



STATE OF WASHINGTON

DEPARTMENT OF COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT

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DATE: September 2, 1997

TO: Cindy Davis  
Executive Policy  
Office of the Governor

FROM: Erika Lim *ell*  
Government Relations Director  
Department of Community, Trade and Economic Development

SUBJECT: Executive Order 97-02, Regulatory Improvement

CODE REVISER'S OFFICE STATE OF WASHINGTON FILED	
OCT 8 1997	
TIME	8:30
WSR	97-21-024
	AM PM

The Department of Community, Trade and Economic Development (CTED) herewith submits its plan for implementation of Governor Locke's Executive Order on regulatory improvement. This plan contains two parts: first, a description of CTED's plan for review of its rules, and second, as an attachment to this memorandum, a schedule of CTED's review of its rules.

### Plan for Review of Rules

CTED has rules in titles 25, 130, 194, and 365. None of these rules has been the subject of a petition filed under RCW 34.05.330 nor the source of complaints, concerns or other difficulties relating to matters other than the specific mandates of the statute on which the rule is based. We will therefore undertake rules review according to internal priorities and needs.

CTED will repeal five obsolete chapters immediately--25-18, 25-36, 194-10, 365-06, and 365-60--by starting the expedited repeal process for each in September 1997. The balance of the rules will be consolidated into one title, which will enable the public to more readily find all rules pertaining to the agency.

Each of the remaining rules will be examined according to the seven criteria enumerated in Executive Order 97-02. This list of criteria will be included in letters and emails sent to stakeholders to notify them of upcoming rules reviews.

CTED will ensure stakeholder, client, customer, and public participation through mailings and emailings. Also, most of our programs already have external work groups or advisory committees which will be invited to participate in rules reviews, and we will examine the feasibility of forming other groups or committees expressly to review rules.

On-going review of rules after the initial four-year review will be accomplished by working with stakeholders, clients, customers and work groups and advisory committees to ensure that rules still meet the seven criteria.

## Schedule Review of Rules

Attached is a matrix containing the schedule of CTED's review of rules.

A copy of this plan has been submitted electronically to Douglas Mah at OFM. If you have any questions or concerns, please call me at 753-2227 or eMail me at [erikal@cted.wa.gov](mailto:erikal@cted.wa.gov).

### Attachment

cc: Tim Douglas  
Kathy Kreiter  
Gerry O'Keefe

Community, Trade and Economic Development  
Administrative Codes

9/2/97

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Agency	WAC/Chapters or Document	Section Numbers or other Unique Identifier	Chapter Title	Document Type	Statutory Authority	Estimated review completion date	Business report required
Community, Trade and Economic Development	130-10	130-10-010 to 130-10-100	Public Records Disclosure	R	RCW 42.17.250 to .348; 34.05.220 to .230	07/99	N
Community, Trade and Economic Development	130-14	130-14-010 to 130-14-070	Child Care Facility Fund Rules	R	RCW 42.31.504; 43.330.040(2)(g)	12/98	N
Community, Trade and Economic Development	130-16	130-16-010 to 130-16-090	Industrial Development Revenue Bonds Financing Eligibility	R	RCW 39.84.090; 43.330.040(2)(g)	07/99	N
Community, Trade and Economic Development	365-04	365-04-010 to 365-04-050	General Procedures	R	RCW 42.17.250	07/99	N
Community, Trade and Economic Development	365-06	365-06-010 to 365-06-020	Public Records	R	RCW 42.17.250 to .348	07/99	N
Community, Trade and Economic Development	365-08	365-08-010	Uniform Procedural Rules	R	RCW 42.17.250	07/99	N
Community, Trade and Economic Development	365-40	365-40-010 to 365-40-071	State Funding of Local Head Start Programs	R	RCW 43.330.040(2)(g)	07/01	N
Community, Trade and Economic Development	365-60	365-60-010 to 365-60-020	State Administration of the Local Section 8 Housing Assistance Payments Program	R	RCW 43.330.040(2)(g)	07/98	N
Community, Trade and Economic Development	365-70	365-70-010 to 365-70-070	Allocating Single Family Housing Bonds Among Local Housing Agencies	R	RCW 35.82.130; 35.82.070(10)	07/99	N
Community, Trade and Economic Development	365-80	365-80-100 to 365-80-200	Fire Protection Contracts for State Facilities With Cities and Towns	R	RCW 35.21; 43.330.040(2)(g)	07/98	N
Community, Trade and Economic Development	365-90	365-90-010 to 365-90-090	Supplement Law Enforcement for Border Areas	R	RCW 43.63A.190; 43.330.040(2)(g)	07/01	N

