

Title 1 WAC

CODE REVISER, OFFICE OF THE

Chapters

- 1-04** **General provisions.**
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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 1-08 UNIFORM PROCEDURE RULES

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| <p>1-08-005 Application and scope of chapter 1-08 WAC. [Order 1, § 1-08-005, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-007 "Agency" defined. [Order 1, § 1-08-007, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-010 Appearance and practice before agency—Who may appear. [Order 1, § 1-08-010, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-030 Appearance and practice before agency—Solicitation of business unethical. [Order 1, § 1-08-030, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-040 Appearance and practice before agency—Standards of ethical conduct. [Order 1, § 1-08-040, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-050 Appearance and practice before agency—Appearance by former employee of agency or former member of attorney general's staff. [Order 1, § 1-08-050, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-060 Appearance and practice before agency—Former employee as expert witness. [Order 1, § 1-08-060, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-070 Computation of time. [Order 1, § 1-08-070, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-080 Notice and opportunity for hearing in contested cases. [Order 1, § 1-08-080, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-090 Service of process—By whom served. [Order 1, § 1-08-090, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-100 Service of process—Upon whom served. [Order 1, § 1-08-100, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-110 Service of process—Service upon parties. [Order 1, § 1-08-110, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-120 Service of process—Method of service. [Order 1, § 1-08-120, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-130 Service of process—When service complete. [Order 1, § 1-08-130, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91,</p> | <p>effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-140 Service of process—Filing with agency. [Order 1, § 1-08-140, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-150 Subpoenas—Where provided by law—Form. [Order 1, § 1-08-150, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-160 Subpoenas—Issuance to parties. [Order 1, § 1-08-160, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-170 Subpoenas—Service. [Order 1, § 1-08-170, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-180 Subpoenas—Fees. [Order 1, § 1-08-180, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-190 Subpoenas—Proof of service. [Order 1, § 1-08-190, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-200 Subpoenas—Quashing. [Order 1, § 1-08-200, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-210 Subpoenas—Enforcement. [Order 1, § 1-08-210, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-220 Subpoenas—Geographical scope. [Order 1, § 1-08-220, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-230 Depositions and interrogatories in contested cases—Right to take. [Order 1, § 1-08-230, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-240 Depositions and interrogatories in contested cases—Scope. [Order 1, § 1-08-240, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-250 Depositions and interrogatories in contested cases—Officer before whom taken. [Order 1, § 1-08-250, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-260 Depositions and interrogatories in contested cases—Authorization. [Order 1, § 1-08-260, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-270 Depositions and interrogatories in contested cases—Protection of parties and deponents. [Order 1, § 1-08-270, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination. [Order 1, § 1-08-280, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> <p>1-08-290 Depositions and interrogatories in contested cases—Recordation. [Order 1, § 1-08-290, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.</p> |
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- 1-08-300 Depositions and interrogatories in contested cases—Signing attestation and return. [Order 1, § 1-08-300, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-310 Depositions and interrogatories in contested cases—Use and effect. [Order 1, § 1-08-310, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-320 Depositions and interrogatories in contested cases—Fees of officers and deponents. [Order 1, § 1-08-320, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-330 Depositions upon interrogatories—Submission of interrogatories. [Order 1, § 1-08-330, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-340 Depositions upon interrogatories—Interrogation. [Order 1, § 1-08-340, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-350 Depositions upon interrogatories—Attestation and return. [Order 1, § 1-08-350, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-360 Depositions upon interrogatories—Provisions of deposition rule. [Order 1, § 1-08-360, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-370 Official notice—Matters of law. [Order 1, § 1-08-370, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-380 Official notice—Material facts. [Order 1, § 1-08-380, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-390 Presumptions. [Order 1, § 1-08-390, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-400 Stipulations and admissions of record. [Order 1, § 1-08-400, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-410 Form and content of agency decisions in contested cases. [Order 1, § 1-08-410, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-420 Definition of issues before hearing. [Order 1, § 1-08-420, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-430 Prehearing conference rule—Authorized. [Order 1, § 1-08-430, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-440 Prehearing conference rule—Record of conference action. [Order 1, § 1-08-440, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-450 Submission of documentary evidence in advance. [Order 1, § 1-08-450, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-460 Excerpts from documentary evidence. [Order 1, § 1-08-460, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-470 Expert or opinion testimony and testimony based on economic and statistical data—Number and qualifications of witnesses. [Order 1, § 1-08-470, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-480 Expert or opinion testimony and testimony based on economic and statistical data—Written sworn statements. [Order 1, § 1-08-480, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-490 Expert or opinion testimony and testimony based on economic and statistical data—Supporting data. [Order 1, § 1-08-490, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-500 Expert or opinion testimony and testimony based on economic and statistical data—Effect of noncompliance with WAC 1-08-470 or 1-08-480. [Order 1, § 1-08-500, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-510 Continuances. [Order 1, § 1-08-510, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-520 Rules of evidence—Admissibility criteria. [Order 1, § 1-08-520, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-530 Rules of evidence—Tentative admission—Exclusion—Discontinuance—Objections. [Order 1, § 1-08-530, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-540 Petitions for rule making, amendment or repeal—Who may petition. [Order 1, § 1-08-540, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-550 Petitions for rule making, amendment or repeal—Requisites. [Order 1, § 1-08-550, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-560 Petitions for rule making, amendment or repeal—Agency must consider. [Order 1, § 1-08-560, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-570 Petitions for rule making, amendment or repeal—Notice of disposition. [Order 1, § 1-08-570, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-580 Declaratory rulings. [Order 1, § 1-08-580, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.
- 1-08-590 Forms. [Order 1, § 1-08-590, effective 7/1/67.] Repealed by 91-10-010, filed 4/19/91, effective 5/20/91. Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250.

Chapter 1-12

DRAFTING AND FILING OF NOTICES AND RULES

- 1-12-005 Declaration of purpose. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-005, filed 6/23/82; 80-07-025 (Order 21), § 1-12-005, filed 6/12/80; Order 15, § 1-12-005, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-005, filed 5/9/77, effective 6/9/77; Order 5, § 1-12-005, filed 10/4/71; Emergency Order 4, § 1-12-005, filed 9/3/71; Order 2, § 1-12-005, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-010 Who must file rules under chapter 34.04 RCW. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-010, filed 6/23/82; 81-14-021 (Order 22), § 1-12-010, filed 6/25/81, effective 7/26/81; Order 12, § 1-12-010, filed 5/9/77, effective 6/9/77; Order 5, § 1-12-010, filed 10/4/71; Emergency Order 4, § 1-12-010, filed 9/3/71; Order 2, § 1-12-010, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-020 What rules must be filed. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-020, filed 6/23/82; 81-14-021 (Order 22), § 1-12-020, filed 6/25/81, effective 7/26/81; Order 15, § 1-12-020, filed 10/31/77, effective 12/1/77; Order 5, § 1-12-020, filed 10/4/71; Emergency Order 4, § 1-12-020, filed 9/3/71; Order 2, § 1-12-020, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.

