

Bill as
Introduced

HB 385 - AS INTRODUCED

2013 SESSION

13-0163
10/04

HOUSE BILL

385

AN ACT

relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

SPONSORS:

Rep. Hess, Merr 24

COMMITTEE:

Executive Departments and Administration

ANALYSIS

This bill adds a requirement of 2 years of experience working under a licensed elevator or accessibility lift mechanic in order to be licensed in this state. The bill also exempts licensed elevator and accessibility lift mechanics from requirements for licensure as an electrician for work in both commercial and residential installations on elevator and accessibility lift controls and all items inside the machine room and the hoistway.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Elevator and Accessibility Lifts; License Requirements. Amend RSA 157-B:8-a to read as
2 follows:

3 157-B:8-a Mechanics. An elevator or accessibility lift mechanic shall pass an examination given
4 by the commissioner ***provided the person has at least 2 years of documented experience***
5 ***working directly under a licensed New Hampshire elevator or accessibility lift mechanic,***
6 except in cases in which an elevator or accessibility lift mechanic has proven to the satisfaction of the
7 commissioner ***that the person has*** , experience in excess of 5 years within the state. A license shall
8 be issued to the mechanic for a 2-year period. A fee of \$50 shall be charged for the initial
9 examination and license. A license may be renewed every 2 years upon payment of a fee of \$35.
10 Employees of the department of labor shall not be charged for the issuance or renewal of a license. A
11 person who holds a certificate or license of competency as a mechanic equal to that of this state may
12 be issued a license without examination upon payment of a fee of \$35 The commissioner may revoke
13 any license for cause shown, after a hearing. The holder of a license under question shall receive 7
14 days' written notice informing the licensee of the charges and of the time and place of the hearing.

15 2 New Paragraph; Electricians; Exception for Licensed Elevator and Accessibility Lift
16 Mechanics. Amend RSA 319-C:3 by inserting after paragraph XI the following new paragraph:

17 XII. An elevator or accessibility lift mechanic licensed by the labor commissioner under
18 RSA 157-B:8-a and rules adopted thereunder, for electrical installation, maintenance, or repair work
19 in both commercial and residential installations on elevator and accessibility lift controls and all
20 items inside the machine room and the hoistway.

21 3 Effective Date. This act shall take effect 60 days after its passage.

Amendments

Amendment to HB 385

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 Elevator and Accessibility Lifts; License Requirements. Amend RSA 157-B:8-a to read as
4 follows:

5 157-B:8-a Mechanics. An elevator or accessibility lift mechanic shall pass an examination given
6 by the commissioner *provided the person has at least 2 years of documented experience*
7 *working directly under a licensed New Hampshire elevator or accessibility lift mechanic,*
8 except in cases in which an elevator or accessibility lift mechanic has proven to the satisfaction of the
9 commissioner *that the person has* experience in excess of 5 years within the state. A license shall
10 be issued to the mechanic for a 2-year period. A fee of \$50 shall be charged for the initial
11 examination and license. A license may be renewed every 2 years upon payment of a fee of \$35.
12 Employees of the department of labor shall not be charged for the issuance or renewal of a license. A
13 person who holds a certificate or license of competency as a mechanic [~~equal to that of this~~] *issued*
14 *by another* state may be issued a license without examination upon payment of a fee of \$35,
15 *provided that licensees of this state are not subject to greater requirements for certification*
16 *or licensure in the other state than those required by this state.* The commissioner may
17 revoke any license for cause shown, after a hearing. The holder of a license under question shall
18 receive 7 days' written notice informing the licensee of the charges and of the time and place of the
19 hearing.

20 2 New Paragraph; Electricians; Exception for Licensed Elevator and Accessibility Lift
21 Mechanics. Amend RSA 319-C:3 by inserting after paragraph XI the following new paragraph:

22 XII. An elevator or accessibility lift mechanic licensed by the labor commissioner under
23 RSA 157-B:8-a and rules adopted thereunder (a) for accessibility lifts, at the wiring originating from
24 the final disconnecting means at the equipment; or (b) for elevators, at the equipment disconnects
25 located in the elevator machine room and associated with the elevator equipment, elevator hoistway
26 doors, and elevator car only; in both commercial and residential installations on elevator and
27 accessibility lift controls.

28 3 Effective Date. This act shall take effect 60 days after its passage.

