



**PROPOSED RULE MAKING  
(RCW 34.05.320)**

**CR-102 (7/22/01)  
Do NOT use for expedited  
rule making**

Agency: Department of Labor and Industries	<input checked="" type="checkbox"/> Original Notice
<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR <u>03-15-114 and 02-09-089</u> ; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Expedited Rule Making -- Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Continuance of WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	

(a) Title of rule: (Describe Subject) **Chapter 296-400A WAC, Plumber certification rules**

Purpose: **See attachment (a)**

Other identifying information: None

(b) Statutory authority for adoption: RCW 18.106.040, 18.106.140, Chapter 82, Laws of 2002 (Engrossed Substitute House Bill 2470), and Chapter 399, Laws of 2003 (Engrossed Substitute Senate Bill 5713)	Statute being implemented: Chapter 18.106 RCW
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(c) Summary: **See attachment (a)**

Reasons supporting proposal: **See attachment (a)**

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting..... <b>Pete Schmidt</b>	<b>Tumwater</b>	<b>360-902-5571</b>
2. Implementation.... <b>Patrick Woods</b>	<b>Tumwater</b>	<b>360-902-6348</b>
3. Enforcement..... <b>Patrick Woods</b>	<b>Tumwater</b>	<b>360-902-6348</b>

(e) Name of proponent (person or organization): Department of Labor and Industries

Private  
 Public  
 Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:  
NA

(g) Is rule necessary because of:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, ATTACH COPY OF TEXT
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Citation: NA
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

(h) HEARING LOCATION: <b>See attachment (h)</b>	Submit written comments to: <b>See attachment (h)</b>
	DATE OF INTENDED ADOPTION: May 18, 2004

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Assistance for persons with disabilities or other accommodations:  
**Contact Christine Swanson by May 3, 2004 at (360) 902-6411 or [copc235@lni.wa.gov](mailto:copc235@lni.wa.gov) for special assistance/accommodation needs.**

NAME (TYPE OR PRINT) <b>Paul Trause</b>	<b>CODE REVISER USE ONLY</b>  <b>WSR#04-08-089</b>
SIGNATURE	
TITLE <b>Director</b>	
DATE <b>April 6, 2004</b>	

(j) Short explanation of rule, its purpose, and anticipated effects:

See attachment (a)

Does proposal change existing rules?  YES  NO

If yes, describe changes:

See attachment (a)

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by writing to:

telephoning: (      )

faxing: (      )

No. Explain why no statement was prepared

The department has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined that they do not require a small business economic impact statement because the costs associated with the proposed changes are exempted by law [see RCW 19.85.025 referencing RCW 34.05.310 (4)] from the small business economic impact requirements and/or do not impose a more than minor economic impact on business.

(l) Does RCW 34.05.328 apply to this rule adoption?  Yes  No

Please explain:

Significant rule-making criteria does not apply to these rule changes because the exempt criteria outlined in RCW 34.05.328(5) was met.

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- (a) Purpose, summary, reasons supporting proposal, short explanation of rule, its purpose, and anticipated effect, and changes the proposal makes to existing rules.

The purpose of this rulemaking is to make substantive changes to the Plumber Certification Rules (Chapter 296-400A WAC) in response to the passage of Chapter 82, Laws of 2002 (Engrossed Substitute House Bill 2470), and Chapter 399, Laws of 2003 (Engrossed Substitute Senate Bill 5713) from the 2002 and 2003 legislative sessions. Also, these rules propose to increase the fees associated with plumber certification by the fiscal growth factor for fiscal year 2004 of 3.2% rounded down to the nearest tenth of a dollar. This is the maximum allowable amount established by the Office of Financial Management. These fee increases are necessary to maintain the financial health and operational effectiveness of the Plumber Program.

These changes are necessary to:

- Establish necessary provisions associated with the department's new audit authority;
- Establish necessary provisions associated with the new continuing education requirements;
- Increase fees by the fiscal growth factor established by the Office of Financial Management of 3.2 % rounded down to the nearest tenth of a dollar; and
- Make necessary housekeeping changes.

(h) **Hearing Location:**

**Spokane Hearing:**

Date: May 11, 2004 Time: 2:00 PM

Department of Labor and Industries Building  
901 N Monroe St  
Suite 100  
Spokane, WA

**Tumwater Hearing:**

Date: May 12, 2004 Time: 4:00 PM

Department of Labor and Industries Building  
7273 Linderson Way S.W.  
Tumwater, Washington

**Submit written comments to:**

Christine Swanson  
Specialty Compliance Services Division  
P.O. Box 44400  
Olympia, Washington 98504-4400 By: May 12, 2004

**Email comments to:**

[copc235@lni.wa.gov](mailto:copc235@lni.wa.gov) By: May 12, 2004

**Fax comments to:**

(360) 902-5292 By: May 12, 2004

\*Comments submitted by fax must be 10 pages or less.