of us who have been in the industry long
17 enough -- I have been in this industry for 45 years -- I
18 remember the days of old closed circuit TVs, and you had a
19 coax that would transmit the broad- -- or the base band
20 video. And there were low -- line and/or low-voltage
21 controls that would control an onboard motor that would turn
22 the camera left to right to pan it, that would tilt the
23 camera up and down, so tilting and panning, and there would
24 also be stepper motors attached to a motorized lens so that
25 they could zoom in and zoom out by remote control using line



1 or low-voltage controls.

2 The telecommunications devices that were installed by
3 Toledo Telecom -- or Telephone, as shown in the record, are
4 a fixed device that takes the light images, converts them,
5 processes them, transmits them as data packets and
6 ultimately it lands on another telecommunications device,
7 the network video recorder. The access that is happening in
8 one of these systems is the viewing -- the remote access is
9 happening at the NVR, at the video recorder, not directly at
10 a bullet camera.

11 The bullet camera is simply transporting the
12 telecommunications information that it has generated to
13 another telecommunications device, which is storing it on
14 some type of storage -- long-term storage medium so those
15 who need to access it can.

16 According to the WAC and the RCW, the law -- and I know
17 it because I was on the team of people that wrote it and I
18 was on the original team of people who brought
19 telecommunications under the purview of the electrical
20 program so I understand what the intention of -- is of the
21 WAC as well, why there was this provision in there that a
22 telecommunications contractor using uncertified workers,
23 which they are allowed to do under the telecommunications 09
24 license, that they were not installing line or low-voltage
25 controls.



1 So these devices by law and by WAC are
2 telecommunications endpoints. They simply plug into
3 telecommunications cabling. They go to a telecommunications
4 router and are being transported using telecommunications
5 protocols. Specifically, in this case, it would be TCP/IP
6 protocols. These are the telecommunications endpoints,
7 plain and simple.

8 Those are my comments. Thank you.

9 CHAIR JENKINS: Thank you very much.

10 Any more board members that would like to speak on
11 this?

12 BOARD MEMBER NORD: Yes, I would like to. This is
13 Board Member Nord.

14 CHAIR JENKINS: Yes.

15 BOARD MEMBER NORD: I concur with Kerry Cox
16 totally. He just gave my argument I was going to give. The
17 Toledo Telephone Company is a regulated telephone company.
18 They were acting within the scope of a regulated telephone
19 company for all the reasons Kerry just gave, and their
20 employees are regulated telephone company employees. They
21 have a regulated telephone company administrator for the 09
22 license. They were doing exactly what they can do, as Kerry
23 discussed and explained.

24 CHAIR JENKINS: Okay. Board Member -- sorry.
25 Secretary Wayne Molesworth? You are muted.



1 SECRETARY MOLESWORTH: Sorry about that. I think
2 we're getting a little bit off of the actual subject that is
3 in question. There's no question about a lot of the
4 testimony that the board members have given so far that
5 there's telecommunications aspects of what was done. What
6 we are really defining is -- and there's no objection to
7 that. What we're defining is "remote" and "remote
8 controlled." Remote controlled and remote, you know, by
9 definition is that if that signal is transmitted publicly,
10 that can be considered part of remote control.

11 And that's what we're doing here is we're transmitting
12 that signal off-site. It's accessible to an app on a phone.
13 And so even though it's a small portion of remote control
14 and other things are also considered remote control, but
15 this is part of remote control. We can view it off-site.

16 And so because of that, that's what remote -- that's
17 what the exception is under (h), and I would beg to differ
18 with Mr. Cox. (h) has to do with closed circuit video
19 monitoring systems if there is no integration of lower line
20 voltage controls. What it's talking about is you can
21 install -- you can install closed circuit video if that
22 closed circuit video doesn't have interconnection with wires
23 and so forth.

24 Then there's a period -- and it goes remote controlled
25 cameras and equipment are considered intrusion, and we've



1 already talked about that these are intrusion cameras used
2 for security systems and must be installed by appropriate
3 licensed electrical contractors and certified electricians.
4 The reason for these exceptions in these small requirements
5 is because we're also protecting the work of another
6 licensed contractor. And so other licensed contractors are
7 allowed to do that work if it falls under that remote
8 control. That's why we enforce this particular law.

9 I just wanted to be clear that there are a lot of --
10 lot more than just panning of a camera to make it remote
11 controlled. And the first part of (h) only has to do with
12 closed circuit, which is usually reserved for specific
13 monitoring devices and recording devices. That was all.

14 CHAIR JENKINS: Thank you for your input.

15 Board Member Gregory Johnson.

16 BOARD MEMBER JOHNSON: Yeah. I just wanted to
17 bring us back to the NEC definition where it says, "Relay or
18 similar device." So what Kerry had described with the pan,
19 tilt, zoom camera with a motor, usually you would have an
20 integrated relay inside that camera to cause the motor to
21 operate. And so my reading of the closest definition we
22 have, the NEC -- because it's not defined anywhere else --
23 is for remote controlled circuit, which is what these would
24 be, if it would be -- it would have to have a relay or
25 equivalent device.



1 And so I have no evidence that there's a relay inside
2 those cameras that were -- that Toledo installed. If they
3 were pan, tilt, zoom, then by inference you can say there's
4 probably a relay to control the motor, but with what was
5 presented in the record, I don't see any evidence -- I mean,
6 I have to base it on what's in statute and adopted by
7 reference and that's a -- has to have a relay or similar
8 device. So I don't see that here and I don't -- I see these
9 as remotely accessible, not remotely controlled.

10 CHAIR JENKINS: Thank you very much.

11 I saw that Board Member Kerry Cox had your hand up.
12 Did you purposely take it back down again?

13 BOARD MEMBER COX: I purposely removed it. Thank
14 you, Chair Jenkins.

15 CHAIR JENKINS: Not a problem.

16 Secretary Wayne Molesworth? Secretary Wayne
17 Molesworth?

18 SECRETARY MOLESWORTH: Sorry. I thought somebody
19 else's hand was actually up prior to mine.

20 I think, Mr. Johnson, we're applying that definition
21 to -- we're misapplying it. It's not in relationship to
22 telecommunication cameras. This is a remote control for
23 motors, electrical equipment. The NEC talks very little
24 about telecommunications, and it's more about, let's say, a
25 remote start-stop for a motor that goes through a PLC system



1 and closes a relay that -- closes the relay for the motor
2 starter. So those are remote controlled systems that the
3 NEC is talking about, not necessarily applying it to this.

4 I don't think we can take the closest definition we
5 have because that definition also is not specific to the
6 application we have here. So that would be my suggestion is
7 that we don't look at the definition from the NEC, unless we
8 can get really specific with it and have an actual
9 application for it.

10 CHAIR JENKINS: Thank you very much.

11 Board Member Steve Entrekin.

12 BOARD MEMBER ENTREKIN: Board Member Steve
13 Entrekin. I just want to thank Kerry. I had a lot of notes
14 on this, being a representative of the telecom on this
15 board. I had a lot of notes, and, Kerry, you just explained
16 it out pretty darn well. I 100 percent agree with what
17 Kerry spelled out and back up Mike with his agreement also.

18 So I think we've talked about as a Board on previous
19 cases something very similar and agreed to very similar of
20 what Kerry spelled out there too. So I just wanted to kind
21 of have us Board members recall some of the previous cases
22 in the short term that I've been on the Board that some of
23 these subjects were brought up. So that's all I have to add
24 to this discussion.

25 CHAIR JENKINS: Thank you very much. I was going



1 to input something, and maybe this is going to show my
2 misunderstanding about the 09 licenses, but I'm
3 understanding that the -- assuming what Kerry Cox has
4 mentioned and other -- and Board Member Mike Nord brought
5 up, assuming this is actually telecommunication work, they
6 actually have an 09 supervision license. Do the installers,
7 don't they have to have 09 installer license? That would be
8 my question for you.

9 BOARD MEMBER COX: They do not.

10 CHAIR JENKINS: Board Member Kerry Cox, go ahead.

11 BOARD MEMBER COX: Yeah, Board Member Kerry Cox.

12 An 09 telecommunications contractor requires only a
13 telecommunications administrator for the company assigned to
14 the company.

15 CHAIR JENKINS: Okay.

16 BOARD MEMBER COX: Telecommunications workers do
17 not have any type of certification. Now, if the company
18 hires an employee who may have a certification in 06 or 01
19 or other certifications, they can still perform the work,
20 but as far as the contractor, the company does not -- the
21 installers have no -- there is no 09 certification.

22 CHAIR JENKINS: That shows my naiveness about
23 telecommunications 09 workers.

24 Board member Gregory Johnson.

25 BOARD MEMBER JOHNSON: Yeah. I appreciated your



1 remarks, Wayne, but I'm trying to find is there any
2 reference to -- either you know, Wayne, or maybe Natalie
3 knows -- that has the word "remote access" in either the
4 Board packet or in the NEC or the WAC or in the RCWs?

5 SECRETARY MOLESWORTH: So not that I am readily
6 aware of that it says "remote viewing" or anything such as
7 that. However, while we were discussing this, I looked up
8 online for remote control cameras, and off-site viewing was
9 considered part of remote control on a definition online.
10 Now you can take that for what it's worth. Right?

11 So, again, I don't think there is that particular
12 wording. If there is, I'm not totally aware of it. As
13 everything else, there's a lot of things that are a little
14 bit subjective as in this case. Right?

15 But I also wanted to mention the reason that --
16 Mr. Chair, the reason that they were saying they were
17 unlicensed and needed a certification was because the
18 inspector didn't consider this 09 work. It was a different
19 specialty, and they weren't certified in that specialty,
20 which does require a specialty in order to do remote
21 intrusion camera work. Right? I just want to make that
22 clear.

23 CHAIR JENKINS: Thank you very much.

24 Board Member Mike Nord.

25 BOARD MEMBER NORD: We've talked several times



1 about remote access, and remote access is done by an IP
2 address and the public data network, which is
3 telecommunications. An IP address is the digital equivalent
4 of the telephone number. The telephone companies carry this
5 traffic for these devices. So if I put an IP address in, I
6 could put an IP address in for any device in the world as
7 long as I know what the IP address is and I have clearance
8 to go to that level to look at it.

9 So, by definition, this is all telecommunications. The
10 access points are by telecommunications. The addressing is
11 by telecommunications. You're not dialing a telephone
12 number. You're dialing the digital equivalent of it, which
13 then goes to the telecommunication companies, is routed by
14 the selective signaling system No. 7, and that routes it
15 through what is called 3B220 super computers, which sets up
16 the routing through the DNS servers to get from Point A to
17 Point B. That's all ran by the telephone companies.