Amendment to HB 385

- Page 2 -

2013-0309h

AMENDED ANALYSIS

This bill adds a requirement of 2 years of experience working under a licensed elevator or accessibility lift mechanic in order to be licensed in this state and clarifies the eligibility for licensure by reciprocity. The bill also exempts licensed elevator and accessibility lift mechanics from requirements for licensure as an electrician for work in both commercial and residential installations on elevator and accessibility lift controls.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 385

BILL TITLE: relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

DATE: 1/29/13

LOB ROOM: 306 **Time Public Hearing Called to Order:** 11:15 am

Time Adjourned: 11:50 am

(please circle if present)

Committee Members: Reps. Weber, Schuett, B. Schmidt, D. Sullivan, Jeudy, Goley, Gagnon, Booras, Moffett, M. Nelson, Hansberry, C. McGuire, Pratt, Hansen, S. Sweeney, Beaudoin, Bianca Rose Garcia, Sytek, Danaïs and Byron.

Bill Sponsors: Rep. Hess, Merr 24

TESTIMONY

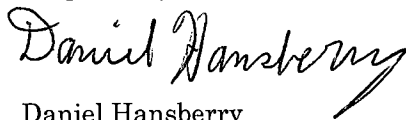
* Use asterisk if written testimony and/or amendments are submitted.

Rep. David Hess, Prime Sponsor – Bill needs some work. Bill identifies who can install elevator and lifts. The bill states that technicians coming in from out of state must meet same requirements as N. H. technicians. Department of Labor regulates elevators and lifts. The bill specifies that technicians may also install private elevators and lifts. Certain elevator work is done by elevator technicians and certain work is done by electricians. Amendment to the bill will be forthcoming.

Jeffrey Lavoie – Supports the bill – Has been an elevator mechanic for 20 years. Massachusetts mechanics can cross into New Hampshire and work on elevators. New Hampshire elevator mechanics cannot cross into Massachusetts and work. Wants Massachusetts mechanics to have to go through New Hampshire licensing procedure. Most electricians do not want to work on elevators. They cannot work on public elevators. Does not believe an electrician's license is necessary to install a private elevator.

Bruce Berke – Opposed to the bill – Represents electrical contractors. Electricians do not want to be elevator installers. However, electricians should do work which goes beyond the scope of an elevator mechanic.

Respectfully submitted,



Daniel Hansberry

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

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Rep. David Hess, prime sponsor - Bill needs some work. Bill identifies who can install elevators and lifts. The bill states that technicians coming in from out of state must meet same requirements as N.H. technicians. Dept. of Labor regulates elevators and lifts. The bill specifies that technicians may also install private elevators and lifts. Certain elevator work is done by elevator technicians and certain of the work is done by electricians. Amendment to the bill will be forthcoming.

Jeffrey Lavoie - supports the bill - Has been an elevator mechanic for 20 years. Massachusetts mechanics

can cross into New Hampshire and work on elevators;
N. H. elevator mechanics cannot cross into Massachusetts
and work. Wants Massachusetts mechanics to have to
go through N. H. licensing procedure. Most electricians
do not want to work on elevators. They cannot work on
public elevators. Does not believe an electrician's
license is necessary to install a private elevator.
Bruce Berke - Opposed to the bill - Represents electrical
contractors. Electricians do not want to be elevator
installers. However, electricians should do work which
goes beyond the scope of an elevator mechanic.

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 385

BILL TITLE: relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

DATE: 2/12/13

LOB ROOM: 306

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Byron

Seconded by Rep. Sweeney

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Byron

Seconded by Rep. Schuett

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 15-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Daniel C. Hansberry, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 385

BILL TITLE: relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.

DATE: 2/12/13

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Amendments:

Sponsor: Rep. OLS Document #:

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Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. *Byron*

Seconded by Rep. *Sweeney*

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. *Byron*

Seconded by Rep. *Schmitt*

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.) 15-0

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Daniel C. Hansberry, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 9:17:57 AM
Roll Call Committee Registers
Report

2013 SESSION

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: 385 Title: _____

PH Date: 1/1/ Exec Session Date: 2/12/2013

Motion: Amendment Amendment #: 2013-0309h

MEMBER	YEAS	NAYS
Weber, Lucy M, Chairman	✓	
Schuett, Dianne E, V Chairman	✓	
Schmidt, Peter B	✓	
Jeudy, Jean L		
Sullivan, Daniel J	✓	
Goley, Jeffrey P	✓	
Gagnon, Raymond G	✓	
Nelson, Mary S	✓	
Booras, Efstathia C		
Hansberry, Daniel C, Clerk	✓	
Moffett, Howard M	✓	
McGuire, Carol M	✓	
Sytek, John	✓	
Pratt, Calvin D		
Hansen, Peter T	✓	
Beaudoin, Steven P <u>Graham, John</u>	✓	
Byron, Frank A	✓	
Danais, Romeo		
Garcia, Bianca R	✓	
Sweeney, Shawn P	✓	
TOTAL VOTE:	<u>15</u>	<u>0</u>