- 1-12-030 Notices of intention to adopt rules. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-030, filed 6/23/82; 81-14-021 (Order 22), § 1-12-030, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-12-030, filed 6/12/80; Order 15, § 1-12-030, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-030, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-030, filed 9/25/74, effective 10/25/74; Order 5, § 1-12-030, filed 10/4/71; Emergency Order 4, § 1-12-030, filed 9/3/71; Emergency Order 3, § 1-12-030, filed 8/6/71; Order 2, § 1-12-030, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-032 Rule purpose and implementation statement. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-032, filed 6/23/82; 81-14-021 (Order 22), § 1-12-032, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-12-032, filed 6/12/80. Formerly WAC 1-12-065. Order 15, § 1-12-065, filed 10/31/77, effective 12/1/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-033 Withdrawal of proposed rule. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-033, filed 6/23/82; 81-14-021 (Order 22), § 1-12-033, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-12-033, filed 6/12/80.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-034 Review of previously adopted rules. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-034, filed 6/23/82; 81-14-021 (Order 22), § 1-12-034, filed 6/25/81, effective 7/26/81.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-035 Time for filing material for inclusion in register. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 81-14-021 (Order 22), § 1-12-035, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-12-035, filed 6/12/80; Order 15, § 1-12-035, filed 10/31/77, effective 12/1/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-040 Administrative order—How promulgated. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 80-07-025 (Order 21), § 1-12-040, filed 6/12/80; Order 12, § 1-12-040, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-040, filed 9/25/74, effective 10/25/74; Order 2, § 1-12-040, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-045 Administrative order—Duty to maintain order register. [Order 12, § 1-12-045, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-045, filed 9/25/74, effective 10/25/74.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-047 Completion of Form CR-2—Transmittal of rules adopted. [Order 12, § 1-12-047, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-047, filed 9/25/74, effective 10/25/74.] Repealed by Order 15, § 1-12-047, filed 10/31/77, effective 12/1/77.
- 1-12-050 Filing of administrative order—Rules adopted. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-050, filed 6/23/82; 80-07-025 (Order 21), § 1-12-050, filed 6/12/80; Order 15, § 1-12-050, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-050, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-050, filed 9/25/74, effective 10/25/74; Order 5, § 1-12-050, filed 10/4/71; Emergency Order 4, § 1-12-050, filed 9/3/71; Order 2, § 1-12-050, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-060 Formulation of agency orders creating, amending, or repealing rules. [Order 2, § 1-12-060, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-065 Rule purpose and implementation statement. [Order 15, § 1-12-065, filed 10/31/77, effective 12/1/77.] Decodified by 80-07-025 (Order 21), filed 6/12/80. Statutory Authority: 1.08.110, 28B.19.080, 34.04.055 and 34.08.030. Later promulgation, see WAC 1-12-032.
- 1-12-070 Washington Administrative Code—Basic organization. [Order 15, § 1-12-070, filed 10/31/77, effective 12/1/77; Order 5, § 1-12-070, filed 10/4/71; Emergency Order 4, § 1-12-070, filed 9/3/71; Order 2, § 1-12-070, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-080 Drafting instructions—Title number—Chapter and section names and numbers. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-080, filed 6/23/82; Order 12, § 1-12-080, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-080, filed 9/25/74, effective 10/25/74; Order 5, § 1-12-080, filed 10/4/71; Order 4, § 1-12-080, filed 9/3/71; Order 2, § 1-12-080, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-090 Drafting instructions—Division of chapters into sections. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-090, filed 6/23/82; Order 15, § 1-12-090, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-090, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-090, filed 9/25/74, effective 10/25/74; Order 2, § 1-12-090, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-100 Drafting instructions—Subsections, subdivisions, items, and subitems. [Order 15, § 1-12-100, filed 10/31/77, effective 12/1/77; Order 2, § 1-12-100, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-110 Drafting instructions—Citations and references. [Order 12, § 1-12-110, filed 5/9/77, effective 6/9/77; Order 2, § 1-12-110, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-120 Drafting instructions—Title and chapter digests—History notes. [Order 12, § 1-12-120, filed 5/9/77, effective 6/9/77; Order 5, § 1-12-120, filed 10/4/71; Emergency Order 4, § 1-12-120, filed 9/3/71; Order 2, § 1-12-120, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-125 Drafting instructions—Use of underlining. [Order 15, § 1-12-125, filed 13/31/77, effective 12/1/77; Order 12, § 1-12-125, filed 5/9/77, effective 6/9/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-130 Drafting instructions—Amendatory section. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-130, filed 6/23/82; 80-07-025 (Order 21), § 1-12-130, filed 6/12/80; Order 15, § 1-12-130, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-130, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-130, filed 9/25/74, effective 10/25/74; Order 2, § 1-12-130, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-140 Drafting instructions—Repealer sections. [Order 15, § 1-12-140, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-140, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-140, filed 9/25/74, effective 10/25/74; Order 2, § 1-12-140, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-150 Drafting instructions—Sequence and numbering of sections. [Order 15, § 1-12-150, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-150, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-150, filed 9/25/74, effective 10/25/74; Order 2, § 1-12-150, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-155 Drafting instructions—Identification of sections as new, amendatory, or repealed. [Order 15, § 1-12-155, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-155, filed 5/9/77, effective 6/9/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-160 Drafting instructions—Redesignation of WAC numbers—Amendment or repeal of inconsistent rules. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 80-07-025 (Order 21), § 1-12-160, filed 6/12/80; Order 15, § 1-12-

