

SHB 1841 - S AMD 398

By Senators Kohl-Welles, Parlette

ADOPTED 03/07/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 19.28.041 and 2002 c 249 s 2 are each amended to read
4 as follows:

5 (1) It is unlawful for any person, firm, partnership, corporation,
6 or other entity to advertise, offer to do work, submit a bid, engage
7 in, conduct, or carry on the business of installing or maintaining
8 wires or equipment to convey electric current, or installing or
9 maintaining equipment to be operated by electric current as it pertains
10 to the electrical industry, without having an unrevoked, unsuspended,
11 and unexpired electrical contractor license, issued by the department
12 in accordance with this chapter. All electrical contractor licenses
13 expire twenty-four calendar months following the day of their issue.
14 The department may issue an electrical contractors license for a period
15 of less than twenty-four months only for the purpose of equalizing the
16 number of electrical contractor licenses that expire each month.
17 Application for an electrical contractor license shall be made in
18 writing to the department, accompanied by the required fee. The
19 application shall state:

20 (a) The name and address of the applicant; in case of firms or
21 partnerships, the names of the individuals composing the firm or
22 partnership; in case of corporations, the names of the managing
23 officials thereof;

24 (b) The location of the place of business of the applicant and the
25 name under which the business is conducted;

26 (c) Employer social security number;

27 (d) Evidence of workers' compensation coverage for the applicant's
28 employees working in Washington, as follows:

29 (i) The applicant's industrial insurance account number issued by
30 the department;

1 (ii) The applicant's self-insurer number issued by the department;

2 or

3 (iii) For applicants domiciled in a state or province of Canada
4 subject to an agreement entered into under RCW 51.12.120(7), as
5 permitted by the agreement, filing a certificate of coverage issued by
6 the agency that administers the workers' compensation law in the
7 applicant's state or province of domicile certifying that the applicant
8 has secured the payment of compensation under the other state's or
9 province's workers' compensation law;

10 (e) Employment security department number;

11 (f) State excise tax registration number;

12 (g) Unified business identifier (UBI) account number may be
13 substituted for the information required by (d) of this subsection if
14 the applicant will not employ employees in Washington, and by (e) and
15 (f) of this subsection; and

16 (h) Whether a general or specialty electrical contractor license is
17 sought and, if the latter, the type of specialty. Electrical
18 contractor specialties include, but are not limited to: Residential,
19 pump and irrigation, limited energy system, signs, nonresidential
20 maintenance, restricted nonresidential maintenance, appliance repair,
21 and a combination specialty. A general electrical contractor license
22 shall grant to the holder the right to engage in, conduct, or carry on
23 the business of installing or maintaining wires or equipment to carry
24 electric current, and installing or maintaining equipment, or
25 installing or maintaining material to fasten or insulate such wires or
26 equipment to be operated by electric current, in the state of
27 Washington. A specialty electrical contractor license shall grant to
28 the holder a limited right to engage in, conduct, or carry on the
29 business of installing or maintaining wires or equipment to carry
30 electrical current, and installing or maintaining equipment; or
31 installing or maintaining material to fasten or insulate such wires or
32 equipment to be operated by electric current in the state of Washington
33 as expressly allowed by the license.

34 (2) The department may verify the workers' compensation coverage
35 information provided by the applicant under subsection (1)(d) of this
36 section, including but not limited to information regarding the
37 coverage of an individual employee of the applicant. If coverage is

1 provided under the laws of another state, the department may notify the
2 other state that the applicant is employing employees in Washington.

3 (3) The application for an electrical contractor license shall be
4 accompanied by a bond in the sum of four thousand dollars with the
5 state of Washington named as obligee in the bond, with good and
6 sufficient surety, to be approved by the department. The bond shall at
7 all times be kept in full force and effect, and any cancellation or
8 revocation thereof, or withdrawal of the surety therefrom, suspends the
9 license issued to the principal until a new bond has been filed and
10 approved as provided in this section. Upon approval of a bond, the
11 department shall on the next business day deposit the fee accompanying
12 the application in the electrical license fund and shall file the bond
13 in the office. The department shall upon request furnish to any
14 person, firm, partnership, corporation, or other entity a certified
15 copy of the bond upon the payment of a fee that the department shall
16 set by rule. The fee shall cover but not exceed the cost of furnishing
17 the certified copy. The bond shall be conditioned that in any
18 installation or maintenance of wires or equipment to convey electrical
19 current, and equipment to be operated by electrical current, the
20 principal will comply with the provisions of this chapter and with any
21 electrical ordinance, building code, or regulation of a city or town
22 adopted pursuant to RCW 19.28.010(3) that is in effect at the time of
23 entering into a contract. The bond shall be conditioned further that
24 the principal will pay for all labor, including employee benefits, and
25 material furnished or used upon the work, taxes and contributions to
26 the state of Washington, and all damages that may be sustained by any
27 person, firm, partnership, corporation, or other entity due to a
28 failure of the principal to make the installation or maintenance in
29 accordance with this chapter or any applicable ordinance, building
30 code, or regulation of a city or town adopted pursuant to RCW
31 19.28.010(3). In lieu of the surety bond required by this section the
32 license applicant may file with the department a cash deposit or other
33 negotiable security acceptable to the department. If the license
34 applicant has filed a cash deposit, the department shall deposit the
35 funds in a special trust savings account in a commercial bank, mutual
36 savings bank, or savings and loan association and shall pay annually to
37 the depositor the interest derived from the account.

