

the office of the secretary of state as soon as the ballots are available.

[Statutory Authority: RCW 29.33.350. 99-08-115, § 434-334-150, filed 4/7/99, effective 5/8/99.]

WAC 434-334-155 Optical scan read head adjustment standards and tests. Prior to all state primaries, read heads of optical scan central counting systems shall be cleaned and tested to insure that the reader is functioning within system standards.

[Statutory Authority: RCW 29.33.350. 99-08-115, § 434-334-155, filed 4/7/99, effective 5/8/99.]

WAC 434-334-160 Optical scan read head and ballot scan area alignment tests. Prior to all official logic and accuracy tests, a test shall be conducted by each county employing an optical scan balloting system to confirm that the voting response areas printed on all ballot faces are aligned properly with the scanning area of the ballot counter.

[Statutory Authority: RCW 29.33.350. 99-08-115, § 434-334-160, filed 4/7/99, effective 5/8/99.]

WAC 434-334-165 Optical scan ballot marking code program test. Prior to the official logic and accuracy test each county employing an optical scan balloting system shall thoroughly test all programming and system components. The test must at least verify the office programming by thoroughly testing each individual office, test the ballot style logic to insure that all offices are included on the intended ballot faces, and verify that the program is accumulating all offices. The county auditor or deputy shall certify that these tests have been completed prior to the official logic and accuracy test.

[Statutory Authority: RCW 29.33.350. 99-08-115, § 434-334-165, filed 4/7/99, effective 5/8/99.]

WAC 434-334-170 Precinct-based optical scan ballot counter preparation and testing. All logic and accuracy testing of precinct-based systems shall be performed by the county during the preparation of the precinct ballot counters prior to system distribution. As each ballot counter is programmed and set up for distribution a test of the ballot counter and ballot styles shall be performed. It shall be established by these tests that the ballot counter(s) are functioning within system standards. All ballot styles programmed for each machine shall be processed by each machine in order to insure that the machine is correctly counting and accumulating every office. The tests shall also establish that the printed ballot voter response areas are correctly aligned with the scanning area. After all tests are performed and the machine is ready for distribution, the machine shall be sealed and the seal number recorded. This will serve as the official logic and accuracy test of these poll site ballot counters.

[Statutory Authority: RCW 29.33.350. 99-08-115, § 434-334-170, filed 4/7/99, effective 5/8/99.]

WAC 434-334-175 Poll site-based optical scan ballot counter test notices, observers, and log of process. A log shall be created during the testing of the poll site-based ballot

counters. The log shall record the time and place of each test, the precinct number(s), seal number and machine number of each ballot counter and the initials of each person testing and observing the test for each machine. This log shall be included in the official logic and accuracy test materials. The processes described in WAC 434-334-170 shall be open to observation and subject to all notices and observers pursuant to WAC 434-334-070 and 434-334-085.

[Statutory Authority: RCW 29.33.350. 99-08-115, § 434-334-175, filed 4/7/99, effective 5/8/99.]

Title 440 WAC

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF (GENERAL PROVISIONS)

- Chapters**
- 440-25 Administration of chemical dependency services.**
- 440-26 Drug-free workplace programs.**

Chapter 440-25 WAC

ADMINISTRATION OF CHEMICAL DEPENDENCY SERVICES

WAC
440-25-005 through 440-25-120 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 440-25-005 Purpose. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-005, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.
- 440-25-010 Definitions. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-010, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.
- 440-25-020 County alcohol and other drug addiction program coordinator—Qualification standards. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-020, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.
- 440-25-030 County alcohol and other drug addiction program coordinator—Duties. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-030, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

440-25-040 County-designated chemical dependency specialist—Duties. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-040, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

440-25-050 Plan development and submission. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-050, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

440-25-060 Service priority. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-060, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

440-25-070 Funding formula. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-070, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

440-25-080 Contracting. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-080, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

440-25-090 Subcontracting. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-090, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

440-25-100 Payments. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-100, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

440-25-110 Appeal procedure. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-110, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

440-25-120 Exemptions. [Statutory Authority: Chapters 34.05 and 70.96A RCW, RCW [70.96A.]020, [70.96A.]040, [70.96A.]080, [70.96A.]090, [70.96A.]180, [70.96A.]300, [70.96A.]310, [70.96A.]320 and P.L. 102-234. 93-15-014 (Order 3590), § 440-25-120, filed 7/8/93, effective 8/8/93.] Repealed by 99-19-105, filed 9/20/99, effective 10/21/99. Statutory Authority: RCW 70.96A.040, 70.96A.090 and 70.96A.180.