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 9:17:57 AM
Roll Call Committee Registers
Report

2013 SESSION

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: 385 Title: _____

PH Date: 1/1/ Exec Session Date: 2/12/2013

Motion: OTPA Amendment #: 2013-0309h

MEMBER

YEAS

NAYS

MEMBER	YEAS	NAYS
Weber, Lucy M, Chairman	✓	
Schuett, Dianne E, V Chairman	✓	
Schmidt, Peter B	✓	
Jeudy, Jean L		
Sullivan, Daniel J	✓	
Goley, Jeffrey P	✓	
Gagnon, Raymond G	✓	
Nelson, Mary S	✓	
Booras, Efstathia C		
Hansberry, Daniel C, Clerk	✓	
Moffett, Howard M	✓	
McGuire, Carol M	✓	
Sytek, John		
Pratt, Calvin D		
Hansen, Peter T	✓	
Beaudoin, Steven P <i>Graham, John</i>	✓	
Byron, Frank A	✓	
Danais, Romeo		
Garcia, Bianca R	✓	
Sweeney, Shawn P	✓	
TOTAL VOTE:	15	0

Committee Report

CONSENT CALENDAR

February 13, 2013

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on EXECUTIVE DEPARTMENTS AND
ADMINISTRATION to which was referred HB385,**

**AN ACT relative to licensure of, and the performance of
electrical work by, elevator and accessibility lift
mechanics. Having considered the same, report the
same with the following amendment, and the
recommendation that the bill OUGHT TO PASS WITH
AMENDMENT.**

Rep. Frank A Byron

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	EXECUTIVE DEPARTMENTS AND ADMINISTRATION
Bill Number:	HB385
Title:	relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics.
Date:	February 13, 2013
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

This bill, as amended, modifies in RSA 157-B:8-a the requirements for licensure of elevator and accessibility lift mechanics from greater than 5 years to 2 years of documented experience working under a NH licensed elevator or accessibility lift mechanic. The bill also allows for the licensure of elevator or accessibility lift mechanics without an examination who are licensed in other states provided that the licensing requirements of New Hampshire are not greater than those of the other state. These provisions will make it easier for NH mechanics to receive the benefits of other states' reciprocity rules. The bill also amends RSA 319-C:3 by providing an exception to the requirement to hold an electrician's license for licensed elevator or accessibility lift mechanics working only on electrical wiring originating from a final disconnecting means at the equipment or at equipment disconnects located in the elevator machine room and associated with elevator equipment, elevator hoist way doors and the elevator car for both commercial and residential installations. Committee members believe this provides the best allocation of responsibility, with electricians handling general wiring up to the elevator or lift, and the elevator and lift mechanics handling the specialized wiring for the elevator or lift installation.

Vote 15-0.

Rep. Frank A Byron
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB385, relative to licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Frank A Byron for EXECUTIVE DEPARTMENTS AND ADMINISTRATION. This bill, as amended, modifies in RSA 157-B:8-a the requirements for licensure of elevator and accessibility lift mechanics from greater than 5 years to 2 years of documented experience working under a NH licensed elevator or accessibility lift mechanic. The bill also allows for the licensure of elevator or accessibility lift mechanics without an examination who are licensed in other states provided that the licensing requirements of New Hampshire are not greater than those of the other state. These provisions will make it easier for NH mechanics to receive the benefits of other states' reciprocity rules. The bill also amends RSA 319-C:3 by providing an exception to the requirement to hold an electrician's license for licensed elevator or accessibility lift mechanics working only on electrical wiring originating from a final disconnecting means at the equipment or at equipment disconnects located in the elevator machine room and associated with elevator equipment, elevator hoist way doors and the elevator car for both commercial and residential installations. Committee members believe this provides the best allocation of responsibility, with electricians handling general wiring up to the elevator or lift, and the elevator and lift mechanics handling the specialized wiring for the elevator or lift installation. **Vote 15-0.**

Original: House Clerk

Cc: Committee Bill File

HB 385

OTP/A- 2013-0309h

This bill, as amended, modifies in RSA 157-B:8-a the requirements for licensure of elevator and accessibility lift mechanics from greater than 5 years to 2 years of documented experience working under a NH licensed elevator or accessibility lift mechanic. The bill also allows for the licensure of elevator or accessibility lift mechanics without an examination who are licensed in other states provided that the licensing requirements of New Hampshire are not greater than those of the other state. These provisions will make it easier for NH mechanics to receive the benefits of other states' reciprocity rules. The bill also amends RSA 319-C:3 by providing an exception to the requirement to hold an electrician's license for licensed elevator or accessibility lift mechanics working only on electrical wiring originating from a final disconnecting means at the equipment or at equipment disconnects located in the elevator machine room and associated with elevator equipment, elevator hoist way doors and the elevator car for both commercial and residential installations. Committee members believe this provides the best allocation of responsibility, with electricians handling general wiring up to the elevator or lift, and the elevator and lift mechanics handling the specialized wiring for the elevator or lift installation.

