



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 10-05-108 and WSR 10-10-105; 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 296-46B WAC, Electrical Safety Standards, Administration, and Installation

Hearing location(s):
Department of Labor and Industries
7273 Linderson Way SW, Room S119
Tumwater, Washington

Date: July 29, 2010 Time: 9:00am

Date of intended adoption: August 17, 2010
(Note: This is **NOT** the **effective** date)

Submit written comments to:
Name: Sally Elliott
Address: Post Office Box 44400
Olympia, Washington 98504-4400
e-mail yous235@lni.wa.gov
fax (360) 902-5292 by July 29, 2010

Assistance for persons with disabilities: Contact
Sally Elliott by July 10, 2010
at yous235@lni.wa.gov or (360) 902-6411

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Chapter 564, Laws of 2009 (Engrossed Substitute House Bill 1244) gave the department the authority to raise fees for the Electrical Program in order to cover the program's operating expenses. The purpose of this rulemaking is to increase the electrical fees in order to cover the costs for ongoing services for the Electrical Program.

From February 2009, through January 2010, the department spent \$14,146,712 to staff field electrical inspectors. For the same period, the inspectors' electrical permit and compliance revenue was \$11,792,943. The difference between the expenditures for the field inspectors and the revenue is \$2,353,769 or 20%. The program needs to increase electrical permit fees over the fiscal growth factor in order to cover operating expenses and try to prevent further drops in inspection response time.

The program has eliminated 49 electrical inspectors and 11 support positions, which is a 31% reduction for the program. Even with the most recent layoff, the program must increase licensing fees by 4.17% and permit fees by 13% in order to remain solvent and provide essential services such as inspections, licensing and regulatory compliance.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: Chapter 19.28 RCW and Chapter 564, Laws of 2009 (Engrossed Substitute House Bill 1244)

Statute being implemented: Chapter 19.28 RCW and Chapter 564, Laws of 2009 (Engrossed Substitute House Bill 1244)

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: 3:36 PM

WSR 10-13-134

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

NA

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.....Steve McClain	Tumwater	(360) 902-6348
Implementation...Steve McClain	Tumwater	(360) 902-6348
Enforcement.....Steve McClain	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.

L&I is exempt from preparing a small business economic impact statement under RCW 19.85.025(3) referencing RCW 34.05.310(4)(f) since the purpose of this rulemaking is to set or adjust fees pursuant to legislative standards.

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:

L&I is exempt from preparing a cost-benefit analysis under RCW 34.05.328(5)(b)(vi) since the purpose of this rulemaking is to set or adjust fees pursuant to legislative standards.