



...ULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (7/10/97)

Agency:

Code Reviser's Office

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: June 23, 1998

(2) Purpose:

Amending WAC 1-21-010 to reflect the new requirements imposed by section 6, chapter 280, Laws of 1998; and WAC 1-21-020 to change the RCW citation from RCW 34.05.230 to RCW 34.05.356 to reflect section 2, chapter 280, Laws of 1998.

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

Repealed:

Amended: WAC 1-21-010 and 1-21-020.

Suspended:

(4) Statutory authority for adoption: RCW 1.08.110, 34.05.385, 34.08.020 and 34.08.030.

Other authority: RCW 34.05.354 as amended by section 6, chapter 280, Laws of 1998; and (over)

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 98-09-083 on April 21, 1998 (date).

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

EMERGENCY RULE ONLY

Under 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:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR _____ on _____ (date).

(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
or Expedited Rule Making

- 31 days after filing
- Other (specify) _____ *

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

Emergency Rules

- Immediately
- Later (specify) _____

NAME (TYPE OR PRINT)

Dennis W. Cooper

SIGNATURE

TITLE

Code Reviser

DATE

6/23/98

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

98-09-083

TIME 3:33 AM
WSR 98-14-048 PM

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New <u>0</u>	Amended <u>0</u>	Repealed <u>0</u>
Federal rules or standards:	New <u>0</u>	Amended <u>0</u>	Repealed <u>0</u>
Recently enacted state statutes:	New <u>0</u>	Amended <u>2</u>	Repealed <u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

New 0 Amended 0 Repealed 0

The number of sections adopted on the agency's own initiative:

New 0 Amended 0 Repealed 0

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New 0 Amended 0 Repealed 0

The number of sections adopted using:

Negotiated rule making:	New <u>0</u>	Amended <u>0</u>	Repealed <u>0</u>
Pilot rule making:	New <u>0</u>	Amended <u>0</u>	Repealed <u>0</u>
Other alternative rule making:	New <u>0</u>	Amended <u>0</u>	Repealed <u>0</u>

Purpose con't:

section 2, chapter 280, Laws of 1998.

AMENDATORY SECTION (Amending WSR 97-15-035, filed 7/10/97, effective 7/27/97)

WAC 1-21-010 Preproposal statement of inquiry. To solicit comments from the public as required by RCW 34.05.310 on a subject of possible rule making, but before a formal notice is filed under RCW 34.05.320, an agency shall complete and file with the code reviser's office a CR-101 form (Preproposal Statement of Inquiry). This requirement does **not** apply to all rule making. The exceptions are set forth in RCW 34.05.310(4).

The text of the new rule is neither required nor recommended at this stage, but if text is submitted for filing, it must meet the form and style requirements of WAC 1-21-110 through 1-21-130. The filing will appear in the Register in accordance with the schedule provided in WAC 1-21-040. Note that the CR-101 must be published at least thirty days before the CR-102 form (Proposed Rule Making) may be filed.

WAC sections proposed for expedited repeal under RCW 34.05.354 should be listed by citation and caption only, either individually or by entire chapter (~~(, and filed either March 10th through April 1st or September 10th through October 1st of each year)~~).

AMENDATORY SECTION (Amending WSR 97-15-035, filed 7/10/97, effective 7/27/97)

WAC 1-21-020 Notice--Form, contents, numbers. (1)(a) An agency shall file a regular notice of proposed rule making under RCW 34.05.320 with the code reviser's office on a CR-102 form (Proposed Rule Making). The agency must file the full text of the proposed rule along with the Notice form (RCW 34.08.020). This filing must be at least thirty days after the CR-101 form, if required, was published (RCW 34.05.310); or

(b) An agency shall file notice for the expedited adoption of rules under RCW (~~(34.05.230)~~) 34.05.356 with the code reviser's office on a CR-102XA form (Expedited Adoption--Proposed Rule Making). The agency must file the full text of the proposed rule along with the CR-102XA form (RCW (~~(34.05.230)~~) 34.05.356). This filing must be published in the Register at least forty-five days before the agency may adopt the proposal and file a CR-103 form (Rule-Making Order).

(2) The agency shall file the original and six copies of either notice package (form and text). The code reviser's office will keep the original and two copies and return four stamped

copies to the agency. The joint administrative rules review committee has requested that the agency submit three of these copies to the committee for purposes of legislative review. The agency should keep the remaining copy for its files.