



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 07-24-068; 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: Chapter 296-46B WAC, Electrical Safety Standards, Administration, and Installation

Hearing location(s):
 Department of Labor and Industries
 7273 Linderson Way Southwest, Room S117
 Tumwater, Washington

Date: March 12, 2008 Time: 9:00 am

Date of intended adoption: April 1, 2008
 (Note: This is NOT the effective date)

Submit written comments to:
 Name: Sally Elliott
 Address: Post Office Box 44400
 Olympia, Washington 98504-4400
 e-mail yous235@lni.wa.gov
 fax (360) 902-5292 by March 12, 2008

Assistance for persons with disabilities: Contact
 Sally Elliott by March 1, 2008
 at yous235@lni.wa.gov or (360) 902-6411

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of the rulemaking is to amend language in WAC 296-46B-995, regarding appeals. The amendment will move the burden of proof from the appellant to the department for appeals heard before the Office of Administrative Hearings (OAH) or directly by the Electrical Board. An emergency rule was filed on December 4, 2007 to protect the general welfare of the public. This will make the emergency change permanent. Additional changes will be made to continuing education courses, to better accommodate electrical administrators, master electricians, electricians, and L&I. Renewing electrical administrators, master electricians, and electricians must now show that they have taken a NEC code update class on the currently adopted code. The change will allow a 7 month overlap period for taking either the 2005 or 2008 NEC code change update class required for renewal of an electrician or electrical administrator certificate.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: RCW 19.28.006, 19.28.010, 19.28.031, 19.28.041, 19.28.061, 19.28.101, 19.28.131, 19.28.161, 19.28.171, 19.28.191, 19.28.201, 19.28.211, 19.28.241, 19.28.251, 19.28.281, 19.28.311, 19.28.321, 19.28.400, 19.28.420, 19.28.490, 19.28.551

Statute being implemented: Chapter 19.28 RCW

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:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: February 05, 2008
 TIME: 1:12 PM

WSR 08-04-088

DATE
 February 5, 2008

NAME (type or print)
 Judy Schurke

SIGNATURE

TITLE
 Director

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

NA

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..... Ron Fuller	Tumwater, Washington	(360) 902-5249
Implementation.... Patrick Woods	Tumwater, Washington	(360) 902-6348
Enforcement..... Patrick Woods	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.

A small business economic impact statement has not been prepared under chapter 19.85 RCW. The department has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a small business economic impact statement because the proposed rules clarify the language of the rule without changing its effect [see RCW 19.85.025 referencing exemptions listed under RCW 34.05.310 (4)(d)].

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:

A cost-benefit analysis was not prepared under chapter 19.85 RCW. The department considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a cost-benefit analysis because the proposed rules clarify the language of the rule without changing its effect [see exemptions, RCW 34.05.328 (5)(b)(iv)].