- 160, filed 10/31/77, effective 12/1/77; Order 5, § 1-12-160, filed 10/4/71; Emergency Order 4, § 1-12-160, filed 9/3/71; Order 2, § 1-12-160, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-170 Typing instructions—General. [Order 15, § 1-12-170, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-170, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-170, filed 9/25/74, effective 10/25/74; Order 2, § 1-12-170, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-180 Typing instructions—New chapters of WAC. [Order 12, § 1-12-180, filed 5/9/77, effective 6/9/77; Order 2, § 1-12-180, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-190 Emergency rules. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-190, filed 6/23/82; 81-14-021 (Order 22), § 1-12-190, filed 6/25/81, effective 7/26/81; Order 15, § 1-12-190, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-190, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-190, filed 9/25/74, effective 10/25/74; Order 2, § 1-12-190, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-191 Emergency rules—Filing after office hours. [Order 9, § 1-12-191, filed 9/25/74, effective 10/25/74.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-200 Exemption from these rules. [Order 15, § 1-12-200, filed 10/31/77, effective 12/1/77; Order 9, § 1-12-200, filed 9/25/74, effective 10/25/74; Order 2, § 1-12-200, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-210 Official forms supplied upon request. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-210, filed 6/23/82; 81-14-021 (Order 22), § 1-12-210, filed 6/25/81, effective 7/26/81; Order 15, § 1-12-210, filed 10/31/77, effective 12/1/77; Order 12, § 1-12-210, filed 5/9/77, effective 6/9/77; Order 9, § 1-12-210, filed 9/25/74, effective 10/25/74; Order 2, § 1-12-210, adopted 12/11/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-220 Order typing service (OTS). [Order 15, § 1-12-220, filed 10/31/77, effective 12/1/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-910 Notice of intention to adopt, amend, or repeal rules (Form CR-1). [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-910, filed 6/23/82; 81-14-021 (Order 22), § 1-12-910, filed 6/25/81, effective 7/26/81; Order 15, § 1-12-910, filed 10/31/77, effective 12/1/77; Order 9, Form CR-1, filed 9/25/74, effective 10/25/74; Order 5, Form CR-1, filed 10/4/71; Emergency Order 3, Form CR-1, filed 8/6/71; Order 2, Form CR-1, filed 12/18/67, effective 1/17/68.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-920 Transmittal of rules adopted (CR-2). [Order 9, Form CR-2, filed 9/25/74, effective 10/25/74; Order 5, Form CR-2, filed 10/4/71; Emergency Order 3, Form CR-2, filed 8/6/71; Order 2, Form CR-2, filed 12/18/67, effective 1/17/68.] Repealed by Order 15, filed 10/31/77, effective 12/1/77.
- 1-12-930 Form of order and transmittal by agency having single head (Form CR-7). [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-930, filed 6/23/82; 81-14-021 (Order 22), § 1-12-930, filed 6/25/81, effective 7/26/81. Statutory Authority: RCW 34.04.040(2), 34.04.055, 34.08.040 and chapter 34.04 RCW. 78-02-074 (Order 17), § 1-12-930, filed 1/26/78; Order 15, § 1-12-930, filed 10/31/77, effective 12/1/77; Emergency Order 13, § 1-12-930, filed 6/16/77; Order 14, § 1-12-930, filed 7/28/77; Order 12, § 1-12-930, filed 5/9/77, effective 6/9/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-940 Form of order and transmittal by board, commission, or council (Form CR-8). [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-940, filed 6/23/82; 81-14-021 (Order 22), § 1-12-940, filed 6/25/81, effective 7/26/81; Order 15, § 1-12-940, filed 10/31/77, effective 12/1/77; Emergency Order 13, § 1-12-940, filed 6/16/77; Order 14, § 1-12-940, filed 7/28/77; Order 12, § 1-12-940, filed 5/9/77, effective 6/9/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-12-950 Notice of review of previously adopted rules (Form CR-11). [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-12-950, filed 6/23/82; 81-14-021 (Order 22), § 1-12-950, filed 6/25/81, effective 7/26/81.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- Form CR-3 Underlay typing guide sheet. [Order 9, filed 9/25/74, effective 10/25/74; Order 2, filed 12/18/67, effective 1/17/68.] Repealed by Order 12, filed 5/9/77, effective 6/9/77.
- Form Suggested form of order by agency having single head. [Order 9, filed 9/25/74, effective 10/25/74; Order 2, filed 12/18/67, effective 1/17/68.] Repealed by Order 12, filed 5/9/77, effective 6/9/77.
- Form Sample form of order by board or commission. [Order 9, filed 9/25/74; Order 2, filed 12/18/67, effective 1/17/68.] Repealed by Order 12, filed 5/9/77, effective 6/9/77.

Chapter 1-13

DRAFTING AND FILING OF NOTICES AND RULES BY INSTITUTIONS OF HIGHER EDUCATION

- 1-13-005 Declaration of purpose. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-005, filed 6/23/82; 81-14-021 (Order 22), § 1-13-005, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-13-005, filed 6/12/80; Order 15, § 1-13-005, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-005, filed 5/9/77, effective 6/9/77; Order 5, § 1-13-005, filed 10/4/71; Emergency Order 4, § 1-13-005, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-010 Who must file rules. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-010, filed 6/23/82; 81-14-021 (Order 22), § 1-13-010, filed 6/25/81, effective 7/26/81; Order 5, § 1-13-010, filed 10/4/71; Emergency Order 4, § 1-13-010, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-020 What rules must be filed. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-020, filed 6/23/82; 81-14-021 (Order 22), § 1-13-020, filed 6/25/81, effective 7/26/81; Order 5, § 1-13-020, filed 10/4/71; Emergency Order 4, § 1-13-020, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-030 Notices of intention to adopt rules. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-030, filed 6/23/82; 81-14-021 (Order 22), § 1-13-030, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-13-030, filed 6/12/80; Order 15, § 1-13-030, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-030, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-030, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-030, filed 10/4/71; Emergency Order 4, § 1-13-030, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-032 Rule purpose and implementation statement. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-032, filed 6/23/82; 81-14-021 (Order 22), § 1-13-032, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-13-032, filed 6/12/80.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-033 Withdrawal of proposed rule. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-033, filed 6/23/82; 81-14-021 (Order 22), § 1-13-033, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-13-033, filed 6/12/80.] Repealed by 89-12-028 (Order 89-

