

SEPTEMBER 2, 1987

OLYMPIA, WASHINGTON

ISSUE 87-17



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## CITATION

Cite all material in the Washington State Register by its issue number and sequence within that issue, preceded by the acronym WSR. Example: The 37th item in the August 5, 1981, Register would be cited as WSR 81-15-037.

## PUBLIC INSPECTION OF DOCUMENTS

A copy of each document filed with the code reviser's office, pursuant to chapter 28B.19 or 34.04 RCW, is available for public inspection during normal office hours. The code reviser's office is located on the ground floor of the Legislative Building in Olympia. Office hours are from 8 a.m. to noon and from 1 p.m. to 5 p.m. Monday through Friday, except legal holidays. Telephone inquiries concerning material in the Register or the Washington Administrative Code (WAC) may be made by calling (206) 753-7470 (SCAN 234-7470).

## REPUBLICATION OF OFFICIAL DOCUMENTS

All documents appearing in the Washington State Register are prepared and printed at public expense. There are no restrictions on the republication of official documents appearing in the Washington State Register. All news services are especially encouraged to give wide publicity to all documents printed in the Washington State Register.

## CERTIFICATE

Pursuant to RCW 34.08.040, the publication of rules or other information in this issue of the Washington State Register is hereby certified to be a true and correct copy of such rules or other information, except that headings of public meeting notices have been edited for uniformity of style.

DENNIS W. COOPER  
Code Reviser

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## STATE MAXIMUM INTEREST RATE

The maximum allowable interest rate applicable for the month of September 1987 pursuant to RCW 19.52.020 is twelve percent (12%).

NOTICE: FEDERAL LAW PERMITS FEDERALLY INSURED FINANCIAL INSTITUTIONS IN THE STATE TO CHARGE THE HIGHEST RATE OF INTEREST THAT MAY BE CHARGED BY ANY FINANCIAL INSTITUTION IN THE STATE. THE MAXIMUM ALLOWABLE RATE OF INTEREST SET FORTH ABOVE MAY NOT APPLY TO A PARTICULAR TRANSACTION.

The maximum allowable retail installment contract service charge applicable for calendar year 1987 pursuant to RCW 63.14.130(1)(a) is twelve and one-quarter percent (12¼%).

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# WASHINGTON STATE REGISTER

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The Washington State Register is an official publication of the state of Washington. It contains proposed, emergency, and permanently adopted administrative rules, as well as other documents filed with the code reviser's office pursuant to RCW 34.08.020 and 42.30.075. Publication of any material in the Washington State Register is deemed to be official notice of such information.

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Chairman, Statute Law Committee

Dennis W. Cooper  
Code Reviser

Gary Reid  
Chief Assistant Code Reviser

Susan J. Brooks  
Editor

Joyce Matzen  
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## STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

### 1. ARRANGEMENT OF THE REGISTER

Documents are arranged within each issue of the Register according to the order in which they are filed in the code reviser's office during the pertinent filing period. The three part number in the heading distinctively identifies each document, and the last part of the number indicates the filing sequence within an issue's material.

### 2. PROPOSED, ADOPTED, AND EMERGENCY RULES OF STATE AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION

The three types of rule-making actions taken under the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW) may be distinguished by the size and style of type in which they appear.

- (a) **Proposed rules** are those rules pending permanent adoption by an agency and set forth in eight point type.
- (b) **Adopted rules** have been permanently adopted and are set forth in ten point type.
- (c) **Emergency rules** *have been adopted on an emergency basis and are set forth in ten point oblique type.*

### 3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

RCW 34.04.058 requires the use of certain marks to indicate amendments to existing agency rules. This style quickly and graphically portrays the current changes to existing rules as follows:

- (a) In amendatory sections—
  - (i) underlined matter is new matter;
  - (ii) deleted matter is (~~lined out and bracketed between double parentheses~~);
- (b) Complete new sections are prefaced by the heading NEW SECTION;
- (c) The repeal of an entire section is shown by listing its WAC section number and caption under the heading REPEALER.

### 4. EXECUTIVE ORDERS, COURT RULES, NOTICES OF PUBLIC MEETINGS

Material contained in the Register other than rule-making actions taken under the APA or the HEAPA does not necessarily conform to the style and format conventions described above. The headings of these other types of material have been edited for uniformity of style; otherwise the items are shown as nearly as possible in the form submitted to the code reviser's office.

### 5. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules take effect thirty days after the rules and the agency order adopting them are filed with the code reviser. This effective date may be delayed, but not advanced, and a delayed effective date will be noted in the promulgation statement preceding the text of the rule.
- (b) Emergency rules take effect upon filing with the code reviser and remain effective for a maximum of ninety days from that date.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

### 6. EDITORIAL CORRECTIONS

Material inserted by the code reviser for purposes of clarification or correction or to show the source or history of a document is enclosed in brackets [ ].

### 7. INDEX AND TABLES

A combined subject matter and agency index and a table of WAC sections affected may be found at the end of each issue.

1986 - 1987

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates <sup>1</sup>			Distribution Date	First Agency Action Date <sup>3</sup>
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS <sup>2</sup> or 10 p. max. Non-OTS	Count 20 days from—	For hearing/adoption on or after
For Inclusion in—	File no later than—				
86-18	Aug 6	Aug 20	Sep 3	Sep 17	Oct 7
86-19	Aug 20	Sep 3	Sep 17	Oct 1	Oct 21
86-20	Sep 3	Sep 17	Oct 1	Oct 15	Nov 4
86-21	Sep 24	Oct 8	Oct 22	Nov 5	Nov 25
86-22	Oct 8	Oct 22	Nov 5	Nov 19	Dec 9
86-23	Oct 22	Nov 5	Nov 19	Dec 3	Dec 23
86-24	Nov 5	Nov 19	Dec 3	Dec 17	Jan 6, 1987
87-01	Nov 26	Dec 10	Dec 24, 1986	Jan 7, 1987	Jan 27
87-02	Dec 10	Dec 24, 1986	Jan 7, 1987	Jan 21	Feb 10
87-03	Dec 24, 1986	Jan 7, 1987	Jan 21	Feb 4	Feb 24
87-04	Jan 7	Jan 21	Feb 4	Feb 18	Mar 10
87-05	Jan 21	Feb 4	Feb 18	Mar 4	Mar 24
87-06	Feb 4	Feb 18	Mar 4	Mar 18	Apr 7
87-07	Feb 18	Mar 4	Mar 18	Apr 1	Apr 21
87-08	Mar 4	Mar 18	Apr 1	Apr 15	May 5
87-09	Mar 25	Apr 8	Apr 22	May 6	May 26
87-10	Apr 8	Apr 22	May 6	May 20	Jun 9
87-11	Apr 22	May 6	May 20	Jun 3	Jun 23
87-12	May 6	May 20	Jun 3	Jun 17	Jul 7
87-13	May 20	Jun 3	Jun 17	Jul 1	Jul 21
87-14	Jun 3	Jun 17	Jul 1	Jul 15	Aug 4
87-15	Jun 24	Jul 8	Jul 22	Aug 5	Aug 25*
87-16	Jul 8	Jul 22	Aug 5	Aug 19	Sep 8
87-17	Jul 22	Aug 5	Aug 19	Sep 2	Sep 22
87-18	Aug 5	Aug 19	Sep 2	Sep 16	Oct 6
87-19	Aug 26	Sep 9	Sep 23	Oct 7	Oct 27
87-20	Sep 9	Sep 23	Oct 7	Oct 21	Nov 10
→ 87-21	Sep 23	Oct 7	<del>Oct 21</del>	Nov 4	Nov 24 ←
87-22	Oct 7	Oct 21	Nov 4	Nov 18	Dec 8
87-23	Oct 21	Nov 4	Nov 18	Dec 2	Dec 22
87-24	Nov 4	Nov 18	Dec 2	Dec 16	Jan 5, 1988

<sup>1</sup>All documents are due at the code reviser's office by 5:00 p.m. on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

<sup>2</sup>A filing of any length will be accepted on the closing dates of this column if it has been prepared by the order typing service (OTS) of the code reviser's office; see WAC 1-12-220 or 1-13-240. Agency typed material is subject to a ten page limit for these dates; longer agency-typed material is subject to the earlier non-OTS dates.

<sup>3</sup>No proceeding may be held on any rule until twenty days have passed from the distribution date of the Register in which notice thereof was contained." RCW 28B.19.030(4) and 34.04.025(4). These dates represent the twentieth day after the distribution date of the applicable Register.

**WSR 87-17-001**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Filed August 6, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Mercer Island, city of, amending WAC 173-19-2515.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 16, 1987.

The authority under which these rules are proposed is RCW 90.58.120 and [90.58].200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before July 14, 1987.

This notice is connected to and continues the matter in Notice No. WSR 87-12-069 filed with the code reviser's office on June 3, 1987.

Dated: August 6, 1987  
 By: Phillip C. Johnson  
 Deputy Director, Programs

**WSR 87-17-002**  
**ADOPTED RULES**  
**SECRETARY OF STATE**  
 [Order 87-04—Filed August 6, 1987]

I, Helen Morris, director of the Corporations Division, Office of the Secretary of State, do promulgate and adopt at Olympia, Washington, the annexed rules relating to limited partnership filings.

This action is taken pursuant to Notice No. WSR 87-14-028 filed with the code reviser on June 26, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 25.10.610 and chapter 55, Laws of 1987, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 5, 1987.

By Helen Morris  
 Director

**AMENDATORY SECTION** (Amending Order 82-7, filed 10/6/82)

WAC 434-55-010 PURPOSE AND AUTHORITY. These regulations are adopted pursuant to RCW 25.10.600 - 25.10.610 and ~~(sections 187(2), 191, 193, chapter 35, Laws of 1982))~~ chapter 55, Laws of 1987, to implement a centralized system for limited partnership filings at the office of the secretary of state.

**AMENDATORY SECTION** (Amending Order 82-7, filed 10/6/82)

WAC 434-55-015 FILING OFFICE LOCATION AND ADDRESS. (1) Effective October 1, 1982, limited partnership filings under chapter 25.10 RCW are to be made at the Corporations Division of the Office of the Secretary of State, Olympia, Washington, rather than at the offices of the respective county clerks.

(2) ~~((Effective October 1, 1982, limited partnership filings will be handled by the corporations division of the office of the secretary of state.~~

~~((3))~~) Mail address for the corporations division is: Corporations Division, Office of the Secretary of State, 505 E. Union St., Olympia, WA 98504. Use of any other address may delay mail delivery.

~~((4))~~) (3) The offices of the corporations division are located at ~~((500-A State Modular Office Building, Airdustrial Way and Armstrong Street SW, Tumwater, Washington. To reach the division's offices, take Exit 102, Interstate 5 (Trosper Road exit), go east two blocks to Capitol Boulevard, turn south on Capitol Boulevard, drive one mile to Airdustrial Way, turn right on Airdustrial Way, go one-half mile. The state modular office building is on the south (airport) side of Airdustrial Way, the division is located in the northwest corner of the building))~~ Republic Building, 2nd Floor, 505 E. Union St., Olympia, WA.

**AMENDATORY SECTION** (Amending Order 82-7, filed 10/6/82)

WAC 434-55-016 OFFICE HOURS. (1) Hours of operation for personnel in the division are 8:00 a.m. to 12 noon and 1:00 to 4:30 p.m., Monday through Friday.

(2) ~~Over-the-counter or walk-in, same-day processing of documents is available only between 8:30 - 11:30 a.m. and 1:00 to 3:30 p.m. each day. Documents can be received, but not processed on a same-day basis, at other times when the office is open. Same-day or expedited counter service is available at other hours only under exigent circumstances or by approval of the~~ ~~((supervisor of corporations))~~ Administrator of the Corporations Division.

(3) Certain expedited or over-the-counter services are subject to the special service fees established elsewhere in these regulations.

**AMENDATORY SECTION** (Amending Order 82-7, filed 10/6/82)

WAC 434-55-030 FILING DOMESTIC LIMITED PARTNERSHIPS—OPTIONAL INDEX SHEET. A new domestic limited partnership filing may use an index sheet or cover sheet to assist the secretary of state's review of the documents presented for filing, and to qualify for reduced filing fees.

The index sheet shall be on the form provided by the secretary of state or list the following ~~((in this order:))~~ and provide a reference to the article and page number of the underlying document on which the information requested will be ~~((found))~~ set out:

- (1) The name of the limited partnership;
- (2) ~~((The general character of its business;~~

~~((3))~~ The ~~((specified office))~~ address of the office where records under RCW 25.10.040(1) are to be kept;

~~((4))~~ The ~~specified~~ (3) For service of process, the registered agent's name and address;

~~((5))~~ (4) The page or pages of the underlying document whereon the name(s) and ~~((addresses of partner(s) are identified))~~ the geographical and mailing addresses of each general partner appear;

~~((6))~~ The time at which and any earlier events upon the happening of which the limited partnership is to be dissolved and its affairs wound up) (5) The latest date upon which the partnership is to dissolve; and

~~((7))~~ (6) The page or pages on which executing signatures are located.

~~((The index cover sheet shall be signed by a partner or agent of the partnership.))~~ The index sheet may be, but is not required to be, submitted in duplicate.

#### AMENDATORY SECTION (Amending Order 82-7, filed 10/6/82)

WAC 434-55-040 EXECUTION OF DOCUMENTS, DUPLICATE ORIGINALS AND REPRODUCTION QUALITY. (1) At any time that the statute requires a limited partnership document filing with the secretary of state to be in duplicate form, the secretary of state will accept the following:

(a) Two original copies, each with original signatures; or

(b) Two original copies, one with original signatures and one with true and correct copies of the original signatures; or

(c) One original with original signatures and a true and correct photocopy thereof.

In the case of duplicate originals submitted with only one original and one copy thereof, the secretary of state will retain as its official file copy the certificate or document with original signatures and will return to the limited partnership for its records the document version bearing copied signatures.

(2)(a) Certificates for domestic limited partnerships shall be executed as provided in RCW 25.10.110.

(b) Filings for foreign limited partnerships must be signed and sworn to by at least one general partner of the foreign limited partnership. The secretary of state will accept as a "sworn" document an application or amendment witnessed or attested to by an appropriate notary or official of the foreign limited partnership's home state, or a statement that the signature of the general partner is executed under penalties of perjury, and is, to the best of his or her knowledge, true and correct.

(3) All documents presented to the secretary of state for filing under the limited partnership act shall be of no larger size than standard legal paper (8-1/2 x 14). The materials shall be submitted in form and quality which is suitable for future microfilming or reproduction by a similar photographic process. The secretary of state will not accept documents for filing which are not typed, or with illegible text ~~((and signatures))~~.

#### AMENDATORY SECTION (Amending Order 82-7, filed 10/6/82)

WAC 434-55-055 PRE-OCTOBER 1, 1982, LIMITED PARTNERSHIP FILINGS. (1) Except as otherwise provided by law or these regulations, limited partnership filings originally made at the respective county clerks' offices before October 1, 1982, shall be deemed to be filings at the secretary of state's office, and shall continue in full force and effect as when previously filed at the respective county clerks' offices. ~~((No additional registration or refiling shall be required for pre-October 1, 1982, limited partnerships.))~~

(2) Pre-October 1, 1982, conflicts between limited partnership names in the separate 39 counties' files, between filings in the same county, and between pre-October 1, 1982, limited partnership filings and active corporation filings since 1889 render a satisfactory integration of pre-October 1, 1982, limited partnership filings into the corporate name protection system impossible. Except as provided below, the secretary of state will therefore not consider or research the name of any pre-October 1, 1982, limited partnership in determining whether a proposed name for a post-October 1, 1982, limited partnership is acceptable under RCW 25.10.020. The post-October 1, 1982, name will be checked as against other post-October limited partnership names and the names of active profit and nonprofit corporations registered at the office of the secretary of state.

Nothing in this section is intended to limit any judicial remedies which may be available to a pre-October 1, 1982, limited partnership for protection of its business name. In addition, if the probable existence of a name conflict between (a) a specific pre-October 1, 1982, limited partnership, and (b) a post-October 1, 1982, limited partnership filing that would have been filed in that same county if the centralized system had not been established, is brought to the attention of the secretary of state, the secretary of state may determine that an unacceptable conflict exists and/or would be perpetuated if the proposed name of the post-October 1, 1982, limited partnership were accepted. Under those circumstances, the secretary of state may refuse to accept the proposed name without modification, or without consent of the existing pre-October 1, 1982, limited partnership, sufficient to comply with RCW 25.10.020.

(3) Pre-October 1, 1982, limited partnerships are not prohibited from "refiling" under chapter 25.10 RCW. Such optional "refiling" is accomplished by submitting a regular certificate/application as outlined in chapter 25.10 RCW ~~((and WAC 434-55-020 - 434-55-035))~~. However, a "refiling" limited partnership is not guaranteed the use of its pre-October 1, 1982, name.

#### AMENDATORY SECTION (Amending Order 82-7, filed 10/6/82)

WAC 434-55-060 DOCUMENT FILING FEES—LIMITED PARTNERSHIPS. The following fees are due and must be submitted concurrently with the limited partnership documents presented to the secretary of state for filing under the Washington Uniform Limited Partnership Act:

(1) Filing of a certificate of limited partnership for a domestic ~~((or foreign))~~ limited partnership: ~~(((\$65.00))~~ \$175.00 with index sheet, ~~(((\$100.00))~~ \$225.00 without ~~((domestics), \$65.00 (foreigns))~~ index sheet

(2) Filing an application for registration of a foreign limited partnership: \$175.00

(3) Filing a certificate of dissolution: No charge

(4) Filing of a certificate of cancellation for a domestic or foreign limited partnership: ~~(((\$10.00))~~ No charge ~~(((\$3))~~

(5) Filing of a certificate of amendment for a domestic or foreign limited partnership: \$25.00

(6) Filing a certificate of restatement: \$25.00

~~(((\$4))~~ (7) Filing an application to reserve or transfer a limited partnership name: \$10.00 ~~((to reserve or transfer~~

~~((5))~~ (8) Filing any other statement or report required by the limited partnership act: \$10.00

~~(((\$6))~~ (9) Furnishing a certified copy of any certificate of limited partnership or of any other document or instrument relating to a limited partnership: \$5.00 plus \$.20 per page copied

~~(((\$7))~~ Furnishing a certified copy of any other document, instrument, or paper relating to a limited partnership: \$5.00, plus \$.20 per page copied

~~((8))~~ (10) Furnishing a certificate, under seal, attesting to the fact that a limited partnership is on file with the office of the secretary of state, or to facts on record in a particular limited partnership file: \$5.00

~~(((\$9))~~ (11) Furnishing copies of any document, instrument, or paper relating to a limited partnership: \$1.00 first page. \$.20 each page thereafter

~~(((\$10))~~ (12) Service of process on the office of the secretary of state as agent of a limited partnership: \$25.00

~~((All fees under this section are general fund fees and do not support services or operations of the office of the secretary of state.))~~

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 434-55-020 DOMESTIC LIMITED PARTNERSHIPS—REQUIREMENTS FOR FILING.

WAC 434-55-035 FOREIGN (OUT-OF-STATE) LIMITED PARTNERSHIPS—REQUIREMENTS FOR FILING.

#### WSR 87-17-003

##### EMERGENCY RULES

#### DEPARTMENT OF NATURAL RESOURCES

[Order 511—Filed August 6, 1987]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the suspension of outdoor rule burns and the use of burning barrels on lands protected by the Department of Natural Resources in King, Pierce, Kitsap and Mason counties.

I, Brian J. Boyle, find that an emergency exists and that this order is necessary for the preservation of the

public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is due to the prolonged period of lack of rain the forest fuels have become extremely dry. This necessitates restricting the public use of fire in order to prevent a wildfire from occurring where by life and property would be threatened.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.015 and 76.04.315 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 6, 1987.

By Brian J. Boyle  
Commissioner of Public Lands

#### NEW SECTION

WAC 332-26-101 *OUTDOOR BURNING RESTRICTIONS.* (1) Effective midnight, Thursday, August 6, 1987, through midnight, Monday, August 31, 1987, privileges to have an outdoor fire without a written burning permit, as allowed by WAC 332-24-201 and described in WAC 332-24-211, on lands protected by the department in King, Pierce, Kitsap and Mason Counties are suspended.

#### NEW SECTION

WAC 332-26-102 *BURNING BARREL RESTRICTIONS.* Effective midnight, Thursday, August 6, 1987, through midnight, Monday, August 31, 1987, privileges to burn in a burning barrel, as allowed by WAC 332-24-201 and described in WAC 332-24-225, on lands protected by the department in King, Pierce, Kitsap and Mason Counties are suspended.

#### WSR 87-17-004

##### ADOPTED RULES

##### OIL AND GAS

#### CONSERVATION COMMITTEE

[Order 512—Filed August 6, 1987]

Be it resolved by the Oil and Gas Conservation Committee, acting at Olympia, Washington, that it does adopt the annexed rules relating to bond to be furnished, WAC 344-12-060, amended to permit the filing of a bank letter of credit acceptance to the supervisor, in lieu of the bond required by WAC 344-12-060(1).

This action is taken pursuant to Notice No. WSR 87-11-048 filed with the code reviser on May 19, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 78.52.155 (2)(e) and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 78.52.040 and 78.52.050 which directs that the Oil and Gas Conservation Committee has authority to implement the provisions of chapter 78.52 RCW.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 6, 1987.

By Donald M. Ford

AMENDATORY SECTION (Amending Order 6, Resolution No. 10, filed 1/8/85)

WAC 344-12-060 BOND TO BE FURNISHED.

(1) The supervisor, except as hereinafter provided, shall require from the owner before a permit for drilling, re-drilling, or deepening will be issued a good and sufficient bond in the sum of not less than \$50,000.00 for each well payable to the state of Washington, conditioned on compliance with chapter 78.52 RCW, permit conditions, the rules and regulations and orders of the committee. Said bond shall remain in force and effect until the plugging of said well is approved by the supervisor and all laws, permit conditions, rules and regulations and orders have been complied with. It is provided, however, that any owner in lieu of such bond may file with the supervisor a good and sufficient blanket bond in the principal sum of not less than \$250,000.00 covering all wells drilling or to be drilled.

(2) Bond or bonds herein required shall be executed by the owner as principal and by a surety company acceptable to the DNR and authorized to do business in the state of Washington as surety. Should the surety on such bond fail or refuse to require compliance with the conditions of the bond to the satisfaction of the supervisor, such surety shall be liable to the state of Washington in such a sum, within the limits of the sum stated on the face of the bond, as will indemnify the state of Washington for the cost of requiring compliance with the conditions of the bond.

(3) In lieu of the bond required by this section the owner may file with the committee a cash deposit, or an assignment of a savings account or of a certificate of deposit in a Washington bank on an assignment form prescribed by the committee, or a bank letter of credit acceptable to the supervisor. In the event a certificate of deposit is provided in lieu of a bond the owner shall guarantee payment of principal in the event penalties are assessed for early redemption of the certificate.

(4) The amount of the bond to be furnished for permits required under WAC 344-12-050(3) shall be \$20,000.00.

**WSR 87-17-005**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 87-91—Filed August 6, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the harvestable quota of chinook salmon has been taken.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 6, 1987.

By Robert Turner  
 for Joseph R. Blum  
 Director

NEW SECTION

WAC 220-24-02000Z *LAWFUL ACTS—TROLL FISHERY.* Notwithstanding the provisions of WAC 220-24-010, 220-24-020, and 220-24-030, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with troll gear in waters west of the Bonilla-Tatoosh Line, the Pacific Ocean, or west of the Buoy 10 Line.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-24-02000Y *LAWFUL ACTS—TROLL FISHERY.* (87-86)

**WSR 87-17-006**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 87-92—Filed August 6, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the

public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this regulation is necessary for the conservation of chinook salmon stocks.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 6, 1987.

By Robert Turner  
for Joseph R. Blum  
Director

### NEW SECTION

**WAC 220-56-19000R SALTWATER SEASONS AND BAG LIMITS.** Notwithstanding the provisions of WAC 220-56-190:

(1) Effective 12:01 a.m. August 7, 1987, until further notice it is unlawful to fish for salmon in Punchcard Area 4, Pacific Ocean waters, and Washington waters west of the Buoy 10 line except as provided for in this subsection:

(a) In those waters north of a line projected due west from the mouth of the Queets River and west of the mouth of the Sekiu River:

(i) Open to salmon angling until further notice.

(ii) Bag Limit F, except that no chinook salmon may be retained.

(iii) Barbless hooks required.

(iv) The following waters are closed to salmon angling: Those waters inside and bounded by a line projected true north one mile from the mouth of the Sekiu River thence westerly meandering one mile off-shore to Tatoosh Light, thence north approximately one mile on the Bonilla-Tatoosh line to Duncan Rocks, thence true west five miles (two miles beyond territorial sea boundary), thence southerly meandering five miles off-shore to intersect a line projected true west from Cape Alava, thence easterly on that line to a point one mile off-shore, thence southerly meandering one mile off-shore to intersect a line projected true west from the mouth of the Queets River, thence to shore.

(b) In those waters south of a line projected due west from Leadbetter Point, north of a line projected due west from Klipsan Beach (46 degrees 28 minutes 12 seconds North Latitude), and west of the territorial sea boundary referenced on Chart Number 18500, 21st ed., Department of Commerce, NOAA, National Ocean Survey (outside three miles):

(i) Open to salmon angling until further notice or until either chinook or coho salmon quotas are taken, whichever comes first, from these waters and those waters south of the red buoy line at the mouth of the Columbia River and north of Cape Falcon, Oregon.

(ii) Bag Limit F.

(iii) Barbless hooks required.

(c) In all open areas provided for in this subsection it is unlawful to fish for salmon from 12:01 a.m. Friday to 11:59 p.m. Saturday of each week.

(2) Effective immediately until further notice:

(a) In Punch Card Areas 5 and 6, special bag limit of two salmon per day, but chinook salmon must be not less than 22 inches in length, and it is unlawful to fish for salmon from 12:01 a.m. to 11:59 p.m. Friday of each week.

(b) In Punch Card Areas 7, 8, and 9, special bag limit of two salmon per day, but chinook salmon must be not less than 22 inches in length. This subsection does not effect the June 16 to August 31 chinook closure in Port Susan. See WAC 220-56-199.

(3) Effective immediately until further notice those waters of Area 8 lying easterly of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, northerly of a line projected from Polnell Point to Rocky Point, northerly of the State Highway 532 Bridge between Camano Island and the mainland, and south of the Burlington Northern Railroad Bridge at the north end of Swinomish Slough are closed to salmon angling, except that it is lawful to fish for and possess pink salmon taken from these waters during the period August 22 through September 11, 1987. The special daily bag limit is two pink salmon. Barbless hooks are required and any salmon other than pink salmon must be released immediately.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m., August 7, 1987.

**WAC 220-56-19000Q SALTWATER SEASONS AND BAG LIMITS. (87-90)**

**WSR 87-17-007**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 87-93—Filed August 6, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is harvestable surpluses of salmon are available.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 6, 1987.

By Robert Turner  
for Joseph R. Blum  
Director

**NEW SECTION**

**WAC 220-36-02100N GRAYS HARBOR GILLNET SEASON.** Notwithstanding the provisions of WAC 220-36-021, 220-36-022, and 220-36-024, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes from the waters of Grays Harbor except as provided for in this section:

(1) The following Grays Harbor Salmon Management and Catch Reporting Areas are open during the times indicated:

Area 2B east of a line drawn true north-south through lighted piling number 16 on Whitcomb flats, Area 2C, and Area 2D -

Immediately to 6:00 p.m. August 14, 1987.

(2) Lawful gear is limited to gill nets no longer than 1,500 feet; 5 inch minimum mesh.

**NEW SECTION**

**WAC 220-40-02100V WILLAPA HARBOR GILLNET SEASON.** Notwithstanding the provisions of WAC 220-40-021, 220-40-022 and 220-40-024, effective immediately until further notice it is unlawful to fish for or possess salmon taken for commercial purposes with gillnet Gear from the waters of Willapa Harbor except as provided for in this section:

(1) The following Willapa Harbor Salmon Management and Catch Reporting Areas are open during the times indicated:

Area 2G east of a line from Toke Point to Goose Point and south of a line from Leadbetter Point to Goose Point, and Areas 2J, 2K, and 2M - Open immediately to 6:00 p.m., August 14, 1987.

(2) Lawful gear is limited to gill nets no longer than 1,500 feet; 9 inch minimum mesh.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

WAC 220-36-02100M GRAYS HARBOR GILLNET SEASON. (87-88)

WAC 220-40-02100U WILLAPA HARBOR GILLNET SEASON (87-63)

**WSR 87-17-008**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE BOARD OF EDUCATION**  
[Memorandum—August 7, 1987]

**SCHEDULE OF MEETING DATES AND LOCATIONS**  
**1988 CALENDAR YEAR**

January 27-29, 1988	Fir Room Westwater Inn Olympia
March 23-25, 1988	Convention Center Holiday Inn Everett
May 18-20, 1988	Boardroom School District Admin. Building Walla Walla
July 20-23, 1988	Convention Center Ocean Shores
September 28-30, 1988	Great Northern Room Ellensburg Inn Ellensburg
November 30- December 3, 1988	Ballroom Hyatt House Seattle

**WSR 87-17-009**  
**EMERGENCY RULES**  
**DEPARTMENT OF NATURAL RESOURCES**  
[Order 513—Filed August 7, 1987]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the suspension of outdoor rule burns and the use of burning barrels on lands protected by the Department of Natural Resources in all counties except Wahkiakum and Pacific counties.

I, Brian J. Boyle, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is due to the prolonged period of lack of rain the forest fuels have become extremely dry. This necessitates restricting the public use of fire in order to prevent a wildfire from occurring where by life and property would be threatened.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.015 and 76.04.315 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 7, 1987.

By Brian J. Boyle  
Commissioner of Public Lands

### NEW SECTION

**WAC 332-26-101a OUTDOOR BURNING RESTRICTIONS.** Effective midnight, Friday, August 7, 1987, through midnight, Monday, August 31, 1987, privileges to have an outdoor fire without a written burning permit, as allowed by WAC 332-24-201 and described in WAC 332-24-211, on lands protected by the department in King, Pierce, Kitsap, Mason, Jefferson, Clallam, Grays Harbor, Snohomish, Whatcom, Skagit, Island, San Juan, Thurston, Lewis, Clark, Cowlitz, Skamania, Okanogan, Stevens, Pend Oreille, Spokane, Lincoln, Chelan, Kitittas, Yakima, Klickitat, Garfield, Asotin, Columbia and Walla Walla counties are suspended.

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

### NEW SECTION

**WAC 332-26-102a BURNING BARREL RESTRICTIONS.** Effective midnight, Friday, August 7, 1987, through midnight, Monday, August 31, 1987, privileges to burn in a burning barrel, as allowed by WAC 332-24-201 and described in WAC 332-24-225, on lands protected by the department in King, Pierce, Kitsap, Mason, Jefferson, Clallam, Grays Harbor, Snohomish, Whatcom, Skagit, Island, San Juan, Thurston, Lewis, Clark, Cowlitz, Skamania, Okanogan, Stevens, Pend Oreille, Spokane, Lincoln, Chelan, Kitittas, Yakima, Klickitat, Garfield, Asotin, Columbia and Walla Walla counties are suspended.

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

### REPEALER

The following sections of the Washington Administrative Code are repealed:

- 1) WAC 332-26-101 Outdoor Burning Restrictions.
- 2) WAC 332-26-102 Burning Barrel Restrictions.

**WSR 87-17-010**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 87-94—Filed August 7, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to

present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is net restrictions in Areas 4B, 5, 6, 6A, 6C, 7 and 7A provide protection for Canadian and Puget Sound chinook during sockeye fisheries under the direction of the Pacific Salmon Commission. Areas 5 and 6C troll fishery scheduled in WAC 220-47-50101, [220-47-]50201 and [220-47-]503 closed to provide protection to Skagit River origin coho salmon. Openings in Areas 7B, 7C, 12B and 12C provide opportunity to harvest non-Indian allocations. Purse seine closure in Area 12B to protect returning pink salmon. All other areas closed to prevent overharvest.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 7, 1987.

By Joseph R. Blum  
Director

### NEW SECTION

**WAC 220-47-802 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective August 7, 1987, until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

*Area 4B – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.*

*Areas 5, 6C – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open. Closed to commercial troll fishing.*

*Areas 6, 6A, 7, 7A – Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.*

*\*Areas 7B, 7C – Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 10 through the morning of August 13. Fishery exclusion zones applicable to Areas 7B and 7C commercial fisheries are described in WAC 220-47-307.*

*\*Area 12B (excluding that portion north and east of a line projected from Hood Point to Quatsap Point) – Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 10 through the morning of August 14. Fishery exclusion zones applicable to Area 12B commercial fisheries are described in WAC*

220-47-307. That portion north and east of a line from Hood Point to Quatsap Point remains closed to all commercial fishing.

\*Area 12C - Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 10 through the morning of August 14; and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM daily, August 11 through August 13, and from 5:00 AM to 4:00 PM August 14. Fishery exclusion zones applicable to Area 12C commercial fisheries are described in WAC 220-47-307.

Areas 6B, 6D, 7D, 7E, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas - Closed.

### REPEALER

The following section of the Washington Administrative Code is repealed effective August 7, 1987.

WAC 220-47-801 Puget Sound Commercial Salmon Fishing Restrictions Order No. 87-89

### WSR 87-17-011

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 87-95—Filed August 7, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is a harvestable surplus of salmon exists, and these rules are adopted at the recommendation of the Columbia River Compact Commission.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.070 and 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 7, 1987.

By Judith Merchant  
for Joseph R. Blum  
Director

### NEW SECTION

WAC 220-32-05100N COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (1) Notwithstanding the provisions of WAC 220-32-051 and WAC 220-32-052, it is unlawful for a person to take or possess salmon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1F, 1G or 1H, except:

(a) that those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish from: Noon August 10, to Noon August 13, 1987.

(2) Notwithstanding the provisions of WAC 220-32-058, the closed area at the mouth of:

(a) Hood River is those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between approximately 0.8 miles downriver from the west bank at the end of the breakwall at the west end of the port of Hood River to 1/2 mile upriver from the east bank.

(b) Herman Creek is those waters upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

(c) Deschutes River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(d) Umatilla River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(e) Big White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(f) Spring Creek is those waters of the Columbia River inside of a 150 foot radius at the Spring Creek Hatchery fishway.

(g) Wind River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one and one-half mile downstream from the western shoreline.

(h) Klickitat River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one and one-half mile downstream from the western shoreline.

(i) Little White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to three-quarters mile downstream from the western shoreline.

(3) Notwithstanding the provisions of WAC 220-22-010, during the open periods in subsection (1):

(a) Area 1F (Bonneville Pool) shall include those waters of the Columbia River upstream from the Bridge of the Gods, and downstream from the west end of the 3 mile rapids.

(b) Area 1G shall include those waters of the Columbia River upstream from a line drawn between a point one mile above the fishway exit on the Washington shore and a point one mile above the fishway exit on the Oregon shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H shall include those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day River, Oregon, to a fishing boundary marker on the Washington shore and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-05100M COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE. (87-77)

#### NEW SECTION

WAC 220-32-03000I COLUMBIA RIVER SALMON SEASONS BELOW BONNEVILLE. (1) Notwithstanding the provisions of WAC 220-32-030 and WAC 220-32-031, it is unlawful for a person to take or possess salmon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, OR 1E except as provided for in this section:

Areas 1A and 1B open using 8 inch minimum mesh from:

- 6:00 p.m. August 9 to 6:00 a.m. August 10, 1987.
- 6:00 p.m. August 10 to 6:00 a.m. August 11, 1987.
- 6:00 p.m. August 11 to 6:00 a.m. August 12, 1987.

(2) It is unlawful to fish for salmon with monofilament gill-net webbing or to have on the boat monofilament gill-net webbing while fishing for salmon in Columbia River Salmon Management and Catch Reporting Areas 1A and 1B.

(3) Notwithstanding the provisions of WAC 220-32-036 the closed river mouth areas within Columbia River Salmon Management and Catch Reporting Areas 1A and 1B are:

(a) All tributaries flowing into the Columbia River.

(b) Elokomin River - those waters of Elokomin Slough, Steamboat Slough and the Columbia River lying inside, northerly and easterly of a straight line, from group flashing white light "35" located on Price Island to flashing green light "39" located on Hunting Island, and northly and easterly of a line between flashing light "33" on Price Island to quick flashing green light "31" on the Washington shore.

(c) Grays River - those waters of Grays Bay and the Columbia River lying north of a line projected from

Rocky Point Light (flashing white 4-second) easterly to Harrington Point.

(d) Big Creek - those waters at the mouth of Big Creek from the Oregon Bank across Knappa Slough to Karlson Island about one-quarter mile above the easterly bank of Big Creek, at the Gnat Creek deadline downstream to the east end of Minaker Island which is about 3/4 mile below the west bank at the mouth of Big Creek.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-03000H COLUMBIA RIVER SALMON SEASONS BELOW BONNEVILLE. (87-61)

#### **WSR 87-17-012**

#### **ADOPTED RULES**

#### **LOTTERY COMMISSION**

[Order 103—Filed August 10, 1987]

Be it resolved by the Washington State Lottery Commission, acting at Spokane, Washington, that it does adopt the annexed rules relating to:

- Amd WAC 315-04-190 Compensation.
- Amd WAC 315-06-020 Authorization to sell tickets.
- Amd WAC 315-06-120 Payment of prizes—General provisions.
- Amd WAC 315-10-060 Official end of game.
- Amd WAC 315-30-090 On-line retailer credit criteria.

