



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 04-16-093 ; 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: WAC 296-400A-025, What definitions do I need to know to understand these rules?; WAC 296-400A-021, How do I obtain a medical gas piping installer endorsement?; WAC 296-400A-045, What fees will I have to pay?; and WAC 296-400A-022, What procedure is required for renewal of a journeyman medical gas endorsement?

Hearing location(s): Date: April 26, 2005 Time: 1:00 p.m. Department of Labor and Industries 901 North Monroe Street, Suite 100 Spokane, Washington Date: April 29, 2005 Time: 10:00 a.m. Department of Labor and Industries 7273 Linderson Way Southwest, Room S117 Tumwater, Washington	Submit written comments to: Name: Sally Elliott, Specialty Compliance Services Division Address: Post Office Box 44400 Olympia, Washington 98504-4400 e-mail yous235@lni.wa.gov fax (360) 902-5292 by April 29, 2005
Date of intended adoption: May 17, 2005 (Note: This is NOT the effective date)	Assistance for persons with disabilities: Contact Sally Elliott by March 31, 2005 at yous235@lni.wa.gov or (360) 902-6411

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
 The purpose of this rulemaking is to update the requirements for medical gas piping in order to be consistent with national and industry standards. This will alleviate the inconsistencies between the national and state standards.

The department is also proposing a 3.03% fee increase, which is the Office of Financial Management's maximum allowable fiscal growth rate factor for fiscal year 2005. This fee increase is necessary to maintain the financial health and operational effectiveness of the Plumbers Program.

Reasons supporting proposal: The proposed rules will provide consistency between the national and industry standards with the state rules. The plumber rules will therefore be easier for the industry to use.

Statutory authority for adoption: RCW 18.106.040, 18.106.140	Statute being implemented: Chapter 18.106 RCW
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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

DATE
March 1, 2005

NAME (type or print)
Paul Trause

SIGNATURE

TITLE
Director

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

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..... Pete Schmidt	Tumwater, Washington	(360) 902-5571
Implementation....Patrick Woods	Tumwater, Washington	(360) 902-6348
Enforcement.....Patrick Woods	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.

The department has considered whether the proposed rules relating to medical gas are subject to the Regulatory Fairness Act and has determined that they do not require a small business economic impact statement because the costs associated with the proposed changes are exempted by law [see RCW 19.85.025 referencing RCW 34.05.310(4)] from the small business economic impact requirements and/or do not impose a more than minor impact on business.

A small business economic impact statement was not prepared for the fee increase because of the exemption under RCW 34.05.328 (5)(b)(vi), since the changes in this rulemaking set or adjust fees pursuant to legislative standards.

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:

The department determined the medical gas rules do not require a cost-benefit analysis because the costs associated with the proposed changes are exempted by law [see RCW 19.85.025 referencing RCW 34.05.310(4)] and/or do not impose a more than minor impact on business.

A cost-benefit analysis was not prepared for the fee increase because of the exemption under RCW 34.05.328 (5)(b)(vi), since the changes in this rulemaking set or adjust fees pursuant to legislative standards.