Reviser's note: Later promulgation, see chapter 388-810 WAC.

WAC 440-25-005 through 440-25-120 Repealed. See Disposition Table at beginning of this chapter.

[2000 WAC Supp—page 2022]

Chapter 440-26 WAC DRUG-FREE WORKPLACE PROGRAMS

WAC

440-26-005 through 440-26-250 Decodified.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

440-26-005 Purpose. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-005, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-010 Definitions. [Statutory Authority: RCW 49.82.130. 98-20-045, § 440-26-010, filed 9/30/98, effective 10/31/98. Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-010, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-020 Eligible employers. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-020, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-030 Certification of employer to L&I. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-030, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-100 Employer certification procedures. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-100, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-110 Certification maintenance. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-110, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-120 Program oversight. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-120, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-130 Denial of certification. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-130, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-140 Decertification. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-140, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-160 Hearings, appeals. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-160, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-200 Program requirements—Policy statement. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-200, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-205 Program requirements—Notifications. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-205, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-210 Program requirements—Substance abuse testing. [Statutory Authority: RCW 49.82.130. 98-20-045, § 440-26-210, filed 9/30/98, effective 10/31/98. Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-210, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-215 Program requirements—How employers get certified through a clean card program. [Statutory Authority: RCW 49.82.130. 98-20-045, § 440-26-215, filed 9/30/98, effective 10/31/98.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-220 Program requirements—Employee assistance program. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-220, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-230 Supervisor training. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-230, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-240 Employee education. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-240, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

440-26-250 Confidentiality. [Statutory Authority: 1996 c 127 § 13. 96-16-015, § 440-26-250, filed 7/25/96, effective 8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

8/25/96.] Decodified by 99-20-023, filed 9/28/99, effective 9/28/99.

Reviser's note: Later promulgation, see chapter 388-815 WAC.

WAC 440-26-005 through 440-26-250 Decodified.
See Disposition Table at beginning of this chapter.

Title 446 WAC

STATE PATROL

Chapters

446-16

Washington state identification section.

446-20

Employment—Conviction records.

Chapter 446-16 WAC

WASHINGTON STATE IDENTIFICATION SECTION

WAC

446-16-070

Report contents—General.

446-16-080

Report time limitations.

446-16-100

Prosecutorial agencies—Reporting responsibilities.

446-16-110

Courts—Reporting responsibilities.

WAC 446-16-070 Report contents—General. The report of disposition shall be made on forms provided by the section or shall be transferred electronically on forms approved by the section. The disposition report shall include all arrest details as they appeared on the fingerprint card or arrest record previously forwarded to the section. The state identification number and process control number (PCN) should be indicated on the disposition report if known.

[Statutory Authority: Chapter 10.98 RCW as amended by SSB 6535, 1998 regular session. 99-07-051, § 446-16-070, filed 3/15/99, effective 4/15/99. Statutory Authority: Chapters 10.97 and 43.43 RCW. 97-05-048, § 446-16-070, filed 2/18/97, effective 3/21/97; Order 1, § 446-16-070, filed 2/11/74.]

WAC 446-16-080 Report time limitations. All of the information requested on the disposition report shall be completed and the report mailed or electronically transferred to the Washington state patrol identification and criminal history section, within 10 days of the date that a disposition becomes effective.

