

WSR 25-03-112

EXPEDITED RULES

OFFICE OF THE CODE REVISER

[Filed January 20, 2025, 9:41 a.m.]

Title of Rule and Other Identifying Information: Amending chapter 1-21 WAC, Rule making; WAC 1-21-008, 1-21-030, 1-21-040, 1-21-072, 1-21-074, and 1-21-076.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Recent updates to the Washington state legislature's website have resulted in some web address changes to the office of the code reviser's web pages. This rule making ensures the public and state agencies looking for rule-making guidance, code reviser (or CR) forms, closing and publication date calendars, Washington State Register publications, etc., can find the correct web addresses in chapter 1-21 WAC, Rule making. Also includes minor editorial changes in compliance with bill drafting style.

Reasons Supporting Proposal: See purpose above.

Statutory Authority for Adoption: RCW 34.08.020 and 34.08.040; chapter 34.05 RCW.

Statute Being Implemented: RCW 34.05.210, 34.05.385, 34.08.040, 1.08.080, and 1.08.110; chapter 34.05 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Office of the code reviser, governmental.

Name of Agency Personnel Responsible for Drafting: Jennifer Meas, Rules Coordinator, P.O. Box 40551, Olympia, WA 98504-0551, 360-786-6697; Implementation and Enforcement: Alice Im, Deputy Code Reviser, P.O. Box 40551, Olympia, WA 98504-0551, 360-786-6776.

This notice meets the following criteria to use the expedited adoption process for these rules:

Corrects typographical errors, makes address or name changes, or clarifies language of a rule without changing its effect.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: This rule making only updates the web addresses in chapter 1-21 WAC and will have no negative impact on the public or state agencies.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Alice Im, Deputy Code Reviser, Office of the Code Reviser, P.O. Box 40551, phone 360-786-6776, fax 360-786-1471, email Alice.Im@leg.wa.gov, BEGINNING the date and time of this filing, AND RECEIVED BY March 24, 2025, 5:00 p.m.

January 14, 2025
Kathleen Buchli
Code Reviser

RDS-6136.1

AMENDATORY SECTION (Amending WSR 19-21-072, filed 10/11/19, effective 11/11/19)

WAC 1-21-008 Electronic filing. Agencies are encouraged to use the office of the code reviser's electronic filing system for the filing of documents to be published in the *Washington State Register*.

(1) To participate in electronic filing, agencies must first complete and submit a physical copy of the registration letter for electronic filing, which may be found at the office of the code reviser's website in the *Washington State Register* section (~~((<http://leg.wa.gov/CodeReviser/Pages/E-Filing.aspx>))~~ <https://leg.wa.gov/state-laws-and-rules/washington-state-register/rule-making-help/rule-making-filing-instructions/>). The agency must designate a contact person, phone number, and the email address to receive all official stamped filings returned by the office of the code reviser. Only one registration letter per agency.

(2) To file electronically, agencies must submit only Word documents (CR forms or agency typed documents) and .pdfs of rules text prepared by a typing service (provided by our office), if applicable, to EFileWSR@leg.wa.gov. Submit only one filing per email (one filing may have multiple attachments). Documents in alternative formats will not be accepted. Required signatures must be affixed to the Word documents where applicable. After submitting an email to the electronic filing system, an automatically generated reply is sent from the electronic filing system to confirm that the agency email was received. **IMPORTANT:** If the auto-generated reply is not received within a matter of minutes, contact the office of the code reviser **immediately** by phone to ascertain if the electronic filing system is not functioning properly. **DO NOT** resend your document(s) until instructed to do so by code reviser staff.

(3) To correct or withdraw submitted document(s) before that filing has been published, the agency must contact the office of the code reviser's editor or assistant editor immediately. **IMPORTANT:** Do not send regular correspondence or questions to the electronic filing email address. For corrections to electronic filings or withdrawals from publication, contact the office of the code reviser for guidance on how to proceed.

(4) Electronic filings must be **received** by the office of the code reviser by noon on the cut-off date for inclusion in a particular issue. Filings received at 12:01 p.m. or later on the date of cutoff will appear in the next issue and hearing and adoption dates may need to be delayed so the agency is in compliance with the Administrative Procedure Act.

(5) If the official stamped copy from the office of the code reviser is not returned to the agency by 9:00 a.m. on the day after submitting the document(s), contact the office of the code reviser by phone to inquire regarding the status of the submission.

AMENDATORY SECTION (Amending WSR 19-21-072, filed 10/11/19, effective 11/11/19)

WAC 1-21-030 Notice period—Washington State Register distribution date. (1) Under RCW 34.05.320, notice of proposed rule making must be published in the *Washington State Register* at least (~~twenty~~)

20 days before the agency may hold a hearing on the proposal. The *Washington State Register* is distributed on the first and third Wednesdays of each month. If a distribution date falls on a state holiday as determined by RCW 1.16.050, the distribution date of that *Washington State Register* will be delayed until Thursday.

(2) In counting the (~~twenty~~) 20-day notice period, consider the distribution date of the pertinent *Washington State Register* as day (~~twenty~~) 20; count down to day zero to find the first day on which a hearing may be held; cf. RCW 1.12.040 and *State ex rel. Earley v. Batchelor*, 15 Wn.2d 149 (1942).

