



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Labor and Industries

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 04-23-079 ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)
Chapter 296-06 WAC, Public Records

Hearing location(s):
Department of Labor & Industries
7273 Linderson Way
Tumwater, WA 98501

Date: 5/26/2005 Time: 2:00 p.m.

Date of intended adoption: 6/21/2005
(Note: This is **NOT** the **effective** date)

Submit written comments to:
Name: Joseph Molenda
Address: PO Box 44632
Olympia WA 98504-4632
e-mail MOLE235@LNI.WA.GOV
fax (360)902-5529 by (date) 6/3/2005

Assistance for persons with disabilities: Contact
Resenda Canada by 5/16/2005
TTY (360) 902-4677 or (360) 902-5464

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

This revision is intended to replace outdated information and language to make Chapter 296-06 WAC, Public Records more usable to the public. The changes in process and records index availability are intended to make Labor and Industries public records more accessible.

- WAC 296-06-010: "Plain talk" language
- WAC 296-06-020: "Plain talk" language, update organizational information
- WAC 296-06-030: "Plain talk" language, update office location information
- WAC 296-06-040: "Plain talk" language, update general operation and procedure descriptions
- WAC 296-06-050: "Plain talk" language
- WAC 296-06-080: "Plain talk" language, clarification of procedure to release protected information by written authorization
- WAC 296-06-090: "Plain talk" language
- WAC 296-06-100: "Plain talk" language
- WAC 296-06-110: "Plain talk" language, clarification of procedure to request inspection or copies of public records
- WAC 296-06-120: "Plain talk" language, clarification of different fees charged for copying
- WAC 296-06-130: "Plain talk" language
- WAC 296-06-140: "Plain talk" language, removing time requirements for request for review and response
- WAC 296-06-150: "Plain talk" language
- WAC 296-06-170: "Plain talk" language, procedure for obtaining index of Labor and Industries public records

Statutory authority for adoption: See attached attachment

Statute being implemented: RCW 42.17.260(5)

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, CITATION:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

CODE REVISER USE ONLY

WSR# 05-09-058

DATE
April 19, 2005

NAME (type or print)
Judy Schurke

SIGNATURE

TITLE
Acting Director

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

None.

Name of proponent: (person or organization)

Department of Labor and Industries

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Joseph Molenda	Tumwater, WA	(360) 902-6462
Implementation.... Russell Johnson	Tumwater, WA	(360) 902-6995
Enforcement..... Melanie Roberts	Tumwater, WA	(360) 902-6961

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 contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

This rule is exempt from the business economic impact statement requirement under RCW .19.85.025(3), referencing RCW 34.05.310(4)(c), (d), (e) and (f), since this rulemaking revises and updates the rule. The copying fees are pursuant to legislative standards, and the content of the rule is specifically mandated by Chapter 42.17 RCW.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain:

This rule is exempt from the cost-benefit analysis requirement under RCW 34.05.028(5)(b)(iii), (iv), (v), and (vi), since this rulemaking revises and updates the rule. The copying fees are pursuant to legislative standards and the content of the is specifically mandated by Chapter 42.17 RCW.

Statutory Authority For Adoption: Chapter 296-06 WAC, Public Records

1. 296-06-010 Purpose: RCW 43.17; RCW 42.17.250, .251; RCW 51.04.020; RCW 51.04.030
2. 296-06-020 Description of Dept. org: RCW 43.17; RCW 42.17.250(1)(a) ; RCW 51.04.020; RCW 51.04.030
3. 296-06-030 Locations where dept. info records may be obtained and public records accessed: RCW 43.17; RCW 42.17.250; RCW 42.17.290; RCW 51.04.020; RCW 51.04.030
4. 296-06-040 Operations and procedures: RCW 43.17; RCW 42.17.250(1)(a) and (c) ; RCW 42.17.290; RCW 51.04.020; RCW 51.04.030
5. 296-06-050 Department rules: RCW 42.17.250(1)(b) and (c); RCW 42.17.290
6. 296-06-080 Authorization to release information: RCW 51.28.070; RCW 51.16.070
7. 296-06-090 Public records officer: RCW 43.17.060; RCW 51.04.020; RCW 51.04.030
8. 296-06-100 Office hours: RCW 42.17.270, .280, .290
9. 296-06-110 Requesting public records: RCW 42.17.260(1), RCW 42.17.320; RCW 42.17.290
10. 296-06-120 Copying fees: RCW 42.17.260(7) and (8), RCW 42.17.270, 42.17.280, 42.17.290, 42.17.300, 42.17.305
11. 296-06-130 Denials of records requests: RCW 42.17.260(1), 42.17.320
12. 296-06-140 Appeal of denial of request: RCW 42.17.290, 42.17.320, 42.17.325
13. 296-06-150 Protection of public records: RCW 42.17.290
14. 296-06-170 Records index: RCW 42.17.260(5), 42.17.260(6)