

TRANSMITTAL OF RULES ADOPTED

FROM: CODE REVISER
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 2
Emergency rules
relating to (Name of rules or description of subject matter)

Chapter 1.12 WAC "Regulations for the drafting and filing of notices and rules"

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

pursuant to Notice No. 1021 ^① filed with the code reviser on 11/20/67 ^② were regularly adopted as permanent rules of this agency at Olympia on 12/11/67 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 1-17-68 ^③

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

pursuant to its finding 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 _____ on _____ and are herewith filed in _____ (place) _____ (date) the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 18th day of December 1967.

STATE OF WASHINGTON
FILED
DEC 18 1967
CODE REVISER'S OFFICE
DOCKET #1901 FILE # 1

CODE REVISER
(AGENCY)
Rowlett
By _____
CODE REVISER
Title _____

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
- ② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
- ③ UNLESS 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.

(Suggested form of order by agency having single head)

STATE OF WASHINGTON

DEPARTMENT OF OFFICE OF CODE REVISER

ADMINISTRATIVE ORDER No. 2

(1) I, RICHARD O. WHITE, ~~director of~~
CODE REVISER _____ of the state
of Washington, by virtue of the authority vested in me under
chapter 34.04 RCW and Chapter 237, Laws of 1967,
after due notice and in meeting open to the public, held at
Olympia on Monday
December 11, 1967 as required by chapters
34.04 and 42.32 RCW, do promulgate and adopt the annexed rules
and regulations, to wit:

Chapter 1.12 WAC "Regulations for the drafting
and filing of notices and rules"

as permanent emergency rules of this agency.

(2) 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 December 11 19 67 .

By R. White

CODE REVISER _____
Title

STATE OF WASHINGTON
FILED
DEC 18 1967
CODE REVISER'S OFFICE
DOCKET # 1491 FILE # 1

Chapter 1-12

REGULATIONS FOR THE DRAFTING AND FILING OF NOTICES AND RULES

WAC

- 1-12-005 Declaration of purpose.
- 1-12-010 Who must file rules.
- 1-12-020 What rules must be filed.
- 1-12-030 Notices of intention to adopt rules.
- 1-12-040 Administrative orders--How promulgated--Duty to maintain order register.
- 1-12-050 Letter of transmittal of rules adopted.
- 1-12-060 Formulation of agency orders creating, amending, or repealing rules.
- 1-12-070 Washington administrative code--Basic organization.
- 1-12-080 Drafting instructions--Title number--Chapter names and numbers.
- 1-12-090 -----Division of chapters into sections.
- 1-12-100 -----Subsections, subdivisions, and items.
- 1-12-110 -----Citations and references.
- 1-12-120 -----Title and chapter digests--History notes.
- 1-12-130 -----Amendatory section.
- 1-12-140 -----Repealer sections.
- 1-12-150 -----Sequence and numbering of sections--Identification of sections as new, amendatory or repealing.
- 1-12-160 -----Redesignation of WAC numbers--Amendment or repeal of inconsistent rules.
- 1-12-170 Typing instructions--General.
- 1-12-180 -----New chapters of WAC.
- 1-12-190 Emergency rules.
- 1-12-200 Exemption from these rules.
- 1-12-210 Official forms supplied on request.

NEW

WAC 1-12-005 DECLARATION OF PURPOSE. The creation and maintenance of the WASHINGTON ADMINISTRATIVE CODE is a task of considerable magnitude. In recognition of the amount of total effort involved, and in order to effect overall economies in this important function of state government, the 1967 legislature has placed greater responsibilities upon the individual agencies by requiring [1967 c 237 § 14] that they formulate both newly created and amendatory rules in accordance with the style, format, and numbering system of the Code.

These rules are promulgated by the Code Reviser pursuant to the authority granted by 1967 c 237 § 13 in the interest of assisting the agencies in preparing, promulgating and disseminating their administrative rules and regulations in an expeditious, orderly and uniform manner so as to produce an administrative code which shall be as concise and accurate as possible, and at minimum overall expense to the state. The format standards imposed by these rules are necessary to enable the inclusion of the rules as part of the code by means of the photo offset process and with a minimum of editing and retyping.

The reviser's office will be pleased to afford such advice and assistance to requesting agencies regarding these rules as its time and resources will permit.

The reviser expressly reserves the power to create new code titles, chapters, and sections of the Washington Administrative Code, or otherwise revise the title, chapter and sectional organization of the code, all as may be required from time to time, to effectuate the orderly and logical arrangement of the rules and regulations published therein.

