

Committee Report

CONSENT CALENDAR

May 16, 2017

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred SB 135-FN,

AN ACT relative to the regulation of electricians.

Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Steven Beaudoin

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	SB 135-FN
Title:	relative to the regulation of electricians.
Date:	May 16, 2017
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2017-1805h

STATEMENT OF INTENT

This bill, as amended, does three things. It adopts the 2017 National Electrical Code, while amending out the expansion of the required use of troublesome arc fault circuit interrupters; it allows the Electrician's Board to develop a list of qualified third party electrical inspectors that may be hired by municipalities and the Department of Safety as electrical inspectors; and it protects electricians from having to show their licenses to any authority other than electrical inspectors.

Vote 14-0.

Rep. Steven Beaudoin
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

SB 135-FN, relative to the regulation of electricians. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Steven Beaudoin for Executive Departments and Administration. This bill, as amended, does three things. It adopts the 2017 National Electrical Code, while amending out the expansion of the required use of troublesome arc fault circuit interrupters; it allows the Electrician's Board to develop a list of qualified third party electrical inspectors that may be hired by municipalities and the Department of Safety as electrical inspectors; and it protects electricians from having to show their licenses to any authority other than electrical inspectors. **Vote 14-0.**

Amendment to SB 135-FN

1 Amend the bill by replacing section 1 with the following:

2

3 1 New Paragraph; Electricians; Inspectors; Identification. Amend RSA 319-C:5 by inserting
4 after paragraph IV the following new paragraph:

5 V. A state, city, or town building official or code enforcement officer appointed by the
6 administrative authority of the state, city, or town, who performs electrical inspections authorized
7 in accordance with RSA 155-A:2, IV, RSA 155-A:2, VI, RSA 47:22, or RSA 674:51 shall have the
8 authority to check the license or identification card issued under this chapter.

9

10 Amend the bill by replacing section 4 with the following:

11

12 4 Licensing Requirements; Requests for Certificate. Amend RSA 319-C:7, III to read as follows:

13 III. All persons licensed by the board shall receive a certificate under the seal of the board
14 and with the signature of the board chairman, which must be publicly displayed at the principal
15 place of business of said electrician, or, if no such place of business, must be carried on his *or her*
16 person and displayed at any time upon request *to any electrical inspector appointed by the*
17 *board under this chapter*, as long as said person continues in the business as herein defined.
18 The certificate shall specify the name of the person licensed who, in the case of a firm, shall be one
19 of its members or employees and, in the case of a corporation, one of its officers or employees
20 passing the examination. In the case of a firm or corporation, the license shall be void upon the
21 death of or the severance from the company of said person.

22

23 Amend the bill by inserting after section 5 the following and renumbering the original section 6 to
24 read as 7:

25

26 6 New Paragraph; State Building Code; National Electrical Code; Exception Added. Amend
27 RSA 155-A:2 by inserting after paragraph X the following new paragraph:

28 XI. Notwithstanding the inclusion of the National Electrical Code 2017 in the state building
29 code under RSA 155-A:1, IV, the amended provisions of section 210.12 of the National Electrical
30 Code, which modify the National Electrical Code 2014 version to add arc-fault circuit interrupter
31 requirements for dormitory unit devices and bathrooms, guest rooms and guest suites, and branch
32 circuit extensions or modifications for dormitory units shall not be enforced under the state building
33 code or this chapter.

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 135-FN

BILL TITLE: relative to the regulation of electricians.

DATE: May 16, 2017

LOB ROOM: 306

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Beaudoin Seconded by Rep. Hoell AM Vote: 15-0

Amendment # 2017-1629h

Reconsideration of Vote on SB135-FN, amendment 2017-1629h. Motion made by Hoell, seconded by Brewster to reconsider vote. Reconsideration unanimously (15-0) adopted by voice vote.

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Proulx Seconded by Rep. Hansen AM Vote: 0-14

Amendment # 2017-1629h

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Proulx Seconded by Rep. Hoell AM Vote: 14-0

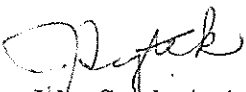
Amendment # 2017-1805h

Moved by Rep. Proulx Seconded by Rep. Hoell Vote: 14-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,


Rep John Sytek, Acting Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 135-FN

BILL TITLE: relative to the regulation of electricians.

DATE: 5/16/2017

LOB ROOM: 306

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of Amendment # 1629H (if offered) Interim Study (2nd year)

Moved by Rep. BEAUNIN Seconded by Rep. HOELL Vote: 15-0

HOELL/BREWSTER MOVE RECONSIDERATION. UNANIMOUSLY ADOPTED VV
MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # 1629H (if offered) Interim Study (2nd year)

Moved by Rep. PROULX Seconded by Rep. HANSEN Vote: 0-14

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # 1805H (if offered) Interim Study (2nd year)

Moved by Rep. PROULX Seconded by Rep. HOELL Vote: 14-0

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # (if offered) Interim Study (2nd year)

