



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: State Board of Health

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) 07/01/2011 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

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

Yes No If Yes, explain: ESHB 1244, Section 222(1), of 2009 restricts implementation of new or amended primary and secondary school facility rules through June 2011 without funding by the Legislature.

Purpose: This filing extends the effective date of new sections of Chapter 246-366 WAC, Primary and Secondary Schools; and new Chapter 246-366A WAC, Environmental Health and Safety Standards for Primary and Secondary Schools, because the 2010 Legislature did not provide funding for implementation of these rules. These rules provide minimum environmental health and safety standards for all primary and secondary schools in Washington. (See attached Filing Note)

Citation of existing rules affected by this order:

Repealed: 0

Amended: 0

Suspended: 0

Statutory authority for adoption: RCW 43.20.050

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 09-14-136 on 07/01/2009 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: phone
Address: fax
e-mail

Date adopted: 03/10/2010

NAME (TYPE OR PRINT)

Craig McLaughlin

SIGNATURE

TITLE

Executive Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 21, 2010

TIME: 2:19 PM

WSR 10-12-018

**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	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

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

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

FILING NOTE: New sections of Chapter 246-366 WAC, Primary and Secondary Schools, and new Chapter 246-366A WAC, Environmental Health and Safety Standards for Primary and Secondary Schools, were originally adopted by the State Board of Health on August 12, 2009. The Board filed a rule-making order, WSR 10-01-174, on December 22, 2009, setting the effective date for the new rules as July 1, 2010. On March 10, 2010, the Board voted to file an amended rule-making order to change the effective date of these new rules to July 1, 2011.