This action is taken pursuant to Notice No. WSR 87-14-057 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 67.70.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 7, 1987.

By Evelyn Y. Sun  
Director

#### AMENDATORY SECTION (Amending Order 99, filed 2/6/87)

WAC 315-04-190 COMPENSATION. (1) Lottery retailers shall be entitled to a five percent discount from the retail price of the instant game tickets established by rule for each game.

(2) Lottery retailers authorized to sell on-line tickets shall be entitled to a five percent discount from the total

of gross on-line ticket sales less on-line ticket cancellations.

(3) Lottery retailers may receive additional compensation through programs including but not limited to additional discounts, retailer games, retailer awards, and retailer bonuses. The total additional compensation provided through such programs shall not exceed \$200,000 per program.

(a) The commission must approve each such program prior to its implementation.

(b) The director shall establish and publish the procedures necessary to implement any such program approved by the commission prior to initiation of the program.

(4) The lottery, when selling instant or on-line tickets, as a lottery retailer, may use the proceeds from the five percent discount from the retail price of the tickets sold to pay fees or other charges associated with those sales.

**AMENDATORY SECTION** (Amending Order 83, filed 12/16/85)

WAC 315-06-020 AUTHORIZATION TO SELL TICKETS. Lottery retailers are authorized, as limited by WAC 315-04-140, to sell tickets directly to the public. Retail outlets of the state liquor control board and the lottery are not required to be licensed as lottery retailers.

**AMENDATORY SECTION** (Amending Order 96, filed 12/16/86)

WAC 315-06-120 PAYMENT OF PRIZES—GENERAL PROVISIONS. (1) The director may designate claim centers for the filing of prize claims, and the location of such centers shall be publicized from time to time by the director.

(2) A claim shall be entered in the name of a single legal entity as claimant, either one individual or one organization. A claim which includes one or more tickets with an address label or stamp on the back of the ticket shall be deemed to have been entered in the name of one individual: PROVIDED, That if the address label or stamp contains the name of more than one individual, the ticket and/or claim form must be signed by one of the persons listed on the address label or stamp. The claimant must ~~((show))~~ submit his or her Social Security number (SSN) or the ~~((organization's))~~ federal employer's identification number (FEIN) ~~((on the lottery winner claim form))~~ when claiming any prize exceeding six hundred dollars. A claim may be entered in the name of an organization only if the organization is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the internal revenue service and such number is shown on the claim form. Groups, family units, organizations, clubs, or other organizations which are not a legal entity, or do not possess a federal employer's identification number, shall designate one individual in whose name the claim is to be entered.

(3) Unless otherwise provided in the rules for a specific type of game, a claimant shall sign the back of the ticket and/or complete and sign a claim form approved by the director. The claimant shall submit the claim

form and/or claimant's ticket to the lottery in accordance with the director's instructions as stated in the players' manual and/or on the back of the ticket or submit a request for reconstruction of an alleged winning ticket and sufficient evidence to enable reconstruction and that the claimant had submitted a claim for the prize, if any, for that ticket. The claimant, by submitting the claim or request for reconstruction, agrees to the following provisions:

(a) The discharge of the state, its officials, officers, and employees of all further liability upon payment of the prize; and

(b) The authorization to use the claimant's name for publicity purposes upon award of the prize.

(4) A prize must be claimed within the time limits prescribed by the director in the instructions for the conduct of a specific game, but in no case shall a prize be claimed later than one hundred eighty days after the official end of that instant game or the on-line game drawing for which that on-line ticket was purchased.

(5) The director may deny awarding a prize to a claimant if:

(a) The ticket was not legally issued initially;

(b) The ticket was stolen from the commission, director, its employees or retailers, or from a lottery retailer; or

(c) The ticket has been altered or forged, or has otherwise been mutilated such that the authenticity of the ticket cannot be reasonably assured by the director.

(6) The director may delay payment of any prize that exceeds six hundred dollars and debts are owed by the claimant to a state agency or political subdivision, or that the state is authorized to enforce or collect as provided in WAC 315-06-125.

(7) No person entitled to a prize may assign his or her right to claim it except:

(a) That payment of a prize may be made to any court appointed legal representative, including, but not limited to, guardians, executors, administrators, receivers, or other court appointed assignees; or

(b) For the purposes of paying federal, state or local tax.

(8) In the event that there is a dispute or it appears that a dispute may occur relative to any prize, the director may refrain from making payment of the prize pending a final determination by the director or by a court of competent jurisdiction relative to the same.

(9) A ticket that has been legally issued by a lottery retailer is a bearer instrument until signed. The person who signs the ticket or has possession of an unsigned ticket is considered the bearer of the ticket. Payment of any prize may be made to the bearer, and all liability of the state, its officials, officers, and employees and of the commission, director and employees of the commission terminates upon payment.

(10) All prizes shall be paid within a reasonable time after the claims are validated by the director and a winner is determined. Provided, prizes paid for claims validated pursuant to WAC 315-10-070(2) shall not be paid prior to one hundred eighty-one days after the official end of that instant game. The date of the first installment payment of each prize to be paid in installment

payments shall be the date the claim is validated. Subsequent installment payments shall be made as follows:

(a) If the prize was awarded as the result of a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date of the drawing in accordance with the type of prize awarded; or

(b) If the prize was awarded in a manner other than a drawing conducted by the lottery, installment payments shall be made weekly, monthly, or annually from the date the claim is validated in accordance with the type of prize awarded.

(11) The director may, at any time, delay any payment in order to review a change of circumstances relative to the prize awarded, the payee, the claim or any other matter that may have come to his or her attention. All delayed payments shall be brought up to date immediately upon the director's confirmation and continue to be paid on each originally scheduled payment date thereafter.

(12) If any prize is payable for the life of the claimant, only a natural person may claim such a prize and, if claiming on behalf of a group, corporation or the like, the life of such natural person claiming the prize shall be the measuring life.

(13) The director's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from the payment or awarding of prizes shall be final and binding upon all participants in the lottery.

(14) Each lottery retailer shall pay all prizes authorized to be paid by the lottery retailer by these rules during its normal business hours at the location designated on its license.

(15) In the event a dispute between the director and the claimant occurs as to whether the ticket is a winning ticket, and if the ticket prize is not paid, the director may, solely at his or her option, replace the disputed ticket with an unplayed ticket (or tickets of equivalent sales price from any game). This shall be the sole and exclusive remedy of the claimant.

#### AMENDATORY SECTION (Amending Order 92, filed 5/22/86)

##### WAC 315-10-060 OFFICIAL END OF GAME.

(1) The director shall announce the official end of each instant game. A player may submit a low-tier winning ticket to the lottery retailer from whom the ticket was purchased or the lottery and a high-tier winning ticket to the lottery for prize payment up to one hundred and eighty days after the official end of game. In order to participate in a grand prize drawing in which the entry is the submittal of one or more winning or nonwinning tickets, a player must redeem and submit such a ticket (~~which qualifies for entry into that grand prize drawing~~) or tickets within the time limits set forth in chapter 315-11 WAC governing the conduct of that specific game.

(2) A lottery retailer may continue to sell tickets for each instant game up to fourteen days after the official end of that game.

(3) A lottery retailer must return to the lottery unsold lottery tickets for each game within ~~((ninety))~~ thirty days after the official end of that game in order to receive full credit for the tickets returned from the lottery ~~((as provided for in director's instructions to lottery retailers or the interlocal cooperative agreement between the lottery and the state liquor control board))~~. Lottery retailers who return tickets between thirty-one and ninety days after the official end of game will be charged a fifteen percent restocking fee. The lottery has no obligation to grant credit for tickets returned more than ninety days after the official end of game.

(4) Return of tickets by state liquor control board outlets shall be governed by the interlocal cooperative agreement between the lottery and the state liquor control board.

#### AMENDATORY SECTION (Amending Order 97, filed 12/16/86)

WAC 315-30-090 ON-LINE RETAILER CREDIT CRITERIA. (1) The director shall deny an on-line license endorsement to any applicant whose credit is rated as poor as defined in this section.

(2) The director may grant an on-line license endorsement to an applicant whose credit is rated as marginal or minimum as defined in this section. Provided, the director shall require:

(a) Applicants whose credit is rated as marginal as defined in this section to obtain a surety bond or post cash in lieu of a bond under terms and conditions established by the director prior to issuance of the on-line license endorsement. Such surety bond must be secured from a company licensed to do business in the state of Washington. The bond or cash shall be in the amount of seven thousand five hundred dollars unless the director determines a higher amount is required.

(b) Applicants whose credit is rated as minimum as defined in this section to obtain a surety bond or post cash in lieu of a bond under terms and conditions established by the director or submit five letters of credit to the lottery prior to issuance of the on-line license endorsement. Such surety bond must be secured from a company licensed to do business in the state of Washington. The bond or cash shall be in the amount of seven thousand five hundred dollars unless the director determines a higher amount is required.

(3) In the event the retailer's credit is rated as poor or marginal subsequent to the issuance of the license endorsement the director may:

(a) Revoke or suspend a retailer's on-line license endorsement and/or;

(b) Require such an agent to secure a surety bond from a company licensed to do business in the state of Washington or post cash in lieu of a bond under terms and conditions established by the director. The surety bond or cash shall be in the amount of seven thousand five hundred dollars unless the director determines, based on sales volume and financial solvency of the retailer, a higher amount is required.

(4) Credit ratings are defined as follows:

(a) Business credit - information concerning the meeting of financial obligations when they become due

in the normal course of business and includes currently reporting accounts payable and payment records up to six months prior to the lottery's credit check request. Accounts are evaluated by the percentage of the balance that falls in each of the following categories: Zero to thirty days, thirty-one to sixty days beyond terms, sixty-one to ninety days beyond terms, and ninety-one plus days beyond terms.

(i) A "poor" credit rating indicates that at least half of the accounts have a portion of the balance that is in the sixty-one days and over categories.

(ii) A "marginal" credit rating indicates that at least half of the accounts have a portion of the balance that is in the thirty-one days and over categories.

(iii) A "minimum" credit rating indicates the information is insufficient for evaluation.

(iv) An "acceptable" credit rating indicates that the majority of current accounts are in the zero to thirty days payment category. Provided, at least three accounts must be evaluated in order to receive an "acceptable" rating.

(b) Personal credit - includes current reporting personal accounts payable and public financial record information including but not limited to court records, other public records and reports from credit bureaus or other credit reporting agencies up to seven years prior to the lottery's credit check request. A significant incident shall be defined as public financial record information which includes any lien, judgment, bankruptcy, involuntary collection action, or any similar incident which reflects on the individuals willingness and ability to pay creditors. A numerical rating of "one" represents excellent credit. A numerical rating of "nine" represents involuntary collection.

(i) A "poor" credit rating indicates at least half of the accounts are rated over "five," and/or the public record information indicates three or more significant incidents within the past three years.

(ii) A "marginal" credit rating indicates that at least half of the accounts are rated over "three," and/or the public record information indicates one or more significant incidents within the past three years.

(iii) A "minimum" credit rating indicates the information is insufficient for evaluation.

(iv) An "acceptable" credit rating indicates that the majority of the reporting accounts are rated under "three" and that there have been no significant incidents in the public record within the past three years. Provided, at least, three accounts must be evaluated in order to receive an "acceptable" rating.

(5) Credit rating checks shall be conducted as follows:

(a) Corporations business credit ratings shall be checked. Personal credit ratings of the corporate officers and owners of ten percent or more equity in the corporation may also be checked.

(b) Sole proprietors and partnership business credit ratings shall be checked. Personal credit ratings of (i) the sole proprietor and his or her spouse or (ii) all partners and their spouses shall also be checked.

(c) Findings shall be applied in accordance with subsections (1), (2), and (3) of this section.

## WSR 87-17-013

### ADOPTED RULES

### PUBLIC WORKS BOARD

[Order 87-16—Filed August 10, 1987]

Be it resolved by the Public Works Board, acting at the Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA, that it does adopt the annexed rules relating to application evaluation procedure and board deliberations as found in WAC 399-30-040.

This action is taken pursuant to Notice No. WSR 87-13-043 filed with the code reviser on June 16, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Public Works Board as authorized in RCW 43.155.040.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 4, 1987.

By Pete A. Butkus  
Manager, Public Works Division  
Department of Community Development

### AMENDATORY SECTION (Amending Resolution No. 86-12, filed 8/21/86)

WAC 399-30-040 APPLICATION EVALUATION PROCEDURE AND BOARD DELIBERATIONS. (1) The board will consider and prioritize, or disapprove, all applications for loans or financing guarantees at regular or special meetings of the board. The applicant will be notified of meetings at which its application will be considered.

(2) Applications will be evaluated and prioritized in accordance with the following procedures:

(a) Staff will log in all applications as received.

(b) Staff will review all applications for compliance with the minimum qualification requirements of WAC 399-30-030(2) (~~in application Form A~~). Jurisdictions whose applications do not meet the minimum qualification requirements will be notified in writing of the disqualification.

(c) Staff will perform a preliminary evaluation of all applications which meet the requirements of WAC 399-30-030(2). Applications will be scored according to the number of points awarded for responses provided in the statements of local effort and project need.

(i) Up to ~~((two hundred fifty))~~ thirty-eight points may be awarded in the evaluation of each application's demonstration of need for the proposed project (~~((A))~~). Responses to questions ~~((+0))~~ 12 through ~~((+2))~~ 19 will be evaluated to determine this score.

~~((B))~~ Up to two hundred and forty-five points may be awarded in the evaluation of the extent and severity of public works problems provided in applicant responses to questions ~~10 through 13 and 16 through 21~~. Extent and severity referred to include health and safety, emergency

~~needs, high maintenance and operation costs and community and regional benefit.~~

~~(C)) (ii) Up to ((five)) two points may be awarded in the evaluation of coordinated projects provided in applicant responses to question ((14)) 20.~~

~~((fit)) (iii) Up to ((two hundred)) sixty points may be awarded in the evaluation of the applicant jurisdiction's demonstration that it is making a reasonable effort to meet its public works needs((-A)). Responses to questions ((22)) 21 through ((38)) 53 will be evaluated to determine this score.~~

~~((B) In the case of nonrate-based projects, up to one hundred and fifty points may be awarded in the evaluation of the management initiatives undertaken by applicant jurisdictions provided in applicant responses to questions 22 through 26.~~

~~(C) In the case of nonrate-based projects, up to fifty points may be awarded in the evaluation of local option tax measures charged by applicant jurisdictions provided in applicant responses to questions 27, 28, 29, 30 and 31.~~

~~(D) In the case of rate-based projects, up to one hundred points may be awarded in the evaluation of the management initiatives undertaken by applicant jurisdictions provided in applicant responses to questions 22 through 26.~~

~~(E) In the case of rate-based projects, up to one hundred points may be awarded in the evaluation of user rates charged by applicant jurisdictions provided in applicant responses to questions 27, 28, and 32 through 38.)~~

(d) Staff will provide the board with preliminary evaluation and scoring of the applications(~~(including a summary of each proposal)~~). All application materials will be available to the board for their deliberations. The board will develop a ranked list of projects based on the information provided to them by the staff and the applications.

(e) The board will then adjust the ranked list in consideration of the following factors:

- (i) Geographical balance;
- (ii) Economic distress;
- (iii) Type of projects;
- (iv) Type of jurisdiction;
- (v) Other criteria that the board considers advisable.

(f) Staff will verify critical information on each project as required by the board.

(g) The board will not accept oral testimony from any applicant while deliberating loan priorities, other than information requests initiated by the board as provided in (h) of this subsection.

(h) The board may consult ((on any issue it wishes to address,)) with officials of jurisdictions having projects on the list recommended for funding on any issue it wishes to address.

(3) Applicants will be notified in writing of board decisions.

**WSR 87-17-014**  
**EMERGENCY RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**  
 [Order 325—Filed August 10, 1987]

Be it resolved by the State Wildlife Commission, acting at Olympia, Washington, that it does adopt the annexed rules relating to amendment to 1987-88 Washington game fish regulations—Big White Salmon River and Drano Lake, WAC 232-28-61608.

We, the State Wildlife Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this regulation change is necessary to allow additional recreational opportunity on wild steelhead, surplus to escapement goal requirements, returning above Bonneville Dam.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 10, 1987.

By Jack S. Wayland  
for Dr. James M. Walton  
Chairman, Wildlife Commission

NEW SECTION

*WAC 232-28-61608 AMENDMENT TO 1987-88 WASHINGTON GAME FISH REGULATIONS—BIG WHITE SALMON RIVER AND DRANO LAKE. Notwithstanding the provisions of WAC 232-28-616, the game fish regulations for the Big White Salmon River and Drano Lake will be as follows:*

*BIG WHITE SALMON RIVER, 203, from mouth to within 400' of Northwestern Dam: year around season. TROUT—min. lgth. 12".*

*Effective 12:01 a.m. on August 11, 1987 to 11:59 p.m. on August 31, 1987 Wild Steelhead Release regulations do not apply.*

*Effective 12:01 a.m. on September 1, 1987 to 11:59 p.m. on October 31, 1987 Wild Steelhead Release regulations apply. Only steelhead with missing adipose or ventral fins or with dorsal fins measuring less than 2 inches in height when fully extended may be possessed. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin.*

*DRANO LAKE, 100, year around season. Effective 12:01 a.m. on August 11, 1987, to 11:59 p.m. on August 31, 1987 Wild Steelhead Release regulations do not apply.*

*Effective 12:01 a.m. on September 1, 1987 to 11:59 p.m. on October 31, 1987 Wild Steelhead Release regulations apply. Only steelhead with missing adipose or ventral fins or with dorsal fins measuring less than 2 inches in height when fully extended may be possessed. It is unlawful to possess a steelhead with a freshly cut or mutilated dorsal, ventral or adipose fin.*

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 87-17-015**  
**ADOPTED RULES**  
**DEPARTMENT OF REVENUE**  
[Order 87-4—Filed August 11, 1987]

I, William R. Wilkerson, director of the Department of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to leases or rentals of tangible personal property, bailments, amending WAC 458-20-211.

This action is taken pursuant to Notice No. WSR 87-14-055 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Revenue as authorized in RCW 82.32.300.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 11, 1987.

By William R. Wilkerson  
Director

**AMENDATORY SECTION** (Amending Order ET 83-1, filed 3/30/83)

**WAC 458-20-211 LEASES OR RENTALS OF TANGIBLE PERSONAL PROPERTY, BAILMENTS. (1) DEFINITIONS.** The terms "leasing" and "renting" are used interchangeably and refer generally to the act of granting to another the right of possession to and use of tangible personal property for a consideration.

(2) The term "bailment" refers to the act of granting to another the temporary right of possession to and use of tangible personal property for a stated purpose without consideration to the grantor.

(3) A true lease, rental, or bailment of personal property does not arise unless the lessee or bailee, or employees or independent operators hired by the lessee or bailee actually takes possession of the property and exercises dominion and control over it. Where the owner of the equipment or the owner's employees or agents maintain dominion and control over the personal property and actually operate it, the owner has not generally relinquished sufficient control over the property to give rise to a true lease, rental, or bailment of the property.

(4) RCW 82.04.050 excludes from the definition "retail sale" any purchases for the purpose of resale, "as tangible personal property." Also, under this statutory definition, the term "retail sale" includes the renting or leasing of tangible personal property to consumers. However, equipment which is operated by the owner or an employee of the owner is considered to be resold, rented, or leased only under the following, precise circumstances:

- a) The property consists of construction equipment;
- b) The agreement between the parties is designated as an outright lease or rental, without reservations; and,
- c) The customer acquires the right of possession, dominion, and control of the equipment, even to the exclusion of the lessor.

(5) The third requirement above is a factual question and the burden of proof is upon the owner/operator of the equipment to establish that the degree of control has been relinquished necessary to constitute a lessor-lessee relationship. Weight will be given to such factors as who has physical, operating control of the equipment; who is responsible for its maintenance, fueling, repair, storage, insurance (risk of loss or damage), safety and security of operation, and whether the operator is a loaned servant. If control of these factors is left with the owner/operator, then as a matter of fact, there has not been a relinquishing of control of the equipment to the degree necessary to create a lessor-lessee relationship. This is true, even though the customer exercises some constructive control over such matters as when and where the equipment is used in connection with the construction work being performed, i.e., the contractor controls the job site.

~~((The))~~ (6) Thus, the terms leasing, rental, or bailment do not include ~~((rental agreements))~~ any arrangements pursuant to which the owner ~~((or lessor))~~ of the equipment reserves dominion and control of the equipment and either operates the equipment or ~~((supplies))~~ property or provides an employee operator, whether or not such employee operator works under the general supervision or control of the ~~((lessee))~~ customer.

(7) BUSINESS AND OCCUPATION TAX. ~~((The renting or leasing of tangible personal property constitutes a "sale" (RCW 82.04.040) and persons engaged in renting or leasing such property to users or consumers are taxable under the retailing classification upon the gross income from rentals as of the time the rental payments fall due. Persons renting or leasing tangible personal property to persons who will rent or lease such property to others are taxable under the classification wholesaling.))~~ Outright rentals of bare (unoperated) equipment or other tangible personal property as well as "true" leases or rentals of operated equipment or property are generally subject to the retailing classification of the business and occupation tax. Under unique circumstances when such things are rented for re-rent by the lessee, without intervening use, then the original rental is subject to the wholesaling classification of tax and the subsequent rental is subject to the retailing classification.

(8) Persons who ~~((rent))~~ provide equipment or other tangible personal property and, in addition, operate the equipment or supply an employee to operate the same

for a charge, without relinquishing substantial dominion and control to the customer, are subject to the business and occupation tax (or public utility tax) according to the classification of the activities performed by the equipment and operator. Thus, the charge made to a construction contractor for equipment with operator used in the construction of a building would be taxable under wholesaling—other and a similar charge to a contractor for use in the construction of a publicly owned road would be taxable under public road construction.

(9) RETAIL SALES TAX. Persons who rent or lease tangible personal property to users or consumers are required to collect from their lessees the retail sales tax measured by gross income from rentals as of the time the rental payments fall due.

~~((The retail sales tax does not apply upon the rental or lease of motor vehicles and trailers to nonresidents of this state for use exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when the motor vehicle or trailer is registered and licensed in a foreign state. For purposes of this exemption, the term "nonresident" shall apply to a renter or lessee who has one or more places of business in this state as well as in one or more other states but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained and operated from the renter's or lessee's place of business in another state.~~

(10) RCW 82.04.050 excludes from the definition of the term "retail sale," purchases for resale "as tangible personal property." Thus the retail sales tax does not apply upon sales of tangible personal property to persons who purchase the same solely for the purpose of renting or leasing such property without operators or making "true" leases of operated equipment. However, the retail sales tax applies upon sales to persons who ~~((rent))~~ provide such property with operators for a charge, without relinquishing substantial dominion and control, or who intend to ((made)) make some use of the property other than or in addition to renting or leasing.

(11) The retail sales tax does not apply upon the rental or lease of motor vehicles and trailers to nonresidents of this state for use exclusively in transporting persons or property across the boundaries of this state and in intrastate operations incidental thereto when the motor vehicle or trailer is registered and licensed in a foreign state. For purposes of this exemption, the term "nonresident" shall apply to a renter or lessee who has one or more places of business in this state as well as in one or more other states but the exemption for nonresidents shall apply only to those vehicles which are most frequently dispatched, garaged, serviced, maintained and operated from the renter's or lessee's place of business in another state.

(12) Effective April 3, 1986, (RCW 82.08.0295) the retail sales tax shall not apply to lease payments by a

seller/lessee to a purchaser/lessor under a sale/leaseback agreement in respect to property, equipment, and components used by the seller/lessee primarily in the business of canning, preserving, freezing, or dehydrating fresh fruits, vegetables, and fish. Nor does the sales tax apply to the purchase amount paid by the lessee pursuant to an option to purchase this specific kind of processing equipment at the end of the lease term. In both situations the availability of this special sales tax exemption is contingent upon the seller/lessee having paid retail sales tax or use tax at the time of acquisition of such special processing property, equipment, and components.

(13) USE TAX. Consumers who rent or lease tangible personal property from others and who have not paid the retail sales tax to their lessors are liable for the use tax on the amount of the rental payments as of the time the payments fall due.

(14) Effective April 3, 1986, (RCW 82.12.0295) the use tax shall not apply to lease payments by a seller/lessee to a lessor under a sale/leaseback agreement in respect to property, equipment, and components used by the seller/lessee primarily in the business of canning, preserving, freezing, or dehydrating fresh fruits, vegetables, and fish. Nor does the use tax apply to the purchase amount paid by the lessee pursuant to an option to purchase at the end of the lease term. In both situations the availability of this use tax exemption is contingent upon the seller/lessee having paid retail sales tax or use tax at the time of acquisition of such property, equipment, and components.

(15) The value of tangible personal property held or used under bailment is subject to tax if the property was purchased or acquired under conditions whereby the retail sales tax was not paid by the bailor. Tax liability is that of the bailor, or of the bailee if the bailor has not paid the tax. The measure of the use tax for articles acquired by bailment is the reasonable rental for such articles to be determined as nearly as possible according to the rental price at the place of use of similar products of like quality and character. In the absence of rental prices for similar products the reasonable rental may be computed by prorating the retail selling price over the period of possession had by a bailee and payable in monthly installments. No further use tax is due upon property acquired by bailment after tax has been paid by the bailee or any previous bailee upon the full original value of the article.

(16) Use tax does not apply to use by a bailee of any article of tangible personal property which is entirely consumed in the course of research, development, experimental, and testing activities conducted by the user, providing the acquisition or use of such articles by the bailor are exempt from sales or use tax. (RCW 82.12.0265.)

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 87-17-016**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Filed August 11, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning nursing home licensure program administration, amending chapter 388-98 WAC;

that the agency will at 10:00 a.m., Thursday, October 1, 1987, in the Auditorium, OB-2, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 2, 1987.

The authority under which these rules are proposed is chapter 476, Laws of 1987.

The specific statute these rules are intended to implement is chapter 476, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 1, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director  
 Administrative Services  
 Department of Social and Health Services  
 Mailstop OB 39  
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 17, 1987. The meeting site is in a location which is barrier free.

Dated: August 11, 1987

By: Leslie F. James, Director  
 Administrative Services

#### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

Re: Amending chapter 388-98 WAC.

Purpose of the Rule Change: To amend the WAC to conform with chapter 476, Laws of 1987 (HB 1006).

Reason These Rules are Necessary: To carry out the legislative intent of establishing a system for imposing prompt and effective sanctions against nursing homes in violation of laws and regulations. Chapter 388-98 WAC authorizes the department to impose civil fines and stop placements on nursing homes.

Statutory Authority: Chapter 18.51 RCW as amended by chapter 476, Laws of 1987 (HB 1006).

Summary of Rule Change: WAC 388-98-001 clarifies some definitions and adds definitions of "plan of correction" and "retaliate"; WAC 388-98-700 clarifies reasons for imposing a stop placement, and changes the time frame for a final decision on an appeal of a stop placement; WAC 388-98-800 increases the amount nursing homes may be fined, adds reasons for imposing a

civil fine, deletes classifications of deficiencies, and allows fining in certain instances without the nursing home having an opportunity to correct the deficiency; WAC 388-98-830 specifies time frames for nursing homes submitting plans of correction and correcting the deficiencies; WAC 388-98-850 specifies the basis for determining the amount of a fine, when a fine may be paid in installments, when a fine may be suspended, and allows a suspended fine to be tripled if the nursing home fails to maintain correction of the deficiency. It also describes appeal rights and when fines become due; and WAC 388-98-870 permits fining on a daily basis and describes separate violations.

Person Responsible for the Drafting, Implementation, and Enforcement of the Rule: Mike Wills, Director, Residential Rates and Licensure Services, Aging and Adult Services Administration, Department of Social and Health Services, Mailstop HB-11, Olympia, Washington 98504, phone 753-5840.

These rules are not necessary as a result of federal law, federal court decision, or state court decision.

#### AMENDATORY SECTION (Amending Order 2052, filed 12/1/83)

WAC 388-98-001 DEFINITIONS. (1) For purposes of this section, the following words or phrases shall have the following meanings unless the context clearly indicates otherwise:

(2) "Applicant" means an individual, partnership, corporation, or other legal entity (~~which seeks~~) seeking a license to operate a nursing home.

(3) "Deficiency" means (~~a finding by~~) any practice, action, policy, procedure, or condition in a nursing home violating professional standards of practice, relevant statutes, or regulations and which the department (~~written on a statement of deficiency/plan of correction form~~) documents in writing indicating the (~~part(s)~~) part or parts of chapter 248-14 WAC (~~that are~~) not being met.

(4) "Department" means the nursing home licensing agency of the state department of social and health services.

(5) "Director" means an individual (~~who has been~~) elected or appointed as director of a corporation.

(6) "Licensed nursing home" means a nursing home licensed pursuant to chapter 18.51 RCW.

(7) "Licensee" means an individual, partnership, corporation, or other legal entity to whom a license to operate a nursing home has been granted or a person subject to such licensure as determined by the department but does not include any employee of such licensee or person unless that employee is an owner of five percent or more of the assets of the licensed entity.

(8) "Licensee's agent" means the designated nursing home administrator, or an individual allowed to perform managerial functions in his(~~her~~) or her absence.

(9) "Officer" means an individual (~~who has been~~) appointed an officer of a corporation.

(10) "Owner of five percent or more of the assets of a nursing home" means:

(a) In the case of a (~~state~~) sole proprietorship, the owner, or if owned as community property, the owner and his(~~her~~) or her spouse; or

(b) In the case of a corporation, the owner of at least five percent of the capital stock of said corporation; or

(c) In the case of any other type of business entity, the owner of a beneficial interest in at least five percent of the capital assets of such entity.

(11) "Partner" means an individual (~~who is~~) in a partnership (~~which owns~~) owning or (~~operates~~) operating a nursing home.

(12) "Plan of correction" means a written statement specifying:

(a) How cited deficiencies will be corrected,

(b) The date by which the correction will be made, and

(c) Who will be responsible for assuring the correction.

(13) "Reasonable time" means a period of time determined by the department and noted in the plan of correction. In determining the length of the period of time for correction of each (~~class of~~) deficiency, the department will consider:

(a) The gravity of the deficiency, including the severity and immediacy of the actual or potential harm to any resident;

(b) The required financial and personnel resources necessary to correct the deficiency; and

(c) The minimum amount of time practicably required to correct the deficiency.

~~((H3))~~ (14) "Retaliate":

(a) Retaliate against a resident means any act including, but not limited to:

(i) Verbal or physical harassment or abuse;

(ii) Nonmedically indicated social, dietary, or mobility restriction;

(iii) Lessening of the level of care not medically appropriate;

(iv) A nonvoluntary relocation within a nursing home without appropriate medical justification;

(v) Neglect or negligent treatment;

(vi) Withholding of privileges; or

(vii) Any infringement upon a resident's rights as described in WAC 248-14-247, occurring as a result of resident actions described in WAC 388-98-800 (2)(i).

(b) Retaliate against an employee means any act including, but not limited to, harassment, firing, demotion, disciplinary action, or nonvoluntary reassignment or rescheduling occurring as a result of employee actions described in WAC 388-98-800 (2)(i). Disciplinary actions, demotions, firings, reassignments, and reschedulings directly related to the employee's job performance or necessary for the efficient operation of the nursing home are not considered retaliation.

(c) A rebuttable presumption is raised that retaliation has occurred if a condition described in subsection 388-98-001 (14)(a) or (b) of this section definition occurs within one year of the resident's or employee's actions described in WAC 388-98-800 (2)(i).

(15) "Stop placement" means action instituted by the department prohibiting nursing home admissions, readmissions, and transfers of individual patients.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

#### AMENDATORY SECTION (Amending Order 2052, filed 12/1/83)

WAC 388-98-700 STOP PLACEMENT. (1) Where the department determines ~~((that))~~ a nursing home no longer substantially meets the requirements of chapter 18.51 or 74.42 RCW or 42 U.S.C. § 1395 x(j) or 42 U.S.C. § 1396 d(c), ~~((respectively;))~~ or regulations promulgated thereunder, and further determines ~~((that))~~ the provider's deficiencies ~~((do))~~ jeopardize the health and safety of its patients~~((;))~~ or seriously limit its capacity to provide adequate care, the department shall institute a stop placement on such provider on a date specified by the department: PROVIDED, That readmissions from a hospital may be approved when it is determined by the department that such readmission would be in the best interest of the individual ~~((patient))~~ resident.

(2) The stop placement shall be terminated when:

(a) The provider states in writing that the deficiencies necessitating the stop placement action have been corrected; and

(b) Department staff confirms in a timely fashion not to exceed fifteen working days ~~((whether));~~

(i) The deficiencies necessitating the stop placement action have been corrected, and ~~((that))~~

(ii) The provider exhibits the capacity to continue to deliver adequate care and service.

(3) A nursing home provider shall have the right to request an informal conference within ten days of notice of the stop placement to present written evidence to refute the deficiencies.

(4) A nursing home provider shall have the right to request a fair hearing within thirty days of notice of the stop placement to appeal a stop placement action.

(a) A request for a fair hearing or an informal conference shall not suspend or delay a stop placement.

(b) A final decision shall be rendered ~~((within seven calendar days of the hearing, unless extended by a continuance of the hearing requested by or consented to by the appellant))~~ as expeditiously as possible.

(5) The stop placement will remain in effect until there is a final administrative decision or until the conditions of subsection (2) of this section have been satisfied.

#### AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-800 APPLICABILITY OF CIVIL FINES. (1) The department may impose civil fines ~~((may be imposed))~~ in lieu of or in addition to denial, suspension, or revocation of a license.

(2) A fine of up to ~~((one))~~ three thousand dollars may be imposed on the licensee when the department finds ~~((that))~~ an applicant, licensee ~~((or)),~~ licensee's agent, employee, or individual providing care or services within the nursing home has:

(a) ~~((Been the holder of a license issued pursuant to))~~ Failed or refused to comply with the requirements of chapters 18.51 or 74.42 RCW ~~((which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled))~~ or the rules, standards, and regulations established under them; or

(b) Operated a nursing home without a license, or under a revoked or suspended license; or

(c) Knowingly or with reason to know made a false statement or an omission of a material fact in ~~((his))~~ the application for license or any data attached thereto, or in any matter under investigation by the department; or

~~((e))~~ (d) Refused to allow representatives or agents of the department to inspect all the books, records, and files required to be maintained on any portion of the premises of the nursing home; or

~~((d))~~ (e) Wilfully prevented, interfered with, or attempted to impede in any way the work of any duly authorized representative of the department in the lawful enforcement of any provision of chapters 18.51 or 74.42 RCW, or the standards, rules, and regulations established under them; or

~~((e))~~ (f) Wilfully prevented or interfered with any representative of the department in the preservation of evidence of any violation of any of the provisions of chapters 18.51 or 74.42 RCW, or the standards, rules, and regulations ~~((promulgated thereunder))~~ established under them; or

~~((f))~~ (g) Failed to report patient abuse or neglect in accordance with chapter 70.124 RCW; or

~~((g))~~ (h) Failed to pay any civil fine assessed by the department pursuant to chapter 18.51 RCW within ~~((twenty))~~ ten days after such assessment becomes final; or

(i) Retaliated in any manner against a resident or employee of a nursing home for:

(i) Reporting any complaint to the department regarding the operation of a nursing home or the care provided in a nursing home, or

(ii) Responding to departmental inquiries regarding the operation of a nursing home or the care provided in a nursing home, or

(iii) Initiating or participating in any proceeding specified in chapters 18.51 or 74.42 RCW or rules or regulations established under them, or

(iv) Having a complaint reported to the department on his or her behalf.

(j) Discriminated against a Medicaid recipient by violating the provisions of RCW 74.42.055;

(k) Failed to submit an acceptable plan of correction within the timeframe established by the department; or

(l) Failed to correct a deficiency within the reasonable time established for the deficiency.

(3) ~~((Monetary fines of a civil nature may be imposed on the licensee of a nursing home as follows))~~ A licensee subject to civil fines under subsection (2)(a) of this section shall have reasonable opportunity, as specified in WAC 388-98-830, to correct the deficiency before being assessed a civil fine, except as provided in subsection (4) of this section.

