

SENATE BILL REPORT

SHB 2498

As Reported By Senate Committee On:
Labor, Commerce & Trade, February 22, 1996

Title: An act relating to uniform construction trade administrative procedures.

Brief Description: Providing uniform construction trade administrative procedures.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives Cairnes, Romero, Hymes and Cody; by request of Department of Labor & Industries).

Brief History:

Committee Activity: Labor, Commerce & Trade: 2/20/96, 2/22/96 [DPA].

SENATE COMMITTEE ON LABOR, COMMERCE & TRADE

Majority Report: Do pass as amended.

Signed by Senators Pelz, Chair; Heavey, Vice Chair; Deccio, Franklin, Fraser, Newhouse and Wojahn.

Staff: Erika Lim (786-7488)

Background: The Department of Labor and Industries administers registration and certification programs for a number of construction trades, including plumbers and electricians.

In order to work as a plumber, a person must hold a journeyman certificate, specialty certificate, or temporary permit. The department may revoke a plumbing certification under certain circumstances but does not have the authority to deny renewal or suspend certification. The department must personally serve notices of infractions of the plumbing certification statute, and the person has served 14 days to appeal.

Electrical contractors must pass an examination prepared and administered by the department. Alternatively, the department may contract with a professional testing agency to prepare and administer this examination. The department may assess monetary penalties for violations of the electrical contractors' statute, and persons who are assessed penalties have a right to appeal within 15 days.

The department may deny an application for renewal of a contractor registration if the applicant has an unsatisfied judgment in an action on the applicant's registration bond. All advertising showing a contractor's name or address must contain the contractor's registration number.

Summary of Amended Bill: The department may deny renewal or suspend a plumbing certificate under certain circumstances. The department must notify applicants of denial by

certified mail and applicants have the right to appeal. The department may serve notices of infraction in person or by certified mail, and the person served has 20 days to appeal.

A professional testing agency that contracts with the department to prepare and administer an electrical administrator's examination may collect fees on the department's behalf. The fee may cover but may not exceed the actual costs of preparing and administering the examination. A person who is assessed a penalty for violation of the electrical contractors' statute has a right to appeal within 20 days.

The department may deny an application for renewal of a contractor registration if the applicant has an unsatisfied judgment in any action based on the contractor registration statute.

A contractor's registration number may be omitted in advertising that is an alphabetized listing of names, addresses, and phone numbers.

Amended Bill Compared to Substitute Bill: The striking amendment corrects some archaic terms. It also changes the current requirement that a contractor's registration number be included in all advertising.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Section 2 contains an emergency clause; the remainder is effective 90 days after adjournment of session in which bill is passed.

Testimony For: The provisions of this bill will bring consistency to the citation, service, and appeals procedures in the department's three construction trades programs. It will also increase consumer protection by giving the department the authority to deny license or certification renewals for applicants with unsatisfied judgments.

Testimony Against: The bill as originally introduced contained language that clarifies a problem in the plumbing trade. This language has been removed from subsequent versions of the bill.

Testified: Representative Jack Cairnes, prime sponsor; Mark Brown, L&I (pro); Dan Sexton, WA State Assn. of Plumbers & Pipefitters (pro); Rick Slunaker, AGC of WA.