

# Title 133 WAC

## COMMUNITY ECONOMIC REVITALIZATION BOARD

### Chapters

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### Chapter 133-10 WAC GENERAL PROVISIONS

#### WAC

133-10-010	Organization and operation of the community economic revitalization board.
133-10-020	Board meetings.
133-10-030	Communications with the board.

**WAC 133-10-010 Organization and operation of the community economic revitalization board.** (1) The community economic revitalization board, hereinafter referred to as the board, is a fifteen member board created pursuant to section 3, chapter 40, Laws of 1982 1st ex. sess. and RCW 43.160.030.

(2) The board consists of nine persons appointed by the governor, as well as the director of commerce and economic development, the director of planning and community affairs, the director of revenue, the commissioner of employment security, and the chairmen of the committee on labor and economic development of the house of representatives and the committee on commerce and labor of the senate, or the equivalent standing committees. The appointive members are as follows: A recognized private or public sector economist selected from the governor's council of economic advisors; one port district official; one county official; one city official; one representative of small businesses each from: (a) The area west of Puget Sound or the Interstate 5 corridor, (b) the area east of the Cascade range and west of the Columbia River; and (c) the area east of the Columbia River; one executive from large businesses each from the area west of the Cascades and the area east of the Cascades. The appointive members are initially appointed to terms as follows: Three members for one-year terms, three members for two-year terms, and three members for three-year terms, which includes the chairman. Thereafter each succeeding term shall be for three years.

(3) The appointive member of the board from the governor's council of economic advisors serves as chairman of the board, and the director of the department of commerce and economic development serves as vice chairman. The board may elect such other officers for

such terms as it may from time to time deem necessary, in accordance with the board's bylaws.

(4) The board's staff support and office space is provided by the department of commerce and economic development, whose main office is located in Room 101, General Administration Building, Olympia, Washington 98504; phone (AC 206) 753-5630.

(5) The overall purpose of the board is to aid the development of economic opportunities in the state of Washington. The board's general objectives include: (1) Strengthening the economies of areas of the state which have experienced or are expected to experience chronically high unemployment rates or below average growth in their economies; (2) encouraging the diversification of the economies of the state and regions within the state in order to provide greater seasonal and cyclical stability of income and employment; and (3) providing incentives for expansion of employment opportunities for groups of state residents that have been less successful relative to other groups in efforts to gain permanent employment.

(6) In order to carry out its objectives, the board is authorized to make direct loans to political subdivisions of the state for the purposes of assisting the political subdivisions in financing the cost of public facilities, including the cost of acquisition and development of land and improvements for public facilities, as well as the acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities. Grants may also be authorized for such purposes, but only when grants are uniquely required. Additional powers and duties of the board are as set forth in chapter 40, Laws of 1982 1st ex. sess. and chapter 43.160 RCW, and in particular section 5 thereof, and RCW 43.160.050.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-10-010, filed 5/2/83.]

**WAC 133-10-020 Board meetings.** (1) Regular meetings of the board are held on the third Thursday of January, April, July and October commencing at 9:00 a.m. Notice of the times and places of the regular meetings will be published annually in a January edition of the Washington State Register. A copy of the schedule of regular meetings may also be obtained upon request from the board.

(2) Special meetings of the board may be called at any time by the chairman of the board or by a majority of the board members. Notice of such meetings will be as provided by law.

(3) In addition to the meeting notices specified above, the board will also notify all persons, organizations or agencies whose business is scheduled to come before the board at any regular or special meeting.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-10-020, filed 5/2/83.]

**WAC 133-10-030 Communications with the board.** Any and all written communications with the board, including but not limited to requests for information or copies of agency records, or submittals of any nature, shall be addressed to the community economic revitalization board, in care of the chairman, at the address which appears in WAC 133-10-010(4). Telephonic communications may be initiated by calling the phone number also listed in WAC 133-10-010(4).

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-10-030, filed 5/2/83.]

### Chapter 133-20 WAC PUBLIC RECORDS

#### WAC

133-20-010	Purpose.
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133-20-030	Public records available.
133-20-040	Public records officer.
133-20-050	Records index.
133-20-060	Office hours.
133-20-070	Requests for public records.
133-20-080	Copying.
133-20-090	Exemptions.
133-20-100	Review of denials of public records requests.
133-20-110	Protection of public records.
133-20-120	Adoption of form.

**WAC 133-20-010 Purpose.** The purpose of this chapter shall be to insure the compliance by the community economic revitalization board with the provisions of chapter 1, Laws of 1973, Initiative Measure No. 276, and in particular sections 25 through 32 of that act, and RCW 42.17.250 through 42.17.320, concerning disclosure of public records.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-010, filed 5/2/83.]

**WAC 133-20-020 Definitions.** The following definitions shall apply to this chapter: (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the board regardless of physical form or characteristics.

(2) "Writing" means handwriting, typewriting, printing, photostating and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, symbols, or combinations thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

(3) "Board" means the community economic revitalization board, created pursuant to chapter 43.160 RCW, and shall also refer to the board's officers and staff, where appropriate.

(4) "Department" means the department of commerce and economic development, and shall also refer to the department's staff, where appropriate.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-020, filed 5/2/83.]

**WAC 133-20-030 Public records available.** All public records of the board are deemed to be available for public inspection and copying, except as otherwise provided by RCW 42.17.260 and 42.17.310, as now or may hereafter be amended, and by WAC 133-20-090.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-030, filed 5/2/83.]

**WAC 133-20-040 Public records officer.** The board's vice chairman shall be the public records officer for the board. The public records officer shall be responsible for implementation of the board's rules and regulations regarding inspection and copying of public records, and for insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-040, filed 5/2/83.]

**WAC 133-20-050 Records index.** The board will make available to any person upon request a current index which provides identifying information as to the following records:

(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(b) Those statements of policy and interpretations of policy, statutes and regulations which have been adopted by the board;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and

(f) Correspondence, and materials referred to therein, by and with the board relating to any regulatory, supervisory or enforcement responsibilities of the board, whereby the board determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) The current index promulgated by the board shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection and copying.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-050, filed 5/2/83.]

**WAC 133-20-060 Office hours.** Public records shall be available for inspection and copying during the department's normal office hours. For purposes of this chapter, normal office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 5:00 p.m., Monday through Friday, excluding legal holidays.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-060, filed 5/2/83.]

**WAC 133-20-070 Requests for public records.** In accordance with the requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, and to protect public records from damage or disorganization, and to prevent excessive interference with essential functions of the board, public records may be inspected or copied, or copies of such records may be obtained by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the board which shall be available at the board's offices, or by writing or calling the board. The form shall be presented or mailed to the public records officer, or to any member of the board's staff, if the public records officer is not available, at the board's offices during normal office hours. The request shall include the following information:

(a) The name, address, and organization represented, if any, of the person requesting the record;

(b) The calendar date on which the request was made, and, when presented in person, the time of day;

(c) The nature of the request;

(d) If the matter requested is referred to within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the board's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to assist the member of the public in appropriately identifying the public record requested.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-070, filed 5/2/83.]

**WAC 133-20-080 Copying.** No fee shall be charged for the inspection of public records. The board may charge a fee of \$.10 per page for providing copies of public records, when copies of more than ten pages are provided, and for use of the department's copy equipment. This charge is the amount necessary to reimburse the department for its actual costs incident to such copying.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-080, filed 5/2/83.]

**WAC 133-20-090 Exemptions.** (1) The board reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 133-20-070 is exempt from disclosure under the provisions of RCW 42.17.260 and 42.17.310.

(2) Pursuant to RCW 42.17.260, the board reserves the right to delete identifying details when it makes available or publishes any public record, in any case where there is reason to believe that disclosure of such

details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records shall be accompanied by a written statement specifying the reason for the denial.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-090, filed 5/2/83.]