- 1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-034 Review of previously adopted rules. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-034, filed 6/23/82; 81-14-021 (Order 22), § 1-13-034, filed 6/25/81, effective 7/26/81.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-035 Time for filing material for inclusion in register. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 81-14-021 (Order 22), § 1-13-035, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-13-035, filed 6/12/80; Order 15, § 1-13-035, filed 10/31/77, effective 12/1/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-040 Administrative orders—How promulgated. [Order 12, § 1-13-040, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-040, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-040, filed 10/4/71; Emergency Order 4, § 1-13-040, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-045 Administrative orders—Duty to maintain order register. [Order 12, § 1-13-045, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-045, filed 9/25/74, effective 10/25/74.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-047 Completion of Form CR-5, transmittal of rules adopted. [Order 12, § 1-13-047, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-047, filed 9/25/74, effective 10/25/74.] Repealed by Order 15, filed 10/31/77, effective 12/1/77.
- 1-13-050 Filing of administrative order—Rules adopted. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-050, filed 6/23/82; Order 15, § 1-13-050, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-050, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-050, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-050, filed 10/4/71; Emergency Order 4, § 1-13-050, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-060 Formulation of institution orders creating, amending, or repealing rules. [Order 5, § 1-13-060, filed 10/4/71; Emergency Order 4, § 1-13-060, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-070 Washington Administrative Code—Basic organization. [Order 15, § 1-13-070, filed 10/31/77, effective 12/1/77; Order 5, § 1-13-070, filed 10/4/71; Emergency Order 4, § 1-13-070, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-080 Drafting instructions—Title number—Chapter and section names and numbers. [Order 12, § 1-13-080, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-080, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-080, filed 10/4/71; Emergency Order 4, § 1-13-080, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-090 Drafting instructions—Division of chapters into sections. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-090, filed 6/23/82; Order 15, § 1-13-090, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-090, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-090, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-090, filed 10/4/71; Emergency Order 4, § 1-13-090, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-100 Drafting instructions—Subsections, subdivisions, items, and subitems. [Order 15, § 1-13-100, filed 10/31/77, effective 12/1/77; Order 5, § 1-13-100, filed 10/4/71; Emergency Order 4, § 1-13-100, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-110 Drafting instructions—Citations and references. [Order 12, § 1-13-110, filed 5/9/77, effective 6/9/77; Order 5, § 1-13-110, filed 10/4/71; Emergency Order 4, § 1-13-110, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-120 Drafting instructions—Title and chapter digest—History notes. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-120, filed 6/23/82; Order 12, § 1-13-120, filed 5/9/77, effective 6/9/77; Order 5, § 1-13-120, filed 10/4/71; Emergency Order 4, § 1-13-120, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-125 Drafting instructions—Use of underlining. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 80-07-025 (Order 21), § 1-13-125, filed 6/12/80; Order 15, § 1-13-125, filed 10/31/77, effective 12/1/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-130 Drafting instructions—Amendatory sections. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-130, filed 6/23/82; 81-14-021 (Order 22), § 1-13-130, filed 6/25/81, effective 7/26/81; 80-07-025 (Order 21), § 1-13-130, filed 6/12/80; Order 15, § 1-13-130, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-130, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-130, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-130, filed 10/4/71; Emergency Order 4, § 1-13-130, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-140 Drafting instructions—Repealer sections. [Order 15, § 1-13-140, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-140, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-140, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-140, filed 10/4/71; Emergency Order 4, § 1-13-140, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-150 Drafting instructions—Sequence and numbering of sections. [Order 12, § 1-13-150, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-150, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-150, filed 10/4/71; Emergency Order 4, § 1-13-150, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-155 Drafting instructions—Identification of sections as new, amendatory, or repealed. [Order 15, § 1-13-155, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-155, filed 5/9/77, effective 6/9/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-160 Drafting instructions—Redesignation of WAC numbers—Amendment or repeal of inconsistent rules. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 80-07-025 (Order 21), § 1-13-160, filed 6/12/80; Order 15, § 1-13-160, filed 10/31/77, effective 12/1/77; Order 5, § 1-13-160, filed 10/4/71; Emergency Order 4, § 1-13-160, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-170 Typing instructions—General. [Order 15, § 1-13-170, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-170, filed 5/9/77, effective 6/9/77; Order 5, § 1-13-170, filed 10/4/71; Emergency Order 4, § 1-13-170, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-180 Typing instructions—New chapters of WAC. [Order 12, § 1-13-180, filed 5/9/77, effective 6/9/77; Order 5, § 1-13-180, filed 10/4/71; Emergency Order 4, § 1-13-180, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-190 Emergency rules. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-190, filed 6/23/82; 81-14-021 (Order 22), § 1-13-190, filed 6/25/81, effective 7/26/81; Order 15, § 1-13-190, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-190, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-190, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-190, filed 10/4/71; Emergency Order 4, § 1-13-190, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-200 Exemption from these rules. [Order 9, § 1-13-200, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-200, filed 10/4/71; Emergency Order 4, § 1-13-200, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.

- 1-13-210 Official forms supplied upon request. [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-210, filed 6/23/82; 81-14-021 (Order 22), § 1-13-210, filed 6/25/81, effective 7/26/81; Order 15, § 1-13-210, filed 10/31/77, effective 12/1/77; Order 12, § 1-13-210, filed 5/9/77, effective 6/9/77; Order 9, § 1-13-210, filed 9/25/74, effective 10/25/74; Order 5, § 1-13-210, filed 10/4/71; Emergency Order 4, § 1-13-210, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-220 Temporary filing of rules. [Order 5, § 1-13-220, filed 10/4/71; Emergency Order 4, § 1-13-220, filed 9/3/71.] Repealed by 82-13-099 (Order 23), filed 6/23/82. Statutory Authority: RCW 1.08.110, 28B.19.080, 34.08.030 and 34.04.055.
- 1-13-230 Disposition of rules and notices filed under chapter 34.04 RCW. [Order 5, § 1-13-230, filed 10/4/71; Emergency Order 4, § 1-13-230, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-240 Order typing service (OTS). [Order 15, § 1-13-240, filed 10/31/77, effective 12/31/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-910 Notice of intention to adopt, amend, or repeal rules by institution of higher education (Form CR-4). [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-910, filed 6/23/82; 81-14-021 (Order 22), § 1-13-910, filed 6/25/81, effective 7/26/81; Order 15, § 1-13-910, filed 10/31/77, effective 12/1/77; Order 9, Form CR-4, filed 9/25/74, effective 10/25/74; Order 5, Form CR-4, filed 10/4/71; Emergency Order 4, Form CR-4, filed 9/3/71.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-920 Transmittal of rules adopted by institutions of higher education (CR-5). [Order 9, Form CR-5, filed 9/25/74, effective 10/25/74; Order 5, Form CR-5, filed 10/4/71; Emergency Order 4, Form CR-5, filed 9/3/71.] Repealed by Order 15, filed 10/31/77, effective 12/1/77.
- 1-13-930 Form of order and transmittal by institution having single head (Form CR-9). [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-930, filed 6/23/82. Statutory Authority: RCW 28B.19.080, 34.04.055, 34.08.040 & chapters 28B.19, 34.04 RCW. 78-02-074 (Order 17), § 1-13-930, filed 1/26/78. Order 15, § 1-13-930, filed 10/31/77, effective 12/1/77; Order 14, § 1-13-930, filed 7/28/77; Emergency Order 13, § 1-13-930, filed 6/16/77; Order 12, § 1-13-930, filed 5/9/77, effective 6/9/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-940 Form of order and transmittal by board, commission, or council (Form CR-10). [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-940, filed 6/23/82. Statutory Authority: RCW 28B.19.080, 34.04.055, 34.08.040 & chapters 28B.19, 34.04 RCW. 78-02-074 (Order 17), § 1-13-940, filed 1/26/78; Order 15, § 1-13-940, filed 10/31/77, effective 12/1/77; Order 14, § 1-13-940, filed 7/28/77; Emergency Order 13, § 1-13-940, filed 6/16/77; Order 12, § 1-13-940, filed 5/9/77, effective 6/9/77.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- 1-13-950 Notice of review of previously adopted rules by institution of higher education (Form CR-12). [Statutory Authority: RCW 1.08.110, 28B.19.080, 34.04.055, and 34.08.030. 82-13-099 (Order 23), § 1-13-950, filed 6/23/82; 81-14-021 (Order 22), § 1-13-950, filed 6/25/81, effective 7/26/81.] Repealed by 89-12-028 (Order 89-1), filed 5/31/89. Statutory Authority: RCW 34.05.385 and 34.08.030.
- Form CR-3 Typing guide underlay sheet. [Order 9, Form CR-3, filed 9/25/74; Order 5, Form CR-3, filed 10/4/71; Emergency Order 4, Form CR-3, filed 9/3/71.] Repealed by Order 12, filed 5/9/77, effective 6/9/77.
- Form Suggested form of order by agency having single head. [Order 9, filed 9/25/74; Order 5, filed 10/4/71; Emergency Order 4, filed 9/3/71.] Repealed by Order 12, filed 5/9/77, effective 6/9/77.
- Form Sample form of order by board or commission. [Order 9, filed 9/25/74; Order 5, Form CR-3, filed 10/4/71; Emergency Order