Moved by Rep. PROULX Seconded by Rep. HOELL Vote: 14-0

CONSENT CALENDAR: YES NO

Minority Report? Yes No If yes, author, Rep: Motion

Respectfully submitted: REP JACALYN CILLEY Rep Jacalyn Cilley, Clerk



2017 SESSION

ED&A

Bill #: SB 135

Title: relative to the regulation of electricians

PH Date: 1/1/17

Exec Session Date: 5/16/17

Motion: AMENDMENT 2017-1629H ——— Amendment #: →
TO SB 135

MEMBER	YEAS	NAYS
McGuire, Carol M. Chariman	X	
Sytek, John Vice Chairman	X	
Hansen, Peter T.	X	
Beaudoin, Steven P.	X	
Proulx, Mark L.	X	
Hoell, J.R.	X	
Kaczynski, Thomas L.	X	
Woitkun, Steven J.		
Brewster, Michael A.	X	
Marsh, Henry A.	X	
Smith, Ryan D.		
Gagnon, Raymond G.	X	
Schmidt, Peter B.	X	
Jeudy, Jean L.	X	
Sullivan, Daniel J.	X	
Goley, Jeffrey P.		
Cilley, Jacalyn L. Clerk		
Roberts, Carol R.	X	
Schuett, Dianne E.		
Campion, Polly Kent	X	
TOTAL VOTE:		

15-0

THIS AMENDMENT WAS RECONSIDERED ON A V V
MOVED BY ~~HOELL~~ REP HOELL, 2ND BY REP. BREWSTER



2017 SESSION

ED&A

Bill #: SB 135

Title: _____

PH Date: 1 / 1

Exec Session Date: 5, 16, 17

Motion: ~~ADOPT AMENDMENT~~

Amendment #: 1629H

ADOPT AMENDMENT

MEMBER	YEAS	NAYS
McGuire, Carol M. Chariman		X
Sytek, John Vice Chairman		X
Hansen, Peter T.		X
Beaudoin, Steven P.		X
Proulx, Mark L.		X
Hoell, J.R.		X
Kaczynski, Thomas L.		X
Woitkun, Steven J.		
Brewster, Michael A.		X
Marsh, Henry A.		X
Smith, Ryan D.		
Gagnon, Raymond G.		X
Schmidt, Peter B.		X
Jeudy, Jean L.		X
Sullivan, Daniel J.		
Goley, Jeffrey P.		
Cilley, Jacalyn L. Clerk		
Roberts, Carol R.		X
Schuett, Dianne E.		
Campion, Polly Kent		X
TOTAL VOTE:		

14-0

THIS MOTION WAS AS A RESULT
OF RECONSIDERATION
AMEND 1629H FAILED ON RECONSIDERATION.



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2/15/2017 3:51:14 PM
Roll Call Committee Registers
Report

2017 SESSION

ED&A

Bill #: SB-135

Title: _____

PH Date: 1/1/1

Exec Session Date: 5/16/17

Motion: BEHINDS OVER ADOT AMEND

Amendment #: 2017-1805H

MEMBER	YEAS	NAYS
McGuire, Carol M. Chariman	Y	
Sytek, John Vice Chairman	X	
Hansen, Peter T.	X	
Beaudoin, Steven P.	X	
Proulx, Mark L.	X	
Hoell, J.R.	X	
Kaczynski, Thomas L.	X	
Woitkun, Steven J.		
Brewster, Michael A.	X	
Marsh, Henry A.	X	
Smith, Ryan D.		
Gagnon, Raymond G.	X	
Schmidt, Peter B.	X	
Jeudy, Jean L.	X	
Sullivan, Daniel J.		
Goley, Jeffrey P.		
Cilley, Jacalyn L. Clerk		
Roberts, Carol R.	X	
Schuett, Dianne E.		
Campion, Polly Kent	X	
TOTAL VOTE:		

14-10 -



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

2/15/2017 3:51:14 PM
Roll Call Committee Registers
Report

2017 SESSION

ED&A

Bill #: SB 135 Title: _____

PH Date: 1/1/17 Exec Session Date: 5, 16, 17

Motion: OTP 1A Amendment #: _____

<u>MEMBER</u>	<u>YEAS</u>	<u>NAYS</u>
McGuire, Carol M. Chariman	X	
Sytek, John Vice Chairman	X	
Hansen, Peter T.	X	
Beaudoin, Steven P.	X	
Proulx, Mark L.	X	
Hoell, J.R.	X	
Kaczynski, Thomas L.	X	
Woitkun, Steven J.		
Brewster, Michael A.	X	
Marsh, Henry A.	X	
Smith, Ryan D.		
Gagnon, Raymond G.	X	
Schmidt, Peter B.	X	
Jeudy, Jean L.	X	
Sullivan, Daniel J.		
Goley, Jeffrey P.		
Cilley, Jacalyn L. Clerk		
Roberts, Carol R.	X	
Schuett, Dianne E.		
Campion, Polly Kent	X	
TOTAL VOTE:		

14-0

Amendment to SB 135-FN

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3 1 New Paragraph; Electricians; Inspectors; Identification. Amend RSA 319-C:5 by inserting
4 after paragraph IV the following new paragraph:

5 V. A state, city, or town building official or code enforcement officer appointed by the
6 administrative authority of the state, city, or town, who performs electrical inspections authorized
7 in accordance with RSA 155-A:2, IV, RSA 155-A:2, VI, RSA 47:22, or RSA 674:51 shall have the
8 authority to check the license or identification card issued under this chapter.

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10 Amend the bill by replacing section 4 with the following:

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13 III. All persons licensed by the board shall receive a certificate under the seal of the board
14 and with the signature of the board chairman, which must be publicly displayed at the principal
15 place of business of said electrician, or, if no such place of business, must be carried on his *or her*
16 person and displayed at any time upon request *to any electrical inspector appointed by the*
17 *board under this chapter*, as long as said person continues in the business as herein defined.
18 The certificate shall specify the name of the person licensed who, in the case of a firm, shall be one
19 of its members or employees and, in the case of a corporation, one of its officers or employees
20 passing the examination. In the case of a firm or corporation, the license shall be void upon the
21 death of or the severance from the company of said person.