**WAC 133-20-100 Review of denials of public records requests.** (1) Any person who objects to the denial of a request for public records may petition for prompt review of such decision by submitting a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Following receipt of a written request for review of a decision denying a request for public records, the public records officer or other authorized staff member denying the request shall refer it to the chairman of the board. The chairman shall immediately consider the matter and either affirm or reverse such denial. The request shall be returned with the final decision, within two business days following receipt of the request for review.

(3) Administrative remedies shall not be considered exhausted until the request has been returned with a decision or until the close of the second business day following the denial of inspection, whichever occurs first.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-100, filed 5/2/83.]

**WAC 133-20-110 Protection of public records.** In order to properly protect the public records in the custody of the board, the following guidelines shall be adhered to by any person inspecting such public records:

(1) No public records shall be removed from the offices of the board;

(2) Inspection of any public records shall be conducted in the presence of a designated board or department employee;

(3) No public records may be marked or defaced in any manner during inspection;

(4) Public records which are maintained in a file jacket, or in a chronological order, may not be dismantled except for purposes of copying and then only by a designated employee of the board or department.

(5) Access to file cabinets, shelves, vaults, etc., is restricted to board or department personnel.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-110, filed 5/2/83.]

**WAC 133-20-120 Adoption of form.** The board hereby adopts for use by all persons requesting inspection or copying of its records, the form set out below, entitled "Request for public records."

In order to request copies of our public records, please complete the attached form and return it with the proper payment to the address below. We will forward to you

those requested copies which are not exempt from disclosure when we receive this form. Thank you.

Return to:

Community Economic Revitalization Board
c/o Public Records Officer
101 General Administration Building
Olympia, WA 98504

REQUEST FOR PUBLIC RECORDS

Date \_\_\_\_\_ Time \_\_\_\_\_ (In person requests only)

Name \_\_\_\_\_

Address \_\_\_\_\_

Description of Records

I certify that the information obtained through this request for public records will not be used for profit making.

Signature

(FOR BOARD USE ONLY)

Number of copies \_\_\_\_\_

Number of pages \_\_\_\_\_

Per page charge \$ .10
for in excess of
ten pages

Total charge \$ \_\_\_\_\_

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-20-120, filed 5/2/83.]

Chapter 133-30 WAC
RULES OF PRACTICE AND PROCEDURE

WAC

- 133-30-010 Purpose and scope of rules—Adoption of uniform rules.
133-30-020 Definitions.
133-30-030 Hearings, examination and investigations—Generally.
133-30-040 Requesting oral hearings—Substantive rule-making proceedings.
133-30-050 Subpoenas.
133-30-060 Petitions for rule-making action.
133-30-070 Petitions for declaratory rulings.
133-30-080 Requests for reconsideration.

WAC 133-30-010 Purpose and scope of rules—Adoption of uniform rules. (1) The purpose of this chapter is to adopt rules governing the formal and informal procedures prescribed or authorized by chapter 34.04 RCW (Administrative Procedure Act) before the community economic revitalization board, and to adopt rules

to govern the conduct of examinations and investigations conducted pursuant to RCW 43.160.050(6).

(2) Except as otherwise modified or supplemented by the provisions in this chapter, the board hereby adopts the Uniform Procedural Rules contained in chapter 1-08 WAC, as now or may hereafter be amended, to govern its administrative practice and procedure in general, and to govern the conduct of examinations and investigations conducted pursuant to RCW 43.226.050(6). Further, the board hereby adopts the Uniform Procedural Rules for the conduct of contested cases contained in chapter 10-08 WAC, as now or may hereafter be amended, to govern the conduct of any contested cases before the board.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-30-010, filed 5/2/83.]

Reviser's note: RCW 43.226.050(6) as used by the agency in this section is a section that does not exist in the Revised Code of Washington as of May 2, 1983.

WAC 133-30-020 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the community economic revitalization board.

