



# 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 09-17-121; 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 296-150I WAC, Manufactured housing installer training and certification program

Hearing location(s):  
Date: February 1, 2010 Time: 10:00 am  
Department of Labor and Industries  
7273 Linderson Way SW, S117  
Tumwater, Washington

**Submit written comments to:**  
Name: Sally Elliott  
Department of Labor and Industries  
Address: Post Office Box 44400  
Olympia, Washington 98504-4400  
e-mail yous235@lni.wa.gov  
fax (360) 902-5292 by February 1, 2010

**Assistance for persons with disabilities:** Contact  
Sally Elliott by January 15, 2010  
(360) 902-6411 or yous235@lni.wa.gov

**Date of intended adoption:** February 16, 2010  
(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The Installer Certification Program certifies all individuals who install manufactured housing. The program provides training and testing for all installers and assists harmed consumers if the job is not done properly.

The program's expenditures are projected to exceed revenue for fiscal year 2010 by \$38,000. In order to meet the shortage, the program will be increasing the fees to cover operating costs. This fee increase was further supported by the passage of the Chapter 464, Laws of 2009 (ESHB 1244 - 2009 Budget), which includes the authority to increase these fees to cover operating expenses.

The following changes will also be made:

- Update the rules to reflect the new application process for certified installers.
- The department has the authority to suspend or revoke an installer's certificate. Rules need to be developed to set a time frame on how long a certificate will be suspended or revoked.
- Increase fees to cover operating expenses.

**Reasons supporting proposal:** See purpose statement.

**Statutory authority for adoption:** Chapter 43.22A RCW and Chapter 464, Laws of 2009 (ESHB 1244)

**Statute being implemented:** Chapter 43.22A RCW and Chapter 464, Laws of 2009 (ESHB 1244)

**Is rule necessary because of a:**

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

**DATE**  
December 22, 2009

**NAME** (type or print)  
Judy Schurke

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED**

**DATE: December 22, 2009  
TIME: 3:15 PM**

**WSR 10-01-189**

**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	Phone
Drafting..... Pete Schmidt	Tumwater	(360) 902-5571
Implementation.... Steve Mclain	Tumwater	(360) 902-6348
Enforcement..... Steve Mclain	Tumwater	(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.

The department is exempt from conducting a SBEIS since the proposed rules set or adjust fees or rates to legislative standards described in RCW 19.85.025 referencing RCW 34.05.310(4)(f).

**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 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).