

The following are legal holidays: Sunday; the first day of January, commonly called New Year's Day; the twelfth day of February, being the anniversary of the birth of Abraham Lincoln; the third Monday of February, being celebrated as the anniversary of the birth of George Washington; the thirtieth day of May, commonly known as Memorial Day; the fourth day of July, being the anniversary of the Declaration of Independence; the first Monday in September, to be known as Labor Day; the second Monday of October, to be known as Columbus Day; the eleventh day of November, to be known as Veterans' Day; the fourth Thursday in November, to be known as Thanksgiving Day; the twenty-fifth day of December, commonly called Christmas Day; the day on which any general election is held throughout the state; and any day designated by public proclamation of the chief executive of the state as a legal holiday.

If any of the above specified state legal holidays are also federal legal holidays but observed on different dates, only the state legal holidays shall be recognized as a paid legal holiday for employees of the state and its political subdivisions except that for port districts and the law enforcement and public transit employees of municipal corporations, either the federal or the state legal holiday, but in no case both, may be recognized as a paid legal holiday for employees.

Whenever any legal holiday, other than Sunday, falls upon a Sunday, the following Monday shall be a legal holiday.

Passed the Senate May 12, 1975.

Passed the House May 30, 1975.

Approved by the Governor June 6, 1975.

Filed in Office of Secretary of State June 7, 1975.

CHAPTER 195

[Substitute House Bill No. 409]

ELECTRICIANS—GENERAL OR SPECIALTY LICENSES

[Act prior to veto override: See chapter 92, supra.]

AN ACT Relating to electricians and electrical installations; amending section 1, chapter 30, Laws of 1969 as last amended by section 1, chapter 188, Laws of 1974 ex. sess. and RCW 19.28.120; amending section 2, chapter 188, Laws of 1974 ex. sess. and RCW 19.28.123; and amending section 4, chapter 188, Laws of 1974 ex. sess. and RCW 19.28.125.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 30, Laws of 1969 as last amended by section 1, chapter 188, Laws of 1974 ex. sess. and RCW 19.28.120 are each amended to read as follows:

(1) It shall be unlawful for any person, firm, or corporation to engage in, conduct or carry on the business of installing wires or equipment to convey electric current, or installing apparatus to be operated by such current as it pertains to the electrical industry, without having an unrevoked, unsuspended and unexpired license so to do, issued by the director of labor and industries in accordance with the provisions of this chapter. All such licenses shall expire on the thirty-first day of December following the day of their issue. Application for such license shall be made in writing to the department of labor and industries, accompanied by the required fee, and shall state the name and address of the applicant, and in case of

firms, the names of the individuals composing the firm, and in case of corporations, the name of the managing officials thereof, and shall state the location of the place of business of the applicant and the name under which such business is conducted, and shall state the type of license sought, whether a general or specialty electrical license, and if the latter, the type of specialty. ((Such)) A general electrical license shall grant to the holder thereof the right to engage in, conduct((;)) or carry on, the business of installing wires or equipment to carry electric current, and installing apparatus, or install material to fasten, or insulate such wires or equipment, to be operated by such current, in any and all places in the state of Washington. A specialty electrical license shall grant to the holder thereof a limited right to engage in, conduct or carry on, the business of installing wires or equipment to carry electrical current, and installing apparatus, or to install material to fasten, or insulate such wires or equipment, to be operated by such current in the state of Washington as expressly allowed by such license. The application for such license shall be accompanied by a bond in the sum of three thousand dollars with the state of Washington named as obligee therein, with good and sufficient surety, to be approved by the attorney general. Said bond shall at all times be kept in full force and effect, and any cancellation or revocation thereof, or withdrawal of the surety therefrom, shall ipso facto revoke and suspend the license issued to the principal until such time as a new bond of like tenor and effect shall have been filed and approved as herein provided. Upon approval of said bond by the attorney general, the director of labor and industries shall on the next business day thereafter deposit the fee accompanying said application in the fund to be known and designated as the "electrical license fund". Upon approval of said bond by the attorney general, he shall transmit the same to the state electrical inspection division, who shall file said bond in the office, and upon application furnish to any person, firm or corporation a certified copy thereof, under seal, upon the payment of a fee of two dollars. Said bond shall be conditioned that in any installation of wires or equipment to convey electrical current, and apparatus to be operated by such current, the principal therein will comply with the provisions of this chapter and in case such installation is in an incorporated city or town having an ordinance, building code, or regulations prescribing equal, a higher or better standard, manner or method of such installation that the principal will comply with the provisions of such ordinance, building code or regulations governing such installations as may be in effect at the time of entering into a contract for such installation. Said bond shall be conditioned further that the principal will pay for all labor, including employee benefits, and material furnished or used upon such work, taxes and contributions to the state of Washington, and all damages that may be sustained by any person, firm or corporation due to a failure of the principal to make such installation in accordance with the provisions of this chapter, or any ordinance, building code or regulation applicable thereto. In lieu of the surety bond required by this section the license applicant may file with the director a cash deposit or other negotiable security acceptable to the director: PROVIDED, HOWEVER, If the license applicant has filed a cash deposit, the director shall deposit such funds in a special trust savings