18 For example, the company that I used to work for,
19 Lumen, controls approximately 65 percent of the world's
20 internet traffic, and they control most of the world's
21 undersea cables this traffic travels on going from data
22 center to data center. Data center to data center is like a
23 CO to a CO, what we used to call the old 40 network, the
24 long-haul network. Those long-haul networks, you take that
25 IP address, and they will ship it down to a local network



1 office, which will then ship it out to a customer. It's all
2 done through the communications networks. It's not done
3 through the power networks.

4 It's all maintained by 09 licensed people working for
5 the certified regulated telephone companies or, in some
6 cases, vendors that are associated with those companies. So
7 I still believe that these two individuals working for a
8 regulated telephone company performed a telecommunications
9 installation well within the scope of work, which I used to
10 do every day for the company I worked for, Lumen.

11 And, for example, this router that we're talking about
12 is most likely property of that regulated telephone company.
13 What they did, which is permitted by FCC regulations for a
14 telephone company, they extended the network access to that
15 dumb camera with an RJ45, either a jack or a plug, most
16 likely a plug that plugged into the camera. There's also
17 waterproof RJ45s we used to install, and you can plug a
18 little patch cable in, 6 inches, 8 inches, whatever from the
19 camera to the jack. That work was all telecommunications.
20 We extended the network access point, the demarc point to
21 the camera. And as a telephone company, as long as we were
22 putting in less than 10 of these, there was no permit
23 required. There was no inspection required, and usually we
24 only installed two or three of them.

25 I have installed them for office buildings to plug a



1 keypad into for a card reader. It's all RJ45. I left an
2 RJ45 plug there per FCC Part 68 rules, which I'm allowed to
3 do. The customer or somebody else plugged the cord into it.
4 That gave access of that device to the telecommunications
5 network to be addressed by an IP address, which is, once
6 again, equivalent to a telephone number to be dialed up from
7 anywhere in the world to be accessed. So I still believe
8 we're within the scope of telecommunications.

9 CHAIR JENKINS: Thank you very much.

10 BOARD MEMBER NORD: I'm sure we have people that
11 are disagreeing with me.

12 CHAIR JENKINS: Okay. Thank you.

13 Board Member Kerry Cox.

14 BOARD MEMBER COX: Thank you, Chair Jenkins.

15 To Wayne's -- to Secretary Molesworth's comment about
16 we're being somewhat subjective on some of these things,
17 there's no reason for subjectivity. We had a lot
18 subjectivity many years ago and that's why a team of us got
19 together with the Department, with organized labor, with
20 telecommunications companies, and got rid of subjectivity.
21 We tried to be specific in codifying what was
22 telecommunications and what was not. So I don't think -- I
23 don't think we need to be subjective in this. I believe the
24 law is clear, and I believe the WAC helps clarify the law as
25 it stands that these devices are telecommunications end



1 points. Thank you.

2 CHAIR JENKINS: Thank you again.

3 Board Member Gregory Johnson.

4 BOARD MEMBER JOHNSON: Yeah, I'll just -- so I
5 agree with what Mike and Kerry are saying. I mean, I keep
6 brining us back to what's in statute merely because we're
7 bound by what's in the record, and we can't make up new
8 definitions that aren't in there. And I see no words
9 wherever saying "remote" -- that define remote control as
10 remote access. So until that is changed in the WAC or the
11 RCW, I don't see how we could redefine that here. I mean,
12 if there's a desire to do that, I mean, would be rulemaking.
13 But that as of today, remote control, as I'm seeing, is the
14 closest definition is a relay. And even if you threw that
15 out, if you were to -- common knowledge, well, that would
16 assume probably pan, tilt, zoom or either an auxiliary
17 contact to control something but not -- I mean, it wouldn't
18 necessarily be observing or receiving a signal.

19 And I would even go as far as configuration's not
20 considered control because all com- -- all TCP/IP devices
21 have configuration built in so -- even though that's not
22 incorporated. So until the WAC or the RCWs change, I think
23 we have to rely on what's there and not what's absent.

24 CHAIR JENKINS: Thank you very much.

25 Secretary Wayne Molesworth.



1 SECRETARY MOLESWORTH: I think Jack Knottingham's
2 was up before mine. Wasn't it?

3 CHAIR JENKINS: You know what? He did have it up
4 and put it back down. But you know what? Let's do that so
5 we have an another opinion here. So Board Member Jack
6 Knottingham.

7 BOARD MEMBER KNOTTINGHAM: I appreciate the
8 discussion. I go back to closed circuit. Is this a closed
9 circuit or not? You know, there's no doubt technology has
10 changed drastically since the RCW included telecom, and
11 maybe that definition does need to be updated, but I think
12 by definition this is not closed circuit. It can be
13 accessed remotely. It's not closed circuit, and I think all
14 the other arguments fall -- fall. I mean, that's my
15 opinion. Like I said, technology has really changed. When
16 this came out, you couldn't access these systems via cell
17 phone and now you can, but I don't think it meets the
18 definition of closed circuit. Thank you.

19 CHAIR JENKINS: All right. Thank you.
20 So back to you, Chief Wayne Molesworth.

21 SECRETARY MOLESWORTH: And I want to agree with
22 Greg and some of the others that have talked about, we've
23 given a lot of testimony here as a Board and explained
24 different things that are very broad. And really what it
25 comes down to is the ALJ affirmed it and -- by definition



1 and accepted the definitions of the Department as remote
2 access being a part of remote control. Viewing it off-site,
3 like I said, the definition I found was that remote control
4 security cameras, which this is. It's an intrusion camera
5 and is done by a different specialty. Intrusion cameras are
6 wired by -- by a separate specialty. Even though it might,
7 in some cases, be telecommunications equipment, in this case
8 it may not have been used in that fashion, and so that's
9 what I would say.

10 I'm back to where if it's -- I mean, what the defense
11 was was what's the definition of that remote control?
12 Right? It wasn't about whether or not the equipment was
13 telecom or whatever else. And like Mr. Knottingham said and
14 what I've seen in definitions is if it's remoted publicly --
15 or if it's broadcast publicly, in which case it is, and it's
16 a security system, no -- I'm not arguing with the fact at
17 all that a lot of this stuff can be used in different
18 applications as telecommunications equipment. But in this
19 particular instance, it was an intrusion camera that can be
20 viewed off-site and publicly transmitted to a telephone --
21 right? -- for that matter.

22 I do agree that I think that some of this -- these
23 rules need to be upgraded, and we'll get started on that so
24 we have a very clear definition of what this looks like
25 because that's what the Board is asking us to do.



1 And so just wanted to say that, and that's all I'm
2 going to say at this point.

3 CHAIR JENKINS: Okay. Board Member Kerry Cox?

4 BOARD MEMBER COX: Thank you, Chief Jenkins --
5 Chair Jenkins.

6 To Secretary Molesworth's comments, I'll make a couple
7 comments on that. Referring back to WAC 296-46B-920(h),
8 again, these monitoring systems are included in the scope if
9 there is no integration of line or low-voltage controls for
10 the camera. That's what everyone seems to want to skip
11 over.

12 And to Board Member Johnson's comment where he said
13 unless there's a relay or something in the camera to control
14 something, those things can be done. Many of these cameras
15 can be installed. I don't know if these do it. It's not in
16 the record. Many of the cameras that might be used for a
17 doorway entrance will have a remote controlled relay that
18 now can be connected down to a door strike. So let's say
19 your shipping carrier comes to your door, and you can view
20 that from inside your office, and you can by remote control,
21 whatever that may be, tell the camera to close that relay,
22 energizing -- providing low-voltage control to energize that
23 door strike and unlock the door for the delivery driver.
24 And then -- and then would that video monitoring system not
25 be allowed in the scope because it has low-voltage control?



1 To your comment about the ALG -- pardon me, the ALJ
2 sided with the Department and clarified the understanding
3 that remote access means remote control, in my opinion, the
4 ALJ has misunderstood tech- -- telecommunications technology
5 terminology and that is why this Board is here.

6 We all are experts in our field of craft, whether
7 that's telecommunications, 01 electrical, whatever it may
8 be, whether that's HVAC, we are all here as experts, and
9 this is why this Board is here to hear these appeals because
10 the ALJ knows the law like nobody knows the law, but they
11 don't necessarily understand technology and definitions.
12 That's where the Department has their counsel and the
13 appellant has their counsel to try to explain this clearly
14 as possible to the ALJ. But in this condition, in this
15 situation, for this appellant, the ALJ, in my opinion as an
16 expert in telecommunications and as a licensed 06 journeyman
17 and an 06 administrator, the ALJ was mistaken in his
18 understanding. Thank you.

19 CHAIR JENKINS: Thank you. I'm assuming the
20 computer is giving these in order.

21 Secretary Wayne Molesworth.

22 SECRETARY MOLESWORTH: Yeah. I just want for the
23 record to be clear that we need to read the -- that part of
24 the telecommunications 09 licensed scope of work (h) in its
25 context. It talks about closed circuit TV. It says,



1 "Closed circuit video monitoring systems if there is no
2 integration of line or low-voltage controls for cameras and
3 equipment." That's how it has to be installed for closed
4 circuit. We're not saying this is closed circuit and
5 neither is the defendant. Right? That's irrelevant here.

6 We're saying that it's -- or the Department is saying
7 that it's remote controlled because you can access it and
8 it's publicly broadcasted from those cameras. Right? So I
9 just want that for the record. We're not talking about
10 closed circuit video, and closed circuit video can be
11 installed by telecommunication if there is no
12 interconnection with the cables.

13 CHAIR JENKINS: All right. Board Member Gregory
14 Johnson.

15 BOARD MEMBER JOHNSON: So since the point of a
16 CCTV came up, the definition of that, so that's not defined
17 in the NEC. It's not defined in the WAC or the RCWs. I
18 believe it probably is defined in EIA/TIA, but I didn't have
19 that handy to look that up offhand, but I can tell you from
20 designing -- personally designing different systems, usually
21 CCTV is considered point to point, not point to multipoint.
22 So usually you would have a camera that talks to a single
23 NVR or head-in system, and that would qualify as a closed
24 circuit. Regardless if the NVR rebroadcast it elsewhere, it
25 would still be a point to point if you're able to access



1 that remotely from multiple places.

2 Now, if you were to broadcast this like it is in TV,
3 like a television so it's broadcast to the world, that would
4 be different, so that's where you would be broadcasting. So
5 that's based on how things are typically done. So if you
6 had a publicly available link on -- that is broadcast on
7 their website, you know, like a viewing cam, that would be
8 different than if you were just to have it as to going to an
9 NVR that people accessed. So that's typically the
10 definition I've historically relied on. Unfortunately, I
11 can't pull up the EIA/TIA definition offhand.

