



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

- Preproposal Statement of Inquiry was filed as WSR 09-13-079 ; 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: Chapter 296-17A WAC - Classifications for Worker's Compensation Insurance

Hearing location(s):
 Labor and Industries Room S117
 7273 Linderson Way SW
 Tumwater, WA 98501

Date: October 28, 2009 Time: 2:00 pm

Submit written comments to:
 Name: Ronald Moore
 Address: PO Box 44140
 Olympia WA 98504-4140

e-mail: MOOA235@lni.wa.gov
 Fax: 360-902-4729 By 5:00 pm October 28, 2009

Assistance for persons with disabilities: Contact
 Karen Chamberlain at (360) 902 4772 or BONA235@lni.wa.gov or at
 by October 27, 2009

Date of intended adoption: November 30, 2009
 (Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
 The department has conducted a review of various classifications and determined that certain classifications are in need of revision for purposes of clarification. Revisions are being considered for the following classifications:

- WAC 296-17A-0101 Logging machine operators – Inactivate sub classification (move to 5005 mechanical logging)
- WAC 296-17A-5001 Logging – Changing reference from classification 0101 to classification 5005.
- WAC 296-17A-5005 Mechanized logging – Create sub classification to report hours from newly inactivated 0101-41 (logging machine operators) and changing references from classification 0101 to classification 5005.

Reasons supporting proposal:
 This rule making will clarify our rules and make them easier to administer and understand.

Statutory authority for adoption: RCW 51.16.035, RCW 51.16.100, and RCW 51.04.020(1)

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

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: **September 22, 2009**
 TIME: **1:59 PM**

WSR 09-19-132

DATE
 September 22, 2009

NAME (type or print)
 Judy Schurke

SIGNATURE

TITLE
 Director

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

Name of proponent: Department of Labor and Industries

- Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Karen Chamberlain	Tumwater	(360) 902-4772
Implementation..... Ronald C Moore	Tumwater	(360) 902-4748
Enforcement..... Robert Malooly	Tumwater	(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.

In this case, the agency is exempt from conducting a small business economic impact statement (SBEIS) since the proposed rules set or adjust fees or rates to legislative standards described in RCW 34.05.328 (5)(b)(vi) and because the content of the rules is specifically dictated by statute described in RCW 34.05.328 (5)(b)(v). Preparation of an SBEIS is required when a rule proposal has the potential of placing a more than minor economic impact on business. There are no significant costs as part of this rulemaking.

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 agency is exempt from conducting a CBA since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.328(5)(b)(vi) and because the content of the rules is specifically dictated by statute described in RCW 34.05.328(5)(b)(v). Preparation of an evaluation of probable costs is required when a rule proposal has the potential of placing a more than minor economic impact on business. There are no significant costs as part of this rulemaking.