



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(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 <u>14-13-107</u> ; 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) or 34.05.330(1).	<input type="checkbox"/> Continuance of WSR _____

**Title of rule and other identifying information**  
**WAC Chapter 296-17 General Reporting Rules and WAC Chapter 296-17A Classifications**  
 WAC 296-17-31013, Building construction  
 WAC 296-17A-0101-36 Tree care and pruning services, N.O.C  
 WAC 296-17A-0308 (Lawn care, and fertilizing and spraying operations)  
 WAC 296-17A-0509 (Overhead utility lines)  
 WAC 296-17A-0106-00 Tree care and pruning services N.O.C.

Hearing location(s): See attachment A

**Submit written comments to:**

Name: Richard Bredeson  
 Address: Department of Labor and Industries  
 P.O. Box 44148  
 Tumwater, Washington 98504

e-mail [Richard.Bredeson@Lni.wa.Gov](mailto:Richard.Bredeson@Lni.wa.Gov)  
 fax (360) 902-5830 by October 31, 2014

**Assistance for persons with disabilities:** Contact

Office of Information and Assistance by 5:00 PM October 5

TTY (360) 902-5797

**Date of intended adoption:** November 25, 2014  
 (Note: This is **NOT** the **effective** date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The department is proposing reclassifying tree care and pruning services as an independently rated classification, 0106-00, Tree care and pruning services N.O.C. These businesses are currently rated as a subclassification of classification 0101.

In a separate rulemaking, the department will propose new rates for classification 0106 (tree care and pruning services) and classification 0101 (without tree care and pruning services) to take effect January 1, 2015.

**Reasons supporting proposal:** Loss and exposure data, as well as business operations of the industries involved, do not support 0101-36 (tree care and pruning services) being rated jointly with the other subclassifications in 0101.

**Statutory authority for adoption:** RCW 51.04.020(1) General Authority

**Statute being implemented:** RCW 51.16.035

**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: September 16, 2014**

**TIME: 9:14 AM**

**WSR 14-19-085**

**DATE**  
September 16, 2014

**NAME** (type or print)  
Joel Sacks

**SIGNATURE**  
*Joel Sacks*

**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..... Richard Bredeson	Tumwater, Washington	(360) 902-4985
Implementation.... Les Hargrave	Tumwater, Washington	(360) 902-4298
Enforcement..... Victoria Kennedy	Tumwater, Washington	(360) 902-4997

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal 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.

Since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.310(4)(f) and do not change current coverage options for employers and workers, they are exempted from a small business economic impact statement.

**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:

Since the proposed rules do not change any existing coverage options for employers or workers, and adjust fees pursuant to legislative standards, they are exempted by RCW 34.05.328(5)(b)(vi) from the requirement for a cost-benefit analysis.

Attachment A

2015 Tree Care Services and Pruning Public Hearing Schedule

October 22, 2014	11:00 a.m.	Whatcom Community College 237 W. Kellogg Road Room FND 105 Bellingham, WA 98226
October 23, 2014	11:00 a.m.	Spokane CenterPlace 2426 N. Discovery Pl. Spokane Valley, WA 99216
October 24, 2014	11:00 a.m.	Richland Community Center Activity Room 500 Amon Park Dr. Richland, WA 99352
October 27, 2014	11:00 a.m.	Department of Labor and Industries Auditorium 7273 Linderson Way SW Tumwater, WA 98501
October 28, 2014	11:00 a.m.	L&I Tukwila 12806 Gateway Dr. Tukwila, WA 98168
October 30, 2014	11:00 a.m.	Vancouver Northwest Regional Training Center 11606 NE 66 St., Suite 103 Vancouver, WA 98662