Agency	WAC Chapter or Document	Section Number or other unique identifier	Chapter title	Document Type	Statutory Authority	Estimated review completion date	Business report required
Community, Trade and Economic Development	365-100	365-100-010 to 365-100-040	Winter Utility Moratorium Program	R	RCW 43.330.040(2)(g)	07/98	N
Community, Trade and Economic Development	365-110	365-110-010 to 365-110-035	State Building Code Council -- Building Permit Surcharges and Fees	R	RCW 19.27.085	12/98	N
Community, Trade and Economic Development	365-120	365-120-010 to 365-120-060	State Funding of Local Emergency Shelter Programs	R	RCW 43.63A; 43.330.040(2)(g)	07/98	N
Community, Trade and Economic Development	365-130	365-130-010 to 365-130-040	Bond Users Clearing-house	R	RCW 43.63A, 155; 39.44.230	07/99	N
Community, Trade and Economic Development	365-135	365-135-010 to 365-135-070	Bond Cap Allocation	R	RCW 39.86; 43.330.040(g)	07/99	N
Community, Trade and Economic Development	365-140	365-140-010 to 365-140-060	State Funding of Local Emergency Food Programs	R	RCW 43.63A; 43.330.040(2)(g); 43.330.130	07/99	N
Community, Trade and Economic Development	365-150	365-150-010 to 365-150-090	Washington State Development Loan Fund	R	RCW 43.63A, 075; 43.330.040(2)(g)	07/99	N
Community, Trade and Economic Development	365-170	365-170-010 to 365-170-100	State Funding of Early Childhood Education and Assistance Programs	R	RCW 43.63A; 43.330.040(2)(g)	07/99	N
Community, Trade and Economic Development	365-180	365-180-010 to 365-180-090	Energy Matchmakers	R	RCW 70.164; 43.330.040(2)(g)	07/99	N
Community, Trade and Economic Development	365-190	365-190-010 to 365-190-080	Minimum Guidelines to Classify Agriculture, Forest, Mineral Lands and Critical Areas	R	RCW 36.70A, 050; 43.330.040(2)(g)	06/01	N
Community, Trade and Economic Development	365-195	365-195-010 to 365-195-865	Growth Management Act - Procedural Criteria for Adopting Comprehensive Plans and	R	RCW 36.70A, 190(4)(b)	07/98	N

Agency	WAC Chapters or Documents	Section Numbers or Other Unique Identifier	Chapter Title	Document Type	Statutory Authority	Estimated review completion date	Business report required
Community, Trade and Economic Development	365-200	365-200-010 to 365-200-070	The Affordable Housing Program	R	RCW 43.185.100	12/97	Y
Community, Trade and Economic Development	365-210	365-210-010 to 365-210-080	Manufactured Housing Installer Training and Certification Program	R	RCW 43.63B.800	07/99	N
Community, Trade and Economic Development	365-300	365-300-010 to 365-300-090	Enhanced 911 Funding	R	RCW 38.52.540	12/98	N
Office of Archaeology and Historic Preservation	25-12	25-12-010 to 25-12-070	Advisory Council on Historic Preservation	R	RCW 42.17.250 to .348	07/99	N
Office of Archaeology and Historic Preservation	25-18	25-18-010 to 25-18-130	Public Records	R	RCW 42.17.250 to .348	07/98	N
Office of Archaeology and Historic Preservation	25-30	25-30-010 to 25-30-050	Washington State Heritage Council	R	RCW 43.330.040(2)(g)	12/97	N
Office of Archaeology and Historic Preservation	25-36	25-36-010 to 25-36-130	Public Records	R	RCW 42.17.250 to 42.17.348	07/98	N
Office of Archaeology and Historic Preservation	25-42	25-42-010 to 25-42-130	State Environmental Policy Act Rules	R	RCW 27.34.220; 43.21C.120	07/99	N
Office of Archaeology and Historic Preservation	25-46	25-46-010 to 25-46-180	Registration of Historic Archaeological Resources on State-Owned Aquatic Lands	R	RCW 27.53.100; 27.53.140	07/99	N
Office of Archaeology and Historic Preservation	25-48	25-48-010 to 25-48-140	Archaeological Excavation and Removal Permit	R	RCW 27.53.140	07/99	N
Energy Office	194-10	194-10-010 to 194-10-140	Public Disclosure Act Rules	R	RCW 42.17.250 to .348	07/98	N
Energy Office	194-12	194-12-010 to 194-12-020	Washington State Environmental Policy Act Rules	R	RCW 43.21C.120; 43.21F.045(k)	12/98	N
Energy Office	194-14	194-14-010 to	Emergency Petroleum	R	RCW 43.21C.045(k)	12/99	Y

