



EXPEDITED RULE MAKING

CR-105 (December 2017) (Implements RCW 34.05.353)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: July 07, 2023

TIME: 2:11 PM

WSR 23-15-020

Agency: Office of Minority and Women's Business Enterprises

Title of rule and other identifying information: (describe subject) WAC 326-20-087 Public Works Small Business Enterprise

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Amends RCW 39.19.030 (7) to adopt rules under chapter 34.05 RCW, the Administrative Procedure Act, governing a public works small business certification program.

Reasons supporting proposal: Passing of Senate Bill 5268.

Statutory authority for adoption: SB 5268 amends RCW 39.19.030 (7)

Statute being implemented: WAC 326-20-087

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

Name of proponent: (person or organization) Office of Minority and Women's Business Enterprises

- Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Sharon Harvey	1110 Capitol Way South, Suite 150 Olympia	360-704-8437
Implementation:	Sharon Harvey	1110 Capitol Way South, Suite 150 Olympia	360-704-8437
Enforcement:	Sharon Harvey	1110 Capitol Way South, Suite 150 Olympia	360-704-8437

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Expedited Adoption - Which of the following criteria was used by the agency to file this notice:

- Relates only to internal governmental operations that are not subject to violation by a person;
- Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule;
- Corrects typographical errors, make address or name changes, or clarify language of a rule without changing its effect;
- Content is explicitly and specifically dictated by statute;
- Have been the subject of negotiated rule making, pilot rule making, or some other process that involved substantial participation by interested parties before the development of the proposed rule; or
- Is being amended after a review under RCW 34.05.328.

Expedited Repeal - Which of the following criteria was used by the agency to file notice:

- The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule;
- The statute on which the rule is based has been declared unconstitutional by a court with jurisdiction, there is a final judgment, and no statute has been enacted to replace the unconstitutional statute;
- The rule is no longer necessary because of changed circumstances; or
- Other rules of the agency or of another agency govern the same activity as the rule, making the rule redundant.

Explanation of the reason the agency believes the expedited rule-making process is appropriate pursuant to RCW 34.05.353(4):

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Julie Bracken

Agency: Washington State Office of Minority and Women's Business Enterprises

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Other:

AND RECEIVED BY (date) 10/03/2023

Date: 07/07/2023

Name: Julie Bracken

Title: Public Records Officer, Rules Coordinator, Records Manager

Signature:

