

**WAC 463-78-170 Conflict of interest.** No member of the council shall have received, or has during the previous two years received, a significant portion of his or her income directly or indirectly from permit holders or applicants for a permit under the jurisdiction of this council.

(1) For the purposes of this section, the term "member" includes any individual who has or shares authority to approve permit applications or portions thereof, either in the first instance or on appeal.

(2) For the purpose of this section, the term "permit holders or applicants for a permit" shall not include any department or agency of a state government.

(3) For the purposes of this section, the term "significant portion of his income" shall mean ten percent of gross personal income for a calendar year, except that it shall mean fifty percent of gross personal income for a calendar year if the recipient is over sixty years of age and is receiving such portion pursuant to retirement pension or similar arrangement.

(4) For the purposes of this section, the term "income" includes retirement benefits, consultant fees and stock dividends.

(5) For the purposes of this section, income is not received "directly or indirectly from permit holders or applicants for a permit" if it is derived from mutual fund payments or from other diversified investments over which the recipient does not know the identity of the primary source of income.

[Statutory Authority: RCW 80.50.040 (1) and (12). WSR 04-21-013, recodified as § 463-78-170, filed 10/11/04, effective 11/11/04; WSR 04-17-058, § 463-39-170, filed 8/11/04, effective 9/11/04. Statutory Authority: RCW 80.50.040(1). WSR 79-09-006 (Order 79-1), § 463-39-170, filed 8/6/79.]