

considered as employment experience at the level at which the intern was placed.

[Statutory Authority: Chapter 41.06 RCW and RCW 41.06.150. 94-23-136 and 95-23-062, § 359-48-060, filed 11/23/94 and 11/16/95, effective 1/1/97; 94-02-033, § 359-48-060, filed 12/29/93, effective 1/1/95.]

## Title 365 WAC

### COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT, DEPARTMENT OF (COMMUNITY DEVELOPMENT)

#### Chapters

- 365-140 State funding of local emergency food programs.**
- 365-210 Manufactured housing installer training and certification program.**

#### Chapter 365-140 WAC

#### STATE FUNDING OF LOCAL EMERGENCY FOOD PROGRAMS

#### WAC

365-140-030	Definitions.
365-140-040	Contractor funding allocation and award of contracts.
365-140-045	Repealed.
365-140-050	Applicant eligibility criteria.
365-140-060	Financial support application process.

#### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

365-140-045	Pilot project for consolidated emergency food assistance program. [Statutory Authority: RCW 43.63A.060 and 1992 c 232 § 222(5). 94-18-073, § 365-140-045, filed 9/2/94, effective 10/3/94.] Repealed by 95-12-002, filed 5/24/95, effective 7/1/95. Statutory Authority: RCW 43.63A.060
-------------	---

**WAC 365-140-030 Definitions.** (1) "Department" means the department of community, trade, and economic development.

(2) "Director" means the director of the department of community, trade, and economic development.

(3) "Food bank" means an emergency food program that distributes unprepared food on a regular basis without a charge.

(4) "Food distributor" means a food distribution agency that collects, warehouses, and distributes food to emergency food programs and other charities on a county, regional, or state-wide basis.

(5) "Commodity program" means a program that primarily distributes USDA surplus commodities to clients (TEFAP).

(6) "Emergency food assistance program" means the state-wide activities of the department to assist local emergency food programs by allocating and awarding state funds.

(7) "Applicant" means a public or private nonprofit organization, tribe or tribal organization which applies for state emergency food assistance.

(8) "Contractor" means an applicant which has been awarded state funds under the emergency food assistance program, and which has entered into a contract with the department of community, trade, and economic development to provide emergency food assistance to individuals.

(9) "Lead agency contractor" means a contractor which may subcontract with one or more local food banks to provide emergency food assistance to individuals, and with food distributors to provide food to food banks.

(10) "Tribal food voucher program" means the state-wide activities of the department which allocate and award state funds to tribes and tribal organizations that issue food vouchers to clients.

(11) "Religious service" means any sectarian or non-denominational service, rite, or meeting that involves worship of a higher being.

(12) "Participating food bank" means a local public or private nonprofit food bank which enters into a subcontract with a lead agency contractor to provide emergency food assistance to individuals.

(13) "Emergency food" means food that is given to clients who do not have the means to acquire that food themselves, so that they will not go hungry.

(14) "Special dietary needs" mean funds to purchase food that meets the nutritional needs of special needs population.

(15) "In-kind" means the value of volunteer services or donated goods such as staff time, rent, food, supplies and transportation.

(16) "Administrative costs" mean management and general expenses, including membership dues, that cannot be readily identified with a particular program or direct services.

(17) "Operational expenses" mean those costs clearly identifiable with providing direct services to eligible clients, or distribution services to food banks such as staff time, transportation costs, and equipment rental.

[Statutory Authority: RCW 43.63A.060. 95-12-002, § 365-140-030, filed 5/24/95, effective 7/1/95. Statutory Authority: RCW 43.63A.060 and 1992 c 232 § 222(5). 94-18-073, § 365-140-030, filed 9/2/94, effective 10/3/94; 93-18-021 (Order 93-06), § 365-140-030, filed 8/25/93, effective 9/25/93. Statutory Authority: RCW 43.63A.060. 87-19-113 (Order 87-11), § 365-140-030, filed 9/18/87; 86-20-010 (Order 86-14), § 365-140-030, filed 9/22/86; 86-08-043 (Order 85-15), § 365-140-030, filed 3/27/86.]

