



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Department of Labor & Industries

Subject of possible rule making:

Revision to employer reporting rules for contractors who bid public works jobs and have retainage withheld. Rules will contemplate necessary forms and reporting requirements that must be met in order for the retainage to be returned promptly to the contractor.

Statutes authorizing the agency to adopt rules on this subject:

RCW 51.04.020, RCW 60.28.040, and Chapter 432, Laws of 2009 (Substitute House Bill 1555)

Reasons why rules on this subject may be needed and what they might accomplish:

These rules will be established as a result of SHB1555 passed in the 2009 legislative session which permits the Department of Labor and Industries to access public works' retainage amounts to insure payment of premiums due to the department.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

No other state or federal agency regulates this subject.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study

Other Labor and Industries will solicit input from the business community by way of direct mailings, the internet, and/or informal public meetings. Labor and Industries will use this input to formulate proposed changes to the existing rules and advise customers of future rule making by direct mailing and/or the internet.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

Labor and Industries will send letters and emails with proposals on possible rule changes to affected stakeholders. Stakeholders are encouraged to participate in the process and can obtain information on our process at the Employer Services website (www.lni.wa.gov/insuranceservices/employerservices). Comments can be submitted by mail to Bill Moomau, PO Box 44148, Olympia, WA 98504-4148, electronically at moom235@lni.wa.gov, by calling (360) 902-4774 or by fax at (360) 902-4729.

DATE
August 4, 2009

NAME (TYPE OR PRINT)
Judy Schurke

SIGNATURE

TITLE
Director

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