

HCS HB 2118 -- MISSOURI ELECTRICAL LICENSING BOARD

SPONSOR: Cox

COMMITTEE ACTION: Voted "Do Pass" by the Committee on Workforce Development and Workplace Safety by a vote of 7 to 2.

This bill establishes the Missouri Electrical Industry Licensing Board in the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration to regulate and license electrical contractors. In its main provisions, the bill:

(1) Specifies that the board's nine members, appointed by the Governor with the advice and consent of the Senate, will be chosen from lists submitted by the division director from the three districts established in the bill. Members will serve four-year terms, not to exceed two terms. Four members must be in good standing with the National Electrical Contractors Association, two members with the Associated Builders and Contractors, two members with the Independent Electrical Contractors, and one member with the Society of Professional Engineers;

(2) Requires the board to meet at least four times annually and allows board members to be reimbursed for expenses and receive compensation of up to \$70 per day for expenses incurred in the performance of the member's official duties;

(3) Exempts work done by specified utility employees, a railroad corporation, specified contractors who service the construction and maintenance of power lines or substations of specified utility or telecommunications companies, a federally licensed radio or television station or commercial mobile radio service provider, specified private broadcast engineering contractors, or specified contractors involved in cabling infrastructure and products that transport voice, video, audio, and data signals from the provisions of the bill;

(4) Requires an electrical contracting firm to employ at a supervisory level at least one licensed electrical contractor;

(5) Requires an applicant for a statewide electrical contractor's license to be at least 21 years of age and a United States citizen, provide proof of insurance in an amount of \$500,000 and post a bond with each political subdivision in which he or she will perform work, pass a standardized and nationally accredited electrical assessment examination, pay for the costs of the examination, and have completed specified hours of verifiable practical work experience as specified in the bill;

(6) Requires an electrical contractor who currently holds an electrical contractor's license in good standing with a political subdivision that required the passing of a standardized and nationally accredited electrical assessment examination and who has verifiable proof of 12,000 hours experience installing equipment and associated wiring while in the employ of an electrical contractor or other business whose primary function is installing or servicing electrical equipment to be eligible to receive a statewide license on August 28, 2014;

(7) Specifies that any person operating as an electrical contractor in a political subdivision that does not require the contractor to hold a local license must not be required to possess a statewide license to continue to operate as an electrical contractor in the political subdivision. A political subdivision must not be prohibited from establishing its own local electrical contractor's license but must recognize a statewide license in lieu of a local license for the purposes of performing work or obtaining permits to perform work within the political subdivision;

(8) Requires the division to establish licensing fees that do not substantially exceed the administrative costs and allows the division to negotiate reciprocal licensing agreements with other states, the District of Columbia, or United States territories that require standards for licensure, registration, or certification considered to be equivalent or more stringent than the specified state licensure requirements;

(9) Creates the Missouri Electrical Industry Licensing Board Fund which will be used, upon appropriation, solely for the administration of the provisions of the bill;

(10) Requires, if an electrical contractor transfers employment from one company to another, all permits on the contractor's license to first be cleared. It is the responsibility of the contractor to notify the division of his or her intent to transfer employment and of any current active permits on the contractor's license when transferring employment. Upon receiving the notification, the division must notify all affected political subdivisions via electronic communication of the contractor's status. It must be assumed that all permits are cleared if no response is given otherwise by the affected political subdivisions within 72 hours of the notification;

(11) Allows the board to refuse to issue or renew or to suspend any license for one or any combination of specified causes. The board must notify the applicant in writing of the reasons and must advise the applicant of his or her right to file a complaint with

the Administrative Hearing Commission; and

(12) Allows the board to file a complaint against a contractor with the commission and to suspend or revoke a license based on the commission's findings. An individual whose license has been revoked must wait at least one year from the date of revocation to apply for relicensure.

Any person or corporation who knowingly violates any of these provisions or any officer or agent of a corporation or member or agent of a partnership or association who knowingly and personally participates in or is an accessory to any violation is guilty of a class B misdemeanor.

The division, in collaboration with the board, may cause a complaint to be filed for any violation of these provisions in any court of competent jurisdiction and perform any other acts as may be necessary to enforce these provisions.

PROPONENTS: Supporters say that the bill is not a statewide building code bill.

Testifying for the bill was Representative Cox.

OPPONENTS: Those who oppose the bill say that many, if not most, political subdivisions follow different versions of the governing codes, resulting in the possibility of a central licensing board overseeing 114 different county licenses. Also, there is nothing in the bill to address enforcement.

Testifying against the bill was Terry Schlemeier.