4, filed 9/3/71.] Repealed by Order 12, filed 5/9/77, effective 6/9/77.

Form CR-6 Filing of rules adopted other than under chapter 34.04 RCW and prior to September 1, 1971. [Order 5, Form CR-6, filed 10/4/71.] Decodified December 31, 1972.

Chapter 1-04 WAC GENERAL PROVISIONS

WAC

1-04-010 State Environmental Policy Act.

WAC 1-04-010 State Environmental Policy Act. Pursuant to RCW 43.21C.120 and the SEPA guidelines, chapter 197-10 WAC, the office of the code reviser has reviewed its authorized activities and has found them all to be exempt under the provisions of chapter 197-10 WAC.

[Order 11, § 1-04-010, filed 9/14/76.]

Chapter 1-06 WAC PUBLIC RECORDS

WAC

- 1-06-010 Purpose.
1-06-020 Definitions.
1-06-030 Description of central and field organization.
1-06-040 Operations and procedures.
1-06-050 Public records available.
1-06-060 Public records officer.
1-06-070 Office hours.
1-06-080 Requests for public records.
1-06-090 Copying.
1-06-100 Exemptions.
1-06-110 Review of denials of public records request.
1-06-120 Protection of public records.
1-06-130 Records index.
1-06-140 Communications with the agency.
1-06-160 Request for public record—Form.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 1-06-150 Adoption of form. [Order 8, § 1-06-150, filed 9/25/74, effective 10/25/74.] Repealed by 78-06-011 (Order 18), filed 5/10/78. Statutory Authority: RCW 42.17.250 and 42.17.300.
- 1-06-900 Appendix A—Request for public records. [Order 8, Appendix A (codified as WAC 1-06-900), filed 9/25/74, effective 10/25/74.] Repealed by 78-06-011 (Order 18), filed 5/10/78. Statutory Authority: RCW 42.17.250 and 42.17.300.

WAC 1-06-010 Purpose. The purpose of this chapter shall be to ensure compliance by the statute law committee and the office of the code reviser with the provisions of chapter 42.17 RCW (Initiative 276), and in particular with sections 25 through 32 of that act, dealing with public records.

[Order 8, § 1-06-010, filed 9/25/74, effective 10/25/74.]

WAC 1-06-020 Definitions. (1) "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by this agency regardless of physical form or characteristics, except (a) those records of the bill drafting

functions of the code reviser deemed confidential pursuant to RCW 1.08.027 and (b) computer programs, products, and data bases deemed exempt pursuant to RCW 42.17.310.

Public record as relates to this agency does not include computer programs, products, and data bases prepared, owned, used, or retained by this agency for the benefit of another state agency. Applications for the disclosure of such records should be addressed to the agency in interest.

(2) "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation, including letters, words, pictures, sounds, symbols, or combination thereof; and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, and other documents.

(3) "Committee" means the statute law committee created pursuant to chapter 1.08 RCW (chapter 157, Laws of 1951).

(4) "Reviser" means the code reviser employed by the committee pursuant to RCW 1.08.011, and where appropriate the term also refers to the staff and employees of the reviser's office.

(5) "Agency" means the committee, the code reviser, and the staff and employees thereof, unless the context clearly indicates otherwise.

(6) "Records of the bill drafting functions" means any file or writing in the reviser's office created in connection with a request for preparation of legislation or research thereon, and the confidentiality of such records may be waived only by the person who requested the services of the reviser's office.

[Order 8, § 1-06-020, filed 9/25/74, effective 10/25/74.]

WAC 1-06-030 Description of central and field organization. (1) The office of the code reviser is located on the ground floor of the Legislative Building, Olympia, Washington, 98504.

(2) The committee consists of twelve attorneys. Five are appointed by the Washington state bar association, two each by the senate and house judiciary committees, and one each by the governor, the chief justice of the supreme court, and the speaker of the house. The committee employs a code reviser, who serves as its secretary.

(3) Among the primary responsibilities of the committee and the code reviser is the duty to periodically codify, index, and publish the Revised Code of Washington and to revise, correct, and harmonize the statutes by means of administrative or suggested legislative action as may be appropriate. The agency is also the official bill drafting arm of the legislature and its various committees, and prepares for the legislature all bills, memorials, resolutions, amendments, and conference reports which activities are pursued on a nonpartisan, professional, lawyer-client, confidential basis pursuant to RCW 1.08.027, and the reviser's office pursuant to RCW 1.08.028 is proscribed from rendering written opinions concerning the constitutionality of any proposal. Immediately following each session of the legislature, the committee indexes and publishes the temporary edition of the session laws and subsequently publishes the permanent edition; it also responds to citizen's requests for copies of recently enacted laws. The committee administers the Administrative

Procedure Act and the State Higher Education Administrative Procedure Act, serving as official repository for the rules and regulations of the various state agencies and the institutions of higher learning, and creating and publishing the Washington Administrative Code. Through its legislative information system, the committee supplies data processing services to the legislative branch including special reports to legislative members and to the legislative leadership, as well as creating and publishing the legislative digest and history of bills and the daily status report. The legislative information system also supplies all branches of government with automated legal research services.

[Order 8, § 1-06-030, filed 9/25/74, effective 10/25/74.]

WAC 1-06-040 Operations and procedures. (1) Practice and procedure in and before the agency are governed by the uniform procedure rules, chapter 10-08 WAC.