[Statutory Authority: Chapter 10.98 RCW as amended by SSB 6535, 1998 regular session. 99-07-051, § 446-16-080, filed 3/15/99, effective 4/15/99. Statutory Authority: Chapters 10.97 and 43.43 RCW. 97-05-048, § 446-16-080, filed 2/18/97, effective 3/21/97. Statutory Authority: RCW 10.97.080 and 10.97.090. 92-15-014, § 446-16-080, filed 7/6/92, effective 8/6/92. Statutory Authority: RCW 10.97.090. 91-22-055 (Order 91-007), § 446-16-080, filed 11/1/91, effective 12/2/91; Order 1, § 446-16-080, filed 2/11/74.]

WAC 446-16-100 Prosecutorial agencies—Reporting responsibilities. (1) The prosecutor or county clerk shall promptly transmit the completed disposition information to the section if the prosecutor determines not to file charges or the case is not otherwise acted upon by a judicial body. In such cases, the prosecutor or county clerk shall mail or transfer the completed disposition report to the section within 10 days from the date that it is determined no further judicial action will be taken on the charges.

[Statutory Authority: Chapter 10.98 RCW as amended by SSB 6535, 1998 regular session. 99-07-051, § 446-16-100, filed 3/15/99, effective 4/15/99. Statutory Authority: Chapters 10.97 and 43.43 RCW. 97-05-048, § 446-16-100, filed 2/18/97, effective 3/21/97; Order 1, § 446-16-100, filed 2/11/74.]

WAC 446-16-110 Courts—Reporting responsibilities. Where the disposition of criminal charges occurs as a result of action taken by or within the jurisdiction of any court in the state of Washington, the disposition of such charges shall be reported to the identification and criminal history section pursuant to rules of the supreme court of the state of Washington on forms approved by the supreme court and supplied by the section. However, in a county where the judicial information system or other secure method of electronic transfer of information has been implemented between the court and the section, the court may electronically provide the disposition information to the section.

[Statutory Authority: Chapter 10.98 RCW as amended by SSB 6535, 1998 regular session. 99-07-051, § 446-16-110, filed 3/15/99, effective 4/15/99. Statutory Authority: Chapters 10.97 and 43.43 RCW. 97-05-048, § 446-16-110, filed 2/18/97, effective 3/21/97; Order 1, § 446-16-110, filed 2/11/74.]

Chapter 446-20 WAC

EMPLOYMENT—CONVICTION RECORDS

WAC

446-20-600

Fees.

WAC 446-20-600 Fees. (1) A nonrefundable fee of ten dollars shall accompany each request for conviction records submitted for a name and date of birth background check or a twenty-five dollar fee if the request is submitted by fingerprint card at the state level pursuant to RCW 43.43.830 through 43.43.845, and chapter 10.97 RCW unless through prior arrangement, an account is authorized and established.

(2) A nonrefundable FBI fee of twenty-four dollars shall be charged for fingerprint cards submitted for federal searches. It shall be the responsibility of the Washington state patrol to collect all fees due and forward fingerprint cards and fees to the FBI.

(3) A nonrefundable fee of ten dollars shall be charged for taking inked fingerprint impressions by the Washington state patrol. Fees are to be deposited in the Washington state patrol fingerprint identification account.

(4) All fees are to be made payable to the Washington state patrol and are to be remitted by cashier's check, money order or check written on a business account. Credit cards may be used only for payment of electronic requests. The Washington state patrol identification and criminal history section shall adjust the fee schedule as may be practicable to ensure that direct and indirect costs associated with the provisions of these chapters are recovered.

(5) Pursuant to the provisions of RCW 43.43.838 and chapter 28A.410 RCW, no fees will be charged to a nonprofit organization, or volunteers in school districts and educational service districts for background checks.

[Statutory Authority: RCW 43.43.742 through 43.43.845 and chapter 10.97 RCW. 99-07-050, § 446-20-600, filed 3/15/99, effective 4/15/99. Statutory Authority: RCW 43.43.830 - [43.43.845, chapters 10.97, 28A.400 and 74.15 RCW. 96-18-017, § 446-20-600, filed 8/26/96, effective 9/26/96.]