

TRANSMITTAL OF RULES ADOPTED

FROM: Code Reviser (Name of Agency)

TO: CODE REVISER LEGISLATIVE BLDG. (Southwest Corner, Ground Floor) Olympia 98504

The enclosed rules Permanent rules [] / Emergency rules [X], being Order No. 13 relating to (Name of rules or description of subject matter)

- The amendment of WAC 1-12-930 (Form CR-7), WAC 1-12-940 (Form CR-8), WAC 1-13-930 (Form CR-9), WAC 1-13-940 (Form CR-10)

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. filed with the code reviser on (date) were regularly adopted as permanent rules of this agency at (place) on (date) and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be.

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at the Code Reviser's Office, Ground Floor, Legislative Building, Olympia, Washington on June 16, 1977 (place) (date) and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this 16th day of June 1977

STATE OF WASHINGTON FILED

JUN 16 1977

CODE REVISER'S OFFICE

DOCKET #8266 FILE # 1

CODE REVISER (AGENCY)

By [Signature]

CODE REVISER

Title

NOTES: 1Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice) 2Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice) 3Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing: RCW 34.04.040. Leave this space blank except in such special cases.

State of Washington

CODE REVISER

(agency name)

Administrative Order No. 13

(1) I, Richard O. White, Code Reviser, director of the State of Washington,

ALTERNATIVE A. Use only for Adoption of Permanent Rules.

after due notice and in a meeting open to the public, held at on as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt as permanent rules of this agency, the annexed rules:

ALTERNATIVE B. Use only for Adoption of Emergency Rules.

do promulgate and adopt as emergency rules of this agency, the annexed rules:

- Amendments of WAC 1-12-930 (Form CR-7), 1-12-940 (Form CR-8), 1-13-930 (Form CR-9), 1-13-940 (Form CR-10).

I, Richard O. White, State Code Reviser, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is: Section 2, chapter 19, Laws of 1977 requires state agencies to set forth the statutory authority under which rules are promulgated, and further directs the code reviser to develop a format for placing such language in each rule. The present forms adopted by the code reviser on May 9, 1977, to implement this statute have proven difficult for agencies to properly complete, and this amendment of the forms is intended to make them easier to use.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(2) Appropriate statement of state statutory authority as required by RCW 34.04 (1977 c 19 § 2). This rule is promulgated pursuant to section 2, chapter 19, Laws of 1977 and is intended to administratively implement that statute, and also pursuant to RCW 28B.19.080 and 34.04.055 which direct that the code reviser has authority to implement the provisions of chapters 28B.19 RCW and 34.04 RCW.

(3) This order after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED June 16 1977

By [Signature] Code Reviser Title

AMENDATORY SECTION

WAC 1-12-930 FORM OF ORDER BY AGENCY HAVING SINGLE HEAD (CR-7).

State of Washington

.....
(agency name)

Administrative Order No.

(1) I,, director of of the State of Washington,

ALTERNATIVE A. Use only for Adoption of Permanent Rules.

.....
after due notice and in a meeting open to the public, held at on, as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt as permanent rules of this agency, the annexed rules:

ALTERNATIVE B. Use only for Adoption of Emergency Rules.

.....
do promulgate and adopt as emergency rules of this agency, the annexed rules:

I,, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

.....
(2) ((Appropriate statement of state statutory authority as required by RCW 34.04, (1977 c 19 § 2))) Pursuant to the requirements of RCW 34.04, (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):
□(a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

□(b) This rule is promulgated pursuant to RCW which directs that the _____ (agency) _____ has authority to implement the provisions of (name of act or RCW citation)

□(c) This rule is promulgated under the general rule-making authority of the _____ (agency) _____ as authorized in RCW

(3) This order after being first recorded in the order register of this agency shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED 19...

By

.....

Title

[Form CB-7: Effective 6/9/77]

NOTE:

¹RCW 34.04..... (1977 c 19 § 2) provides:

"(1) In addition to the provisions of RCW 34.04.025(1)(a)(i), every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules:

(a) The most specific reference shall be to a section of law which the rule is implementing, and shall be quoted as follows: "This rule is promulgated pursuant to RCW and is intended to administratively implement that statute."

(b) The next specific reference, and one which shall be used only if paragraph (a) of this subsection is not applicable, shall be to that portion of an act which directs an agency to adopt rules and regulations as necessary to implement the act, and shall be quoted as follows: "This rule is promulgated pursuant to RCW which directs that the (agency) has authority to implement the provisions of (name of act or RCW citation)."

