

SB 298_MDL_Support.docx.pdf

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Letter of Support

SB 298 - State Board of Electricians - Licensing - Penalties

Under the current statute, if a licensed Electrician commits an infraction of the Electricians Act, the Board has two options: take no action or revoke their license. Because the Board's mandate is to protect Maryland's citizens from harm and enforce the Statutes, they are often compelled to revoke licensure for even minor infractions.

This bill would grant the State Board of Electricians the authority to issue civil penalties for an infraction of the Electricians Act. Under the current statute, the State Board of Electricians is limited to one option - the revocation of a license for any violation.

This bill will empower the Board to treat a minor infraction, such as completing a continuing education course a day late, differently than a violation of crucial safety protocols in the electrical code.

Every other occupational profession has a civil penalty section. The addition of this provision will bring the State Board of Electricians into parity with the other Boards.

This bill will also allow the Board to take civil action against unlicensed individuals. Currently, an individual who performs electrical work without a license can only be charged criminally, which is often a disproportionate penalty. Enacting a civil penalty will allow the Board to adjust its enforcement strategy in these situations and resolve them proportionately. Individuals who made an honest mistake but did not cause lasting harm should not necessarily be saddled with a criminal conviction.

For the above reasons, the Department respectfully requests a **favorable report** by the Committee on SB 298.

Electricians Testimony- John Dove.pdf

Uploaded by: John Dove

Position: FAV



To: Education, Energy, and the Environment Committee
From: John Dove, Commissioner, Division of Occupational and Professional Licensing,
Maryland Department of Labor
Re: SB298 - State Board of Electricians-Licensing-Penalties

Introduction:

Good afternoon, for the record, my name is John Dove, Commissioner of the Division of Occupational and Professional Licensing, at the Maryland Department of Labor. I would like to thank Chair Feldman, and all the Energy, Education and Environment Committee Members for allowing me to introduce you to SB 298, entitled State Board of Electricians - Licensing - Penalties and I would like to explain why the passing of this Bill would benefit all citizens of Maryland.

Testimony:

In 2021, The Legislature passed SB 762, which established electrical licensing at the State level. Prior to this, the licensing was administered at the local level along with the enforcement. The Annotated Code of Maryland,, lists the grounds under which the Board may take action against an applicant or licensee. However, there is currently no provision to impose a civil penalty for such violations.

Each of the other occupational licensing Boards have a civil penalty to allow for progressive disciplinary action, and when looking at the statute, it appears to mirror every other occupational license in establishing grounds for action by the Board. However, as the statute is currently written, the Board only has one option for any violation, and that is the revocation of an individual's electrical license. The revocation of an electrical license should only be imposed for the most severe violations, or when progressive discipline fails to correct a licensee's action.

By passing this legislation it will allow the State Board of Electricians to look at the totality of the violation and issue progressive and proportional discipline.

Thank you for your time, and we ask this committee for a favorable report.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Dove", written over a horizontal line.

John C. Dove

CC: John Bull, Executive Director

SB 298 - State Board of Electricians - Licensing -

Uploaded by: Donna Edwards

Position: FWA



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**SB 298 - State Board of Electricians - Licensing - Penalties
Senate Education, Energy, and the Environment Committee
January 23, 2024**

SUPPORT WITH AMENDMENT

**Donna S. Edwards
President
Maryland State and DC AFL-CIO**

Chairman and members of the Committee, thank you for the opportunity to provide testimony in support of SB 298 - State Board of Electricians - Licensing - Penalties with amendments. My name is Donna S. Edwards, and I am the President of the Maryland State and DC AFL-CIO. On behalf of the 300,000 union members in the state of Maryland, I offer the following comments.

SB 298 allows the Maryland State Board of Electricians to issue penalties up to \$5,000 for violations of the electrical licensing rules. The state's license rules are in place to protect workers and the public from bad business practices and safety issues, including failing to adequately train apprentices, failing to carry insurance, or failing to perform work according to a contract. By permitting financial penalties up to \$5,000, it provides the State Board of Electricians with another tool in the toolbox to protect electrical workers and consumers.