(4) A civil fine may be assessed without prior opportunity to correct when the department determines:

(a) ~~((it shall be a Class A deficiency when there are conditions or practices that present an immediate danger of death or serious physical harm to any patient in the nursing home or substantial probability that death or serious physical harm would result. The condition or practice constituting a Class A deficiency shall be abated or eliminated as soon as possible within twenty-four hours upon notification to the licensee or licensee's agent. The licensee shall be subject to a fine not to exceed one thousand dollars for each Class A deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed.))~~ The deficiency results in serious harm to or death of a resident; or

(b) ~~((it shall be a Class B deficiency when there are conditions or practices which have a direct or immediate relationship to the mental or physical health, safety, or security of residents of a nursing home but which presents no imminent danger nor substantial probability of~~

death or serious physical harm to them. A Class B deficiency shall be corrected within a reasonable time determined by the department, but in no event more than sixty days. The licensee shall be subject to a fine not to exceed seven hundred fifty dollars for each Class B deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed.) The deficiency constitutes a serious threat to resident life, health, or safety; or

(c) ~~((It shall be a Class C deficiency when there are conditions or practices which have a relationship to the health, safety, or security of any patient at a nursing home but which cannot be classified as a Class A or Class B deficiency. A Class C deficiency shall be corrected within a reasonable time determined by the department. The licensee shall be subject to a fine not to exceed five hundred dollars for each Class C deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed))~~ The deficiency substantially limits the nursing home's capacity to render adequate care; or

(d) There has been a violation of subsection (2)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), or (l) of this section; or

(e) A previously cited deficiency resulting in:

(i) Serious harm to or death of a resident;

(ii) A serious threat to resident life, health, or safety; or

(iii) A substantial limitation of the nursing home's capacity to render adequate care, is cited again within one year of the date correction was verified by the department.

#### AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-830 NOTIFICATION. (1) Department findings shall be written as a statement of deficiency and presented to the licensee or licensee's agent.

(2) The department shall obtain a plan of correction ((and reasonable time for correction)) from the licensee or licensee's agent. ((The))

(a) The department may require the licensee or licensee's agent to submit an acceptable plan of correction during the survey or complaint investigation for a specific deficiency presenting an immediate danger of death or serious physical harm to any resident in the nursing home or a substantial probability that death or serious physical harm would result. Such deficiency shall be abated or eliminated as soon as possible within twenty-four hours from notification to the licensee or licensee's agents.

(b) A licensee or licensee's agent participating in the Medicare or Medicaid program shall submit a complete and acceptable plan of correction ((shall be obtained)) during the exit interview when:

(i) The survey team recommends a slow track decertification from the Medicare or Medicaid program, or

(ii) There are fewer than sixty days from the exit interview to the Medicare or Medicaid certification expiration date.

(c) All licensees or licensees' agents choosing to submit a complete plan of correction during the exit interview may do so.

(d) The licensee or licensee's agent not submitting a plan of correction at the exit interview shall submit a complete plan of correction by the time and date specified by the department. The department may allow the licensee or licensee's agent up to ten calendar days from the exit conference to submit an acceptable plan of correction for deficiencies presenting neither an immediate danger nor a substantial probability of death or serious physical harm. Such deficiency shall be corrected within a reasonable time determined by the department. In no event shall the time for correction exceed sixty days.

(e) When deficiencies involve facility alterations, physical plant plan development, construction review, or certificate of need, an interim plan of correction ((that states)) stating the steps planned and approximate time schedule is acceptable. Updated plans shall be submitted as agreed to and as progress occurs. ((The reasonable time for correction shall be limited by the classification of deficiency.))

(3) ((Unacceptable plans for correction or times for correction will be returned by personal service or certified mail to the licensee or licensee's agent, with letter of explanation, for revision and resubmission:

(a) The licensee or licensee's agent shall be allowed up to eight hours to submit an acceptable plan of correction and reasonable time for correction for Class A deficiencies:

(b) The licensee or licensee's agent shall be allowed up to five working days to submit an acceptable plan of correction and reasonable time for correction for Class B deficiencies:

(c) The licensee or licensee's agent shall be allowed up to ten working days to submit an acceptable plan of correction and reasonable time for correction for Class C deficiencies:

(4) When the licensee or licensee's agent corrects a deficiency as determined by the department within the reasonable time established, a fine will not be imposed:

(5)) Upon licensee's or licensee's agent's written petition, the department shall determine whether or not to grant a request for an extended correction time. Such a petition must be received by the department at the earliest possible date prior to the expiration of the correction time originally approved. The burden of proof is on the licensee or licensee's agent to show good cause for not being able to comply with the original correction time.

(4) The department shall notify the licensee or licensee's agent when the plan of correction is unacceptable. The licensee or licensee's agent shall return the revised plan of correction to the department by the date specified by the department.

#### AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-850 IMPOSITION AND PAYMENT OF FINES. (1) ((If correction has not been completed and a decision not to fine the licensee has been made, that decision shall be communicated to the licensee or licensee's agent and shall be documented in the licensing file:

(2) When the corrective action taken by the licensee or licensee's agent fails to fully correct the deficiency, the degree of progress in correcting the deficiency will be considered in determining whether or not a fine will be imposed:

(3) Each fine imposed shall be approved by the department:

(4)) The department shall provide written notice of imposition ((shall be provided)) of a fine by personal service or certified mail to the individual or entity to be fined.

((5)) (2) The amount of the fine shall be based on ((any)) one or ((all)) more of the following:

(a) The severity of the deficiency;

(b) The prevalence of the deficiency;

(c) The licensee's or licensee's agent's efforts to correct the deficiency;

(d) The ((licensee's history)) degree of ((noncompliance)) progress achieved in correcting the deficiency; and/or

(e) The cost to the department.

(3) The department may require assessed civil fines:

(a) To be paid in full;

(b) To be paid in installments; or

(c) To be spent, in whole or in part, to correct or ameliorate the deficiency or to improve nonadministrative services within the facility.

(4) The department may consider, but is not limited to considering, the following factors in deciding whether to require payment of a fine in full, to permit installment payments, or to require some or all of the fine to be applied toward improvements in the nursing home:

(a) The amount of the fine,

(b) The potential harm to the residents resulting from the method of payment, and

(c) The cost to the licensee of correcting the deficiency.

(5) Fines paid on an installment basis shall accrue interest at the rate of one percent per month.

(6) ((The written notice is an order that shall become final twenty days after its service upon the licensee or licensee's agent unless the licensee or licensee's agent requests a hearing. If no hearing is requested the fine becomes due on the thirtieth day after notice of imposition)) The department at its discretion, may suspend the payment of a fine or a portion thereof, for up to one year after correction has been documented by a post survey, to assure the corrections continue. If the deficiency for which the fine was assessed remains corrected throughout the period established in the suspension notice, the department shall rescind the amount of the fine which was suspended. If the same deficiency reoccurs any time during the period established in the suspension notice, the licensee shall pay the department triple the amount of the suspended fine.

(7) ((All hearings shall be in accordance with the administrative procedures contained in chapter 388-08 WAC)) Factors which the department may consider in deciding whether to suspend all or a portion of a fine include, but are not limited to:

(a) The amount of the fine,

(b) The licensee's history of providing care, and

(c) Mitigating circumstances contributing to the deficiency.

(8) ((If a hearing is requested, any written order arising therefrom imposing a fine shall become final thirty days after its entry, unless such order is stayed in accordance with the provisions of administrative procedures contained in chapter 388-08 WAC)) If the department

suspends all or a portion of a fine, the department shall provide a written notice of suspension by personal service or certified mail to the individual or entity to be fined. The notice shall include:

(a) The citation of the specific deficiency resulting in the imposition of the fine,

(b) The amount of the fine,

(c) The amount of the fine suspended, and

(d) The time frame through which correction must be maintained to avoid payment of the trebled amount of the suspended fine.

(9) ~~((In case of nonpayment of a fine, the department may withhold an amount equal to the fine from the licensee's administration and operations payment, or,))~~ The written notice of a fine is an order that shall become final twenty days after the service upon the licensee or licensee's agent unless the licensee or licensee's agent requests a hearing. If no hearing is requested, the fine becomes due on the thirtieth day after notice of imposition.

(10) ~~((The department may suspend the license of any licensee who fails to pay a fine imposed under this chapter thirty days after the date of order imposing the fine. Such license suspension shall continue until the fine is paid))~~ All hearings shall be in accordance with the administrative procedures contained in chapter 388-08 WAC.

(11) If a hearing is requested, any written order arising therefrom imposing a fine shall become final thirty days after its entry, unless such order is stayed in accordance with the provisions of administrative procedures contained in chapter 388-08 WAC.

(12) Any suspended fines shall become due ten working days after notice is given to the department of any change of ownership as defined in WAC 388-96-010.

(13) In case of nonpayment of a fine, the department may:

(a) Withhold an amount equal to the fine plus interest, if any, from the licensee's payment, or

(b) Suspend the license of any licensee failing to pay a fine imposed under this chapter thirty days after the date of order imposing the fine. Such license suspension shall continue until the fine is paid.

#### AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-870 SEPARATE VIOLATIONS. (1) Each separate finding of a violation of a statute, rule, or regulation shall constitute a separate violation.

(2) Following the notification of a violation of WAC 388-98-800 (2)(b) through (2)(l) or (3)(c), each day upon which the same deficiency is present, or a substantially similar action occurs, shall constitute a separate violation subject to the assessment of a separate penalty.

**WSR 87-17-017**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2520—Filed August 11, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to nursing home licensure program administration, amending chapter 388-98 WAC.

I, Leslie F. James, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these rules are necessary to carry out the legislative intent to establish a system for imposing prompt and effective sanctions against nursing homes when in violation of laws and regulations.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapter 476, Laws of 1987, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 11, 1987.

By Leslie F. James, Director  
 Administrative Services

#### AMENDATORY SECTION (Amending Order 2052, filed 12/1/83)

WAC 388-98-001 DEFINITIONS. (1) For purposes of this section, the following words or phrases shall have the following meanings unless the context clearly indicates otherwise:

(2) "Applicant" means an individual, partnership, corporation, or other legal entity (~~((which seeks))~~) seeking a license to operate a nursing home.

(3) "Deficiency" means (~~((a finding by))~~) any practice, action, policy, procedure, or condition in a nursing home violating professional standards of practice, relevant statutes, or regulations and which the department (~~((written on a statement of deficiency/plan of correction form))~~) documents in writing indicating the (~~((part(s)))~~) part or parts of chapter 248-14 WAC (~~((that are))~~) not being met.

(4) "Department" means the nursing home licensing agency of the state department of social and health services.

(5) "Director" means an individual (~~((who has been))~~) elected or appointed as director of a corporation.

(6) "Licensed nursing home" means a nursing home licensed pursuant to chapter 18.51 RCW.

(7) "Licensee" means an individual, partnership, corporation, or other legal entity to whom a license to operate a nursing home has been granted or a person subject to such licensure as determined by the department but does not include any employee of such licensee or person unless that employee is an owner of five percent or more of the assets of the licensed entity.

(8) "Licensee's agent" means the designated nursing home administrator, or an individual allowed to perform managerial functions in his(~~((f))~~) or her absence.

(9) "Officer" means an individual (~~((who has been))~~) appointed an officer of a corporation.

(10) "Owner of five percent or more of the assets of a nursing home" means:

(a) In the case of a (~~((state))~~) sole proprietorship, the owner, or if owned as community property, the owner and his(~~((f))~~) or her spouse, or

(b) In the case of a corporation, the owner of at least five percent of the capital stock of said corporation; or

(c) In the case of any other type of business entity, the owner of a beneficial interest in at least five percent of the capital assets of such entity.

(11) "Partner" means an individual (~~((who is))~~) in a partnership (~~((which owns))~~) owning or (~~((operates))~~) operating a nursing home.

(12) "Plan of correction" means a written statement specifying:

- (a) How cited deficiencies will be corrected,
- (b) The date by which the correction will be made, and
- (c) Who will be responsible for assuring the correction.

(13) "Reasonable time" means a period of time determined by the department and noted in the plan of correction. In determining the length of the period of time for correction of each (~~class of~~) deficiency, the department will consider:

(a) The gravity of the deficiency, including the severity and immediacy of the actual or potential harm to any resident;

(b) The required financial and personnel resources necessary to correct the deficiency; and

(c) The minimum amount of time practicably required to correct the deficiency.

~~((+3))~~ (14) "Retaliate":

(a) Retaliate against a resident means any act including, but not limited to:

(i) Verbal or physical harassment or abuse;  
 (ii) Nonmedically indicated social, dietary, or mobility restriction;

(iii) Lessening of the level of care not medically appropriate;

(iv) A nonvoluntary relocation within a nursing home without appropriate medical justification;

(v) Neglect or negligent treatment;

(vi) Withholding of privileges, or

(vii) Any infringement upon a resident's rights as described in WAC 248-14-247, occurring as a result of resident actions described in WAC 388-98-800 (2)(i).

(b) Retaliate against an employee means any act including, but not limited to, harassment, firing, demotion, disciplinary action, or nonvoluntary reassignment or re-scheduling occurring as a result of employee actions described in WAC 388-98-800 (2)(i). Disciplinary actions, demotions, firings, reassignments, and reschedulings directly related to the employee's job performance or necessary for the efficient operation of the nursing home are not considered retaliation.

(c) A rebuttable presumption is raised that retaliation has occurred if a condition described in subsection 388-98-001 (14)(a) or (b) of this section definition occurs within one year of the resident's or employee's actions described in WAC 388-98-800 (2)(i).

(15) "Stop placement" means action instituted by the department prohibiting nursing home admissions, readmissions, and transfers of individual patients.

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 2052, filed 12/1/83)

WAC 388-98-700 STOP PLACEMENT. (1) Where the department determines ~~((that))~~ a nursing home no longer substantially meets the requirements of chapter 18.51 or 74.42 RCW or 42 U.S.C. § 1395 x(j)

or 42 U.S.C. § 1396 d(c), ~~((respectively,))~~ or regulations promulgated thereunder, and further determines ~~((that))~~ the provider's deficiencies ~~((do))~~ jeopardize the health and safety of its patients~~((;))~~ or seriously limit its capacity to provide adequate care, the department shall institute a stop placement on such provider on a date specified by the department: PROVIDED, That readmissions from a hospital may be approved when it is determined by the department that such readmission would be in the best interest of the individual ~~((patient))~~ resident.

(2) The stop placement shall be terminated when:

(a) The provider states in writing that the deficiencies necessitating the stop placement action have been corrected; and

(b) Department staff confirms in a timely fashion not to exceed fifteen working days ~~((whether));~~

(i) The deficiencies necessitating the stop placement action have been corrected, and ~~((that))~~

(ii) The provider exhibits the capacity to continue to deliver adequate care and service.

(3) A nursing home provider shall have the right to request an informal conference within ten days of notice of the stop placement to present written evidence to refute the deficiencies.

(4) A nursing home provider shall have the right to request a fair hearing within thirty days of notice of the stop placement to appeal a stop placement action.

(a) A request for a fair hearing or an informal conference shall not suspend or delay a stop placement.

(b) A final decision shall be rendered ~~((within seven calendar days of the hearing, unless extended by a continuance of the hearing requested by or consented to by the appellant))~~ as expeditiously as possible.

(5) The stop placement will remain in effect until there is a final administrative decision or until the conditions of subsection (2) of this section have been satisfied.

AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-800 APPLICABILITY OF CIVIL FINES. (1) The department may impose civil fines ~~((may be imposed))~~ in lieu of or in addition to denial, suspension, or revocation of a license.

(2) A fine of up to ~~((one))~~ three thousand dollars may be imposed on the licensee when the department finds ~~((that))~~ an applicant, licensee ~~((or)),~~ licensee's agent, employee, or individual providing care or services within the nursing home has:

(a) ~~((Been the holder of a license issued pursuant to))~~ Failed or refused to comply with the requirements of chapters 18.51 or 74.42 RCW ~~((which was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of the suspension have not been fulfilled))~~ or the rules, standards, and regulations established under them; or

(b) Operated a nursing home without a license, or under a revoked or suspended license; or

(c) Knowingly or with reason to know made a false statement or an omission of a material fact in ~~((his))~~ the

application for license or any data attached thereto, or in any matter under investigation by the department; or

~~((f))~~ (d) Refused to allow representatives or agents of the department to inspect all the books, records, and files required to be maintained on any portion of the premises of the nursing home; or

~~((g))~~ (e) Wilfully prevented, interfered with, or attempted to impede in any way the work of any duly authorized representative of the department in the lawful enforcement of any provision of chapters 18.51 or 74.42 RCW, or the standards, rules, and regulations established under them; or

~~((h))~~ (f) Wilfully prevented or interfered with any representative of the department in the preservation of evidence of any violation of any of the provisions of chapters 18.51 or 74.42 RCW, or the standards, rules, and regulations ((promulgated thereunder)) established under them; or

~~((i))~~ (g) Failed to report patient abuse or neglect in accordance with chapter 70.124 RCW; or

~~((j))~~ (h) Failed to pay any civil fine assessed by the department pursuant to chapter 18.51 RCW within ((twenty)) ten days after such assessment becomes final; or

(i) Retaliated in any manner against a resident or employee of a nursing home for:

(i) Reporting any complaint to the department regarding the operation of a nursing home or the care provided in a nursing home; or

(ii) Responding to departmental inquiries regarding the operation of a nursing home or the care provided in a nursing home; or

(iii) Initiating or participating in any proceeding specified in chapters 18.51 or 74.42 RCW or rules or regulations established under them; or

(iv) Having a complaint reported to the department on his or her behalf.

(j) Discriminated against a Medicaid recipient by violating the provisions of RCW 74.42.055;

(k) Failed to submit an acceptable plan of correction within the timeframe established by the department; or

(l) Failed to correct a deficiency within the reasonable time established for the deficiency.

(3) ((Monetary fines of a civil nature may be imposed on the licensee of a nursing home as follows)) A licensee subject to civil fines under subsection (2)(a) of this section shall have reasonable opportunity, as specified in WAC 388-98-830, to correct the deficiency before being assessed a civil fine, except as provided in subsection (4) of this section.

(4) A civil fine may be assessed without prior opportunity to correct when the department determines:

(a) ((it shall be a Class A deficiency when there are conditions or practices that present an immediate danger of death or serious physical harm to any patient in the nursing home or substantial probability that death or serious physical harm would result. The condition or practice constituting a Class A deficiency shall be abated or eliminated as soon as possible within twenty-four hours upon notification to the licensee or licensee's agent. The licensee shall be subject to a fine not to exceed one thousand dollars for each Class A deficiency

for which the licensee or licensee's agent has been notified and for which the time for correction has passed.)) The deficiency results in serious harm to or death of a resident; or

(b) ((It shall be a Class B deficiency when there are conditions or practices which have a direct or immediate relationship to the mental or physical health, safety, or security of residents of a nursing home but which presents no imminent danger nor substantial probability of death or serious physical harm to them. A Class B deficiency shall be corrected within a reasonable time determined by the department, but in no event more than sixty days. The licensee shall be subject to a fine not to exceed seven hundred fifty dollars for each Class B deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed.)) The deficiency constitutes a serious threat to resident life, health, or safety; or

(c) ((It shall be a Class C deficiency when there are conditions or practices which have a relationship to the health, safety, or security of any patient at a nursing home but which cannot be classified as a Class A or Class B deficiency. A Class C deficiency shall be corrected within a reasonable time determined by the department. The licensee shall be subject to a fine not to exceed five hundred dollars for each Class C deficiency for which the licensee or licensee's agent has been notified and for which the time for correction has passed.)) The deficiency substantially limits the nursing home's capacity to render adequate care; or

(d) There has been a violation of subsection (2)(b), (c), (d), (e), (f), (g), (h), (i), (j), (k), or (l) of this section; or

(e) A previously cited deficiency resulting in:

(i) Serious harm to or death of a resident;

(ii) A serious threat to resident life, health, or safety;

or  
(iii) A substantial limitation of the nursing home's capacity to render adequate care, is cited again within one year of the date correction was verified by the department.

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(2) The department shall obtain a plan of correction ((and reasonable time for correction)) from the licensee or licensee's agent. ((The))

(a) The department may require the licensee or licensee's agent to submit an acceptable plan of correction during the survey or complaint investigation for a specific deficiency presenting an immediate danger of death or serious physical harm to any resident in the nursing home or a substantial probability that death or serious physical harm would result. Such deficiency shall be abated or eliminated as soon as possible within twenty-four hours from notification to the licensee or licensee's agents.

(b) A licensee or licensee's agent participating in the Medicare or Medicaid program shall submit a complete

and acceptable plan of correction ((shall be obtained)) during the exit interview when:

(i) The survey team recommends a slow track decertification from the Medicare or Medicaid program, or

(ii) There are fewer than sixty days from the exit interview to the Medicare or Medicaid certification expiration date.

(c) All licensees or licensee's agents choosing to submit a complete plan of correction during the exit interview may do so.

(d) The licensee or licensee's agent not submitting a plan of correction at the exit interview shall submit a complete plan of correction by the time and date specified by the department. The department may allow the licensee or licensee's agent up to ten calendar days from the exit conference to submit an acceptable plan of correction for deficiencies presenting neither an immediate danger nor a substantial probability of death or serious physical harm. Such deficiency shall be corrected within a reasonable time determined by the department. In no event shall the time for correction exceed sixty days.

(e) When deficiencies involve facility alterations, physical plant plan development, construction review, or certificate of need, an interim plan of correction ((that states)) stating the steps planned and approximate time schedule is acceptable. Updated plans shall be submitted as agreed to and as progress occurs. ((The reasonable time for correction shall be limited by the classification of deficiency:))

(3) ((Unacceptable plans for correction or times for correction will be returned by personal service or certified mail to the licensee or licensee's agent, with letter of explanation, for revision and resubmission:

(a) The licensee or licensee's agent shall be allowed up to eight hours to submit an acceptable plan of correction and reasonable time for correction for Class A deficiencies.

(b) The licensee or licensee's agent shall be allowed up to five working days to submit an acceptable plan of correction and reasonable time for correction for Class B deficiencies.

(c) The licensee or licensee's agent shall be allowed up to ten working days to submit an acceptable plan of correction and reasonable time for correction for Class C deficiencies.

(4) When the licensee or licensee's agent corrects a deficiency as determined by the department within the reasonable time established, a fine will not be imposed.

((5)) Upon licensee's or licensee's agent's written petition, the department shall determine whether or not to grant a request for an extended correction time. Such a petition must be received by the department at the earliest possible date prior to the expiration of the correction time originally approved. The burden of proof is on the licensee or licensee's agent to show good cause for not being able to comply with the original correction time.

(4) The department shall notify the licensee or licensee's agent when the plan of correction is unacceptable. The licensee or licensee's agent shall return the revised plan of correction to the department by the date specified by the department.

AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-850 IMPOSITION AND PAYMENT OF FINES. (1) ((If correction has not been completed and a decision not to fine the licensee has been made, that decision shall be communicated to the licensee or licensee's agent and shall be documented in the licensing file.

(2) When the corrective action taken by the licensee or licensee's agent fails to fully correct the deficiency, the degree of progress in correcting the deficiency will be considered in determining whether or not a fine will be imposed.

(3) Each fine imposed shall be approved by the department.

((4)) The department shall provide written notice of imposition ((shall be provided)) of a fine by personal service or certified mail to the individual or entity to be fined.

((5)) (2) The amount of the fine shall be based on ((any)) one or ((all)) more of the following:

(a) The severity of the deficiency;

(b) The prevalence of the deficiency;

(c) The licensee's or licensee's agent's efforts to correct the deficiency;

(d) The ((licensee's history)) degree of ((noncompliance)) progress achieved in correcting the deficiency; and/or

(e) The cost to the department.

(3) The department may require assessed civil fines:

(a) To be paid in full;

(b) To be paid in installments; or

(c) To be spent, in whole or in part, to correct or ameliorate the deficiency or to improve nonadministrative services within the facility.

(4) The department may consider, but is not limited to considering, the following factors in deciding whether to require payment of a fine in full, to permit installment payments, or to require some or all of the fine to be applied toward improvements in the nursing home:

(a) The amount of the fine;

(b) The potential harm to the residents resulting from the method of payment, and

(c) The cost to the licensee of correcting the deficiency.

(5) Fines paid on an installment basis shall accrue interest at the rate of one percent per month.

((6) ((The written notice is an order that shall become final twenty days after its service upon the licensee or licensee's agent unless the licensee or licensee's agent requests a hearing. If no hearing is requested the fine becomes due on the thirtieth day after notice of imposition)) The department at its discretion, may suspend the payment of a fine or a portion thereof, for up to one year after correction has been documented by a post survey, to assure the corrections continue. If the deficiency for which the fine was assessed remains corrected throughout the period established in the suspension notice, the department shall rescind the amount of the fine which was suspended. If the same deficiency reoccurs any time during the period established in the suspension notice,

the licensee shall pay the department triple the amount of the suspended fine.

(7) ((All hearings shall be in accordance with the administrative procedures contained in chapter 388-08 WAC)) Factors which the department may consider in deciding whether to suspend all or a portion of a fine include, but are not limited to:

- (a) The amount of the fine,
- (b) The licensee's history of providing care, and
- (c) Mitigating circumstances contributing to the deficiency.

(8) ((If a hearing is requested, any written order arising therefrom imposing a fine shall become final thirty days after its entry, unless such order is stayed in accordance with the provisions of administrative procedures contained in chapter 388-08 WAC)) If the department suspends all or a portion of a fine, the department shall provide a written notice of suspension by personal service or certified mail to the individual or entity to be fined. The notice shall include:

- (a) The citation of the specific deficiency resulting in the imposition of the fine,
- (b) The amount of the fine,
- (c) The amount of the fine suspended, and
- (d) The time frame through which correction must be maintained to avoid payment of the trebled amount of the suspended fine.

(9) ((In case of nonpayment of a fine, the department may withhold an amount equal to the fine from the licensee's administration and operations payment, or,)) The written notice of a fine is an order that shall become final twenty days after the service upon the licensee or licensee's agent unless the licensee or licensee's agent requests a hearing. If no hearing is requested, the fine becomes due on the thirtieth day after notice of imposition.

(10) ((The department may suspend the license of any licensee who fails to pay a fine imposed under this chapter thirty days after the date of order imposing the fine. Such license suspension shall continue until the fine is paid)) All hearings shall be in accordance with the administrative procedures contained in chapter 388-08 WAC.

(11) If a hearing is requested, any written order arising therefrom imposing a fine shall become final thirty days after its entry, unless such order is stayed in accordance with the provisions of administrative procedures contained in chapter 388-08 WAC.

(12) Any suspended fines shall become due ten working days after notice is given to the department of any change of ownership as defined in WAC 388-96-010.

(13) In case of nonpayment of a fine, the department may:

- (a) Withhold an amount equal to the fine plus interest, if any, from the licensee's payment, or
- (b) Suspend the license of any licensee failing to pay a fine imposed under this chapter thirty days after the date of order imposing the fine. Such license suspension shall continue until the fine is paid.

AMENDATORY SECTION (Amending Order 1515, filed 6/25/80)

WAC 388-98-870 SEPARATE VIOLATIONS.

(1) Each separate finding of a violation of a statute, rule, or regulation shall constitute a separate violation.

(2) Following the notification of a violation of WAC 388-98-800 (2)(b) through (2)(l) or (3)(c), each day upon which the same deficiency is present, or a substantially similar action occurs, shall constitute a separate violation subject to the assessment of a separate penalty.

#### WSR 87-17-018

#### NOTICE OF PUBLIC MEETINGS DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Memorandum—August 11, 1987]

The notice of public meetings published in Washington State Register 87-14-021 needs to be amended.

The October 30, 1987, 9:00 a.m. – 12 noon meeting has been changed to October 29, 1987, 1:00 – 4:00. The meeting place will remain the same, Senate Hearing Room 1, Cherberg Office Building.

#### WSR 87-17-019

#### NOTICE OF PUBLIC MEETINGS BOARD FOR VOCATIONAL EDUCATION

[Memorandum—August 10, 1987]

The Washington State Board for Vocational Education will hold its first meeting on Wednesday, August 26, 1987, beginning at 9:00 a.m. The meeting will be held in the conference room of the WEA Building, 319 East Seventh Avenue, Olympia, Washington.

#### WSR 87-17-020

#### ADOPTED RULES DEPARTMENT OF LICENSING (Board of Optometry)

[Order PM 666—Filed August 12, 1987]

Be it resolved by the Washington State Board of Optometry, acting at Tukwila, Washington, that it does adopt the annexed rules relating to examination appeal procedures, new section WAC 308-53-320.

This action is taken pursuant to Notice No. WSR 87-09-074 filed with the code reviser on April 22, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.54.070 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED June 2, 1987.

By Chuen Y. Wong, O.D.  
Chairman

### NEW SECTION

**WAC 308-53-320 EXAMINATION APPEAL PROCEDURES.** (1) Any candidate who takes the state examination for licensure and does not pass may request informal review by the board of his or her examination results. This request must be in writing and must be received by the department within thirty (30) days of the postmark of notification of the examination results. The board will not set aside their prior determination unless the candidate proves the challenged score was the result of fraud, coercion, arbitrariness or manifest unfairness by the board. The board will not consider any challenges to examination scores unless the total revised score could result in issuance of a license.

(2) The procedure for filing an informal review is as follows:

(a) Contact the Department of Licensing office in Olympia for an appointment to appear personally to review incorrect answers on failed written tests and score sheets on failed practical tests.

(b) Candidate will be provided a form to complete in the Department of Licensing office in Olympia in defense of test answers.

(c) The candidate must state the specific reason or reasons why the candidate feels the results of the test should be changed.

(d) Candidate will be identified only by candidate number for the purpose of this review. Letters of reference or requests for special consideration will not be read or considered by the board.

(e) Candidate may not bring in notes or texts for use while completing the informal review form.

(f) Candidate will not be allowed to take any notes or materials from the office upon leaving.

(g) The Optometry Board will schedule a closed session meeting to review the tests and forms completed by the candidate for the purpose of informal review.

(h) The candidate will be notified in writing of the results.

(3) Any candidate who is not satisfied with the result of the examination review may request a formal hearing to be held before the board pursuant to the administrative procedures act. Such hearing must be requested within twenty (20) days of the postmark of the result of the board's review of the examination results. The request must state the specific reason or reasons why the candidate feels the results of the examination should be changed. These reasons shall not be broader than those stated for the informal review. The board will not set aside its prior determination unless the candidate proves the challenged score was the result of fraud, coercion, arbitrariness or manifest unfairness by the board. The

board will not consider any challenges to examination scores unless the total revised score could result in issuance of a license.

### **WSR 87-17-021**

#### **ADOPTED RULES DEPARTMENT OF LICENSING (Board of Practical Nursing) [Order PM 672—Filed August 12, 1987]**

Be it resolved by the Washington State Board of Practical Nursing, acting at Seattle, Washington, that it does adopt the annexed rules relating to:

- |     |                 |  |
|-----|-----------------|--|
| Amd | WAC 308-117-130 | Board action following survey visits.                |
| Amd | WAC 308-117-200 | Curriculum in an approved practical nursing program. |
| Amd | WAC 308-117-300 | Curriculum content.                                  |

This action is taken pursuant to Notice No. WSR 87-10-067 filed with the code reviser on May 6, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.78.050 and 18.130.050 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 4, 1987.

By M. Christine Ivy  
Chairperson

### AMENDATORY SECTION (Amending Order PL 452, filed 12/19/83)

**WAC 308-117-130 BOARD ACTION FOLLOWING SURVEY VISITS.** (1) Whenever a matter directly concerning a practical nursing program is being considered by the board, any board member who is associated with the program shall not participate in the deliberation or decision-making action of the board.

(2) Each program shall be evaluated in terms of its conformance to the curriculum standards as provided in this chapter.

(3) The board shall give written notice to the educational institution and the nurse administrator of the practical nursing program regarding its decision on the program's approval status.

(4) Continuing full approval shall be granted a practical nursing program that meets the requirements of the law and the rules and regulations of the board. Full approval may carry recommendations for improvement and for correcting deficiencies.

(5) If the board determines that an approved practical nursing program is not maintaining the curriculum standards required for approval, the board shall give written notice specifying the deficiencies and shall designate the

period of time in which the deficiencies must be corrected. The program's approval shall be suspended if a program fails to correct the deficiencies within the specified period of time.

**AMENDATORY SECTION** (Amending Order PL 452, filed 12/19/83)

**WAC 308-117-200 CURRICULUM STANDARDS IN AN APPROVED PRACTICAL NURSING PROGRAM.** (1) In order to insure that the curriculum is well defined the statements of philosophy, purpose, objectives and conceptual framework of the curriculum must be carefully formulated, reviewed and revised periodically and must be consistent with the philosophy and goals of the controlling institution.

(2) The philosophy of the nursing curriculum must express the nursing faculty's beliefs about education, learning, nursing, nursing education and practical nursing as an integral part of nursing.

(3) The curriculum shall be consistent with the program philosophy, objectives and conceptual framework and with the law governing the practice of practical nursing.

(4) The philosophy and objectives must be communicated to the students and to staff involved with students in clinical areas to ensure achievement of the objectives.

(5) The ratio between nursing and nonnursing classes shall be based on a well developed rationale which supports the program philosophy, purpose and terminal objectives.

(6) The behavioral objectives must be realistic, attainable and measurable, based on the goal of preparing practitioners who function within the accepted role of the licensed practical nurse and the standards of competency identified in WAC 308-117-400.

(7) Learning opportunities and instructional approaches shall facilitate the achievement of curriculum objectives.

(8) The school shall have flexibility to develop and implement the curriculum as it determines will best achieve the program philosophy and objectives.

(9) The manner in which the theoretical and practical studies contribute to the achievement of the students' terminal objectives must be documented, maintained and be available for review upon request by the board of practical nursing.

(10) The curriculum shall provide concurrent theoretical instruction and practical application in the care of selected individuals at all developmental levels with different degrees of wellness-illness and various types of incapacities.

(11) Any plan for major curriculum revision, such as changes affecting the philosophy and objectives, significant course content changes, or changes in the length of the program, shall be submitted to the board for approval ((60)) sixty days prior to implementation.

(12) A school offering practical nursing programs at more than one educational site must have the same curricular philosophy and terminal objectives at each site.

(13) The curriculum shall be evaluated on a regular basis to ensure that graduates will demonstrate the

knowledge and practical application consistent with that expected of a beginning licensed practical nurse.

(14) The curriculum shall encompass broad areas of learning. Nursing content based on scientific principles shall be consistent with the practical nursing role and shall facilitate the application of nursing concepts to the care of the client.

**AMENDATORY SECTION** (Amending Order PL 452, filed 12/19/83)

**WAC 308-117-300 CURRICULUM CONTENT.** Content of the curriculum shall include:

(1) Concepts of social, behavioral, and related foundation subjects.

(a) Normal growth and development.

(b) Psychology - social facts and principles; communication techniques and defense mechanisms, normal and abnormal behavior; loss, grief and dying.

(c) Personal and vocational relationships.

(2) Biological and related foundation subjects.

(a) Anatomy and physiology.

(b) Microbiology - elementary concepts.

(c) Chemistry and physics - elementary concepts.

(d) Nutrition and diet therapy.

(e) Pharmacology and applied mathematics.

(3) Principles and practice of practical nursing consistent with the practical nursing role of the beginning practitioner as provided by the standards of competency identified in WAC 308-117-400.

(a) Nursing ethics, nursing history and trends, vocational and legal aspects of nursing.

(b) Fundamentals of nursing.

(c) Medical and surgical nursing.

(d) Parent/child nursing with only an assisting role in the care of clients during labor and delivery and those with abnormal complications.

(e) Geriatric nursing.

(f) Mental health nursing.

(g) All nursing courses shall include components of restorative, rehabilitative and supportive care.

(h) Laboratory and clinical practice in the functions of the practical nurse including but not limited to administration of medications, common medical surgical techniques and related client teaching.

(i) Concepts of client care management.

**WSR 87-17-022**

**ADOPTED RULES**

**CORRECTIONS STANDARDS BOARD**

[Order 87-2—Filed August 12, 1987]

Be it resolved by the Corrections Standards Board, acting at the Governor House Hotel, Olympia, Washington, that it does adopt the annexed rules relating to maximum capacities, amending WAC 289-15-225.

This action is taken pursuant to Notice No. WSR 87-13-014 filed with the code reviser on June 9, 1987. These rules shall take effect thirty days after they are

filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 70.48.050 (1)(c) and 70.48.070 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED June 10, 1987.

By Dennis Paulson  
for Robert W. Cote  
Executive Secretary

AMENDATORY SECTION (Amending Order 87-1, filed 2/18/87)

WAC 289-15-225 MAXIMUM CAPACITIES. Pursuant to WAC 289-15-220, the maximum capacity of each detention and correctional facility within the state of Washington is established at the figure indicated below.

Detention Facilities	Correctional Facilities
Auburn (22)	Asotin County (16)
Bremerton (23)	Benton County (109)
Issaquah (10)	Chelan County (132)
Olympia (temporary) (19)	Clallam County (102)
Stevens County (22)	Clark County (335)
	Cowlitz County (149)
	Ferry County (22)
	Forks (11)
	Franklin County (76)
	Grant County (85)
	Grays Harbor County (82)
	Island County (50)
	Jefferson County (20)
	Kent (56)
	King County (784)
	Kitsap County (103)
	Kitsap County Work Release (42)
	Kittitas County (45)
	Klickitat County (30)
	Lewis County (68)
	Lincoln County (15)
	Mason County (45)
	Okanogan County (67)
	Pacific County (29)
	Pend Oreille County (18)
	Pierce County (470)
	Skagit County (83)
	Skamania County (17)
	Snohomish County (277)
	Snohomish County Work Release (60)
	Spokane County (461)
	Thurston County (145)
	Walla Walla County (44)
	Whatcom County (( <del>82</del> )) (148)
	Whitman County (34)
	Yakima County (274)

**WSR 87-17-023**  
**PROPOSED RULES**  
**LIQUOR CONTROL BOARD**  
[Filed August 13, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning Service limited to license and order—Removal of liquor in open containers—Room service—Price list, WAC 314-16-040;

that the agency will at 9:30 a.m., Tuesday, September 29, 1987, in the Office of the Liquor Control Board, 5th Floor, Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030.