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23 Amend the bill by inserting after section 5 the following and renumbering the original section 6 to
24 read as 7:

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27 RSA 155-A:2 by inserting after paragraph X the following new paragraph:

28 XI. Notwithstanding the inclusion of the National Electrical Code 2017 in the state building
29 code under RSA 155-A:1, IV, the amended provisions of section 210.12 of the National Electrical
30 Code, which modify the National Electrical Code 2014 version to add arc-fault circuit interrupter
31 requirements for dormitory unit devices and bathrooms, guest rooms and guest suites, and branch
32 circuit extensions or modifications for dormitory units shall not be enforced under the state building
33 code or this chapter.

Rep. Beaudoin, Straf. 9
May 3, 2017
2017-1629h
10/05

Amendment to SB 135-FN

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15 place of business of said electrician, or, if no such place of business, must be carried on his *or her*
16 person and displayed at any time upon request *to any electrical inspector appointed by the*
17 *board under this chapter*, as long as said person continues in the business as herein defined.
18 The certificate shall specify the name of the person licensed who, in the case of a firm, shall be one
19 of its members or employees and, in the case of a corporation, one of its officers or employees
20 passing the examination. In the case of a firm or corporation, the license shall be void upon the
21 death of or the severance from the company of said person.

Sub-Committee Actions

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION on SB 135-FN

BILL TITLE: relative to the regulation of electricians.

DATE: May 16, 2017

Subcommittee Members: Reps. Beaudoin, Kaczynski, Roberts, D. Sullivan and Brewster

Comments and Recommendations: The meeting opened at 10:02 a.m. Discussion of NEC2017 based on Rep Brewster's research. Concerns about arc fault interrupters and expansion of their use.

Further discussion on benefits of new code as it applies to new technology.

Discussion of amendment 2017-1629h and the changes made by Legislative Services.

Vote taken on adopting amendment.

Meeting closed at 10:17 a.m.

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Beaudoin

Seconded by Rep. Kaczynski

AM Vote: 5-0

Amendment # 2017-1629h

Respectfully submitted,

Rep. Steven Beaudoin
Subcommittee Chairman

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION on SB 135-FN

BILL TITLE: relative to the regulation of electricians.

DATE: 5/16/2017

Subcommittee Members: Reps. Beaudoin, Kaczynski, Roberts, D. Sullivan and Brewster

Comments and Recommendations:

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)

Moved by Rep. adapt amend Seconded by Rep. _____ AM Vote: _____

Adoption of Amendment # 2017-1624h

Moved by Rep. Beaudoin Seconded by Rep. Kaczynski Vote: 5-0

_____ Amendment Adopted _____ Amendment Failed

MOTIONS: OTP, OTP/A, ITL, Retained (1st Yr), Interim Study (2nd Yr)
(Please circle one)


Moved by Rep. _____ Seconded by Rep. _____ AM Vote: _____

Adoption of Amendment # _____

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

_____ Amendment Adopted _____ Amendment Failed

Respectfully submitted,

Rep. 
Subcommittee Chairman/Clerk

GB135

open meeting at 10:02 AM
discussion of NEC 2017 based on
Rep Brewster's research
concerns about arc fault interruptors
and expansion of their use.

further discussion on benefits of new
code as it applies to new technology

Discussion of amendment number
2017-1624h and the changes made
by legislative services

Took vote on adopting amendment
4-0 FOR RECOMMEND
closed meeting at 10:17

5/16/17 Room 306

Rep. BEAUDOIN



Amendment to SB 135-FN

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7 in accordance with RSA 155-A:2, IV, RSA 155-A:2, VI, RSA 47:22, or RSA 674:51 shall have the
8 authority to check the license or identification card issued under this chapter.

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10 Amend the bill by replacing section 4 with the following:

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12 4 Licensing Requirements; Requests for Certificate. Amend RSA 319-C:7, III to read as follows:

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15 place of business of said electrician, or, if no such place of business, must be carried on his *or her*
16 person and displayed at any time upon request *to any electrical inspector appointed by the*
17 *board under this chapter*, as long as said person continues in the business as herein defined.
18 The certificate shall specify the name of the person licensed who, in the case of a firm, shall be one
19 of its members or employees and, in the case of a corporation, one of its officers or employees
20 passing the examination. In the case of a firm or corporation, the license shall be void upon the
21 death of or the severance from the company of said person.

Sub-Committee Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION on SB 135-FN

BILL TITLE: relative to the regulation of electricians.

DATE: May 2, 2017

Subcommittee Members: Reps. Beaudoin, McGuire, Roberts and Brewster

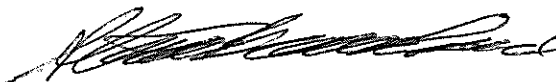
Comments and Recommendations: Meeting opened at 11:05 a.m. and closed at 12:35 p.m.

Rep. McGuire in attendance for Rep. Kaczynski.

A recap of the previous discussion was had for the benefit of Rep. McGuire.

The electrical board worked with the Department of Safety to create an amendment to clarify who is qualified in New Hampshire to perform electrical inspections. (The amendment is not numbered at this time.) Mr. LaBonte, representing the Department of Safety and Dean Sotirakopoulos, NH electrical inspector representing the board, agreed that the amendment achieved a mutual and acceptable goal of limiting electrical inspections to only those personnel approved by the board.

