



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: Department of Services for the Blind

- Permanent Rule
 Emergency Rule

(1) Date of adoption: July 15 1994

(2) Purpose: Changes to reflect increased deductible paid by vendors on repair bills, and change in title to more accurately reflect content of the WAC.

(3) Citation of existing rules affected by this order:

Repealed:
Amended: WAC 67-35-230
Suspended:

(4) Authority for adoption:

Statute: RCW 74-18
Other Authority:

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR 94-12-072 on May 31, 1994 (date).

Describe any changes other than editing from proposed to adopted version:

None

(5.2) **EMERGENCY RULE ONLY**

Pursuant to RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If yes, explain:

(6) Effective date of rule:

Permanent Rules

Emergency Rules

31 days after filing

Immediately

Other (specify) _____ *

Later (specify) _____

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

**CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED**

JUL 15 1994

TIME: 3:40 AM
WSR: 94-15-052 PM

NAME (TYPE OR PRINT)

Bonnie Jindra

SIGNATURE

Bonnie Jindra

TITLE

Assistant Director

DATE

7/15/94

AMENDATORY SECTION (Amending Order 86-2, filed 3/21/86)

**WAC 67-35-230 Department and vendor responsibility--
Maintained facility and equipment.** (1) The department will, within program resources, maintain or cause to be maintained each facility in good repair and attractive condition. The department will, within program resources, or in accordance with terms and conditions of the permit or contract, replace, or cause to be replaced obsolete or worn-out equipment.

(2) Vendors shall pay repair charges for each separate repair job on vending facility equipment of (~~one~~) two hundred dollars or ten percent of the cost of repair, whichever is greater. For purposes of this subsection, repair or a repair job shall mean the cost associated with a single visit of a repair technician to a vending facility without respect to the amount of equipment being repaired, or multiple visits, and/or contact relative to the repair of a single item.

(3) When a vendor takes over the operation of a vending facility, the department will within program resources, pay for all repair charges during the first six months and the (~~one~~) two hundred dollars or ten percent deduction will not apply.

(4) The remainder of the charges for repair or maintenance of vending facility equipment described in subsections (2) and (3) of this section shall be paid for from set aside funds. If set aside funds are entirely depleted, the vendor shall pay the costs of repair of vending facility equipment at his/her facility.

(5) For purposes of this section, vending facility equipment shall include equipment provided by the department and equipment furnished as a part of the contract or permit for which the department and operator assumes the responsibility of maintenance.