The specific statute these rules are intended to implement is RCW 66.24.340 and 66.24.400.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 29, 1987.

Dated: August 12, 1987

By: L. H. Pedersen  
Chairman

**STATEMENT OF PURPOSE**

Title: WAC 314-16-040 Service limited to license and order—Removal of liquor in open containers—Room service—Price list.

Description of Purpose: The amendment to WAC 314-16-040(1) provides that a Class H or Class C restaurant licensee may allow customers to bring personal wine into the premises for consumption.

Statutory Authority: RCW 66.08.030.

Statutes Implemented by the Rule: RCW 66.24.340 and 66.24.400.

Summary of Rule: The present rule generally prohibits liquor other than that allowed by license or permit from being on the premises. The amendment gives those Class H and Class C liquor licensees who wish the option of allowing customers to bring their own personal wine into the premises for consumption with a meal. The licensee has the option of charging a corkage fee for this service.

Reasons Supporting Proposed Action: Considering Washington is the number two producer of fine vinefra wine in the nation and the ever increasing consumer interest in both foreign and domestic wine products, it is becoming increasingly more difficult for restaurants to carry a sufficiently broad spectrum of wine which regularly appeals to today's better informed customer. Many people collect wine which is not normally available in licensed premises or is not a traditional restaurant item because of its acquisition cost. This amendment would allow those licensees, who desire, the ability to provide a service to those who wish to bring their personal wine in the premises for consumption with a meal.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Gary W. Gilbert, Chief, Enforcement Division, Washington State Liquor Control Board, Capital Plaza Building, Olympia, WA 98504, phone (206) 586-3052; and Lester C. Dalrymple, Supervisor, License Division, Washington State Liquor Control Board, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6259.

Person or Organization Proposing Rule: This rule change was proposed by the Washington State Liquor Control Board.

Agency Comments: For participating Class H and Class C restaurants, any on-premises wine sales decrease can be offset by the corkage fee charged for serving the customers their own wine.

Necessity of Rule: This rule amendment was not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: The rule would not increase any paperwork or other reporting requirements for licensees. There would be no adverse economic impact caused by the rule change.

**AMENDATORY SECTION** (Amending Order 179, Resolution No. 188, filed 3/11/86)

WAC 314-16-040 SERVICE LIMITED TO LICENSE AND ORDER—REMOVAL OF LIQUOR IN OPEN CONTAINERS—ROOM SERVICE—PRICE LIST. (1) No retail licensee shall possess or allow any person to consume or possess any liquor other than that permitted by his license in or on the licensed premises, or on any public premises adjacent thereto which are under his control except under authority of a banquet permit; however, a restaurant licensee holding a class C or H license may, with or without a corkage fee, allow patrons to bring wine into the premises for consumption with a meal.

(2) Beer and/or wine only licensees may keep spirituous liquor on the premises for use in the manufacture of confection or food products provided that prior written permission of the board is obtained, all confection or food products manufactured contain one percent or less of alcohol by weight, and customers are made aware that such confection or food products contain liquor and the alcohol content is one percent or less of the weight of the product.

(3) No retail licensee or employee thereof shall permit the removal of any liquor in an open container from the licensed premises except that liquor brought on a licensed premises under authority of a banquet permit shall be recorked, recapped or resealed in its original container and shall be removed at the termination of such banquet permit function. Further, wine may be removed as authorized by RCW 66-24.340 and 66.24.400.

(4) No holder of a Class H license shall be permitted to hold any other class of retail license covering the premises so licensed. Upon the granting of a Class H license, all other classes of retail licenses which may be held by such new Class H licensee at that time at the premises to be so licensed must be surrendered to the board for cancellation.

(5) Hotel room service is included in on-premises licenses.

(6) No licensee shall sell or serve any spirituous liquor, beer, or wine other than ordered, or substitute a nonalcoholic beverage when an alcoholic beverage has been ordered. A Class H licensee shall display prices for all liquor either by posting a price list or by using menus listing such prices, or by both.

(7) No holder of a Class C license shall advertise for sale, nor sell, any mixed drink under the name of "Old Fashioned," "Whiskey Sour," "Singapore Sling," "Martini," "Manhattan," nor any other name which, by long and general usage, has become associated in the public mind as being the name of a mixed drink made from spirituous liquor, unless the name of such drink is prefaced by the word "wine," such as Wine Old Fashioned. The holder of a Class C license may advertise for sale, mix, compound or sell upon order, mixed drinks made from one or more wines under a name which does not conflict with this section.

## WSR 87-17-024

### ADOPTED RULES

#### DEPARTMENT OF AGRICULTURE

[Order 1947—Filed August 13, 1987]

I, C. Alan Pettibone, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to strawberry certification, chapter 16-328 WAC; and caneberry certification, chapter 16-333 WAC.

This action is taken pursuant to Notice No. WSR 87-13-064 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 15.14 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 11, 1987.

By Michael V. Schwisow  
Deputy Director

### NEW SECTION

WAC 16-333-065 PRODUCTION OF CERTIFIED CANEBERRY NURSERY STOCK BY MICROPROPAGATION TECHNIQUES. Foundation and registered caneberry nursery stock may be propagated from approved nuclear stock. See WAC 16-333-020 and WAC 16-333-040.

### NEW SECTION

WAC 16-328-038 PRODUCTION OF CERTIFIED STRAWBERRY NURSERY STOCK BY MICROPROPAGATION TECHNIQUES. Foundation and registered strawberry nursery stock may be propagated from approved nuclear stock. See WAC 16-328-009 and WAC 16-328-015.

## WSR 87-17-025

### ADOPTED RULES

#### DEPARTMENT OF AGRICULTURE

[Order 1948—Filed August 13, 1987]

I, C. Alan Pettibone, director of the Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules concerning rapeseed varieties eligible for certification and objectionable weeds in seeds, chapter 16-316 WAC.

This action is taken pursuant to Notice No. WSR 87-13-063 filed with the code reviser on June 17, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 15.49 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 11, 1987.

By Michael V. Schwisow  
Deputy Director

**AMENDATORY SECTION** (Amending Order 1757, filed 3/31/82, effective 5/1/82)

**WAC 16-316-165 SEED CERTIFICATION—OBJECTIONABLE WEEDS.** The following weeds shall be considered objectionable weeds for the purpose of seed certification:

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Bermudagrass	<i>Cynodon dactylon</i> (L.) Pers.
Blue lettuce	<i>Lactuca pulchella</i> (Pursh.) DC.
Docks and Sorrel	<i>Rumex</i> spp.
Field pennycress (fanweed)	<i>Thlaspi arvense</i>
Field sandbur	<i>Cenchrus pauciflorus</i> Benth.
Halogeton	<i>Halogeton glomeratus</i> C.A. Mey.
Medusahead	<i>Elymus caput-medusae</i> L. or <i>Taeniatherum asperum</i> (Sim) Nevski
Plantains	<i>Plantago</i> spp.
Poverty weed	<i>Iva axillaris</i> Pursh.
Puncturevine	<i>Tribulus terrestris</i> L.
St. Johnswort	<i>Hypericum perforatum</i> L.
Dalmation toadflax	<i>Linaria dalmatica</i> (L.) Mill.
Yellow toadflax	<i>Linaria vulgaris</i> Hill.
Western ragweed	<i>Ambrosia psilostachya</i> DC.
Wild mustard	<i>Brassica kaber</i> (DC.) L.C. Wheeler Var.
Wild oat	<i>Avena fatua</i> L.
Yellow starthistle	<i>Centaurea solstitialis</i> L.
Gromwell (in small grain)	<i>Lithospermum arvense</i>
<u>Bedstraw</u>	<u><i>Galium aparine</i> (in alfalfa only - inclusion of this species on weed list means certified class is limited to a maximum 18 per pound with no tolerance for foundation or registered seed)</u>

**AMENDATORY SECTION** (Amending Order 1889, filed 6/9/86)

**WAC 16-316-832 RAPESEED VARIETIES ELIGIBLE FOR CERTIFICATION.** Following are the rapeseed varieties eligible and certification scheme for each:

<u>Bridger*</u>	<u>Lindoro-oo</u>
<u>Cascade*</u>	<u>Rubin</u>
<u>Ceres</u>	<u>Wn-988</u>

**WSR 87-17-026**  
**PROPOSED RULES**  
**UTILITIES AND TRANSPORTATION**  
**COMMISSION**

[Filed August 13, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Utilities and Transportation Commission intends to adopt, amend, or repeal rules relating to telecommunications companies, WAC 480-120-031. The proposed amendatory section is shown below as Appendix A, Cause No. U-87-1144-R. Written and/or oral submissions may also contain data, views, and arguments concerning the effect of the proposed amendment on economic values, pursuant to chapter 43.21H RCW and WAC 480-08-050(17);

that the agency will at 9:00 a.m., Wednesday, September 23, 1987, in the Commission's Hearing Room, Second Floor, Chandler Plaza Building, 1300 Evergreen Park Drive South, Olympia, WA, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 30, 1987.

The authority under which these rules are proposed is RCW 80.01.040.

The specific statute these rules are intended to implement is RCW 80.04.080 and 80.04.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 17, 1987.

Dated: August 12, 1987

By: Paul Curl  
Acting Secretary

**STATEMENT OF PURPOSE**

In the matter of amending WAC 480-120-031 relating to telecommunications companies.

The rules proposed by the Washington Utilities and Transportation Commission are to be promulgated pursuant to RCW 80.01.040 which directs that the commission has authority to implement the provisions of Title 80 RCW.

The rules proposed by the Washington Utilities and Transportation Commission are designed to adopt with certain exceptions the Uniform System of Accounts prescribed by the Federal Communications Commission for all Class A and B telecommunications companies.

Paul Curl, Acting Secretary, Chandler Plaza Building, 1300 Evergreen Park Drive South, Olympia, Washington, phone (206) 753-6451, and members of his staff were responsible for the drafting of the proposed rules and will be responsible for implementation and enforcement of the proposed rules.

The proponent of the rules is the Washington Utilities and Transportation Commission.

There are no comments or recommendations being submitted inasmuch as the proposal is pursuant to legislative authorization reflected in RCW 80.01.040, 80.04.080 and 80.04.090.

The rule change is necessary as the result of federal law, or federal or state court action, to wit, FCC prescription of Part 32 of the Uniform System of Accounts for telecommunications companies subject to its jurisdiction.

The rule change proposed will affect no economic values.

This certifies that copies of this statement are on file with the commission, are available for public inspection, and that three copies of this statement are this date being forwarded to the Joint Administrative Rules Review Committee.

**Economic Impact Statement to Accompany  
Amendatory Rules for Local Exchange Telephone  
Companies Implementing New Accounting Rules  
Related to the New FCC USOA - Part 32**

This economic impact statement discusses the costs to local exchange telephone companies of compliance with the proposed rules which set out certain accounting requirements that are intended to accompany the implementation of the new FCC Uniform System of Accounts (USOA) - Part 32, effective January 1, 1988.

On January 1, 1988, the Washington local exchange telephone companies must implement the FCC's new USOA - Part 32. Some of the Washington carriers are subject carriers of the FCC and must convert to Part 32. Other carriers must convert to Part 32 because these carriers, although not technically subject carriers, must file various reports and tariffs with the FCC in a Part 32 format. The costs of implementing Part 32 are therefore the result of FCC requirements.

The FCC found that the cost of implementing the new USOA were such that a special accounting treatment for these costs was unnecessary. From the Washington staffs' review of the available data provided by the carriers, the staff has concluded that the incremental costs of implementing the new USOA are nominal compared to the companies' gross operating revenues. There should not be a major impact on the earnings of the various Washington companies by the implementation of Part 32. (See the attachment to this statement.)

By the Washington commission's adoption of the new USOA - Part 32, for Washington intrastate accounting purposes, a very large duplication of effort and cost is avoided by the Washington carriers. The alternative of maintaining a separate Washington USOA would double the cost of keeping a single accounting system.

The rules are intended as a response by the Washington commission to the FCC's requirement that these carriers convert to Part 32. In order to make the FCC's Part 32 a workable accounting system for Washington intrastate regulation, the commission must take certain exceptions to the new Part 32; i.e., in order to enforce the commission's regulatory policies where they differ from the FCC certain additional accounting requirements are being proposed in the proposed rules. It is these additional accounting requirements which may cause the companies to incur an additional cost above the other implementation costs of Part 32.

Most of the proposed rules for accounting requirements simply require that the companies commence

booking amounts which they have already previously been required to maintain on a side-record basis to account for jurisdictional differences. The additional costs of booking these side-records should be nominal. Other proposed rules for accounting requirements may require additional effort and cost, but in relation to the costs of implementing and maintaining an entirely new accounting system, Part 32, these few additional accounting requirements should be nominal and should not create any economic hardship on any company. Many of the Washington carriers had no estimate of the implementation costs of the USOA - Part 32 (see attachment). It is unlikely that they would be able to accurately estimate the additional costs of these proposed rules.

WASHINGTON LOCAL EXCHANGE TELEPHONE COMPANIES  
GROSS OPERATING REVENUES - STATE & TOTAL COMPANY 1986,  
IMPLEMENTATION COSTS, AND REVENUE REQUIREMENT IMPACT

COMPANY (A)	CLASS (B)	OPERATING REVENUES		IMPLEMENTATION COSTS (E)	REVENUE REQUIREMENT (F)
		STATE (C)	TOTAL (D)		
ASOTIN	NR	770,231	904,554		NR
CASCADE AUTOVON	A	2,147,393	2,147,393	CAN'T ESTIMATE	NR
CONTEL	A	46,906,200	63,069,536	CAN'T ESTIMATE	\$412,000
COMICHE	NR	1,007,740	1,007,740	NR	NR
ELLENSBURG	B	9,179,033	9,179,033	\$7,000	CAN'T ESTIMATE
G.T.E.	A	368,417,312	649,622,839	NO ESTIMATE	NO ESTIMATE
HAT ISLAND	NR	53,391	53,391	\$1,000	NO ESTIMATE
HOOD CANAL	B	667,190	667,190	NO ESTIMATE	MINIMAL COSTS
INLAND	B	1,561,047	1,828,182	NO ESTIMATE	NO ESTIMATE
INTER-ISLAND	A	4,159,571	4,159,571	NO ESTIMATE	NO ESTIMATE
KALAMA	B	1,138,590	1,138,590	\$20,000	NO ESTIMATE
LEVIS	B	1,778,320	1,778,320	\$25,000	NO ESTIMATE
MASHELL	A	1,421,771	1,421,771	NO ESTIMATE	NO ESTIMATE
MC DANIEL	B	1,105,693	1,105,693	\$25,000	NO ESTIMATE
PENINSULA	A	3,639,580	3,639,580	NO ESTIMATE	NO ESTIMATE
PIONEER	B	821,162	821,162	NO ESTIMATE	NO ESTIMATE
P.N.B.	A	978,948,469	1,645,932,118	\$128,000	\$20 MILLION
ST. JOHN	NR	535,924	535,924	NR	NR
TEL. UTILITIES	A	48,383,660	48,383,660	NO ESTIMATE	NO ESTIMATE
TENINO	NR	1,596,756	1,596,756	NR	NR
TOLEDO	NR	971,882	971,882	NR	NR
UNITED	A	40,506,549	77,363,028	UNDER \$200,000	NO ESTIMATE
WESTERN WANKIACUM	NR	1,045,793	1,045,793	NR	NR
WHIDBET	NR	3,894,545	3,894,545	\$50,000	NO ESTIMATE
YELM	NR	2,820,911	2,820,911	NR	NR

NR = NO RESPONSE OR UNDER REVIEW

APPENDIX "A"

AMENDATORY SECTION (Amending Order R-247, filed 6/27/86)

WAC 480-120-031 ACCOUNTING. (1) Except as provided in this rule, the Uniform System of Accounts (USOA) for Class A and Class B Telephone Companies published by the Federal Communications Commission (FCC) and designated as (~~Volume VIII~~) Part ((3+)) 32, is hereby prescribed for (~~use of~~) booking and recording purposes for telecommunications companies in the state of Washington.

(2) Telecommunications companies operating within this state shall be classified by revenue as follows:

Class	Annual Gross Operating Revenue
A	Exceeding ( <del>(\$100,000)</del> ) <u>\$25,000,000</u>
B	( <del>(\$100,000)</del> ) <u>\$25,000,000</u> or less

(~~Companies that desire more detailed accounting may adopt the accounts prescribed for a higher classification of telecommunications companies. PROVIDED, That the commission is notified promptly of such action. Such companies are required to comply with the more detailed reporting requirements contained in the rules respecting such higher classification.~~)

(~~Any provisions contained in the Uniform System of Accounts adopted in paragraph one above which is contrary to paragraph two and three above are hereby deleted.~~)

Upon notice to the commission in writing filed not later than November 1, 1987, any company desiring more detailed accounting may adopt the accounts prescribed for a higher classification. Upon such notification, or upon the directive of the commission, companies in the lower classification shall be required to comply with the more detailed accounting and reporting specified for the higher classification.

(3) Jurisdictional differences. For Account 7910—Income Effect of Jurisdictional Ratemaking Differences—Net; Account 1500—Other Jurisdictional Assets—Net; Account 4370—Other Jurisdictional Liabilities and Deferred Credits—Net, and in a subaccount of Account 4550—Retained Earnings, the exchange telecommunications companies operating in this state shall keep subsidiary accounts and records reflecting in separate accounts and subaccounts the Washington intrastate differences in amounts arising from the departure of this commission for booking and/or ratemaking purposes from FCC prescribed accounting. Separate subsidiary accounts shall be kept for each difference. Examples include, but are not limited to, separate accounting for the booking of AFUDC for short-term Construction Work in Progress (Account 2003, formerly Account 100.3.1 of Part 31); flow-through accounting of tax timing differences to the extent permitted by tax regulations; elimination of excess profits for affiliated transactions; or such other company specific ratemaking treatment ordered by the commission in any case involving the rates of a specific company.

(a) All local exchange telecommunications companies shall account as of January 1, 1988, for any embedded jurisdictional ratemaking differences by incorporating any previous jurisdictional differences side-record accounts into the appropriate jurisdictional differences account.

(b) All companies shall expense currently any costs associated with implementation of Part 32.

(c) During the period beginning January 1, 1988, and concluding December 31, 1988, each telecommunications company required to file monthly or quarterly reports shall file its periodic reports showing, at a minimum, total revenues, expenses, taxes, net operating income and rate base. To the extent possible, prior periods should be restated for purposes of data continuity.

(d) All companies shall keep subsidiary records as may be necessary to report readily the source of Washington intrastate revenues by residential or business class of service.

(e) All companies shall keep subsidiary accounts in Account 5084—State Access Revenue, showing separately intrastate revenues from end users (subscriber line charges), special access revenues, interlata and intralata access revenues, identified as traffic sensitive, non-traffic sensitive, and independent company settlement, and other access revenues.

(f) Any company filing with the FCC reports in compliance with requirements of Part 32, § 01(15) relating to extraordinary items, prior period adjustments, or contingent liabilities shall file a copy of such report concurrently with this commission.

(g) Any company which capitalizes leases in accordance with FASB 13 shall capitalize such leases only at their original cost. Due diligence shall be exercised to secure original cost from lessors. If original cost information is not available, it may be estimated, and the basis of the estimate kept in subsidiary records.

(h) All companies shall keep records for ratemaking purposes which flow-through tax benefits to the extent permitted by federal tax regulations. Any ratemaking differences shall be reflected in accounts provided in Part 32 for jurisdictional differences, more specifically Accounts 1500, 4370, and 7910.

(i) As to compensated absences and sick pay, if payment of non-vesting accumulated sick pay benefits depend on the future illness of an employee, companies shall not accrue a liability for such an expense for purposes of portraying results of operations until such sick pay is actually paid.

(j) No depreciation expense will be allowed for ratemaking purposes on amounts included in Account 2002—Property Held for Future Telecommunications Use. If a company records depreciation on amounts in this account, it shall record the jurisdictional difference in a separate subaccount.

(k) Any property acquired from a non-affiliate shall be recorded at its original cost. If the company wishes to record the acquisition at its acquisition cost rather than original cost, it shall first seek approval for such accounting, providing such detail as the commission may require. If there is a jurisdictional difference in recording the cost of an acquisition, any such difference shall be recorded in a separate subaccount.

(l) Amounts booked to Account 2005—Telecommunications Plant Adjustment, shall be treated as non-operating investment, and shall not be included in any rate base account. Any amortization taken on amounts in Account 2005 will be treated as through charged to Account 7360—Other Non-operating Income, or other non-operating accounts as required.

(4) The annual report form (~~((FCC Form "M"))~~) promulgated by the Federal Communications Commission (~~((FCC))~~) is hereby adopted

for purposes of annually reporting to this commission by all telecommunications companies.

~~((Any deviation from the Uniform System of Accounts and the annual report forms adopted and published by the FCC will only be accomplished after due notice and order by this commission.))~~

(5) The total company results of operations reported by each telecommunications company in its annual report shall agree with the results of operations shown on its books and records.

(6) All telecommunications companies having multi-state operations shall maintain records in such detail that the costs of property located and business done in this state in accordance with state geographic boundaries can be readily ascertained.

(7) All telecommunications companies having multi-state operations shall report to this commission at least once each year, as a supplement to its annual report, such allocations between states as are requested by the commission from time to time for each utility. Any allocations required in developing results of operations for the state of Washington separately shall be accomplished on a basis acceptable to the commission.

(8) The annual budget of expenditures form for budgetary reporting by all telecommunications companies having \$25,000 or more in annual revenue will be published by this commission in accordance with chapter 480-140 WAC. ~~((Any change to these forms will only be accomplished after due notice and order of this commission.))~~

(9) The requirements of this section shall not apply to telecommunications companies classified by the commission as competitive, and subject to WAC 480-120-033.

(10) There shall be no departure from the foregoing except as specifically authorized by the commission.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

## WSR 87-17-027

### EMERGENCY RULES

### DEPARTMENT OF FISHERIES

[Order 87-96—Filed August 13, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial and personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is inadequate numbers of shrimp are available for harvest, and this temporary regulation will provide protection while permanent regulations are promulgated.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 13, 1987.

By Ronald E. Westley  
for Joseph R. Blum  
Director

NEW SECTION

WAC 220-52-05300U **SHRIMP FISHERY—CLOSED AREA.** Notwithstanding the provisions of WAC 220-52-053, effective immediately until further notice it is unlawful to fish for or possess shrimp taken for commercial purposes from those waters of Sequim Bay southerly of a line projected true west from Travis Spit.

NEW SECTION

WAC 220-56-32500I **SHRIMP—CLOSED AREA.** Notwithstanding the provisions of WAC 220-56-325, effective immediately until further notice it is unlawful to fish for or possess shrimp taken for personal use from those waters of Sequim Bay southerly of a line projected true west from Travis Spit.

**WSR 87-17-028**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 87-97—Filed August 13, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is a harvestable surplus of salmon is available.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 13, 1987.

By Gene DiDonato  
for Joseph R. Blum  
Director

NEW SECTION

WAC 220-57-16000G **COLUMBIA RIVER.** Notwithstanding the provisions of WAC 220-56-115 and 220-57-160, effective August 16 until further notice, Bag Limit F in the Buoy 10 Fishery. Only one lure per line, and only barbless hooks may be used, except that a second line using baitfish jigger gear may be used to capture baitfish.

**WSR 87-17-029**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 87-98—Filed August 13, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the harvestable surplus has been taken.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 13, 1987.

By Gene DiDonato  
for Joseph R. Blum  
Director

NEW SECTION

WAC 220-40-02100W **WILLAPA HARBOR GILLNET SEASON.** Notwithstanding the provisions of WAC 220-40-021, 220-40-022 and 220-40-024, effective 6:00 p.m. August 13, 1987 until further notice, it is unlawful to fish for or possess salmon taken for commercial purposes with gillnet gear from the waters of Willapa Harbor.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:00 p.m. August 13, 1987:

WAC 220-40-02100V **WILLAPA HARBOR GILLNET SEASON (87-93)**

**WSR 87-17-030**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 87-99—Filed August 13, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the

public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is a harvestable surplus of salmon exists, and these rules are adopted at the recommendation of the Columbia River Compact Commission.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.070 and 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 13, 1987.

By Gene DiDonato  
for Joseph R. Blum  
Director

#### NEW SECTION

**WAC 220-32-05100P COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE.** (1) Notwithstanding the provisions of WAC 220-32-051 and WAC 220-32-052, it is unlawful for a person to take or possess salmon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1F, 1G or 1H, except:

(a) that those individuals possessing treaty fishing rights under the Yakima, Warm Springs, Umatilla and Nez Perce treaties may fish from:

Noon August 17, to Noon August 22, 1987.

Noon August 24, to Noon August 29, 1987.

Noon August 31, to Noon September 5, 1987.

(2) Notwithstanding the provisions of WAC 220-32-058, the closed area at the mouth of:

(a) Hood River is those waters along the Oregon side of the Columbia River and extends to mid-stream at right angles to the thread of the Columbia River between approximately 0.8 miles downriver from the west bank at the end of the breakwall at the west end of the port of Hood River to 1/2 mile upriver from the east bank.

(b) Herman Creek is those waters upstream from a line between deadline markers near the mouth. One marker is located on the east bank piling and the other is located on the west bank to the north of the boat ramp.

(c) Deschutes River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(d) Umatilla River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(e) Big White Salmon River is those waters of the Columbia River extending to midstream at right angles

to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one mile downstream from the western shoreline.

(f) Spring Creek is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-mile upstream from the eastern shoreline to one and one-half mile downstream from the western shoreline.

(g) Wind River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one and one-half mile downstream from the western shoreline.

(h) Klickitat River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to one and one-half mile downstream from the western shoreline.

(i) Little White Salmon River is those waters of the Columbia River extending to midstream at right angles to the thread of the Columbia River between points one-half mile upstream from the eastern shoreline to three-quarters mile downstream from the western shoreline.

(3) Notwithstanding the provisions of WAC 220-22-010, during the open periods in subsection (1):

(a) Area 1F (Bonneville Pool) shall include those waters of the Columbia River upstream from the Bridge of the Gods, and downstream from the west end of the 3 mile rapids.

(b) Area 1G shall include those waters of the Columbia River upstream from a line drawn between a point one mile above the fishway exit on the Washington shore and a point one mile above the fishway exit on the Oregon shore, and downstream from Preacher's Eddy light below John Day Dam.

(c) Area 1H shall include those waters of the Columbia River upstream from a fishing boundary marker approximately one-half mile above the John Day River, Oregon, to a fishing boundary marker on the Washington shore and downstream from a line at a right angle across the thread of the river one mile downstream from McNary Dam.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

**WAC 220-32-05100N COLUMBIA RIVER SALMON SEASONS ABOVE BONNEVILLE.** (87-95)

**WSR 87-17-031**

**WITHDRAWAL OF PROPOSED RULES  
DEPARTMENT OF WILDLIFE**

[Filed August 14, 1987]

The Department of Wildlife hereby withdraws the proposed adoption of WAC 232-12-276, Scientific permits.

The CR-1 was filed July 1, 1987, Notice No. WSR 87-14-081.

Jack Smith, Chief  
Wildlife Management Division

**WSR 87-17-032**  
**WITHDRAWAL OF PROPOSED RULES**  
**DEPARTMENT OF WILDLIFE**  
[Filed August 14, 1987]

The Department of Wildlife hereby withdraws the proposed adoption of WAC 232-12-275, Wildlife rehabilitation permits.

The CR-1 was filed July 1, 1987, Notice No. WSR 87-14-084.

Jack Smith, Chief  
Wildlife Management Division

**WSR 87-17-033**  
**EMERGENCY RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**  
[Order 326—Filed August 14, 1987]

Be it resolved by the State Wildlife Commission, acting at Olympia, conference call, that it does adopt the annexed rules relating to amendment to 1987 Hunting seasons and rules, adopting WAC 232-28-21301.

We, the State Wildlife Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these rules are omitted and/or defined incorrectly in 1987 Hunting seasons and rules, WAC 232-28-213 and 232-28-214. Correction of these seasons, boundaries, and firearm restrictions is important to public safety and the wildlife resource.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 14, 1987.

By Dr. James M. Walton  
Chairman, Wildlife Commission

**NEW SECTION**

**WAC 232-28-21301 AMENDMENT TO 1987 HUNTING SEASONS AND RULES. Notwithstanding the provisions of WAC 232-28-213 and WAC 232-**

**28-214, the 1987 Hunting Seasons and Rules are hereby amended to include the following:**

(1) *Modern Firearm Deer Seasons, Late Buck Season, November 19-22, includes the closure of Unit 522 (Loo-wit).*

(2) *Muzzleloader Late Elk Season in Unit 184 (Joseph) is either sex.*

(3) *Rabbit seasons for Snowshoe and Washington Hare, Cottontail Rabbit, White-tailed Jackrabbit, September 1-February 29, 1988 is open statewide, except closed in Unit 522 (Loo-wit).*

(4) *Elk Area 053 (Randle) is hereby described as that part of Lewis County within the following described boundary: Beginning at State Highway 12 and the Cispus Road in the town of Randle, thence easterly along Highway 12 to the Bennett Road approximately one (1) mile east of Cora Bridge, thence westerly on Bennett and C Line Roads to the Cispus Road, thence northerly on said road to the town of Randle and the point of beginning.*

(5) *Hunting Firearm Restriction Areas include Unit 554 (Yale) in Cowlitz County.*

**WSR 87-17-034**  
**EMERGENCY RULES**  
**DEPARTMENT OF WILDLIFE**  
**(Wildlife Commission)**  
[Order 327—Filed August 14, 1987]

Be it resolved by the State Wildlife Commission, acting at Olympia, conference call, that it does adopt the annexed rules relating to amendment to 1987 Hunting seasons and rules, adopting WAC 232-28-21302.

We, the State Wildlife Commission, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is these rules are omitted and/or defined incorrectly in 1987 Hunting seasons and rules, WAC 232-28-213 and 232-28-214. Correction of these seasons, boundaries, and firearm restrictions is important to public safety and the wildlife resource.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 77.12.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 14, 1987.

By Dr. James M. Walton  
Chairman, Wildlife Commission

NEW SECTION

WAC 232-28-21302 AMENDMENT TO 1987 HUNTING SEASONS AND RULES. Notwithstanding the provisions of WAC 232-28-213 and WAC 232-28-214, the 1987 Hunting Seasons and Rules are hereby amended to include the following:

- (1) Muzzleloader Early Elk Season in Unit 314 (Mission) has a bull only restriction.
- (2) Muzzleloader Early Elk Seasons, open season October 10-16 includes Unit 675 (Grays River) with a branched antler only restriction. A westside muzzleloader (WM) elk tag is required.

**WSR 87-17-035**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF NATURAL RESOURCES  
(Board of Natural Resources)  
[Memorandum—August 13, 1987]**

The regular meeting of the Board of Natural Resources, Department of Natural Resources, scheduled for September 1, 1987, has been rescheduled to be held on Wednesday, September 2, 1987, Room 122, Clarke Hall on the Washington State University campus in Pullman, Washington at 9:00 a.m.

**WSR 87-17-036**

**NOTICE OF PUBLIC MEETINGS  
WASHINGTON STATE LIBRARY  
[Memorandum—August 13, 1987]**

## Western Library Network Network Services Council

September 9, 1987, 10:00 a.m.: The Western Library Network (WLN) Network Services Council will hold a special meeting in the Inland Room of the Airport Ramada Inn, Spokane, with the possibility of an executive session during the meeting.

## Washington State Library Commission

September 9, 1987, 1:30 p.m.: The Washington State Library Commission (WSLC) will hold a joint meeting with the Western Library Network Network Services Council (WLNNSC) in the Inland Room of the Airport Ramada Inn, Spokane.

September 9, 1987, 6:30 p.m.: The Washington State Library Commission (WSLC) will meet for dinner and a staff briefing at the Circle Moon Restaurant in Newport, Washington.

September 10, 1987, 10:00 a.m.: The Washington State Library Commission (WSLC) will hold hearings on chapters 300-12 and 304-12 WAC in the meeting room of the Public Utility District (PUD) Building, 130 North Washington Street, Newport, Washington, with the regular quarterly business meeting immediately following.

**WSR 87-17-037**

**ADOPTED RULES  
CENTRALIA COLLEGE  
[Order 87-6—Filed August 14, 1987]**

Be it resolved by the board of trustees of Centralia College, Community College District 12, acting at 600 West Locust, Centralia, WA, that it does adopt the annexed rules relating to student rights and responsibilities, code procedures, summary suspension rules, and emergency procedures for chapters 132L-20, 132L-22, 132L-24 WAC, and new chapter 132L-25 WAC.

This action is taken pursuant to Notice No. WSR 87-14-023 filed with the code reviser on June 25, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Centralia College, Community College District 12, as authorized in RCW 28B.50.140.

The undersigned hereby declares that the institution has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 6, 1987.

By Case Doelman  
Chairman of the  
Board of Trustees

**Chapter 132L-20 WAC  
CENTRALIA COLLEGE STUDENT RIGHTS AND  
RESPONSIBILITIES**

**AMENDATORY SECTION** (Amending Resolution No. 80-9, filed 3/7/80)

WAC 132L-20-010 PREAMBLE. (~~Centralia College and Olympia Technical Community College are dedicated not only to learning and the advancement of knowledge but also to the development of ethically sensitive and responsible persons. It seeks to achieve these goals through a sound educational program and policies concerning conduct that encourage independence and maturity while strengthening the spirit of mutual cooperation and responsibility shared by all members of the college community. Sharing goals held in common, the students, faculty, and staff of Centralia College and Olympia Technical Community College are joined in voluntary association in an educational community.~~)

~~The student is, first of all, a member of the community at large, and as such, is entitled to the rights and responsibilities of any citizen of comparable age and maturity. In addition, students, as members of the college community are in the unique position of being citizens of two communities, subject to the regulations imposed by both and accountable to both.~~

~~Centralia College and Olympia Technical Community College expect that students will respect the laws of the greater society. As an agency of the state of Washington, the college must respect and adhere to the~~

regulations established by local, state, and federal authorities. As an educational institution, it has the added responsibility for assisting students in gaining an understanding of the law and its function, and the responsibilities imposed upon each individual in a democratic society to respect and support the legal structure which protects the individual and the society. As a functioning organization, it also has the responsibility to develop a set of regulations to assure the orderly conduct of the affairs of the college.

Admission to the college carries with it the expectation that students will conduct themselves as responsible members of the college community, that they will comply with the rules and regulations of the college, maintain high standards of integrity and honesty, respect the rights, privileges and property of other members of the college community and will not interfere with legitimate college affairs.

An atmosphere of learning and self-development is created by appropriate conditions in the college community. The rights and responsibilities in this document are critical ingredients in the free, creative, and spirited educational environment to which the students, faculty and staff of Centralia College and Olympia Technical Community College are committed.)) Unless otherwise limited by this chapter, students have the same fundamental rights as all citizens. These rules shall be liberally construed to eliminate procedural impediments to discipline.

AMENDATORY SECTION (Amending Order 71-11, filed 2/17/71)

WAC 132L-20-030 JURISDICTION. ~~((+)-AH))~~ These rules ((herein adopted shall)) apply to ((every student whenever said student is present upon or in any college facility and whenever said student is present at or)) students engaged in or present at any ((college sponsored)) on-campus or off-campus college-related activity ((or function which is held on or in noncollege facilities not open to attendance by the general public)).

~~((2)-Faculty members, other college employees, and members of the public who breach or aid or abet another in the breach of any provision of this chapter shall be subject to possible prosecution under the state criminal trespass law and/or any other possible civil or criminal remedies available to the public and/or appropriate disciplinary action pursuant to the state of Washington higher education personnel board rules or the district's tenure rules and regulations)) A student's off-campus conduct may be considered in determining discipline.~~

AMENDATORY SECTION (Amending Resolution No. 80-9, filed 3/7/80)

WAC 132L-20-050 RIGHT TO DEMAND IDENTIFICATION. ~~((+)-For the purpose of determining identity of a person as a student any faculty member or other)) College personnel ((authorized by the campus president)) may demand that any person on college facilities produce evidence of student enrollment ((at the college. Tender of the student identification card will satisfy this requirement)).~~

~~((2)-Refusal by a student to produce identification as required shall subject the student to disciplinary action:))~~

AMENDATORY SECTION (Amending Resolution No. 80-9, filed 3/7/80)

WAC 132L-20-070 FREEDOM OF ~~((EXPRES- SION))~~ ASSOCIATION AND ORGANIZATION. ~~((Fundamental to the democratic process are the rights of free speech and peaceful assembly. Students and other members of the college community shall always be free to express their views or support causes by orderly means which do not disrupt the regular and essential operation of the college.~~

Concomitantly, while supporting the rights of students and other members of the college community, the college recognizes the responsibility to maintain an atmosphere on campus conducive to a sound educational endeavor.