**WAC 365-140-040 Contractor funding allocation and award of contracts.** At least seventy percent of the total allocation appropriated by the legislature shall be contracted to lead agency contractors. These funds shall be for the purpose of funding the activities of food banks and food distributors, the purchase of special dietary needs foods, and providing special dietary needs training. The specific appropriation for timber and salmon dependent communities shall be contracted to food banks in those communities. Of the remainder of the total allocation, not including department administrative costs, allocations shall be contracted to a discretionary program if the department elects to award such contracts, the tribal food voucher program, and additional special dietary needs training. Allocations for each

county shall be contracted to lead agency contractors on the following basis:

(1) A formula for distributing the funds in proportion to need shall be established by the department in consultation with a committee appointed by the director or the director's designee. The formula shall address the following:

- (a) Poverty population in each county; and
- (b) Unemployed population in each county.

(2) The department shall award the lead agency contract to an eligible contractor as defined by the department, that is supported by a least two-thirds of the participating food banks in a county.

(3) The department may award the combined allocation for two or more counties to a single applicant.

(4) The department shall award a contract to no more than one lead agency contractor in each county, with the exception of King County, where there may be three lead agency contractors, to administer subcontracts with one or more participating food banks and food distributors.

(5) Tribes that have signed the Centennial Accord may apply to the department directly for the food bank program without having to subcontract with the lead agency. They must meet all the same criteria and requirements as lead agencies.

(6) Within each lead agency service area, except for the additional funds specifically allocated for food banks in timber and salmon dependent communities, funds shall be allocated between food distributors, food banks, and special dietary needs foods and training based on a two-thirds vote of all participating food banks and the lead agency.

(7) The additional funds specifically allocated for food banks in timber and salmon dependent communities shall remain in the amounts identified by the legislature.

(8) If participating food banks designate funds for food distribution, they shall elect with a two-thirds vote of the participating food banks and the lead agency, an eligible distributor as defined by the department. They may choose more than one distributor with which to subcontract. The lead agency contractor shall be responsible for subcontracting with the food distributor(s).

(9) A formula for distributing the funds to each tribe and tribal organization participating in the tribal food voucher program in proportion to need shall be established by the department in consultation with a committee appointed by the director or the director's designee. The formula shall address the following:

- (a) Poverty population in each tribe; and
- (b) Unemployment population in each tribe.

(10) The department shall pay for services provided under the emergency food assistance program after the contractor submits a monthly report of expenditures incurred and a request for reimbursement.

(11) Tribes may apply for either food bank funds or tribal food voucher funds, but not for both. A tribe's allocation for either the tribal food voucher program or the food bank program shall be the amount that the tribe would receive as a participant in the tribal voucher program. (E.g., should a tribe participate in the food bank program, its allocation will not be computed from the county's total food bank funds available, but from the tribal food voucher program's total funds available.)

(12) In the event that funds are not claimed by an eligible organization in a county or that a portion of the funds allocated to a county remains unspent, the lead agency contractor may request authorization from the department to reallocate funds, within its service area, to an area of unmet need.

(13) In the event that a portion of the funds allocated to a subcontracting tribe within a tribal contractor's contract remains unspent or unclaimed, the tribal contractor may request authorization from the department to reallocate funds to one of its other subcontracting tribes with unmet needs.

[Statutory Authority: RCW 43.63A.060. 95-12-002, § 365-140-040, filed 5/24/95, effective 7/1/95. Statutory Authority: RCW 43.63A.060 and 1992 c 232 § 222(5). 93-18-021 (Order 93-06), § 365-140-040, filed 8/25/93, effective 9/25/93. Statutory Authority: RCW 43.63A.060. 89-22-032, § 365-140-040, filed 10/27/89, effective 11/27/89; 87-19-113 (Order 87-11), § 365-140-040, filed 9/18/87; 86-20-010 (Order 86-14), § 365-140-040, filed 9/22/86; 86-08-043 (Order 85-15), § 365-140-040, filed 3/27/86.]

