



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Department of Social and Health Services, Economic Services Administration

Emergency Rule Only

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose:

The Community Services Division is repealing WAC 388-273-0020, "Who may receive Washington telephone assistance program (WTAP)?", and WAC 388-273-0030, "How you can apply for WTAP."

Citation of existing rules affected by this order:

Repealed: WAC 388-273-0020, WAC 388-273-0030
 Amended: None
 Suspended: None

Statutory authority for adoption: RCW 74.08.090, RCW 80.36.470

Other authority: State of Washington 2015-17 biennial operating budget (ESSB 6052 207).

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding:

RCW 80.36.470 prohibits enrollment in the Washington Telephone Assistance Program (WTAP) if program expenditures exceed the total amount of funds made available by the legislature. The department is repealing the above rules because the WTAP program is not funded in the State of Washington 2015-2017 biennium Legislative Budget (ESSB 6052 207).

The amendments are currently in place via emergency (WSR 15-16-074) which was filed on July 31, 2015. The emergency expires on November 28, 2015. The Department is concurrently working on a permanent rule filing process. The CR-102 was filed as WSR 15-20-106 on October 6, 2015. A public hearing is scheduled for November 10, 2015. This second emergency filing is to cover the timeframe between the emergency WAC expiration and the effective date of the permanent rule.

Date adopted:

November 3, 2015

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 05, 2015

TIME: 1:40 PM

WSR 15-23-008

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	<u>2</u>

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	<u>2</u>

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 388-273-0020 Who may receive Washington telephone assistance program (WTAP)?
- WAC 388-273-0030 How you can apply for WTAP.