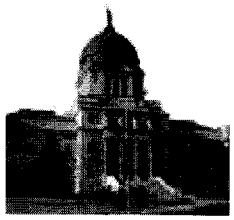

Legislative Background Brief

for the

Economic Affairs Interim Committee

April 2012

State Electrical Board

Prepared by Pat Murdo, Legislative Research Analyst

2-15-1764, MCA - Five members appointed by the governor with consent of the Senate. Must be residents of Montana. Of the total, 2 are to represent the public, 2 are to be licensed electricians, and 1 must be a master licensed electrical contractor. Members serve 5-year terms.

Board Members (end of term in parentheses)

Licensed Representatives:	***Public Members:***
• Jack Fisher, Butte, licensed electrician (7/1/2013) • Rick Hutchinson, Black Eagle, licensed electrician (7/1/2014) • Mel Medhus III, Kalispell, master electrician (7/1/2105)	• Keith Simendinger, Helena (7/1/2012) • Dawn Achten, Billings (7/1/2016)

Number of Licensees, FY2011 ... 4,820* ***FY 2010*** ... 5,226

of which, in FY 2011:

master electricians = 1,163	biennially pay to renew $100
journeyman electricians = 2,240	biennially pay to renew $100
residential electricians = 74	biennially pay to renew $100
inside wireman apprentices = 443	
residential wireman apprentices = 39	
unlimited electrical contractors** = 676	biennially pay to renew $200
limited electrical contractors** = 185	biennially pay to renew $200

* The decrease in the number of licensees is thought to be a decrease in new applications, primarily due to the recession, as well as to a fairly consistent 10% retirement of existing licensees.

**An unlimited electrical contractor is licensed to perform electrical work on commercial, residential, industrial, and institutional electrical installations as covered by the National Electrical Code. A limited electrical contractor is licensed to perform electrical work on residential construction of less than 5 living units in a single structure.

Apprentices pay $10 registration fee and do not need to renew as long as they are in the Montana Apprenticeship and Training Program.

Application by endorsement/reciprocity, including original license fee, costs $250.

Revenues/Expenditures FY2009-2010 and Budgets for FY2012-2013

	Revenues		*Expenditures*	
	Licensing	Other	*Personal Services*	*Operating*
FY 2009	$275,048		$358,334	
FY 2010	(base budget in HB 2) $348,623		actual	

		Budgeted in HB 2
FY 2012		$354,819
FY 2013		$351,969

Expenditures, FY 2010	Direct	Indirect	
		Admin	Div. IT/Bureau
Personal Services, incl. per diem	$147,105	$12,405	$17,743
Operating Expenses			
Consulting, Printing, IT, Other	$17,853	$6,138	
Supplies, incl. Computer	$20,180	$3,641	
Postage, mailing, IT network, voice srv	$12,688	$5,326	
Travel - Board Members/Inspectors	$17,418	--	
Rent and other expenses*	$20,019	$30,419	
Legal and hearings	$47,836	--	

*Direct costs under other expenses include $12,727 for motor pool leased vehicles, $75 for meeting rooms, $48 for repair and maintenance, and $7,169 for dues, education & training and fee collection expenses while indirect costs are: rent of $11,280, computer/equipment repair of $418, DLI OIT expense of $5,879, and indirect agency of $12,843.

Number of Complaints (new)

FY 11 268
62 contested cases,

FY 10 83
29 contested cases

FY 09 114

Disciplinary Action (may be from other years)

FY 11 ... 42 investigations with 26 completed, 167 dismissed, 2 probation, 1 revoked, 2 suspended, 1 denied a license, 14 with multiple sanctions, 2 letters of reprimand, and 11 injunctions/cease and desist orders.

FY 10 ... 32 investigations with 41 completed, 29 dismissed, 1 probation, 1 revoked, 1 suspended, 1 denied a license, 7 with multiple sanctions, and 22 injunctions/cease and desist orders.

FY 09 ... 8 licenses revoked, 0 suspended, 62 dismissed 47 other sanctions, and 26 investigations

Scope of Practice - excludes those who install, alter, or repair electrical signals or communications equipment owned or operated by a public utility or a city (37-68-103)

Electrical contractor means - a person, firm, partnership, corporation, association, or combination of these entities that undertakes or offers to undertake for another the planning, laying out, supervising, and installing or the making of additions, alterations, and repairs in the installation of wiring apparatus and equipment for electric light, heat, and power. The term does not include a person, firm, partnership, corporation, association, or combination of these entities that only plans or designs electrical installations. (37-68-102)

Master electrician means - a person having the necessary qualifications, training, experience, and technical knowledge to properly plan, layout, and supervise the installation and repair of wiring apparatus and equipment for electric light, heat, power, and other purposes under the rules governing this work. Must have either 8,000 hours practical electrical experience or 2,000 hours if the person is an electrical engineer who has graduated from an accredited college or university. (37-68-304)

Journeyman electrician means - a person having the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical apparatus and equipment for light, heat, power, and other purposes under the rules governing this work. Journeyman level experience is a minimum of 8,000 hours practical work experience. (37-68-102) Under 37-68-305, a journeyman alternatively may show evidence of completing an approved apprenticeship program in the electrical trade or an appropriate training program conducted by a union or trade association, or completion of 20,000 hours of work in the electrical maintenance field of which at least 8,000 of these hours must be practical experience. (37-68-305)

Residential electrician means - a person having the necessary qualifications, training, experience, and technical knowledge to wire for, install, and repair electrical apparatus and equipment for light, heat, power, and other purposes in residential construction consisting of less than five living units in a single structure under the rules governing this work. Practical experience must include 4,000 hours or completion of an appropriate training program conducted by a union or trade association, or work in the electrical maintenance field for at least 20,000 hours accompanied by a certification by the employer that the applicant is qualified to take the relevant application. A minimum of 8,000 of the 20,000 hours must be practical experience. (37-68-305)

Other References to Electrical Practice in Montana Statutes:

- **18-2-413, MCA** - Prevailing wages for building construction services requires the Department of Labor and Industry to survey once a year electrical contractors licensed under Title 37, chapter 68, who perform commercial work.
- **50-39-101, MCA -** The chapter on fire protection equipment does not prohibit an electrician licensed under Title 37, chapter 68, from installing components of fire protection equipment if the installation is inspected and approved by the person authorized to seel, service, or stall that equipment.

2011 Bill Affecting Electrician Profession

- House Bill No. 511 by Rep. Gordon Hendrick did not pass. The bill would have allowed for a combination of employers to verify an applicant's work history for a journeyman electrician's license or a residential electrician's license.

Summary of Responses from Survey:

-Major concerns about unlicensed practice, particularly of handymen and those engaged in low-voltage activities (voice-data-video).

-Several questions as to why the fines levied by the board must go to the general fund instead of paying the expenses of the screening and adjudication processes.