Respectfully submitted,



Rep. Steven Beaudoin
Subcommittee Chairman

5-2-17

Sub committee SB 135 FN

Members present

Beaudoin, McGuire (sub for
Kaczynski) Roberts, Brewster

Meeting opened at 11:05 A.M.

A recap of previous discussion
was had for the benefit of
Rep McGuire.

The electrical board worked
with the Dept of Safety to
create an amendment to clarify
~~that~~ who is qualified in NH
to perform electrical inspections
(the amendment is not numbered
at this time) Mr Labonte representing
the D.S and Dean Sotiraopoulos
NH Electrical Inspector representing
the board agreed that the
amendment achieved a mutual
and acceptable goal of limiting
electrical inspections to only those
personnel approved by the board

Meeting closed at 11:25A

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION on SB 135-FN

BILL TITLE: relative to the regulation of electricians.

DATE: April 25, 2017

Subcommittee Members: Reps. Beaudoin, Kaczynski and Roberts

Comments and Recommendations: Initial discussion revolved around Chapter 3, adoption of the 2017 National Electrical Code. The subcommittee was concerned about overreach and unintended consequences. The members of the public, including electricians and members of the Electricians Board, discussed various changes and how most of them are minor in nature. Not enacting this code will stifle utilization of new technology, especially concerning use of photovoltaics. The subcommittee reserved the decision to amend out adoption of the NEC 2017 at this time.

We briefly discussed section 2 before closing the hearing at 9:55 a.m.

The committee is meeting again on May 2, 2017 at 11:00 a.m.

Respectfully submitted,



Rep. Steven Beaudoin
Subcommittee Chairman

SB 135 FN 4/24/14

meeting opened at 9:00 AM
members present

Boudoin Kaczynski, Roberts

Initial discussion revolved around chapter 3, adoption of the 2014 National Electrical Code. The committee was concerned about overreach and unintended consequences. The members of the public including electricians and members of the Electricians Board discussed various changes and how most of them are minor in nature. Not enacting this code will stifle utilization of new technology especially concerning use of photovoltaics. The committee reserved the decision to amend out adoption of the NEC 2014 at this time.

We briefly discussed section 2 before closing the hearing at 9:55 AM

The committee meets on 5-2-14 @ 11:00

11/11/11 47 2011

Meeting opened at 10:00 AM
minutes read
I would like to thank...

...the committee...
...the members of the public...
...the committee...
...the members of the public...
...the committee...

...the committee...
...the members of the public...
...the committee...
...the members of the public...
...the committee...

...the committee...
...the members of the public...
...the committee...
...the members of the public...
...the committee...

Rep. Beaudoin, Straf. 9
April 24, 2017
2017-1498h
10/06



Amendment to SB 135-FN

1 Amend the bill by deleting section 3 and renumbering the original sections 4-6 to read as 3-5,
2 respectively.

3

4 Amend the bill by replacing section 5 with the following:

5

6 6 Effective Date. This act shall take effect 60 days after its passage.



2017-1498h

AMENDED ANALYSIS

This bill allows for the regulation of electrical installations done without compensation, clarifies who may request identification of licensed inspectors, requires the electricians' board to adopt rules on third party electrical inspections, and removes authority of the state fire marshal to enforce provisions on electrician regulation.

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 135-FN

BILL TITLE: relative to the regulation of electricians.

DATE: April 12, 2017

LOB ROOM: 306 Time Public Hearing Called to Order: 2:00 p.m.

Time Adjourned: 2:30 p.m.

Committee Members: Reps. McGuire, Sytek, Hansen, Beaudoin, Proulx, Hoell, Kaczynski, Brewster, H. Marsh, Gagnon, P. Schmidt, Jeudy, D. Sullivan, Goley, Roberts, Schuett, Campion and Cilley

Bill Sponsors:

Sen. D'Allesandro

Sen. Watters

Rep. Backus

TESTIMONY

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

Sen. D'Allesandro, SD#20, prime sponsor, introduced the bill. This bill allows for the regulation of electrical installations done without compensation, clarifies who may request identification of licensed inspectors, requires the electricians' board to adopt rules on third party electrical inspections, updates the National Electrical Code in the state building code and removes authority of the state fire marshal to enforce provisions on electrician regulation.

Genesis of the bill came a couple of years ago then the electricians came to the Senator and asked for consolidation of boards. That ultimately led to the Office of Professional Licensure and Certification (OPLC).

Dean Satirakopoulos, OPLC Electricians Board is in support of the bill. He went down through the bill to explain the purpose of each provision:

1. Makes a provision for a city or town building official or code enforcement officer designated by the administrative authority of the city or town to have the authority to check the license or identification card issued under this chapter.
2. Intended to provide a list of third party electrical inspectors on the website which accounts for some accountability and allows potential customers who are looking for an electrician.
3. Requires the adoption of the 2017 electrical codes, though he recognizes that this is the preview of the legislature.
4. To clarify that the state inspectors have the right to check licenses.
5. To remove 319: C from RSA 21-B14. This was a result of the move to the Department of Safety at which time it was felt that the Board needed citation authority. This is no longer felt necessary as they have moved under the OPLC.

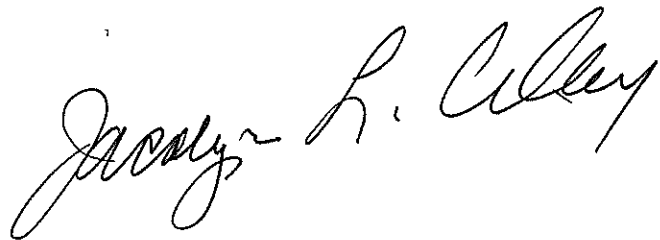
* Bill Degnan, Fire Marshall testified in opposition to the bill and submitted written testimony. His oral and written testimony goes over each point of the bill that he finds troublesome and makes recommendations for each. He opposes the bill as written and amended by the Senate, but would support the bill with the amendments he has submitted within his written testimony.

