
HOUSE BILL 2941

State of Washington 60th Legislature 2008 Regular Session

By Representatives Moeller and Conway; by request of Department of Labor & Industries

Read first time 01/18/08. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to concerning fees for explosives licenses;
2 amending RCW 70.74.137, 70.74.140, 70.74.142, 70.74.144, 70.74.146, and
3 70.74.360; and adding a new section to chapter 70.74 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 70.74.137 and 1988 c 198 s 12 are each amended to read
6 as follows:

7 Every person applying for a purchaser's license, or renewal
8 thereof, shall pay an annual license fee of (~~five~~) twenty-five
9 dollars. The director of labor and industries may adjust the amount of
10 the license fee to reflect the administrative costs of the department.
11 The fee shall not exceed (~~fifteen~~) one hundred dollars.

12 Said license fee shall accompany the application and shall be
13 transmitted by the department to the state treasurer: PROVIDED, That
14 if the applicant is denied a purchaser's license the license fee shall
15 be returned to said applicant by registered mail.

16 **Sec. 2.** RCW 70.74.140 and 1988 c 198 s 13 are each amended to read
17 as follows:

18 Every person engaging in the business of keeping or storing of

1 explosives shall pay an annual license fee for each magazine
2 maintained, to be graduated by the department of labor and industries
3 according to the quantity kept or stored therein, of (~~ten~~) fifty
4 dollars. The director of labor and industries may adjust the amount of
5 the license fee to reflect the administrative costs of the department.
6 The fee shall not exceed (~~one~~) four hundred dollars.

7 Said license fee shall accompany the application and shall be
8 transmitted by the department to the state treasurer.

9 **Sec. 3.** RCW 70.74.142 and 1988 c 198 s 14 are each amended to read
10 as follows:

11 Every person applying for a user's license, or renewal thereof,
12 under this chapter shall pay an annual license fee of (~~five~~) fifty
13 dollars. The director of labor and industries may adjust the amount of
14 the license fee to reflect the administrative costs of the department.
15 The fee shall not exceed (~~fifteen~~) two hundred dollars.

16 Said license fee shall accompany the application, and be (~~turned~~
17 ~~over~~) transmitted by the department to the state treasurer: PROVIDED,
18 That if the applicant is denied a user's license the license fee shall
19 be returned to said applicant by registered mail.

20 **Sec. 4.** RCW 70.74.144 and 1988 c 198 s 15 are each amended to read
21 as follows:

22 Every person engaged in the business of manufacturing explosives
23 shall pay an annual license fee of (~~twenty-five~~) fifty dollars. The
24 director of labor and industries may adjust the amount of the license
25 fee to reflect the administrative costs of the department. The fee
26 shall not exceed (~~fifty~~) two hundred dollars.

27 Businesses licensed to manufacture explosives are not required to
28 have a dealer's license, but must comply with all of the dealer
29 requirements of this chapter when they sell explosives.

30 The license fee shall accompany the application and shall be
31 transmitted by the department to the state treasurer.

32 **Sec. 5.** RCW 70.74.146 and 1988 c 198 s 16 are each amended to read
33 as follows:

34 Every person engaged in the business of selling explosives shall
35 pay an annual license fee of (~~twenty-five~~) fifty dollars. The

1 director of labor and industries may adjust the amount of the license
2 fee to reflect the administrative costs of the department. The fee
3 shall not exceed ((fifty)) two hundred dollars.

4 Businesses licensed to sell explosives must comply with all of the
5 dealer requirements of this chapter.

6 The license fee shall accompany the application and shall be
7 transmitted by the department to the state treasurer.

8 **Sec. 6.** RCW 70.74.360 and 1988 c 198 s 3 are each amended to read
9 as follows:

10 (1) The director of labor and industries shall require, as a
11 condition precedent to the original issuance or renewal of any
12 explosive license, fingerprinting and criminal history record
13 information checks of every applicant. In the case of a corporation,
14 fingerprinting and criminal history record information checks shall be
15 required for the management officials directly responsible for the
16 operations where explosives are used if such persons have not
17 previously had their fingerprints recorded with the department of labor
18 and industries. In the case of a partnership, fingerprinting and
19 criminal history record information checks shall be required of all
20 general partners. Such fingerprints as are required by the department
21 of labor and industries shall be submitted on forms provided by the
22 department to the identification section of the Washington state patrol
23 and to the identification division of the federal bureau of
24 investigation in order that these agencies may search their records for
25 prior convictions of the individuals fingerprinted. The Washington
26 state patrol shall provide to the director of labor and industries such
27 criminal record information as the director may request. The applicant
28 shall give full cooperation to the department of labor and industries
29 and shall assist the department of labor and industries in all aspects
30 of the fingerprinting and criminal history record information check.
31 The applicant ((may)) shall be required to pay ((a)) the current
32 federal and state fee ((not to exceed twenty dollars to the agency that
33 performs the fingerprinting and criminal history process)) for
34 fingerprint-based criminal history background checks.

35 (2) The director of labor and industries shall not issue a license
36 to manufacture, purchase, store, use, or deal with explosives to:

37 (a) Any person under twenty-one years of age;

1 (b) Any person whose license is suspended or whose license has been
2 revoked, except as provided in RCW 70.74.370;

3 (c) Any person who has been convicted in this state or elsewhere of
4 a violent offense as defined in RCW 9.94A.030, perjury, false swearing,
5 or bomb threats or a crime involving a schedule I or II controlled
6 substance, or any other drug or alcohol related offense, unless such
7 other drug or alcohol related offense does not reflect a drug or
8 alcohol dependency. However, the director of labor and industries may
9 issue a license if the person suffering a drug or alcohol related
10 dependency is participating in or has completed an alcohol or drug
11 recovery program acceptable to the department of labor and industries
12 and has established control of their alcohol or drug dependency. The
13 director of labor and industries shall require the applicant to provide
14 proof of such participation and control; or

15 (d) Any person who has previously been adjudged to be mentally ill
16 or insane, or to be incompetent due to any mental disability or disease
17 and who has not at the time of application been restored to competency.

18 (3) The director of labor and industries may establish reasonable
19 licensing fees for the manufacture, dealing, purchase, use, and storage
20 of explosives.

21 NEW SECTION. **Sec. 7.** A new section is added to chapter 70.74 RCW
22 to read as follows:

23 All funds collected by the department under RCW 70.74.137 through
24 70.74.146 and 70.74.360 shall be transferred to the state treasurer for
25 deposit into the accident and medical aid funds under RCW 51.44.010 and
26 51.44.020.

--- END ---