account in a commercial bank, mutual savings bank, or savings and loan association and shall pay annually to the depositor the interest derived from such account. The board of electrical examiners shall certify to the director of labor and industries all persons who are entitled to either a general or specialty electrical contractors' qualifying certificate((s)). The director of labor and industries shall issue ~~((the license))~~ general or specialty licenses to applicants meeting all of the requirements of this chapter. The provisions of this chapter relating to the licensing of any person, firm, or corporation, including the requirement of a bond with the state of Washington named as obligee therein and the collection of a fee therefor, shall be exclusive and no political subdivision of the state of Washington shall require or issue any licenses or bonds nor charge any fee for the same or a similar purpose: **PROVIDED,** That no person holding more than one specialty license under the provisions of this chapter shall be required to pay an annual fee for more than one such license or shall be required to post more than one three thousand dollar bond or an equivalent cash deposit or other negotiable security.

(2) ~~From and after ((July 1, 1974, no license shall be issued pursuant to the provisions of subsection (1) of this section, unless the applicant possesses an electrical contractor's qualifying certificate, or alternately, has in his regular employ at least one individual possessing an electrical contractor's qualifying certificate. To obtain such a certificate an individual shall pass an examination as set forth in RCW 19.28.123))~~ the effective date of this 1975 amendatory act to obtain a general or specialty contractor license the applicant must designate an individual who currently possesses an electrical qualifying certificate as a general electrical contractor or as to the specialty electrical contractor license for which application has been made. To obtain such a certificate an individual shall pass an examination as set forth in RCW 19.28.123 or, alternately, the applicant was a duly licensed electrical contractor at any time during 1974. As to those applicants who were duly licensed as electrical contractors by the state of Washington at any time during 1974 such applicants shall be entitled to receive a general electrical contractor qualifying certificate without examination.

Sec. 2. Section 2, chapter 188, Laws of 1974 ex. sess. and RCW 19.28.123 are each amended to read as follows:

There is hereby created a board of electrical examiners consisting of ~~((seven))~~ nine members to be appointed by the governor. It shall be the purpose and function of this board to establish ~~((and administer a written examination for an electrical contractor's qualifying certificate))~~ in addition to a general electrical contractors' license, such classifications of specialty electrical contractors' licenses as it deems appropriate with regard to individual sections pertaining to state adopted codes in chapter 19.28 RCW. In addition, it shall be the purpose and function of this board to establish and administer written examinations for general electrical contractors' qualifying certificates and the various specialty electrical contractors' qualifying certificates. ((The)) Examinations shall be designed to reasonably insure that general and specialty electrical contractor's qualifying certificate holders are competent to engage in and supervise the work covered by this statute and their respective licenses. The examinations shall include questions from the following categories to assure proper safety and protection for the general public: (1) Safety, (2) state electrical code, and (3) electrical theory. Meetings

of the board shall be held quarterly on the first Monday of February, May, August and November of each year. Each member of the board shall be paid a per diem of twenty-five dollars for each day or portion thereof that the board is in session and each member shall receive in addition thereto his necessary and reasonable transportation and other expenses as provided in chapter 43.03 RCW, which shall be paid out of the electrical license fund, upon vouchers approved by the director of labor and industries.