Rep. Frank Byron for the Committee

OK
FMB

Committee Report

Committee: Executive Departments & Administration

Bill Number: HB 385

Title: Relative to the Licensure of, and the performance of electrical work by, elevator and accessibility lift mechanics

Date: February 12, 2013 **Consent Calendar:** Yes

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT (Amendment #: 2013-0309h)
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Statement of Intent:

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Committee Vote: 15 - 0

Respectfully Submitted: Rep. Frank A. Byron for the Committee

Culberson, Kay

From: Lucy McVitty Weber [lwmcv@comcast.net]
Sent: Tuesday, February 12, 2013 8:52 PM
To: Byron, Frank; Culberson, Kay
Subject: Re: HB 385 Blurb
Importance: High

Hi, Frank,

This is a great first attempt, and accurately described what the bill did. I have pasted your blurb below, with my proposed edits in **bold type**.

This bill, **as amended**, modifies in RSA 157-B:8-a the requirements for licensure of elevator and accessibility lift mechanics from greater than 5 years to 2 years of documented experience working under a NH licensed elevator or accessibility lift mechanic. The bill also allows for the licensure of elevator or accessibility lift mechanics without an examination who are licensed in other states provided that the licensing requirements of New Hampshire are not greater than those of the other state. **These provisions will make it easier for NH mechanics to receive the benefits of other states' reciprocity rules.** The bill also amends RSA 319-C:3 by providing an exception to the requirement to hold an electrician's license for licensed elevator or accessibility lift mechanics working only on electrical wiring originating from a final disconnecting means at the equipment or at equipment disconnects located in the elevator machine room and associated with elevator equipment, elevator hoistway doors and the elevator car for both commercial and residential installations. **Committee members believe this provides the best allocation of responsibility, with electricians handling general wiring up to the elevator or lift, and the elevator and lift mechanics handling the specialized wiring for the elevator or lift installation.**

As you can see, I just noted that your explanation is of the bill as amended, and then, because this is a pretty technical bill, I put in two lines explaining why the changes were made.

Lucy

Rep. Lucy McVitty Weber
Chair, Executive Departments and Administration
217 Old Keene Road
Walpole NH 03608
603-756-4338
lwmcv@comcast.net

From: Frank Byron <frank.byron@leg.state.nh.us>
Date: Wed, 13 Feb 2013 01:32:23 +0000

2/13/2013

To: Lucy McVitty Weber <lwmcv@comcast.net>, "Culberson, Kay" <Kay.Culberson@leg.state.nh.us>
Subject: HB 385 Blurb

Chairman Webber & Ms. Culberson,

Attached is my very first attempt at a blurb. If you would, I'd appreciate any feedback showing what you've modified through your review process so that I can learn and improve.

Thanks,

Frank

Frank A. Byron

State Representative

Litchfield

(Home)603-889-7424

Email: frank.byron@leg.state.nh.us

Committee: Executive Departments & Administration

Culberson, Kay

From: Lucy McVitty Weber [lwmcv@comcast.net]
Sent: Tuesday, February 12, 2013 8:58 PM
To: Byron, Frank; Culberson, Kay
Subject: Re: HB 385 Blurb
Importance: High

Hi, Kay,

Frank and I have discussed my edits to his blurb, and he is okay with them, so you can go ahead with this one.

Lucy

Rep. Lucy McVitty Weber
Chair, Executive Departments and Administration
217 Old Keene Road
Walpole NH 03608
603-756-4338
lwmcv@comcast.net

From: Lucy McVitty Weber <lwmcv@comcast.net>
Date: Tue, 12 Feb 2013 20:51:34 -0500
To: Frank Byron <frank.byron@leg.state.nh.us>, "Culberson, Kay"
<Kay.Culberson@leg.state.nh.us>
Conversation: HB 385 Blurb
Subject: Re: HB 385 Blurb

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Email: frank.byron@leg.state.nh.us
Committee: Executive Departments & Administration

Culberson, Kay

From: Byron, Frank
Sent: Tuesday, February 12, 2013 9:06 PM
To: Weber, Lucy; Culberson, Kay
Subject: RE: HB 385 Blurb

Lucy,

I like the additional explanation that you've added to the blurb. Makes perfect sense to me.

Regards,

Frank

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Committee: Executive Departments & Administration

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