~~To insure the reconciliation of such rights and responsibilities, while respecting the private rights of all individuals, campus demonstrations may be conducted only in areas which are generally available to the public provided such demonstrations are conducted in an orderly manner, do not interfere with vehicular or pedestrian traffic, do not interfere with processes of the college and are not held in or on facilities where college functions are in progress.)) Students are free to organize and join associations to promote any legal purpose.~~

Student organizations must be granted a charter by the Associated Students of Centralia College senate before they may be officially recognized. Prior to becoming chartered, a student organization must submit to the Associated Students of Centralia College senate a statement of purpose, criteria for membership, a statement of operating rules or procedures, and the name of college personnel who has agreed to serve as advisor. All chartered student organizations must also submit to the Associated Students of Centralia College senate a list of officers and keep that list updated when changes occur. In order to qualify for issuance of a charter, a student organization must be open to all students without respect to race, sex, creed, or national origin. Affiliation with a noncampus organization shall not be grounds for denial of charter provided that other conditions for charter issuance have been met.

AMENDATORY SECTION (Amending Resolution No. 80-9, filed 3/7/80)

WAC 132L-20-080 ~~((FREEDOM OF ASSOCIA- TION AND ORGANIZATION))~~ PROHIBITIONS. ~~((Students bring to the campus a variety of interests previously acquired and develop many new interests as members of the college community. They are free to organize and join associations to promote any legal purpose, whether it be religious, political, educational, recreational, or social.~~

Student organizations must be granted a charter by the college student government before they may be officially recognized. Prior to becoming chartered, a student organization must submit to the student government a

statement of purpose, criteria for membership, a statement of operating rules or procedures, and the name of a faculty member who has agreed to serve as advisor. All student organizations must also submit to the student government a list of officers and keep that list updated when changes occur. In order to qualify for issuance of a charter, a student organization must be open to all students without respect to race, sex, creed, or national origin, except for religious qualification which may be required by organizations whose aims are primarily sectarian, or for other reasonable justifications which are directly related to the purposes of the organization. Affiliation with a noncampus organization shall not be grounds for denial of charter provided that other conditions for charter issuance have been met.)) Any student shall be subject to disciplinary action who, either as a principal actor or aider or abetter commits any of the following which are hereby prohibited:

(1) ABUSIVE CONDUCT. Physical and/or verbal abuse of any person or conduct which is intended unlawfully to threaten imminent bodily harm or to endanger the health or safety of any person on college-owned or controlled property or at college-sponsored or supervised functions including: Assault and battery; harassment; or hazing.

(2) DESTROYING OR DAMAGING PROPERTY. Malicious damage to or malicious misuse of college property, or the property of any person where such property is located on the college campus.

(3) DISHONESTY. All forms of dishonesty including: Cheating; plagiarism; knowingly furnishing false information to the college; intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency, on college premises or at any college-sponsored activity; forgery; any alteration or use of college documents or instruments of identification with intent to defraud.

(4) DISORDERLY CONDUCT. Materially and substantially interfering with the personal rights or privileges of others or the educational process of the college.

(5) DRUGS. Using, possessing, furnishing, or selling any narcotic or dangerous drug as those terms are used in Washington statutes, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical doctor or dentist.

(6) INCITING OTHERS. Any student who intentionally incites others to engage in any prohibited conduct as defined herein, which incitement directly leads to such conduct. Inciting is the advocacy which prepares the group or individual addressed for immediate action and compels that individual or group to engage in the prohibited conduct.

(7) INSUBORDINATION. Failure to comply with lawful directions of college personnel acting in performance of their lawful duties.

(8) LIQUOR. Possessing, consuming, or furnishing of alcoholic beverages on college-owned or controlled property or at college-sponsored or supervised functions where prohibited by law.

(9) THEFT/CONVERSION. Theft or conversion of college property or private property.

(10) TRESPASS/UNAUTHORIZED PRESENCE. Entering or remaining unlawfully, as defined by state law including computer trespass as defined in RCW 9A.52.010 through 9A.52.130, or using college premises, facilities, or property, without authority.

(11) UNAUTHORIZED USE OF SUPPLIES AND EQUIPMENT. Using, possessing, furnishing, or selling college supplies or equipment without authority.

(12) WEAPONS, FIREARMS, EXPLOSIVES, AND DANGEROUS CHEMICALS. Possession or use of firearms, explosives, dangerous chemicals, or other dangerous weapons or instrumentalities (as defined in RCW 9.41.010(3) and 9.41.250) on the college campus, except for authorized college purposes; unless prior written approval has been obtained from the dean of educational services, or any other person designated by the college president.

(13) OTHER VIOLATIONS. Students may be accountable to both civil authorities and to the college for acts which constitute violations of federal, state, or local law as well as college rules and policy.

#### AMENDATORY SECTION (Amending Resolution No. 80-9, filed 3/7/80)

WAC132L-20-090 STUDENT ((PARTICIPATION IN COLLEGE GOVERNANCE)) RECORDS. ((As members of the college community, students will be free, individually and collectively, to express their views on college policy, and on matters of general interest to the student body. The ASCE or ASOTEC constitution and the college's administrative procedures provide clear channels for student participation in the formulation and application of institutional policies regarding academic and student affairs. Individuals affected by a policy shall have a representative voice in the formulation of that policy.)) In compliance with the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g and its implementing regulations, 45 CFR § 99), this policy has been created to insure continued confidentiality of student records at the college and govern the release of personally identifiable information contained within.

(1) EDUCATION RECORDS. Education records are defined as those records, files, and documents containing information directly pertaining to a student. At Centralia College these are:

(a) Records pertaining to admission, advisement, registration, grading, and progress to a degree that are maintained by the registrar.

(b) Testing information used for advisement purposes by the counseling center.

(c) Information concerning payment of fees as maintained by the cashier.

(d) Financial aid information as collected by the financial aid office.

(e) Information regarding students participating in student government or athletics that is maintained by the student programs office or the athletics office.

(2) ACCESS TO EDUCATION RECORDS. Students who are or have attended the college have the right to examine or review their personal records, as defined above, by submitting to the registrar a written request indicating education records to which access is desired. (Charges for

reproduced copies of education records are found in the current catalog.)

(3) DIRECTORY INFORMATION. The following information is considered "directory information" and thus may be disclosed without consent of the student, unless otherwise directed by the student, at any time, to the registrar in writing: The student's name, address, telephone number, date and place of birth, major field of study, eligibility for and participation in officially recognized activities, organizations, and sports, weight and height of members of athletic teams, dates of attendance, honor roll, degrees and awards received, and the most recent previous educational agency or institution attended by the student.

(4) DISCLOSURE FROM EDUCATION RECORDS. In addition to "directory information" the college will, at its discretion, make disclosures from education records of students with the student's prior written consent or to the following listed parties:

(a) College officials including college administrative and clerical staff, faculty, and students where officially elected or appointed to the Associated Students of Centralia College senate or employed by the college. Access or release of records to the above is permissible only when the information is required for advisement, counseling, recordkeeping, reporting, or other legitimate educational interest consonant with their specific duties and responsibilities.

(b) To officials of another school in which the student seeks or intends to enroll.

(c) To authorized federal, state, or local officials as required by law.

(d) In connection with financial aid for which the student has applied or received.

(e) To accrediting organization, or organizations conducting studies for or on behalf of the institution.

(f) To appropriate parties in a health or safety emergency.

In cases where consent of the student is required for release of education records, the student shall in writing, signed and dated by the student, specify: The records to be disclosed, the purpose or purposes of the disclosure, and the name of the party or parties to whom the disclosure can be made.

When personally identifiable information is released without prior consent of the student, other than "directory information" and information released to college officials or the student, the college official in charge of these records will record the names of the parties who have requested information from educational records and the nature of the interest in that information.

Education records released to third parties shall be accompanied by a statement indicating that the information cannot be subsequently released in a personally identifiable form to other parties without obtaining the consent of the student. The college is not precluded from permitting third party disclosures to other parties listed in (a) through (f) of this subsection.

(5) CHALLENGE OF EDUCATION RECORDS. Students who believe that information contained in their education records is inaccurate, misleading or violates the privacy or other rights of the student may request in writing to the appropriate college official that the college amend their record(s). The college official(s) will make every effort to settle disputes through informal meetings and discussion with the student.

In instances where disputes regarding contents of education records cannot be resolved by the parties concerned, the college official involved shall advise the student of the right to a hearing by the student services committee through a written request to the registrar. Should the student services committee deem that the education records in question are inaccurate or misleading, the committee can ask that the records be amended by the appropriate college official. If the education records are held to be accurate, the student shall be granted the opportunity to place within those records a personal statement commenting upon the information contained within.

Each eligible student is afforded the right to file a complaint concerning alleged failures by the college to comply with the requirements of the act. The address of the office designated to investigate, process, and review violations and complaints which are filed is:

The Family Educational Rights and  
Privacy Act Office (FERPA)  
Department of Health, Education,  
and Welfare  
330 Independence Avenue S.W.  
Washington, D.C. 20201

Copies of the Federal Register pertaining to the Family Education Rights and Privacy Act may be obtained from:

Superintendent of Documents  
U.S. Government Printing Office  
Washington, D.C. 20402

#### NEW SECTION

WAC 132L-20-135 HANDICAPPED STUDENTS. Prospective students who are handicapped and who are eligible for department of social and health services division of vocational rehabilitation (DVR) funding and in need of auxiliary aids, are asked to give the college six weeks notice prior to enrolling in order to allow the student to arrange funding with DVR.

#### AMENDATORY SECTION (Amending Resolution No. 80-9, filed 3/7/80)

WAC 132L-20-140 USE OF COLLEGE FACILITIES. ((Any)) In accordance with state board for community college education regulations, any recognized ((ASCC or ASOTCC)) Associated Students of Centralia College organization may request ((approval from the director of student programs to utilize)) use of available college facilities for authorized activities ((as provided for in official ASCC or ASOTCC documents)). Facilities will be provided free of charge to the organization except when such use necessitates staffing and

services beyond regular college requirements. Standard college fees will be charged in these cases.

Use of facilities for purposes other than those approved or in an irresponsible manner may result in withdrawal of this privilege for an organization.

~~((Student organizations should schedule facility use requests with the director of student programs at least three academic calendar days in advance of an event whenever possible.))~~

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 132L-20-020 DEFINITIONS.
- WAC 132L-20-040 AUTHORITY TO PROHIBIT TRESPASS.
- WAC 132L-20-060 FREEDOM OF ACCESS TO HIGHER EDUCATION.
- WAC 132L-20-100 STUDENT RECORDS.
- WAC 132L-20-110 STUDENT PUBLICATIONS.
- WAC 132L-20-120 DISTRIBUTION AND POSTING OF MATERIALS.
- WAC 132L-20-150 NONCOLLEGE SPEAKER POLICY.
- WAC 132L-20-160 VIOLATIONS.
- WAC 132L-20-170 EMERGENCY PROCEDURES.

#### Chapter 132L-22 WAC CENTRALIA COLLEGE CODE PROCEDURES

#### AMENDATORY SECTION (Amending Resolution No. 80-9, filed 3/7/80)

WAC 132L-22-020 ~~((INITIAL PROCEEDINGS))~~ NONACADEMIC DISCIPLINARY PROCEDURES. (1) ~~((Initiation of prosecution. Students, faculty members, administrators and other employees of the district shall have concurrent authority to report violations which will be acted upon by the dean of students. All disciplinary proceedings will be initiated by the dean of students or designated representative))~~ INITIATION OF DISCIPLINARY ACTION. Anyone may report, orally or in writing, violations to the dean of educational services, or designee, who may initiate disciplinary action.

(2) NOTICE ((requirements)). Any student charged ~~((in a report filed pursuant to WAC 132L-22-020, subsection (1);))~~ with a violation ~~((of the code of student rights and responsibilities))~~ shall ~~((be notified by the dean of students or designated representative within two academic calendar days after the filing of such a report. The))~~ receive written notice delivered to the student personally or by registered or certified mail to the student's last known address no later than two weeks after a reported violation. This notice shall not be ineffective if presented later due to the student's absence. ~~((Such))~~ The notice shall contain:

(a) ~~((Inform the student that a report has been filed alleging that the student violated specific provisions of~~

~~the code and the date of the violation; and))~~ The time, date, place, and nature of the alleged misconduct;

(b) Set forth those specific provisions allegedly violated; ~~((and))~~

(c) ~~((Specify the exact))~~ The time and date the student is required to meet with the dean of ~~((students; and))~~ educational services or designee;

(d) ~~((Specify the exact time, date, and location of the formal hearing, if one is required; and))~~ That anything the student says at the meeting with the dean or designee may be used against the student;

(e) ~~((Inform the student that he/she may question witnesses, that he/she may have anyone appear in his/her behalf to defend him/her, that he/she may have a maximum of three character witnesses appear in his/her behalf; and~~

~~(ff))~~ Inform the student that failure to appear ~~((at either of the appointed times at the dean of student's office or at the hearing))~~ may subject the student to ~~((suspension from the institution for a stated or indefinite period of time))~~ any sanction authorized by this code.

#### (3) MEETING WITH THE DEAN OF ((STUDENTS)) EDUCATIONAL SERVICES.

(a) At the meeting with the dean of ~~((students))~~ educational services the student shall be informed of provisions of the code of student rights and responsibilities that are involved, that the student may appeal any sanction imposed by the dean of ~~((students))~~ educational services, and that if a hearing is required ~~((the student may have that hearing open to the public. If the student requests a formal hearing, the dean of students shall take no action nor make any determination in the matter other than to inform the student again of the time, date, and location of the formal hearing))~~ it may be open to the public at the chairperson's discretion, if requested by the student. If the student requests a formal hearing, the dean of educational services shall take no action nor make any determination in the matter other than to inform the student again of the time, date, and location of the formal hearing.

(b) After considering the evidence in the case and interviewing the student or students involved, the dean of ~~((students))~~ educational services may take any of the following actions:

~~((i))~~ Terminate the proceedings exonerating the student or students; or

~~((ii))~~ Dismiss the case after whatever counseling and advice may be appropriate; or

~~((iii))~~ Impose minor sanctions directly (warning, reprimand, fine, restitution, disciplinary probation) subject to the student's right of appeal described below; or

~~((iv))~~ Refer the matter to the student hearing committee for a recommendation to the campus president/district president or designee as to appropriate action; or

~~((v))~~ Recommend to the campus president/district president or designee that the student be suspended. The student shall immediately be notified in writing of such recommendation and of the right to a hearing before the student hearing committee prior to the campus president/district president's or designee's final decision.

(c) A student accused of violating any provision of the code of student rights and responsibilities shall be given immediate notification of any disciplinary action taken by the dean of students or designated representative)) Impose any sanction; exonerate a student or students; refer the case to the student services committee with or without a recommendation; or dismiss the case (after whatever counseling or advice may be appropriate.)

(c) Dean's decision - notice: The student shall receive written notice of the dean's decision, as well as a summary of the evidence and notice of the right to appeal within ten days to the student services committee.

(d) ~~((No))~~ Disciplinary action taken by or at the recommendation of the dean of ~~((students))~~ educational services or ~~((designated representative))~~ designee is final unless the student ~~((fails to exercise the right of appeal as provided for in these rules. The campus president/district president or designee after reviewing the case, including any statement the student may file with the campus president/district president or designee, shall either give written approval of the action taken by or at the recommendation of the dean of students, or give written direction as to what lesser disciplinary action, if any, is to be taken))~~ appeals.

(4) STUDENT SERVICES COMMITTEE. A standing committee composed of eight members: Two administrators chosen by the president; two faculty members chosen by the faculty representative; two students chosen by the student senate; and two classified employees chosen by the classified representative. The committee shall select a chairperson from their membership and make decisions according to a majority vote.

#### (5) HEARING PROCEDURES.

(a) The student services committee will hear, de novo, and make recommendations to the college president or designee on all disciplinary cases appealed to the committee by the student or referred to it by the dean of educational services or designee. Recommendations involving suspension, dismissal, or expulsion will be referred to the college president or designee.

(b) The student may be represented by counsel of the student's own choosing provided that the student shall bear the cost and shall tender three days' notice thereof to the dean of educational services.

(c) The college may be represented by the dean of educational services or designee, including an assistant attorney general.

(d) The chairperson shall exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses. Any person, including the student, who disrupts the hearing or who fails to adhere to the rulings of the chairperson or committee advisor may be excluded from the proceedings.

(e) Hearings will be closed to the public, except for the dean and/or designee; immediate members of the student's family; and the student's representative. An open hearing may be held, at the discretion of the chairperson, if requested by the student. All parties, the witnesses, and the public shall be excluded during committee deliberations.

(f) The student may: Question witnesses; bring an advocate to defend him/her, including legal counsel; and have a maximum of three character witnesses appear on the student's behalf.

(g) The burden of proof shall be on the dean or designee, who must establish the guilt of the student by preponderance of the evidence.

(h) Formal rules of evidence and procedures shall not be applicable to disciplinary proceedings conducted pursuant to this code. The chairperson shall admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded.

(i) The dean may appoint a special presiding officer to the committee in complex cases or in any case in which the respondent is represented by legal counsel. Special presiding officers may participate in committee deliberations but shall not vote.

(j) Final decisions of the student services committee shall be by majority vote of the members present and voting. A tie vote will result in an affirmation of the original decision.

(k) Final decisions of the committee, including findings of fact or reasons for the decision, shall be accompanied by a brief written opinion which will be delivered to the student personally or by registered or certified mail to the student's last known address.

(l) In order that a complete record of the proceedings, including all evidence presented, can be made, hearings may be tape recorded or transcribed. If a recording or transcription is made, a copy thereof shall be on file at the office of the dean of educational services. If a recording or transcription is not made, the decision of the committee, president, or designee should include a summary of the testimony and should be sufficiently detailed to permit appellate review.

(6) APPEALS. All appeals by a student must be made in writing and presented to the dean or designee within ten calendar days after the student has been notified of the action from which he/she has the right to appeal. Appeals contesting the dean's decision to suspend, dismiss or expel or appeals contesting disciplinary recommendations by the student services committee may be taken to the college president. Appeals contesting disciplinary recommendations by the college president may only be taken to the Community College District Twelve board of trustees whose decision is final.

#### AMENDATORY SECTION (Amending Order 78-9, filed 3/22/78)

WAC 132L-22-060 ~~((DISCIPLINARY))~~ SANCTIONS. The following definitions of disciplinary terms have been established and shall be the sanctions imposed upon violators of the code of student rights and responsibilities:

(1) ~~((Warning))~~ WARNING. Notice to a student, either verbally or in writing, that the student has been in violation of college rules or regulations or has otherwise failed to meet the college's standards of conduct. Such warnings will include the statement that continuation or

repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(2) ~~((Reprimand))~~ REPRIMAND. Formal action censuring a student for violation of the college rules or regulations or for failure to meet the college's standards of conduct. Reprimands shall be made in writing to the student by the officer or agency taking action, with copies filed in the office of the dean of ~~((students))~~ educational services. A reprimand will include the statement that continuation or repetition of the specific conduct involved or other misconduct will normally result in one of the more serious disciplinary actions described below.

(3) ~~((Fines. The dean of students and/or the student hearing committee may assess monetary fines up to a maximum of twenty-five dollars against individual students for violation of college rules and regulations or for failure to meet the college's standards of conduct. Failure to pay such fines within thirty days will result in suspension for an indefinite period of time as set forth in subsection (6) of this section provided that a student may be reinstated upon payment of the fine.~~

(4) ~~Restitution))~~ RESTITUTION. An individual student may be required to make restitution for damage or loss to college or other property and for injury to persons. Failure to make restitution within thirty days will result in suspension for an indefinite period of time as set forth in subsection ~~((6))~~ (5) of this section provided that a student may be reinstated upon payment.

~~((5) Disciplinary probation))~~ (4) DISCIPLINARY PROBATION. Formal action placing conditions upon the student's continued attendance for violation of college rules or regulations or ~~((other))~~ the failure to meet the college standards of conduct. The office or agency placing the student on disciplinary probation will specify, in writing, the period of probation and the conditions, such as limiting the student's participation in ~~((extra-curricular))~~ extracurricular activities. Disciplinary probation warns the student that any further misconduct will automatically raise the question of suspension from the college. Disciplinary probation may be for a specified ~~((term or for an indefinite))~~ period which may extend to graduation or other termination of the student's enrollment in the college.

~~((6) Suspension))~~ (5) SUSPENSION/DISMISSAL. Temporary ~~((or))~~, indefinite, or permanent dismissal from the college ~~((and termination of the student status))~~ of a student for violation of college rules ~~((or))~~ and regulations ~~((or for failure to meet the college standards of conduct))~~. The notification suspending/dismissing a student will indicate, in writing, the term of the suspension, if applicable, and any special conditions which must be met before readmission. Copies of the notification shall be kept on file in the office of the dean of educational services and in the student's official educational record.

Refund of fees for the quarter in which disciplinary action is taken shall be in accord with the college's refund policy.

Students who are suspended ~~((on the basis of conduct which disrupted the orderly operation of the campus or~~

~~any facility of the district,))~~ or dismissed from the college may be denied access to all or any part of the campus or other facility during the duration of the period of suspension.

AMENDATORY SECTION (Amending Resolution No. 80-9, filed 3/7/80)

WAC 132L-22-070 READMISSION AFTER SUSPENSION. Any student suspended from the college for disciplinary reasons may be readmitted upon expiration of the time period for which the suspension was issued. If the student has been suspended for an indefinite period, or feels that circumstances warrant reconsideration of the temporary suspension prior to its expiration, the student may be readmitted following approval of a written petition submitted to the dean of ~~((students))~~ educational services. Such petitions must state reasons which support a reconsideration of the matter. Before readmission may be granted, such petitions must be reviewed and approved by the ~~((campus))~~ college president ~~((/district president))~~ or designee, or by the board of trustees in those cases in which it made the final disciplinary action decision.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132L-22-010 PURPOSE OF DISCIPLINARY ACTIONS.

WAC 132L-22-030 APPEALS.

WAC 132L-22-040 STUDENT HEARING COMMITTEE.

WAC 132L-22-050 FINAL DECISION REGARDING DISCIPLINARY SANCTION.

#### Chapter 132L-24 WAC CENTRALIA COLLEGE SUMMARY SUSPENSION RULES

AMENDATORY SECTION (Amending Resolution No. 80-9, filed 3/7/80)

WAC 132L-24-010 ~~((INITIATION OF))~~ SUMMARY SUSPENSION ~~((PROCEEDINGS))~~ PROCEEDURES. The ~~((campus president))~~ dean of educational services or designee may suspend any student of the college for not more than ten academic calendar days pending investigation, action or prosecution on charges of an alleged ~~((code of student rights and responsibilities))~~ violation or violations of college policy, and if the ~~((campus president or designee))~~ dean of educational services has reason to believe the student's physical or emotional safety and well-being, or the safety and well-being of the other college community members, or the safety and well-being of the college property ~~((command))~~ requires such suspension.

AMENDATORY SECTION (Amending Order 78-9, filed 3/22/78)

WAC 132L-24-020 PERMISSION TO ENTER OR REMAIN ON CAMPUS. During the period of

summary suspension, the suspended student shall not enter ((any)) the campus of ((District 12)) the college or facility under the operation of the college other than to meet with the dean of ((students)) educational services or to attend the hearing. However, the dean of ((students)) educational services may grant the student special permission to enter ((a)) the campus for the express purpose of meeting with faculty, staff, or students in preparation for the hearing.

AMENDATORY SECTION (Amending Resolution No. 80-9, filed 3/7/80)

WAC 132L-24-030 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS. (1) If the ((campus president)) dean of educational services or designee ((desires)) finds it necessary to exercise the authority to summarily suspend a student, ((the campus president)) he/she shall ((cause)) give the student notice ((thereof to be served upon that student by registered or certified mail at the student's last known address, or by causing personal service of such notice upon that student.

(2) The notice shall be entitled "notice of summary suspension proceedings" and shall state:

(a) The charges against the student including reference to the provisions of the code of student rights and responsibilities involved; and

(b) That the student charged must appear before the dean of students at a time specified in the notice), orally or in writing, stating: The time, date, place, and nature of the alleged misconduct; the evidence in support of the charge(s); the corrective action or punishment which may be imposed against the student; that anything the student says to the dean may be used against the student; and that the student may either accept the disciplinary action or, within forty-eight hours or two work days following receipt of this notification, file at the office of the dean of educational services, a written request for a hearing by the student services committee. If the request is not filed within the prescribed time, it will be deemed as waived.

(2) Appeal and hearing: If oral notice is given, it shall be followed by a written notice within forty-eight hours or two working days. The hearing shall be accomplished according to the procedures set forth in WAC 132L-22-010. Failure by the student to appear at the hearing with the student services committee shall result in the dean of educational services suspending the student from the college.

(3) Nothing herein shall prevent faculty members from taking reasonable summary action as may be reasonably necessary to maintain order when they have reason to believe that such action is necessary for the physical safety and well-being of the student, or the safety and protection of other students or of college property or where the student's conduct materially and substantially disrupts the educational process.

(a) Such summary action in the form of removal from the classroom shall be effective for a period not to exceed two scheduled classroom days.

(b) Any summary action taken by faculty members may be appealed to the dean of educational services

pursuant to appeal procedures set forth in WAC 132L-22-010(6).

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 132L-24-040 PROCEDURES OF SUMMARY SUSPENSION HEARING.

WAC 132L-24-050 DECISION BY THE DEAN OF STUDENTS.

WAC 132L-24-060 NOTICE OF SUMMARY SUSPENSION.

WAC 132L-24-070 SUSPENSION FOR FAILURE TO APPEAR.

WAC 132L-24-080 APPEAL.

#### Chapter 132L-25 WAC EMERGENCY PROCEDURES

WAC

132L-25-010 Emergency procedures.

#### NEW SECTION

WAC 132L-25-010 EMERGENCY PROCEDURES. In the event of activities which interfere with the orderly operation of the college, the dean of educational services or the college president shall determine the course of action which appears to offer the best possibility for resolution of the problem. The emergency procedures outlined below will be followed if deemed essential:

(1) Inform those involved in such activities that they are in violation of college and/or civil regulations.

(2) Inform them that they should cease and desist. Indicate an area on campus where they are able to conduct their activities without interfering with the operation of the college, if such an area is available.

(3) If they do not respond within a reasonable time, call the civil authorities.

**WSR 87-17-038**

**EMERGENCY RULES**

**DEPARTMENT OF FISHERIES**

[Order 87-100—Filed August 14, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is net restrictions in Areas 4B, 5, 6, 6A, 6C, 7 and 7A provide protection for Canadian and Puget Sound chinook during sockeye fisheries under the direction of the Pacific Salmon Commission. Openings in Areas 7B, 7C, 7E, 12B and 12C provide opportunity to

harvest non-Indian allocation. Purse seine closure in Area 12B to protect returning pink salmon. All other areas closed to prevent overharvest.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 14, 1987.

By Judith Merchant  
for Joseph R. Blum  
Director

### NEW SECTION

**WAC 220-47-803 PUGET SOUND ALL-CITIZEN COMMERCIAL SALMON FISHERY.** Notwithstanding the provisions of Chapter 220-47 WAC, effective August 14, 1987, until further notice, it is unlawful to take, fish for, or possess salmon for commercial purposes taken from the following Puget Sound Salmon Management and Catch Reporting Areas except in accordance with the following restrictions:

*Area 4B - Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.*

*Areas 5, 6C - Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open. Closed to commercial troll fishing.*

*Areas 6, 6A, 7, 7A - Under control of Pacific Salmon Commission. Gill net gear restricted to 6-inch maximum mesh when open.*

*\*Areas 7B, 7C - Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 16 through the morning of August 19. Fishery exclusion zones applicable to Areas 7B and 7C commercial fisheries are described in WAC 220-47-307.*

*\*Area 7E - Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 17 through the morning of August 19, and purse seines may fish from 5:00 AM to 9:00 PM daily August 17 and August 18. That portion east of a line from Tongue Point to Juniper Point to the point immediately south of Juniper Point remains closed to all commercial fishing.*

*\*Area 12B (excluding that portion north and east of a line projected from Hood Point to Quatsap Point) - Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 16 through the morning of August 20. Fishery exclusion zones applicable to Area 12B commercial fisheries are described in WAC*

*220-47-307. That portion north and east of a line from Hood Point to Quatsap Point remains closed to all commercial fishing.*

*\*Area 12C - Closed except gill nets using 7-inch minimum mesh may fish from 6:00 PM to 9:00 AM nightly, August 16 through the morning of August 20; and purse seines using the 5-inch strip may fish from 5:00 AM to 9:00 PM daily, August 17 through August 20. Fishery exclusion zones applicable to Area 12C commercial fisheries are described in WAC 220-47-307.*

*Areas 6B, 6D, 7D, 8, 8A, 8D, 9, 9A, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12A, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K and all freshwater areas - Closed.*

### REPEALER

The following section of the Washington Administrative Code is repealed effective August 14, 1987.

**WAC 220-47-802 Puget Sound Commercial Salmon Fishing Restrictions Order No. 87-94**

### **WSR 87-17-039**

#### **PROPOSED RULES**

#### **SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Filed August 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning learning assistance program, chapter 392-162 WAC;

that the agency will at 9:00 a.m., Thursday, September 24, 1987, in the Wanamaker Conference Room, SPI, Old Capitol Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is chapter 478, Laws of 1987.

Dated: August 17, 1987

By: Frank B. Brouillet  
Superintendent of Public Instruction

#### **STATEMENT OF PURPOSE**

Rule: Chapter 392-162 WAC, Learning assistance program.

Rule Section(s): WAC 392-162-005, 392-162-010, 392-162-015, 392-162-020, 392-162-025, 392-162-030, 392-162-032, 392-162-035, 392-162-040, 392-162-042, 392-162-044, 392-162-045, 392-162-047, 392-162-049, 392-162-052, 392-162-053, 392-162-057, 392-162-060, 392-162-062, 392-162-065, 392-162-067, 392-162-070, 392-162-075, 392-162-080, 392-162-085, 392-162-090, 392-162-095, 392-162-100, 392-162-105, 392-162-110 and 392-162-115.

Statutory Authority: Chapter 478, Laws of 1987.

Purpose of the Rule(s): Implementation of new learning assistance program.

Summary of the New Rule(s) and/or Amendments: Amending WAC 392-162-005, corrects statutory authority citation. Changes program name and grade levels to correspond with new statute; amending WAC 392-162-010, changes program name and grade levels to correspond with new statute; amending WAC 392-162-015, adds readiness to the definition of basic skills; amending WAC 392-162-020, defines learning assistance program; amending WAC 392-162-025, strikes "direct supervision and control" and defines "objective measures"; amending WAC 392-162-030, strikes term "educationally deprived" and defines eligible students; new WAC 392-162-032, defines "participating students"; amending WAC 392-162-035, strikes term "supplementary" and defines "additional/supplemental services"; amending WAC 392-162-040, defines "placement testing"; new WAC 392-162-042, defines new term "program options" as introduced in learning assistance program law; new WAC 392-162-044, defines new term "program plan" as introduced in learning assistance program law; amending WAC 392-162-045, strikes definition of "like services" and defines new term "approved program"; new WAC 392-162-047, defines "basic skills test"; new WAC 392-162-049, defines term "needs assessment" as introduced in learning assistance program law; new WAC 392-162-052, defines term "indirect expenditures"; new WAC 392-162-053, defines "direct expenditures"; new WAC 392-162-057, defines term "advisory committee" as prescribed in learning assistance program law; amending WAC 392-162-060, states requirement of district application to receive learning assistance program funds; new WAC 392-162-062, states conditions which require submission of a revised program plan; amending WAC 392-162-065, requires school board approval of learning assistance program plan; new WAC 392-162-067, requires biennial needs assessment; amending WAC 392-162-070, eliminates content of district application language and introduces district program plan requirements; amending WAC 392-162-075, requires review of program plan elements listed in WAC [392-162-]070 prior to district implementation; amending WAC 392-162-080, eliminates language from remediation program. Outlines student selection requirements; amending WAC 392-162-085, eliminates reference to minimum of students. Defines consultation with advisory committee as prescribed by learning assistance program law; amending WAC 392-162-090, clarifies name of program from remediation to learning assistance program; amending WAC 392-162-095, strikes allowable expenditure requirements of remediation program. Defines "allowable expenditures" under learning assistance program; amending WAC 392-162-100, strikes remediation fiscal requirement. Inserts program coordination language as introduced in learning assistance program law; amending WAC 392-162-105, program evaluation redefined to include change of evaluation system and program service areas K-1; amending WAC 392-162-110, clarifies that end-of-year report shall include any information as required by Superintendent of Public Instruction; and

amending WAC 392-162-115, inserts word "using" for grammatical clarification.

Reasons Which Support the Proposed Action(s): Section 9, chapter 478, Laws of 1987, requires the superintendent to promulgate rules to implement the program.

Person or Organization Proposing the Rule(s): SPI, government.

Agency Personnel Responsible for Drafting: Judi Billings, SPI, phone 3-2298; Implementation: Dr. Judy Schrag, Assist. Supt. Special, Serv., phone (206) 586-6394; and Enforcement: Dr. Charles R. Marshall, Office of Deputy Superintendent, phone (206) 753-1880.

Rule(s) is (are) Necessary as the Result of Federal Law, Federal Court Action, or State Court Action: [No information supplied by agency.]

Agency Comments, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matter Pertaining to the Rule(s): [No information supplied by agency.]

Chapter 392-162 WAC  
SPECIAL SERVICE PROGRAM—(~~REMEDATION~~) LEARNING ASSISTANCE

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-005 AUTHORITY. The authority for this chapter is (~~RCW 28A.41.408~~) chapter 478, Laws of 1987 which authorizes the superintendent of public instruction to promulgate rules for the implementation of a program designed to provide (~~remediation~~) learning assistance to public school students in grades (~~two~~) kindergarten through (~~six~~) nine who are deficient in basic skills achievement.

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-010 PURPOSE. The purpose of this chapter is to set forth policies and procedures for the administration of and to ensure district compliance with state requirements for a program designed to provide (~~remediation~~) learning assistance to public school students in grades (~~two~~) kindergarten through (~~six~~) nine who are deficient in basic skills achievement.

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-015 DEFINITION—BASIC SKILLS. As used in this chapter, the term "basic skills" means reading, mathematics, (~~and~~) language arts, and readiness activities associated with such skills.

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-020 DEFINITION—(~~REMEDATION~~) LEARNING ASSISTANCE PROGRAM. As used in this chapter, the term "~~(remediation)~~ learning assistance program" (~~shall~~) means (~~(the same as "program of remediation" in RCW 28A.41.402 — namely, "assistance in the remediation of basic skills deficiencies provided to five students or less per session by a person appropriately trained for that purpose acting under the direct supervision and control of a person certified pursuant to chapter 28A.67 RCW."~~) (See RCW 28A.67.010 which requires qualified teachers to hold a valid teacher's certificate or permit:)) a state-wide program designed to enhance educational opportunities for public school students in grades kindergarten through nine who are deficient in basic skills achievement.

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-025 DEFINITION—(~~DIRECT SUPERVISION AND CONTROL~~) OBJECTIVE MEASURES. As used in this chapter, the term "~~(direct supervision and control)~~ objective measures" (~~shall~~) means (~~(supervision of the content and method of instruction, evaluation of the effectiveness of the instruction, and such additional control as is necessary to direct the instructional program in order to provide an opportunity for student achievement)~~) using a

written or oral testing instrument that can be applied uniformly and consistently to determine in a comparable manner the educational achievement level of children.

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-030 DEFINITION—(~~EDUCATIONALLY DEPRIVED~~) ELIGIBLE STUDENTS. As used in this chapter, the term "~~((educationally deprived)) eligible students~~" (~~shalt~~) means educationally deprived students in grades kindergarten through nine whose educational attainment in basic skills achievement, as documented by placement testing, is below the level that is appropriate for the student's chronological/grade level.

NEW SECTION

WAC 392-162-032 DEFINITION—PARTICIPATING STUDENTS. As used in this chapter, the term "participating students" means eligible students in grades kindergarten through nine as determined by the district needs assessment and placement testing, and selected in accordance with this chapter to receive services in the learning assistance program.

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-035 DEFINITION—(~~SUPPLEMENTARY~~) ADDITIONAL/SUPPLEMENTAL SERVICES (~~DESIGNED TO MEET THE SPECIAL EDUCATIONAL NEEDS OF PARTICIPATING STUDENTS~~). As used in this chapter, the term "~~((supplementary)) additional/supplemental services~~" (~~designed to meet the special educational needs of participating students~~ ~~shalt~~) means (~~:~~

- (1) ~~A program of remediation; and~~
- (2) ~~Support services consisting of supervision, materials and supplies, and the training of administrators, teachers, aids, and tutors~~) a program of learning assistance in addition to the required basic education instruction, designed to improve the educational performance of students selected under WAC 392-162-080.