Linda Capuchino, Division Director of OPLC supports this bill. Under the definitions there is no definition of "firms," this is handled in another part of the statute.

Steven Rancourt, Electrical Contractors Business Association (ECBA) and electrician in New Hampshire supports this bill. He noted that there is a representative from the Fire Marshal's office during each of the ECBA meetings. He said that the representative did raise some objection to a portion of the bill initially, and was fully apprised of the language of this bill. The representative of the Fire Marshal's office indicated that the objection did not rise the level of waging a campaign against the bill.

He discusses the issue of who has the right to request to see an electrician's license and under what circumstances the presentation of the license is legal. It appears that the Fire Marshal feels that this bill reduces his department's ability to verify licenses when necessary. The electricians, including Mr. Rancourt, argue that electricians are being asked repeatedly to present their licenses, even when they are not actually doing electrical work. He believes this is make work for the Department of Safety to justify a portion of its existence.

No one except those speakers listed above registered opinions on this bill.

A handwritten signature in black ink, reading "Jacob L. Colley". The signature is written in a cursive style with a large, sweeping initial "J".

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 135-FN

BILL TITLE: relative to the regulation of electricians.

DATE:

ROOM: 306

Time Public Hearing Called to Order: _____

Time Adjourned: _____

(please circle if present)

Committee Members: Reps. McGuire, Sytek, Hansen, Beaudoin, Proulx, Hoell, Kaczynski, Woitkun, Brewster, H. Marsh, R. Smith, Gagnon, P. Schmidt, Judy, D. Sullivan, Gofey, Roberts, Schuett, Campion and Cilley

Bill Sponsors:

Sen. D'Allesandro

Sen. Watters

Rep. Backus

TESTIMONY

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

* Bill Degnan, Fire Marshall, submitted written testimony

Altilio, Iris

From: Jcilley <jcilley@aol.com>
Sent: Wednesday, April 12, 2017 3:41 PM
To: Altilio, Iris
Subject: Hearing on SB 135

Wednesday, April 12, 2017

Hearing on SB 135

Start time: 2:00 p.m.

End time:

Sen. D'Allasandro, prime sponsor, introduced the bill.

Bill allows for the regulation of electrical installations done without compensation, clarifies who may request identification of licensed inspectors, requires the electricians' board to adopt rules on third party electrical inspections, updates the National Electrical Code in the state building code, and removes authority of the state fire marshal to enforce provisions on electrician regulation.

Genesis of the bill came a couple of years ago then the electricians came to the Senator and ask for consolidation of boards. That ultimately led to the OPLC.

Dean Satirakopoulos, OPLc Electricians Board

Is in support of the bill. He went down through the bill to explain the purpose of each provision:

1. Makes a provision for a city or town building official or code enforcement officer designated by the administrative authority of the city or town to have the authority to check the license or identification card issued under this chapter.
 1. Intended to provide a list of third party electrical inspector on the website which accounts for some accountability and allows potential customers who are looking for an electrician.

Fill in **ONLY** if **SPEAKING** on Bill

Bill # SB 135 Date 04/12/17

Committee EO+A

I support the bill _____

I oppose the bill

I have written testimony

(Number of copies) 22

Time needed to speak: 3

Name Bill Degwan

Address 33 Hazen Dr.

Concord

Phone 603-223-4293

Representing State Fire Marshal

Testimony



STATE OF NEW HAMPSHIRE DEPARTMENT OF SAFETY

John J. Barthelmes, Commissioner

Division of Fire Safety
Office of the State Fire Marshal
J. William Degnan, State Fire Marshal



Office: 110 Smokey Bear Blvd., Concord, NH
Mailing Address: 33 Hazen Drive, Concord, NH 03305
PHONE 603-223-4289, FAX 603-223-4294 or 603-223-4295
TDD Access: Relay NH 1-800-735-2964 ARSON HOTLINE 1-800-400-3526

Legislative Position
NH Department of Safety

SB 135: AN ACT relative to the regulation of electricians.

Position: Opposed as written

This bill as written and amendment by the senate should be ITL. The bill is not good government for all the people of New Hampshire.

Senate Bill 135 as amendment by the Senate has one section as written that is good for all the people and electricians in New Hampshire that is section 3 updating the electrical code to the 2017 edition. The rest of this bill is bad government and should be removed, amended or ITL the entire bill. Recommended below are amendments to the bill should you decide not to ITL:

Section 1 recommended amendment:

[~~1 New Paragraph; Electricians; Inspectors; Identification. Amend RSA 319 C:5 by inserting after paragraph IV the following new paragraph:~~

~~V. A city or town building official or code enforcement officer designated by the administrative authority of the city or town, shall have the authority to check the license or identification card issued under this chapter.]~~

Justification

This section should be removed as this section of law is relative to the electrical inspectors appointed by the Board and the recognition of state and municipal inspectors should be done in section 4 of this bill.

