

Chapter 286-20 WAC
APPLICATION PROCEDURE

WAC

286-20-010 Scope of chapter.

WAC 286-20-010 Scope of chapter. The purpose of this chapter is to set forth the requirements which must be met by any applicant in submitting an application for funds administered or granted by the interagency committee except applicants for off-road vehicle funds and Washington wildlife and recreation program funds.

[Statutory Authority: RCW 43.98A.070(5), 93-24-006, § 286-20-010, filed 11/19/93, effective 12/20/93. Statutory Authority: Chapter 43.99 RCW, 79-09-124 (Order 79-1), § 286-20-010, filed 9/5/79; 78-03-032 (Order 78-1), § 286-20-010, filed 2/17/78; Order 3, § 286-20-010, filed 7/31/73.]

Chapter 286-27 WAC
WASHINGTON WILDLIFE AND RECREATION
PROGRAM

WAC

286-27-060 Project conversions.

WAC 286-27-060 Project conversions. (1) Except under conditions brought about by acts of God, fire, and projects authorized by the ICC under 8(d) of the National Trails System Act, 16 U.S.C. § 1247(d), natural resources and facilities purchased with chapter 43.98A RCW funds shall not, without the approval of the committee, be converted to uses other than those for which the funds were originally approved. The committee will only approve such conversions on conditions which assure the substitution or replacement with natural resources or facilities which are of at least equal fair market value at the time of conversion. Natural resources and facilities must also be of as nearly equivalent or greater usefulness and location, if physically and/or biologically feasible.

(2) Projects authorized by the ICC under 8(d) of the National Trails System Act, 16 U.S.C. § 1247(d) shall convert to railroad purposes automatically upon reactivation of a line for rail purposes under an ICC order. Substitution or replacement with natural resources, facilities or moneys which are of at least equal fair market value at the time of conversion may be required. Substitution or replacement of natural resources and facilities, when required, must be of as nearly equivalent or greater usefulness and location, or provide a public benefit, if physically, economically, and/or biologically feasible.

(3) The committee is entitled to pursue and obtain remedies which assure the substitution or replacement of natural resources or facilities in accordance with this section.

[Statutory Authority: RCW 43.98A.070(5), 93-24-007, § 286-27-060, filed 11/19/93, effective 12/20/93. Statutory Authority: Chapter 43.99 RCW, 91-17-010, § 286-27-060, filed 8/12/91, effective 9/12/91.]

Title 287 WAC
INVESTMENT BOARD

Chapters

287-04 Conflict of interest.

Chapter 287-04 WAC
CONFLICT OF INTEREST

WAC

287-04-030 Repealed.
287-04-031 Rules of conduct.

DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER

287-04-030 Rules of conduct. [Statutory Authority: RCW 43.33A.110, 81-23-012 (Order 81-1), § 287-04-030, filed 11/10/81.] Repealed by 93-04-008, filed 1/22/93, effective 2/22/93. Statutory Authority: RCW 43.33A.110.

WAC 287-04-030 Repealed. See Disposition Table at beginning of this chapter.

WAC 287-04-031 Rules of conduct. This section is promulgated pursuant to RCW 43.33A.110 to ensure compliance with chapter 42.18 RCW and the code of conduct, as adopted by the board. All employees of the board and board members must comply with the code of conduct.

(1) No employee of the board or member of the board shall receive, accept, seek or solicit, directly or indirectly, any gift as defined in chapter 42.18 RCW if such employee or member of the board has reason to believe that:

(a) The donor would not have given the gift but for the employee's or member's office or position with the board;

(b) The donor has or is seeking to obtain a contractual or other business or financial relationship with the board;

(c) The donor has interests which may be affected by the employee's or board's performance or nonperformance of its official duty;

(d) Except that gifts may be accepted as permitted by Executive Order 92-04 (1992).

(2) Personal investments.

(a) "Permissible investment" means any mutual fund or deposit account, certificate of deposit or money market fund maintained with a bank, broker, or other financial institution, any security publicly traded in an organized market or an interest in real estate unless such interest involves a related party transaction.

(b) "Other investment" means any investment not defined as a permissible investment in (a) of this subsection.

(c) "Immediate family" includes the spouse, dependent children, other dependent relatives if living in the household and any other household member, whether or not related.

(d) Board members and employees may purchase "permissible investments" without prior approval.