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-040 DEFINITION—PLACEMENT (~~TEST~~) TESTING. As used in this chapter, the term "placement (~~test~~) ~~testing~~" (~~shalt~~) means (~~an~~) the administration of objective (~~test~~) administered) measures by a school district for the purposes of diagnosing the basic skills achievement levels (~~and remediation~~), determining the basic skills areas of greatest need, and establishing the learning assistance needs of individual students.

NEW SECTION

WAC 392-162-042 DEFINITION—PROGRAM OPTIONS. As used in this chapter, the term "program options" means any of a broad range of instructional models that describe the locations and methods chosen by a school district for the delivery of learning assistance program additional/supplemental instructional and/or support services.

NEW SECTION

WAC 392-162-044 DEFINITION—PROGRAM PLAN. As used in this chapter, the term "program plan" means a plan for the learning assistance program developed biennially, in consultation with the district advisory committee based on data generated by the district needs assessment.

AMENDATORY SECTION (Amending Order 84-47, filed 10/2/84)

WAC 392-162-045 DEFINITION—(~~LIKE SERVICES~~) APPROVED PROGRAM. As used in this chapter, the term "~~((like services)) approved program~~" (~~shalt~~) means (~~((the same as "like needs" specified in RCW 28A.41.406 — namely, programs conducted pursuant to chapter 28A.13 RCW which provide services designed to meet the special educational needs of participating students. However, the term "like services" does not include communication disorder or physical or occupational therapy services if the student is receiving no other special education instruction))~~) a program meeting the requirements of this chapter and conducted pursuant to the plan submitted by a district and approved by the superintendent of public instruction in accordance with WAC 392-162-075.

NEW SECTION

WAC 392-162-047 DEFINITION—BASIC SKILLS TEST. As used in this chapter, the term "basic skills tests" means state-wide tests at the fourth and eighth grade levels established pursuant to RCW 28A.03.360.

NEW SECTION

WAC 392-162-049 DEFINITION—NEEDS ASSESSMENT. As used in this chapter, the term, "needs assessment" means an analysis of the educational needs of students in grades kindergarten through nine as described in WAC 392-162-067: PROVIDED, That an existing district needs assessment that meets the requirements of WAC 392-162-067 may be used.

NEW SECTION

WAC 392-162-052 DEFINITION—INDIRECT EXPENDITURES. As used in this chapter, the term "indirect expenditures" is as defined in the accounting manual glossary of terms—i.e., "those expenditure elements that cannot be easily, obviously, and conveniently identified with specific programs. . . . accumulated in the accounting system under Program 94 or Program 97."

NEW SECTION

WAC 392-162-053 DEFINITION—DIRECT EXPENDITURES. As used in this chapter, the term "direct expenditures" means that part of program-allowed total expenditures that appear on the program approved budget matrix under allowed combinations of activities and objects of expenditures.

NEW SECTION

WAC 392-162-057 DEFINITION—ADVISORY COMMITTEE. As used in this chapter, the term "advisory committee" means a consultant group with membership including, but not limited to, representatives of the following groups: Parents—including parents of students served by program—teachers, principals, administrators, and school directors: PROVIDED, That an existing advisory committee that meets the requirements of this section may serve as the learning assistance program advisory committee.

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-060 DISTRICT APPLICATION. Each district that seeks an allocation from the state for a (~~remediation~~) learning assistance program shall submit (~~an annual~~) a biennial application, including the district program plan outlined in WAC 392-162-070, and an annual expenditure plan for approval on forms provided by the superintendent of public instruction (~~for approval~~): PROVIDED, That if district program plan elements described in WAC 392-162-070 are changed for the second year of the biennium, an updated program plan shall be submitted to the superintendent of public instruction for approval on forms provided.

NEW SECTION

WAC 392-162-062 MID-YEAR PROGRAM PLAN REVISION. A district may make a change during the school year in the program plan required under WAC 392-162-070 if such change is made after consultation with the advisory committee and is submitted to the superintendent of public instruction on forms provided for that purpose.

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-065 SCHOOL BOARD APPROVAL. The district's (~~annual~~) biennial application which specifies the learning assistance program plan shall be approved by formal action of the district's board of directors.

NEW SECTION

WAC 392-162-067 PROGRAM REQUIREMENT—NEEDS ASSESSMENT. Each district that seeks an allocation from the state for a learning assistance program shall conduct a needs assessment at least biennially. The needs assessment shall include:

(1) Use of objective measures to assess and identify those students in grades kindergarten through nine who are below grade level in the basic skills areas of readiness, reading, math, and language arts with special emphasis on the needs of students in the early grades.

(2) Review and use of current performance achievement data such as: State-wide basic skills test, chapter 1 assessments, self-study data, and other academic progress results.

(3) Review of district basic education and district special needs programs to identify strategies for coordinating the learning assistance program with such programs and services.

#### AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

~~WAC 392-162-070 ((CONTENT OF)) PROGRAM REQUIREMENT-DISTRICT ((APPLICATION)) PROGRAM PLAN. ((The)) Each district ((s annual application)) shall ((contain the following)) biennially develop and/or update a program plan for the learning assistance program in consultation with the advisory committee using data generated by the district's needs assessment. Such program plan shall include:~~

~~(1) ((Planned expenditures by program activity and object;~~  
~~(2) Instructional program description which describes the supplementary services designed to meet the special educational needs of the participating students;~~

~~(3) Amount of total expenditures planned for Chapter 1 Regular attendance areas (i.e., eligible buildings) as defined in WAC 392-163-230;~~

~~(4) Amount of total expenditures planned to support nationally validated program models, if any; and~~

~~(5) An assurance that no less than fifty percent of the state moneys for a remediation assistance program shall be expended in buildings determined eligible to receive Chapter 1 Regular moneys pursuant to WAC 392-163-300)) The means which the district will use to identify participating students to receive additional/supplemental services or support under the proposed program;~~

~~(2) A program description which shall include as a minimum, buildings served, number of students served, grade levels served, and program option(s) and instructional staff selected to provide services to students;~~

~~(3) An annual expenditure plan detailing specific services and activities funded under this chapter;~~

~~(4) A plan for annual evaluation of the program by the district, based on performance objectives related to basic skills achievement of participating students, and for reporting results of such evaluation to the superintendent of public instruction;~~

~~(5) Procedures for recordkeeping and program documentation required by the superintendent of public instruction; and~~

~~(6) Approval of the local school district board of directors.~~

#### AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

~~WAC 392-162-075 PROGRAM APPROVAL. The superintendent of public instruction shall review and approve each district's application which contains the information ((in this section)) required by WAC 392-162-070. A district's learning assistance program shall not be implemented prior to application approval.~~

#### AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

~~WAC 392-162-080 PROGRAM REQUIREMENT-SELECTION OF STUDENTS. ((A)) Students selected to participate in the ((remediation)) learning assistance program shall ((meet the following requirements)) be limited to those who:~~

~~(1) ((The student is)) Are enrolled in ((any)) grades ((two)) kindergarten through ((six)) nine;~~

~~(2) ((The student is educationally deprived)) Are performing below grade level;~~

~~(3) ((The student has)) Have been selected ((through a placement test; and)) using objective measures; and~~

~~(4) ((The student is not receiving like services.)) Have been determined to have the greatest academic deficits and are not receiving services in the same basic skills area from another special service program.~~

#### AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

~~WAC 392-162-085 PROGRAM REQUIREMENT-((MAXIMUM NUMBER OF STUDENTS)) CONSULTATION WITH THE ADVISORY COMMITTEE. The ((total number of students~~

~~(i.e., headcount) served in the remediation assistance program in one or more of the basic skill areas with state funds shall not exceed the total number of eligible students calculated per WAC 392-122-605 (2)(a). For each student served in excess of this number, the amount per pupil allocated by the state shall be recovered)) school district staff responsible for the administration of the learning assistance shall consult with the learning assistance program advisory committee in the planning, implementation and evaluation of the learning assistance program.~~

#### AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

~~WAC 392-162-090 PROGRAM REQUIREMENT-NOTIFICATION OF PARENTS. Each district shall notify parents of ((participating students of the involvement)) the participation of their child in the ((remediation)) learning assistance program.~~

#### AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

~~WAC 392-162-095 PROGRAM REQUIREMENT-ALLOWABLE EXPENDITURES. ((State remediation assistance program revenue shall be expended only in the allowable objects of expenditure, except capital outlay, in activities 21, 22, and 27 in Program 55, Remediation, State, Accounting Manual. If a district incurs an expenditure with state moneys for a remediation assistance program in a nonallowable object(s) or activity(ies), the amount of such nonallowable expenditure shall be recovered by the superintendent of public instruction after the end of the school fiscal year.)) Only allowed expenditures shall be reimbursed by the superintendent of public instruction. Allowed expenditures shall include direct and indirect expenditures included on the approved program budget: PROVIDED, That indirect expenditures shall not exceed seven percent of a district's total learning assistance revenues.~~

#### AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

~~WAC 392-162-100 PROGRAM ((REQUIREMENT-FIFTY PERCENT IN CHAPTER 1 REGULAR BUILDINGS-RECOVERY OF MONEYS)) COORDINATION. ((Not less than fifty percent of state moneys provided for a remediation assistance program shall be expended by a district in attendance areas (i.e., eligible buildings) determined eligible to receive Chapter 1 Regular moneys pursuant to WAC 392-163-230. If a district incurs expenditures for more than fifty percent of such moneys in noneligible attendance areas (i.e., buildings), the amount above fifty percent shall be recovered by the superintendent of public instruction after the end of the school fiscal year.)) School districts may coordinate federal, state, and local programs in order to serve the maximum number of students who are below grade level in basic skills. Students receiving assistance in another special needs program may also be served in the learning assistance program if they meet student eligibility and selection requirements under this chapter.~~

#### AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

~~WAC 392-162-105 PROGRAM REQUIREMENT-PROGRAM EVALUATION. The ((Title I)) Chapter 1 Evaluation and Reporting System ((FIERS)) CHIERS shall be used annually by districts to evaluate the educational achievement of students in grades two through nine receiving recommended services in the ((remediation)) learning assistance program. ((The data)) Students in kindergarten and grade one shall be evaluated annually using objective measures selected by the school district. Evaluation results shall be reported annually to the superintendent of public instruction on provided forms.~~

#### AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

~~WAC 392-162-110 PROGRAM REQUIREMENT-END OF YEAR REPORT. Districts shall submit to the superintendent of public instruction at the close of the fiscal year an end of the year report on forms provided by the superintendent of public instruction ((which)). The report shall include((s)) number of students served by grade level, basic skills area, ethnicity, ((and)) gender and other information which may be required by the superintendent of public instruction.~~

AMENDATORY SECTION (Amending Order 84-21, filed 6/28/84)

WAC 392-162-115 MONITORING OF DISTRICTS. In order to insure that school districts are meeting the requirements of this chapter, the superintendent of public instruction shall monitor district programs no less than once every three years by using sampling procedures.

**WSR 87-17-040**  
**EMERGENCY RULES**  
**DEPARTMENT OF NATURAL RESOURCES**  
 [Order 514—Filed August 17, 1987]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the suspension of outdoor rule burns and the use of burning barrels on lands protected by the Department of Natural Resources in some counties of the state.

I, Brian J. Boyle, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is due to the dry conditions of some forest fuels in the state certain counties require restrictions of the public use of fire in order to prevent a wildfire from occurring where by life and property would be threatened.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.015 and 76.04.315 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 17, 1987.

By Brian J. Boyle  
 Commissioner of Public Lands

NEW SECTION

WAC 332-26-101b *OUTDOOR BURNING RESTRICTIONS*. Effective midnight, Friday, August 7, 1987, through midnight, Monday, August 31, 1987, privileges to have an outdoor fire without a written burning permit, as allowed by WAC 332-24-201 and described in WAC 332-24-211, on lands protected by the department in King, Pierce, Kitsap, Mason, Snohomish, Whatcom, Skagit, Island, San Juan, Clark, Cowlitz, Skamania, Chelan, Kittitas, Yakima, Klickitat, Garfield, Asotin, Columbia and Walla Walla counties are suspended.

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 332-26-102b *BURNING BARREL RESTRICTIONS*. Effective midnight, Friday, August 7, 1987, through midnight, Monday, August 31, 1987, privileges to burn in a burning barrel, as allowed by WAC 332-24-201 and described in WAC 332-24-225, on lands protected by the department in King, Pierce, Kitsap, Mason, Snohomish, Whatcom, Skagit, Island, San Juan, Clark, Cowlitz, Skamania, Chelan, Kittitas, Yakima, Klickitat, Garfield, Asotin, Columbia and Walla Walla counties are suspended.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- 1) WAC 332-26-101a *Outdoor Burning Restrictions.*
- 2) WAC 332-26-102a *Burning Barrel Restrictions.*

**WSR 87-17-041**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(General Provisions)**  
 [Filed August 17, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning license fees for radioactive materials, amending WAC 440-44-057;

that the agency will at 10:00 a.m., Friday, September 25, 1987, in the First Floor Conference Room, General Administration, Olympia, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 28, 1987.

The authority under which these rules are proposed is RCW 43.20A.055.

The specific statute these rules are intended to implement is RCW 43.20A.055.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 25, 1987.

Correspondence concerning this notice and proposed rules attached should be addressed to:

Leslie F. James, Director  
 Administrative Services  
 Department of Social and Health Services  
 Mailstop OB 39  
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact Administrative Regulations Section, State Office Building #2, 12th and Franklin, Olympia, WA, phone (206) 753-7015 by September 11, 1987. The meeting site is in a location which is barrier free.

Dated: August 17, 1987  
By: Leslie F. James, Director  
Administrative Services

### STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.025.  
Amending WAC 440-44-057.

Purpose of this Rule: To increase the annual fee for radioactive materials licenses by 22 percent.

Reason this Rule is Necessary: To provide supporting revenue to cover the additional costs of program administration not previously included in the fee base, and the effect of two years' inflation since the fees were last adjusted. The program administration costs are those associated with the radioactive materials section's fair share of the office chief and his secretary and the cost of complying with the Regulatory Fairness Act.

Statutory Authority: RCW 43.20A.055.

Summary of the Rule Change: The annual fee for each radioactive materials license issued by the department is increased by 22 percent and rounded up to the nearest ten dollars. In addition, the fee category for radioactive waste treatment facilities is rewritten to clearly distinguish between the commercial low-level waste disposal site and the intended facilities processing radioactive waste as an intermediate step with no onsite disposal allowed. Finally, wording which is no longer appropriate is deleted.

Person Responsible for Drafting, Implementation, and Enforcement of this Rule: Terry C. Frazee, Head, Radioactive Materials Section, Office of Radiation Protection, 753-3461, mailstop LE-13.

This action is proposed by T. R. Strong, Chief, Office of Radiation Protection, and recommended by staff of the Division of Health, DSHS.

This rule is not necessary as a result of federal law, federal court decision, or state court decision.

Small Business Economic Impact Statement: This rule change has a direct economic impact on all radioactive materials licensees, including many small businesses. The same fee is charged for a given type of activity involving radioactive materials generally, without regard to the size of the business. Thus, a small company using a portable radioactive gauge, which employs 20 people, will pay the same fee as a large company using an identical gauge, but having 200 employees. The cost per employee for the small company is clearly ten times that of the large company. Similarly, the cost per hour of labor and the cost per \$100 of sales will clearly be greater for the small business than for the large business. However, the department's cost of regulating that radioactive material is the same whether it is used by a big business or a small business. Typical fee increases include, for portable gauges, the annual fee going from \$310 to \$380. For full service nuclear medicine program, the fee goes from \$1990 to \$2430; for field radiography, the fee goes from \$3080 to \$3760; for very large programs such as the University of Washington, the fee goes from \$7950 to \$9700. And finally, on the low end of the scale, the fee for medical laboratory registrants goes from \$30 to \$40. To comply with the Regulatory Fairness Act, the department provides a 25 percent reduction in the fee

for qualified small businesses (WAC 440-44-059). In FY87, this discount amounted to \$15,000 in lost revenue and accounts for one fifth of the proposed fee increase.

### AMENDATORY SECTION (Amending Order 2359, filed 3/28/86)

WAC 440-44-057 LICENSE FEES FOR RADIOACTIVE MATERIALS. (1) The department shall charge a fee for each radioactive materials license ((is) based on the single highest fee category which describes activities subject to the conditions of the license. When multiple licenses are required ((by)), the department (~~each license is subject to~~) shall charge the applicable license fee for each. ((Multiple licenses may be required by)) The department may require multiple licenses based upon:

- (a) Physical separation of operations(;;);
  - (b) Organizational separations within a licensee's operation(;;); or
  - (c) Possession of special nuclear material.
- (2) FEE CATEGORIES. Persons licensed or authorized to possess or use radioactive materials shall forward fees to the department as follows:
- (a) For operation of a radioactive waste ((~~treatment~~)) facility allowing processing, volume reduction, or waste treatment, but not allowing commercial on-site disposal: Annual fee of ((five)) six thousand ((two)) four hundred ((fifty)) ten dollars.
  - (b) For operation of a nuclear pharmacy: Annual fee of two thousand ((one)) six hundred ((forty)) ten dollars.
  - (c) For operation of a mobile nuclear medicine program: Annual fee of two thousand ((one)) six hundred ((thirty)) dollars.
  - (d) For operation of a nuclear laundry: Annual fee of four thousand eight hundred eighty dollars.
  - (e) For licenses authorizing one curie or more of unsealed radioactive material in the manufacture and distribution of radioactive products or devices containing radioactive material: Annual fee of ((three)) four thousand ((seven)) five hundred ((ten)) thirty dollars.
  - (f) For licenses authorizing manufacturing utilizing less than one curie of unsealed radioactive material or any quantity of previously sealed sources and distribution of products or devices containing radioactive material: Annual fee of one thousand ((three)) six hundred ((twenty)) ten dollars.
  - (g) For licenses authorizing decontamination services: Annual fee of ((one)) two thousand ((eight)) three hundred ((ninety)) ten dollars.
  - (h) For licenses authorizing waste brokerage including the possession, temporary storage, and over-packing only of radioactive waste: Annual fee of one thousand ((two)) four hundred ((twenty)) ninety dollars.
  - (i) For licenses authorizing equipment servicing involving incidental use of calibration sources, for maintenance of equipment containing radioactive material, or possession of sealed sources for the purpose of sales demonstration only: Annual fee of ((five)) six hundred ((sixty)) ninety dollars.
  - (j) For licenses authorizing health physics services, leak testing, or calibration services: Annual fee of one thousand ((forty)) two hundred seventy dollars.
  - (k) For civil defense licenses: Annual fee of ((six)) eight hundred ((fifty)) dollars.
  - (l) For licenses authorizing possession of atomic numbers three through eighty-three with maximum authorized possession of any single isotope greater than or equal to 1 curie: Annual fee of ((seven)) nine thousand ((nine)) seven hundred ((fifty)) dollars.
  - (m) For licenses authorizing possession of atomic numbers three through eighty-three with maximum authorized possession of any single isotope greater than 0.1 curie but less than 1 curie: Annual fee of ((three)) four thousand ((five)) three hundred ((seventy)) sixty dollars.
  - (n) For licenses authorizing possession of atomic numbers three through eighty-three with maximum authorized possession less than or equal to 0.1 curie: Annual fee of ((two)) three thousand ((nine)) six hundred ((fifty)) dollars.
  - (o) For medical licenses authorizing one or more of Groups II-VI, as defined in WAC 402-22-200 Schedule A:
    - (i) For licenses authorizing Group II and III (diagnostic nuclear medicine): Annual fee of one thousand ((four)) seven hundred ((sixty)) eighty dollars.
    - (ii) For licenses authorizing Group IV and V (unlimited medical therapy): Annual fee of one thousand ((two)) four hundred ((ten)) eighty dollars.
    - (iii) For licenses authorizing Group II or III and Group IV or V: Annual fee of ((one)) two thousand ((nine)) four hundred ((ninety)) thirty dollars.

(iv) For licenses authorizing Group VI (unlimited brachytherapy): Annual fee of one thousand (~~forty~~) two hundred seventy dollars.

(p) For licenses authorizing brachytherapy or teletherapy: Annual fee of (~~six~~) seven hundred forty dollars.

(q) For licenses authorizing medical or veterinarian possession of greater than 200 millicuries total possession of radioactive material: Annual fee of (~~nine~~) one thousand one hundred (~~seventy~~) ninety dollars.

(r) For licenses authorizing medical or veterinarian possession of greater than 30 millicuries but less than or equal to 200 millicuries total possession of radioactive material: Annual fee of (~~seven~~) nine hundred (~~eighty~~) sixty dollars.

(s) For licenses authorizing medical or veterinarian possession of less than or equal to 30 millicuries total possession of radioactive material: Annual fee of (~~five~~) seven hundred (~~seventy~~) dollars.

(t) For licenses authorizing Group I as defined in WAC 402-22-200 Schedule A or in vitro uses of radioactive materials: Annual fee of (~~five~~) six hundred (~~forty~~) sixty dollars.

(u) For licenses authorizing possession of special nuclear material as pacemakers or depleted uranium as shielding: Annual fee of two hundred fifty dollars.

(v) For licenses authorizing the use of radiographic exposure devices in a permanent radiographic facility (vault) only: Annual fee consisting of (~~two~~) three thousand (~~five~~) one hundred (~~seventy~~) forty dollars.

(w) For licenses authorizing the use of radiographic exposure devices at temporary job sites: Annual fee of three thousand (~~eighty~~) seven hundred sixty dollars.

(x) For licenses authorizing well-logging activities including the use of radioactive tracers: Annual fee of one thousand (~~two~~) four hundred seventy dollars.

(y) For licenses authorizing possession of unsealed sources in the following amounts:

(i) Greater than or equal to 1 millicurie of I-125 or I-131 or greater than or equal to 100 millicuries of H-3 or C-14 or greater than or equal to 10 millicuries of any single isotope: Annual fee of one thousand (~~six~~) nine hundred (~~thirty~~) ninety dollars.

(ii) Greater than 0.1 millicurie but less than 1 millicurie of I-125 or I-131 or greater than 10 millicuries but less than 100 millicuries of H-3 or C-14 or greater than 1 millicurie but less than 10 millicuries of any other single isotope: Annual fee of (~~seven~~) nine hundred (~~eighty~~) sixty dollars.

(iii) Less than or equal to 0.1 millicurie of I-125 or I-131 or less than or equal to 10 millicuries of H-3 or C-14 or less than or equal to 1 millicurie of any other single isotope: Annual fee of (~~six~~) seven hundred (~~ten~~) fifty dollars.

(z) For licenses authorizing possession of portable sealed sources (such as moisture/density gauges but excluding radiographic exposure devices): Annual fee of three hundred (~~ten~~) eighty dollars.

(aa) For licenses authorizing possession of any nonportable sealed source, including special nuclear material but excluding radioactive material used in a gas chromatograph: Annual fee of (~~three~~) four hundred (~~thirty~~) ten dollars.

(bb) For licenses authorizing possession of gas chromatograph units containing radioactive material: Annual fee of two hundred (~~thirty~~) eighty dollars.

(cc) For licenses authorizing possession of any self-shielded or pool type irradiator with sealed source greater than 100 curies: Annual fee of (~~six~~) seven hundred (~~ten~~) fifty dollars.

(dd) For licenses authorizing possession of sealed sources for a walk-in type irradiator: Annual fee of (~~nine~~) one thousand one hundred (~~sixty~~) eighty dollars.

(ee) For licenses authorizing possession of greater than 1 gram of unsealed special nuclear material or greater than 500 kilograms of source material: Annual fee of (~~two~~) three thousand (~~nine~~) five hundred (~~ten~~) fifty dollars.

(ff) For licenses authorizing possession of less than or equal to 1 gram of unsealed special nuclear material or less than or equal to 500 kilograms of source material: Annual fee of (~~nine~~) one thousand one hundred (~~forty~~) fifty dollars.

(gg) For in vitro registrants (requiring filing of form RHF-15): Annual fee of (~~thirty~~) forty dollars.

(hh) For depleted uranium registrants (requiring filing of form RHF-20): Annual fee of (~~thirty~~) forty dollars.

(ii) For licenses issued to mineral processors for naturally occurring radioactive material in excess of exempt concentrations:

(i) License application fee, as defined in chapter 402-70 WAC, not to exceed twenty-seven thousand dollars plus

(ii) The actual cost of the service provided by the department (~~to be~~) paid in quarterly payments equal to the cost incurred by the department during the previous calendar quarter. This quarterly fee (~~may~~): (A) Shall not exceed forty thousand dollars in any calendar quarter, and (~~is intended to~~) (B) shall cover the full cost of regulatory services incurred by the department and its contractors including the department cost of determining and assuring compliance with the provisions of the State Environmental Policy Act.

(3) The department shall charge fees for reciprocal recognition of out-of-state licenses as follows:

(a) Fee equal to one hundred percent of the fee (~~that would be charged~~) specified for an in-state license as described in subsection (2) of this section;

(b) Fee based upon the actual amount of radioactive material or type of devices requested to be brought into the state(~~); and~~

(c) Payment of fee authorizes possession and use in the state of Washington for up to one hundred eighty days of the twelve-month period following payment of the fee.

(4) (~~It is the intent of the department to require all radioactive materials licensees who have not yet paid fees for their licenses to begin doing so on January 1, 1984. The following mechanism will be employed to accomplish this intent. A licensee who has not paid for a license shall remit by January 1, 1984, a prorated amount of the license fee for the period between January 1, 1984 and the annual anniversary of the expiration date of the license. Thereafter, thirty days prior to the annual anniversary date;)~~ Each licensee shall:

(a) Remit the full annual fee for the license;

(i) As specified in subsection (2) of this section(~~); and~~

(ii) At least thirty days prior to the annual anniversary date; or

(iii) On a payment schedule as provided in WAC 440-44-059(5);

(b) Consider the annual anniversary (~~is~~) to be the month and day of the expiration date of the existing radioactive materials license.

**WSR 87-17-042**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2521—Filed August 17, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to needy infants, children and pregnant women, new section WAC 388-83-032.

This action is taken pursuant to Notice No. WSR 87-14-062 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 14, 1987.

By Leslie F. James, Director  
Administrative Services

**NEW SECTION**

WAC 388-83-032 **NEEDY INFANTS, CHILDREN AND PREGNANT WOMEN.** (1) The department shall find the following groups eligible for Medicaid as categorically needy, if they meet the income and resource requirements of this section:

(a) Effective July 1, 1987:

- (i) Women during pregnancy and during the sixty-day period beginning on the last day of pregnancy, and
- (ii) Infants under one year of age.

(b) Effective October 1, 1987, children under two years of age.

(2) Income eligibility:

(a) Total family income shall not exceed ninety percent of the Poverty Income Guidelines as published and updated by the secretary of health and human services. Ninety percent of the 1987 Poverty Income Guidelines is:

	Family Size	Monthly
(i)	One	\$ 413.00
(ii)	Two	\$ 555.00
(iii)	Three	\$ 698.00
(iv)	Four	\$ 840.00
(v)	Five	\$ 983.00
(vi)	Six	\$ 1,125.00
(vii)	Seven	\$ 1,268.00
(viii)	Eight	\$ 1,410.00

(ix) For family units with more than eight members add \$143.00 to the monthly income for each additional member.

(b) Family income:

(i) Shall be determined according to AFDC methodology except for the exclusions in WAC 388-83-130 (5) and (6), and

(ii) The costs incurred for medical care or for any other type of remedial care shall not be used to reduce the family income.

(3) Resource eligibility:

(a) The total value of the family's (~~liquid~~) countable resources shall not exceed five thousand dollars.

(b) (~~Liquid~~) Countable resources (~~include only cash or financial instruments which~~) are (~~convertible to cash including but not~~) limited to cash, savings accounts, checking accounts, stocks, bonds, mutual fund shares, (~~promissory notes, and mortgages~~) and certificates of deposit.

(c) Other resources are not considered in determining the eligibility of groups included in subsection (1) of this section.

(4) Changes in income or living situations shall not affect eligibility for medical assistance, during pregnancy or during the sixty-day period beginning on the last day of pregnancy:

(a) Once a pregnant woman is determined eligible under this section, or

(b) If at any time while eligible for and receiving medical assistance meets the eligibility requirements of this section.

(5) An infant or child who attains the maximum age as described in subsection (1) (a) or (b) of this section shall continue to be eligible until the later of:

(a) The end of the month in which the infant or child attains the maximum age, or

(b) The end of the month in which the infant or child receives inpatient services if:

(i) The infant or child is receiving inpatient services on the last day of the month in which the child attains the maximum age, and

(ii) The stay for inpatient services continues into the following month(s), and

(iii) Who, but for attaining such age, would be eligible for assistance under this section.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 87-17-043**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 2522—Filed August 17, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to medically needy income level (MNIL) increase, amending WAC 388-99-020.

This action is taken pursuant to Notice No. WSR 87-14-061 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Department of Social and Health Services as authorized in RCW 74.08.090.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 14, 1987.

By Leslie F. James, Director  
 Administrative Services

**AMENDATORY SECTION** (Amending Order 2473, filed 2/19/87)

WAC 388-99-020 **ELIGIBILITY DETERMINATION—MEDICALLY NEEDY IN OWN HOME.** (1) The medically needy income level (MNIL) shall be:

(a) One person	\$ 368
(b) Two persons	\$ 532
(c) Three persons	\$ ((555))
	<u>567</u>
(d) Four persons	\$ ((578))
	<u>667</u>
(e) Five persons	\$ ((666))
	<u>767</u>
(f) Six persons	\$ ((756))
	<u>875</u>

(g) Seven persons	\$	((873)) 1,008
(h) Eight persons	\$	((966)) 1,117
(i) Nine persons	\$	((1,061)) 1,225
(j) Ten persons and above	\$	((1,153)) 1,333

(2) For families and children countable income is determined by deducting, from gross income, amounts that would be deducted in determining AFDC grant eligibility. Earned income exemption of \$30 plus 1/3 of the remainder does not apply for individuals applying solely for medical assistance.

(3) For aged, blind, and disabled individuals countable income is determined by deducting, from gross income, amounts that would be deducted in determining eligibility for the state supplementary payment.

(4) If countable income is equal to or less than the appropriate MNIL, the family or individual is certified eligible.

(5) If countable income is greater than the appropriate MNIL, the applicant is required to spenddown the excess countable income for the base period. The base period shall be the three-month or six-month period which corresponds to the certification period, see WAC 388-99-055.

(6) Financial responsibility of relatives.

(a) For families and children,

(i) Income and resources of spouse or parent are considered available to the applicant whether or not actually contributed if they live in the same household.

(ii) Income and resources of spouse or parent are considered only to the extent of what is actually contributed if not in same household.

(b) For aged, blind, and disabled, see chapter 388-92 WAC for deeming of income.

(7) In mixed households, where more than one assistance unit exists, determine income for the AFDC related assistance unit according to subsection (2) of this section, and for the SSI related assistance unit according to subsection (3) of this section.

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 14, 1987.

By Leslie F. James, Director  
Administrative Services

AMENDATORY SECTION (Amending Order 2496, filed 6/1/87)

WAC 388-54-740 INCOME—DEDUCTIONS. In computing net income, only the following deductions shall be allowed:

(1) A standard deduction of ninety-nine dollars per household per month.

(2) An earned income deduction of twenty percent of gross earned income. Earnings excluded in WAC 388-54-735 shall not be included in gross earned income for purposes of computing earned income deductions.

(3) A dependent care deduction for households shall be the amount actually paid not to exceed one hundred sixty dollars. Payments for the care of a child or other dependent will be allowed when necessary for a household member to accept or continue employment, seek employment, or attend training or education preparatory to employment.

(4) Shelter costs in excess of fifty percent of the household's income after deducting the standard, earned income, and dependent care deductions. The shelter deduction shall not exceed one hundred forty-nine dollars.

(a) "Shelter costs" mean rent or mortgage payment plus taxes on a dwelling and property, insurance on the structure only, unless the costs for insuring the structure and its contents cannot be separated, assessments, and utility costs such as heat and cooking fuel, cooling and electricity, water, garbage, sewage disposal, and a standard basic telephone allowance, and initial installation fees for utility services. One-time deposits shall not be included as shelter costs.

Shelter costs shall also include continuing charges leading to the ownership of the shelter such as loan repayments for the purchase of a mobile home, including interest on such payments.

(b) Shelter costs for a home not occupied because of employment, training away from home, illness, or abandonment caused by casualty loss or natural disaster shall be allowed if:

- (i) The household intends to return to the house;
- (ii) The current occupants, if any, are not claiming shelter costs for food stamp purposes; or
- (iii) The home is not being leased or rented during the household's absence.

(c) Charges for the repair of the home which was substantially damaged or destroyed due to a natural disaster such as a fire or flood.

(d) Standardized utility amounts include utilities such as heating and cooling costs, cooking fuel, electricity not

**WSR 87-17-044**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 2523—Filed August 17, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to standard utility allowance update, amending WAC 388-54-740.

This action is taken pursuant to Notice No. WSR 87-14-063 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

used to heat or cool the residence, water, garbage, sewage disposal, and telephone. Cooling costs are defined as central air conditioners or operation of a room air conditioner.

Persons in Household	Annualized Utility Standards
1	\$ ((+3)) <u>131</u>
2	((+2)) <u>140</u>
3	((+27)) <u>150</u>
4	((+36)) <u>158</u>
5	((+43)) <u>169</u>
6	((+48)) <u>178</u>
7	((+54)) <u>184</u>
8	((+60)) <u>191</u>
9	((+68)) <u>199</u>
10 or more	((+76)) <u>209</u>

(e) Households billed by their landlords for actual usage as determined through individual metering may qualify for the standard utility allowance.

(f) Households not incurring any separate utility charges for heating or cooling costs shall not be entitled to claim the standard utility allowance.

(g) If a household is not entitled to the standard utility allowance, the household may claim actual utility expenses for any utility which the household does pay separately.

(i) The telephone standard for families incurring telephone costs, but not entitled to claim the standard utility allowance, is ten dollars.

(ii) The telephone allowance applies to households not entitled to claim the standard utility allowance, but which have telephone expenses.

(h) If a household requests and can verify the household's utility bills, the actual utility costs shall be used rather than the standard utility allowance.

(i) A household shall be allowed to switch between actual utility costs and the utility standard at each recertification action and one additional time during each twelve-month period following the initial certification action.

(j) Where the household shares a residence and utility costs with other individuals, the standard allowance shall be divided equally among the individuals contributing to meeting the utility costs. The household shall only be permitted to use the household's prorated share of the standard allowance.

(k) Households living in a public housing unit or other rental housing unit having central utility meters and charging the household only for excess utility costs shall not be permitted to use the standard utility allowance including a heating or cooling cost component. Payment of excess heating or cooling costs shall not qualify the household for the standard utility allowance including a heating or cooling component.

(l) If in any month of the certification period actual out-of-pocket heating or cooling expenses exceed the

prorated energy assistance vendor payment, the household is entitled to receive the standard utility allowance.

(m) If the prorated energy assistance vendor payment exceeds the heating or cooling expense for every month of the certification period, the household can count the entire expense billed by the provider toward actual utility costs regardless of the energy assistance vendor payment.

(n) Energy assistance vendor payments are prorated on a monthly basis over the entire heating or cooling season for which it is provided.

(5) Households containing an elderly or disabled member, as defined in WAC 388-54-665 (2)(b), shall be authorized an excess shelter deduction as specified in WAC 388-54-740(4) for the monthly amount exceeding fifty percent of the household's monthly income after all applicable deductions have been made.

(6) An individual who is elderly or disabled, as defined in WAC 388-54-665 (2)(b), shall be authorized a deduction for unreimbursable monthly medical expenses over thirty-five dollars.

(a) Allowable medical expenses are:

(i) The cost of maintaining an attendant, homemaker, home health aide, housekeeper, and/or child care service. These expenses, which could be claimed either as a medical or child care expense, must be considered as medical expenses;

(ii) The cost of medical insurance;

(iii) Medicare premiums related to coverage under Title XVIII of the Social Security Act;

(iv) Any cost-sharing on spend-down expenses incurred by Medicaid (medical only) recipients;

(v) Hospitalization or outpatient treatment, nursing care, and nursing home care including payments by the household for an individual who was a household member immediately prior to entering a hospital or licensed nursing home;

(vi) Prescription drugs and other over-the-counter medication (including insulin) when prescribed or approved by a licensed practitioner or other qualified health professional;

(vii) The cost of medical supplies, sick-room equipment (including rental), or other prescribed equipment;

(viii) Dentures, hearing aids, prosthetics, and eyeglasses prescribed by an optometrist or physician skilled in eye disease;

(ix) Securing and maintaining a seeing eye dog including the cost of dog food and veterinarian bills;

(x) Reasonable cost of transportation and lodging to obtain medical treatment or services.

(b) Nonallowable expenses are:

(i) The cost of health and hospital insurance which pays in lump-sum settlements or which continue mortgage or loan payments while the beneficiary is disabled; and

(ii) The cost of special diets.

**WSR 87-17-045**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(General Provisions)**

[Order 2524—Filed August 17, 1987]

I, Leslie F. James, director of Administrative Services, do promulgate and adopt at Olympia, Washington, the annexed rules relating to licensing program fees, amending chapter 440-44 WAC.

This action is taken pursuant to Notice No. WSR 87-10-015 filed with the code reviser on April 28, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 43.20A-.055 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 17, 1987.