Section 2 recommended amendment

[~~2 New Section; Third Party Electrical Inspections; Rulemaking. Amend RSA 319 C by inserting after section 5 the following new section:~~

~~319 C:5-a Third Party Electrical Inspections. The board shall adopt rules under RSA 319 C:6 a requiring any entity engaging a person to conduct third party electrical inspections of electrical installations in this state to have the person conducting the inspection be approved by the board. The board shall maintain and make available a list of such persons approved for third party electrical inspections. The approval of a person to conduct third party electrical inspections shall not prohibit a city or town that has established inspections under RSA 47:22 or RSA 674:51 from contracting with any person of its choice to perform third party electrical inspections.]~~

Justification

This section singles out the fire service and State Fire Marshal that may be conducting an electrical inspection using a third party. The State Fire Marshal is the building Inspection agency for all state owned structures including the University System and Community College System and specifically if it is not required as the last sentence states for local building officials then State law should be consistent for all inspection agencies. This should be removed in its entirety or ITL the bill.

Section 3 recommended OTP as written



3 State Building Code; National Electrical Code. Amend RSA 155-A:1, IV to read as follows:

IV. "New Hampshire building code" or "state building code" means the adoption by reference of the International Building Code 2009, the International Existing Building Code 2009, the International Plumbing Code 2009, the International Mechanical Code 2009, the International Energy Conservation Code 2009, and the International Residential Code 2009, as published by the International Code Council, and the National Electrical Code [~~2014~~] **2017**, as amended by the state building code review board and ratified by the legislature in accordance with RSA 155-A:10. The provisions of any other national code or model code referred to within a code listed in this definition shall not be included in the state building code unless specifically included in the codes listed in this definition.

Section 4 recommended amendment

4 Licensing Requirements; Requests for Certificate. Amend RSA 319-C:7, III to read as follows:

III. All persons licensed by the board shall receive a certificate under the seal of the board and with the signature of the board chairman, which must be publicly displayed at the principal place of business of said electrician, or, if no such place of business, must be carried on his person and displayed at any time upon request ***to any electrical inspector appointed under this chapter, a state, city or town building or fire official or code enforcement officer designated by the administrative authority of the state, city or town*** as long as said person continues in the business as herein defined. The certificate shall specify the name of the person licensed who, in the case of a firm, shall be one of its members or employees and, in the case of a corporation, one of its officers or employees passing the examination. In the case of a firm or corporation, the license shall be void upon the death of or the severance from the company of said person.

Justification

The addition of state and the fire official will recognize all of the inspectors that are working in our state conducting inspections where they may be in a position to question whether a person performing electrical work is a New Hampshire Licensed Electrician. This is important for fire prevention.

Section 5 recommended amendment

5 Department of Safety; Enforcement by Fire Marshal; Electricians Removed. Amend RSA 21-P:4, VII to read as follows:

VII. Have the discretion to grant authority to issue a citation for violations of fire safety rules adopted under RSA 153:4-a, RSA 153:5, and RSA 160-C and to unlicensed persons who perform actions that require a license under RSA 153:28, RSA 153:29-a, RSA 319-C, or RSA 329-A to the state fire marshal or his or her designee, or to any fire chief, fire investigator, fire inspector or fire prevention officer who meets the qualifications established pursuant to RSA 21-P:14, II(s). A citation for violations under this paragraph shall carry the penalty set forth under RSA 153:24. A building official or code enforcement officer may also be granted authority under RSA 21-P:14, II(s) to issue a citation to any unlicensed person who performs actions requiring a license under RSA 153:28, RSA 153:29-a, RSA 319-C, or RSA 329-A.

Justification

This section of law should not be changed as it only applies to citations of unlicensed electricians which is specifically carved out in RSA 21-P:4 VII. If this is removed from law then when an inspector finds a person is not licensed they will have call in a law enforcement officer to write the citation. That is not cost effective and in many cases the law enforcement officer may not be available. The ability of inspectors to have citation authority for unlicensed electricians is good government protecting the people from a person that is not qualified to work on electrical systems in New Hampshire.

Recommended amendments in brackets with strike through for removal and bold underlined for additional language.

SB 135-FN - AS AMENDED BY THE SENATE

03/30/2017 0477s

03/30/2017 1215s

2017 SESSION

17-0777

10/05

SENATE BILL ***135-FN***

AN ACT relative to the regulation of electricians.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Watters, Dist 4; Rep. Backus, Hills. 19

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill allows for the regulation of electrical installations done without compensation, clarifies who may request identification of licensed inspectors, requires the electricians' board to adopt rules on third party electrical inspections, updates the National Electrical Code in the state building code, and removes authority of the state fire marshal to enforce provisions on electrician regulation.

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.

03/30/2017 0477s

03/30/2017 1215s 17-0777

10/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to the regulation of electricians.

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

~~[1 New Paragraph; Electricians; Inspectors; Identification. Amend RSA 319-C:5 by inserting after paragraph IV the following new paragraph:~~

~~V. A city or town building official or code enforcement officer designated by the administrative authority of the city or town, shall have the authority to check the license or identification card issued under this chapter.]~~

~~[2 New Section; Third Party Electrical Inspections; Rulemaking. Amend RSA 319-C by inserting after section 5 the following new section:~~

~~319-C:5 a Third Party Electrical Inspections. The board shall adopt rules under RSA 319-C:6-a requiring any entity engaging a person to conduct third party electrical inspections of electrical installations in this state to have the person conducting the inspection be approved by the board. The board shall maintain and make available a list of such persons approved for third party electrical inspections. The approval of a person to conduct third party electrical inspections shall not prohibit a city or town that has established inspections under RSA 47:22 or RSA 674:51 from contracting with any person of its choice to perform third party electrical inspections.]~~

3 State Building Code; National Electrical Code. Amend RSA 155-A:1, IV to read as follows:

IV. "New Hampshire building code" or "state building code" means the adoption by reference of the International Building Code 2009, the International Existing Building Code 2009, the International Plumbing Code 2009, the International Mechanical Code 2009, the International Energy Conservation Code 2009, and the International Residential Code 2009, as published by the International Code Council, and the National Electrical Code [2014] **2017**, as amended by the state building code review board and ratified by the legislature in accordance with RSA 155-A:10. The provisions of any other national code or model code referred to within a code listed in this definition shall not be included in the state building code unless specifically included in the codes listed in this definition.

