

the rate adjustment. Rates which are adjusted in accordance with this section will be effective as of the effective date of the original rate.

(2) The contractor shall pay an amount it owes the department resulting from an error or omission, or commence repayment in accordance with a schedule determined by the department, within sixty days after receipt of notification of the rate adjustment, unless the contractor contests the department's determination in accordance with the procedures set out in WAC 388-96-904. If the determination is contested, the contractor shall pay or commence repayment within sixty days after completion of these proceedings. If a refund is not paid when due, the amount thereof may be deducted from current payments by the department.

(3) The department shall pay any amount it owes the contractor as a result of a rate adjustment within thirty days after it notifies the contractor of the rate adjustment.

(4) No adjustments will be made to a rate after the annual settlement for the period in which the rate was effective has become final. [Statutory Authority: RCW 74.09.120. 78-02-013 (Order 1264), § 388-96-769, filed 1/9/78.]

**WAC 388-96-772 Requests for revision of a prospective rate.** (1) A contractor may at any time request in writing a revision of its current rate. Each request shall include a detailed explanation of significant changes in the factors used to establish its rate, or of significant changes in actual costs incurred or anticipated.

(2) The department will inform a contractor of the disposition of a request within sixty days after receipt of the request and of any documentation necessary to support it. Unless otherwise specified, a revised rate shall be effective as of the first day of the month in which it is issued.

(3) A formal request is not required for a rate increase granted to all contractors to cover the cost of meeting new federal or state requirements. [Statutory Authority: RCW 74.09.120. 78-02-013 (Order 1264), § 388-96-772, filed 1/9/78.]

**WAC 388-96-775 Public review of rate-setting methods and standards.** The department will provide all interested members of the public with an opportunity to review and comment on proposed rate-setting methods and standards each year before they are used to set rates. [Statutory Authority: RCW 74.09.120. 78-02-013 (Order 1264), § 388-96-775, filed 1/9/78.]

**WAC 388-96-778 Public disclosure of rate-setting methodology.** Without identifying individual nursing homes, the department will make available to the public full information regarding its rate-setting methodology. [Statutory Authority: RCW 74.09.120. 78-02-013 (Order 1264), § 388-96-778, filed 1/9/78.]

## Title 389 WAC PUBLIC DEPOSIT PROTECTION COMMISSION

### Chapter 389-12 Practice and procedure—Public depositories.

#### Chapter 389-12 WAC PRACTICE AND PROCEDURE—PUBLIC DEPOSITARIES

##### WAC 389-12-020 Definitions.

**WAC 389-12-020 Definitions.** Unless the context requires otherwise:

(1) **Bank.** "Bank" means any state bank or trust company, national banking association, or any branch of a bank engaged in the banking business in this state in accordance with RCW 30.04.300, which is located in the state of Washington and authorized to do a general banking business therein.

(2) **Investment deposits.** The term "investment deposit" shall mean bank time deposits and savings deposits of public funds available for investment. Bank time deposit shall mean a single maturity or multiple maturity interest bearing investment deposit of public funds, which is either evidenced by a certificate of deposit issued by a bank, or reflected in a book-entry system of a bank, approved by the federal banking authorities and/or the Washington state supervisor of banking, and which is payable to a treasurer on a date certain. Such certificate shall not be negotiable, nor an interest in an investment deposit transferable, except between treasurers and/or banks.

(3) **Call report date.** "Call report date" shall mean the date designated by the comptroller of currency for reports of the statement of condition of a bank.

(4) **Date of loss.** The term "date of loss" shall mean the date on which a loss shall be deemed to have occurred within the meaning of the act, and shall be the first to happen of the following:

(a) The date of the taking of possession of the bank by a supervisory agency; or

(b) The date of the appointment of the receiver or conservator for a bank; or

(c) The date of the commencement of a voluntary liquidation proceeding for a bank; or

(d) The date on which the commission declares that a bank no longer has the ability to repay public deposits in full.