			194-14-240	Allocation Act Rules								
Energy Office	194-18		194-18-010 to 194-18-030	Receipt of Funds	R			RCW 43.21F.060(2); 43.21C.045(k)	07/98			N
Energy Office	194-20		194-20-010 to 194-20-080	Energy Efficiency Services Account	R			RCW 43.21C.045(k)	07/98			N
Energy Office	194-22		194-22-010 to 194-22-190	Washington State Curtailment Plan for Electric Energy	R			RCW 43.21C.045(k)	12/99			Y
Agency	WAC Chapters or Document	Section Numbers or other unique identifier	Chapter Title	Document Type	Statutory Authority	Estimated Review completion date	Business report required					

## Regulatory Improvement Implementation Plan (EO 97-02)

### The Washington State Public Works Board

In accordance with Executive Order 97-02, the Public Works Board submits its plan for implementation of rule (Washington Administrative Code) review.

#### Public participation and rule review schedule

The Board will provide for advance public input and make a determination of which, if any rules shall be modified at a single public meeting. The plan is as follows:

In October 1997, the Board will establish its meeting schedule for calendar years 1988 and 1989. A critical date, the date of the January 1988 meeting will be established at that time.

Following the establishment of the January 1988 meeting date, a notice will be published with the Code Reviser for inclusion in the Washington State Register of the date the Board will review all of its rules in their entirety. This will involve Chapters 399-10, 399-20, 399-30, and 399-40, WAC.

Copies of the notice will be made available to public and private sector interests doing business with the Board as well as any party having previously expressed the desire to receive notice of rule-related activity.

Packets of the existing Board rules will be made available to the public upon request with a form designed to facilitate suggestions to modify existing rule sections. Written public input will be collated and provided to the Board prior to the January 1988 meeting. Upon review of staff input, written comments and any verbal comments received at the January 1988 meeting, the Board will direct staff to begin appropriate rule modification activities.

#### Review criteria in EO 97-02

The Board, through its Rules Coordinator, has determined that the public would be best served if ALL rules were examined through the process.

#### Process for on-going review

The Board will be occupied with major rule development and adoption processes in the next three years. At the conclusion of this major effort, a review of the existing rules will be done once again.

#### Schedule for rule review over next four years

As noted above, the Board plans to review all of its existing rules in January 1988.



## Community Economic Revitalization Board (CERB) Rule Review Plan

In compliance with Executive Order 97-02 (Regulatory Improvement), the plan for review of CERB rules (Chapter 133-10 WAC) follows.

Last Update of Chapter 133-10 WAC: 12/5/95

Review Plan over the next four years:

WAC Chapters or Estimated Document review required	Section Business report	Section numbers	Chapter title	Document type	Statutory authority completion date
133-10 WAC March 2001	N	133-10	General provisions	R	43 160 RCW
		133-20	Public records		
		133-40	Public facility loans and grants		
		133-50	Compliance with State Environmental Policy Act		

- The rule review process will follow the current Rule Making Order (34.05.360 RCW) through the Office of the Code Revisor.  
The process ensures public participation in the review process. The board adopts rules in a public meeting forum.
- CERB rules and interpretive policy documents will be reviewed against the criteria established in EO 97-02 to ensure compliance.
- CERB rules will be reviewed on a four-year cycle after the initial four-year review.
- See review plan above for the next four year period.

Agency Name	WAC Chapters	Section Numbers	Section Title	Document Type	Statutory Authority	Estimated Review Completion Date	Business Report Required?
Public Works Board	399-10	010	Organization and operation of the public works board	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-10	020	Board meeting	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-10	030	Communications with the board	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	010	Purpose	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	020	Definitions	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	030	Public records available	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	040	Public records officer	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	050	Records index	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	060	Office hours	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	070	Requests for public records	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	080	Copying	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	090	Exemptions	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	100	Review of denials of public records requests	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	110	Protection of public records	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-20	120	Adoption of form	R	RCW 43.155.040(4)	January 1988	No

Public Works Board	399-30	010	Purpose	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-30	020	Definitions	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-30	030	Loan and financing guarantee applications	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-30	040	Application evaluation procedure and board deliberations	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-30	042	Application evaluation procedure and board deliberations – Capital planning support	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-30	045	Emergency loan program	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-30	050	Recommendations to the legislature	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-30	060	Loan and financing guarantee contracts	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-30	065	Emergency loan and financing guarantee contracts	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-40	010	Purpose	R	RCW 43.155.040(4)	January 1988	No
Public Works Board	399-40	020	Statement	R	RCW 43.155.040(4)	January 1988	No