RULE-MAKING ORDER

Agency: Office of the State Treasurer

Effective date of rule:
- Permanent Rules
  - 31 days after filing.
  - Other (specify) _____________ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)
- Emergency Rules
  - Immediately upon filing.
  - Later (specify) _____________

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
- Yes  No  If Yes, explain:

Purpose: To amend and update the procedures for financial institutions that hold public funds in Washington state in accordance with the Public Deposit Protection Act, as amended by chapter 9, Laws of 2009.

Citation of existing rules affected by this order:
- Repealed: WAC 389-12-260
- Amended: WAC 389-12-010 through WAC 389-12-320
- Suspended:

Statutory authority for adoption: Chapter 39.58 RCW
Other authority: RCW 39.58.040

PERMANENT RULE ONLY (Including Expedited Rule Making)
Adopted under notice filed as WSR _____________ on _____________ (date).
Describe any changes other than editing from proposed to adopted version:

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:
Name: _____________________________
Address: _____________________________
phone ( ) _____________
fax ( ) _____________
e-mail _____________________________

EMERGENCY RULE ONLY
Under RCW 34.05.350 the agency for good cause finds:
- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: These emergency rules are needed to implement changes made to the Public Deposit Protection Act under chapter 9, Laws of 2009 and to update procedures for financial institutions holding public funds in consideration of the current banking environment. These rules are temporary while permanent rules are developed.

Date adopted: April 30, 2009

NAME (TYPE OR PRINT)
Shad Pruitt

SIGNATURE
Shad Pruitt

TITLE
Deputy Treasurer

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 30, 2009
TIME: 12:16 PM
WSR 09-10-040

(COMPLETE REVERSE SIDE)
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 0 Amended 0 Repealed 0
- **Federal rules or standards**: New 0 Amended 0 Repealed 0
- **Recently enacted state statutes**: New 3 Amended 20 Repealed 0

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

New 0 Amended 0 Repealed 0

The number of sections adopted in the agency's own initiative:

New 3 Amended 25 Repealed 1

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New 0 Amended 5 Repealed 1

The number of sections adopted using:

- **Negotiated rule making**: New 0 Amended 0 Repealed 0
- **Pilot rule making**: New 0 Amended 0 Repealed 0
- **Other alternative rule making**: New 0 Amended 0 Repealed 0