(2) "Person" means any person, organization, corporation, state or federal agency, or any political subdivision of the state of Washington.

(3) "Contested case" means any contested case as defined in RCW 34.04.010, as now or may hereafter be amended.

(4) "Administrative law judge" means an administrative law judge appointed or contracted with and acting pursuant to the provisions of chapter 34.12 RCW.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-30-020, filed 5/2/83.]

WAC 133-30-030 Hearings, examination and investigations—Generally. (1) All public or oral hearings held pursuant to the provisions of chapter 34.04 RCW, pertaining to the consideration of the adoption, amendment or repeal of any rule, and any examinations or investigations conducted pursuant to RCW 43.160.050(6), will be held before the board at the regular or special meeting of the board where the matter is properly noted for consideration, unless at such meeting the board approves a continuance to a future date and time certain.

(2) All contested case hearings will be held before the board or an administrative law judge, at such date, time and place as may appear in the notice thereof served upon the parties thereto.

(3) All hearings on petitions for declaratory rulings will be held at the regular or special meeting so indicated in any notice served upon the person requesting the ruling, when such a hearing has been granted by the board.

(4) There will be no hearings on consideration of petitions for rule-making action.

(5) All hearings conducted by or on behalf of the board will be public hearings.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-30-030, filed 5/2/83.]

**WAC 133-30-040 Requesting oral hearings—Substantive rule-making proceedings.** In the case of any substantive rule being considered for adoption, amendment or repeal by the board, an oral hearing will be held in connection with such rule-making action if requested by twenty-five persons, by a governmental agency, by the rules review committee, or by an association having not less than twenty-five members. Such request must be in writing, addressed to the board's chairman, and must be received at the board's office at least five working days prior to the regular or special meeting at which the rule-making proceedings are scheduled to take place. The written request shall also specify whether the person, agency, committee or association requesting the oral hearing intends to present testimony or exhibits for the board's consideration, and if so, the estimated time required to present such testimony or exhibits.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-30-040, filed 5/2/83.]

**WAC 133-30-050 Subpoenas.** In addition to any other applicable provisions contained in chapters 1-08 and 10-08 WAC pertaining to subpoenas, the board, or any officer thereof, or the board's assistant attorney general may issue any subpoena or subpoena duces tecum to any person in connection with any hearing, examination or investigation conducted in the exercise of the board's lawful powers.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-30-050, filed 5/2/83.]

**WAC 133-30-060 Petitions for rule-making action.**

(1) Any interested person may petition the board in writing requesting the promulgation, amendment, or repeal of any rule. The petition may be in any form, so long as it is denominated or clearly appears as such, and the following information is contained therein:

(a) Name and address of the person requesting the promulgation, amendment or repeal of the rule. If the request is being made by an agency, political subdivision, organization or corporation, the name of a designated individual for contact must be provided.

(b) Text or substance of the proposed rule or amendment, or specific reference to the appropriate rule in cases where repeal is requested.

(c) Full explanation for the requested promulgation, amendment or repeal of rules.

(2) Within thirty days after submission of a petition, or at the next meeting of the board if the board does not meet within thirty days, the board will formally consider the petition and shall, within thirty days thereafter, either deny the petition (stating reasons for the denial) or initiate rule-making proceedings in accordance with chapter 34.04 RCW (Administrative Procedure Act).

(3) All petitions for rule-making action will be decided by the board without hearing. The person requesting the rule-making action will be notified of the board's decision in writing.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-30-060, filed 5/2/83.]

(1986 Ed.)

**WAC 133-30-070 Petitions for declaratory rulings.**

(1) Any interested person may petition the board to issue a declaratory ruling with respect to the applicability to any person, property, or state of facts of any rule or statute enforceable by the board.

(2) Petitions for declaratory rulings may be in any form, as long as they are in writing, are denominated as a petition for declaratory ruling or clearly appear to be such, and contain the following information:

(a) Name and address of the person requesting the declaratory ruling. If the request is being made by an agency, political subdivision, organization or corporation, the name of a designated contact person must also be provided.