(3) The office of the code reviser provides a schedule of closing dates online at (~~http://leg.wa.gov/CodeReviser/Documents/basecalendar.pdf~~) <https://leg.wa.gov/media/04cbinv3/closing-date-calendar.pdf>; and on page 2 of each published *Washington State Register*. In case of a discrepancy between the WAC rules and the schedule, the rules have priority.

AMENDATORY SECTION (Amending WSR 19-21-072, filed 10/11/19, effective 11/11/19)

WAC 1-21-040 *Washington State Register* material—Time for filing. (1) To permit sufficient lead time for the editorial, data capture, and printing process, material to be published in a particular issue of the *Washington State Register* must be received by the office of the code reviser via the electronic filing email with attachment(s) or be in the physical possession of and filed in the office of the code reviser according to the following schedule:

(a) If the material has been prepared and completed by the office of the code reviser's (~~order typing service (OTS)~~) rule drafting service (RDS), by 12:00 noon on the (~~fourteenth~~) 14th day before the distribution date of that issue of the *Washington State Register*; or

(b) If the material has been prepared by any means other than (~~OTS~~) RDS and it contains:

(i) No more than (~~fourteen~~) 14 pages, by 12:00 noon on the (~~fourteenth~~) 14th day before the distribution date of that *Washington State Register*; or

(ii) More than (~~fourteen~~) 14 but less than (~~thirty-four~~) 34 pages, by 12:00 noon on the (~~twenty-eighth~~) 28th day before the distribution date of that *Washington State Register*; or

(iii) Thirty-four or more pages, by 12:00 noon on the (~~forty-second~~) 42nd day before the distribution date of that *Washington State Register*.

(2) The office of the code reviser's filing forms will be included in this page count.

(3) The office of the code reviser provides a schedule of closing dates online at (~~http://leg.wa.gov/CodeReviser/Documents/basecalendar.pdf~~) <https://leg.wa.gov/media/04cbinv3/closing-date-calendar.pdf>; and on page 2 of each published *Washington State Register*. In case of a discrepancy between the WAC rules and the schedule, the rules have priority.

AMENDATORY SECTION (Amending WSR 19-21-072, filed 10/11/19, effective 11/11/19)

WAC 1-21-072 Rules coordinator designation. Under RCW 34.05.312, each agency must designate a rules coordinator. The agency and mailing address of the rules coordinator must be submitted for publication in the *Washington State Register* at the time of designation and maintained thereafter on the office of the code reviser's website for the duration of the designation. To submit a new designation or make changes to an existing designation, send a Word document (preferably on the agency letterhead) to the electronic filing system or send the original and three copies to the office of the code reviser. An agency may use the template found on the office of the code reviser's website at (~~http://leg.wa.gov/CodeReviser/Pages/Washington_State_Register.aspx~~) <https://leg.wa.gov/state-laws-and-rules/washington-state-register/rule-making-help/forms-and-templates/>.

AMENDATORY SECTION (Amending WSR 19-21-072, filed 10/11/19, effective 11/11/19)

WAC 1-21-074 Public records officer designation. Under RCW 42.56.580, each state and local agency must appoint and publicly identify a public records officer.

For state agencies, the name and contact information of the agency's public records officer must be published in the *Washington State Register* at the time of designation and maintained thereafter on the office of the code reviser's website for the duration of the designation. To submit a new designation or make changes to an existing designation, send a Word document (preferably on the agency letterhead) to the electronic filing system or send the original and three copies to the office of the code reviser. An agency may use the template found on the office of the code reviser's website at (~~http://leg.wa.gov/CodeReviser/Pages/Washington_State_Register.aspx~~) <https://leg.wa.gov/state-laws-and-rules/washington-state-register/rule-making-help/forms-and-templates/>.

Local agencies are not required to publish their designations in the *Washington State Register*.

AMENDATORY SECTION (Amending WSR 19-21-072, filed 10/11/19, effective 11/11/19)

WAC 1-21-076 Notices of public meetings. (1) (a) Under RCW 42.30.075, state agencies that hold regular meetings must file with the office of the code reviser a schedule of the time and place of the public meetings on or before January 1st of each year for publication in the *Washington State Register*. To submit a public meetings notice, send a Word document (preferably on the agency letterhead) to the electronic filing system or send the original and three copies to the office of the code reviser. An agency may use the template found on the office of the code reviser's website at (~~http://leg.wa.gov/CodeReviser/Pages/Washington_State_Register.aspx~~) <https://leg.wa.gov/state-laws-and-rules/washington-state-register/rule-making-help/forms-and-templates/>.

(b) Notice of any change to a public meetings schedule must be published in the *Washington State Register* for distribution at least ~~((twenty))~~ 20 days prior to the rescheduled meeting date. To submit a change to a public meetings notice already published, send a Word document (preferably on the agency letterhead) to the electronic filing system or send the original and three copies to the office of the code reviser. An agency may use the template found on the office of the code reviser's website at (~~(http://leg.wa.gov/CodeReviser/Pages/WashingtonStateRegister.aspx)~~) <https://leg.wa.gov/state-laws-and-rules/washington-state-register/rule-making-help/forms-and-templates/>.

(2) Agendas of public meetings are not published in the *Washington State Register*.

(3) Special meetings are not required to be published in the *Washington State Register*. For information on special meetings, see RCW 42.30.080.

(4) Local agencies are not required to publish their meetings in the *Washington State Register*.