1 (4) The department shall issue general or specialty electrical
2 contractor licenses to applicants meeting all of the requirements of
3 this chapter. The provisions of this chapter relating to the licensing
4 of any person, firm, partnership, corporation, or other entity
5 including the requirement of a bond with the state of Washington named
6 as obligee therein and the collection of a fee therefor, are exclusive,
7 and no political subdivision of the state of Washington may require or
8 issue any licenses or bonds or charge any fee for the same or a similar
9 purpose. No person, firm, partnership, corporation, or other entity
10 holding more than one specialty contractor license under this chapter
11 may be required to pay an annual fee for more than one such license or
12 to post more than one four thousand dollar bond, equivalent cash
13 deposit, or other negotiable security.

14 (5) To obtain a general or specialty electrical contractor license
15 the applicant must designate an individual who currently possesses a
16 valid master journeyman electrician's certificate of competency, master
17 specialty electrician's certificate of competency in the specialty for
18 which application has been made, or administrator's certificate as a
19 general electrical contractor administrator or as a specialty
20 electrical contractor administrator in the specialty for which
21 application has been made.

22 (6) Administrator certificate specialties include but are not
23 limited to: Residential, pump and irrigation, limited energy system,
24 signs, nonresidential maintenance, restricted nonresidential
25 maintenance, appliance repair, and combination specialty. To obtain an
26 administrator's certificate an individual must pass an examination as
27 set forth in RCW 19.28.051 unless the applicant was a licensed
28 electrical contractor at any time during 1974. Applicants who were
29 electrical contractors licensed by the state of Washington at any time
30 during 1974 are entitled to receive a general electrical contractor
31 administrator's certificate without examination if the applicants apply
32 prior to January 1, 1984. The board of electrical examiners shall
33 certify to the department the names of all persons who are entitled to
34 either a general or specialty electrical contractor administrator's
35 certificate.

36 **Sec. 2.** RCW 19.28.161 and 2002 c 249 s 4 are each amended to read
37 as follows:

1 (1) No person may engage in the electrical construction trade
2 without having a valid master journeyman electrician certificate of
3 competency, journeyman electrician certificate of competency, master
4 specialty electrician certificate of competency, or specialty
5 electrician certificate of competency issued by the department in
6 accordance with this chapter. Electrician certificate of competency
7 specialties include, but are not limited to: Residential, pump and
8 irrigation, limited energy system, signs, nonresidential maintenance,
9 restricted nonresidential maintenance, and appliance repair.

10 (2) A person who is indentured in an apprenticeship program
11 approved under chapter 49.04 RCW for the electrical construction trade
12 or who is learning the electrical construction trade may work in the
13 electrical construction trade if supervised by a certified master
14 journeyman electrician, journeyman electrician, master specialty
15 electrician in that electrician's specialty, or specialty electrician
16 in that electrician's specialty. All apprentices and individuals
17 learning the electrical construction trade shall obtain an electrical
18 training certificate from the department. The certificate shall
19 authorize the holder to learn the electrical construction trade while
20 under the direct supervision of a master journeyman electrician,
21 journeyman electrician, master specialty electrician working in that
22 electrician's specialty, or specialty electrician working in that
23 electrician's specialty. The holder of the electrical training
24 certificate shall renew the certificate biennially. At the time of
25 renewal, the holder shall provide the department with an accurate list
26 of the holder's employers in the electrical construction industry for
27 the previous biennial period and the number of hours worked for each
28 employer, and proof of sixteen hours of approved classroom electrical
29 continuing education courses covering this chapter, the national
30 electrical code, or electrical theory, or the equivalent electrical
31 training courses taken as part of an approved apprenticeship program
32 under chapter 49.04 RCW or an approved electrical training program
33 under RCW 19.28.191(1)(h). This education requirement is effective
34 July 1, 2007. A biennial fee shall be charged for the issuance or
35 renewal of the certificate. The department shall set the fee by rule.
36 The fee shall cover but not exceed the cost of administering and
37 enforcing the trainee certification and supervision requirements of
38 this chapter. Apprentices and individuals learning the electrical

1 construction trade shall have their electrical training certificates in
2 their possession at all times that they are performing electrical work.
3 They shall show their certificates to an authorized representative of
4 the department at the representative's request.