By Leslie F. James, Director  
 Administrative Services

AMENDATORY SECTION (Amending Order 2236, filed 5/31/85)

**WAC 440-44-075 TRANSIENT ACCOMMODATIONS LICENSING AND INSPECTION FEES.**

(1) For licensing periods starting on or after (~~July 1, 1985~~) July 1, 1987, the annual license and survey fee (~~including the cost of inspections~~) shall be:

Size of Facility (No. of Rooms)	License Fee
3- <del>(24)</del> 10	\$ 80
<del>(25-49)</del> 11-24	\$ <del>(130)</del> 95
25-49	\$165
50-74	\$ <del>(180)</del> 225
75-99	\$ <del>(240)</del> 300
100-199	\$380
<del>(100)</del> 200 or more	\$ <del>(305)</del> 470

(2) The fee for new facilities constructed during the year shall be prorated as shown below based upon the date of application.

(3) The fee for a change in ownership of a facility shall be prorated as shown below based upon the effective date of the ownership change.

Size of Facility (No. of Rooms)	Prorated License Fee											
	J	F	M	A	M	J	J	A	S	O	N	D
3 - 10	80	71	65	58	52	45	39	32	26	19	13	6
11 - 24	95	87	79	71	63	55	47	39	31	23	15	7
25 - 49	165	151	138	124	110	96	83	69	55	41	28	14
50 - 74	225	206	188	169	150	131	113	94	75	56	38	19
75 - 99	300	275	250	225	200	175	150	125	100	75	50	25

Size of Facility (No. of Rooms)	Prorated License Fee											
	J	F	M	A	M	J	J	A	S	O	N	D
100 - 199	380	348	317	285	253	222	190	158	127	95	63	32
200 or more	470	431	392	352	313	274	235	196	156	117	78	39

(4) Persons planning to convert an existing structure to a transient accommodation shall:

(a) Request a feasibility survey by the department to determine modifications required to meet chapter 248-144 WAC, and

(b) Pay a nonrefundable fee of seventy-five dollars for the department conducted feasibility survey.

**WSR 87-17-046**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**

[Order 87-101—Filed August 17, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this regulation protects shrimp populations in two isolated areas from a directed trawl harvest that may result in an overharvest of all age classes.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 17, 1987.

By Joseph R. Blum  
 Director

NEW SECTION

**WAC 220-52-05300V SHRIMP CLOSED AREAS.** *Notwithstanding the provisions of WAC 220-52-053, effective 12:01 a.m. August 22, 1987 until further notice it is unlawful to fish for or possess shrimp taken for commercial purposes with trawl gear in:*

(1) *Waters south of a line from McCurdy Point on the Quimper Peninsula to the northern tip of Protection Island then to Rocky Point on the Miller Peninsula and all waters of Discovery Bay.*

(2) *Waters south of a line projected true east-west through Turn Rock Light from San Juan Island to Lopez Island and north of a line projected true east from Cattle Point on San Juan Island to Lopez Island.*

**WSR 87-17-047**  
**ADOPTED RULES**  
**LOTTERY COMMISSION**  
 [Order 104—Filed August 18, 1987]

Be it resolved by the Washington State Lottery Commission, acting at Spokane, Washington, that it does adopt the annexed rules relating to:

- New WAC 315-11-280 Definitions for Instant Game Number 28 ("Stocking Stuffer").
- New WAC 315-11-281 Criteria for Instant Game Number 28.
- New WAC 315-11-282 Ticket validation requirements for Instant Game Number 28.
- New WAC 315-11-290 Definitions for Instant Game Number 29 ("Windfall").
- New WAC 315-11-291 Criteria for Instant Game Number 29.
- New WAC 315-11-292 Ticket validation requirements for Instant Game Number 29.
- New WAC 315-14-010 Fifth anniversary celebration drawing.

This action is taken pursuant to Notice No. WSR 87-14-058 filed with the code reviser on July 1, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 67.70.040 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 7, 1987.

By Evelyn Y. Sun  
 Director

NEW SECTION

WAC 315-11-280 DEFINITIONS FOR INSTANT GAME NUMBER 28 ("STOCKING STUFFER"). (1) Play symbols: The following are the "play symbols": "FREE"; "\$2.00"; "\$5.00"; "10.00"; "50.00"; and "\$1000". One of these symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 28, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL</u>	<u>CAPTION</u>
FREE	TICKET
\$2.00	TWO \$
\$5.00	FIVE
10.00	TEN \$
50.00	FIFTY
\$1000	ONE-THOU

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The ten-digit number of the form 8000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 28 constitute the "pack number" which starts at 8000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners below \$25. For Instant Game Number 28, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The agent verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
TIC	FREE TICKET
TWO	\$2.00
FIV	\$5.00
TEN	\$10.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

NEW SECTION

WAC 315-11-281 CRITERIA FOR INSTANT GAME NUMBER 28. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbol in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

- Three FREE play symbols - Win Free Ticket
- Three \$2.00 play symbols - Win \$2.00
- Three \$5.00 play symbols - Win \$5.00
- Three 10.00 play symbols - Win \$10.00
- Three 50.00 play symbols - Win \$50.00
- Three \$1000 play symbols - Win \$1,000.00

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game Number 28 set forth in WAC 315-11-282, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 28; and/or

(b) Vary the number of tickets sold in Instant Game Number 28 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

<u>PLAY SYMBOL L</u>	<u>CAPTION</u>
50.00	FIFTY
\$2500	25-HUN

**NEW SECTION**

WAC 315-11-282 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 28. (1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 28 all of the following validation requirements apply:

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	15 Point Archer Font
Captions	5 x 12 Matrix Font
Pack-Ticket Number	9 x 12 Matrix Font
Validation Number	9 x 12 Matrix Font
Retailer Verification Code	Mead 7 x 12 Matrix Font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-280(1) and each of the captions must be exactly one of those described in WAC 315-11-280(2).

(2) Removal of part or all of the latex overprinted "DO NOT REMOVE" covering of the validation number will not invalidate an otherwise valid ticket.

(3) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

**NEW SECTION**

WAC 315-11-290 DEFINITIONS FOR INSTANT GAME NUMBER 29 ("WINDFALL"). (1) Play symbols: The following are the "play symbols": "\$1.00"; "\$2.00"; "\$5.00"; "10.00"; "50.00"; and "\$2500". One of these symbols appears in each of the six blocks under the scratch-off material covering the game play data.

(2) Captions: The small printed characters appearing below each play symbol which verifies and corresponds with that play symbol. The caption is a spelling out, in full or abbreviated form of the play symbol. One and only one of these captions appears under each play symbol. For Instant Game Number 29, the captions which correspond with and verify the play symbols are:

<u>PLAY SYMBOL L</u>	<u>CAPTION</u>
\$1.00	ONE \$
\$2.00	TWO \$
\$5.00	FIVE
10.00	TEN \$

(3) Validation number: The unique nine-digit number on the front of the ticket. The number is covered by latex covering.

(4) Pack-ticket number: The ten-digit number of the form 9000001-000 printed on the front of the ticket. The first seven digits of the pack-ticket number for Instant Game Number 29 constitute the "pack number" which starts at 9000001; the last three digits constitute the "ticket number" which starts at 000 and continues through 399 within each pack of tickets.

(5) Retailer verification codes: Codes consisting of small letters found under the removable latex covering on the front of the ticket which the lottery retailer uses to verify instant winners below \$25. For Instant Game Number 29, the retailer verification codes are three-letter codes, with each letter appearing in a varying three of six locations among the play symbols on the front of the ticket. The agent verification codes are:

<u>VERIFICATION CODE</u>	<u>PRIZE</u>
ONE	\$1.00
TWO	\$2.00
FIV	\$5.00
TEN	\$10.00

(6) Pack: A set of four hundred fanfolded instant game tickets separated by perforations and packaged in plastic shrinkwrapping.

**NEW SECTION**

WAC 315-11-291 CRITERIA FOR INSTANT GAME NUMBER 29. (1) The price of each instant game ticket shall be \$1.00.

(2) Determination of prize winning tickets: An instant prize winner is determined in the following manner:

(a) The bearer of a ticket having the following play symbol in any three of the six spots beneath the removable covering on the front of the ticket shall win the following prize:

Three \$1.00 play symbols	- Win \$1.00
Three \$2.00 play symbols	- Win \$2.00
Three \$5.00 play symbols	- Win \$5.00
Three 10.00 play symbols	- Win \$10.00
Three 50.00 play symbols	- Win \$50.00
Three \$2500 play symbols	- Win \$2,500.00

(b) In any event, only the highest instant prize amount meeting the standards of (a) of this subsection will be paid on a given ticket.

(3) No portion of the display printing nor any extraneous matter whatever shall be usable or playable as a part of the instant game.

(4) The determination of prize winners shall be subject to the general ticket validation requirements of the lottery as set forth in WAC 315-10-070, to the particular ticket validation requirements for Instant Game

Number 29 set forth in WAC 315-11-292, to the confidential validation requirements established by the director, and to the requirements stated on the back of each ticket.

(5) Notwithstanding any other provisions of these rules, the director may:

(a) Vary the length of Instant Game Number 29; and/or

(b) Vary the number of tickets sold in Instant Game Number 29 in a manner that will maintain the estimated average odds of purchasing a winning ticket.

**NEW SECTION**

**WAC 315-11-292 TICKET VALIDATION REQUIREMENTS FOR INSTANT GAME NUMBER 29.**

(1) In addition to meeting all other requirements in these rules and regulations, to be a valid instant game ticket for Instant Game Number 29 all of the following validation requirements apply:

(a) Exactly one play symbol must appear under each of the six rub-off spots on the front of the ticket.

(b) Each of the six play symbols must have a caption below and each must agree with its caption.

(c) The display printing and the printed numbers, letters, and symbols on the ticket must be regular in every respect and correspond precisely with the artwork on file with the director. The numbers, letters, and symbols shall be printed as follows:

Play Symbols	15 Point Archer Font
Captions	5 x 12 Matrix Font
Pack-Ticket Number	9 x 12 Matrix Font
Validation Number	9 x 12 Matrix Font
Retailer Verification Code	Mead 7 x 12 Matrix Font

(d) Each of the play symbols and their captions, the validation number, pack-ticket number and retailer verification code must be printed in black ink.

(e) Each of the play symbols must be exactly one of those described in WAC 315-11-290(1) and each of the captions must be exactly one of those described in WAC 315-11-290(2).

(2) Removal of part or all of the latex overprinted "DO NOT REMOVE" covering of the validation number will not invalidate an otherwise valid ticket.

(3) Any ticket not passing all the validation requirements in WAC 315-10-070 and subsection (1) of this section is invalid and ineligible for any prize.

**Chapter 315-14 WAC  
SPECIAL PROVISIONS**

**WAC 315-14-010** Fifth anniversary celebration drawing.

**NEW SECTION**

**WAC 315-14-010 FIFTH ANNIVERSARY CELEBRATION DRAWING.** There will be a celebration drawing held in conjunction with the lottery's fifth anniversary. It will be conducted at a time and place and pursuant to procedures to be established and announced

by the director. The prizes awarded at the celebration drawing will be: First prize - \$500,000, one winner; second prize - \$75,000, one winner; third prize - \$55,000, one winner; fourth prize - \$45,000, one winner; fifth prize - \$35,000, one winner; sixth prize - \$25,000, one winner; seventh prize - \$15,000, one winner; and eighth prize - \$5,000, fifty winners. In the event that an entry is not included in this drawing process and the director determines that the entry was entitled to participation in the process, the director reserves the right to place that entry into a subsequent drawing process.

(1) To be eligible for entry into a preliminary drawing, an entrant must:

(a) Be eligible to win a prize pursuant to chapter 67-.70 RCW and Title 315 WAC.

(b) Collect five nonwinning tickets. Nonwinning tickets must be from Instant Game Number 27, Cash Harvest.

(c) Write or print legibly, the entrant's name, address, and telephone number on the ticket or on a separate sheet of paper. An entry containing more than one name shall be disqualified. Provided, that an entry which includes an address label or stamp containing the names of more than one individual shall be deemed to have been entered in the name of one individual if the entry is signed by one of the persons listed on the address label or stamp.

(d) Place the entry tickets in an envelope that is not larger than 4 1/2" x 10 3/8" (legal size). An envelope which is oversized or contains extraneous material or which has had the exterior altered for the apparent sole purpose of making the envelope more prominent shall be disqualified.

(e) Mail the envelope with proper postage and legible return address of the entrant to: "Anniversary Drawing," P.O. Box 9011, Olympia, Washington 98504, or deliver it to lottery headquarters or any of the regional offices at the address listed in the player's brochure.

(f) Entries must be received at all regional offices not later than 5:00 p.m., Friday, November 13, 1987, and at lottery headquarters by 11:00 a.m., Monday, November 30, 1987, for inclusion in the celebration drawing.

(2) There is no limit to the number of entries a person may submit, but each entry must be submitted in a separate envelope and both the entry and the entrant of each must meet the qualifications set forth above. Envelopes containing more than one entry will be disqualified.

(3) An entry which contains a stolen ticket will be disqualified by the director or the director's designee.

(4) A nonconforming entry, at the sole discretion of the director or the director's designee, may be disqualified.

(5) The lottery shall not be responsible for any other material, including winning tickets, mailed or delivered to the addresses listed in subsection (1)(e) of this section. All mail not drawn will be destroyed unopened.

(6) The lottery shall not be responsible for, nor place in the drawings, any entries mailed or delivered to the addresses other than those listed in subsection (1)(e) of this section.

**WSR 87-17-048**  
**EMERGENCY RULES**  
**DEPARTMENT OF NATURAL RESOURCES**  
 [Order 515—Filed August 18, 1987]

I, Brian J. Boyle, Commissioner of Public Lands, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the suspension of outdoor rule burns and the use of burning barrels on lands protected by the Department of Natural Resources in some counties of the state.

I, Brian J. Boyle, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is current and predicted weather conditions require the reinstating of burning restrictions in certain counties where they had been lifted. Other counties of the state where restrictions have been in place remain unchanged. These restrictions are necessary to prevent a wildfire from occurring where by life and property would be threatened.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 76.04.015 and 76.04.315 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 18, 1987.

By Brian J. Boyle  
 Commissioner of Public Lands

**NEW SECTION**

**WAC 332-26-101c OUTDOOR BURNING RESTRICTIONS.** *Effective midnight, Friday, August 7, 1987, through midnight, Monday, August 31, 1987, privileges to have an outdoor fire without a written burning permit, as allowed by WAC 332-24-201 and described in WAC 332-24-211, on lands protected by the department in King, Pierce, Kitsap, Mason, Snohomish, Whatcom, Skagit, Island, San Juan, Thurston, Pacific, Lewis, Clark, Cowlitz, Skamania, Chelan, Kitittas, Yakima, Klickitat, Garfield, Asotin, Columbia and Walla Walla counties and portions of Grays Harbor county lying south of SR 12 and east of the Wynoochee River are suspended.*

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**NEW SECTION**

**WAC 332-26-102c BURNING BARREL RESTRICTIONS.** *Effective midnight, Friday, August 7, 1987, through midnight, Monday, August 31, 1987, privileges to burn in a burning barrel, as allowed by*

*WAC 332-24-201 and described in WAC 332-24-225, on lands protected by the department in King, Pierce, Kitsap, Mason, Snohomish, Whatcom, Skagit, Island, San Juan, Thurston, Lewis, Clark, Cowlitz, Skamania, Chelan, Pacific, Kitittas, Yakima, Klickitat, Garfield, Asotin, Columbia and Walla Walla counties and portions of Grays Harbor county lying south of SR 12 and east of the Wynoochee River are suspended.*

**Reviser's note:** Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**REPEALER**

*The following sections of the Washington Administrative Code are repealed:*

- 1) WAC 332-26-101b *Outdoor Burning Restrictions.*
- 2) WAC 332-26-102b *Burning Barrel Restrictions.*

**WSR 87-17-049**  
**EMERGENCY RULES**  
**SUPERINTENDENT OF PUBLIC INSTRUCTION**  
 [Order 87-9—Filed August 18, 1987]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to School personnel—Teacher assistance program, chapter 392-196 WAC.

I, Frank B. Brouillet, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is the teacher assistance program was amended during the 1987 regular legislative session necessitating a change in rules. In order for school districts to participate in the program in a timely manner and without disruption of their orderly operation, it is essential that the rules governing their application for funds and conduct of program provisions be in place prior to the school year beginning. Without such action, assistance for every beginning teacher in the state will be compromised by delay.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to chapter 507, Laws of 1987, directing emergency adoption by amendments therein to chapter 399, Laws of 1985 (uncodified), and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 18, 1987.

By Frank B. Brouillet  
 Superintendent of Public Instruction

Chapter 392-196 WAC  
SCHOOL PERSONNEL—((BEGINNING))  
TEACHER((S)) ASSISTANCE PROGRAM

AMENDATORY SECTION (Amending Order 86-7,  
filed 7/18/86)

WAC 392-196-005 **AUTHORITY.** The authority for this chapter is chapter ((399)) 507, Laws of ((1985)) 1987 (uncodified) which authorizes the superintendent of public instruction to adopt rules to establish and operate a ((beginning)) teacher((s)) assistance program.

AMENDATORY SECTION (Amending Order 85-12,  
filed 10/15/85)

WAC 392-196-010 **PURPOSE.** The purpose of this chapter is to set forth policies and procedures for the operation of a ((beginning)) teacher((s)) assistance program, including the conditions for the receipt of state moneys for such purpose by school districts of the state.

NEW SECTION

WAC 392-196-011 **TEACHER—DEFINITION.** As used in this chapter the term "teacher" means any school employee possessing any one of the certificates issued by the superintendent of public instruction under RCW 28A.70.005: PROVIDED, That such employees who hold administrator credentials and are employed as administrators shall not be included for purposes of this chapter.

AMENDATORY SECTION (Amending Order 85-12,  
filed 10/15/85)

WAC 392-196-020 **MENTOR TEACHER STIPEND—DEFINITION.** As used in this chapter, the term "mentor teacher stipend" shall mean an amount paid by a school district to a mentor teacher for services as a mentor teacher including attendance at the superintendent of public instruction sponsored mentor teacher workshop. Such stipend, including the amount and conditions applicable, shall be set forth in a supplemental contract in accordance with and subject to the provisions of RCW 28A.67.074.

AMENDATORY SECTION (Amending Order 85-12,  
filed 10/15/85)

WAC 392-196-030 **MENTOR TEACHER—QUALIFICATIONS FOR NOMINATION.** In order to be nominated to serve as a mentor teacher pursuant to WAC 392-196-035, the teacher shall meet the following minimum qualifications:

(1) Be employed full time primarily as a ((classroom)) teacher.

(2) Have been employed primarily as a ((classroom)) teacher for one school year within the district and two additional school years within any public or private school in any grade, ((kindergarten)) preschool through twelve.

(3) Hold a valid continuing ((teaching)) certificate issued pursuant to chapter 180-79 WAC or be eligible for

conversion to such certificate pursuant to WAC 180-79-045.

AMENDATORY SECTION (Amending Order 85-12,  
filed 10/15/85)

WAC 392-196-040 **BEGINNING TEACHER—DEFINITION.** As used in this chapter, the term "beginning teacher" shall mean a ((certificated)) teacher with fewer than ninety consecutive school days of ((classroom)) certificated teaching experience in either a public or private school in any grade, ((kindergarten)) preschool through twelve, and who is employed by the district for ninety consecutive school days or more ((to serve primarily as a classroom teacher)).

AMENDATORY SECTION (Amending Order 85-12,  
filed 10/15/85)

WAC 392-196-045 **BEGINNING TEACHER STIPEND—DEFINITION.** As used in this chapter, the term "beginning teacher stipend" shall mean an amount paid by a school district to a beginning teacher for ((one)) three days of attendance at the superintendent of public instruction sponsored mentor teacher workshops. Such stipend, including the amount and conditions applicable, shall be set forth in a supplemental contract in accordance with and subject to the provisions of RCW 28A.67.074.

AMENDATORY SECTION (Amending Order 85-12,  
filed 10/15/85)

WAC 392-196-050 **BEGINNING TEACHER STIPEND—MINIMUM AMOUNT.** The minimum amount of the beginning teacher stipend shall be ((eighty)) two hundred forty dollars.

NEW SECTION

WAC 392-196-051 **EXPERIENCED TEACHER—DEFINITION.** As used in this chapter, the term "experienced teacher" means a teacher not included in the "beginning teacher" population, as defined in WAC 392-196-040.

NEW SECTION

WAC 392-196-052 **EXPERIENCED TEACHER PARTICIPATION.** "Experienced teachers" shall not be required to participate in this program nor attend the superintendent of public instruction sponsored mentor workshops and shall not receive a stipend. Districts shall be reimbursed for up to thirty-six hours substitute teacher expenses (per team) associated with participation of experienced teachers if such funds are available after all nominated beginning teachers have been included.

AMENDATORY SECTION (Amending Order 85-12,  
filed 10/15/85)

WAC 392-196-055 **SPI SPONSORED BEGINNING AND MENTOR TEACHER WORKSHOP—DEFINITION.** As used in this chapter, the term "superintendent of public instruction sponsored beginning

and mentor teacher workshop" shall mean an in-service training program sponsored by the superintendent of public instruction for the purpose of providing professional training for mentor and beginning teachers in the methods and procedures for performing such roles with particular emphasis upon providing continuing and sustained support by the mentor teacher to a beginning teacher. Such workshops shall be no more than three days in length, but need not be consecutive days, and shall not be held during school hours.

AMENDATORY SECTION (Amending Order 85-12, filed 10/15/85)

WAC 392-196-060 SCHOOL DISTRICT APPLICATION TO SPI FOR PARTICIPATION IN ~~((BEGINNING))~~ THE TEACHER ASSISTANCE PROGRAM. Any district may apply to the superintendent of public instruction for participation in the ~~((beginning))~~ teacher assistance program. The application shall require the superintendent of the district to provide the following assurances:

(1) The board of directors of the district has reviewed the requirements of this chapter and has agreed to the conditions therein.

(2) The mentor teacher shall be paid a mentor teacher stipend.

(3) The beginning teacher shall be paid a beginning teacher stipend.

(4) The mentor and beginning teacher shall be required to attend and shall be reimbursed by the district for travel expenses for attendance at the superintendent of public instruction sponsored mentor teacher workshop.

~~(5) ((The beginning teacher shall be required to attend and shall be reimbursed by the district for travel expenses for one day of attendance at the superintendent of public instruction's sponsored mentor teacher workshop.~~

~~(6))~~ The mentor teacher ~~((shall))~~ may be released from classroom teaching responsibilities in order to observe and assist the beginning or experienced teacher in the classroom.

~~((7))~~ (6) The mentor teacher ~~((and))~~, the beginning teacher ~~((shall))~~, and the experienced teacher may be released from classroom teaching responsibilities in order to jointly observe and evaluate teaching situations.

~~((8))~~ (7) The total release time from classroom teaching as ~~((required by))~~ provided for subsections ~~((6))~~ (5) and ~~((7))~~ (6) of this section shall be ~~((at least))~~ no more than thirty-six scheduled instructional hours per school year paid for with funds made available under this chapter.

(8) Mentor teachers shall not be involved in evaluations of their beginning or experienced teachers conducted pursuant to RCW 28A.67.065.

(9) The mentor teacher ~~((and the))~~, beginning teacher, and experienced teacher shall be required to complete and forward to the superintendent of public instruction such evaluation reports of the ~~((beginning))~~ teacher assistance program as requested by the superintendent of public instruction.

(10) Mentor teachers shall periodically inform their principals respecting the contents of training sessions and other program activities.

(11) The superintendent of the district shall supply the superintendent of public instruction, at times specified by the superintendent of public instruction, such information as requested regarding the ~~((beginning))~~ teacher assistance program.

AMENDATORY SECTION (Amending Order 85-12, filed 10/15/85)

WAC 392-196-070 ~~((1986-87 SCHOOL YEAR= BUILDING))~~ SCHOOL DISTRICT SELECTION PROCESS. ~~((The superintendent of public instruction will seek action by the 1986 legislature to permit a mentor teacher for each beginning teacher. However, if moneys are insufficient to achieve this goal, the number of mentor teachers for the 1986-87 school year shall be pro-rated upon the number of positions requested per district and the number of positions available.))~~ The selection process shall be as follows:

(1) For the 1987-88 school year the superintendent of public instruction shall fund all eligible beginning and mentor teacher teams nominated by local school districts.

(2) For the 1988-89 school year and ensuing years the superintendent of public instruction shall fund all eligible beginning and mentor teacher teams nominated by local school districts, subject to the availability of funds.

(3) Experienced and mentor teacher teams shall be nominated by local school districts only during the 1988-89 and ensuing school years, provided the legislature appropriates additional funds for their participation.

(4) If the local district nominations exceed the availability of appropriated funds for any year of the program, the priority shall be as follows:

(a) Beginning and mentor teacher teams.

(b) Experienced and mentor teacher teams.

(5) Experienced and mentor teacher teams shall be selected on the following priority basis, depending on the availability of appropriated funds:

(a) At least one team per district.

(b) At least one team for every one hundred teachers employed by the nominating district.

(c) Remaining teams shall be selected randomly by lot by ESD region.

NEW SECTION

WAC 392-196-072 SUPERINTENDENT OF PUBLIC INSTRUCTION CONSULTATION. The superintendent of public instruction hereby establishes a teacher assistance task force of no more than eighteen members representing teachers, administrators, educational service districts, colleges and universities, and school directors. The superintendent shall:

(1) Appoint task force members from nominations submitted by the professional groups eligible to be represented on the task force,

(2) Consult with the task force for the purpose of obtaining their advice about teacher assistance program policies, operations, and evaluations,

(3) Convene the task force at least once annually.

**AMENDATORY SECTION** (Amending Order 85-12, filed 10/15/85)

WAC 392-196-075 ANNUAL AMOUNT FOR DISTRIBUTION TO PARTICIPATING SCHOOL DISTRICTS. The superintendent of public instruction annually shall establish a dollar amount per mentor teacher for distribution to districts for support of the ((beginning)) teacher(s) assistance program. Such distribution shall be used by the district exclusively for the following:

- (1) Mentor teacher stipends.
- (2) Travel expenses of the mentor and beginning teachers for attendance at the superintendent of public instruction mentor teacher workshop.
- (3) Substitute teacher salaries for release time for mentor ((and)), beginning, and experienced teachers.
- (4) Beginning teacher stipends.
- (5) Appropriate fringe benefits associated with mentor and beginning teacher stipends.

**AMENDATORY SECTION** (Amending Order 85-12, filed 10/15/85)

WAC 392-196-080 DISTRIBUTION OF STATE MONEYS FOR THE ((BEGINNING)) TEACHER ASSISTANCE PROGRAM(~~(=1985-87 BIENNIAL)~~). (~~For the 1985-86 and 1986-87 school years,~~) The superintendent of public instruction shall (~~distribute to districts in February of~~) issue grant awards in each school year(;) for a maximum of ((one)) two thousand ((six hundred)) fifty dollars per mentor-beginning teacher team.

**AMENDATORY SECTION** (Amending Order 85-12, filed 10/15/85)

WAC 392-196-085 CARRYOVER PROHIBITION. State moneys distributed to districts for the ((beginning)) teacher assistance program shall be subject to the carryover prohibition of WAC 392-122-900.

**AMENDATORY SECTION** (Amending Order 85-12, filed 10/15/85)

WAC 392-196-090 MAXIMUM CONTROL FACTOR—PRORATION. State moneys distributed to districts for the ((beginning)) teacher assistance program shall be subject to the proration provision of WAC 392-122-905 if the current appropriation to the superintendent of public instruction for the beginning teacher assistance program is adversely affected by action of the legislature after the commencement of the ((1986-87)) ensuing school year.

**WSR 87-17-050**

**PROPOSED RULES**

**DEPARTMENT OF LICENSING**

[Filed August 18, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Licensing intends to adopt, amend, or repeal rules concerning certificates of title for motor vehicles, adopting new sections WAC 308-56A-021, 308-56A-022 and 308-56A-023 and amending WAC 308-56A-300;

that the agency will at 9:00 a.m., Wednesday, September 30, 1987, in the Second Floor Conference Room, Highways-Licenses Building, 12th and Franklin Streets, Olympia, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 46.01.110.

The specific statute these rules are intended to implement is RCW 46.12.101 as amended by section 1, chapter 127, Laws of 1987, RCW 46.55.010 and 46.55.130.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 30, 1987.

Dated: August 18, 1987

By: Sandra Brooks  
Administrator

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Department of Licensing.

Purpose: The purpose of the proposed new sections WAC 308-56A-021, 308-56A-022 and 308-56A-023 is to set forth circumstances under which penalty fee for late application for title will and will not be assessed. The purpose of proposed amendments to WAC 308-56A-300 is to update the provisions and references to conform with RCW 46.55.010 and 46.55.130.

Statutory Authority: RCW 46.01.110.

Summary of the Rules: WAC 308-56A-021, Assessment of penalty fee for late application for title; 308-56A-022, Conditions under which penalty fees are not assessed; 308-56A-023, Conditions under which penalty fees may be waived; and 308-56A-300, Application for title for abandoned vehicles.

Reason Proposed: The rule adoptions are proposed to implement RCW 46.12.101 as amended by section 1, chapter 127, Laws of 1987 and to better enable the department to protect the public. The rule amendments are proposed to update WAC 308-56A-300 to conform with RCW 46.55.010 and 46.55.130 and to better enable the department to protect the public.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of an responsibility for drafting, implementing, enforcing and repealing these rules: David T. Kirk, Assistant Director, Vehicle Services, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, phone (206)

753-6914 comm or 234-6914 scan; and Sandra Brooks, Administrator, Vehicle Services, Second Floor, Highways-Licenses Building, 12th and Franklin, Olympia, Washington 98504, phone (206) 753-6920 comm or 234-6920 scan.

Proponents: These rules are proposed by the state of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: The proposed rules are not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: A small business economic impact statement is not required for this statement.

NEW SECTION

WAC 308-56A-021 ASSESSMENT OF PENALTY FEE FOR LATE APPLICATION FOR TITLE. When ownership of a Washington titled vehicle changes, the purchaser or transferee must complete and submit to the department or to a vehicle licensing agent an application for certificate of title and license registration within fifteen days after the date of delivery of the vehicle. Penalty fees will be assessed for late application under the following circumstances:

- (1) Documents submitted for application for new title indicate more than 15 days have elapsed since date of delivery of the vehicle;
- (2) Someone other than the first purchaser shown is making application (unless verification is provided that he/she acquired the vehicle less than 16 days prior to application for title;
- (3) The date of delivery is declared to be 15 days prior to date of application. An affidavit of delivery is required when:
  - (a) conflicting dates appear on supporting documents;
  - (b) dates on title or supporting documents have been altered;
  - (c) no evidence of the date of delivery is present; or,
  - (d) an undated title is presented;
- (4) Partial ownership has changed more than fifteen days previously.

When a divorce settlement or other legal action affecting ownership of the vehicle takes place after the date that the title is signed off, the date of the final legal action may be used as the date from which penalty fees are computed.

NEW SECTION

WAC 308-56A-022 CONDITIONS UNDER WHICH PENALTY FEES ARE NOT ASSESSED. Penalty fees are not assessed for late application for title under the following conditions:

- (1) The vehicle is sold by a Washington dealer (dealer report of sale box on the application is completed);
- (2) A prior Washington record cannot be found;
- (3) Department of licensing records indicate the vehicle was totaled by an insurance company or reported destroyed by a wrecking yard;
- (4) The vehicle is being title as home made or assembled for the first time;
- (5) The vehicle is acquired by inheritance or community property from the owner of record.

NEW SECTION

WAC 308-56A-023 CONDITIONS UNDER WHICH PENALTY FEES MAY BE WAIVED. Penalty fees for late application for certificate of title and license registration may be waived when the department is presented with proof satisfactory to the department that the delay in submitting the application was caused by one of the following circumstances:

- (1) A request by the department of licensing for additional required supporting documents;
- (2) Extended hospitalization or illness of the purchaser;
- (3) Failure of a legal owner to release his/her/their interest;
- (4) Department, auditor, agent, or subagent error;
- (5) Incarceration of the purchaser by a judiciary system;
- (6) A Seller's Report of Sale filed by purchaser thinking it transferred title;
- (7) Other reasons which the director may determine are valid.

AMENDATORY SECTION (Amending Order MV 208, filed 7/31/74)

WAC 308-56A-300 APPLICATION FOR TITLE FOR ABANDONED VEHICLES. An application for title for any abandoned vehicle, as defined in RCW ((46.52.102)) 46.55.010(1), sold by a registered ((disposer or garage-keeper)) tow truck operator, as defined in ((WAC 308-61-020)) RCW 46.55.010(6), must be accompanied by((:))

((1) A properly completed affidavit of sale on a current form provided by the department; and)

((2) A copy of the abandoned vehicle report submitted and processed in accordance with RCW 46.52.111 or 46.52.113;)) a copy of the properly completed abandoned vehicle report - affidavit of sale submitted and processed in accordance with RCW 46.55.130 (2)(h).

**WSR 87-17-051**

**ADOPTED RULES**

**DEPARTMENT OF LICENSING**

[Order PM 673—Filed August 18, 1987—Eff. October 1, 1987]

I, Theresa Anna Aragon, director of the Department of Licensing, do promulgate and adopt at the Highways-Licenses Building, Olympia, Washington, the annexed rules relating to:

- New WAC 308-124A-115 Nonresident licenses—Expiration—Renewal.
- New WAC 308-124A-460 Real estate brokers and salespersons and land development representative fees.
- Amd WAC 308-124A-200 Corporate or copartnership applicants for licenses—Proof required.

This action is taken pursuant to Notice No. WSR 87-14-054 filed with the code reviser on June 1, 1987. These rules shall take effect at a later date, such date being October 1, 1987.

This rule is promulgated pursuant to RCW 18.85.040, 18.85.140 and 18.85.190, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 17, 1987.

By Theresa Anna Aragon  
Director

NEW SECTION

WAC 308-124A-460 REAL ESTATE BROKERS AND SALESPERSONS AND LAND DEVELOPMENT REPRESENTATIVE FEES. The following fees shall be charged by the professional licensing division of the department of licensing.

<u>TITLE OF FEE</u>	<u>FEE</u>
Real Estate Broker:	
Application/Examination	\$50.00
Reexamination	50.00
Original License	50.00
License Renewal	50.00
Late Renewal Penalty	25.00
Duplicate License	15.00

<u>TITLE OF FEE</u>	<u>FEE</u>
Certification	25.00
Name or Address Change	15.00
<b>Real Estate Broker - Branch Office:</b>	
Original License	\$40.00
License Renewal	40.00
Late Renewal Penalty	20.00
Duplicate License	15.00
Name or Address Change	15.00
<b>Real Estate Salesperson:</b>	
Application/Examination	\$35.00
Reexamination	35.00
Original License	35.00
License Renewal	35.00
Late Renewal Penalty	20.00
Duplicate License	15.00
Certification	25.00
Name or Address Change	15.00
<b>Land Development Representative:</b>	
Registration	\$20.00

**NEW SECTION**

WAC 308-124A-115 NONRESIDENT LICENSES—EXPIRATION—RENEWAL. Nonresident broker's and salespersons licenses are valid until their current expiration date at which time renewal will be in accordance with the current requirements of chapter 18.85 RCW.

**AMENDATORY SECTION** (Amending Order RE 128, filed 2/10/81)

WAC 308-124A-200 CORPORATE OR CO-PARTNERSHIP APPLICANTS FOR LICENSES—PROOF REQUIRED. The minimum qualifications for a corporation or partnership to receive a broker's license are:

(1) An officer in the corporation or a general partner in the partnership, as the case may be, shall be designated as the broker and shall separately qualify for a valid broker's license. The corporation or partnership and the designated broker are required to pay only a single license and license renewal fee.

(2) The applicant shall furnish a character and credit rating (~~(, WAC 308-124A-010 and fingerprint identification, WAC 308-124C-020)~~) of the designated broker, officers, and principal owners of the corporation directly involved in the company's Washington real estate activity and, in the case of a partnership, the general partners and all principal owners. A new credit rating is not required if one has been filed with the department within the preceding eighteen months.

(3) ~~((If the applicant is a corporation, it shall furnish a list of its officers, directors, and principal owners, and their addresses. If the applicant is a partnership, it shall furnish a list of the members of the partnership and their addresses.~~

~~(4) If the applicant is a corporation, it shall furnish a copy of its articles of incorporation and current annual report:))~~ If the applicant is a partnership, it shall furnish a copy of its partnership agreement.

(4) Licenses issued to corporations and partnerships expire one year from date of issuance which date will henceforth be the renewal date: PROVIDED, That current licenses with an expiration date of December 31, 1987, will expire as follows:

(a) Corporations and partnerships whose name begins with A through F will be issued with an expiration date of December 31, 1988.

(b) Corporations and partnerships whose name begins with G through L will be issued with an expiration date of January 31, 1989.

(c) Corporations and partnerships whose name begins with M through R will be issued with an expiration date of February 28, 1989.

(d) Corporations and partnerships whose name begins with S through Z will be issued with an expiration date of March 31, 1989.