**WAC 365-140-045 Repealed.** See Disposition Table at beginning of this chapter.

**WAC 365-140-050 Applicant eligibility criteria.** (1) The applicant must have a certified form from the IRS stating nonprofit status under section 501(c)3, or be a public nonprofit agency, be a recognized tribe, a tribal organization with 501(c)3 status, or an unrecognized tribe with 501(c)3 status.

(2) The applicant for funding as lead agency must have been operating as a public nonprofit or private nonprofit with 501(c)3 status for one year prior to the beginning date of the contract.

(3) The applicant for funding as a participating food bank must have been operating as a public nonprofit or private nonprofit with 501(c)3 status food bank for one year prior to the beginning date of the subcontract. Participating private nonprofit food banks without 501(c)3 status may also be sponsored by a local public nonprofit agency or private nonprofit agency with 501(c)3 status.

(4) The applicant for funding as a food distributor must have been operating as a public nonprofit or a private nonprofit with 501(c)3 status food distributor for one year prior to the beginning date of the contract.

(5) The applicant for lead agency or tribal contractor may or may not actually provide emergency food program services.

(6) The applicant must practice nondiscrimination in providing services and employment.

(7) The applicant must not require participation in a religious service as a condition of receiving emergency food or a food voucher.

(8) Applicants within a county or multicounty region, or tribes with established parameters for service, may define their service area boundaries for the purpose of equitably allocating resources. The department encourages the provider to serve the client no matter what service areas the client resides in. If appropriate, the provider may then refer the client to the agency servicing the area in which the client resides, or to the tribe which has established jurisdiction over the individual, for further assistance. Providers must practice nondiscrimination when applying their service area policies.

(9) The applicant may not charge for food or food vouchers given to a client.

[Statutory Authority: RCW 43.63A.060. 95-12-002, § 365-140-050, filed 5/24/95, effective 7/1/95. Statutory Authority: RCW 43.63A.060 and 1992 c 232 § 222(5). 94-18-073, § 365-140-050, filed 9/2/94, effective 10/3/94; 93-18-021 (Order 93-06), § 365-140-050, filed 8/25/93, effective 9/25/93. Statutory Authority: RCW 43.63A.060. 87-19-113 (Order 87-11), § 365-140-050, filed 9/18/87; 86-20-010 (Order 86-14), § 365-140-050, filed 9/22/86; 86-08-043 (Order 85-15), § 365-140-050, filed 3/27/86.]

**WAC 365-140-060 Financial support application process.** (1) Potential applicants will be notified by the department that in order to be considered for state emergency food financial assistance, an application must be submitted to the department.

(2) An applicant must make formal application using forms issued and procedures established by the department. Such application shall be for the period indicated on the contract face sheet. Failure of an applicant to make application in a timely manner, as specified by the department, may result in denial of the funding request.

(3) Department funds may not supplant other existing funding sources.

(4) Department funds may not be used to defray costs of distributing USDA commodities under the commodity program.

(5) The department shall notify successful applicants and shall provide to each of them a contract for signature. This contract must be signed by an official with authority to bind the applicant and must be returned to the department prior to the award of any funds under this program.

(6) Applicants that receive food bank or food distribution funds are subject to the following fiscal requirements:

(a) The total funds from the department received by a lead agency contractor, participating food bank or food distributor subcontractor for the emergency food assistance program must be equally matched by funds from other sources during the fiscal year. No more than fifty percent of that match may be documented in-kind contributions.

(b) Administrative costs for food bank and food distributor subcontractors under this program are limited to ten percent of their total contract award. Administrative costs for lead agency contractors who also provide direct emergency food assistance services are limited to ten percent of the contractor's allocation for providing direct services as a participating food bank, and ten percent of the total contract award as food bank lead agency contractor; total administrative costs, however, may not exceed fifteen percent of the total contract award. Administrative costs for agencies who are lead agency contractors only are limited to ten percent of their total contract award.