NEW

WAC 1-12-010 WHO MUST FILE RULES. (1) "Agency" defined; see RCW 34.04.010(1).^①
(2) Filing required; see RCW 34.04.040.^②
(3) State militia and board of prison terms and paroles exempted; see RCW 34.04.150.^③

Reviser's note:

① RCW 34.04.010(1) as amended by 1967 c 237 § 1 provides:

"For the purpose of this chapter;

(1) "Agency" means any state board, commission, department, or officer, authorized by law to make rules or to adjudicate contested cases, except those in the legislative or judicial branches."

② RCW 34.04.040 provides:

"(1) Each agency shall file forthwith in the office of the code reviser a certified copy of all rules now in effect and hereafter adopted, except the rules contained in tariffs filed with or published by the Washington public service commission. The code reviser shall keep a permanent register of such rules open to public inspection.

(2) Emergency rules adopted under RCW 34.04.030 shall become effective upon filing. All other rules hereafter adopted shall become effective upon the expiration of thirty days after the date of filing, unless a later date is required by statute or specified in the rule.

(3) The code reviser shall report to each regular session of the legislature on the state of compliance of the agencies with this section. For this purpose, all agencies shall supply the code reviser with such information as he may request."

③ RCW 34.04.150 as last amended by 1967 ex.s. c 71 § 1 provides:

"This chapter shall not apply to the state militia, or the board of prison terms and paroles. The provisions of RCW 34.04.090 through 34.04.130 shall not apply to the board of industrial insurance appeals or the board of tax appeals unless an election is made pursuant to sections 43 or 48 of chapter 26, Laws of 1967 extraordinary session. All other agencies, whether or not formerly specifically excluded from the provisions of all or any part of the administrative procedure act, shall be subject to the entire act."

WAC 1-12-020 WHAT RULES MUST BE FILED. (1) "Rule" defined; see RCW 34.04.010(2). ① "License" and "Licensing" defined; see RCW 34.04.010(4) and (5). ①

(2) (a) Rules of practice and procedure; see RCW 34.04-.020. ②

(b) Certain agencies may use the uniform rules of practice and procedure codified in chapter 1-08 WAC; see 1967 c 237 § 12. ③

(c) Each agency must adopt a rule descriptive of its organization, stating the general course and methods of its operations and the methods whereby the public may obtain information and make requests; see RCW 34.04.020(2). ②

Reviser's note:

① RCW 34.04.010(2) as amended by 1967 c 237 § 1 provides in part:

"(2) "Rule" means any agency order, directive or regulation of general applicability (a) the violation of which subjects a person to a penalty or administrative sanction; (b) which establishes, alters or revokes any procedure, practice or requirement relating to agency hearings; (c) which establishes, alters or revokes any qualification or requirement relating to the enjoyment of benefits or privileges conferred by law; (d) which establishes, alters or revokes any qualifications or standards for the issuance, suspension or revocation of licenses to pursue any commercial activity, trade or profession; or (e) which establishes, alters or revokes any mandatory standards for any product or material which must be met before distribution or sale. The term includes the amendment or repeal of a prior rule, but does not include (i) statements concerning only the internal management of an agency and not affecting private rights or procedures available to the public, (ii) declaratory rulings issued pursuant to RCW 34.04.030, as now or hereafter amended, or (iii) speed restrictions for motor vehicles established by the state highway commission."

"(4) "License" includes the whole or part of any agency permit, certificate, approval, registration, charter, or any form of permission required by law, including agency rule, to engage in any activity, but does not include a license required solely for revenue purposes."

"(5) "Licensing" includes the agency process respecting the grant, denial, renewal, revocation, suspension, annulment, withdrawal, or modification of a license."

② RCW 34.04.020 as amended by 1967 c 237 § 2 provides:

"In addition to other rule-making requirements imposed by law:

(1) Each agency shall adopt rules governing the formal and informal procedures prescribed or authorized by this chapter and rules of practice before the agency, together with forms and instructions: PROVIDED, That section 12 of this 1967 amendatory act shall apply to agencies which have not adopted comprehensive rules of practice and procedure, in accordance with the provisions of this chapter, prior to July 1, 1967.

(2) To assist interested persons dealing with it, each agency shall adopt as a rule a description of its organization, stating the general course and method of its operations and the methods whereby the public may obtain information and make submissions or requests. No person shall be required to comply with agency procedure not adopted as a rule as herein required.

