



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

- | | |
|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| <input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 10-15-107; or | <input checked="" type="checkbox"/> Original Notice |
| <input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or | <input type="checkbox"/> Supplemental Notice to WSR _____ |
| <input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4). | <input type="checkbox"/> Continuance of WSR _____ |

Title of rule and other identifying information: Chapter 296-127 WAC, Prevailing Wage – Scope of Work Definitions

Hearing location(s):
Department of Labor and Industries
7273 Linderson Way SW, Room S119
Tumwater, Washington 98501

Date: December 9, 2010 Time: 2:00 pm

Date of intended adoption: January 18, 2011
(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 December 9, 2010

Assistance for persons with disabilities: Contact Sally Elliott by November 24, 2010, at (360) 902-6411 or yous235@lni.wa.gov.

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
Prevailing wage rates on public works projects are determined and enforced according to the trade or occupation or "classification" of work actually performed. The purpose of this rulemaking is to write scope of work descriptions for dredge workers, truck drivers, and ready mix truck drivers.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption:
Chapter 39.12 RCW and RCW 43.22.270

Statute being implemented: Chapter 39.12 RCW and RCW 43.22.270

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 02, 2010

TIME: 12:41 PM

WSR 10-22-104

DATE
November 2, 2010

NAME (type or print)
Judy Schurke

SIGNATURE

TITLE
Director

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..... David Soma	Tumwater, Washington	(360) 902-5330
Implementation... Steve McLain	Tumwater, Washington	(360) 902-6348
Enforcement..... Steve McLain	Tumwater, Washington	(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.

This rule is specifically exempt from the SBEIS requirement because the proposed rule will not impose more than minor costs on businesses [see RCW 19.85.030(1)(a)].

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Sally Elliott

Address: Post Office Box 44400

Olympia, Washington 98504-4400

Phone (360) 902-6411

Fax (360) 902-5292

E-mail yous235@lni.wa.gov

No: Please explain: