

**WSR 12-09-030**  
**EXPEDITED RULES**  
**SECRETARY OF STATE**

[Filed April 10, 2012, 11:00 a.m.]

Title of Rule and Other Identifying Information: In-person or expedited counter service—Special fees for limited liability companies.

**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 Pamela Floyd, Secretary of State, P.O. Box 40234, Olympia, WA 98504, AND RECEIVED BY June 18, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: To remove restrictions on expedited service for limited liability companies filing initial reports, license renewals, annual reports, or amended reports. These restrictions have been removed for corporations and nonprofits, as well as partnerships in 2010.

Reasons Supporting Proposal: Limited liability companies are requesting expedited services on specific documents.

Statutory Authority for Adoption: RCW 43.07.120, 25.15.007, 25.15.805, 25.15.810.

Statute Being Implemented: RCW 43.07.120.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Division of corporations, office of secretary of state, governmental.

Name of Agency Personnel Responsible for Drafting and Implementation: Pamela Floyd, 801 Capitol Way South, Olympia, WA 98504, (360) 725-0310; and Enforcement: Kyle Crews, 7141 Cleanwater Drive S.W., Olympia, WA 98504, (360) 664-2510.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: In the process of updating, clarifying, and streamlining rules in 2010, regarding the filing of documents and special services that businesses ask of our office, we removed the restriction for expedited service on certain documents.

Our intention was to do this for all corporate entities, but we inadvertently missed a section in the rules that apply to limited liability companies only. This expedited rule making will allow expedited services on those particular documents if the entities so choose, i.e. initial reports, license renewals and annual reports, and amended reports for limited liability companies.

April 10, 2012

Steve Excell

Assistant Secretary of State

AMENDATORY SECTION (Amending WSR 10-15-035, filed 7/13/10, effective 8/13/10)

**WAC 434-130-080 In-person or expedited counter service—Special fees.** (1) The corporations division counter is open to in-person requests from 8:00 a.m. to 5:00 p.m. each business day. Staff provides expedited services for corporate documents or requests received in-person, by fax, mail, or on-line with the appropriate expedite fee. Expedite services are available for the following transactions:

- (a) Document review and filing;
- (b) Document copying, certification, and status certificates.

(2) The fee for expedited service is fifty dollars for single or multiple paper transactions within each new or existing limited liability company file. On-line transactions are expedited for twenty dollars, but may be charged fifty dollars for in-person completion at front counter. In addition, a regulatory fee for each transaction may apply.

(3) There is no expedited fee for the following transactions:

- (a) ~~(Initial reports;~~
- ~~(b) License renewal and required annual report;~~
- ~~(c) Amended annual reports;~~
- ~~(d))~~ In-person inspection or review of limited liability company files or other public documents located in the corporations division office;

~~((e))~~ (b) Documents left at the counter for processing with mail-in documents received the same day.

(4)(a) If staff cannot complete an expedited service request before the end of the same day, the transaction will be completed within the next two business days.

(b) Emergency services needed outside regular business hours requiring employee overtime are one hundred fifty dollars per hour plus regulatory or statutory fees due for the specific form. When the division receives an emergency request, staff notifies the customer of the service fee and any other reasonable conditions set by the director. The customer must agree to pay the fees before emergency services are provided.

(5) Over-the-counter service hours may be shortened under extraordinary circumstances. Separate service requests by one person may be limited to those relating to three corporations per transaction.

Under special circumstances, the filing party may petition the secretary in writing to request a waiver of emergency or penalty fees.

**WSR 12-09-032**  
**EXPEDITED RULES**  
**DEPARTMENT OF REVENUE**

[Filed April 11, 2012, 9:39 a.m.]

Title of Rule and Other Identifying Information: WAC 458-20-270 Telephone program excise tax rates, this rule identifies the rates for the taxes imposed on switched access lines pursuant to RCW 43.20A.725 and 80.36.430.

## 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 Gayle Carlson, Department of Revenue, P.O. Box 47453, Olympia, WA 98504-7453, e-mail GayleC@dor.wa.gov, AND RECEIVED BY June 18, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department proposes to amend WAC 458-20-270 to provide the tax rates imposed on switched access lines for the July 1, 2012 - June 30, 2013, fiscal year. The rate for telecommunications relay services (TRS) will be reduced from nineteen cents to seven-teen cents. The rate for the Washington telephone assistance program (WTAP) will remain at fourteen cents.

