



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Labor & Industries

- Preproposal Statement of Inquiry was filed as WSR 07-14-156 ; or
- Expedited Rule Making--Proposed notice was filed as WSR; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: Safety and Health Investment Projects

The Department is proposing rulemaking to promulgate rules in accordance with direction from the 2007 Regular Legislative Session in Chapter 522 Laws of 2007 (SHB 1128).

See Attachment A.

Hearing location(s):

Department of Labor & Industries
Room S118
7273 Linderson Way SW
Tumwater, WA 98501-5414

Date: November 28, 2007 Time: 10:00 a.m.

Submit written comments to:

Name: Jill Saibel, Project Manager
Address: Department of Labor and Industries
PO Box 44620
Olympia, WA 98507-4620
e-mail: saij235@lni.wa.gov
fax (360)902-5619 by December 5, 2007

Assistance for persons with disabilities: Contact

Beverly Clark by November 21, 2007 at Clah235@lni.wa.gov or (360) 902-5516

Date of intended adoption: January 8, 2008
(Note: This is NOT the effective date)

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

The purpose of this rulemaking is to provide regulation for the Department of Labor and Industries to administer government funds designated by Chapter 522 Laws of 2007 (SHB 1128). authorizing appropriations for the Department of Labor and Industries. This section included a condition under (4) as follows:

“\$8,000,000 of medical aid account—state appropriation is provided solely to establish a program of safety and health as authorized by RCW 49.17.210 to be administered under these rules adopted pursuant to chapter 34.05 RCW, provided that projects funded involve workplaces insured by the medical aid fund, and through cooperation between employers and employees or their representatives.”

Reasons supporting proposal:

See Attachment A.

Statutory authority for adoption: RCW 49.17.010; RCW 49.17.040; RCW 49.17.050; RCW 49.17.060

Statute being implemented: Chapter 49.17 RCW

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 23, 2007

TIME: 2:29 PM

WSR 07-21-127

DATE
October 23, 2007

NAME
Judy Schurke

SIGNATURE

TITLE
Director

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

None.

Name of proponent: Department of Labor and Industries

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting.....Tracy Spencer	Tumwater	(360) 902-5530
Implementation.... Steve Cant	Tumwater	(360) 902-5495
Enforcement.....Steve Cant	Tumwater	(360) 902-5495

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.

The Department does not anticipate costs to small business as a result of this proposal. These rules will allow the Department to provide government funds to project applicants to develop new safety and health improvements.

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:

The Department does not anticipate costs as a result of this proposal. These rules will allow the Department to provide government funds to project applicants to develop new safety and health improvements.

AMENDED SECTIONS:

WAC 296-900-100, Scope

- Updated Scope to include Safety and Health Investment Projects.

NEW SECTIONS:

WAC 296-900-175, Safety and Health Investment Projects

- Created this section to contain all the sections located in chapter 296-900 WAC, Administrative Rules, relating to the Safety and Health Investment Projects.

WAC 296-900-17505, Scope and Purpose

- Created this section to explain the purpose behind the Safety and Health Investment Projects.

WAC 296-900-17510, Definitions

- Created this section to include the definitions for Safety and Health Investment Projects, including: Applicant, Department, Department staff, Funding cycle, Medical aid fund, Milestones, Product, and Recipient.

WAC 296-900-17515, Eligibility

- Created this section to include eligibility requirements for awards under the Safety and Health Investment Projects.

WAC 296-900-17520, Advisory Committee

- Created this section to include requirements for Safety and Health Investment Project advisory committee.

WAC 296-900-17525, Application

- Created this section to include application requirements for Safety and Health Investment Projects.

WAC 296-900-17530, Approval

- Created this section to include requirements for approving Safety and Health Investment Projects.

WAC 296-900-17535, Monitoring

- Created this section to include requirements for monitoring Safety and Health Investment Projects.

CR 102 RULE-MAKING ORDER (RCW 34.05.320)

Department of Labor and Industries

WISHA Services Division

CR-102 Filing Date: October 23, 2007

Hearing Date: Tumwater - November 28, 2007

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Attachment (a)

(Purpose Statement)

WAC 296-900-17540, Suspension or revocation of funding

- Created this section to include requirements for suspending or revoking funds for Safety and Health Investment Projects.