(3) To the extent not prohibited by federal law or regulation, nor prohibited for reasons of confidentiality by state law, each agency shall keep on file for public inspection all final orders, decisions and opinions in contested cases and any digest or index to those orders, decisions or opinions prepared by the agency for its own use. No agency order, decision or opinion is valid or effective against any person, nor may it be invoked by the agency for any purpose, unless it is available for public inspection as herein required. This provision is not applicable in favor of any person who has actual knowledge thereof."

③ 1967 c 237 § 12 provides:

"On or before July 1, 1967, the code reviser shall add to Title 1 of the Washington Administrative Code a new chapter to be known as chapter 1-08 WAC—Uniform Procedural Rules, which shall become effective July 1, 1967, and shall govern the administrative practice and procedure in and before all agencies which have not adopted comprehensive rules of practice and procedure prior to that date. Except for the numbering thereof, such rules shall be identical with the rules contained in WAC 308-08-010 through 308-08-590 as the same existed on January 3, 1966: PROVIDED, That in publishing chapter 1-08 WAC the reviser may revise such terms as are used in chapter 308-08 WAC to describe "agency", "department", "board", "commission", and like terms, so as to enable the use of such rules by multiple agencies.

This section shall not prohibit any such agency from hereafter adopting its own rules of practice and procedure in the manner provided by this chapter, if such agency shall elect to promulgate comprehensive rules on this subject and shall, in the order of adoption, expressly negative any further applicability to such agency of the rules contained in chapter 1-08 WAC."

WAC 1-12-030 NOTICES OF INTENTION TO ADOPT RULES. (1) Statutory notice requirements; see 1967 c 237 § 3. ①

(2) Failure to comply with twenty days notice requirement--Code reviser not to publish rule and rule not effective for any purpose; see 1967 c 237 § 4. ②

(3) Form of notice. Notices shall be filed on forms provided by the reviser's office [Form CR-1]. As notices will be reproduced by the photo offset process and published in WAC, no other form will be accepted for filing.

(4) Number of copies; Notice numbers. Agencies shall file in the reviser's office an original and two copies of the notice whereupon the date of filing and the notice number will be affixed and a copy returned to the filing agency. Such notice number or numbers shall in the event of one or more continuances, be entered in paragraph (5) of all subsequent notices relating to the proposed adoption [Form CR-1], and the notice number and date (or the latest such number and date if due to continuances there be more than one) shall be entered by the agency on the ORDER ADOPTING RULES AND TRANSMITTAL OF RULES ADOPTED [Form CR-2] by which the order adopting rules is transmitted for filing.

(5) Computation of time with respect to the twenty day rule. The effect of 1967 c 237 §§ 3 and 4 is to require the reviser to ascertain agency compliance with the twenty day rule. Such compliance will be determined as follows:

(a) The reviser's office construes the twenty day requirement of 1967 c 237 §§ 3 and 4 as relating to the date upon which the agency will convene to adopt, amend or repeal rules as described in the notice: i.e. the date inserted in part (1) of the notice form [Form CR-1].

(Attention is also directed to the additional requirement embodied in 1967 c 237 § 3(1)(b) which provides that "Prior to the adoption, amendment or repeal of any rule, each agency shall: . . . Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally in or in writing . . .")

(b) The reviser construes 1967 c 237 § 3(1)(a) as requiring the actual physical filing of the notice in the reviser's office at least twenty days prior to the date of intended action; Thus notices filed by mail must have been received at least twenty days prior to the date of intended action. The time from such date of receipt, to the time of intended action, will be computed according to RCW 1.12.040 which provides that:

"The time within which an act is to be done, as herein provided, shall be computed by excluding the first day, and including the last, unless the last day is a holiday or Sunday, and then it is also excluded."

(c) If the intended action is not taken upon the date prescribed in the notice and the agency elects to proceed further but does not desire to file a new notice which would be subject to the twenty day rule such agency may, if it has complied with the twenty day rule as to its original notice and has convened at the time and place specified in such notice announce a continuance to a date certain and forthwith file with the reviser a continuation notice containing in part (1) thereof [Form CR-1] the same terms, substance or description as was contained in the original notice (or if some of the matters have been disposed of, then such portions thereof as remain applicable) and supplying the additional information required by part (5) of such form. In the event of one or

more such continuances, the compliance of the original notice with the twenty day rule will be deemed to relate to the continuation notices.