We believe that this bill would be strengthened with the following amendment:

Adding after 6-316 and before (a)(1), to read:

“STATEWIDE ANY PERSON WHO VIOLATES ANY OF THE REGULATIONS OF SECTION 6-316 SHALL BE PENALIZED. WHEN AND IF A LOCAL AUTHORIZED ELECTRICAL ADMINISTRATION CAN NOT RESOLVE THE INFRACTION(S) THEN THAT PERSON SHALL BE:”

This amendment prevents overburdening the State Board of Electricians by permitting the local boards to resolve issues first when they arise. The State Board of Electricians already has a backlog of hearings. The amendment would streamline the Board's work and foster increased collaboration between state and local boards.

We urge a favorable report on SB 298 with the proposed amendments.

SB298_LOS with Amendments_State Board of Electrici

Uploaded by: Kevin O'Keeffe

Position: FWA



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January 25, 2024

To: Members of the Senate Education, Energy, and the Environment Committee

From: Independent Electrical Contractors (IEC) Chesapeake

Re: Support Senate Bill 298 **(with Amendment)** – State Board of Electricians – Licensing - Penalties

Independent Electrical Contractors (IEC) Chesapeake supports Senate Bill (SB) 298 and requests a favorable report with an amendment.

Independent Electrical Contractors (IEC) Chesapeake represents nearly 200 electrical contractors who employ approximately 15,000 workers in the mid-Atlantic region. In addition, IEC Chesapeake has nearly 1,000 electrical apprentices, and is one of the largest apprenticeship programs in Maryland.

IEC Chesapeake supports Senate Bill 298 **with an amendment**. The proposed amendment seeks to clarify that local electrical boards can seek the assistance of the State Board of Electricians in investigating and levying penalties, if necessary, on electricians who are allegedly violating State regulations.

The proposed amendment comes from IEC Chesapeake's collaboration with the Electric League of Maryland which is a respected voice for the electrical industry in Maryland. One of the key constituencies of the Electric League of Maryland is local electrical boards. Allowing local electrical boards to investigate and levy penalties against alleged offenders of Maryland electrical regulations would result in decisions in a timely manner and would alleviate an excessive caseload for the State Board of Electricians.

Proposed Amendment to SB 298

On Page 1, on Line 16 after 6-316 and before (a) (1) insert:

"STATEWIDE ANY PERSON WHO VIOLATES ANY OF THE REGULATIONS OF SECTION 6-316 SHALL BE PENALIZED. WHEN AND IF A LOCAL AUTHORIZED ELECTRICAL ADMINISTRATION CAN NOT RESOLVE THE INFRACTION(S) THEN THAT PERSON SHALL BE:"

Thank you for your consideration. If you have any questions, please contact Grant Shmelzer, Executive Director of IEC Chesapeake, at 1-301-621-9545, extension 114 or at gshmelzer@iec-chesapeake.com or Kevin O'Keeffe at 410-382-7844 or at kevin@kokeeffelaw.com.





PROPOSED AMENDMENT TO SB 298

BY: Independent Electrical Contractors Chesapeake
(To be offered in the Senate Education, Energy, and the Environment Committee)

AMENDMENT TO SENATE BILL 298
(First Reading File Bill)

AMENDMENT #1

On Page 1, on Line 16 after 6-316 and before (a) (1) insert:

"STATEWIDE ANY PERSON WHO VIOLATES ANY OF THE REGULATIONS OF SECTION 6-316 SHALL BE PENALIZED. WHEN AND IF A LOCAL AUTHORIZED ELECTRICAL ADMINISTRATION CAN NOT RESOLVE THE INFRACTION(S) THEN THAT PERSON SHALL BE:"

