CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1280

Chapter 39, Laws of 2009

61st Legislature
2009 Regular Session

EXPLOSIVE LICENSES--REQUIREMENTS

EFFECTIVE DATE: 07/26/09

Passed by the House February 23, 2009
Yeas 97  Nays 0

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate March 31, 2009
Yeas 46  Nays 0

BRAD OWEN
President of the Senate

Approved April 9, 2009, 2:19 p.m.

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is SUBSTITUTE HOUSE BILL 1280 as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER
Chief Clerk

FILED
April 10, 2009

CHRISTINE GREGOIRE
Governor of the State of Washington

SECRETARY OF STATE
State of Washington
AN ACT Relating to the expiration of explosives licenses; and
amending RCW 70.74.360.

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

Sec. 1. RCW 70.74.360 and 2008 c 285 s 10 are each amended to read as follows:

(1) The director of labor and industries shall require, as a condition precedent to the original issuance (or upon renewal every three years thereafter) of any explosive license, fingerprinting and criminal history record information checks of every applicant. In the case of a corporation, fingerprinting and criminal history record information checks shall be required for the management officials directly responsible for the operations where explosives are used if such persons have not previously had their fingerprints recorded with the department of labor and industries. In the case of a partnership, fingerprinting and criminal history record information checks shall be required of all general partners. Such fingerprints as are required by the department of labor and industries shall be submitted on forms provided by the department to the identification section of the Washington state patrol and to the identification division of the
federal bureau of investigation in order that these agencies may search
t heir records for prior convictions of the individuals fingerprinted.
The Washington state patrol shall provide to the director of labor and
industries such criminal record information as the director may
request. The applicant shall give full cooperation to the department
of labor and industries and shall assist the department of labor and
industries in all aspects of the fingerprinting and criminal history
record information check. The applicant shall be required to pay the
current federal and state fee for fingerprint-based criminal history
background checks.

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

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

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

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

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

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

Passed by the House February 23, 2009.
Passed by the Senate March 31, 2009.
Approved by the Governor April 9, 2009.
Filed in Office of Secretary of State April 10, 2009.