



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Labor & Industries

- Permanent Rule
 Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
 Other (specify) January 1, 2006 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
 Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: This rulemaking order will adopt changes to Chapter 296-17 WAC General Reporting Rules, Classifications, Audit and Recordkeeping, Rates and Rating System for Washington Workers' Compensation Insurance. See attachment

Citation of existing rules affected by this order:

Repealed: 0
 Amended: WAC 296-17-31021, 296-17-35203, 296-17-870, 296-17-503, 296-17-517, 296-17-52106, 296-17-53504, 296-17-614, 296-17-646, , 296-17-650, 296-17-680, 296-17-681, 296-17-73111, 296-17-698, 296-17-743, 296-17-76212.
 Suspended: 0

Statutory authority for adoption: RCW 51.16.035, RCW 51.16.100

Other authority : None

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 05-20-069 on October 4, 2005.

Describe any changes other than editing from proposed to adopted version: See attachment.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: N/A

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: November 22, 2005

NAME (TYPE OR PRINT)

Gary K. Weeks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

WSR # 05-23-161

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

	New	<u>1</u>	Amended	<u>15</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	<u>1</u>	Amended	<u>15</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

Attachment to CR 103 Rule-making order

Purpose (continued)

The changes clarify rules for units of exposure, reforestation subcontractor reporting, mechanical logging accounts, and revise the evaluation of actual losses in WAC 296-17-870 to accommodate the new classification 7205 for emergency workers pursuant to Chapter 422 Laws of 2005 (SSB 6014). Changes in classifications remove references to one deleted classification, add the installation of artificial turf, correct a reference to metal, permits 1007 as a classification for a logging business and removes the special note to 1007, clarifies the definition of a retail bakery, expands the list of school employees, revises the list of strenuous exercise activities, revises the definition of social workers, clarifies the term logging crew and adds shake and shingle mills to a temporary help classification.

Permanent Rule Only (continued)

The department is removing from this rule adoption the following WAC sections related to agriculture, brush pickers and farm labor contracting. Definition of farm labor contractor, WAC 296-17-31014, and WACs 296-17-643, 296-17-644, 296-17-645, 296-17-649, 296-17-64901, 296-17-64902, 296-17-64903, 296-17-64905, 296-17-772, 296-17-773, 296-17-777, and 296-17-778. These WAC sections will be reintroduced in a new rulemaking beginning with a CR101 filing which will allow interested parties additional opportunities to enter into discussions and provide comments on this subject area.

WAC 296-17-646 is being amended to reword classification 4805-08, however, no changes will be made to the special note regarding farm labor contractors.