



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 11-15-065; 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 296-200A WAC, Contractor Certificate of Registration Renewals – Security – Insurance

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

Date: October 27, 2011 Time: 10:00 am

Date of intended adoption: November 22, 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 5 p.m. on October 27, 2011

Assistance for persons with disabilities: Contact Sally Elliott by October 15, 2011, at yous235@lni.wa.gov or (360) 902-6411.

Purpose of the proposal and its anticipated effects, including any changes in existing rules: This rulemaking will update the contractor registration rules in response to:

- Chapter 15, Laws of 2011 (Engrossed Substitute House Bill 1055), which changes the time period for a contractor to appeal an infraction from 20 to 30 days.
- Chapter 301, Laws of 2011 (Substitute Senate Bill 5067), which allows the program to send certified mail by other methods that can be tracked or the delivery can be confirmed.

The contractor registration rules will be amended to be consistent with statute by:

- Changing the contractor appeal period from 20 to 30 days.
- Amending requirements to send correspondence via certified mail to include other methods by which mail can be tracked or the delivery can be confirmed.
- Updating the definition of infraction to include the notice of assessment.
- Adding a new section to clarify when the notice of infraction and notice of assessment become final and the department may begin collection activity on past due accounts.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: Chapter 18.27 RCW, Chapter 15, Laws of 2011 (Engrossed Substitute House Bill 1055), and Chapter 301, Laws of 2011 (Substitute Senate Bill 5067)

Statute being implemented: Chapter 18.27 RCW, Chapter 15, Laws of 2011 (Engrossed Substitute House Bill 1055), and Chapter 301, Laws of 2011 (Substitute Senate Bill 5067)

Is rule necessary because of a:

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

DATE
September 20, 2011

NAME (type or print)
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 20, 2011

TIME: 9:08 AM

WSR 11-19-084

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.....José Rodriguez	Tumwater, Washington	(360) 902-6348
Implementation....José Rodriguez	Tumwater, Washington	(360) 902-6348
Enforcement.....José Rodriguez	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.

A small business economic impact statement has not been prepared under chapter 19.85 RCW. The department has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a small business economic impact statement because the proposed rules are in response the passage of Engrossed Substitute House Bill 1055 and Substitute Senate Bill 5067 [see RCW 19.85.025 referencing exemptions listed under RCW 34.05.310 (4)(c)].

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:

A cost-benefit analysis was not prepared under RCW 34.05.328. The department considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a cost-benefit analysis because the proposed rules are in response the passage of Engrossed Substitute House Bill 1055 and Substitute Senate Bill 5067 [see exemptions, RCW 34.05.328 (5)(b)(iii)].