

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

Code Reviser

(agency name)

Administrative Order No. 17

(1) Richard O. White, Code Reviser

XXXXXX

do promulgate and adopt at Olympia

(place)

the annexed rules relating to: WAC 1-12-930 (Form CR-7), WAC 1-12-940 (Form CR-8), WAC 1-13-930 (Form CR-9), WAC 1-13-940 (Form CR-10) to make permanent the amendments of November 21, 1977, in Emergency Order No. 16.

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

This action is taken pursuant to Notice No. 7934 filed with the code reviser on 12/20/77. Such rules shall take effect

- [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.

I, _____ 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):

- [x] (a) This rule is promulgated pursuant to RCW 34.08.040 and is intended to administratively implement that statute. [x] (b) This rule is promulgated pursuant to RCW 28B.19.080 and 34.04.055 which directs that the

Code Reviser _____ (agency)

has authority to implement the provisions of chapters 28B.19 and 34.04 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) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON

FILED APPROVED AND ADOPTED January 11, 1978

JAN 23 1978

By Rowley

Code Reviser

Title

[Form CR-7: Effective 12/1/77]

CODE REVISER'S OFFICE

DOCKET # FILE # 1

WSR 78-02-074

AMENDATORY SECTION (Amending Order 15, filed 10/31/77)

WAC 1-12-930 FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD (CR-7).

State of Washington

.....
(agency name)

Administrative Order No.

(1) I,, director of, do promulgate and adopt at (place) the annexed rules relating to:

.....
(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules. This action is taken pursuant to Notice No. filed with the code reviser on Such rules shall take effect:
 pursuant to RCW 34.04.040 (2).
 at a later date, such date being

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

(b) This rule is promulgated pursuant to RCW which directs that the _____ (agency) has authority to implement the provisions of _____ (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 (~~certifies that, to the best of his or her knowledge, the applicable requirements of the Administrative Procedure Act, chapter 34.04 RCW, have been fulfilled~~) 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) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED 19...

By

.....
Title

[Form CR-7: Effective 12/1/77]

NOTE:

¹RCW 34.04..... (1977 c 19 § 2) provides:

"(1) In addition to the provisions of RCW 34.04.025(1)(a)(i), every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules:

(a) The most specific reference shall be to a section of law which the rule is implementing, and shall be quoted as follows: "This rule is promulgated pursuant to RCW and is intended to administratively implement that statute."

(b) The next specific reference, and one which shall be used only if paragraph (a) of this subsection is not applicable, shall be to that portion of an act which directs an agency to adopt rules and regulations as necessary to implement the act, and shall be quoted as follows: "This rule is promulgated pursuant to RCW which directs that the (agency) has authority to implement the provisions of (name of act or RCW citation)."

(c) The least specific reference, and one which shall be used only if paragraphs (a) and (b) of this subsection are not applicable, is one which indicates that the rule is promulgated under the agency's broad rule-making authority—either in the agency enabling legislation or chapter 34.04 RCW, and shall be quoted as follows: "This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW"

(2) The code reviser is directed to develop a format for placing such specific language in each rule, and agencies shall then comply

with the code reviser's direction, and shall include the same in the final rule.

(3) During the promulgation hearings process the public may question whether such rule should have a more specific reference, and the agency shall, pursuant to RCW 34.04.025 (1) (b), give consideration to such requests."

AMENDATORY SECTION (Amending Order 15, filed 10/31/77)

WAC 1-12-940 FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL (CR-8).

State of Washington

.....
(name of governing body)

.....
(agency name, if applicable)

Resolution No. Administrative Order No.

(1) Be it resolved by the, acting at
____(place)____, that it does promulgate and adopt the annexed rules
relating to:

.....
(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.
This action is taken pursuant to Notice No. filed with the
code reviser on Such rules shall take
effect:
 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 require-
ments 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.

(b) This rule is promulgated pursuant to RCW which directs that the _____ (agency) has authority to implement the provisions of _____ (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 (~~certifies that, to the best of his or her knowledge, the applicable requirements of the Administrative Procedure Act, chapter 34.04 RCW, and of the Open Public Meetings Act, chapter 42.30 RCW, have been fulfilled~~) 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) This order after being first 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, 19...

By

.....

Title

[Form CR-8: Effective 12/1/77]

NOTE:

¹See WAC 1-12-930, Note 1 for an explanation.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77)

WAC 1-13-930 FORM OF ORDER AND TRANSMITTAL BY INSTITUTION HAVING SINGLE HEAD (CR-9).

State of Washington

.....
(name of institution)

Administrative Order No.

(1) I,, (position) of the (institution), do promulgate and adopt at (place) the annexed rules relating to:

.....

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

This action is taken pursuant to Notice No. filed with the code reviser on Such rules shall take effect:

- pursuant to RCW 28B.19.050(2).
- at a later date, such date being

.....

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

I,, 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 WAC 1-13-040 that each order shall set forth an appropriate statement of state statutory authority (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.
- (b) This rule is promulgated pursuant to RCW which directs that the (institution) has authority to implement the provisions of (name of act or RCW citation).
- (c) This rule is promulgated under the general rule-making authority of the (institution) as authorized in RCW

(4) The undersigned hereby (~~certifies that, to the best of his or her knowledge, the applicable requirements of the Higher Education~~

Administrative Procedure Act, chapter 28B.49 RCW, have been fulfilled) 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) This order after being first recorded in the order register of this institution is herewith transmitted to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

APPROVED AND ADOPTED 19...

By

.....
Title

[Form CR-9: Effective 12/1/77]

AMENDATORY SECTION (Amending Order 15, filed 10/31/77)

WAC 1-13-940 FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL (CR-10).

State of Washington

.....
(name of governing body)

.....
(name of institution)

Resolution No. Administrative Order No.

(1) Be it resolved by the board ofof the (institution) acting at (place), that it does promulgate and adopt the annexed rules relating to:

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

This action is taken pursuant to Notice No. filed with the code reviser on Such rules shall take effect:

- pursuant to RCW 28B.19.050(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 WAC 1-13-040 that each order shall set forth an appropriate statement of state statutory authority (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.

(b) This rule is promulgated pursuant to RCW which directs that the (institution) has authority to implement the provisions of (name of act or RCW citation).

(c) This rule is promulgated under the general rule-making authority of the (institution) as authorized in RCW

(4) ~~The undersigned hereby ((certifies-that,-to-the-best-of-his-or-her-knowledge,-the-applicable-requirements-of-the-Higher--Education-Administrative--Procedure--Act,-chapter--28B.19--RCW,-and-of-the-Open-Public-Meetings-Act,-chapter-42.30-RCW,-have-been-fulfilled)) 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) This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

APPROVED AND ADOPTED, 19...

By

.....
Title

[Form CR-10: Effective 12/1/77]
