



PROPOSED RULE MAKING

CR-102 (June 2004)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

Agency: The Department of Labor and Industries

Preproposal Statement of Inquiry was filed as WSR 08 05 102 ;
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

Chapter 296-17 WAC General Reporting Rules, Audit and Recordkeeping, Rates and Rating System for Washington Workers' Compensation Insurance; and Chapter 296-17A WAC Classifications for Worker's Compensation Insurance

Hearing location(s):
Date: May 27, 2008
Time: 1:00 pm
Location: Department of Labor & Industries
Room S117-118
7273 Linderson Way SW
Tumwater WA 98501

Submit written comments to:
Name: Ronald Moore
PO Box 44140
Olympia WA 98504-4140
e-mail MOOA235@lni.wa.gov
fax (360)902-4729 by 5 p.m., May 27, 2008

Date of intended adoption: July 15, 2008
(Note: This is **NOT** the **effective** date)

Assistance for persons with disabilities: Contact by May 22, 2008
TTY (360) 902-5797 or (360) 902-4774

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The Department of Labor and Industries establishes and maintains a workers compensation classification plan that classifies all occupations or industries within the state and sets basic rates of premium for the classifications that are distributed fairly (RCW 51.16.035). The department has conducted a review of various classifications and determined that certain classifications are in need of revisions. See Attachment A for a list of the classifications being modified and short summary of the changes.

Statutory authority for adoption:
RCW 51.16.035 and RCW 51.16.100

Statute being implemented:
RCW 51.16.035 and RCW 51.16.100

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

DATE April 22, 2008

NAME
Judy Schurke

SIGNATURE

TITLE
Director

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED
DATE: April 22, 2008
TIME: 3:04 PM
WSR 08-09-129

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	
Drafting.....Bill Moomau	Tumwater, Washington	(360) 902-4774
Implementation.....Robert Malooly	Tumwater, Washington	(360) 902-4209
EnforcementRobert Malooly	Tumwater, Washington	(360) 902-4209

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 is exempt from preparing a small business economic impact statement under RCW 19.85.025 referencing RCW 34.05.310(4).

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 is exempt from preparing a cost-benefit analysis under RCW 34.05.328(5)(b)(iv),(v), and (vi).

Attachment A CR 102 Classifications:

WAC 296-17-31013	Add 0112 (sand and gravel operations) to list of construction activities entitled to 5206 (shop classification)
WAC 296-17A-4801	Repeal geoduck diving class effective January 1, 2009
WAC 296-17A-0202	Create new sub classification for geoduck diving under construction divers classification. With removal of tenders the rate will move from \$3.33 to \$5.32
WAC 296-17A-0607	Added home staging to class for merchandise display
WAC 296-17A-2004	Changes a reference to 3402 to 5209.
WAC 296-17A-2102	Changes reference to drivers to specify all driving outside the yard is to be reported in 1102 for trucking.
WAC 296-17A-3402-11	Repeal this subcode which was temporary holding sub.
WAC 296-17A-3304	Removes reference to harvesting shellfish in this classification.
WAC 296-17A-3404	Added metal boat manufacturing to a metal goods class
WAC 296-17A-4109	Added special note regarding 4904
WAC 296-17A-4906	Added sales to class for institutions of higher learning
WAC 296-17A-6602	Included defogging for multi paned windows to window washing class
WAC 296-17A-6603	Added internet auctions to regular auction class
WAC 296-17A-7202	Added special note to real estate class regarding definition of worker and independent contractor