(b) Specific reference to the rule or statutory provision upon which the declaratory ruling is sought, and the name and/or position of the person or persons, precise description of the property and/or complete state of facts to which the rule or statutory provision allegedly applies.

(c) Concise statement of the position the requesting party advocates with respect to the declaratory ruling sought, if any, and supporting reasons therefor.

(3) The board may, in its discretion, decide whether or not to issue any requested declaratory ruling, and, if a declaratory ruling is to be issued, whether a hearing will be held thereon, and further, whether any declaratory ruling will be stated to be binding on the person requesting the ruling.

(4) The person requesting a declaratory ruling will be notified in writing of any decision or ruling of the board in relation thereto. If the requesting party is served with written notice that a hearing has been granted, the party will be directed to appear and present oral argument at the hearing. The board may also direct the submission of additional materials or written briefs for its consideration at or prior to the hearing.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-30-070, filed 5/2/83.]

**WAC 133-30-080 Requests for reconsideration.**

Any person who is aggrieved by any decision or ruling of the board affecting such person, within fifteen days after the notification of the board's decision or ruling, may petition the board in writing to reconsider its decision or ruling. Requests for reconsideration may be in any form, so long as they are denominated or clearly appear as such, and the following information is contained therein:

(a) Name and address of the person requesting the reconsideration. If the request is being made by an agency, political subdivision, organization or corporation, the name of a designated contact person must be provided.

(b) Specific reference to the decision or ruling of the board, or portion(s) thereof, for which reconsideration is sought.

(c) Full explanation of the reason for the requested reconsideration.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-30-080, filed 5/2/83.]

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## Chapter 133-40 WAC

## PUBLIC FACILITY LOANS AND GRANTS

## WAC

133-40-010	Purpose.
133-40-020	Definitions.
133-40-030	Loan and grant applications.
133-40-040	Board deliberations.
133-40-050	Loan and grant contracts—Terms.
133-40-060	Requests for reconsideration.

**WAC 133-40-010 Purpose.** (1) Pursuant to authority derived from chapter 40, Laws of 1982 1st ex. sess. and chapter 43.160 RCW, the community economic revitalization board may, in its discretion, make direct loans to political subdivisions of the state of Washington for the purposes of assisting the political subdivisions in financing the cost of public facilities, when such facilities will serve to improve opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the creation or retention of long-term economic opportunities, or assist in alleviating unemployment. The board may also make grants for such purposes, when every feasible effort has been made by the board to provide loans and loans are not possible, and when the board finds that unique circumstances exist which require making a grant.

(2) The purpose of this chapter is to prescribe the form and manner in which political subdivisions may make application to the board for financial assistance, and to provide for the consideration and disposition of such applications.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-40-010, filed 5/2/83.]

**WAC 133-40-020 Definitions.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the community economic revitalization board.

(2) "Public facility" or "facility" means any facility for public purposes financed in whole or in part by any political subdivision of the state of Washington, including, but not limited to, sewer or other waste disposal facilities, arterials, bridges, access roads, port facilities, or water distribution and purification facilities.

(3) "Public facility costs" means any direct or indirect cost incurred or to be incurred by a political subdivision in financing any public facility, including the cost of acquisition, construction, rehabilitation, alteration, expansion, or improvement of the facilities.

(4) "Responsible official" means the senior ranking elected official of the political subdivision making application to the board for financial assistance hereunder, and/or any other person so designated in the resolution of the political subdivision authorizing or approving submittal of the application.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-40-020, filed 5/2/83.]

**WAC 133-40-030 Loan and grant applications.** (1) Applications for loans and/or grants to assist in financing public facility costs may be made by any political subdivision of the state of Washington.

(2) Applications shall be submitted to the board in writing, on such forms as may be prescribed by and obtained from the board, and shall contain the following information:

(a) Name and address of the political subdivision making the application for financial assistance.

(b) Complete description of the public facility for which financing assistance is sought.

