

Common Rule Making Terms

Some common rulemaking terms. See also the [rulemaking process](#).

Administrative Procedure Act (APA)

The Administrative Procedure Act, referred to as the APA, ([Chapter 34.05 RCW](#)), is the statute that sets the minimum standards the Gambling Commission must follow to enact rules. Procedural fairness is the fundamental premise of the APA.

Adoption

The date listed on the rulemaking order of adoption. This date is usually different from the effective date.

Amendment

An action that changes the language of an existing rule.

Chapter

The second number grouping in a Washington Administrative Code citation. For example, in WAC 230-40-120 the chapter is **40**.

Code Reviser's Office

The [Code Reviser's Office](#) is responsible for accepting rule filings. This office is responsible for compiling, publishing, and determining the form, style and uniform numbering system for all laws and rules.

Codify

The process of placing new or amended rules in their proper location for publication in the Washington Administrative Code (WAC). The Code Reviser's Office is responsible for codifying the agency's rules.

Continuance

An extension of a hearing date or a rule's adoption date.

CR-101 form

The Preproposal Statement of Inquiry gives the public notice that the Gambling Commission is considering rulemaking on a specific subject.

CR-102 form

The Notice of Proposed Rulemaking informs the public that the Gambling Commission will propose a rule. It is during this period that we publish the text of the proposed rule and notice of the public hearing dates.

CR-103 form

The Gambling Commission adopts a rule when the Commission votes to adopt the rule at their monthly meeting. The date of a rule's adoption is different from its effective date. The effective date of a rule is the date compliance with the rule begins.

Effective Date

The date a rule goes into operation. Normally a rule goes into operation January 1 or July 1. However, at the request of the public or staff, the Commission may vote to have the rule become effective 31 days after filing the CR-103 form with the Code Reviser's Office.

Emergency Adoption (CR-103 form)

An emergency rule is effective 120 days after filing the emergency CR-103 with the Code Reviser's Office, unless a later date is specified. For a rule to qualify as an emergency rule, one of the following must be met.

- Circumstances that call for immediate action to protect the public health, safety, or general welfare and observing the notice and hearing requirements of regular rulemaking would be contrary to the public interest; or
- State or federal law or federal rules or a federal deadline for the state receipt of federal funds requires immediate adoption of a rule.

Expedited Adoption of a Rule (CR-105 form)

The expedited adoption process is a procedure that allows the agency to accelerate the adoption of a rule. The expedited adoption of a rule does not entail a public hearing, a small business economic impact statement (SBEIS), or a significant legislative rule analysis. A rule proposed for expedited adoption must meet one of the following:

- The proposed rule relates only to the internal operations of the agency and can not be violated by a person.
- The proposed rule adopts or incorporates without material change federal or state law and national consensus codes that regulate the same subject matter as the proposed rule.
- The proposed rule only corrects typographical errors, makes address or name changes, or clarifies language of the rule without changing its effect.
- The proposed rule is explicitly and specifically dictated by statute.
- The proposed rule was the subject of negotiated rulemaking, pilot rule making or some other process that involved substantial participation by interested parties before the development of the proposed rule
- Amendments to the proposed rule were done after they were reviewed under the significant legislative rules analysis of the APA.

You may also object to the expedited adoption of a rule by filing a written objection with the rules coordinator within forty-five days after publication of the proposed Notice of Expedited Adoption (form CR-105) in the Washington State Register.

If you file a timely objection we will stop the expedited process and repeal or adopt a rule through the regular rulemaking process. Written objections should be addressed to:

Rules Coordinator
PO Box 42400
Olympia, WA 98504-2400

Expedited Repeal of a Rule (CR-105 form)

The expedited rule repeal process allows the Gambling Commission to rescind a rule without going through the full rule-making process outlined in the APA. A rule proposed for expedited repeal must meet at least one of the following:

- The rule no longer has a statutory basis because the Legislature repealed the statute that provided the original basis for the rule.
- The courts declared the statute that provided the original basis for the rule unconstitutional.
- The rule is no longer necessary because of changed circumstances.
- The rule is redundant because another agency regulates the subject of the rule.

