

Introduced by Legislators Lindsay, Anker, Calarco and Gregory

RESOLUTION NO. 230 -2017, ADOPTING LOCAL LAW NO. 12 -2017, A LOCAL LAW TO IMPLEMENT CONTINUING EDUCATION REQUIREMENTS FOR ELECTRICIANS IN SUFFOLK COUNTY

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on February 7, 2017, a proposed local law entitled, "**A LOCAL LAW TO IMPLEMENT CONTINUING EDUCATION REQUIREMENTS FOR ELECTRICIANS IN SUFFOLK COUNTY**"; and said local law in final form is the same as when presented and introduced; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 12 -2017, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO IMPLEMENT CONTINUING EDUCATION REQUIREMENTS FOR ELECTRICIANS IN SUFFOLK COUNTY

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the County seeks to protect the health, safety and welfare of its residents via its consumer protection laws, including the licensing of electricians working in Suffolk County.

This Legislature also finds that the potential for hazards exists in the performance of electrical work.

This Legislature further finds that the advancement of technology and periodic updating of the National Electric Code, as well as changes in municipal building codes and mandated safe work practices, require continued education of master electricians and restricted electricians, including electrical inspectors, in order to keep industry knowledge current.

Therefore, the purpose of this local law is to implement continuing education requirements for individuals holding master electrician licenses and restricted electrician licenses, including electrical inspectors, in Suffolk County.

Section 2. Amendments.

Chapter 563 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**CHAPTER 563.
LICENSED OCCUPATIONS**

**Article I.
Provisions Applicable to All Licenses**

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§ 563-2. Definitions.

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COMMISSIONER or DIRECTOR - The Commissioner of the Department of Labor, Licensing and Consumer Affairs.

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DEPARTMENT or OFFICE – The Department of Labor, Licensing and Consumer Affairs.

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**Article XI.
Electricians and Plumbers**

§ 563-125. License required; exceptions.

It shall be unlawful on and after the effective date of this article for any person to engage in and carry on in the County any business, trade or calling for hire regulated by this article without having first obtained a license inclusive of, where applicable, having completed continuing education requirements, therefor from the [Suffolk County] Office [of Consumer Affairs] in accordance with and subject to the provisions of this article, except that any certificates of qualification or licenses issued for any such business, trade or calling for hire, issued by any governmental agency prior to the effective date of this article, shall continue to remain in full force and effect until the expiration or termination thereof in accordance with the terms thereof, unless sooner revoked or suspended for cause. This article shall not be applicable within any town or village which has hereinbefore enacted legislation regulating the licensing of business, trade or enterprise nor in any town or village subsequent to its enactment of any like legislation hereinafter nor in any town of the second class which elects by local law not to have this article apply to such town.

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§ 563-129. Term of License; fees; display; shelved licenses[.]; continuing education for electricians.

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H. Continuing Education for Electricians.

1. Applicants seeking to renew a master or restricted electrician’s license, and electrical inspectors, must submit proof of completion of the continuing education hours and/or credits required pursuant to the rules and regulations adopted by the Commissioner hereunder. Acceptable proof of completion of the required continuing education shall be a certificate of completion or other documentation acceptable to the Commissioner.

2. The Commissioner shall adopt rules and regulations promulgated and recommended by the Electrical Licensing Board establishing the number of continuing education hours and/or credits required for license renewal and the process and criteria by which continuing education courses and programs will be approved to satisfy such continuing education requirements. No rule or regulation may be adopted hereunder unless a public hearing is first held by the Commissioner. Prior notice of such public hearing shall be published in the official newspapers of the County at least seven (7) business days prior to said hearing. The Commissioner shall file a copy of all rules and regulations promulgated and adopted, and any amendments thereto, in the office of the Clerk of the County Legislature. Any rule or regulation which changes or in any way modifies the number of continuing education hours and/or credits required shall not take effect until at least one year subsequent to its filing in the office of the Clerk of the County Legislature.
3. The Electrical Licensing Board shall establish and maintain a list of approved continuing education courses and programs. Such list shall include at least five sources from which electricians and electrical inspectors may obtain the necessary education credits and may, in the Board's discretion, include on-line education courses. The Department shall publish such list on the Department's website, and shall provide such list to any applicant for renewal of a master or restricted electrician's license or, an electrical inspector, upon request.

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§ 563-131. Powers and duties of licensing boards.

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K. To promulgate and recommend to the Commissioner rules and regulations establishing approved continuing education courses and programs, including number of hours and/or credits required for the renewal of master and restricted electrician's licenses, including electrical inspectors.

Section 3. Applicability.

The continuing education requirement set-forth herein shall apply to applications for renewals received by the Department two years after the effective date of this local law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), N.Y. Environmental Conservation Law Article 8 and Chapter 450 of the Suffolk County Code, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.5(c)(20) and (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS ("NYCRR") in that the action constitutes routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution.

Section 6. Effective Date.

This law shall take effect upon its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language.

___ Underlining denotes addition of new language.

DATED: April 25, 2017

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: May 11, 2017

After a public hearing duly held on May 8, 2017
Filed with the Secretary of State on June 7, 2017