Reviser's note:

① 1967 c 237 § 3 provides:

"(1) Prior to the adoption, amendment or repeal of any rule, each agency shall:

(a) Give at least twenty days notice of its intended action by filing the notice with the code reviser, mailing the notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings, and giving public notice as provided in RCW 42.32.010, as now or hereafter amended. Such notice shall include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon.

(b) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. In case of substantive rules, opportunity for oral hearing must be granted if requested by twenty-five persons, by a governmental subdivision or agency, or by an association having not less than twenty-five members. The agency shall consider fully all written and oral submissions respecting the proposed rule. Upon adoption of a rule, the agency, if requested to do so by an interested person either prior to adoption or within thirty days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

(2) No rule hereafter adopted is valid unless adopted in substantial compliance with this section, or, if an emergency rule designated as such, adopted in substantial compliance with RCW 34.04.030, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of this section, or of RCW 34.04.030, as now or hereafter amended, after two years have elapsed from the effective date of the rule."

② 1967 c 237 § 4 provides:

"When twenty days notice of intended action to adopt, amend or repeal a rule has not been filed with the code reviser, as required in section 3 of this 1967 amendatory act, the code reviser shall not publish such rule and such rule shall not be effective for any purpose."

NEW WAC 1-12-040 ADMINISTRATIVE ORDERS--HOW PROMULGATED--DUTY TO MAINTAIN ORDER REGISTER. The promulgation of new rules and of rules amending or rescinding existing rules shall be accomplished by an administrative order. Such order may be in the form of a resolution, minute order or such other form as is usually employed by the agency to effect such promulgations. (See suggested Forms appended to these rules.)

Orders shall be numbered seriatim and a record thereof shall be maintained by the agency in an Order Register in which shall be entered the number of each such order together with a brief description or digest of the subject matter of the order, including in the case of orders amending or repealing prior orders a listing of the section numbers affected.

The order number assigned by the agency constitutes the primary historical record for the rules of the agency and is exceedingly important both to the agency and to the reviser's office.

NEW WAC 1-12-050 LETTER OF TRANSMITTAL OF RULES ADOPTED. Four copies of each administrative order together with four copies of the rules adopted under such order shall be forwarded to the Code Reviser's office for filing under cover of four copies of a letter of transmittal which shall be executed on forms (Form CR-2) provided by the reviser's office.

NEW WAC 1-12-060 FORMULATION OF AGENCY ORDERS CREATING, AMENDING, OR REPEALING RULES. Agency orders amending or repealing rules or creating new rules, shall be formulated in accordance with the style, format, and numbering system of the Washington Administrative Code.

NEW WAC 1-12-070 WASHINGTON ADMINISTRATIVE CODE--BASIC ORGANIZATION. (1) The primary division is the Title. Each agency has been assigned a Title number which falls in alphabetical sequence according to the name of the agency. A list of titles assigned or reserved may be found in the prefatory material of Volume 1, WAC. Newly created agencies shall apply to the reviser's office for assignment of a title number.

(2) Each title is divided into chapters which constitute the major breakdown by subject matter of the rules adopted by the agency.

(3) Each chapter is divided into sections.

(4) Each code number is a composite of these three factors e.g.

	WAC	16	-	12	-	830
WASHINGTON ADMINISTRATIVE CODE	-----					
TITLE 16 Agriculture, Department of	-----					
Chapter 12 Meat Inspection	-----					
Section 830 Labels to be approved by department	-----					

NEW WAC 1-12-080 DRAFTING INSTRUCTIONS--TITLE NUMBER--CHAPTER NAMES AND NUMBERS. (1) The agency's title number has been assigned by the reviser. Chapter names and numbers, and section numbers within the chapter will be henceforth selected by the agency with the advice of the reviser's office.

(2) In selecting chapter names, choose a designation which expresses generally the subject matter of the material to be contained in the chapter. The chapter name should be fairly concise and should be one having some meaning to the industry being regulated and/or to the general public.

(3) In selecting chapter numbers, consider the general outline of all subjects regulated or anticipated to be regulated by the agency and assign chapter numbers in accordance with this outline.