4 Licensing Requirements; Requests for Certificate. Amend RSA 319-C:7, III to read as follows:

III. All persons licensed by the board shall receive a certificate under the seal of the board and with the signature of the board chairman, which must be publicly displayed at the principal place of business of said electrician, or, if no such place of business, must be carried on his person and displayed at any time upon request *to any electrical inspector appointed under this chapter, a state, city or town building or fire official or code enforcement officer designated by the administrative authority of the state, city or town*, as long as said person continues in the business as herein defined. The certificate shall specify the name of the person licensed who, in the case of a firm, shall be one of its members or employees and, in the case of a corporation, one of its officers or employees passing the examination. In the case of a firm or corporation, the license shall be void upon the death of or the severance from the company of said person.

~~[5-Department of Safety; Enforcement by Fire Marshal; Electricians Removed. Amend RSA 21-P:4, VII to read as follows:~~

~~VII. Have the discretion to grant authority to issue a citation for violations of fire safety rules adopted under RSA 153:4-a, RSA 153:5, and RSA 160-C and to unlicensed persons who perform actions that require a license under RSA 153:28, RSA 153:29-a, RSA 319-C, or RSA 329-A to the state fire marshal or his or her designee, or to any fire chief, fire investigator, fire inspector or fire prevention officer who meets the qualifications established pursuant to RSA 21-P:14, II(s). A citation for violations under this paragraph shall carry the penalty set forth under RSA 153:24. A building official or code enforcement officer may also be granted authority under RSA 21-P:14, II(s) to issue a citation to any unlicensed person who performs actions requiring a license under RSA 153:28, RSA 153:29-a, RSA 319-C, or RSA 329-A.~~

6 Effective Date.

I. Section 3 of this act shall take effect January 1, 2018.

II. The remainder of this act shall take effect 60 days after its passage.

LBAO
17-0777
1/20/17

**SB 135-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to the regulation of electricians.

FISCAL IMPACT: State County Local None

Amendments



Amendment to SB 135-FN

1 Amend the bill by replacing section 1 with the following:

2

3 1 New Paragraph; Electricians; Inspectors; Identification. Amend RSA 319-C:5 by inserting
4 after paragraph IV the following new paragraph:

5 V. A state, city, or town building official or code enforcement officer appointed by the
6 administrative authority of the state, city, or town, who performs electrical inspections authorized
7 in accordance with RSA 155-A:2, IV, RSA 155-A:2, VI, RSA 47:22, or RSA 674:51 shall have the
8 authority to check the license or identification card issued under this chapter.

9

10 Amend the bill by replacing section 4 with the following:

11

12 4 Licensing Requirements; Requests for Certificate. Amend RSA 319-C:7, III to read as follows:

13 III. All persons licensed by the board shall receive a certificate under the seal of the board
14 and with the signature of the board chairman, which must be publicly displayed at the principal
15 place of business of said electrician, or, if no such place of business, must be carried on his *or her*
16 person and displayed at any time upon request *to any electrical inspector appointed by the*
17 *board under this chapter*, as long as said person continues in the business as herein defined.
18 The certificate shall specify the name of the person licensed who, in the case of a firm, shall be one
19 of its members or employees and, in the case of a corporation, one of its officers or employees
20 passing the examination. In the case of a firm or corporation, the license shall be void upon the
21 death of or the severance from the company of said person.

Rep. Beaudoin, Straf. 9
April 24, 2017
2017-1498h
10/06



Amendment to SB 135-FN

1 Amend the bill by deleting section 3 and renumbering the original sections 4-6 to read as 3-5,
2 respectively.

3

4 Amend the bill by replacing section 5 with the following:

5

6 6 Effective Date. This act shall take effect 60 days after its passage.

Not used



2017-1498h

AMENDED ANALYSIS

This bill allows for the regulation of electrical installations done without compensation, clarifies who may request identification of licensed inspectors, requires the electricians' board to adopt rules on third party electrical inspections, and removes authority of the state fire marshal to enforce provisions on electrician regulation.

Fiscal Note

SB 135-FN- FISCAL NOTE
 AS AMENDED BY THE SENATE (AMENDMENTS #2017-0477s AND #2017-1215s)

AN ACT relative to the regulation of electricians.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Expenditures	Indeterminable	Indeterminable	Indeterminable	Indeterminable
<i>Funding Source:</i>	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill as amended specifies who has authority to identify licensed electrical inspectors. The Electrician's Board would be required to adopt rules regarding "third party electrical inspections". The authority for the State Fire Marshal to enforce electrician regulations has been removed. It updates a reference to the National Electrical Code within the State Building Code. City or town building officials or code enforcement officers shall have the authority to check the license or identification of inspectors. The Department of Safety indicates a few licensing inspectors on the joint board will take on the responsibility for electrical licensing violations from many jurisdictions, impacting enforcement of electrical safety throughout the State. The fiscal impact is unknown because of how many licensing violations handled locally would become additional work for the joint board.