12 CHAIR JENKINS: Thank you very much.

13 Board Member Kerry Cox.

14 BOARD MEMBER COX: Thank you, Chairman Jenkins.

15 I didn't want to muddy the waters, but Secretary
16 Molesworth did that for me by saying that this is not closed
17 circuit, and, in fact, I think Board Member Knottingham
18 alluded to that fact. If that's the direction we want to go
19 in this, then there is no prohibition -- I will bring us
20 back to the law. I will bring us back to the RCW that talks
21 about what a telecommunications device or system is in
22 RCW 19.28.400 -- bear with me -- (13)(a),
23 "Telecommunications systems include" -- and I've read this
24 before, but I will reiterate it for the record again -- "but
25 are not limited to all forms of information generation,



1 processing, and transporting of signals" -- there it is --
2 "transporting of signals conveyed electronically or
3 optically within or between buildings including voice, data,
4 video, and audio." So if we want to go in the direction of,
5 no, this doesn't qualify as a closed circuit TV and as a
6 professional I would agree with that. Like I said, I didn't
7 want to muddy the waters for this case, but now we're there.

8 This is not CCTV. I was -- I was in the age of CCTV.
9 I installed CCTV. This is a telecommunication end point
10 that is processing and -- generating and processing and
11 transporting information, video information, between
12 buildings. This is a -- and addressed by an internet
13 protocol address, which Board Member Nord addressed very
14 clearly as a telecommunications industry professional.

15 These two stationary bullet cameras, which plug into an
16 RJ45 connection in a TCP/IP network, in a telecommunications
17 network, is transporting video data between buildings
18 wirelessly via a wireless telecommunications protocol. So
19 this -- this gets us completely out of the WAC because now
20 we're installing a telecommunications device that is
21 generating, processing, and transporting a
22 telecommunications signal electronically to another
23 building. This then, by law, is truly a telecommunications
24 end point, a telecommunications device. It is not a CCTV
25 camera. Thank you.



1 CHAIR JENKINS: I'm assuming, Wayne, you have
2 taken your hand down so I'm going to jump to Board Member
3 Mike Nord.

4 BOARD MEMBER NORD: Thank you. I fully agree with
5 everything that Kerry, once again, has said. What we have
6 to think about in today's world, as we sit here discussing
7 this case, is technology has advanced to the point that the
8 RJ45 end point connection that the device is plugging into
9 is a universal port. It does not care what you plug into
10 it. It will talk to whatever is there.

11 I could go and unplug that camera and plug an IP phone
12 into it, and it will work just fine. I can unplug that
13 phone and plug an access path for a badge reader, and it
14 will work just fine. It is a universal port that supports
15 the protocol for any electronic device that works on the
16 internet to work through that, which the telecommunications
17 system then carries that information from end point to end
18 point just like a telephone call. Once again, an IP address
19 is the digital equivalent of a telephone number.

20 We're not setting up wiring for just one type of
21 device. That is a universal port at the end of that RJ45,
22 whether it's a plug or a jack. And, once again, it does not
23 care what device is plugged into it. It is carrying
24 telecommunications data -- 0s and 1s -- from one point to
25 another point, Point A to Point B. Those 0s and 1s -- or in



1 the case of light pulses for a fiber cable -- are modulated
2 and demodulated to put it in simple terms. The technology
3 and the math required to understand it is quite immense, but
4 the technology is technology.

5 Technology's changing every day. If you look at
6 Moore's law, which was set up in the '60s, probably about
7 every seven years our amount of technology and how we
8 advance doubles. It will continue to double. When I worked
9 for Bell Telephone Laboratories in the 1980s, you were
10 setting up these devices and this network to do what it's
11 doing today, and it has gone way beyond anything that
12 anybody I worked with at the time envisioned would happen.

13 These are universal ports, once again. Once again, it
14 does not matter what technology or device you plug into it.
15 It is modulating a signal. It is transferring it and
16 transporting it on a telecommunications network. It is at
17 the end point at the B end demodulating it to where the two
18 sides will understand what each other is saying, and that is
19 telecommunications work.

20 CHAIR JENKINS: Thank you very much.

21 Secretary Wayne Molesworth, please.

22 SECRETARY MOLESWORTH: So I'm just going to
23 conclude my comments with I'm sitting here listening and
24 agreeing with a lot of what everybody is saying about what
25 is and isn't telecommunications equipment. I think what I'm



1 trying to convey is that this law is in place to protect
2 another specialty that does security systems. This is a
3 definition by what was the use of those cameras defined as,
4 not whether or not in other situations it couldn't be used
5 as telecommunications work, but in this case, they're used
6 as intrusion security cameras, and that is where it draws
7 the line -- right? -- because there's another specialty that
8 installs custom systems and security cameras.

9 Is it the same work as what telecommunications could do
10 with that same equipment for different purposes?

11 Absolutely. No question about that. But that's not what
12 divides the law.

13 The law was divided -- and, Kerry, I'm sure you
14 remember this -- to those different specialties because
15 different specialties wanted to do different parts of that
16 work, and so that was where we have to have the laws in
17 place to protect that other group of contractors; otherwise,
18 there's no scope of work. You know, the scope of work
19 doesn't add any value. So that's all I was going to say.
20 This is really, to me, a case of what were those cameras
21 going to be used for.

22 CHAIR JENKINS: Thank you very much.

23 Board Member Kerry Cox.

24 BOARD MEMBER COX: So what's concerning about the
25 comments that were just made and I have -- for the record, I



1 have to disagree that when we all got together and rewrote
2 and codified these definitions, protectionism was not the
3 purpose. And if the purpose of the Department of Labor &
4 Industries is protectionism of one contractor over another,
5 then we have a bigger issue.

6 The fact that we're saying there's another -- there's
7 another specialty, an 06 or an 01, that can install cameras,
8 well, if we want to talk about protectionism, an 06 or an 01
9 can install telecommunications structured cabling systems.
10 An 01 or an 06 can install telecommunications end points and
11 devices. So where does that protect the 09 contractor?

12 And as far as making work for -- when the comment is
13 made giving -- making available work for other contractor
14 specialties, as I had mentioned regarding Board Member Greg
15 Johnson's comment about the relay controlling something else
16 in my comment. So the work for another specialty, i.e., an
17 06, would be, as I mentioned in the door camera, where it's
18 monitoring a door and we need to energize a mag lock or a
19 mechanical lock on a door, that is not -- and it is clearly
20 defined it is not the scope of an 09 contractor using
21 uncertified workers. It is the work of at least a minimum
22 of an 06 limited energy specialty contractor with 06
23 certified workers.

24 So if this is about protectionism, we have a bigger
25 conversation. I don't believe -- and I disagree, for the



1 record, that that's what this law was codified about was
2 protectionism of other contractor scopes.

3 SECRETARY MOLESWORTH: I want to disagree with
4 that just slightly because I don't see any other reason for
5 scope of work other than defining what you can and cannot
6 do, and every license has its own scope of work of what it
7 can and cannot do. Ultimately, that allows other
8 contractors to do that work that you cannot do. If you want
9 to call that -- and I called it that way -- that we're
10 protecting the scope of work of other specialties, I would
11 stand by that because I think that's the purpose of scopes
12 of work.

13 CHAIR JENKINS: Okay. So Board Member Mike Nord.

14 BOARD MEMBER NORD: I got a question for Wayne
15 because I think I understand what he's saying, but I just
16 want to make sure in my mind that I do. Okay. Wayne, if
17 the 09 regulated telephone company employees had merely ran
18 the RJ45 connection end point cable to the peak of the roof
19 and left it and an 06 contractor or a City of Toledo
20 employee came in and plugged that end into the camera, would
21 we be here today?

22 SECRETARY MOLESWORTH: Tell you the truth, if they
23 would have mounted the cameras as well, I don't think we
24 would be here today because --

25 BOARD MEMBER NORD: That's what I'm saying. That



1 the only thing that the regulated telephone company
2 employees did, which they're allowed to do under the
3 Washington State Utility and Transportation Laws of Tariffs
4 and Regulations that they have filed, plus the Part 68 rules
5 of the FCC regulations because they're a local exchange
6 carrier, if they're allowed to run that cable, they're
7 allowed to put the RJ45 connection, which is an
8 FCC interface regulation, and then the City had plugged the
9 camera -- had mounted and plugged the camera in or the 06
10 contractor mounted and plugged the camera in, I believe
11 you're saying if they had stopped at the RJ45 we would not
12 be here today. But the mere fact that they plugged the
13 cable into the camera, then we're into the debacle that
14 we're in. Am I correct?

15 SECRETARY MOLESWORTH: You are correct, Mike. Let
16 me clarify that. Them running that cable there could be for
17 any -- many, many different reasons -- right? -- like you
18 testified.

19 BOARD MEMBER NORD: And I agree with you because
20 it is an universal end point connection.

21 SECRETARY MOLESWORTH: Exactly.

22 BOARD MEMBER NORD: I could plug any device into
23 it, and I can software configure it to run anything I want.

24 SECRETARY MOLESWORTH: So you put that cable there
25 and then another -- the owner of the property or the



1 contractor licensed to do security intrusion camera work can
2 come in, plug that into the cameras that they mount, and
3 that they secure, yeah, and that's the way I view that.

4 BOARD MEMBER NORD: Okay. I understand what
5 you're saying now. I may not agree with it, but I
6 understand what your position is.

7 SECRETARY MOLESWORTH: I get you.

8 BOARD MEMBER NORD: Because, once again, you've
9 got a universal port that it does not matter what you plug
10 into it, and it does not matter who plugs it in.

11 SECRETARY MOLESWORTH: But once you determine the
12 use, that's where it becomes the problem.

13 CHAIR JENKINS: Okay. So Board Member Gregory
14 Johnson.

15 BOARD MEMBER JOHNSON: So I just want to
16 highlight. I think we probably need to rewrite some of this
17 WAC. So not part of this case, but these are things that
18 exist today is they have radar systems tied to the cameras
19 and so then that way they can use the radar to control the
20 camera to capture things. That's used for traffic. They
21 also have stuff where they have external infrared lights
22 that cameras can automatically turn on infrared lights or
23 they can turn on floodlights, and that's being deployed
24 quite commonly.

