



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Labor & Industries

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) October 1, 2010 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: 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 inspection activity. For the same period, the 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 in staffing 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.

Citation of existing rules affected by this order:

- Repealed:
- Amended: WAC 296-46B-906, WAC 296-46B-909, WAC 296-46B-911
- Suspended:

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

Other authority: None.

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 10-13-134 on June 22, 2010.

Describe any changes other than editing from proposed to adopted version:

- The master electrician exam application nonrefundable fee was changed to \$32.00 from \$30.80.
- The 0 percent supervision modified training certificate nonrefundable fee was changed to \$49.10 from \$51.30.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: NA

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

Date adopted: August 24, 2010

NAME (TYPE OR PRINT)

Judy Schurke

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 24, 2010
TIME: 10:43 AM

WSR 10-18-025

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>3</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>3</u>	Repealed	_____