(2) The operations of the agency, including meetings, selection of officers, filling of vacancies, and fiscal matters, are conducted according to the provisions of chapter 1.08 RCW.

[Statutory Authority: RCW 1.08.110, 34.05.220 and 34.05.250. 91-10-010, § 1-06-040, filed 4/19/91, effective 5/20/91; Order 8, § 1-06-040, filed 9/25/74, effective 10/25/74.]

WAC 1-06-050 Public records available. All public records of the agency, as defined in WAC 1-06-020, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310 and WAC 1-06-100.

[Order 8, § 1-06-050, filed 9/25/74, effective 10/25/74.]

WAC 1-06-060 Public records officer. The agency's public records shall be in charge of the public records officer designated by the code reviser. The public records officer shall be responsible for the following: The implementation of the agency's rules and regulations regarding release of public records, coordinating the staff of the agency in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

[Order 8, § 1-06-060, filed 9/25/74, effective 10/25/74.]

WAC 1-06-070 Office hours. Public records shall be available for inspection and copying during the customary office hours of the agency. For the purposes of this chapter, the customary office hours shall be from 8 a.m. to noon and from 1 p.m. to 5 p.m., Monday through Friday, excluding legal holidays.

[Order 8, § 1-06-070, filed 9/25/74, effective 10/25/74.]

WAC 1-06-080 Requests for public records. In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the agency which shall be available at its office. The form shall be presented to the public records officer; or to any member of the agency's staff, if the public records officer is not available, at the office of the agency during customary office hours. The request shall include the following information:

(a) The name, address, and organization represented, if any, of the person requesting the record;

(b) The time of day and calendar date on which the request was made;

(c) The nature of the request;

(d) If the matter requested is referenced within the current index maintained by the records officer, a reference to the requested record as it is described in such current index;

(e) If the requested matter is not identifiable by reference to the agency's current index, an appropriate description of the record requested;

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

[Order 8, § 1-06-080, filed 9/25/74, effective 10/25/74.]

WAC 1-06-090 Copying. No fee shall be charged for the inspection of public records. The agency shall charge a fee of twenty-five cents per page of copy for providing copies of public records and for use of the agency's copy equipment. This charge is the amount necessary to reimburse the agency for its actual costs incident to such copying.

[Statutory Authority: RCW 42.17.250 and 42.17.300. 78-08-010 (Order 19), § 1-06-090, filed 7/11/78; Order 8, § 1-06-090, filed 9/25/74, effective 10/25/74.]

WAC 1-06-100 Exemptions. (1) The agency reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 1-06-080 is exempt under the provisions of RCW 1.08.027 or 42.17.310.

(2) In addition, pursuant to RCW 42.17.260(1), the agency reserves the right to delete identifying details when it makes available or publishes any public record, in any cases where there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The public records officer will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the records withheld.

[Order 8, § 1-06-100, filed 9/25/74, effective 10/25/74.]

WAC 1-06-110 Review of denials of public records request. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review.

[Title 1 WAC—page 8]

The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the code reviser, who shall immediately consider the matter and either affirm or reverse such denial. The request shall be returned with a final decision, within two business days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the agency has returned the petition with a decision or until the close of the second business day following denial of inspection, whichever occurs first.

[Order 8, § 1-06-110, filed 9/25/74, effective 10/25/74.]

WAC 1-06-120 Protection of public records. (1) No person shall knowingly alter, deface, or destroy public records of the agency.

(2) Original copies of public records of the agency shall not be removed from the offices of the agency.

(3) Care and safekeeping of public records of the agency, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.

(4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.

(5) Boisterous or otherwise disruptive conduct by those requesting public records of the agency shall not be permitted.

[Order 8, § 1-06-120, filed 9/25/74, effective 10/25/74.]

WAC 1-06-130 Records index. (1) A chronological index is maintained providing identifying information as to all governmental records issued, adopted, or promulgated after June 30, 1972, which are deemed by the agency to fall within the purview of RCW 42.17.260 and which are not exempted under the provisions of RCW 1.08.027 [cf. RCW 40.14.180], RCW 42.17.310, or WAC 1-06-020.

(2) The current index promulgated by the agency shall be available to all persons under the same rules and on the same rules and on the same conditions as are applied to public records available for inspection.

[Order 8, § 1-06-130, filed 9/25/74, effective 10/25/74.]

WAC 1-06-140 Communications with the agency. All communications with the agency including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 42.17 RCW and these rules; requests for copies of the agency's rules and other matters, shall be addressed as follows: Office of the Code Reviser, c/o Public Records Officer, Legislative Building, Olympia, Washington 98504.

[Order 8, § 1-06-140, filed 9/25/74, effective 10/25/74.]

WAC 1-06-160 Request for public record—Form.



REQUEST FOR PUBLIC RECORD

REQUESTER: Please complete form and submit to "Public Records Officer" of the state agency identified.

Form with fields for TO (NAME OF STATE AGENCY), DATE OF REQUEST, TIME OF REQUEST, PUBLIC RECORDS OR INFORMATION REQUESTED, REQUESTED BY, COMPLETED BY AGENCY PUBLIC RECORDS OFFICER, ACKNOWLEDGEMENT OF RECEIPT, REASON IF AGENCY IS UNABLE TO COMPLY, and REQUESTER'S SIGNATURE.

Form S.F. 276 (6/75)

Public records of the agency are provided for inspection and copying subject to the following regulations:

- (1) No person shall knowingly alter, deface, or destroy public records of the agency.
(2) Original copies of public records of the agency shall not be removed from the offices of the agency.
(3) Care and safekeeping of public records of the agency, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.
(4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.
(5) Boisterous or otherwise disruptive conduct by those requesting public records of the agency shall not be permitted.

I have read, understand, and will comply with the above-stated regulations.

(Signature and date)

[Statutory Authority: RCW 42.17.250 and 42.17.300. 78-06-011 (Order 18), § 1-06-160, filed 5/10/78.]

Chapter 1-21 WAC
RULE MAKING

- 1-21-170 Official forms.
1-21-180 Rule-making activity report.

WAC

- 1-21-005 Purpose.
1-21-010 Preproposal statement of inquiry.
1-21-020 Notice—Form, contents, numbers.
1-21-030 Notice period—Register distribution date.
1-21-040 Register material—Time for filing.
1-21-050 Continuance.
1-21-060 Withdrawal of proposal.
1-21-070 Administrative order.
1-21-080 Numbering system—Captions.
1-21-090 Redesignation of WAC numbers.
1-21-100 Nontext rules.
1-21-110 Amendatory rules.
1-21-120 Underlining restricted.
1-21-130 Repealers.
1-21-140 Review of previously adopted rules.
1-21-150 Exemptions from publication.
1-21-160 Emergency rules—Filing after office hours.