25 Those are all -- the things I've mentioned would be



1 remote controlled devices. And if any of those were
2 present, which they weren't in this case, we would be having
3 a very different conversation. I think those are gaps, but
4 also there's another part in the WAC that in 296-46B-901
5 if -- way down on (8)(d), it says, "No permits or
6 inspections are required for installation and replacement of
7 cord and plug connected telecommunication equipment for
8 patch cord and jumper cross-connected equipment." And I can
9 tell you that things I just referenced are all patch cord
10 connected type equipment.

11 And so right there, if -- I mean, I know those -- this
12 is outside the case, but if any of those are present, we
13 would be having a very different argument, and it would be
14 very convoluted also because now you have conflicting parts
15 of the WAC. So I just want to say I really think we should
16 go rewrite part of this WAC to make it clear and address
17 these things so that way there's no confusion for both the
18 Department and for telecom contractors and for telecom
19 utilities. So a little outside -- deviating outside the
20 case, but I think -- and I would be happy to help work with
21 others to help get that written right.

22 SECRETARY MOLESWORTH: And I agree with you
23 100 percent, Greg. This is Wayne Molesworth. The thing to
24 remember is lot of times there are certain things in a
25 work -- types of work that you don't need a permit for but



1 you still have to have the proper license and certification
2 to install it. Right? So two different things there. Some
3 need a permit but they -- and they need licensed certified
4 people. Others don't need a permit, but they still need
5 licensed certified people to be installed.

6 CHAIR JENKINS: Thank you. Very much.

7 Mike Nord, did you have your hand up for a reason, or
8 was it just left up from last time?

9 BOARD MEMBER NORD: No. I have it up to for a
10 reason.

11 CHAIR JENKINS: Go ahead. It's yours.

12 BOARD MEMBER NORD: By definition under FCC
13 Part 68 rules, an RJ45 connection, which is the universal
14 end point/entry point connection to the network, is a plug
15 and play connection. It's patch cord. It could be an RJ45
16 plug on the end of a cable plugging into the jack on the
17 device, or it could be a jack on the end of the cable, you
18 have a jack on the device, and you've got a patch cord going
19 in between it. It's plug and play. An RJ45 connection in
20 today's world is a plug and play connection.

21 CHAIR JENKINS: Okay. Any further comments from
22 the Board?

23 Yes, Board Member Jack Knottingham.

24 BOARD MEMBER KNOTTINGHAM: Yeah. I appreciate
25 what Board Member Cox pointed out. It does, at least in my



1 opinion, appear to be a conflict between the WAC and RCW as
2 far as scope of work, and if there's a conflict, the RCW
3 would supersede. So I do believe it's not closed circuit.
4 It would violate the WAC, but it does not violate the RCW.
5 That's my view. Thank you.

6 CHAIR JENKINS: Thank you very much.

7 And seeing no other hands up, I will give it a second
8 for anybody else that would like to speak. All right.
9 Seeing none, the chair would entertain a motion.

10 Board Member Kerry Cox.

11 BOARD MEMBER COX: Thank you, Chair Jenkins. I
12 would make a motion that this board reverse the decision of
13 the ALJ as presented before us and whatever the legal term
14 is to remove those citations from the appellant. So
15 however -- Ben, if you can jump in and help properly word
16 that for me, I would appreciate it.

17 CHAIR JENKINS: So I have motion to reverse the
18 ALJ's decision and remove citations. Do we have a second?

19 BOARD MEMBER NORD: Second.

20 CHAIR JENKINS: We have a motion. We have a
21 second. Do we have any discussion? It looks like Board
22 Member Steve Entrekin has his hand up.

23 BOARD MEMBER ENTREKIN: I'm sorry. Board Member
24 Steve Entrekin, I was going to second that.

25 CHAIR JENKINS: Okay. So any other discussion



1 about this motion? Hearing none, since it sounds like we
2 have a split crowd on this, if I can have all the board
3 members unmute your mics. We're going to go through a list
4 here.

5 And we'll start off with Board Member Kerry Cox.

6 BOARD MEMBER COX: Aye.

7 CHAIR JENKINS: Thank you.

8 Board Member Erick Lee.

9 BOARD MEMBER LEE: Aye.

10 CHAIR JENKINS: Board Member Jack Knottingham.

11 BOARD MEMBER KNOTTINGHAM: Support the motion.

12 CHAIR JENKINS: Board Member Mike Nord.

13 BOARD MEMBER NORD: Support the motion.

14 CHAIR JENKINS: Board Member Ivan Isaacson.

15 Board MEMBER ISAACSON: Support the motion.

16 CHAIR JENKINS: Board Member Kevin Davis.

17 BOARD MEMBER DAVIS: I support.

18 CHAIR JENKINS: Board Member Bobby Gray.

19 BOARD MEMBER GRAY: Aye.

20 CHAIR JENKINS: Board Member Gregory Johnson.

21 BOARD MEMBER JOHNSON: Aye.

22 CHAIR JENKINS: Board Member James Thompson.

23 Tumelson, sorry. I'm sorry. My bad.

24 BOARD MEMBER TUMELSON: Aye.

25 CHAIR JENKINS: Board Member Stephen Entrekin.



1 BOARD MEMBER ENTREKIN: Aye.

2 CHAIR JENKINS: And Board Member Byron Allen.

3 BOARD MEMBER ALLEN: Aye.

4 CHAIR JENKINS: Boy, was I wrong. Any opposed?

5 Motion passes.

6 So give me one second, please. So thank you. The
7 Board has made a decision with the Department and the
8 counsel for Toledo Telephone Company. Please get together
9 and see if you can reach agreement that best reflects the
10 decision of the Board. Please be advised if you do not
11 reach an agreement today, this matter will be automatically
12 set for presentment at the next regularly scheduled Board
13 meeting. If the agreed order has not been received by that
14 date, the parties will be expected to file proposal orders
15 and appear and advise why the proposed orders best reflects
16 the Board's decision. I hope this will not be necessary and
17 you're able to reach -- agree to the form in the order
18 before the next meeting.

19 Please forward it to the secretary of the Board's
20 office, and I will ensure it gets signed and copies sent to
21 the parties. Thank you very much for your time.

22 On that note, it's been a bit. I'm sure the court
23 reporter would like to have a break here too, so let's take
24 a 10-minute break and we'll readjourn at 10:40.

25 (Recessed at 10:29 a.m.)



(Reconvened at 10:42 a.m.)

CHAIR JENKINS: So it is now 10:42, and I would like to bring the Washington State Electrical Board meeting back to order.

CERTIFICATION/CEU FULL REPORT, LARRY VANCE

CHAIR JENKINS: So we're on to Item No. 4, Certification/CEU full report with it looks like technical specialist Larry Vance. Are you available?

MR. VANCE: I am.

CHAIR JENKINS: There we go. You were muted apparently. The floor is yours.

MR. VANCE: Thank you. I'm just getting my technology in order.

CHAIR JENKINS: No worries.

MR. VANCE: Thank you, Board Member Jenkins.

My name is Larry Vance. I'm a technical specialist with the Department of Labor & Industries. I report to Wayne Molesworth, the chief electrical inspector. Late -- well, let's say a few days ago you received an exam report, and the reason you received it was that there was a little bit of a data glitch in it. It took PSI a little bit of time to get that straightened out, but the report is for information only. We're not making any decisions based on

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1 that report. It's just something that we report on
2 regularly to the Board.

3 And one of the things that we always talk about is the
4 first-time pass rate for journey level -- 01 journey level
5 electricians, and that has consistently been unchanged as
6 far as the pass rate. It usually hovers around 50 percent
7 and for a number of reasons. For new Board members, that
8 can be anywhere from someone coming from out of state that's
9 unfamiliar with the electrical laws and rules section of the
10 exam. They may be rusty on the National Electric Code, may
11 be a little rusty on electrical theory, and they attempt the
12 exam, fail the exam, and then reattempt the exam and often
13 pass the exam on their second attempt.

14 The other thing that affects it and this is not --
15 well, I guess it would be fact-based, but when people
16 learning the trade in Washington go through an
17 apprenticeship where they get more exposure to formal code
18 training, theory training, laws and rules training, they're
19 more prepared for the exam, and they have a higher pass rate
20 than those folks that are just following an on-the-job path.

21 So since the apprenticeship laws have been
22 implemented -- they're not fully implemented, meaning that
23 there's an allowance in there for OJT trainees to kind of
24 funnel through the pipeline until July 1, 2026. Until
25 July 1, 2026, what happens is that you can complete your



1 on-the-job training path and qualify for an exam until that
2 date.

3 So what happens is that after that, you're going to
4 have to complete the education and experience requirements
5 of an apprenticeship in order to qualify for the 01 exam.
6 That's going to kind of change the pool and may affect the
7 pass rate in the future, but right now we're not seeing a
8 lot of effect on that.

9 Something also that you were provided earlier with is
10 the -- we have the exam contract that's out for bid
11 essentially. It's a no-fee contract and that it is -- we
12 don't have a say in when it goes out for bid. That's
13 something that other State agencies regulate. The new
14 contract is a nine-year contract. It could be up to a
15 nine-year contract, and then we'll be putting it out again
16 for bid. There's a lot of parameters in that, in that
17 contract. If you look in the RFP under section -- I believe
18 it's 5.1, it really drills down on what we're looking for
19 with a provider. So it's a lot like what we have now.

20 One of the things that we're correcting is we've had
21 kind of two systems. We've had a system for electrical
22 administrators, and that's an exam that's accessible to
23 anyone. And the fact that it's accessible for anyone
24 without any knowledge of the Department means that we have a
25 hard time communicating with a testing agency on results.



1 There also bits of law changes that have to do with use
2 of social security numbers. Historically, before those law
3 changes, we used social security numbers as the unique
4 identifier for candidates, with the exception of
5 administrators because no application was required.
6 Administrators did use that information with the testing
7 firm because if you ask somebody to make up a 9-digit
8 number, there's the possibility that two people might make
9 up the same 9-digit number. All 1s, all 2s, you name it, it
10 can happen, and it can cause havoc.

11 Well, since those laws changed, we reconfigured our
12 systems to create an exam unique ID number for people based
13 on their social security number. In other words, their
14 social security number goes in, the computer spits out a
15 unique ID based on that. It's one unique number generating
16 another unique number that has no relationship, but it's
17 evidently guaranteed to be unique, and it's great.

18 Well, that works for certified electrician candidates,
19 but it doesn't work for administrators currently. We still
20 instruct administrators to use their social security number
21 with the testing firm. The testing firm does not divulge
22 that social security number to the Department. So we're in
23 conformance with the laws, but people are still sensitive
24 about it. We've received some complaints.

