



# 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 06-10-065 ; 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:** WAC 296-127-01322, Electronic Technicians Scope of Work.

**Hearing location(s):**  
 Department of Labor and Industries, Tukwila Service Location  
 12806 Gateway Drive  
 Tukwila, Washington  
 Date: July 8, 2009 Time: 10:00 am

Department of Labor and Industries, Spokane Service Location  
 901 N Monroe Street, Suite 100  
 Tukwila, Washington  
 Date: July 14, 2009 Time: 10:00 am

**Submit written comments to:**  
 Name: Sally Elliott  
 Address: Post Office Box 44400  
 Olympia, Washington 98504-4400  
 e-mail [yous235@lni.wa.gov](mailto:yous235@lni.wa.gov)  
 fax (360) 902-5292 by July 14, 2009

**Assistance for persons with disabilities:** Contact Sally Elliott by July 1, 2009 at [yous235@lni.wa.gov](mailto:yous235@lni.wa.gov) or (360) 902-6411

**Date of intended adoption:** August 18, 2009  
 (Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Prevailing wage rates on public work projects are determined and enforced according to the trade or occupation or "classification" of work. These classifications are described in the "scopes of work" rules. The Electronic Technician regulation is a pre-existing scope of work rule. Electronic technicians work with low voltage electrical systems. Under the current rule, electronic technicians may pull low voltage wire through metallic conduit that is no longer than 10 feet nor larger than one inch. The purpose of this rulemaking is to allow electronic technicians to pull low voltage wire through any length or width of conduit, with the exception of wire for fire alarm systems. The proposed rule will clear up ambiguities raised by stakeholders.

**Reasons supporting proposal:** See purpose statement.

**Statutory authority for adoption:** Chapter 39.12 RCW and RCW 43.22.270

**Statute being implemented:** Chapter 39.12 RCW and RCW 43.22.270

**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:

**DATE**  
 June 2, 2009

**NAME** (type or print)  
 Judy Schurke

**SIGNATURE**

**TITLE**  
 Director

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**DATE:** June 02, 2009

**TIME:** 10:29 AM

**WSR 09-12-098**

**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.....	David Soma	Tumwater, Washington	(360) 902-5330
Implementation....	Steve McLain	Tumwater, Washington	(360) 902-6348
Enforcement.....	Steve McLain	Tumwater, Washington	(360) 902-6348

**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 specifically exempt from the SBEIS requirement because the proposed rule will not impose more than minor costs on businesses [see RCW 19.85.030(1)(a)]. Wage rates already exist for each of these job classifications. Through this rule making, the department provides greater clarity to all affected parties as to when and to which activities the wage rates apply on public works projects.

**Is a cost-benefit analysis required under RCW 34.05.328?**

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

Name: Sally Elliott

Address: Post Office Box 44400

Olympia, Washington 98504-4400

phone (360) 902-6411

fax (360) 902-5292

e-mail yous235@lni.wa.gov

No: Please explain: