

TRANSMITTAL OF RULES ADOPTED

FROM: OFFICE OF THE CODE REVISER
(Name of Agency)

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

The enclosed Permanent rules , being order No. 6
Emergency rules

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

WAC 1-12-191 Emergency rules--Filing on weekends as emergency rules of this agency.

(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 agency at _____ on _____ 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 _____ 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 _____ Olympia _____ on 5/10/74 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 (1971 ex.s. c 250) have been fulfilled.

Dated this 10th day of May 1974.

STATE OF WASHINGTON
FILED
MAY 10 1974
CODE REVISER'S OFFICE
DOCKET # 6690 FILE # 1

CODE REVISER
(AGENCY)
Richard O. White
By Gary Reid
CODE REVISER Assistant 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.
FORM REVISED, EFFECTIVE 8/9/71 [FORM CR-2]

STATE OF WASHINGTON

OFFICE OF THE CODE REVISER

ADMINISTRATIVE ORDER NO. 6

(1) I, Richard O. White, Code Reviser of the state of Washington, by virtue of the authority vested in me under chapter 34.04 RCW do promulgate and adopt the annexed rules and regulations, to wit:

WAC 1-12-191 EMERGENCY RULES--FILING ON WEEKENDS as emergency rules of this agency.

The emergency adoption of this rule is necessary to establish a procedure whereby agencies may file emergency orders on weekends, when the reviser's office is not open for business. A situation presently exists wherein an agency may require such a filing and immediate effect of an order on the forthcoming weekend. Moreover, other agencies have requested the establishment of such procedure on other occasions, and it appears that similar requests will be made of this office during the coming months.

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

APPROVED AND ADOPTED

May 10, 1974

BY

Richard O. White

by Gary Reid

CODE REVISER

Assistant Code Reviser

Title

WAC 1-12-191 EMERGENCY RULES--FILING ON WEEKENDS. The reviser's office hereby delegates to the Washington State Patrol the authority to accept during the period from 5:00 p.m. on Friday until 8:00 a.m. on the following Monday the filing of emergency orders adopting, amending, or repealing rules and regulations when the emergent nature of such orders requires the filing and immediate effectiveness thereof during such period. An agency requiring acceptance of an emergency filing during such period may telephone the office of the State Patrol, Capitol Security Unit, at 753-2191 to make arrangements for the receipt by the Patrol of such filing. The agency shall notify the reviser's office of such filing no later than 9:00 a.m. on the Monday following such filing.

ROBERT L. HARRIS
CHAIRMAN
HARMON W. HANAN
VICE CHAIRMAN
JUDITH G. SWETT
SECRETARY

State of Washington
STATUTE LAW COMMITTEE

LEGISLATIVE BUILDING
OLYMPIA, WASHINGTON 98504



May 9, 1974

Colonel Harvey Hallom
Bureau of Field Operations
Washington State Patrol
General Administration Bldg.
Olympia, Wa. 98504

Dear Colonel Hallom:

Pursuant to our telephone conversation of this afternoon, there follows a description of the problem confronting the reviser's office and a suggested solution thereto.

RCW 34.04.040 provides that emergency rules adopted pursuant to the Administrative Procedure Act shall become effective upon filing with the reviser's office. On occasion, certain state agencies have need for the filing and immediate effectiveness of rules on Saturdays and Sundays, days on which the reviser's office is not normally open for business. The Department of Natural Resources, for example, may find need during the summer months to order a suspension of logging operations due to high fire danger, and the Department of Fisheries sometimes desires to extend or cut short the commercial season on a date which may fall on a weekend.

A request for a possible filing on the forthcoming weekend has been made of this office, and at the present time no satisfactory procedure exists for the acceptance of such filing. Our proposed solution involves the adoption by this office of an emergency order delegating to the State Patrol the authority to accept the filing of emergency orders by state agencies during the period from 5:00 p.m. each Friday until 8:00 a.m. the following Monday. Per your suggestion, the agency requiring such service would telephone your radio dispatchers, who would send a vehicle to the Olympia office of the agency to take delivery of the order. The officer receiving the filing need only write the date of such receipt, his initials, and the letters "WSP" in the space provided on the transmittal form accompanying each order. This space is indicated on a copy of the transmittal form, enclosed herewith. The filed order would remain in the custody of your office until the Monday morning next following, at which time a person from our office would pick up the order.

If this proposal meets with your approval, I would hope

Colonel Harvey Hallom
May 9, 1974
Page 2

that the procedure outlined herein can be available for use this weekend. Thank you for your cooperation and assistance in this matter.

Sincerely yours,

GARY REID
Assistant Code Reviser

GR:11b
Enclosure

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.

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 (1971 ex.s. c 250) have been fulfilled.

Dated this _____ day of _____ 19__.

date of receipt
initials
WSP

(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.
FORM REVISED, EFFECTIVE 8/9/71 [FORM CR-2]