25 So I guess the road I'm going down here is that with



1 this testing contract we're going to do -- we're considering
2 a little bit of a rulemaking. That's also on the agenda
3 here. If I can, I would like to just address this all at
4 the same time. It's another agenda item under rulemaking or
5 we can wait to skip. It's the chair's preference. How
6 would you like to proceed?

7 CHAIR JENKINS: I think we're going to proceed
8 with explaining both. That kind of kills two birds with one
9 stone.

10
11 EXAM PROVIDER UPDATE, LARRY VANCE

12
13 MR. VANCE: Okay. So what we -- we've talked with
14 our IT department because we have it all set up for
15 electricians, it's just a matter of creating another form
16 for administrators. And what an administrator candidate
17 would do is they don't need L&I approval to take the exam.
18 That's -- there's no reason to review somebody and, you
19 know, qualify for -- they're not qualifying for the exam.
20 It's open to anybody.

21 What we want them to do is apply to obtain a unique
22 exam ID, and that will be something that is instantaneous.
23 They fill out -- essentially fill out the online form, which
24 is the required fields to be certified as an administrator,
25 in other words, your name, your address, your social



1 security number, blah, blah, blah, the things that are
2 required, and you receive your exam unique ID number. They
3 communicate that to the testing vendor. The testing
4 vendor -- then we have that information; the testing vendor
5 has that information; and we can now exchange information
6 based on this, the knowledge of who this person is.
7 Something we don't have today. So that's a real make sense
8 thing.

9 The complexity that's added by having these two sets of
10 rules that we currently have. The administrators that we
11 don't know who they are, the complexity comes in that there
12 are people taking electrician certification examinations and
13 taking administrator examinations at the same time, and that
14 is just causing -- it's causing some issues. So having it
15 all work the same is going to simplify it for us and the
16 vendor. So that's kind of -- that's kind of where that
17 consideration of a rule change -- that's the basis for it.

18 There's one other thing that we've encountered that
19 is -- it's essentially -- we've kind of identified it as
20 waste. And so the process is somebody applies to the
21 Department for an electrician examination for approval. We
22 review their record and we approve them if they're -- if
23 they've met the qualifications, and that approval is good
24 for a year. It expires in a year. Sometimes people don't
25 even attempt the exam in that one-year period.



1 Let's say there's somebody that's considering traveling
2 to this state, for instance, or let's say they've -- for
3 whatever reason, life happened. They left the industry.
4 Who knows. The result of that, though, is their exam
5 approval expires. And when it expires, they try to reapply
6 online, and it says, "You have an open record on file."
7 They notify us. We notify our IT department, who has to go
8 in there, manually reset their record so that they can apply
9 online.

10 They go ahead and they apply online. Their application
11 lands on a work list. A staff member -- when a staff member
12 gets to it -- because this is just a workload issue -- when
13 they get to it, they'll look at it and they'll say, "This
14 person has been previously approved," and they will approve
15 the application. We have their money. They've been
16 previously approved. There you go. That might have taken a
17 week, two weeks, maybe four weeks for that portion to
18 happen.

19 What this is is that this is just -- we just look at it
20 as why are we doing this? I mean, if you're approved for
21 the exam, you're approved for the exam. What's a -- why are
22 people -- why are people taking longer than a year? And a
23 lot of the people that are taking longer than a year are
24 people with special accommodations for exam. Maybe it might
25 be a language issue. It could be dyslexia. It could be



1 exam anxiety. We have all these ADA requirements that we
2 have to stay in compliance with.

3 So that's even more complex because when someone has an
4 accommodation, we have to communicate that accommodation to
5 the testing vendor. The testing vendor then needs to
6 contact that person so that they can schedule an exam that
7 conforms with their accommodation, whether it be additional
8 time or whatever the accommodation is. So we're doing all
9 this work, and we're asking ourselves, "What are we gaining
10 by limiting it to one year?"

11 And kind of looking at the exam -- the exam reports
12 here, most candidates get through it in, you know, a couple
13 of attempts. Some straight through. Others, you know, it
14 takes a few attempts. So what we're considering is is that
15 while we still understand that we want to have some
16 limitation on it, what we're looking at is just changing the
17 rule to make exam approval a two-year period -- a two-year
18 interval rather than a one-year interval.

19 We still have the same parameters in place as far as we
20 don't want anybody harvesting questions. If you fail the
21 exam three times -- if you fail to pass the exam in three
22 attempts, you will then wait three months in between, just
23 like it is today. We don't want the exam to be a training
24 tool. And it's -- the question bank is so vast that you
25 can't -- it's not like you're going to go in and -- you're



1 not going to ever see the same exam, so we feel that there's
2 no risk. And what we do is remove waste by increasing the
3 interval to two years.

4 So those are the two things, the change in how
5 administrators apply for the administrator's exam and how
6 the length of the exam approval interval -- those are two
7 specific things that we're looking at for rulemaking to
8 implement this new testing contract. So I just wanted to
9 kind of cover that. We don't have any draft language or
10 anything yet. It's just -- it's the contract is written
11 that way. So in order to implement the contract, we're
12 going to have to do the rules. So I just wanted to give the
13 Board a head's up on that.

14 Does anyone have any concerns or comments about that?

15 CHAIR JENKINS: Board Member Kerry Cox.

16 BOARD MEMBER COX: Thank you, Chair Jenkins.

17 I'm sure this has been addressed, Larry, but I need to
18 ask as a cyber security professional. I heard you say --
19 I'm assuming IT is who is creating these unique IDs. Is
20 that correct? Or is it the Department? Do you have an
21 application? Here's my concern or my question. If using
22 the social security number of the applicant to create a
23 unique testing ID, is that algorithm a standard known hash?

24 MR. VANCE: That is a question that I am not
25 prepared to answer. I know that --



1 BOARD MEMBER COX: Because AI will crack it in
2 about 3.2 seconds.

3 MR. VANCE: Really? Okay.

4 BOARD MEMBER COX: If you have an MD5 hash or any
5 other standard encryption and this is their unique ID and
6 somebody throws -- and for whatever reason something gets
7 breached and we don't have social security numbers but we
8 have all of these testing applicant IDs and AI throws all
9 the known hashes at it, all the known encryptions, and all
10 of a sudden now what was safe has now just exposed all these
11 social security numbers.

12 MR. VANCE: Yeah.

13 BOARD MEMBER COX: So I don't know if that needs
14 to go back and it just needs to be a question on the table
15 or...

16 MR. VANCE: Yeah.

17 BOARD MEMBER COX: Sometimes today IT folks take
18 shortcuts to get to the end result quicker. I understand
19 that.

20 MR. VANCE: Right.

21 BOARD MEMBER COX: Sometimes they don't think
22 about some of these security things, so that's my only
23 question.

24 MR. VANCE: I will -- I will bring that back to
25 our IT crew and have a response at the next meeting.



1 BOARD MEMBER COX: Perfect. Thank you, Larry.

2 BOARD MEMBER TUMELSON: Hey, Larry, James Tumelson
3 here.

4 MR. VANCE: Yes, sir.

5 BOARD MEMBER TUMELSON: My question had to do
6 with -- and you may have covered it. I might have missed
7 it. So once you take your first examination -- let's say
8 you successfully complete for master exam the code, theory,
9 and State test. Are you saying that the time frame would
10 then be two years to wrap up the remaining load calculation
11 portion, or is this just allowing two years to be able to
12 get the tests done in?

13 MR. VANCE: Your approval lasts for two years.
14 How many times you fail the exam within that period will
15 control the -- it will affect how often you can attempt the
16 exam, meaning that if you attempt the exam, you have to take
17 all sections the first time you attempt the exam. If you
18 fail a section, you can -- for that two-year interval you'll
19 be able to test on just that section.

20 If you've failed three times to pass the exam in that
21 period of time, you're going to get into the three-month
22 testing interval. And that three-month testing interval,
23 that will prevail until you've successfully passed the exam,
24 even when you get renewed for another two-year testing
25 period. In other words, if you're a person that -- and



1 those are all safeguards in there to keep people from taking
2 the exam every two weeks, for instance, protecting the
3 integrity of the questions.

4 So to answer your question, everything starts new every
5 two years. If I don't pass my exam in two years --
6 currently one year -- I have to reattempt the entire exam on
7 my first sitting. And then if I fail a section, I can
8 retake that, but there's just such complexity with a lot of
9 candidates today that have special accommodations.

10 We're spending an inordinate amount of time
11 communicating back and forth with a vendor, and that's
12 triggered, of course, by exam approval. And what we're
13 trying to do is take some of that workload off of ourselves
14 something that was never anticipated. It just is a
15 condition of today's world, but it really doesn't change any
16 security aspects of the exam as far as maintaining the
17 question bank.

18 BOARD MEMBER TUMELSON: Yeah. My question just
19 had to do with the fact that, you know, back when we were
20 taking exams and stuff, you kind of knew you had this
21 pressure cooker. You got to get this done within this
22 one-year period of time; otherwise, you've got to do all
23 three sections again. So that's where -- I didn't know if
24 it was, like, two years from approval. And then once you
25 take your first portion of the exam, you've got one year to



1 finish that thing up or if it's just a blanket two years.
2 I'm just trying to understand where the start/stop clock
3 exists in that.

4 MR. VANCE: Yeah. If you wanted to -- if you
5 attempted the entire exam and found that you were
6 unprepared, maybe you just passed a section of it but found
7 that you were unprepared and you wanted to get some
8 education, maybe six months later you want to take --
9 schedule the exam again, under today's one-year exam
10 approval period, it's kind of hard to get all of that done
11 in a year.

12 And really all we're doing is rubber stamping the
13 second exam approval or third -- subsequent exam approvals.
14 We're just looking at are you approved? Yes. There you go.
15 They pay us a fee. We spend -- especially with special
16 accommodation candidates, we spend a lot of time just --
17 we've -- like I've said, we've identified it as waste. It's
18 not something that's -- this is directly attributed to Labor
19 and Industries's Goal 3, which is making it easier to do
20 business with L&I. In other words, why are we making people
21 reapply for an exam approval when all we're going to do is
22 look at their previous exam approval, take their money, and
23 approve them for the exam again. So that's what we're
24 looking at.

25 BOARD MEMBER TUMELSON: Okay. Thank you for that.



1 It sounds like a leaner process that kind of streamlines it
2 and simplifies it. So that's what it sounds like anyways.

3 MR. VANCE: Yeah, yeah. Nope. That's what we're
4 looking to do.

5 Other than that, if there's no more questions, I don't
6 really have anything more to add on the whole exams and exam
7 contracts and I think there's two different -- we've
8 satisfied two different agenda items here.