(c) The least specific reference, and one which shall be used only if paragraphs (a) and (b) of this subsection are not applicable, is one which indicates that the rule is promulgated under the agency's broad rule-making authority—either in the agency enabling legislation or chapter 34.04 RCW, and shall be quoted as follows: "This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW"

(2) The code reviser is directed to develop a format for placing such specific language in each rule, and agencies shall then comply with the code reviser's direction, and shall include the same in the final rule.

(3) During the promulgation hearings process the public may question whether such rule should have a more specific reference, and the agency shall, pursuant to RCW 34.04.025(1)(b), give consideration to such requests."

AMENDATORY SECTION

WAC 1-12-940 FORM OF ORDER BY BOARD, COMMISSION, OR COUNCIL (CR-8).

State of Washington

.....
(name of governing body)

.....
(agency name, if applicable)

Resolution No.

Administrative Order No.

(1) Be it resolved by the, State of Washington,

ALTERNATIVE A. Use only for Adoption of Permanent Rules.

.....
after due notice and in a meeting open to the public, held at on, as required by chapters 34.04 and 42.30 RCW, do promulgate and adopt as permanent rules of this governing body, the annexed rules:

ALTERNATIVE B. Use only for Adoption of Emergency Rules.

.....
promulgate and adopt as emergency rules of this governing body, the annexed rules:

We,, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

.....
(2) ((Appropriate statement of state statutory authority as required by RCW 34.04..... (1977 c 49 § 2).....
.....)) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the _____ (agency) _____ has authority to implement the provisions of (name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the _____ (agency) _____ as authorized in RCW

(3) This order after being first recorded in the order register of this governing body shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED, 19...

By
.....
Title

[Form CR-8: Effective 6/9/77]

NOTE:

¹See WAC 1-12-930, Note 1 for an explanation.

AMENDATORY SECTION

WAC 1-13-930 FORM OF ORDER BY INSTITUTION HAVING SINGLE HEAD (CR-9).

State of Washington

.....
(name of institution)

Administrative Order No.

(1) I,, ...(position)... of of the ...(institution)... of the State of Washington,

ALTERNATIVE A. Use only for Adoption of Permanent Rules.
.....

after due notice and in a meeting open to the public, held at on, as required by chapters 28B.19 and 42.30 RCW, do promulgate and adopt as permanent rules of this institution, the annexed rules:

ALTERNATIVE B. Use only for Adoption of Emergency Rules.
.....

do promulgate and adopt as emergency rules of this institution, the annexed rules:

I,, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.
.....

(2) ((Appropriate statement of state statutory authority.....
.....
)) Pursuant to the requirements of WAC 1-13-040 that each order shall set forth an appropriate statement of state statutory authority (fill in statement (a), (b), or (c) as appropriate):
 (a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the _____ (institution) _____ has authority to implement the provisions of _____ (name of act or RCW citation) _____ .

(c) This rule is promulgated under the general rule-making authority of the _____ (institution) _____ as authorized in RCW

(3) This order after being first recorded in the order register of this institution shall be forwarded to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

APPROVED AND ADOPTED 19...

By

.....
Title

AMENDATORY SECTION

WAC 1-13-940 FORM OF ORDER BY BOARD, COMMISSION, OR COUNCIL (CR-10) .

State of Washington

.....
(name of governing body)

.....
(name of institution)

Resolution No.

Administrative Order No.

(1) Be it resolved by the board of, of the _____ (institution) _____ of the State of Washington,

ALTERNATIVE A. Use only for Adoption of Permanent Rules.

.....
after due notice and in a meeting open to the public, held at on, as required by chapters 28B.19 and 42.30 RCW, do promulgate and adopt as permanent rules of this governing body, the annexed rules:

.....

ALTERNATIVE B. Use only for Adoption of Emergency Rules.

promulgate and adopt as emergency rules of this governing body, the annexed rules:

We,, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(2) ((Appropriate statement of state statutory authority.....

) Pursuant to the requirements of WAC 1-13-040 that each order shall set forth an appropriate statement of state statutory authority (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the (institution) has authority to implement the provisions of (name of act or RCW citation) .

(c) This rule is promulgated under the general rule-making authority of the (institution) as authorized in RCW

(3) This order after being first recorded in the order register of this governing body shall be forwarded to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

APPROVED AND ADOPTED, 19...

By

Title