In order to provide for future expansion in an orderly sequence, a gap of four numbers should be left between chapters, e.g. at the outset use chapter numbers -12, -16, -24, etc. leaving the intervening numbers to be used for later interpolation of subjects related to those which have already been assigned numbers. Chapter -08 of each title should be reserved for the adoption of comprehensive rules of practice and procedure before the agency, (but note that under 1967 c 237 § 12 agencies no longer need to adopt their own practice and procedure rules but may utilize the uniform rules of practice and procedure contained in chapter 1-08 WAC).

NEW

WAC 1-12-090 -----DIVISION OF CHAPTERS INTO SECTIONS.

(1) In numbering sections within a chapter, if the chapter will initially contain less than ninety-eight sections, number the section factor in a progression of tens, e.g. -010, -020, -030, etc. If there are many sections within a proposed chapter, number by threes, e.g. -003, -006, -009, -012, etc. or by fives, e.g. -005, -010, -015, -020, etc.

(2) Material should be divided into short, concise sections. Short sections facilitate future amendment. As a rule of thumb, if the contents of a section cannot be described in a one line "catchline", the section should be divided into two or more sections. Short sentences are likewise to be preferred.

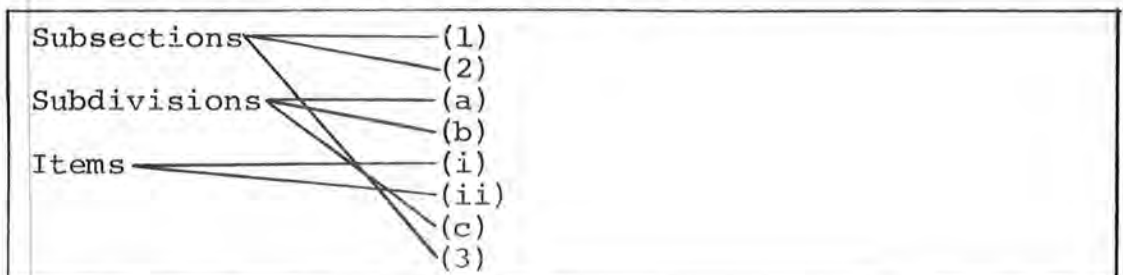
(3) Sections should not begin with the word "That".

(4) Each section shall be preceded by its WAC number and a catchline which shall briefly describe the contents of the section.

NEW

WAC 1-12-100 -----SUBSECTIONS, SUBDIVISIONS, AND ITEMS.

Sections may be divided into subsections (1), (2), (3), etc., which may in turn be divided into subdivisions (a), (b), (c), etc., which may be further divided into items (i), (ii), (iii), etc., all according to the following hierarchy, e.g.



NEW

WAC 1-12-110 -----CITATIONS AND REFERENCES. (1) In referring to other parts of the rules or to other rules, refer to specific sections or parts thereof. Avoid references such as "above", "below", "hereinbefore", "hereinafter", "preceding" and "following" since the relative position of the material referred to may be changed in future drafts.

(2) If the first draft and subsequent drafts require revision before they are promulgated, the draftsman must check all internal references to be sure they are still accurate i.e. that any rearrangement of sections referred to has been reflected by correcting the references thereto where necessary.

(3) Cite and refer to the various parts of the Washington Administrative Code as follows:

- (a) Title 16 -- Title 16 WAC
- (b) Chapter 16-24 -- Chapter 16-24 WAC
- (c) section 16-24-580 -- WAC 16-24-580
- (d) subsection 1 of section 16-24-580 -- WAC 16-24-580(1)
- (e) inclusive string of sections -- WAC 16-24-580 through 16-24-600.

NEW WAC 1-12-120 -----TITLE AND CHAPTER DIGESTS--HISTORY NOTES. At the fore of each Title of WAC is a Title Digest which lists all chapters within the title. Each chapter is likewise preceded by a chapter digest which lists all sections within the chapter. Title and chapter digests shall not be prepared by the agency but will be added later by the reviser's office.

Each section of WAC is followed by a history note which recites the agency's order number and filing date or effective date of the section: e.g. [Order 936, Reg. 1, sec. 4, filed 1/29/64.]

History notes shall likewise be omitted by the promulgating agency but triple spacing shall be left between sections to provide room for their insertion by the reviser prior to publication in the code.

NEW WAC 1-12-130 -----AMENDATORY SECTION. (1) Rules which amend a section or sections of existing rules shall set forth the full text of the section or sections as amended including the number and catchline but shall not indicate by use of deletion or addition marks or in any other manner the amendment being made.