9 CHAIR JENKINS: This is Chair Jenkins. Your
10 No. 5, it kind of reads -- do you need the Board's motion to
11 move forward with this, or are you just explaining stuff to
12 us?

13 MR. VANCE: Well, I'm just providing you
14 information. The Board does have purview over examination
15 for electricians and administrators. So if the Board feels
16 compelled to make a motion supporting our -- the
17 Department's activities, I don't see any reason we would be
18 opposed to that.

19 CHAIR JENKINS: Okay. So the chair entertains a
20 motion to support this direction, the changes.

21 BOARD MEMBER NORD: Board Member Nord, I make the
22 motion.

23 CHAIR JENKINS: We have a motion.
24 Do we have a second?

25 BOARD MEMBER ISAACSON: Board Member Isaacson,



1 I'll second.

2 CHAIR JENKINS: Board Member Isaacson a second.

3 Any discussion? Hearing none, all in favor indicate by
4 saying "aye."

5 (Chorus of ayes.)

6 CHAIR JENKINS: Any opposed? Motion passes.

7 Thank you very much thank you for that.

8 MR. VANCE: Thank you Board Members, Chairman
9 Jenkins.

10 CHAIR JENKINS: All right. I'm assuming that was
11 your Item No. 4 and Item No. 5 of our agenda today.

12 MR. VANCE: Yeah, it was a subsection. There's
13 still some rulemaking updates, but I'll leave those to
14 others.

15 CHAIR JENKINS: Okay. So we are on Item -- once
16 again, thank you very much, Technical Specialist Larry
17 Vance. We really appreciate your input and your historical
18 aspect of the stuff.

19 MR. VANCE: Thank you.

20

21 RULEMAKING UPDATES, RANDY BARNES

22

23 CHAIR JENKINS: Moving on to Item No. 6,
24 rulemaking updates, I don't have anybody assigned to this.
25 I'm assuming the chief has someone set up for this one.

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1 MR. BARNES: That's correct. It would be Randy
2 Barnes today.

3 CHAIR JENKINS: All right. Randy Barnes.

4 MR. BARNES: I'm the technical specialist for
5 Wayne Molesworth. Thank you, Chairman Jenkins and Board.

6 I just have a brief rulemaking update for you. We have
7 a fee increase that was approved that went into effect on
8 July 1. This is the 6.41 percent fee increase that affects
9 WAC 906, 909, and 911, so inspection fees, license
10 certification, administration, and electrical testing labs
11 and engineering. Those went into effect July 1.

12 We have a couple of proposed rulemakings that have been
13 posted. We posted a CR-101 that was mentioned at the last
14 board meeting. This would be the rulemaking for the
15 adoption of the NEC, the 2026 version of the NEC on
16 December 31st.

17 The second portion of that would be modification of the
18 temperature restriction for type NMB cable for size No. 8
19 and over. This is a modification to NEC 334.80.

20 And the third one would be clarifying the deadlines for
21 reporting hours of experience for our trainees. As I
22 stated, a CR-101 was posted. The draft rule language is
23 also posted on our website on the laws and rules page.

24 The next step for this would be in September roughly.
25 Our CR-102 would be filed and then that would open the



1 public comment period.

2 Sometime after that, probably in Octoberish, we would
3 have a public hearing for those three rulemakings.

4 CHAIR JENKINS: All right. Any questions from the
5 Board?

6 Yes, Board Member Gregory Johnson.

7 BOARD MEMBER JOHNSON: Yeah. With the next
8 edition of the National Electric Code, I believe there's
9 going to be a major reorg. How does L&I anticipate that's
10 going to impact everyone at the Department?

11 MR. BARNES: The major reorg is actually in 2029.
12 We have a minor reorg, you know, that was kind of put in
13 motion in 2023, and in 2026 we will have a couple of
14 sections that are being moved. You know, load calculations,
15 for example, would be moved from 220 to 120, so there will
16 be some renumbering and relocation in preparation for that
17 2029 change.

18 You know, the code book will be released probably for
19 print in September, this September. And we will convene a
20 TAC, you know, for all of our WAC committee to make WAC
21 adoption changes or proposed changes. That would probably
22 start, you know, next spring and summer posting
23 notifications. So that gives everybody six to eight months
24 to review the new code book before we start putting out
25 proposals for WAC changes. And then some of that stuff, you



1 know, we realign the WAC to be in line with the NEC pretty
2 much every time it comes out.

3 CHAIR JENKINS: Thank you.

4 Any other questions from the Board? Seeing none, thank
5 you very much for your time. I appreciate your input.

6 Moving on to our Item No. 7, the secretary's report,
7 Chief Wayne Molesworth.

8
9 SECRETARY'S REPORT, WAYNE MOLESWORTH

10
11 SECRETARY MOLESWORTH: Thank you, Chair Jenkins.
12 I appreciate that.

13 I will go ahead and read the secretary's report into
14 the record. July 31, 2025, first off we'll start with the
15 budget. This budget report includes primarily data for
16 fiscal year 2025 through July 1 -- from July 1, 2024,
17 through June 30, 2025. Due to end of fiscal year
18 accounting, June 2025 data is incomplete at the present
19 time.

20 As bills continue to be processed, we expect an
21 additional \$200,000 to \$300,000 in expenditures for June
22 2025 that is not reflected in this report and will reduce
23 the electrical fund balance reported below by that amount.
24 Also, the electrical fund is expecting a \$6 million
25 reduction because of the approved State -- the approved



1 State budget. A more accurate fund balance will be reported
2 in the October meeting.

3 The electrical fund balance on June 30, 2025, was
4 \$19,435,364, which is about 6.9 times the average monthly
5 operating expenditures. After the \$6 million fund
6 reduction, we project we will have about 4.7 times the
7 average monthly operating expenditures. The average monthly
8 operating expenditures for fiscal year 2025 was \$2,932,744
9 compared to \$2,937,177 for the same period last year. This
10 is a decrease of about .0015 percent.

11 Average monthly revenue for fiscal year 2025 was
12 \$3,360,095 compared to \$2,834,416 for the same period last
13 year, an increase of about 19 percent. The reason for this
14 increase is due to a corrected revenue reporting issue from
15 previous fiscal years as well as a fee increase beginning in
16 July 2024.

17 June 2025 customer service, we had 46,044 permits were
18 sold last quarter. 98.5 percent or 45,344 were processed
19 online, which is a decrease of .2 percent from last quarter.
20 99.7 percent of contractor permits are sold online, which is
21 the same from the previous quarter. Homeowners online sales
22 for this quarter were at 83.4 percent, which is a
23 1.4 percent decrease from the previous quarter.

24 Online inspection requests are 77.8 percent, which is a
25 1.6 percent increase from last quarter.



1 During this quarter, customers made 91.1 percent of all
2 electrical license renewals were online, which is a
3 .1 percent decrease from last quarter.

4 We'll move to key performance measures. This is from
5 July 1 to June 30, 2024 to 2025. Percent of inspections
6 performed within 24 hours in 2024, the same time frame, we
7 did 78 percent, and currently within 24 hours we're doing
8 81 percent. Percent of inspections performed within 48
9 hours of request, 90 percent, and in 2025, 93 percent.
10 Total inspections performed last year was 263,058. This
11 year was 263,159.

12 Virtual electrical inspections, VEI, performed, VEI
13 performed last year this time frame 47,828. This year
14 50,635.

15 Number of focused citations and warnings, contractor
16 licensing, worker certification, no permit, failing to
17 supervise trainees -- and please keep in mind as I read this
18 into the record that currently we have a staffing issue in
19 citations. We do not count the citations until actually
20 they are issued from the department.

21 So in 2024 the field had 266- -- 2,647. Ecore audit
22 was 11,619 for a total of 14,266. Currently citations that
23 were issued in the field, 1,219; Ecore, 3,604 for a total of
24 4,832.

25 Inspection stops per inspector per day, last year at



1 this time was 11.3. This year is 11.7.

2 Serious electrical corrections that would result in
3 disconnection, last year was 38,275. This year was 33,622.

4 Turnaround time for average plan set reviewed in plan
5 review, the goal was 1.6 weeks. Last year at this time it
6 was two days. And as we remember, we went to an electronic
7 plan review. It made all the difference in the world for
8 the time. Currently it stands at 1.4 days for review.

9 Plan pages reviewed all electronically, last year was
10 4,678. This year was 4,763.

11 Percentage of warning by focused violation type,
12 licensing was .6 percent; certification, 6 percent; permit,
13 14 percent; trainee supervision, 5 percent; and all focused
14 was 8 percent. The note here is the data above reflect
15 citation warnings issued from July 1, 2024, through
16 February 28, 2025. Citations processing has been delayed
17 due to having no staff in the citation desk for the
18 electrical program since December of 2024.

19 Electrical licensing, citations, amusement rides, and
20 appeals -- before I read this, I want to make a comment
21 about this section and the staff that work in this area. A
22 lot of times they're referred to as support staff, but I
23 want to make sure and in the record to recognize the staff
24 that work in licensing, citations, amusement rides, and
25 appeals are not support staff, but they are doing critical



1 functions of the Department. And so they're a very
2 important part, and without these individuals, we couldn't
3 do a good portion of what our program is responsible for.

4 So as of 7/24/25 there are approximately 975 items
5 waiting to be processed by the licensing team. The oldest
6 item is the dated 5 -- I'm sorry, May 29, 2025. About 930
7 of these items waiting to be processed are affidavits. The
8 teams have -- the team has made great strides to decrease
9 the backlog, but the numbers continue to climb primarily due
10 to staffing.

11 In addition to processing documents, licensing staff
12 are responsible for answering all incoming electrical
13 licensing phone calls. For the time frame between 4/1/25 to
14 June 30, 2025, they received 5,553 calls. This does not
15 include inbound calls to their direct lines or outbound
16 calls made to customers. This also does not include calls
17 from our partners in regional office locations that need
18 help when customers are in person with questions.

19 Both of the citations and amusement ride positions are
20 currently vacant, as well as the appeals position. Due to
21 the recent directive of the governor 24-19, we are unable to
22 hire any positions. Amber Bac and Jenn Dietrich are working
23 together to cover the urgent items for citations, appeals,
24 and amusement ride work. Response times are greatly
25 delayed. Some work is halted altogether.



1 I will make an additional comment here is that the
2 appeals position and one of the citations positions have
3 been approved through an exception process to be recruited
4 for, and the recruitment hopefully will be by the end of
5 this week or first part of next week they'll go out.

6 That's it for the secretary's report except for the
7 last part. Is there any questions about what we've
8 discussed so far?