(7) Applicants that receive tribal food voucher funds are subject to the following fiscal requirements:

(a) Tribal contractors and subcontractors must match thirty-five percent of the funds received by the department for the emergency food assistance program. No more than fifty percent of that match may be documented in-kind contributions.

(b) Of their total contract award, tribal contractors may not spend more than ten percent on administrative costs, and five percent on operational expenditures. The balance of funds is to be used for food vouchers issued to clients.

[Statutory Authority: RCW 43.63A.060. 95-12-002, § 365-140-060, filed 5/24/95, effective 7/1/95. Statutory Authority: RCW 43.63A.060 and 1992 c 232 § 222(5). 93-18-021 (Order 93-06), § 365-140-060, filed 8/25/93, effective 9/25/93. Statutory Authority: RCW 43.63A.060. 87-19-113 (Order 87-11), § 365-140-060, filed 9/18/87; 86-20-010 (Order 86-14), § 365-140-060, filed 9/22/86; 86-08-043 (Order 85-15), § 365-140-060, filed 3/27/86.]

## Chapter 365-210 WAC

### MANUFACTURED HOUSING INSTALLER TRAINING AND CERTIFICATION PROGRAM

#### WAC

365-210-010	Authority.
365-210-020	Effective date.
365-210-030	Definitions.
365-210-040	Training program.
365-210-050	Examination—Failure—Retaking.
365-210-060	Fees.
365-210-070	Failure of examination—Brief adjudicative proceeding.
365-210-080	Notification to employer.

**WAC 365-210-010 Authority.** The following rules are adopted pursuant to chapter 43.63B RCW, Mobile and manufactured home installation, which provides that the department shall train and certify manufactured home installers.

[Statutory Authority: Chapter 43.63B RCW. 95-14-121, § 365-210-010, filed 6/30/95, effective 7/1/95.]

**WAC 365-210-020 Effective date.** These rules shall become effective July 1, 1995.

[Statutory Authority: Chapter 43.63B RCW. 95-14-121, § 365-210-020, filed 6/30/95, effective 7/1/95.]

**WAC 365-210-030 Definitions.** The following definitions shall apply to this chapter and to chapter 43.63B RCW:

(1) "Extension of the pressure relief valve for the water heater" means extension to the outside of the home as described in the Uniform Plumbing Code.

(2) "Manufactured home," in addition to the definition provided in RCW 43.63B.010(5) means mobile home as defined in RCW 43.63B.010(8).

(3) "Mobile or manufactured home installation" does not include installation of electrical wires and equipment that convey electrical power to the home or to an outlet in the home, and does not include the ground crossover. Installation of electrical wires and equipment that convey electrical power to the home or to an outlet in the home must be performed by a journeyman or specialty electrician as defined in chapter 19.28 RCW. Equipment does not include plug-in household appliances.

(4) "Other equivalent experience" means six months of hands-on experience installing manufactured homes under the guidance of a reputable, recognized manufactured home installer; or two years experience in residential construction.

(5) "Site" means the parcel of land designed to accommodate the dwelling and auxiliary structures.

[Statutory Authority: Chapter 43.63B RCW. 95-14-121, § 365-210-030, filed 6/30/95, effective 7/1/95.]

**WAC 365-210-040 Training program.** The training program shall include, but not be limited to, the following topics: Relevant federal, state and local laws and standards; supports; footings; and anchors; site preparation; placement; closing in; plumbing; electrical; combustion appliances; skirting; interior and exterior finishing; operational checks and adjustments; auxiliary structures; and alterations. The department shall provide a training manual to each applicant as part of the training program, the contents of which shall include, but not be limited to, the above topics. The department shall be responsible for updating the training program to reflect changes in relevant federal, state and local codes and standards. The department shall, at a minimum, conduct the training program quarterly.

