

SENATE BILL REPORT

SHB 1280

As Reported by Senate Committee On:
Labor, Commerce & Consumer Protection, March 17, 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: Passed House: 2/23/09, 97-0.

Committee Activity: Labor, Commerce & Consumer Protection: 3/17/09 [DP].

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist, Ranking Minority Member; Franklin, Honeyford, King and Kline.

Staff: Ingrid Mungia (786-7423)

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 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.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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

Summary of 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.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: When the license cycle for explosive licenses was changes to annual, the Department found that it was burdensome. Changing the background checks to every three years will decrease this burden. There are 700 licensed blasters in the state of Washington. It is very burdensome to comply with yearly background checks. It is important to have a safety program that is safe and efficient. The Washington blasters understand the need for licensing standards, but not the annual background checks. The federal Department of Alcohol, Tobacco and Firearms blasting licenses are on a three-year cycle.

OTHER: Last year the Department asked to increase the fee for blasters licenses. 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 annual check is turning out to be burdensome on the Department.

Persons Testifying: PRO: Representative Condotta, prime sponsor; Jon Andrews, Washington State Licensed Blaster.

OTHER: Josh Swanson, Department of Labor and Industries.