9 CHAIR JENKINS: Board Member Kerry Cox.

10 BOARD MEMBER COX: Thank you, Chair Jenkins.

11 Yeah, a question for you, Wayne. And we may have and
12 probably did cover this in previous board meetings, so
13 please forgive my lack of recall. On the score card goals,
14 No. 1, 2, 3, and 4, those are great numbers. I mean, it
15 looks like they did about 100 more inspections and, you
16 know, had a 3 percent increase in the time that we did them.

17 My question is do those inspections -- are they just
18 the on-site inspections, or is that a performance indicator?
19 The number of inspections within 24 hours, number of
20 inspections within 48, does that include VEI, or VEI is,
21 like, right then, right now. That's not included in that
22 score. Is that correct?

23 SECRETARY MOLESWORTH: Well, that should be
24 included in that score -- right? -- so that we're looking at
25 all inspections equally, and so I may have to check on that.



1 If it's not, it should be. Those are inspection numbers
2 that are reflecting the work that the program is doing, not
3 just an individual part of the program. So...

4 BOARD MEMBER COX: Okay. So they've done -- this
5 year they've done -- it looks like -- maybe just over --
6 what? -- 310,000 total inspections, if we include VEI. And
7 then we've had about a 3 percent increase in getting those
8 accomplished quicker. Is that how I'm to understand that,
9 Wayne?

10 SECRETARY MOLESWORTH: Yep, yeah.

11 BOARD MEMBER COX: Great.

12 SECRETARY MOLESWORTH: Certainly an increase. One
13 of the things that is interesting about this is that we have
14 had -- holding several positions in the field because of
15 budget constraints and other issues. We also have
16 currently -- I'm going to cover in a minute the VEI growth
17 that we're working towards. And so we may see a greater
18 increase in this.

19 But, you know, across the Board for the last few
20 months, we've also been seeing a decrease in number of
21 permits sold and number of inspections, and so that's a
22 little concerning. I'm sure that those of you engaged in
23 the construction industry, which is most of you, also see
24 that, a little bit of a slowdown out there. And so we just
25 have to keep our staffing levels at a point where we can



1 control them and not have to be doing any type of layoffs in
2 the future.

3 So I know that people are concerned about holding
4 positions, but we're just trying to be responsible with the
5 positions that we have and ensure that they're going to
6 remain there, let's say. But that being said, we've also
7 seen an increase in the percentage of 24-hour increase and
8 number of inspections that we've completed. So I commend
9 the field staff and the VEI staff for really being out there
10 and understanding that there's work to be done and being
11 committed to it. So...

12 CHAIR JENKINS: All right. Any other questions
13 from the Board members?

14 BOARD MEMBER TUMELSON: Chief Molesworth, James
15 Tumelson here. You mentioned the reduction or the decrease
16 in ECORE and that type of stuff. The positions that are
17 going to be going out, you said as early as next week, is
18 that supposed to bring those numbers back into alignment of
19 2024? Is that the intent?

20 SECRETARY MOLESWORTH: Yeah. They'll start to
21 because once we get those individuals trained, they'll be
22 able to be moving those and processing those citations
23 faster. Right now Jenn Dietrich, who is sitting behind you,
24 and also Amber Bac are trying to do that in conjunction with
25 their other duties, very hard to do, but you've got a couple



1 of committed people there in the room with you right now.
2 So we appreciate the work that they do in addition to that.

3 It's a pretty stringent process to get exceptions, and
4 we're working on trying to get those approved with
5 anticipation of other positions moving around -- right? --
6 so that we don't take one problem, move it into another,
7 but, yeah, they should come down.

8 Jenn, I think that we were sitting somewhere around
9 1,500 citations that could go out at this point. So when
10 you look at that, that's --

11 CHAIR JENKINS: She just passed on that was 1,800.

12 SECRETARY MOLESWORTH: Okay. 1,800 that can go
13 out and it climbs -- right? -- because ECORE and the field
14 are out there and they are writing citations and they're
15 making people aware, but it's very important that we get
16 those issued so that people change their behavior. That's
17 really the only reason we do this is to keep that level
18 playing field, being able to change behavior in the field
19 so -- with customers.

20 Does that answer your question?

21 BOARD MEMBER TUMELSON: Yes, thank you.

22 SECRETARY MOLESWORTH: Long winded answer. Sorry.

23 BOARD MEMBER TUMELSON: Well, for someone that
24 gets to manage code enforcement as well, there's never
25 enough people. That's just the facts. So...



1 SECRETARY MOLESWORTH: Yep, yep.

2 Any other questions? So I'll move on a little bit to
3 talk about testing labs. I'm not aware that we have
4 approved any other new testing labs. We've already talked
5 about the legislation that's passed.

6 Some additional program updates, I've got just a few
7 things I wanted to mention just so that people are aware,
8 and if you hear any kind of rumors, well, you've heard it
9 from us as well. I'm trying to get my update stuff to come
10 up. So I had a conversation earlier this week with somebody
11 that was concerned that I was going to retire in the near
12 future, and I wanted to let you guys know that even though
13 I'm an old guy, my retirement isn't coming anytime soon, but
14 I will give the Board plenty of notice and the Department
15 plenty of notice when I decide to retire, so it's not going
16 to be any time soon.

17 And I'll give you a little update. I think it's common
18 knowledge at this point within the Department, but there's a
19 restructuring going on, a reporting structure. If you
20 haven't been made aware, the reporting structure for the
21 electrical program will now be the entire Department will
22 report up through the chief. And so they will -- the field
23 inspectors will no longer report to regional administrators.
24 They're going to report up through the chief, and we're
25 currently putting together a structure for what that will



1 look like and how we're going to fund it. So that's coming.
2 That's Phase 3 of an overall program or overall FSPS field
3 services and public safety restructuring of the reporting
4 structure. So probably late fall, early next year before we
5 actually enter into the part where we actually move this
6 along for the electrical program.

7 And so I told them I would stay and help with that
8 reorganization. I'm really only one of three that still
9 works for the Department when we did have assistant chiefs.
10 Some of you may remember that we had a chief, assistant
11 chiefs that ran the program, and so there was some good
12 advantage to that. We want to take the good from that and
13 leave out the bad from that. And so with that historical
14 knowledge, I thought it would be a good thing to stay and
15 make sure that gets implemented.

16 So then we go to VEI growth. VEI, we've got a couple
17 of retirements, and we've also been given four additional
18 positions. So we are in the process of hiring those
19 positions, and so that should get us up around 15 VEI
20 inspectors. We plan on expanding the scope of inspection to
21 some different types of inspections that can fall within
22 that, but it's going to really increase the volume coming
23 through VEI, which, in turn, will help reduce the number of
24 inspections out in the field, and what you hopefully see is
25 an increase in our 24-, 48-hour response times because of



1 that in the field as well. So looking forward to that.
2 We've already hired two of the -- total of five and we're
3 going to hire two this session. Second round interviews are
4 Friday and then we can get to training and so looking
5 forward to that.

6 VEI brings a level of efficiency and customer service
7 for the contractors that even though we can try all we want
8 to for -- in the field and do the best job we can, we can't
9 reach that level of efficiency because of the miles we have
10 to drive and the other complications with field inspections
11 that aren't part of inspection, but it does take up time.
12 So it's a very efficient process.

13 The past governor and the director tasked me with
14 getting us to 30 percent of our inspections by the end of
15 five years, and at that time that gives me about eight
16 months left to do that, and we're sitting at about
17 22 percent right now of all inspections done are done with
18 10 percent of the staff and done within 24 hours. So
19 they've got a good record going. A good group of guys there
20 and ladies. Sorry. Good group of inspectors. There. That
21 will keep me out of trouble.

22 So I also wanted to let you know and maybe we have
23 already, but the FLR process where we did a reconsideration
24 for people that we weren't able to accept their hours
25 because of whatever reason, mostly because they were late in



1 submitting their hours for -- to apply for a certification
2 test, that process now has been terminated. It went for a
3 year or so. They realized that the program is doing a
4 pretty good job of understanding. They only overturned one
5 of our divisions in the program, and we agreed with that
6 because there was additional information that was brought to
7 our attention. But otherwise every reconsideration they did
8 they found that the program acted accordingly. So that
9 process now is -- has been terminated. So it's no longer in
10 use.

11 Okay. I think that was about all I wanted to share,
12 unless you guys have additional questions for any other
13 program business that you might be interested in.

14 CHAIR JENKINS: Real quick from me, from Chair
15 Jenkins. You mentioned VEI, the scope can be expanding.
16 Can you give any hints or any ideas of what we're looking
17 at?

18 SECRETARY MOLESWORTH: Yeah. You know, with the
19 influx of electrification, we're looking at doing all kinds
20 of different things relating to that. And one of those
21 might be -- and it's still in the works and they can't use
22 it now -- but that's solar voltaic systems, and primarily
23 for a safety reason a number of inspections we could do
24 that, one inspection with VEI with zero miles to drive and
25 not have to get on a roof. Currently our staff don't get on



1 roofs because of the hazard involved. And so this would
2 allow us to look at all parts of that photovoltaic system as
3 well and in a shorter amount of time. So there's an
4 enormous amount of that work going on. We're looking at
5 creating a separate little VEI unit just for this type of
6 work. So...

7 CHAIR JENKINS: And any --

8 SECRETARY MOLESWORTH: With some extensive
9 training for those individuals. So...

10 CHAIR JENKINS: Any ideas when you might see this
11 put in place? Is this something looking at months or
12 multimonth?

13 SECRETARY MOLESWORTH: I would say months. First
14 of all, we have to get the people in, get them trained, get
15 everything moving well, and then start to pull more
16 experienced people out to create that unit -- right? -- or
17 people with the solar voltaic experience, pull them out to
18 create something like that. So I'm thinking that still this
19 year is a possibility.

20 CHAIR JENKINS: All right. Thank you.

21 Board Member Kerry Cox.

22 BOARD MEMBER COX: Thank you, Chair Jenkins.

23 I want to touch briefly on the \$600 -- excuse me, the
24 \$6 million fund sweep. Wayne, did you have any
25 conversations or any -- receive any kind of feedback at all



1 from anyone in the legislature regarding the letter that
2 Chairman Jenkins sent on behalf of the Board explaining very
3 clearly the detriment to the program? Was there any
4 hesitation at all, or was it simply, no, we need it. We're
5 taking it. Can you address that at all?

6 SECRETARY MOLESWORTH: Yeah. You know, Kerry, I'm
7 trying to think if we received -- because I had heard some
8 things but not from the legislature. I think that the IBEW
9 supported the -- supported that letter. They knew of the
10 letter, and they spoke in favor of the letter, but I don't
11 know what the legislature -- how they made their
12 determination. I didn't get any feedback directly from
13 legislators about it or any questions about it. So...

