



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: December 7, 1992

(2) Purpose: To establish procedures

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

Repealed:
Amended: WAC 67-35-082
Suspended:

(4) Authority for adoption:

Statute: RCW 74.18
Other Authority:

(5 1) PERMANENT RULE ONLY

Pursuant to notice filed as WSR 92-21-073 on Oct. 20, 1992 (date)

Describe any changes other than editing from proposed to adopted version: WAC 67-35-065 "Operation of a vending facility in the absence of an assigned vendor" has been renumber to WAC 67-35-071 better referencing. WAC 67-35-078 "Nonprimary location vending facility--How awarded or assigned" this is a new section and the word location has been added to the title.

(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

- 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) _____

CODE REVISER USE ONLY

DEC 07 1992
3:40
93.01.024

NAME (TYPE OR PRINT)

Bonnie Jindra

TITLE

Bonnie Jindra

DATE

Assistant Director of Administration

DATE

12/7/92

NEW SECTION

WAC 67-35-071 Operation of a vending facility in the absence of an assigned vendor. When a vendor resigns, leaves, or is removed from a facility, the department may appoint an operator for that facility on an emergency basis until the department is able to select a permanent vendor for that facility as outlined in WAC 67-35-060.

NEW SECTION

WAC 67-35-078 Nonprimary location vending facility--How awarded or assigned. When a notice of availability of a primary vending facility is bid per WAC 67-35-060 and 67-35-070, and there are no primary bids received, the department will accept bids for the same facility as a nonprimary vending facility. If there are no primary or nonprimary bids the department, in consultation with the blind vendors committee, will decide if the facility should remain in the business enterprise program.

AMENDATORY SECTION (Amending Order 84-06, filed 4/16/84)

WAC 67-35-082 ((Administrative)) Vendor selection review. A licensee or vendor who has applied for a vending facility under WAC 67-35-060 may upon request receive a review of the correctness of the selection process from the director of the department or his/her designee. The review must be requested within ten calendar days of the completion of the selection process for which the licensee or vendor has applied.