WAC 1-21-005 Purpose. This chapter implements RCW 34.05.210 and 34.05.310 through 34.05.395, the provisions of the Administrative Procedure Act on agency rule making. It also implements chapter 34.08 RCW, the State Register Act. It replaces the former chapters 1-12 and 1-13 WAC on drafting and filing of notices and rules. It covers both institutions of higher education and all other administrative agencies, since chapter 34.05 RCW merged chapters 28B.19 and 34.04 RCW.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-005, filed 5/31/89.]

WAC 1-21-010 Preproposal statement of inquiry. To solicit comments from the public as required by RCW

34.05.310 on a subject of possible rule making, but before a formal notice is filed under RCW 34.05.320, an agency shall complete and file with the code reviser's office a CR-101 form (Preproposal Statement of Inquiry). This requirement does not apply to all rule making. The exceptions are set forth in RCW 34.05.310(4).

The text of the new rule is neither required nor recommended at this stage, but if text is submitted for filing, it must meet the form and style requirements of WAC 1-21-110 through 1-21-130. The filing will appear in the Register in accordance with the schedule provided in WAC 1-21-040. Note that the CR-101 must be published at least thirty days before the CR-102 form (Proposed Rule Making) may be filed.

WAC sections proposed for expedited repeal under RCW 34.05.— (1995 c 403 s 701) should be listed by citation and caption only, either individually or by entire chapter, and filed between June 10th and June 30th of each year.

[Statutory Authority: RCW 1.08.110, 34.05.385, 34.08.020, 34.08.030, 34.05.310, 34.05.320 and 1995 c 403 §§ 701 and 704. 95-17-070, § 1-21-010, filed 8/17/95, effective 9/17/95. Statutory Authority: RCW 1.08.110, 34.05.385, 34.08.030 and 34.05.310 as amended by 1994 c 249 § 1. 94-12-075, § 1-21-010, filed 5/31/94, effective 6/9/94. Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-010, filed 5/31/89.]

WAC 1-21-020 Notice—Form, contents, numbers.

(1) An agency shall file notice of proposed rule making under RCW 34.05.320 with the code reviser's office on a CR-102 form (Proposed Rule Making). The agency must file the full text of the proposed rule along with the Notice form (RCW 34.08.020). This filing must be at least thirty days after the CR-101 form, if required, was published (RCW 34.05.310).

(2) The agency shall file the original and six copies of the notice package (form and text). The code reviser's office will keep the original and two copies and return four stamped copies to the agency. The joint administrative rules review committee has requested that the agency submit three of these copies to the committee for purposes of legislative review. The agency should keep the remaining copy for its files.

[Statutory Authority: RCW 1.08.110, 34.05.385, 34.08.020, 34.08.030, 34.05.310, 34.05.320 and 1995 c 403 §§ 701 and 704. 95-17-070, § 1-21-020, filed 8/17/95, effective 9/17/95. Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-020, filed 5/31/89.]

WAC 1-21-030 Notice period—Register distribution date.

(1) Under RCW 34.05.320, notice of proposed rule making must be published in the State Register at least 20 days before the agency may hold a hearing on the proposal. The 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 Register will be delayed until Thursday.

(2) In counting the twenty-day notice period, consider the distribution date of the pertinent Register as day 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 schedule of closing dates on page 2 of each Register applies this section and WAC 1-21-040 to the current year. In case of a discrepancy between the WAC rules and the schedule, the rules have priority.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-030, filed 5/31/89.]

WAC 1-21-040 Register material—Time for filing.

To permit sufficient lead time for the editorial, data capture, and printing process, material to be published in a particular issue of the Register must be in the physical possession of and filed in the code reviser's office according to the following schedule:

(1) If the material has been prepared and completed by the code reviser's Order Typing Service (OTS), by 12:00 noon on the fourteenth day before the distribution date of that issue of the Register; or

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

(a) No more than 10 pages, by 12:00 noon on the fourteenth day before the distribution date of that Register; or

(b) More than 10 but less than 30 pages, by 12:00 noon on the twenty-eighth day before the distribution date of that Register; or

(c) 30 or more pages, by 12:00 noon on the forty-second day before the distribution date of that Register.

The code reviser's filing forms are not included in this page count, but all other material submitted for filing is counted for purposes of this section, excluding federal rules that are not published in the State Register.

[Statutory Authority: RCW 1.08.110, 34.05.385, 34.08.020, 34.08.030, 34.05.310, 34.05.320 and 1995 c 403 §§ 701 and 704. 95-17-070, § 1-21-040, filed 8/17/95, effective 9/17/95. Statutory Authority: RCW 1.08.110, 34.05.385, and 34.08.030. 91-22-006, § 1-21-040, filed 10/24/91, effective 1/1/92. Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-040, filed 5/31/89.]

WAC 1-21-050 Continuance. (1) Under RCW 34.05.325(5), an agency may continue a proceeding that has already started by establishing the later time and place on the record. No publication is required in the Register, but before filing the administrative order adopting the rule, the agency shall give notice of the continuance to the code reviser's office on a CR-102 form. If no substantial change is made in the proposal, the continuance is not subject to the 20-day publication requirement of RCW 34.05.320. Note that RCW 34.05.335(4) prohibits an agency from adopting a rule before the time established in the published notice.

(2) An agency may change the date or the location, or both, of a rule-making proceeding before the proceeding has begun if the agency gives adequate notice to the public through the same methods that were used for the original notice. Adequate notice for purposes of the State Register consists of filing the continuance notice on a CR-102 form with the code reviser in time for it to appear in a Register that will be distributed at least five days before the originally scheduled proceeding.

[Statutory Authority: RCW 1.08.110, 34.05.385, 34.08.020, 34.08.030, 34.05.310, 34.05.320 and 1995 c 403 §§ 701 and 704. 95-17-070, § 1-21-050, filed 8/17/95, effective 9/17/95. Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-050, filed 5/31/89.]

WAC 1-21-060 Withdrawal of proposal. Under RCW 34.05.335 a proposed rule may be withdrawn any time before adoption. The agency shall provide notice of withdrawal to the code reviser's office by a letter or memorandum signed by the person who signed the original notice, or by that person's designee. The agency shall send a copy of the withdrawal notice to the rules review committee.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-060, filed 5/31/89.]

WAC 1-21-070 Administrative order. (1) The administrative order by which an agency adopts a rule shall be done on a CR-103 form (Rule-making Order) provided by the code reviser's office or, if required by agency practice, on an agency form that provides the information required by RCW 34.05.360. The agency shall number administrative orders sequentially, with a unique number for each rule-making proceeding.

(2) The agency shall file with the code reviser's office the original and three copies of the text of permanent rules, along with four copies of the administrative order. Emergency rules require an additional three copies of the order and the text, which the agency shall file with the rules review committee after the copies have been stamped by the code reviser's office.

