



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 10-17-093 ; 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: (Describe Subject)

Chapter 296-17A WAC, Classifications for Workers' Compensation Insurance

Hearing location(s):

Tumwater L&I Building, Room S118
7273 Linderson Way
Tumwater, Washington

Date: November 10, 2010 Time: 1:00 PM

Submit written comments to:

Name: Mr. Ronald Moore
Address: PO Box 44140
Olympia, WA 98504

e-mail MOOA235@LNI.Wa.Gov
fax (360) 902 4748 by (date) November 10, 2010

Assistance for persons with disabilities: Contact

Craig Lowe at (360) 902 4579 or TTY (360) 902-5797 by
November 2, 2010

Date of intended adoption: November 30, 2010
(Note: This is **NOT** the **effective** date)

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

Classification Services has conducted a study of the explosives industry in Washington State. Classification 4601, used for explosives, ammunition and fireworks manufacturing, is assigned to only 7 employers, in three sub-codes. Classification 4601 was one of the original classifications developed in 1911 when explosives production was much different than it is now. With the development of more stable products, better methods, and safety regulation by numerous state and federal agencies, a change is warranted.

- WAC 296-17A-4601-01, fireworks manufacturing, 4601-02, explosive powder manufacturing, and 4601-03, combined chemicals and explosives manufacturing – Repeal
- WAC 296-17A-2106, Agricultural fertilizer and chemical dealers – Create a new sub-classification to cover those businesses that are dealers of explosives, not manufacturers
- WAC 296-17A-3402-61, Small arms manufacturing – Amend to incorporate small ammunition manufacturers and reloaders into small arms manufacturing
- WAC 296-17A-3701-07, Chemical mixing – Amend to incorporate fireworks manufacturing

Reasons supporting proposal: This rule making will put explosive dealers into a classification more closely aligned with the nature of their work, and reassign the few businesses remaining in 4601 to other classifications that are a better fit for their operations.

Statutory authority for adoption:
RCW 51.16.035, RCW 51.16.100, RCW 51.04.020(1)

Statute being implemented: RCW 51.16.035 and RCW 51.16.100

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: October 05, 2010

TIME: 11:09 AM

WSR 10-20-133

DATE
October 5, 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:

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.....	Renee Brady	Tumwater	(360) 902-4773
Implementation...	Ronald C. Moore	Tumwater	(360) 902-4748
Enforcement.....	Robert Malooly	Tumwater	(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 completing a SBEIS because the proposed rules set or adjust fees or rates to legislative standards described in RCW 34.05.328(5)(b)(vi)

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:

In this case, the agency is exempt from completing a CBA because the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.328(5)(b)(vi)