5 (3) Any person who has been issued an electrical training
6 certificate under this chapter may work if that person is under
7 supervision. Supervision shall consist of a person being on the same
8 job site and under the control of either a certified master journeyman
9 electrician, journeyman electrician, master specialty electrician
10 working in that electrician's specialty, or specialty electrician
11 working in that electrician's specialty. Either a certified master
12 journeyman electrician, journeyman electrician, master specialty
13 electrician working in that electrician's specialty, or specialty
14 electrician working in that electrician's specialty shall be on the
15 same job site as the noncertified individual for a minimum of seventy-
16 five percent of each working day unless otherwise provided in this
17 chapter.

18 (4) The ratio of noncertified individuals to certified master
19 journeymen electricians, journeymen electricians, master specialty
20 electricians, or specialty electricians on any one job site is as
21 follows:

22 (a) When working as a specialty electrician, not more than two
23 noncertified individuals for every certified master specialty
24 electrician working in that electrician's specialty, specialty
25 electrician working in that electrician's specialty, master journeyman
26 electrician, or journeyman electrician, except that the ratio
27 requirements are one certified master specialty electrician working in
28 that electrician's specialty, specialty electrician working in that
29 electrician's specialty, master journeyman electrician, or journeyman
30 electrician working as a specialty electrician to no more than four
31 students enrolled in and working as part of an electrical construction
32 program at public community or technical colleges, or not-for-profit
33 nationally accredited trade or technical schools licensed by the work
34 force training and education coordinating board under chapter 28C.10
35 RCW. In meeting the ratio requirements for students enrolled in an
36 electrical construction program at a trade school, a trade school may
37 receive input and advice from the electrical board; and

1 (b) When working as a journeyman electrician, not more than one
2 noncertified individual for every certified master journeyman
3 electrician or journeyman electrician, except that the ratio
4 requirements shall be one certified master journeyman electrician or
5 journeyman electrician to no more than four students enrolled in and
6 working as part of an electrical construction program at public
7 community or technical colleges, or not-for-profit nationally
8 accredited trade or technical schools licensed by the work force
9 training and education coordinating board under chapter 28C.10 RCW. In
10 meeting the ratio requirements for students enrolled in an electrical
11 construction program at a trade school, a trade school may receive
12 input and advice from the electrical board.

13 An individual who has a current training certificate and who has
14 successfully completed or is currently enrolled in an approved
15 apprenticeship program or in an electrical construction program at
16 public community or technical colleges, or not-for-profit nationally
17 accredited technical or trade schools licensed by the work force
18 training and education coordinating board under chapter 28C.10 RCW, may
19 work without direct on-site supervision during the last six months of
20 meeting the practical experience requirements of this chapter.

21 (5) For the residential (as specified in WAC 296-46A-930(2)(a)),
22 pump and irrigation (as specified in WAC 296-46A-930(2)(b)(i)), sign
23 (as specified in WAC 296-46A-930(2)(c)), limited energy (as specified
24 in WAC 296-46A-930(2)(e)(i)), nonresidential maintenance (as specified
25 in WAC 296-46A-930(2)(f)(i)), restricted nonresidential maintenance as
26 determined by the department in rule, or other new nonresidential
27 specialties, not including appliance repair, as determined by the
28 department in rule, either a master journeyman electrician, journeyman
29 electrician, master specialty electrician working in that electrician's
30 specialty, or specialty electrician working in that electrician's
31 specialty must be on the same job site as the noncertified individual
32 for a minimum of seventy-five percent of each working day. Other
33 specialties must meet the requirements specified in RCW
34 19.28.191(1)((~~f~~)(~~ii~~)) (g)(ii). When the ratio of certified
35 electricians to noncertified individuals on a job site is one certified
36 electrician to three or four noncertified individuals, the certified
37 electrician must:

1 (a) Directly supervise and instruct the noncertified individuals
2 and the certified electrician may not directly make or engage in an
3 electrical installation; and

4 (b) Be on the same job site as the noncertified individual for a
5 minimum of one hundred percent of each working day.

6 (6) The electrical contractor shall accurately verify and attest to
7 the electrical trainee hours worked by electrical trainees on behalf of
8 the electrical contractor."

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9 On page 1, line 1 of the title, after "trainees" strike the
10 remainder of the title and insert "and contractor licenses; and
11 amending RCW 19.28.041 and 19.28.161."

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