

FINAL BILL REPORT

ESSB 5831

C 254 L 08

Synopsis as Enacted

Brief Description: Creating the joint legislative task force on heating, ventilation, air conditioning, and refrigeration.

Sponsors: Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, Franklin, Keiser and Murray).

Senate Committee on Labor, Commerce, Research & Development

Senate Committee on Ways & Means

House Committee on Commerce & Labor

House Committee on Appropriations

Background: Heating, ventilation, air conditioning and refrigeration (HVAC/R) systems control the temperature and humidity of air in a building. An HVAC/R technician works on equipment such as boilers, heat pumps, air conditioning units, and furnaces. Generally, the work of an HVAC/R technician involves work in several trades including sheet metal, plumbing, and electrical.

Six Washington cities require licenses for gas and mechanical work, refrigeration, and oil work; however, the state only regulates the electrical work of HVAC/R. The Department of Labor & Industries (L&I) licenses the electrical work. L&I is advised on electrical regulation by the Electrical Board, a 15-member advisory body whose membership is set in statute. Specialty electricians, such as HVAC/R, account for about 40 percent of regulated electricians but are not formally represented on the board.

A person currently engaged in the HVAC/R business can be required to obtain licensure or certification in four regulatory areas: a general or specialty contractor under Chapter 18.27 RCW; an electrical contractor; and electrical administrator; or a journeyman electrician or licensure in one of the two HVAC/R specialties. All of these license or certifications are fee based.

In 2005 the Joint Legislative Audit and Review Committee (JLARC) conducted a study of the HVAC/R licensing and testing requirements in Washington. In the report published in September of 2005 JLARC made several recommendations including that L&I should examine scenarios that would certify aspects of HVAC/R work. In this regard, JLARC suggested three options: 1) create a separate, comprehensive HVAC/R certificate; 2) administer an HVAC/R certificate through the Electrical Board or create a sub-board of the Electrical Board that certifies that a trainee performing both electrical and mechanical work has HVAC/R knowledge and skills in both electrical and non-electrical aspects; and 3) create a model where the state administers an exam that is acceptable to cities that require additional certification for skills beyond the specialty electrical license.

Summary: A joint legislative task force on HVAC/R is established. The task force is composed of the Chair and Ranking Minority Member of the Senate Labor, Commerce, Research & Development Committee and the House Commerce and Labor Committee; two legislative members appointed by the Senate Majority Leader; two legislative members appointed by the Speaker of the House; four members of the HVAC/R industry selected from nominations submitted by statewide business organizations; four members representing labor; and a representative from L&I.

The task force must review the following issues in the context of ESSB 5831 and the JLARC report on HVAC/R licensing and testing requirements: the requirements for certifying HVAC/R mechanics; methods of registering contractors who qualify for two or more registrations or licenses; establishing at least three levels of mechanics, with the ability to be certified in different specialties; on the job experience requirements for mechanics; apprenticeship certification; exemptions to registration, certification, or licensing; and any other factors deemed necessary.

Expenses of the task force will be paid jointly by the Senate and House of Representatives, and a report and recommendations are due to the Legislature by December 1, 2008.

Votes on Final Passage:

Senate	47	2	
House	58	35	(House amended)
Senate			(Senate insisted on position;
			asked House for conference)
House	95	2	(House amended)
Senate	40	9	(Senate concurred)

Effective: June 12, 2008