Reasons Supporting Proposal: Under RCW 43.20A.725 and 80.36.430, the department is required to annually determine the tax rates imposed on switched access lines to fund the telephone relay service program and WTAP. Each tax rate is determined by dividing the respective program budgets by the number of switched access lines reported to the department in the prior calendar year. The department retains no discretion in the determination of these tax rates, the amount of which is explicitly dictated by the statutory formulas and inputs provided to the department.

Statutory Authority for Adoption: RCW 82.32.300 and 82.01.060(2).

Statute Being Implemented: RCW 43.20A.725 and 80.36.430.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Department of revenue, governmental.

Name of Agency Personnel Responsible for Drafting: Gayle Carlson, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 534-1576; Implementation: Alan R. Lynn, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 534-1599; and Enforcement: Russ Brubaker, 1025 Union Avenue S.E., Suite #544, Olympia, WA, (360) 534-1505.

April 11, 2012

Alan R. Lynn

Rules Coordinator

AMENDATORY SECTION (Amending WSR 11-13-110, filed 6/21/11, effective 7/22/11)

**WAC 458-20-270 Telephone program excise tax rates.** RCW 82.72.020 requires the department of revenue (department) to collect certain telephone program excise taxes. Those taxes include the tax on switched access lines imposed by RCW 43.20A.725 (telephone relay service—TRS) and 80.36.430 (Washington telephone assistance program—WTAP). Pursuant to those statutes, the department

must annually determine the rate of each respective tax according to the statutory formulas.

The monthly telephone program excise tax rates per switched access line are as follows:

Period	TRS Rate	WTAP Rate
<del>((7/1/2007—6/30/2008</del>	<del>12 cents</del>	<del>14 cents))</del>
7/1/2008 - 6/30/2009	12 cents	13 cents
7/1/2009 - 6/30/2010	11 cents	13 cents
7/1/2010 - 6/30/2011	19 cents	14 cents
7/1/2011 - 6/30/2012	19 cents	14 cents
<u>7/1/2012 - 6/30/2013</u>	<u>17 cents</u>	<u>14 cents</u>

**WSR 12-09-059**  
**EXPEDITED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**

[Filed April 17, 2012, 8:44 a.m.]

Title of Rule and Other Identifying Information: WAC 296-24-31001 Cylinders (acetylene).

## 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 Tamara Jones, Department of Labor and Industries, P.O. Box 4001, Olympia, WA 98504-4001, AND RECEIVED BY June 19, 2012.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The Occupational Safety and Health Administration (OSHA) recently adopted changes to the acetylene standard, effective March 5, 2012. This rule making is to address the change to WAC 296-24-31001 Cylinders (acetylene). This rule making will update the reference to a Compressed Gas Association standard in the existing acetylene standard by removing CGA G-1-2003 and replacing it with CGA G-1-2009. This rule making will ensure that employers have the latest safety requirements for managing acetylene.

Reasons Supporting Proposal: The division of occupational safety and health is required to have rules as-effective-as those promulgated by federal OSHA.

Statutory Authority for Adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Statute Being Implemented: Chapter 49.17 RCW.

Rule is necessary because of federal law, 29 C.F.R. 1910.

Name of Proponent: Department of labor and industries, governmental.

Name of Agency Personnel Responsible for Drafting:  
Maggie Leland, Tumwater, Washington, (360) 902-4504;  
Implementation and Enforcement: Anne Soiza, Tumwater,  
Washington, (360) 902-5090.

April 17, 2012  
Judy Schurke  
Director

AMENDATORY SECTION (Amending WSR 10-09-089,  
filed 4/20/10, effective 7/1/10)

**WAC 296-24-31001 Cylinders.** Employers must ensure that the in-plant transfer, handling, storage, and use of acetylene in cylinders comply with the provisions of CGA Pamphlet (~~(G-1-2003)~~) G-1-2009 (Acetylene) (Compressed Gas Association, Inc., (~~(4th)~~) 12th ed., (~~(2003)~~) 2009).