

SENATE BILL REPORT

SSB 6225

As Passed Senate, February 11, 2006

Title: An act relating to regulating the business of installing, repairing, and maintaining domestic water pumping systems.

Brief Description: Regulating the business of installing, repairing, and maintaining domestic water pumping systems.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Rasmussen, Honeyford, Haugen, Morton, Hewitt, Rockefeller, Pflug, Parlette, Shin and Oke).

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 1/17/06, 2/2/06 [DPS].
Passed Senate: 2/11/06, 41-0.

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: That Substitute Senate Bill No. 6225 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Parlette, Ranking Minority Member; Brown, Hewitt, Honeyford, Keiser and Prentice.

Staff: John Dziedzic (786-7784)

Background: A person who works on pumps for domestic water systems is regulated under a number of statutes, and must be (1) registered as a general contractor or the applicable specialty contractor(s) with the Department of Labor and Industries (L&I); (2) licensed as a journeyman or specialty plumber by L&I to install, alter, repair, or renovate a water system (not including water softening or water treatment equipment) or liquid waste systems, if the plumbing work is done within a building other than a pump house; (3) licensed as a specialty, journeyman or master journeyman electrician and, if applicable, an electrician administrator's certificate, to install or maintain electrical wires and equipment; and (4) licensed by the Department of Ecology (DOE) if the work involves drilling or constructing new wells, or the alteration of an existing well. DOE has additional responsibilities regarding the protection of groundwater from pollution. The Department of Health also regulates and certifies operators of water systems serving more than one residence.

Summary of Bill: A system is created within L&I to coordinate the registration of both the plumbing and electrical aspects of a person who installs, maintains, and repairs the pressurization and filtration equipment that acquires, treats, stores, and moves water for domestic use, including irrigation, to one or more residences, or certain owner-operated farms.

Pressurization and filtration equipment must be located either (a) outside of a building; (b) in a well house; or (c) within a designated interior space (i.e. garage, basement, crawl space) of a residential structure. Equipment within a residential structure must be connected to electrical wiring and plumbing installed by persons otherwise authorized to perform such work under RCW 19.28 (electrical) and RCW 18.106 (plumbing). A licensed electrician must also install wiring to a designated disconnect switch for equipment located outside of a building.

The State Advisory Board of Plumbers exercises authority over a newly created specialty plumbing classification for domestic well water pump installation, and the Board is expanded to include a specialty plumber and a specialty plumbing contractor.

The Electrical Board retains authority over the electrical work performed by persons certified to perform domestic well water systems. Until July 1, 2007, instead of issuing citations, L&I will issue one written warning to each person who performs such work without a valid electrician certification and advising that the person must apply for certification within 30 days of the warning.

Electricians performing electrical work on domestic well water systems within the scope of work of their license, and plumbers performing plumbing work on domestic well water systems within the scope of work of their license are not required to possess the certification of competency created by this bill.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The only state oversight of those who install and maintain domestic water pumps is through the Electrical division of L&I, although the majority of the pump installers time is spent on plumbing-related activities. There should be a more coordinated system to assure proper training and expertise in both plumbing and electrical safety in this multi-trade specialty as it relates to both workers and the public. At least one trade organization has pledged its support to this bill, and the Advisory Board of Plumbers has had this bill or previous drafts of it under actively review over the past year.

Testimony Against: The electrical statutes have consistently required that training standards be placed in statute, this bill moves that function to rule-making. There is no need for this because there is already a pump and irrigation electrical specialty. Stakeholders have serious reservations about any transfer of authority over electrical certification and related issues. If there is to be a grand-fathering provision, it should be structured differently.

Who Testified: PRO: Senator Rasmussen, Prime Sponsor; Craig Gresham, Glenn Smith, WA State Ground Water Assn.; Bill Neal, Arcadia Drilling, Inc.; Johnnie Porter, Plumbing Advisory Board member; Gary Smith, Independent Business Assn.; Grant Alexander, David Rath, homeowners.

CON: Janet Lewis, Richard King, International Brotherhood of Electrical Workers, Local 46; Jim P. Simmons, WA State Electrical Board Member; Steve Harrington, H&R Water Works, Inc.

House Amendment(s): The House amendment corrects a section dealing with continuing education requirement for plumbers to properly refer to the newly created specialty plumber classification.