The Office of Professional Licensure and Certification indicates there is no fiscal impact.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification and Department of Safety

STATE:	Estimated Increase / (Decrease)			
	FY 2018	FY 2019	FY 2020	FY 2021
Appropriation	\$0	\$0	\$0	\$0
Revenue	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Expenditures	Indeterminable	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill would require electrical installations, whether for compensation or not, to be made by electricians or other persons licensed by the Electrician's Board. It allows for the establishment of fees for voluntary inspections done by a Board appointed inspector and updates a reference to the National Electrical Code within the State Building Code. City or town building officials or code enforcement officers shall have the authority to check the license or identification of inspectors. The Office of Professional Licensure and Certification (OPLC) estimates the number of voluntary inspections requested would be minimal, but there would be costs associated with fueling State-owned vehicles traveling to the locations. The fee to be determined by the Board of Electricians is unknown but would increase OPLC unrestricted revenue. The New Hampshire Municipal Association indicates it is unlikely to affect municipal revenues or expenditures.

AGENCIES CONTACTED:

Office of Professional Licensure and Certification and New Hampshire Municipal Association

Bill as
Introduced

SB 135-FN - AS AMENDED BY THE SENATE

03/30/2017 0477s
03/30/2017 1215s

2017 SESSION

17-0777
10/05

SENATE BILL ***135-FN***

AN ACT relative to the regulation of electricians.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Watters, Dist 4; Rep. Backus, Hills. 19

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill clarifies who may request identification of licensed electrical inspectors, requires the electricians' board to adopt rules on third party electrical inspections, updates the National Electrical Code in the state building code, and removes the authority of the state fire marshal to enforce provisions on electrician regulation.

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 135-FN - AS AMENDED BY THE SENATE

03/30/2017 0477s
03/30/2017 1215s

17-0777
10/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT relative to the regulation of electricians.

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

1 1 New Paragraph; Electricians; Inspectors; Identification. Amend RSA 319-C:5 by inserting
2 after paragraph IV the following new paragraph:

3 V. A city or town building official or code enforcement officer designated by the
4 administrative authority of the city or town, shall have the authority to check the license or
5 identification card issued under this chapter.

6 2 New Section; Third Party Electrical Inspections; Rulemaking. Amend RSA 319-C by
7 inserting after section 5 the following new section:

8 319-C:5-a Third Party Electrical Inspections. The board shall adopt rules under RSA 319-C:6-a
9 requiring any entity engaging a person to conduct third-party electrical inspections of electrical
10 installations in this state to have the person conducting the inspection be approved by the board.
11 The board shall maintain and make available a list of such persons approved for third-party
12 electrical inspections. The approval of a person to conduct third-party electrical inspections shall
13 not prohibit a city or town that has established inspections under RSA 47:22 or RSA 674:51 from
14 contracting with any person of its choice to perform third-party electrical inspections.

15 3 State Building Code; National Electrical Code. Amend RSA 155-A:1, IV to read as follows:

16 IV. "New Hampshire building code" or "state building code" means the adoption by
17 reference of the International Building Code 2009, the International Existing Building Code 2009,
18 the International Plumbing Code 2009, the International Mechanical Code 2009, the International
19 Energy Conservation Code 2009, and the International Residential Code 2009, as published by the
20 International Code Council, and the National Electrical Code [2014] 2017, as amended by the state
21 building code review board and ratified by the legislature in accordance with RSA 155-A:10. The
22 provisions of any other national code or model code referred to within a code listed in this definition
23 shall not be included in the state building code unless specifically included in the codes listed in this
24 definition.

25 4 Licensing Requirements; Requests for Certificate. Amend RSA 319-C:7, III to read as follows:

26 III. All persons licensed by the board shall receive a certificate under the seal of the board
27 and with the signature of the board chairman, which must be publicly displayed at the principal
28 place of business of said electrician, or, if no such place of business, must be carried on his person
29 and displayed at any time upon request *to any electrical inspector appointed under this*
30 *chapter*, as long as said person continues in the business as herein defined. The certificate shall

SB 135-FN - AS AMENDED BY THE SENATE

- Page 2 -

1 specify the name of the person licensed who, in the case of a firm, shall be one of its members or
2 employees and, in the case of a corporation, one of its officers or employees passing the examination.
3 In the case of a firm or corporation, the license shall be void upon the death of or the severance from
4 the company of said person.

5 5 Department of Safety; Enforcement by Fire Marshal; Electricians Removed. Amend RSA 21-
6 P:4, VII to read as follows:

7 VII. Have the discretion to grant authority to issue a citation for violations of fire safety
8 rules adopted under RSA 153:4-a, RSA 153:5, and RSA 160-C and to unlicensed persons who
9 perform actions that require a license under RSA 153:28, RSA 153:29-a, [~~RSA 319-C,~~] or RSA 329-A
10 to the state fire marshal or his or her designee, or to any fire chief, fire investigator, fire inspector
11 or fire prevention officer who meets the qualifications established pursuant to RSA 21-P:14, II(s).
12 A citation for violations under this paragraph shall carry the penalty set forth under RSA 153:24.
13 A building official or code enforcement officer may also be granted authority under RSA 21-P:14,
14 II(s) to issue a citation to any unlicensed person who performs actions requiring a license under
15 RSA 153:28, RSA 153:29-a, [~~RSA 319-C,~~] or RSA 329-A.

16 6 Effective Date.

17 I. Section 3 of this act shall take effect January 1, 2018.

18 II. The remainder of this act shall take effect 60 days after its passage.