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HOUSE BILL 2578

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State of Washington

55th Legislature

1998 Regular Session

By Representatives McMorris and Wood

Read first time 01/15/98. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to expanding membership of the electrical board;  
2 amending RCW 19.28.065; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds and declares:

5 (1) The electrical board is directed under current law to advise  
6 the director of the department of labor and industries on the  
7 enforcement of chapter 19.28 RCW, to consider proposed amendments and  
8 repeals of rules and make recommendations on rules to the director of  
9 the department, and to serve as an appellate body with respect to  
10 citations issued for alleged violations of chapter 19.28 RCW.

11 (2) Chapter 19.28 RCW covers electrical wires, equipment, and  
12 installations in, on, or about buildings. Other wires, equipment, and  
13 installations are subject to chapter 19.29 RCW. Increasingly, the  
14 electrical board is being asked for advice in cases where the boundary  
15 of chapter 19.28 RCW is an issue.

16 (3) The current composition of the electrical board reflects its  
17 focus on chapter 19.28 RCW. This composition does not afford the board  
18 adequate representation of persons who are expert in matters not  
19 covered by the chapter and makes it difficult for the board to properly

1 determine the boundaries of the chapter. Therefore, it is the intent  
2 of the legislature that the membership of the electrical board be  
3 expanded to balance the representation of all affected parties and to  
4 improve the board's expertise on the scope of chapter 19.28 RCW.

5 **Sec. 2.** RCW 19.28.065 and 1988 c 81 s 4 are each amended to read  
6 as follows:

7 (1) There is hereby created an electrical board, consisting of  
8 ~~((ten))~~ eleven members to be appointed by the governor with the advice  
9 of the director of labor and industries as ~~((herein))~~ provided in this  
10 section. It shall be the purpose and function of the board to advise  
11 the director on all matters pertaining to the enforcement of this  
12 chapter including, but not limited to standards of electrical  
13 installation, minimum inspection procedures, and the adoption of rules  
14 ~~((and regulations))~~ pertaining to the electrical inspection division~~((+~~  
15 ~~PROVIDED,~~~~)).~~ However, ~~((That))~~ no rules ~~((or regulations))~~ shall be  
16 amended or repealed until the electrical board has first had an  
17 opportunity to consider any proposed amendments or repeals and had an  
18 opportunity to make recommendations to the director relative thereto.

19 (2) The members of the electrical board shall be selected and  
20 appointed as follows:

21 (a) One member shall be an employee or officer of a ~~((corporation~~  
22 ~~or public agency generating or))~~ business engaged in distributing  
23 electric power owned by an investor-owned electric company;

24 (b) One member shall be an employee or officer of a business  
25 engaged in distributing electric power owned by a city, public utility  
26 district, or cooperative or mutual corporation;

27 ~~((three))~~ (c) Two members shall be licensed electrical  
28 contractors~~((+ PROVIDED, That))~~. However, one of these members may be  
29 a representative of a trade association in the electrical industry;

30 (d) One member shall be an employee, or officer, or representative  
31 of a corporation or firm engaged in the business of manufacturing or  
32 distributing electrical materials, equipment, or devices;

33 (e) One member shall be a person with knowledge of the electrical  
34 industry, not related to the electrical industry, to represent the  
35 public. However, this person shall not be, nor should have ever been:

36 (i) A licensed electrical contractor, or an employee thereof; (ii) a  
37 certified electrician; (iii) a utility employee; or (iv) an outside  
38 lineman; ((three))

1       (f) Two members shall be certified electricians; ((and))

2       (g) One member shall be a licensed professional electrical engineer  
3 qualified to do business in the state of Washington. However, this  
4 person shall not be, nor should have ever been: (i) A licensed  
5 electrical contractor, or an employee thereof; (ii) a certified  
6 electrician; (iii) a utility employee; or (iv) an outside lineman; and

7       (h) Two members shall be outside linemen.

8       (3) The regular term of each member shall be four years(~~(+~~  
9 ~~PROVIDED,~~~~)~~). However, the original board shall be appointed on June 9,  
10 1988(~~(,~~ ~~for the following terms: The first term of the member~~  
11 ~~representing a corporation or public agency generating or distributing~~  
12 ~~electric power shall serve four years; two members representing~~  
13 ~~licensed electrical contractors shall serve three years; the member~~  
14 ~~representing a manufacturer or distributor of electrical equipment or~~  
15 ~~devices shall serve three years; the member representing the public and~~  
16 ~~one member representing licensed electrical contractors shall serve two~~  
17 ~~years; the three members selected as certified electricians shall serve~~  
18 ~~for terms of one, two, and three years, respectively; the member~~  
19 ~~selected as the licensed professional electrical engineer shall serve~~  
20 ~~for one year. In appointing the original board, the governor shall~~  
21 ~~give due consideration to the value of continuity in membership from~~  
22 ~~predecessor boards).~~ ((Thereafter,)) The first term of the new  
23 membership positions created by chapter . . . , Laws of 1998 (this act)  
24 shall be as follows: (a) The first term for the one additional  
25 electric utility member shall be for a term of four years; and (b) the  
26 first term for the two outside linemen shall be for terms of two and  
27 three years, respectively. The governor shall appoint the additional  
28 new members within ninety days of the effective date of this act. The  
29 governor shall remove members as required by chapter . . . , Laws of  
30 1998 (this act) within ninety days of the effective date of this act.

31       (4) The governor shall appoint or reappoint board members for terms  
32 of four years and to fill vacancies created by the completion of the  
33 terms of the original members and the new members appointed under  
34 chapter . . . , Laws of 1998 (this act). The governor shall also fill  
35 vacancies caused by death, resignation, or otherwise for the unexpired  
36 term of such members by appointing their successors from the same  
37 business classification. The same procedure shall be followed in  
38 making such subsequent appointments as is provided for the original

1 appointments and the additional appointments made under chapter . . . ,  
2 Laws of 1998 (this act).

3 (5) The board, at ((this)) its first meeting after the enactment of  
4 chapter . . . , Laws of 1998 (this act) shall elect one of its members  
5 to serve as ((chairman)) chair. Any person acting as the chief  
6 electrical inspector shall ((serve as secretary of)) provide staff  
7 assistance to the board during his or her tenure as chief state  
8 inspector. Meetings of the board shall be held at least quarterly in  
9 accordance with a schedule established by the board. Each member of  
10 the board shall receive compensation in accordance with RCW 43.03.240  
11 and shall be reimbursed for travel expenses in accordance with RCW  
12 43.03.050 and 43.03.060 which shall be paid out of the electrical  
13 license fund, upon vouchers approved by the director of labor and  
14 industries.

15 (6) Any rule that had been considered by the electrical board in  
16 accordance with this section after January 1, 1998, and adopted by the  
17 department before ninety days after the effective date of this act is  
18 null and void. The electrical board shall not consider any rule, or  
19 make any recommendation thereon, until ninety days after the effective  
20 date of this act.

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