



# EXPEDITED RULE MAKING

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: September 26, 2022

TIME: 4:03 PM

WSR 22-20-036

**Agency:** Office of Minority and Women's Business Enterprises

**Title of rule and other identifying information:** (describe subject) WAC 326-20-125 Processing fee.

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** The proposed amendment adds a provision allowing OMWBE to waive processing fees for businesses applying for certification. This change will give OMWBE the flexibility to waive fees to promote certification and reduce barriers for businesses, increasing the number of certified minority- and women-owned businesses in Washington.

**Reasons supporting proposal:** OMWBE is currently in the process of identifying barriers to certification and conducting outreach efforts to promote certification with businesses in regions and industries where the Legislature has identified a need for increased certified businesses. Having the flexibility to waive fees will allow OMWBE to reduce the barriers for business owners and also help generate new interest in certification.

**Statutory authority for adoption:** RCW 39.19.210; RCW 39.19.030

**Statute being implemented:** RCW 39.19.210

**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:       | Brenda Portaro | 1110 Capitol Way South, Suite 150 Olympia | 360-664-9750 |
| Implementation: | Sharon Harvey  | 1110 Capitol Way South, Suite 150 Olympia | 360-664-9756 |
| Enforcement:    | Sharon Harvey  | 1110 Capitol Way South, Suite 150 Olympia | 360-664-9756 |

**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: Office of Minority and Women's Business Enterprises

Address: 1110 Capitol Way South, Suite 150 Olympia WA 98501

Phone: 360-664-9750

Fax: 360-586-7079

Email: rules@omwbe.wa.gov

Other:

**AND RECEIVED BY** (date) 12/5/22

**Date:** 9/26/22

**Name:** Julie Bracken

**Title:** Public Records Officer, Rules Coordinator, Records Manager

**Signature:**

