



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do **NOT** use for expedited rule making

**Agency:** Department of Labor and Industries

**Subject of possible rule making:** Chapter 296-46B WAC, Electrical Safety Standards, Administration, and Installation

**Statutes authorizing the agency to adopt rules on this subject:** Chapter 19.28 RCW, Electricians and Electrical Installations

**Reasons why rules on this subject may be needed and what they might accomplish:** The purpose of this rulemaking is to permanently adopt the emergency rule, which is being adopted on December 4, 2007. The purpose of the emergency rule is to correct language in WAC 296-46B-995, regarding appeals. The rule will amend the burden of proof from the appellant to the department for appeals heard before the Office of Administrative Hearings (OAH) or directly by the Electrical Board. If there is an appeal from an OAH decision, the part aggrieved is responsible for the burden of proof.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
None.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The Electrical Board will be used to develop these rules.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

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**DATE**  
December 4, 2007

**NAME (TYPE OR PRINT)**  
Judy Schurke

**SIGNATURE**  


**TITLE**  
Director

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**DATE:** December 04, 2007  
**TIME:** 2:51 PM

**WSR 07-24-068**