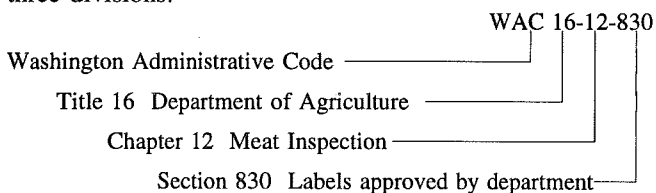
[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-070, filed 5/31/89.]

WAC 1-21-080 Numbering system—Captions. (1) The primary division of the Washington Administrative Code (WAC) is the **Title**. The code reviser assigns each agency a title number, which usually is in alphabetical order. A newly created agency shall apply to the code reviser's office for assignment of a title number. If an agency's name is changed, the title number stays the same. The list of titles is published in volume 1 of the WAC.

(2) Each title is divided into **chapters**, which are the major subject matter divisions of the agency's title.

(3) Each chapter is divided into **sections**, which are the individual rules and are the smallest unit that can be amended. The agency shall place a short caption on each section to describe its contents. Sections should be as short as reasonably possible to facilitate finding an individual rule and amending it in the future.

(4) The WAC citation number is a composite of these three divisions:



[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-080, filed 5/31/89.]

WAC 1-21-090 Redesignation of WAC numbers.

(1) WAC numbers are permanent and may not be changed by the use of addition and deletion marks used for text amendments. If an agency wishes to recodify its permanent

rules, it should consult with the code reviser's office for the method to be used.

(2) WAC numbers previously assigned to repealed sections or chapters may not be reused to designate other sections or chapters. The numbers of the repealed rules are shown in a disposition table prepared by the code reviser and published with the appropriate chapter or title.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-090, filed 5/31/89.]

WAC 1-21-100 Nontext rules. All tables, charts, maps, and other material that are rules under RCW 34.05.010 must be either part of another rule or be assigned WAC numbers and adopted as individual sections. The latter method is preferred, and it simplifies future amendment.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-100, filed 5/31/89.]

WAC 1-21-110 Amendatory rules. (1) Designate each amendatory section with the heading "AMENDATORY SECTION" followed by a reference to the agency order number and filing date of the latest permanent order affecting that section. Show amendments to the text in terms of the latest permanent version of the section that has been filed with the code reviser.

(2) If a section to be amended has been exempted from publication under RCW 34.05.210 and is not published in the WAC, in later orders amending or repealing the section refer to it by the original agency order and section number or other appropriate description.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-110, filed 5/31/89.]

WAC 1-21-120 Underlining restricted. Since RCW 34.05.395 requires the use of the legislature's bill-drafting style to show amendments in previously adopted rules, underlined text may be used only to show new material added to an existing section. Underlining may not be used for emphasis, as it would not permit codification of the section in the usual manner. *Italics* or **boldface** may be used for emphasis. Consult with the code reviser's office if in doubt as to the proper method for indicating these styles.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-120, filed 5/31/89.]

WAC 1-21-130 Repealers. To repeal one or more current sections, list them individually by citation and caption under a heading of "REPEALER." An entire chapter may be repealed section by section or as one complete unit. The first method preserves the unrepealed section numbers for future use, while the second method eliminates the entire chapter number from future use.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-130, filed 5/31/89.]

WAC 1-21-140 Review of previously adopted rules. When an agency is required under RCW 34.05.630 to review permanent or emergency rules previously adopted, the agency shall file notice of the review with the code reviser

on a CR-104 form (Review of Previously Adopted Rules). The agency shall file the original and six copies of the notice. Four copies will be returned to the agency, three of which shall be delivered to the rules review committee. The notice is subject to the twenty-day requirement of RCW 34.05.320. The text of the rule under review is not needed with this notice.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-140, filed 5/31/89.]

WAC 1-21-150 Exemptions from publication.

Agency rules that are likely to be omitted from WAC publication by the code reviser under the authority of RCW 34.05.210, may, upon application by the agency to the code reviser for an exemption, be exempted by the code reviser from the form and style requirements of this chapter, other than requirements that are imposed by statute. An application for exemption must be made and approved before filing the rules.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-150, filed 5/31/89.]

WAC 1-21-160 Emergency rules—Filing after office hours.

The code reviser's office is open for the filing of agency rule-making notices and orders from 8 a.m. to 5 p.m., Monday through Friday, except legal holidays. The code reviser delegates to the Washington State Patrol the authority to accept at other times the filing of emergency orders adopting, amending or repealing rules when the emergency nature of the orders requires their filing and immediate effectiveness. To use this service, the agency may telephone the capitol security unit of the state patrol at 753-2191 to arrange for receipt of the filing by the state patrol. The agency shall notify the code reviser's office of the filing by 9:00 a.m. on the next business day after the filing.

[Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-160, filed 5/31/89.]

WAC 1-21-170 Official forms.

Agencies may obtain the following official forms from the code reviser's office upon request:

- (1) Form CR-101 Preproposal Statement of Inquiry
- (2) Form CR-101X Preproposal Statement of Inquiry (for expedited repeal only)
- (3) Form CR-102 Proposed Rule Making
- (4) Form CR-103 Rule-making Order
- (5) Form CR-104 Review of Previously Adopted Rules.

[Statutory Authority: RCW 1.08.110, 34.05.385, 34.08.020, 34.08.030, 34.05.310, 34.05.320 and 1995 c 403 §§ 701 and 704. 95-17-070, § 1-21-170, filed 8/17/95, effective 9/17/95. Statutory Authority: RCW 1.08.110, 34.05.385, 34.08.030 and 34.05.310 as amended by 1994 c 249 § 1. 94-12-075, § 1-21-170, filed 5/31/94, effective 6/9/94. Statutory Authority: RCW 34.05.385 and 34.08.030. 89-12-028 (Order 89-1), § 1-21-170, filed 5/31/89.]

WAC 1-21-180 Rule-making activity report.

To implement RCW 1.08.— (1995 c 403 s 704), agencies shall supply the information required by RCW 1.08.— (1)(a) through (f) and (i) (1995 c 403 s 704 (1)(a) through (f) and (i)) by completing the appropriate parts of the CR-103 form.

Agencies shall report information required by RCW 1.08.— (1)(g) and (h) (1995 c 403 s 704 (1)(g) and (h)) by a memorandum on agency letterhead to the code reviser.

[Statutory Authority: RCW 1.08.110, 34.05.385, 34.08.020, 34.08.030, 34.05.310, 34.05.320 and 1995 c 403 §§ 701 and 704. 95-17-070, § 1-21-180, filed 8/17/95, effective 9/17/95.]