

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.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

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

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1280

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By House Commerce & Labor (originally sponsored by Representatives Condotta, Chandler, Crouse, Kretz, Kristiansen, and Armstrong)

READ FIRST TIME 02/02/09.

1 AN ACT Relating to the expiration of explosives licenses; and
2 amending RCW 70.74.360.

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

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

6 (1) The director of labor and industries shall require, as a
7 condition precedent to the original issuance ((~~or~~)) and upon renewal
8 every three years thereafter of any explosive license, fingerprinting
9 and criminal history record information checks of every applicant. In
10 the case of a corporation, fingerprinting and criminal history record
11 information checks shall be required for the management officials
12 directly responsible for the operations where explosives are used if
13 such persons have not previously had their fingerprints recorded with
14 the department of labor and industries. In the case of a partnership,
15 fingerprinting and criminal history record information checks shall be
16 required of all general partners. Such fingerprints as are required by
17 the department of labor and industries shall be submitted on forms
18 provided by the department to the identification section of the
19 Washington state patrol and to the identification division of the

1 federal bureau of investigation in order that these agencies may search
2 their records for prior convictions of the individuals fingerprinted.
3 The Washington state patrol shall provide to the director of labor and
4 industries such criminal record information as the director may
5 request. The applicant shall give full cooperation to the department
6 of labor and industries and shall assist the department of labor and
7 industries in all aspects of the fingerprinting and criminal history
8 record information check. The applicant shall be required to pay the
9 current federal and state fee for fingerprint-based criminal history
10 background checks.

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

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

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

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

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

31 (3) The director of labor and industries may establish reasonable
32 licensing fees for the manufacture, dealing, purchase, use, and storage
33 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.