14 BOARD MEMBER COX: Thank you.

15 CHAIR JENKINS: Any other questions from the
16 Board?

17 Board Member Gregory Johnson.

18 BOARD MEMBER JOHNSON: So you mentioned solar.
19 With that, a lot of folks are putting in -- well, maybe not
20 a lot, but some folks are starting to put in battery
21 storage. There's some new requirements in a related code,
22 the International Residential Code, on the location on those
23 in Article R328. Is that something that L&I's looking at?
24 Because a lot of times people install the batteries after
25 the fact and so they're just pulling an electrical permit,



1 but they don't pull a building permit. And so is anyone
2 looking at the location to make sure those are in
3 compliance?

4 SECRETARY MOLESWORTH: So if the location isn't
5 listed in the electrical law, we would make a suggestion
6 just like we would with smoke detectors to the individual.
7 Remember, you know, you have to have one in every bedroom,
8 hallway, and large living area, but we wouldn't write a
9 correction for it unless it's under 1928 jurisdiction. And
10 so if it's a building code, as far as the location of those
11 storage systems, then that would be up to the building
12 department to assure that that's being taken care of.

13 We may, you know, make sure and call the building
14 department in cases say, "Hey, I don't know if you know
15 this, but we got a permit for, you know, a storage system
16 here. We didn't see a building permit there for it." But
17 it's outside of our jurisdiction if it's not part of 1928.
18 So...

19 BOARD MEMBER JOHNSON: The same thing exists in
20 commercial for the International Fire Code. There's new
21 requirements that were recently put in. A little bit less
22 concern in commercial because usually you have more
23 qualified folks installing. Residential is where things get
24 missed. I'm wondering should we have some mechanism?
25 Because right now if you wanted to add a solar with



1 batteries to an existing home, they're not required to pull
2 a building permit. Is there some way we should trigger a
3 building permit review or something? Because that seems
4 like a big gap that people could be putting batteries in
5 hazardous locations.

6 BOARD MEMBER TUMELSON: I'll jump in there, Wayne,
7 if you would like. James Tumelson here.

8 SECRETARY MOLESWORTH: Yeah.

9 BOARD MEMBER TUMELSON: Being a building official
10 and a fire official myself, building departments do require
11 photovoltaic permitting. While the scope of the review is
12 primarily firefighter access to the ridge for ventilation
13 purposes, if there are energy storage devices. So you
14 mentioned 328 of the IRC, those are things that we would be
15 reviewing and ensuring that they meet the regulations of the
16 residential code, and those of us that get the privilege of
17 overseeing the fire code also would be keeping them
18 accountable to that as well. And so most jurisdictions do
19 that, and the jurisdictions that have their own electrical
20 program probably, you know, one house, one entity do it a
21 little bit better.

22 But to Wayne's point, I have a very close working
23 relationship with the Department of Labor and Industries and
24 can communicate anytime with the field inspection staff.

25 BOARD MEMBER JOHNSON: Thank you for that, those



1 comments. I just want to make sure we're not missing
2 something, especially since there's changes recently in the
3 other codes.

4 SECRETARY MOLESWORTH: I was just going to mention
5 too, Greg, if they are in a hazardous location, we have
6 certain requirements as well, and we would enforce those.
7 They're going to be different than what the building code is
8 probably, but the building code would take precedent.

9 CHAIR JENKINS: All right. Any other questions
10 for the chief from Electrical Board? All right. Thank you
11 very much for your time. I appreciate your input. This
12 is -- once again, we appreciate your background and being
13 here. So...

14 SECRETARY MOLESWORTH: Are you sure?

15 CHAIR JENKINS: Oh, no. We are very happy you're
16 here. Thanks for letting us know if you decide to retire
17 any time soon.

18 SECRETARY MOLESWORTH: You hesitated there, Jason,
19 so -- no. I apologize for interrupting. Thank you. I
20 appreciate that.

21 CHAIR JENKINS: Apparently we have Technical
22 Specialist Larry Vance who was going to chime in but
23 couldn't get the hand to come up.

24 So Technical Specialist Larry Vance, are you there?

25 MR. VANCE: Yes. Yes, I am. Thank you, Chairman



1 Jenkins.

2 CHAIR JENKINS: The floor is yours.

3 MR. VANCE: Yes. Randy Barnes was communicating
4 with our IT group and found out that the social security
5 number is not the primary driver or even used to generate an
6 exam unique ID number, to answer Board Member Cox's question
7 there. So it's the year. It's initials. It's -- you know,
8 it's not tied to anything that's going to be valuable to
9 anybody that decides to crack it. So that should -- that
10 should alleviate any concerns about social security numbers.

11 And I just wanted to throw one update in there. We've
12 previously reported on passage of 5528. 5528 was a law that
13 implemented a requirement for training in order to install
14 electrical vehicle supply equipment. It specifically called
15 out EVITP certification, and EVITP is a national program
16 that's in place currently, and it's EVITP certification or
17 equivalent. And so this put us in the position in order to
18 implement this law, the law did provide us authority to make
19 rules and we are proceeding with that, just for the Board's
20 information.

21 We're actually fairly soon filing a 101 and what -- all
22 it's going to do is insert -- kind of parrot the law into
23 the rules so that it's not just a requirement hiding over
24 there in the law. And it's going to define a few things,
25 like what is an equivalent program? Is that -- what is



1 that? So we're just putting some guardrails on some things
2 so that everybody understands what it is and letting them
3 know that if you don't have EVITP certification or
4 equivalent, that it is a violation of the law, and it's just
5 so we can enforce it.

6 It's not a big lift, but we're quite close on draft
7 language and just that will be on your radar and probably
8 have more discussion about this at the next Board meeting.
9 Just want to throw that out there for you.

10 CHAIR JENKINS: Thank you very much for getting
11 back so soon. It's nice to get that at this meeting.

12 MR. VANCE: Oh, yeah. Thank Randy Barnes. He was
13 on it.

14 CHAIR JENKINS: Thank you again.

15 All right. Any other questions before the -- from the
16 Department for our Electrical Board today?

17 Seeing or hearing none, thank you once again secretary
18 of the Board, Wayne Molesworth, and Technical Specialist
19 Larry Vance for piping in there.

20
21 PUBLIC COMMENTS

22
23 CHAIR JENKINS: It looks like we're going to move
24 on to our last item of the agenda here today is public
25 comment regarding not on the agenda, and it looks like we



1 have one person, Mr. Joseph Irons. Are you there and
2 wanting to speak today?

3 MR. IRONS: Correct.

4 CHAIR JENKINS: Okay. Would you please spell your
5 name for the court reporter, and after that, I'll give you a
6 15-minute window to do a presentation, if you would like.

7 MR. IRONS: Thank you. I will not need 15
8 minutes, but Joseph Irons, J-o-s-e-p-h. Irons, I-r-o-n-s.
9 A couple issues I want to bring up. One is, I guess, when
10 there's an issue on-site for compliance, I feel the
11 Department is not doing their due diligence in getting those
12 issues notified to the EC or GC in a timely matter. If
13 there's a compliance issue, I would ask that this Board
14 helps provide funding or staffing or whatever rulemaking to
15 help the Department get the notices more timely. I would
16 like to see a 10-day notice. The sooner an EC -- I'm a
17 general contractor, but as soon the EC or GC knows of a
18 compliance issue, the sooner they can become compliant.

19 We had an issue that took over 100 days to even get a
20 citation, a live citation written. We took it, appealed it,
21 won the appeal. It took about two years to get through that
22 process, but we wouldn't have gone through all of that
23 process if we would have known what the -- if we would have
24 had proper notice within 10 days of what the issue was, we
25 could have resolved it much sooner. So I feel it's a huge



1 waste of the electrical department's time, the AG's office
2 time, and frankly, the GC's and EC's time. So as soon as
3 there's a compliance issue, I would ask that your Board look
4 at how do you expedite those things to get notification to
5 the EC and GC so they can become compliant in a timely
6 manner.

7 The other issue we have, we have eight unresolved
8 complaints with L&I dealing with the ECORE department and
9 some of the ECORE inspectors and their actions taken. I
10 would ask that, one, the Department has a formal complaint
11 process. There was no complaint process, and this took us
12 several -- well, six, eight months driving up the chain to
13 even get something recognized to start addressing, and this
14 is going on an incident that happened May of 2023, so over
15 two years later, and we have eight unresolved complaints
16 against the Department that still aren't resolved. And
17 these could have been resolved much sooner, I think, if
18 there was a process in place.

19 So I would ask that the Electrical Board look at how
20 they can have a formal complaint process when an EC or GC
21 has an issue with a compliance officer when they're stepping
22 outside of their professionalism, when they're not acting
23 within the bounds of what we -- what they take an oath to do
24 when they sign their job offer and their operating
25 procedures.



So, again, those are the two issues I wanted to bring today, and I hope this Board is the right board to address. And if not, I know the right people on this call that can get it to the right people to get that moving forward. And I'm happy to answer any questions or provide any other feedback.

CHAIR JENKINS: All right. Thank you very much for your time and presentation to the Board. I appreciate that.

Is there anybody else that's looking for public comment at this point? Once again, anybody looking for public comment at this point?

Seeing and hearing none, the chair would entertain a motion to close the July 31, 2025 meeting.

BOARD MEMBER Nord: Board Member Nord, motion.

CHAIR JENKINS: We have motion.

Do we have a second?

BOARD MEMBER LEE: Board Member Lee, second.

CHAIR JENKINS: We have a motion and second.

Any discussion? Hearing none, all in favor to close the 20- -- I said that -- July 31, 2025, meeting all signify by saying aye.

(Chorus of ayes.)

CHAIR JENKINS: Any opposed? Motion passes.

Once again, thank you very much for the meeting.

(Concluded at 11:51 a.m.)

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C E R T I F I C A T E

I, REBECCA S. LINDAUER, a Certified Stenographic Court Reporter in and for the State of Washington, residing at Lacey, do hereby certify;

That the foregoing proceedings were taken before me and thereafter reduced to a typed format under my direction; that the transcript is a full, true and complete transcript of said proceedings consisting of pages 1 through 98;

That as a CCR in this state, I am bound by the Rules of Conduct as Codified in WAC 308-14-130; that court reporting arrangements and fees in this case are offered to all parties on equal terms;

That I am not a relative, employee, attorney or counsel of any party to this action, or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

That upon completion of signature, if required, the original transcript will be securely sealed and the same served upon the appropriate party.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of August, 2025.



Rebecca S. Lindauer, CCR No. 2402

Certified Stenographic Reporter



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