

State of Washington

Energy Facility Site Evaluation Council

(name of governing body)

(agency name, if applicable)

Resolution No. _____

Administrative Order No. 78-6

(1) Be it resolved by the Energy Facility Site Evaluation Council acting at Olympia, Washington

(place)

that it does promulgate and adopted the annexed rules relating to:

- (1) WAC 463-18-060 Procedure in the absence of the Chairman (amend)
(2) WAC 463-18-070 Council Duties of Acting Chairman (amend)
(3) WAC 463-18-080 County, City and Port District Representatives-- Participation (amend)

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. _____ filed with the code reviser on 6-5-78. Such rules shall take effect: 78-06-100

- [X] pursuant to RCW 34.04.040(2).
[] at a later date, such date being _____

(2) ALTERNATIVE B. Use only for Adoption of Emergency 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.

(3) 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.
[X] (b) This rule is promulgated pursuant to RCW 80.50.040 (1) which directs that the

Energy Facility Site Evaluation Council

(agency)

has authority to implement the provisions of

Chapter 80.50 RCW

(name of act or RCW citation)

- [] (c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW _____

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) The order hereby made is recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1.12 WAC.

APPROVED AND ADOPTED August 14, 1978

AUG 28 1978

CODE REVISER'S OFFICE

WSR

78-09-079

By

William L. Fitch

Executive Secretary

Title

STATE OF WASHINGTON
ENERGY FACILITY SITE
EVALUATION COUNCIL

STATEMENT OF PURPOSE AND IMPLEMENTATION
NEW/AMENDED REGULATIONS

I. NAME OF AGENCY: Energy Facility Site Evaluation Council
ADMINISTRATIVE ORDER NO: 78-6
STATUTORY AUTHORITY: RCW 80.50.040 (1)

II. RULE TITLE:

- (1) WAC 463-18-060 Procedure in the absence of the Chairman (amend)
- (2) WAC 463-18-070 Council Duties of Acting Chairman
- (3) WAC 463-18-080 County, City and Port District Representatives--Participation (amend)

RULE SUMMARY and PURPOSE:

Sections 060 and 070 relate to the appointment of and duties of an acting Chairman in regard to the conduct of council business at regular and special meetings.

Section 080 concerns the participation of county, city and port district representatives in council meetings.

III. AGENCY RESPONSIBILITY FOR DRAFTING, IMPLEMENTING AND ENFORCING:

- A. Drafting: Legislative, Legal and Rules Committee
Tom Stacer, Chairman 753-6417
%Utilities & Transportation Comm.
Olympia, WA 98504
- B. Implementing: William Fitch, Executive Secretary
Energy Facility Site Evaluation Council
820 East Fifth Avenue
Olympia, WA 98504 753-7384
- C. Enforcing: Nicholas D. Lewis, Chairman 753-7384
Energy Facility Site Evaluation Council
820 East Fifth Avenue
Olympia, WA 98504

- IV. DATE OF HEARING: July 24, 1978
- DATE OF ADOPTION: August 14, 1978
- EFFECTIVE DATE: 30 days from the date of filing
- NAMES OF OPPONENTS AND/OR PROPONENTS: None

- V. AGENCY COMMENTS, IF ANY: None

AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-060 PROCEDURE IN THE ABSENCE OF THE CHAIRMAN. (~~in the event that the chairman is absent from any regular or special meeting, the executive secretary to the Council is to commence the meeting for the purpose of selecting a temporary chairman from among those Council members present.~~) Pursuant to RCW 80.50.030 the chairman may designate a member of the council to serve as acting chairman in the event of the chairman's absence.

AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-070 COUNCIL DUTIES OF (~~TEMPORARY~~) ACTING CHAIRMAN. Any council member (~~selected~~) designated by the council chairman as (~~temporary~~) acting chairman shall remain entitled to vote on any proposed council action and shall continue to fulfill his responsibilities to the agency which he represents.

AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-080 COUNTY, CITY AND PORT DISTRICT REPRESENTATIVES---PARTICIPATION. To the extent that council action (~~is dealt with~~) involves site certification matters relating to (~~specific counties~~) any county, city or port district or any combination thereof in which an energy facility is sought to be located, they shall be separated and divided to allow individual county, city and/or port representatives to participate in discussion (~~and vote only with regard to matters specifically affecting the concerned county~~); however, voting on issues shall be as permitted by WAC 463-06-020.