(e) No employee of the board shall or shall permit any member of his or her immediate family to, purchase or sell any "other investment," without the prior approval of the executive director or his or her designee. The executive

director shall not purchase or sell or permit any member of his or her immediate family to purchase or sell any "other investment," without the prior approval of the audit committee of the board. No member of the board shall or shall permit any member of his or her immediate family to purchase or sell any "other investment," without the prior approval of the audit committee of the board.

(f) No employee of the board or board member shall participate in an LBO or venture capital IPO of which the board has an interest until such shares are available to the general public.

(3) No board member or employee shall participate in any discussion or shall vote in a matter before the board which involves a business, contract, property, or other substantial investment directly or indirectly held by such person if it is reasonably foreseeable that board action on the matter would confer a benefit to such person by or through the business, contract, property, or investment.

(4) No board member or employee shall participate in any discussion or shall vote in a matter before the board if such participation is motivated by something other than the best interests of the board, its members and beneficiaries, in violation of that person's duty of loyalty.

(5) No board member or employee shall borrow from investment managers, outside service providers, professional advisors or consultants, banks, or other financial institutions with which the board has a business relationship, except and unless such entities are normally engaged in such lending in the usual course of their business, and then only on terms offered to others under similar circumstances.

(6) Confidential information shall be used solely for the board's purposes and under no circumstances revealed to unauthorized persons, except as may be otherwise required to be disclosed as a public record pursuant to the requirements of chapter 42.17 RCW.

(7) No board member or employee shall divulge state agency or board information or proprietary information in the board's possession, whether labeled confidential or not, to any unauthorized person or in advance of the time prescribed for its authorized issuance, or otherwise making use of, or permitting others to make use of, information not available to the general public.

(8) No board member or employee shall use his or her position or employment with the board, or use board facilities, equipment, or supplies, to obtain or attempt to obtain private gain or advantage, especially if a detriment to the board will result.

(9) No board member or employee shall use his or her position or employment with the board, or use board facilities, equipment, or supplies, to assist another in a transaction involving the board, or use his or her influence over the board to obtain or attempt to obtain gain or advantage for the person or entity seeking to transact business with the board.

(10) No member of the board or its staff shall, within a period of two years after termination of such service or employment, appear before the board or receive compensation for any services rendered for or on behalf of any person, firm, corporation, or association in relation to any case, proceeding, or application with respect to which such person was directly concerned and in which that person personally

participated during the period of his or her service or employment.

(11) No member of the board or its staff shall accept employment or engage in business or professional activity which he or she might reasonably expect would require or induce him or her to disclose confidential information acquired by him or her by reason of his or her official position.

(12) No member of the board or its staff shall have an account with an institutional salesman serving the state.

(13) A board member or employee who is found by the board to have violated this code of conduct may be subject to official reprimand by vote of the board. In the event that the board determines a violation of the code to be so egregious or apparent as to constitute malfeasance, misfeasance, inefficiency, neglect of duty, incapacity, or unfitness to perform his or her fiduciary duties and responsibilities in the exclusive interest of the board and its beneficiaries, and if the offending person is:

(a) A voting board member: The board, in its sole discretion, may refer the matter to the proper appointing authority or the attorney general, as deemed appropriate; or if

(b) A nonvoting board member: The board, in its sole discretion, may take the appropriate steps necessary to and remove the offending member from the board; or if

(c) The executive director: The board, in its sole discretion, may take the appropriate steps to remove the director in compliance with RCW 43.33A.100; or if

(d) An employee of the board governed by the Merit Systems Rules: The executive director may take such disciplinary action as authorized under Title 356 WAC up to and including termination of employment; or if

(e) An exempt employee of the board: The executive director may take whatever disciplinary action deemed appropriate, up to and including termination of employment.

[Statutory Authority: RCW 43.33A.110. 93-04-008, § 287-04-031, filed 1/22/93, effective 2/22/93.]

Title 296 WAC

LABOR AND INDUSTRIES, DEPARTMENT OF

Chapters

- 296-04** Internal rules—State apprenticeship and training council.
- 296-14** Industrial insurance.
- 296-15** Workers' compensation self-insurance rules and regulations.
- 296-17** Manual of rules, classifications, rates, and rating system for Washington workers' compensation insurance.
- 296-20** Medical aid rules.
- 296-21** General reimbursement policies, bundled codes and services, global surgery policy, psychiatric, biofeedback, physical medi-