(2) In the event the sections to be amended have not yet been codified in WAC, they shall be referred to by agency order and section numbers (or other appropriate description as follows: e.g.

AMD	Section 12 of order No. 15 dated March 15, 1967 (uncodified) is amended to read as follows: (here set forth in full the section as amended)
-----	--

NEW WAC 1-12-140 -----REPEALER SECTIONS. (1) Orders or parts of orders which repeal existing code sections shall be prepared as follows: e.g.

REP	WAC 16-12-830 and 16-12-840 are each hereby repealed.
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(2) In repealing rules not yet codified in WAC the description thereof shall be similar to that prescribed for amendment in WAC 1-12-130(2).

NEW

WAC 1-12-150 -----SEQUENCE AND NUMBERING OF SECTIONS--
IDENTIFICATION OF SECTIONS AS NEW, AMENDATORY OR REPEALING. (1)
New and amendatory sections shall be interspersed and shall be
organized sequentially in ascending order according to their
WAC number.

Repealer sections shall be placed following the new and
amendatory sections.

Traditional section numbering as "Section 1, Sec.2., Sec.
3., etc., shall not be used.

(2) Each section shall be identified in the margin, on
the first line thereof as new, amendatory, or repealing, using
abbreviations as follows, e.g.:

NEW

WAC 16-12-825 LABELS TO CONFORM WITH DEFINITIONS. When
inspected and passed products are labeled with the names of, or
are represented as, articles for which definitions have been
prescribed by regulation, the labels shall conform to such
definitions.

AMD

WAC 16-12-840 APPROVED LABELS TO BE USED ONLY ON PRODUCTS
TO WHICH THEY ARE APPLICABLE. Labels shall be used only on
products for which they are approved. They shall not be ap-
plied to any product, the covering of which bears any false
information.

REP

WAC 16-12-835 and 16-12-845 are each hereby repealed.

NEW

WAC 1-12-160 -----REDESIGNATION OF WAC NUMBERS--AMEND-
MENT OR REPEAL OF INCONSISTENT RULES. (1) WAC numbers as-
signed to chapters or sections shall not be changed except
with the advice and consent of the reviser's office.

(2) Unless special permission is obtained from the re-
viser's office, the WAC numbers previously assigned to repealed
sections shall not again be used to designate other sections as
the sections repealed will continue to be referenced in the code
as memorial sections.

(3) In drafting new rules, the draftsman must be cogni-
zant of rules already in existence, and must expressly amend
or repeal existing chapters or sections which would not be
consistent with the new rules.

NEW

WAC 1-12-170 TYPING INSTRUCTIONS--GENERAL. (1) Agency
rules submitted to the reviser's office for filing shall be
typed on legal size (8½"x13") good quality white bond paper.

(2) Rules shall be typed on one side of the sheet only.

(3) Rules shall be typed on a pica typewriter. (Elite
and other type styles smaller than pica cannot be accepted as
they are not readable when photo-reduced to 66% for inclusion
in the Washington Administrative Code.)

(4) An underlay guide sheet (Form CR-3) has been prepared
by the reviser's office for distribution to all agencies upon
request. This sheet when placed under the blank paper indicates
the margins to be observed in typing the rules and facilitates
keeping within such margins.

NEW

WAC 1-12-190 EMERGENCY RULES. (1) With respect to emergency rules and amendments filed by an agency pursuant to RCW 34.04.030, compliance with WAC 1-12-030, 1-12-060, 1-12-080, 1-12-090, 1-12-100, 1-12-110, 1-12-120, 1-12-160(3), 1-12-170 and 1-12-180 is not required: PROVIDED, That upon the subsequent regular adoption of any rules which were previously filed as emergency rules, all of said sections shall apply.

(2) Emergency rules shall be transmitted to the reviser's office on form entitled

"Transmittal of Rules Adopted" (Form CR-2).

NEW

WAC 1-12-200 EXEMPTION FROM THESE RULES. Agency rules which are likely to be omitted from WAC by the reviser pursuant to the authority granted him by RCW 34.04.050(3) may, upon application by the agency to the reviser for such exemption, be exempted by the reviser from the form and style requirements of these rules. Such application shall be made and approved prior to filing the rules in the reviser's office.