(c) A full and detailed assessment of how the facility or project will improve the opportunities for the successful maintenance, establishment, or expansion of industrial or commercial plants or will otherwise assist in the creation or retention of long-term economic opportunities, or assist in alleviating unemployment.

(d) Specific amount and description of the public facility costs for which the loan and/or grant application is being made.

(e) If application is being made for a loan, the applicant's proposed repayment schedule.

(f) If application is being made for a grant in addition to or in lieu of a loan, a complete explanation as to why the applicant feels a loan would not be feasible and the supporting reasons or circumstances therefor.

(3) Any application for financial assistance submitted to the board shall be signed and verified by a responsible official. Such official shall also provide the board with any additional materials or information in support of the application which the board or its staff may request, either prior to or at the board's deliberations on the application.

(4) Applications for public works funding must be submitted at least thirty calendar days prior to regular quarterly meeting dates. Exceptions to this deadline will be determined by decision of the chairman (or the vice chairman, when acting as chairman) or a majority of CERB members.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 84-21-124 (Order 84-1), § 133-40-030, filed 10/24/84; 83-10-041 (Order 83-1), § 133-40-030, filed 5/2/83.]

**WAC 133-40-040 Board deliberations.** (1) The board will consider and approve, in whole or in part, or disapprove, all applications for loans or grants at such regular or special meetings of the board as it may determine, and the applicant will be notified accordingly. A responsible official of the applicant political subdivision shall be present during all board deliberations on the application, and shall provide all information regarding the public facility or application for financial assistance which the board may request.

(2) Applicants will be formally notified in writing regarding any board decision on whether or not to authorize a public facility loan or grant.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-40-040, filed 5/2/83.]

**WAC 133-40-050 Loan and grant contracts--**  
**Terms.** (1) If a public facility loan or grant is authorized by the board, the funds will be disbursed to the applicant political subdivision pursuant to a contract therefor, which will be offered to the political subdivision upon such reasonable terms and conditions as the board may determine: *Provided*, That the interest rate for loans shall not exceed ten percent per annum: *Provided further*, That loans shall not exceed twenty years in duration.

(2) Public facility loan and/or grant contracts offered to political subdivisions shall be executed by the political subdivision and the original thereof returned to the board prior to the disbursal of any funds thereunder.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-40-050, filed 5/2/83.]

**WAC 133-40-060 Requests for reconsideration.** (1) Any political subdivision whose governing body takes exception to the terms and conditions of the public facility loan and/or grant contract offered by the board upon authorization of such loan and/or grant may request the board in writing to reconsider, amend or modify its offer. Any such request shall propose specific amendments or modifications, and shall fully substantiate the reasons therefor.

(2) Any political subdivision whose application for financial assistance was denied in whole or in part by the board, within 15 days of notification thereof may petition the board in writing to reconsider its decision. Such requests for reconsideration shall only be submitted with new or additional information in support of the application not available to the board during its initial deliberations.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-40-060, filed 5/2/83.]

**Chapter 133-50 WAC**

**COMPLIANCE WITH STATE ENVIRONMENTAL  
 POLICY ACT**

WAC  
 133-50-010 Purpose.  
 133-50-020 Statement.

**WAC 133-50-010 Purpose.** The purpose of this chapter is to comply with RCW 43.21C.120, which requires all agencies of government in the state of Washington, consistent with the rules and guidelines adopted under RCW 43.21C.110, to adopt rules pertaining to the integration of policies and procedures of the State Environmental Policy Act of 1971, into the various programs under their jurisdiction for implementation.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-50-010, filed 5/2/83.]

**WAC 133-50-020 Statement.** Pursuant to WAC 197-10-800, the community economic revitalization board has reviewed its authorized activities and has

found them all to be exempt under the provisions of chapter 197-10 WAC.

[Statutory Authority: RCW 43.116.050(8) [43.160.050(8)]. 83-10-041 (Order 83-1), § 133-50-020, filed 5/2/83.]