Sec. 3. Section 4, chapter 188, Laws of 1974 ex. sess. and RCW 19.28.125 are each amended to read as follows:

Each applicant, other than an individual, shall designate a supervisory employee or member of the firm to take the required examination. This person shall be designated as administrator under the license. No person may qualify as administrator ~~((under))~~ for more than one ~~((license))~~ contractor. If the relationship of the administrator with the applicant firm or corporation is terminated, the license is void within ninety days unless another administrator is qualified by the board. A ~~((license))~~ certification issued under this ~~((section))~~ chapter is valid for ~~((one year after))~~ the calendar year of issuance, unless revoked or suspended, and further is nontransferable~~((, and))~~. The certification may be renewed without examination by appropriate application unless the certificate has been revoked, suspended, or not renewed within thirty days: PROVIDED, That an individual holding any certification(s) under the provisions of this chapter shall not be required to pay annual fees for more than one certificate.

NEW SECTION. Sec. 4. If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 5. This 1975 amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House May 1, 1975.

Passed the Senate May 15, 1975.

Approved by the Governor May 27, 1975, with the exception of section 1 which is vetoed.

Filed in Office of Secretary of State May 27, 1975.

Veto overridden by the House May 30, 1975.

Veto overridden by the Senate June 8, 1975.

Filed in Office of Secretary of State June 9, 1975.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith without my approval as to one section Substitute House Bill No. 409 entitled:

"AN ACT Relating to electricians and electrical installations."

The purpose of the bill is to empower the board of electrical examiners to establish, in addition to a general electrical contractors' license, other classifications of specialty licenses, and to administer written examinations for general and specialty electrical contractors' qualifying certificates.

Section 1 of the bill contains a grandfather clause providing that any person licensed as an electrical contractor during 1974 will be entitled to receive a general electrical contractor license. As a first matter, I do not believe a grandfather clause

serves either the best interest of the industry or the public. The grandfather clause should not be necessary where different classes of examinations are to be administered to take into account those electrical contractors who may only be skilled in certain specialties. Second, I believe it is extremely unwise to grant, by the grandfather clause, a general electrical contractor's license to all those presently licensed regardless of whether they may be qualified to perform general electrical contracting work.

It is my belief and intent that a veto of section 1 will still leave the board of electrical examiners with sufficient flexibility to establish examinations in both general and specialty areas which take into account an applicant's past experience as a licensed electrical contractor under previous law so that qualified practitioners are not unfairly barred from their lifetime profession.

For the foregoing reasons, I have determined to veto section 1. With the sole exception of that section, I have approved the remainder of Substitute House Bill No. 409."

Note: Chief Clerk of House's letter informing the Secretary of State that the Legislature has overridden the Governor's partial veto is as follows:

The Honorable Bruce K. Chapman
Secretary of State
State of Washington

Dear Mr. Secretary:

I am returning herewith Substitute House Bill No. 409 entitled:

"AN ACT Relating to electricians and electrical installations"

Section 1 of this bill was vetoed by Governor Daniel J. Evans on May 27, 1975. The veto was overridden by the House of Representatives on May 30, 1975 and by the Senate on June 8, 1975.

Respectfully submitted,

DEAN R. FOSTER
Chief Clerk

CHAPTER 196

[Substitute House Bill No. 249]

SEASONAL VEHICLES—ADDITIONAL TONNAGE—QUARTERLY PERMITS

AN ACT Relating to motor vehicles; and adding a new section to chapter 46.44 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 46.44 RCW a new section to read as follows:

In the case of seasonal vehicles for which licensed tonnage has been purchased on a quarterly basis pursuant to RCW 46.16.135, then the additional tonnage provided for in RCW 46.44.037 and 46.44.095 may be purchased on a quarterly basis: PROVIDED, That the total additional tonnage purchased under each section or both sections combined is not less than six thousand pounds. The fee for such a quarterly permit shall be one-fourth the amount charged for a corresponding twelve month permit, and shall further be reduced by one-twelfth for each full calendar month of the quarter that shall have elapsed at the time the quarterly permit is purchased. In addition, a fee of five dollars shall be charged for each quarterly permit issued hereunder.