NEW

WAC 1-12-210 OFFICIAL FORMS SUPPLIED ON REQUEST. The following official forms may be obtained on request from the office of the code reviser:

- (1) Form CR-1 NOTICE OF INTENTION TO ADOPT, AMEND OR REPEAL RULES
- (2) Form CR-2 TRANSMITTAL OF RULES ADOPTED
- (3) Form CR-3 TYPING GUIDE UNDERLAY SHEET

NOTICE OF INTENTION TO ADOPT, AMEND OR REPEAL RULES
(Additional information may be typed on back of page)

(1) Notice is hereby given in accordance with the provisions of RCW 34.04. (1967c237§3), RCW 42.32.010, and _____ ①, that at _____ in the _____, the _____, the _____, will, in a meeting open to the public, adopt, amend or repeal rules concerning: ②

(2) The authority under which these rules are proposed is:

(3) Interested persons may submit data, views or arguments to this agency --
(a) in writing to be received by this agency prior to _____ (date) and/or
(b) orally at _____ (time), _____ (day), _____ (date)

(place)

(4) The additional notice required by 1967 c 237 § 3 has been made by mailing copies of this notice to all persons who have made timely request of this agency for advance notice of its rule-making proceedings, and giving public notice as provided in RCW 42.32.010.

(5) This notice is connected to and continues the matter noticed in Notice Nos. _____ filed with the reviser's office on _____ (dates) ④.

(AGENCY)

Dated: ③ _____

By: _____

(TITLE)

NOTICE #
(Do not write in this space)

- ① HERE CITE ADDITIONAL STATUTES (IF ANY) REQUIRING NOTICE BY THE RULE MAKING AGENCY.
- ② HERE INSERT A STATEMENT OF EITHER THE TERMS OR SUBSTANCE OF THE PROPOSED RULE OR A DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED. THIS NOTICE WILL BE PHOTOGRAPHED AND PUBLISHED IN THE WASHINGTON ADMINISTRATIVE CODE: IF IT IS DESIRED ALSO TO FILE THE TEXT OF THE PROPOSED RULES THEY MAY IN ADDITION BE APPENDED HERETO.
- ③ THE STATUTE REQUIRES 20 DAYS NOTICE, SEE 1967 c 237 §§ 3 and 4.
- ④ USE FOR CONTINUANCE OF MATTER PREVIOUSLY NOTICED AND ENTER HERE NOTICE NOS. OF NOTICES PREVIOUSLY RETURNED TO YOU BY REVISER'S OFFICE.

TRANSMITTAL OF RULES ADOPTED

FROM: _____
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. _____
Emergency rules

relating to (Name of rules or description of subject matter)

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

pursuant to Notice No. _____^① filed with the code reviser
on _____^② were regularly adopted as permanent rules of this
(date)
agency at _____ on _____ and are herewith
(place) (date)
filed in the office of the code reviser pursuant to chapter 34.04
RCW. The effective date of such rules shall be _____^③

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

pursuant to its finding 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
_____ on _____ and are herewith filed in
(place) (date)
the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this _____ day of _____ 19 .

(AGENCY)

By _____

Title

- ① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
③ UNLESS 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.

(Sample form of order by board or commission)

State of Washington
DEPARTMENT OF NATURAL RESOURCES
Board of Natural Resources

RESOLUTION NO. _____

Administrative Order No. _____
DNR Order Register (WAC 1-12-040)

A RESOLUTION Relating to permanent rules of the Department
of Natural Resources.

BE IT RESOLVED BY THE BOARD OF NATURAL RESOURCES OF THE
DEPARTMENT OF NATURAL RESOURCES, STATE OF WASHINGTON:

Section 1. The annexed regulations, to-wit:

are hereby approved and adopted as permanent rules of the
Department of Natural Resources.

Sec. 2. This resolution and annexed regulations,
after being first recorded as an administrative order in
the Order Register of the Department of Natural Resources,
shall be forwarded to the Code Reviser for filing pursuant
to RCW 34.04 and WAC 1-12-050.

APPROVED and ADOPTED _____, 19__.

Attest: _____
BERT L. COLE
Commissioner of Public Lands

(Suggested form of order by agency having single head)

STATE OF WASHINGTON

DEPARTMENT OF _____

ADMINISTRATIVE ORDER No. _____

(1) I, _____, director of _____ of the state of Washington, by virtue of the authority vested in me under chapter 34.04 RCW and _____, after due notice and in meeting open to the public, held at _____ on _____ as required by chapters 34.04 and 42.32 RCW, do promulgate and adopt the annexed rules and regulations, to wit:

as permanent emergency rules of this agency.

(2) 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