(5) **Depository Pledge Agreement.** "Depository Pledge Agreement" means a written tri-party agreement, on a form supplied by the commission, wherein a bank, in compliance with the act and as a condition precedent to becoming or continuing to be a qualified public depository, transfers and delivers securities which are eligible collateral to a corporate fiduciary under the exercise of

its trust powers, or a federal reserve bank or any branch thereof, which agrees to safekeep such securities for the primary benefit of the commission under the terms and conditions of the agreement and for the purposes set forth by the act and the regulations of the commission. Such agreement shall be executed on behalf of the commission by the chairman, who shall be the state treasurer.

(6) **Segregation of collateral.** "Segregation of collateral" means the transfer and delivery of eligible securities by a bank pursuant to a depository pledge agreement (RCW 39.58.050). Eligible securities shall not include coupon securities from which have been detached any coupon which is not matured at the time of transfer and delivery of such securities as segregated collateral.

(7) **Subordinated notes and debentures.** Capital, surplus and undivided profits of a bank or trust company shall include all capital notes and debentures that are subordinate to the interest of depositors. [Statutory Authority: RCW 39.58.040. 78-12-075 (Order 78-XIV, Resolution 78-XIV), § 389-12-020, filed 12/5/78; Order 77-XIII, § 389-12-020, filed 9/27/77; Order II, § 389-12-020, filed 6/13/73; Order 1, § 389-12-020, filed 2/9/70.]

**Title 390 WAC**

**PUBLIC DISCLOSURE COMMISSION**

**Chapters**

- 390-04** Policy and enforcement regulations.
- 390-05** General policies and definitions.
- 390-12** Administrative procedures.
- 390-14** Access to public records.
- 390-16** Forms for campaign financing reporting-- Contributions.
- 390-20** Forms for lobbying reports, elected officials and legislators.
- 390-24** Forms for reports of financial affairs.
- 390-37** Enforcement procedures--Investigative hearings.

**Chapter 390-04 WAC**

**POLICY AND ENFORCEMENT REGULATIONS**

**WAC**

390-04-010 through 390-04-290 Repealed.

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

- 390-04-010 Purpose. [Order 9, § 390-04-010, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-020 General administrative policy. [Order 9, § 390-04-020, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-030 Definitions. [Order 9, § 390-04-030, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).

- 390-04-031 Definition of term "other expenses." [Order 19, § 390-04-031, filed 10/29/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-035 Definition of direct financial interest. [Order 19, § 390-04-035, filed 10/29/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-036 Definition of debt. [Order 26, § 390-04-036, filed 2/21/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-037 Contribution--Defined. [Order 34, § 390-04-037, filed 8/28/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-038 "Aggregate" defined. [Order 61, § 390-04-038, filed 7/16/75.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-040 Use of office facilities. [Order 9, § 390-04-040, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-050 Enforcement policy. [Order 9, § 390-04-050, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-060 Lobbyist's employer--Meaning--Examples. [Order 9, § 390-04-060, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-070 Effect of Public Disclosure Act--Freedom of communication--Employer interference. [Order 9, § 390-04-070, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-080 List of elected public officials. [Order 9, § 390-04-080, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-090 List of elected public officials--Responsibility for developing. [Order 9, § 390-04-090, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-100 List of elected public officials--Name not on list, impact. [Order 9, § 390-04-100, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-110 Public Disclosure Act--Violation of other law. [Order 13, § 390-04-110, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-140 Public Disclosure Act--Required findings. [Order 13, § 390-04-140, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-150 Public Disclosure Act--Prima facie qualifications. [Order 13, § 390-04-150, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-160 Written sworn statement. [Order 13, § 390-04-160, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-170 Campaign financing--Special reports. [Order 13, § 390-04-170, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-180 Campaign financing--Time for filing. [Order 13, § 390-04-180, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-190 Campaign financing--Encouraging expenditures to avoid contributions--Result. [Order 13, § 390-04-190, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-200 Abbreviated campaign reporting--Campaigns for public office involving \$1,000 or less. [Order 61, §