

HOUSE BILL REPORT

SHB 1280

As Passed House:
February 23, 2009

Title: An act relating to the expiration of explosives licenses.

Brief Description: Regarding explosives licenses.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives Condotta, Chandler, Crouse, Kretz, Kristiansen and Armstrong).

Brief History:

Committee Activity:

Commerce & Labor: 1/23/09, 1/30/09 [DPS].

Floor Activity

Passed House: 2/23/09, 97-0.

Brief Summary of Substitute Bill

- Provides that the background check for an explosives license is every third year upon renewal rather than annually.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Crouse, Green, Moeller and Williams.

Staff: Joan Elgee (786-7106)

Background:

Under the Washington State Explosives Act, a license issued by the Department of Labor and Industries (Department) is required to manufacture, purchase, sell, use, or store explosives. Licensees must be at least 21 years of age, not have been convicted of a violent offense, and meet other qualifications. By rule, applicants for user licenses must meet specified experience, exam, and training qualifications, depending on the type of blasting the applicant will perform. Experience, training, and exam requirements are also set forth for renewal of

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user licenses. Applicants for all new and renewal licenses must undergo a fingerprint-based criminal history background check.

A license expires one year from the date issued, except that the Director of the Department (Director) may extend storage licenses for permanent facilities to two years under certain conditions. License fees for each type of license are set in statute and the Director may adjust the fees to reflect the administrative costs of the Department up to a specified maximum for each type of license. Applicants must also pay the current federal and state fee for the background check.

Certain explosives licensees must also obtain a federal permit from the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

Summary of Substitute Bill:

The background check for a renewal of an explosives license is changed from an annual to an every third year requirement.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) When the license cycle was changed to annual, it caused problems with our communications with the Department. It is burdensome to renew licenses every year. With 50 licensed blasters as employees, it takes 6 - 8 weeks to do their paperwork. The federal licenses are on a three-year cycle. It makes blasters feel like terrorists to have to undergo annual background checks.

(Neutral with concerns) Public safety is a concern. Explosives are dangerous materials and the program is related to homeland security. Until recently, the Department was able to use the fingerprints and background information that had been submitted previously when a licensee renewed. Now we need to go through the Washington State Patrol with new fingerprints each year, which increases the complexity. The Department will work the proponents to see if the issues can be worked out.

(Opposed) None.

Persons Testifying: (In support) Representative Condotta, prime sponsor; and Jon Andrews, Stevens Pass Ski Area.

(Neutral with concerns) Steve Cant, Department of Labor and Industries.

Persons Signed In To Testify But Not Testifying: None.