You may object to the expedited repeal of a rule by filing a written objection with the rules coordinator within 30 days after the rule is published in the Washington State Register. Written objections should be addressed to:

Rules Coordinator
PO Box 42400
Olympia, WA 98504-2400

Filing

The process of depositing documents in the Office of the Code Reviser where they are stamped with the date, time and the Washington State Register (WSR) number.

Housekeeping Rule

A rule that corrects typographical, grammatical, gender, or spelling errors or changes the format of a rule.

Interpretive Statement-

A written announcement by the agency concerning the meaning of one of its orders, a statute or a court decision.

Joint Administrative Rules Review Committee (JARRC)

The [Joint Administrative Rules Review Committee](#), also known as JARRC, is the bipartisan, joint (Senate-House) legislative committee responsible for reviewing agency rules to determine if they are supported by law.

Law (also statute)

A statement by the legislature or the courts that must be obeyed and followed by citizens. The Revised Code of Washington (RCW), contains a compilation of all permanent laws in Washington State.

Permanent Rule

The final rule that the agency adopts.

Petition

The process that an organization or interested party follows when requesting adoption, amendment or repeal of a rule.

Preproposal Statement of Inquiry (CR-101 form)

The CR-101 gives the public notice that the Gambling Commission is thinking about rulemaking on a specific subject. This allows the public an opportunity to have notice of the rulemaking subject area at the beginning of the rule-making process.

Proposed Rulemaking (CR-102 form)

The CR-102 informs the public of the specific purpose of the proposed rule. The proposed rule language and notice of the public hearing and public comment period are also provided at this time.

Public hearing and comment period

A public hearing and comment period is an opportunity for the public to comment on the proposed rule and to participate in the rule-making process. A public hearing is a formal agency meeting at a publicized time and location where the public gives testimony on a proposed rule. Any one may submit comments about a proposed rule to the Gambling Commission during the comment period.

Register

A shortened term for the [Washington State Register](#). The register contains all proposed, emergency, amended, new or repealed rules filed with the Code Reviser's Office.

Repeal

To terminate a rule. After repeal the rule is removed from the Washington Administrative Code.

Rule

An agency order, directive or regulation:

- That imposes a penalty on a person who violates the rule.
- That establishes or revokes requirements relating to a benefit or privilege.
- That establishes or revokes a standard relating to a benefit.

Rulemaking

Rulemaking is the process the agency uses to develop, adopt and repeal a rule. The Administrative Procedure Act (APA) is the state law that outlines the standards the agency must follow when it engages in rule-making.

Rulemaking Order of Adoption (CR-103 form)

The CR-103 indicates the Gambling Commission has adopted a rule. The adopted rule language is also provided at this time. Note that the date of a rule's adoption is different from its effective date. The effective date of a rule is the date compliance when the rule begins.

Section

The third number grouping in a Washington Administrative Code citation. For example, in WAC 230-40-**120**, the section is **120**. It is the smallest portion of a rule that can be amended.

Subsection

A portion of a rule identified by a number in parenthesis. Subsections may not be amended. For example, in 230-40-120(a)(i), the subsection is '(a)(i)'.

Supplemental Notice

A supplemental notice informs interested parties that significant changes are being made to a proposed rule. It reopens the rulemaking proceedings for additional public comment on the substantive changes.

Title

The first number grouping in a Washington Administrative Code citation. For example, in WAC 230-40-120, the title is 230. Each agency usually has one title. The Gambling Commissions' title is WAC 230.

Washington Administrative Code (WAC)

These books contain the adopted rules of the various state agencies. The WAC is broken out in these areas:

Title-Chapter-Section-Subsection

230- 40- 120- (a)(i)

Washington State Register (WSR)

The [Washington State Register](#) is the official place in rule filing where documentation is published for all state agencies in Washington State. In other words, the books in which a Preproposal Notice of Inquiry, a proposed rule and a final rule are published.