[Statutory Authority: Chapter 43.63B RCW. 95-14-121, § 365-210-040, filed 6/30/95, effective 7/1/95.]

**WAC 365-210-050 Examination—Failure—Retaking.** The examination shall only include topics covered in the training program. In order to pass the examination, applicants must answer 70% of the questions correctly. An applicant who fails the examination shall be permitted to retake the training course and/or the examination as often as is necessary to secure a passing rate of 70%.

[Statutory Authority: Chapter 43.63B RCW. 95-14-121, § 365-210-050, filed 6/30/95, effective 7/1/95.]

**WAC 365-210-060 Fees.** (1) First time applicants must attend the training course and take the examination. Persons failing the exam on the first try may retake it one time at no cost, but must pay \$50 for each subsequent attempt. Certificate holders seeking to renew need only pay for and pass the most recent examination. For a timely renewal, certificate holders must have passed the examination prior to the expiration of their current certificates. Certificate holders seeking to renew may, at their option, attend the training course and/or purchase a copy of the most recent training manual.

(2) The fee for the training program, including the cost of one copy of the training manual, shall be \$100.00. The cost for the examination and certification shall be \$100.00. The fee for renewal of the certificate after three years, including retaking the examination, shall be \$100.

(3) An applicant whose application is found to be ineligible or inadequate shall be entitled to a full refund, and shall be notified by the department of such ineligibility or inadequacy at least 20 days prior to the examination. If a late application is received and found to be inadequate, the department shall make its best effort to notify the applicant prior to the examination.

(4) An applicant who fails the examination shall not be entitled to a refund.

(5) Individuals will be allowed to audit the training program and not take the examination. The audit fee shall be \$100.00

(6) The department shall make extra copies of the training manual available on request for a fee designed to cover costs.

(7) Fees due at the time of certification must be paid in full in order for the department to issue the certificate.

[Statutory Authority: Chapter 43.63B RCW. 95-14-121, § 365-210-060, filed 6/30/95, effective 7/1/95.]

**WAC 365-210-070 Failure of examination—Brief adjudicative proceeding.** Persons failing the examination may seek agency review as a brief adjudicative proceeding under RCW 34.05.482 through 34.05.494.

[Statutory Authority: Chapter 43.63B RCW. 95-14-121, § 365-210-070, filed 6/30/95, effective 7/1/95.]

**WAC 365-210-080 Notification to employer.** Where applicable, the department shall send notice to the certificate holder's employer regarding revocation of an installer certification.

[Statutory Authority: Chapter 43.63B RCW. 95-14-121, § 365-210-080, filed 6/30/95, effective 7/1/95.]

## Title 374 WAC POLLUTION LIABILITY INSURANCE AGENCY

### Chapters

- 374-50 Insurance eligibility assessment reimbursement.**
- 374-70 Heating oil pollution liability insurance program.**

### Chapter 374-50 WAC INSURANCE ELIGIBILITY ASSESSMENT REIMBURSEMENT

#### WAC

374-50-010	Authority and purpose.
374-50-020	Definitions.
374-50-030	Eligibility for reimbursement program—Who may apply.
374-50-035	Insurance eligibility assessment.
374-50-040	Eligibility criteria.
374-50-050	Reimbursement limits.
374-50-060	Program schedule.
374-50-070	Application procedure.
374-50-080	Payment of reimbursement.
374-50-090	Other restrictions.

**WAC 374-50-010 Authority and purpose.** This chapter is promulgated under the authority of RCW 70.148.040. Its purpose is to implement those provisions of RCW 70.148.035 relating to covering costs associated with determining whether an applicant for pollution liability insurance under the pollution liability insurance program meets the underwriting standards of the insurer and the agency.

[Statutory Authority: RCW 70.148.040. 95-11-042 (Order 95-02), § 374-50-010, filed 5/10/95, effective 6/10/95; 92-09-091 (Order 92-02), § 374-50-010, filed 4/17/92, effective 5/18/92.]