



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Labor & Industries

- Preproposal Statement of Inquiry was filed as WSR 10-04-096; 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:**

WAC 296-17A Classifications for Workers' Compensation Insurance

**Hearing location(s):**

Tumwater L&I Building  
7273 Linderson Way SW  
Tumwater WA 98501

Date: August 25, 2010 Time: 2:30 PM

**Submit written comments to:**

Name: Richard Bredeson  
Address: PO Box 44140  
Olympia WA 98501  
e-mail [BRED235@lni.wa.gov](mailto:BRED235@lni.wa.gov)  
fax (360) 902-4988 by 5 pm, August 25, 2010

**Assistance for persons with disabilities:** Contact  
Office of Information & Assistance by August 20, 2010  
TTY (306)902-5797

**Date of intended adoption:** October 20, 2010

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

WAC 296-17A-4900 Construction: Superintendent or project manager. This proposal clarifies allowed and excluded exposure and permits a division of hours by project.

**Reasons supporting proposal:** The amendment maintains current exposure restrictions, but as defined by project. This should allow increased use by smaller employers previously excluded by its restrictive "no division of hours" clause. This will also reduce confusion over what was meant by "no division of hours" and the extent of its span.

**Statutory authority for adoption:** RCW 51.16.035

**Statute being implemented:** RCW 51.16.035

**Is rule necessary because of a:**

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

**DATE**  
June 22, 2010

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

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** June 22, 2010

**TIME:** 3:32 PM

**WSR 10-13-133**

(COMPLETE REVERSE SIDE)

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

**Name of proponent:** (person or organization) Department of Labor & Industries

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Richard Bredeson	Tumwater, Washington	(360) 902-4985
Implementation.... Ronald C. Moore	Tumwater, Washington	(360) 902-4748
Enforcement..... Robert 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.

In this case the agency is exempt from conducting a SBEIS since the proposed rules set or adjust fees or rates to legislative standards described in 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: Since the proposed rules adjust fees pursuant to legislative standards they are exempted by RCW 34.05.328(5)(b)(vi) from the requirement for a cost-benefit analysis.