(5) If a corporation applies for licensure as an incorporated associate broker, the name of the incorporated associate broker as licensed to do business shall be the name of the natural person who is the designated broker for the corporation, and only one person may be licensed to each incorporated associate broker and that person shall be the corporation's designated broker.

**WSR 87-17-052**

**ADOPTED RULES**

**GAMBLING COMMISSION**

[Order 171—Filed August 18, 1987]

Be it resolved by the Washington State Gambling Commission, acting at Chelan, Washington, that it does adopt the annexed rules relating to amendatory sections WAC 230-08-010, 230-08-170 and 230-30-070.

This action is taken pursuant to Notice No. WSR 87-13-047 filed with the code reviser on June 16, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 9.46[.070] (8), (14) and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 14, 1987.

By Frank L. Miller  
Deputy Director

**AMENDATORY SECTION** (Amending Order 161, filed 9/15/86)

WAC 230-08-010 MONTHLY RECORDS. Every person or organization licensed to operate any authorized gambling activity shall keep and maintain permanent monthly records of all of the activities of the licensee related to each licensed activity. These records must include all financial transactions and contain enough detail to determine compliance with the requirements of WAC 230-04-050 and 230-04-080. ~~((These records shall be kept separate for each month and))~~ The record for each licensed activity shall be a separate unit, covering all transactions occurring during a calendar month. These records shall be complete in every detail and available for audit or inspection by agents of the commission or other law enforcement personnel no later than thirty (30) days following the end of each month. Each record shall include, but not necessarily be limited to, all details of the following:

- (1) The gross gambling receipts from the conduct of each of the activities licensed.
- (2) Full details on all expenses related to each of the activities licensed.
- (3) The total cost of all prizes paid out for each of the activities licensed.
- (4) With respect to those organizations licensed as qualified bona fide charitable or bona fide nonprofit organizations, except agricultural fairs, records shall clearly show in detail how those proceeds from each licensed activity obtained by the licensee were used or disbursed by that licensee.
- (5) With respect to commercial stimulant licensees, records shall include at least the following details:
  - (a) Gross sales of food and drink for consumption on their licensed premises;
  - (b) Gross sales of food and drink for consumption off the licensed premises; and
  - (c) Gross sales from all other business activities occurring on the licensed premises.
- (6) In addition to any other requirement set forth in these rules, licensees for the operation of punchboards and pull tabs shall be required to prepare a detailed monthly record for punchboards and pull tab series removed from play during that month. This detailed monthly record shall be recorded in a standard format prescribed by the commission and shall disclose for each set at minimum the following information:
  - (a) The name of the punchboard or pull tab series;
  - (b) The Washington state identification stamp number issued by the commission and placed thereon;
  - (c) The series number of each pull tab series or punchboard;
  - (d) The date placed out for play;
  - (e) The date removed from play;
  - (f) The total number of tabs in each pull tab series or the total number of punches in each punchboard;
  - (g) The number of pull tabs or punches remaining after removal from play;
  - (h) The number of pull tabs or punches played from the pull tab series or punchboard;

(i) The cost to the players to purchase one pull tab or one punch;

(j) The gross gambling receipts as defined in WAC 230-02-110;

(k) The total prizes paid, including both cash and merchandise (calculated by the cost to the licensee) prizes;

(l) The net gambling receipts (gross gambling receipts less total prizes paid);

(m) The cash over or short determined by (1) subtracting actual cash from net gambling receipts for punchboards and pull tabs which pay cash prizes, and (2) subtracting actual cash from gross receipts for punchboards and pull tabs which award merchandise prizes; and

(n) The actual cash received from the operation of each pull tab series or punchboard; and,

In the alternative, with written commission approval, licensees operating pull tabs may record (m) and (n) in total on a daily, weekly, or monthly basis.

(7) Copies of all additional financial data which support tax reports to any and all governmental agencies.

Each of these records shall be maintained by the licensee for a period of not less than three years from the end of the fiscal year for which the record is kept unless the licensee is released by the commission from this requirement as to any particular record or records.

**AMENDATORY SECTION** (Amending Order 140, filed 6/15/84)

WAC 230-08-170 PUNCHBOARD AND PULL TAB RETENTION. (1) Each punchboard which is removed from operation for any reason, except for surrender to the commission, shall be retained by the operator for at least ~~((six))~~ four months following the last day of operation of said board and the board so removed with the prize flare attached thereto, together with the winning punches ~~((of \$5 and above))~~ from said board, shall remain available for inspection by the commission or its agents and local law enforcement agencies and taxing agencies.

(2) Each pull tab series which is removed from operation for any reason, except for surrender to the commission, the prize display flare for that pull tab series containing the gambling commission identification stamp, together with the unused pull tabs and all winning pull tabs ~~((of \$5 and above))~~ in that series, shall be retained by the operator for at least ~~((six))~~ four months following the last day of operation of said pull tab series and remain available for inspection by the commission or its agents and local law enforcement and taxing agencies.

(3) Licensees shall account for each punchboard and pull tab series purchased. Punchboards or pull tab series not placed out for public play or returned to the distributor or manufacturer must be retained. A punchboard or pull tab series deemed by the licensee to be defective or unplayable, for any reason, shall not be returned to the distributor or manufacturer without the written approval of the gambling commission. When a punchboard or pull tab series is found to be defective after it has been put into play, the licensee will record the defective punchboard or pull tab series on the monthly report required

by WAC 230-08-010 and retain for six months unless released by the gambling commission. All punchboards and pull tab series returned to distributors and manufacturers shall be listed by commission stamp number on an invoice used in connection with the transaction.

**AMENDATORY SECTION** (Amending Order 164, filed 1/13/87)

**WAC 230-30-070 CONTROL OF PRIZES.** (1) All prizes from the operation of punchboards and pull tabs shall be awarded in cash or in merchandise. Prizes may not involve the opportunity of taking an additional chance or chances on another punchboard or of obtaining another pull tab or pull tabs. Where the prize involves the opportunity to punch again on the same punchboard, a prize must be awarded for each such punch which is not less than the highest amount of money, or worth not less than the most valuable merchandise prize, which might otherwise have been won by the punch for which the opportunity to take the second punch was awarded. Each such board must clearly indicate on its face the terms and conditions under which the opportunity to obtain the second, or step-up punch, may be obtained and the prizes which may be won by the step-up punch.

(2)(a) All prizes shall be displayed in the immediate vicinity of the punchboard or pull tab device and such prizes shall be in full view of any person prior to that person purchasing the opportunity to play.

(b) When the prize is cash it shall be displayed as follows:

(i) If the punchboard or pull tab series contains the opportunity to win both cash and merchandise prizes, the money itself shall not be displayed, but a coupon designating the cash available to be won shall be substituted; and

(ii) If the only prizes which may be won are cash prizes, they shall be clearly and fully described or represented by a coupon displayed upon the prize flare attached to the face or displayed in the immediate vicinity of the pull tab dispensing device.

(c) The licensee shall display prizes so arranged that a customer can easily determine which prizes are available from any particular punchboard or pull tab series or device operated or located upon the premises.

(3) Upon a determination of a winner of a merchandise prize, the licensee shall immediately remove that prize from any display and present it to the winner.

Immediately upon determining the winner of any cash prize of five dollars or more, or of any merchandise prize with a retail value of five dollars or more, but prior to award of the prize, the licensee shall conspicuously delete all references to that prize being available to players from any flare, punchboard or pull tab dispensing device upon which such reference may appear, and from any other list, sign, or notice which may be posted, in such a manner that all future customers will know the prize is no longer available. The prize shall then be paid or delivered to the winner forthwith. The licensee must pay or award to the customer or player playing the punchboard or pull tab series all such prizes that have not been deleted from the flare of the punchboard or pull tab

series when the punchboard or pull tab series is completely played out.

(4) No licensee shall offer to pay cash in lieu of merchandise prizes which may be won.

(5) When any person wins a cash prize of over twenty dollars or wins a merchandise prize with a retail value of more than twenty dollars from the play of any punchboard or pull tab series, the licensee or licensee's representative shall make a record of the win. The record of the win shall be made in a standard format prescribed by the commission and shall disclose at minimum the following information:

(a) The Washington state identification stamp number of the punchboard or pull tab series from which the prize was won;

(b) The series number of the pull tab series or punchboard from which the prize was won;

(c) The name of the punchboard or pull tab series;

(d) The date the pull tab series or punchboard was placed out for play;

(e) The date the pull tab series or punchboard was removed from play;

(f) The month, day and year of the win;

(g) If the prize is cash, the amount of the prize won;

(h) If the prize is merchandise, a description of the prize won and its retail value;

(i) The printed full name of the winner;

(j) The current address of the winner which will include the street address, the city and the state. It shall be the responsibility of the licensee to determine the identity of the winner and the licensee shall require such proof of identification as is necessary to properly establish the winner's identity. The licensee shall require the winner to sign his name in ink on the winning pull tab being presented for payment. The licensee shall not pay out any prize unless and until the winner has fully and accurately furnished to the licensee all information required by this rule to be maintained in the licensee record of the win.

(6) Every licensee shall keep the record of all prizes awarded in excess of twenty dollars, containing all of the information required in subsection (5) above, and all winning pull tabs or punchboard punches (~~(of five dollars or more)~~) for a period of (~~(six)~~) four months and shall display the same to any representative of the commission or law enforcement officials upon demand. The licensee shall, within twenty-four hours after a winning pull tab or punch of five dollars or more has been presented for payment, mark or perforate the winning pull tab or punch in such a manner that the pull tab or punch cannot be presented again for payment.

(7) For the purposes of this rule, the retail value of a merchandise prize shall be the amount actually paid therefor by the licensed operator plus (~~(75)~~) 50 percent of that actual cost.

(8) Spindle-type pull tab series which award only merchandise prizes valued at no more than five dollars, are hereby permitted to employ schemes whereby certain predesignated pull tabs are free or the player is otherwise reimbursed the actual cost of said pull tabs. Flares for spindle-type pull tabs operated in this manner shall designate the total number of pull tabs in the series and

the total number of pull tabs designated as free or reimbursable. Free or reimbursable pull tabs in these types of pull tab series shall not constitute a prize or prizes nor shall monies collected and later reimbursed constitute revenue for the purposes of determining gross receipts.

**WSR 87-17-053**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**  
 [Filed August 18, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning amendatory section WAC 230-30-075 and new section WAC 230-40-401;

that the agency will at 10:00 a.m., Saturday, September 12, 1987, in the Ocean Shores Inn, Ocean Shores, Washington, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 9.46.070(11).

This notice is connected to and continues the matter in Notice Nos. WSR 87-13-046 and 87-13-047 filed with the code reviser's office on June 16, 1987.

Dated: August 18, 1987  
 By: Frank L. Miller  
 Deputy Director

**WSR 87-17-054**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**(Emergency Response Commission)**  
 [Memorandum—August 19, 1987]

A meeting of the Washington State Emergency Response Commission planning committee will be held from 10:00 a.m. to 3:30 p.m. on August 26, 1987. Meeting location is the training room of the Seattle Tacoma Airport Fire Station, 2400 170th South, in Seattle.

**WSR 87-17-055**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**(Emergency Response Commission)**  
 [Memorandum—August 19, 1987]

A state Emergency Response Commission meeting will be held on September 8, 1987, beginning at 1:30 p.m. Meeting location is the Division of Emergency Management, 4220 East Martin Way, in Olympia.

**WSR 87-17-056**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
 [Filed August 19, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the state of Washington Department of Licensing intends to adopt, amend, or repeal rules concerning:

Amd WAC 308-20-040 Application for school license.  
 Amd WAC 308-20-060 Surety bond requirement for schools;

that the agency will at 10:00 a.m., Wednesday, September 23, 1987, in the 1st Floor Exam Room, 1300 Quince Street, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 18.16.030(2).

The specific statute these rules are intended to implement is RCW 18.16.140 as amended by section 1, chapter 445, Laws of 1987.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 23, 1987.

Dated: August 19, 1987  
 By: Cynthia J. Jones  
 Program Manager

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Department of Licensing.

Purpose: The purpose of the proposed amendments is to reflect statutory changes in the cosmetology, barbering or manicuring schools surety bond requirements including that negotiable surety in lieu of surety bond is not acceptable.

Statutory Authority: RCW 18.16.030(2).

Summary of the Rules: WAC 308-20-040, Application for school license and 308-20-060, Surety bond requirement for schools.

Reason Proposed: The amendments are proposed to reflect statutory changes in surety bond requirements for schools licensed under chapter 18.16 RCW, and to enhance the ability of the Department of Licensing to protect public health, safety and welfare.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individuals have knowledge of and responsibility for drafting, implementing, enforcing and repealing these rules: Bob VanSchoorl, Assistant Director, Business and Professions Administration, 1300 Quince Street, Olympia, Washington 98504, (206) 753-2241 comm or 234-2241 scan; and Cynthia Jones, Program Manager, Professional Programs Management Division, 1300 Quince Street, Olympia, Washington 98504, (206) 753-6936 comm or 234-6936 scan.

Proponents: These rules are proposed by the state of Washington Department of Licensing.

Federal Law or Federal or State Court Requirements: The proposed amendments are not necessitated as the result of federal or state court requirements.

Small Business Economic Impact Statement: A small business economic impact statement is not required for this statement.

**AMENDATORY SECTION** (Amending Order PL 480, filed 9/12/84)

WAC 308-20-040 APPLICATION FOR SCHOOL LICENSE. With each school application, the following items must be included before a school license will be approved by the department:

(1) Owners—Names and addresses of all school owners must be on the application for a school license;

(2) List of instructors, with their addresses, responsible for the training of students. The department must be notified, in writing, when a change of instructor staff occurs;

(3) A copy of the curriculum for each course the school intends to offer. A cosmetology school must submit a curriculum for manicurist, barber and chemical services; a barber school must submit a barber curriculum; a manicurist school submits a manicurist curriculum. Each curriculum must meet the training guidelines established by the director and adopted by rules pursuant to this chapter;

(4) Each school will submit, at the time of application, a copy of their catalog, brochure and contract they intend to use for the enrollment of students. Each catalog, brochure and enrollment contract will contain in clear, concise language, the cancellation and refund policy of the school;

(5) The description of the school facilities and equipment can be submitted by facility architect's blue print with equipment penciled in or by accurate hand drawn diagram including equipment to be used for training of students;

(6) Surety bond (~~or other form of negotiable surety~~) as established by WAC 308-20-060 shall be submitted with application for school licensure. No school shall be approved until the surety bond is in force.

The department shall be notified within fifteen days of any changes in subsections (1) through (6) of this section.

**AMENDATORY SECTION** (Amending Order PL 491, filed 10/19/84)

WAC 308-20-060 SURETY BOND REQUIREMENT FOR SCHOOLS. ~~((AH))~~ Every currently licensed school ~~(s will be)~~ and every applicant for a new or renewed school license is required to ~~(file)~~ have a surety ~~((to))~~ bond which meets ~~((the new))~~ legal requirements ~~((within ninety days of rules adoption. New applications for school license after July 1, 1984 will be required to meet the new requirement))~~. Surety bonds shall be made to the state of Washington and be kept on file at the department of licensing.

(1) The amount of the bond shall be ~~((twelve))~~ one thousand dollars ~~((for att))~~ or five percent of the annual gross tuition collected by the school ~~((s enrolling or intending to enroll twenty or more students for the protection of the students~~.

~~Schools enrolling or intending to enroll less than twenty students shall obtain a surety bond in the amount of six thousand dollars for the protection of the students), whichever is greater. The bond shall not exceed twenty-five thousand dollars and shall run to the state of Washington for the protection of unearned prepaid student tuition.~~

~~((In lieu of the surety bond provided for herein, the school may furnish, file and deposit with the department, cash or other negotiable security. Such deposits in lieu of a bond shall be in the amount of such proportions as required in subsection (1) of this section. The following types of deposits are acceptable:~~

~~(a) Escrow account which provides the state of Washington with a recourse against the assets in the account as it would have against an insurance company on a bond;~~

~~(b) Certificate of deposit or government securities with a power of attorney which authorizes the state of Washington to have full recourse to the assets of the instrument as it would to an insurance company on a bond. The bank will assume the responsibility of keeping the instrument safe and shall not release the same to the owner of the school unless the department authorizes a release in writing;~~

~~(c) Irrevocable letter of credit from a bank, made payable to the state of Washington and deposited with the agency as would a bond;~~

~~((3))~~ At the time of licensing each school shall file a surety bond with the director of licensing, hereinafter referred to as the director, in a form acceptable to the department. The bond may be continuous or

renewable at the time of renewal of license: PROVIDED, That the bond shall cover the full period during which a school is licensed unless the surety has been released as provided in subsection ~~((5))~~ (4) of this section.

~~((4))~~ (3) The bond shall be executed by the licensed school as principal and by a surety company authorized to do business in this state as surety. The bond shall run to the state of Washington, for ~~((the benefit and))~~ protection of ~~((any student or enrollee, or, in the case of a minor, his or her parents or guardian, determined to have suffered loss or damage as a result of an act or practice by such school which is a violation of this chapter alleged to have occurred while the bond was in effect or as a result of the school's failure to meet its obligations to a student or enrollee during the term for which tuition has been paid))~~ unearned prepaid student tuition.

~~((5))~~ (4) A surety on a bond may be released by serving written notice thereof to the director at least thirty-five days prior to the release, but the release shall not discharge or otherwise affect any claim theretofore or thereafter filed by a student or enrollee, or, in the case of a minor, his or her parents or guardian ~~((, for loss or damage resulting from any act or practice which is a violation of this chapter or rules adopted under this chapter alleged to have occurred while the bond was in effect, or resulting from the school's failure to meet its obligations to a student or enrollee during the term for which tuition has been paid))~~.

The director shall give the school at least thirty days' written notice prior to the release of the surety to the effect that ~~((its license will be suspended))~~ upon release of the surety the school license will be null and void by operation of ~~((law))~~ RCW 19.72.130 until a new and sufficient surety bond is filed in the same manner and amount as the bond being terminated.

**WSR 87-17-057**

**NOTICE OF PUBLIC MEETINGS  
DEPARTMENT OF ECOLOGY**

[Memorandum—August 14, 1987]

**NOTICE OF INTENTION TO DESIGNATE THE "METHOW RIVER BASIN GROUND WATER MANAGEMENT AREA" AND DEVELOP A GROUND WATER MANAGEMENT PROGRAM**

The Washington State Department of Ecology hereby gives notice of its intention to designate a ground water management area and develop a ground water management program in accordance with chapter 173-100 WAC, Ground water management areas and programs.

The Methow River Basin has been identified by the department as a probable ground water management area on its 1987 general schedule at the request of the county.

Designation of the area will allow the development of a comprehensive ground water management program to protect the quality and quantity of ground water, to meet future needs while recognizing existing water rights and to provide for effective and coordinated management of the ground water resource. The program will be developed by state and local government agencies in conjunction with a local ground water advisory committee.

The Department of Ecology will conduct a public hearing to consider designation of the area at 7:00 p.m., Wednesday, September 23, 1987, Twisp Senior Center, 215 West Highway 20, Twisp, Washington.

Designation of the above probable ground water management area will take place on October 14, 1987. Interested persons may request additional information or

submit data, views or comments in writing before October 10, 1987, to: David Peeler, Water Resources Program, Washington Department of Ecology, Mailstop PV-11, Olympia, Washington 98504.

**WSR 87-17-058**  
**NOTICE OF PUBLIC MEETINGS**  
**DEPARTMENT OF ECOLOGY**  
[Memorandum—August 14, 1987]

**NOTICE OF INTENTION TO DESIGNATE THE 'DEER PARK GROUND WATER MANAGEMENT AREA' AND DEVELOP A GROUND WATER MANAGEMENT PROGRAM**

The Washington State Department of Ecology hereby gives notice of its intention to designate a ground water management area and develop a ground water management program in accordance with chapter 173-100 WAC, Ground water management areas and programs.

The Deer Park area has been identified by the department as a probable ground water management area on its 1987 general schedule at the request of the county.

Designation of the area will allow the development of a comprehensive ground water management program to protect the quality and quantity of ground water, to meet future needs while recognizing existing water rights and to provide for effective and coordinated management of the ground water resource. The program will be developed by state and local government agencies in conjunction with a local ground water advisory committee.

The Department of Ecology will conduct a public hearing to consider designation of the area at 7:00 p.m., Wednesday, September 30, 1987, City Council Chambers, City Hall, 316 Crawford, Deer Park, Washington.

Designation of the above probable ground water management area will take place on October 22, 1987. Interested persons may request additional information or submit data, views or comments in writing before October 16, 1987, to: David Peeler, Water Resources Program, Washington Department of Ecology, Mailstop PV-11, Olympia, Washington 98504.

**WSR 87-17-059**  
**ADOPTED RULES**  
**DEPARTMENT OF RETIREMENT SYSTEMS**  
[Order DRS 87-06—Filed August 19, 1987]

I, Robert L. Hollister, Jr., director of the Department of Retirement Systems, do promulgate and adopt at 1025 East Union, Olympia, WA 98504, the annexed rules relating to that section of chapter 415-02 WAC entitled actuarial tables, schedules and factors. The proposal sets forth in WAC the tables, schedules and factors currently being used by the Department of Retirement Systems to calculate benefits.

This action is taken pursuant to Notice No. WSR 87-14-037 filed with the code reviser on June 29, 1987. These rules shall take effect thirty days after they are

filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 41.40.050, 41.26.060, 41.32.150, 41.40.065 and 43.43.200, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.  
**APPROVED AND ADOPTED August 17, 1987.**

By Robert L. Hollister, Jr.  
Director

**NEW SECTION**

**WAC 415-02-099 PURPOSE.** These new actuarial tables cover options which now have been authorized by House Bill No. 1067.

**PUBLIC EMPLOYEES' RETIREMENT SYSTEM**  
**PLAN I - OPTION I\***

<u>AGE</u>	<u>FACTOR</u>
20	.623
21	.625
22	.627
23	.629
24	.632
25	.634
26	.636
27	.639
28	.641
29	.644
30	.646
31	.649
32	.652
33	.654
34	.657
35	.660
36	.663
37	.666
38	.670
39	.673
40	.676
41	.680
42	.683
43	.687
44	.690
45	.694
46	.698
47	.702
48	.706
49	.710
50	.714
51	.718
52	.722
53	.727
54	.731
55	.736
56	.741
57	.745

PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
PLAN I - OPTION 1\*

58	.750
59	.755
60	.760
61	.765
62	.770
63	.776
64	.781
65	.787
66	.792
67	.798
68	.803
69	.809
70	.815
71	.821
72	.827
73	.833
74	.839
75	.845
76	.850
77	.856
78	.862
79	.868
80	.874
81	.880
82	.886
83	.892
84	.897
85	.903
86	.908
87	.913
88	.918
89	.922
90	.926
91	.930
92	.933
93	.936
94	.939
95	.941
96	.943
97	.945
98	.947
99	.949

PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
PLAN I

<u>OPTION 2</u> <u>with COLA*</u>	<u>AGE</u> <u>DIFFERENCE</u>	<u>OPTION 3</u> <u>with COLA*</u>
BENEFICIARY OLDER		
.722	-16	.737
.719	-15	.737
.717	-14	.736
.714	-13	.736
.713	-12	.736
.711	-11	.735
.708	-10	.734
.704	-09	.732
.700	-08	.730
.695	-07	.727
.692	-06	.725
.684	-05	.720
.676	-04	.717
.669	-03	.712
.657	-02	.706
.644	-01	.699

AGE DIFFERENCE = MEMBERS' AGE MINUS BENEFICIARY AGE

\* For converting from the Normal Form (which has no COLA) to Option 2 or 3 with a COLA.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
PLAN I

<u>OPTION 2</u> <u>with COLA*</u>	<u>AGE</u> <u>DIFFERENCE</u>	<u>OPTION 3</u> <u>with COLA*</u>
BENEFICIARY YOUNGER		
.637	0	.695
.629	1	.689
.621	2	.685
.615	3	.682
.610	4	.679
.604	5	.677
.600	6	.674
.595	7	.672
.589	8	.669
.585	9	.666
.580	10	.664
.576	11	.661
.571	12	.659
.565	13	.656
.562	14	.653
.558	15	.651
.554	16	.648
.548	17	.645
.543	18	.643
.540	19	.640
.537	20	.638
.533	21	.636
.530	22	.633
.527	23	.631

\* For converting from the Normal Form (without a COLA) to an annuity with a COLA

PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
PLAN I

<u>OPTION 2</u> <u>with COLA*</u>	<u>AGE</u> <u>DIFFERENCE</u>	<u>OPTION 3</u> <u>with COLA*</u>
BENEFICIARY OLDER		
.724	-20	.738
.724	-19	.738
.724	-18	.738
.723	-17	.737

PUBLIC EMPLOYEES' RETIREMENT SYSTEM

PLAN I

<u>OPTION 2</u> <u>with COLA*</u>	<u>AGE</u> <u>DIFFERENCE</u>	<u>OPTION 3</u> <u>with COLA*</u>
BENEFICIARY YOUNGER		
.524	24	.629
.521	25	.626
.518	26	.624
.515	27	.622
.512	28	.619
.508	29	.617
.505	30	.615
.502	31	.612
.499	32	.610
.496	33	.608
.493	34	.605
.490	35	.603
.487	36	.601
.483	37	.598
.480	38	.596
.477	39	.594
.474	40	.591

AGE DIFFERENCE = MEMBERS' AGE MINUS BENEFICIARY AGE

\* For converting from the Normal Form (which has no COLA) to Option 2 or 3 with a COLA.

TEACHERS' RETIREMENT SYSTEM

PLAN I - OPTION I\*

45	.683
46	.686
47	.690
48	.693
49	.697
50	.701
51	.704
52	.708
53	.712
54	.716
55	.720
56	.724
57	.728
58	.732
59	.736
60	.740
61	.745
62	.749
63	.754
64	.758
65	.763
66	.767
67	.772
68	.776
69	.780
70	.784
71	.789
72	.793
73	.797
74	.800
75	.804
76	.807
77	.809
78	.811
79	.813
80	.813
81	.813
82	.812
83	.809
84	.806
85	.801
86	.794
87	.786
88	.775
89	.761
90	.745
91	.726
92	.704
93	.681
94	.656
95	.630
96	.603
97	.576
98	.548
99	.521

TEACHERS' RETIREMENT SYSTEM

PLAN I - OPTION I\*

<u>AGE</u>	<u>FACTOR</u>
20	.618
21	.620
22	.622
23	.624
24	.626
25	.628
26	.630
27	.632
28	.634
29	.637
30	.639
31	.641
32	.644
33	.647
34	.650
35	.652
36	.655
37	.658
38	.660
39	.663
40	.666
41	.670
42	.673
43	.676
44	.679

\* For converting from the Normal Form Option O without a COLA, to Option I with a COLA

TEACHERS' RETIREMENT SYSTEM  
PLAN I

<u>OPTION 2 with COLA*</u>	<u>AGE DIFFERENCE</u>	<u>OPTION 3 with COLA*</u>
BENEFICIARY OLDER		
.682	-20	.715
.682	-19	.715
.682	-18	.715
.682	-17	.715
.676	-16	.712
.670	-15	.709
.664	-14	.706
.658	-13	.702
.652	-12	.698
.645	-11	.694
.639	-10	.691
.632	-09	.687
.626	-08	.683
.619	-07	.679
.613	-06	.675
.604	-05	.670
.594	-04	.664
.584	-03	.658
.572	-02	.650
.554	-01	.638
.539	0	.628

AGE DIFFERENCE = MEMBERS' AGE MINUS BENEFICIARY AGE

\* For converting from the Normal Form (which has no COLA) to Option 2 or 3 with a COLA.

TEACHERS' RETIREMENT SYSTEM  
PLAN I

<u>OPTION 2 with COLA*</u>	<u>AGE DIFFERENCE</u>	<u>OPTION 3 with COLA*</u>
BENEFICIARY YOUNGER		
.438	19	.558
.435	20	.555
.432	21	.553
.429	22	.550
.425	23	.547
.422	24	.545
.419	25	.543
.417	26	.541
.415	27	.538
.412	28	.536
.409	29	.534
.407	30	.532
.406	31	.530
.403	32	.528
.401	33	.527
.400	34	.525
.397	35	.524
.396	36	.522
.394	37	.521
.393	38	.519
.391	39	.518
.390	40	.517

AGE DIFFERENCE = MEMBERS' AGE MINUS BENEFICIARY AGE

\* For converting from the Normal Form (which has no COLA) to Option 2 or 3 with a COLA.

TEACHERS' RETIREMENT SYSTEM  
PLAN I

<u>OPTION 2 with COLA*</u>	<u>AGE DIFFERENCE</u>	<u>OPTION 3 with COLA*</u>
BENEFICIARY YOUNGER		
.539	0	.628
.529	1	.622
.520	2	.615
.513	3	.613
.507	4	.608
.501	5	.604
.495	6	.600
.493	7	.599
.487	8	.595
.482	9	.591
.477	10	.587
.471	11	.583
.470	12	.583
.465	13	.580
.458	14	.573
.454	15	.570
.450	16	.567
.446	17	.564
.442	18	.561

**WSR 87-17-060**  
**ADOPTED RULES**  
**DEPARTMENT OF RETIREMENT SYSTEMS**  
[Order DRS 87-07—Filed August 19, 1987]

I, Robert L. Hollister, Jr., director of the Department of Retirement Systems, do promulgate and adopt at 1025 East Union, Olympia, WA 98504, the annexed rules relating to chapter 415-112 WAC entitled teachers' retirement board of trustees. WAC 415-112-412 defines nonmoney maintenance compensation for Plan I TRS members; 415-112-413 establishes recordkeeping rules for vehicle allowances provided to TRS Plan II members; 415-112-414 establishes accounting procedures for back pay awards or settlements; 415-112-415 establishes accounting methods for determining when leave is earned. The purpose of this filing is to provide a uniform procedure for administering existing law and to codify long-standing administrative procedure.

This action is taken pursuant to Notice No. WSR 87-14-034 filed with the code reviser on June 29, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 41.32.010(11), 41.32.010 (11)(a), (b) and 41.32.160, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 17, 1987.

By Robert L. Hollister, Jr.  
Director

#### NEW SECTION

**WAC 415-112-412 NONMONEY MAINTENANCE COMPENSATION—DETERMINATION AND REPORTING—FORM AND WEIGHT OF EVIDENCE.** (1) Except for compensation described in WAC 415-112-410(3) or except as otherwise provided in this section, "nonmoney maintenance compensation" means the fair market value of living quarters, shelter, lodging, food, board, clothing, laundry, transportation, fuel, utilities, or other personal advantages of a similar nature legally furnished in a medium other than cash to a member (or the member and the member's dependents) by the member's employer in partial payment for the member's rendering of personal services to the employer.

(2) "Nonmoney maintenance compensation" does not include:

(a) Clothing, materials, vehicles, fuel, or equipment furnished by the member's employer or purchased, rented, or leased by the employee with an allowance provided by the employer, if such clothing, materials, vehicles, fuel, or equipment are used by the member in rendering personal services to the employer;

(b) Any form of compensation in a medium other than cash: (i) That is associated with an available corresponding deduction for ordinary and necessary employee business expenses; or (ii) that is excludable from taxation, under any provision of the United States Internal Revenue Code in the tax year the compensation was earned by the member, regardless of whether the employer and/or member reported the nonmonetary compensation to the Internal Revenue Service as taxable.

(3) Every employer furnishing one or more items of nonmoney maintenance compensation to a Plan I TRS member shall contemporaneously establish and regularly update a written schedule reflecting the monthly fair market value of each such item of nonmoney maintenance compensation. The fair market value of an item of nonmoney maintenance compensation is determined on the basis of all objective facts and circumstances. It is usually what the cost of the item would be if acquired in an arm's length purchase or lease.

(4) For each month during which an employer furnishes to a Plan I TRS member "nonmoney maintenance compensation," the employer shall report to the department as earnable compensation the amount by which the fair market value of the "nonmoney maintenance compensation" exceeds the amount, if any, paid by the member for the "nonmoney maintenance compensation."

(5)(a) No item reported to the department as "non-money maintenance compensation" shall be included in the calculation of a Plan I TRS member's retirement benefits unless the employer or the member substantiates by adequate records or by other sufficient corroborating evidence, the employer's report under subsection (4) of this section and the member's own statement: (i) That the net amount of the item, as reported in accordance with subsection (4) of this section is accurate; (ii) that the item was furnished for the personal use of the member in partial payment for the member's rendering of personal services to the employer; and (iii) that for federal income tax purposes the item was neither associated with an available corresponding deduction for ordinary and necessary employee business expenses nor excludable from taxation, as reflected in subsection (2)(b) of this section. Absent such evidence corroborating each of these elements, the department shall presume that the item neither qualifies as "nonmoney maintenance compensation" nor as "compensation earnable."

(b) Except as provided in WAC 415-112-413 (containing special substantiation rules for employer-provided vehicle, and vehicle allowances), corroborating records or other evidence may take any form, but different types of evidence have different degrees of probative value. Usually, oral evidence alone has considerably less probative value than written evidence. In addition, the probative value of written evidence is greater the closer in time it relates to the furnishing of the item. Thus, written evidence prepared at or near the time the item was furnished, absent unusual circumstances, generally has much more probative value than evidence created years later. Except as provided in WAC 415-112-413, the department will carefully weigh the probative value of all forms of evidence submitted or obtained to determine whether it is sufficient, when taken as a whole, to corroborate the employer's report and the member's own statement.

#### NEW SECTION

**WAC 415-112-413 SPECIAL RECORDKEEPING RULES FOR VEHICLES AND VEHICLE ALLOWANCES PROVIDED BY EMPLOYERS TO PLAN I TRS MEMBERS—EXEMPTION—PRESUMPTION IN ABSENCE OF RECORDS.** (1)(a) For fiscal years beginning after the effective date of this regulation, and except as provided in (b) of this subsection, each employer shall maintain monthly contemporaneous records for each vehicle provided to a Plan I TRS member reflecting: (i) Whether the vehicle was authorized and available for other personal use including commuting; (ii) whether the vehicle was used for commuting and, if so, the distance the member normally commuted on a daily basis during the month; (iii) the dates, if any, on which the member used the vehicle for other personal purposes, the miles driven on each such trip, and the itinerary of each such trip; (iv) the total number of miles the vehicle was driven during the month; and (v) the percentage of the total miles driven during the month which were driven by the member for personal use of the vehicle (including commuting) during the month. If the

employer maintains such records, the employer shall report to the department as "earnable compensation" for each month the lesser of: (A) The product of the monthly fair market lease value of the vehicle times the percentage of personal use of the vehicle during the month, or (B) one-twelfth of the amount reported by the employer to the Internal Revenue Service as the member's taxable income attributable to the personal use of the vehicle during the year under any alternative valuation method authorized by Internal Revenue Service regulations.

(b) The monthly records required under (a) of this subsection need not be maintained if: (i) The employer has an established policy that the vehicle shall not be used for personal purposes; (ii) any commuting or other personal use of the vehicle by the member during the month is excludable from the member's taxable income under any provision of the United States Internal Revenue Code; or (iii) any commuting or other personal use of the vehicle by the member is otherwise excluded from the definition of "earnable compensation" under WAC 415-112-410(3).

(c) Unless the employer maintains the records required under (a) of this subsection, the department shall presume that any vehicle provided by an employer to a member is authorized for use solely in connection with the employer's business, and therefore the use of the vehicle neither qualifies as "nonmoney maintenance compensation" nor as "earnable compensation."

(2)(a) For fiscal years beginning after the effective date of this regulation and except as provided in (b) of this subsection, each employer that provides a vehicle allowance to one or more TRS members shall maintain monthly contemporaneous records for each such member reflecting: (i) The dates, if any, on which each such member used a privately owned vehicle in performing services for the employer, (ii) the miles driven on each such trip, and (iii) the itinerary of each such trip. If the employer maintains such records, the employer shall report to the department as "compensation earnable" for each member the difference between the vehicle allowance and the number of miles such employee drove a privately owned vehicle in performing services for the employer during the reporting period times the mileage reimbursement rate used by the employer to reimburse its other employees for expenses incurred in performing service to the employer; or (iv) if the employer has established no such rate, the rate established by the United States Internal Revenue Service for use by taxpayers in computing deductions for employees' business expenses.

(b) The monthly records required under (a) of this subsection need not be maintained if (i) the contract of employment that provides such allowance is solely in lieu of reimbursement for expenses incurred or expected to be incurred in performing services for the employer, or (ii) the member receiving such allowance also receives separate reimbursement for automobile expenses for each use of a privately owned vehicle in performing services for the employer on the same basis as the other employees of the employer.

(c) For purposes of (a) and (b) of this subsection, a "privately owned vehicle" means any vehicle not owned by or leased to the employer.

(d) Unless the employer maintains the records required under (a) of this subsection, or is excused from maintaining the records under (b) of this subsection, the department shall presume that any vehicle allowance provided by an employer to a TRS member is solely in lieu of reimbursement for expenses incurred or expected to be incurred in performing services for the employer and therefore does not constitute "earnable compensation."

#### NEW SECTION

WAC 415-112-414 BACK PAY AWARD OR SETTLEMENT—DEFINITION—ALLOCATED BY THE DEPARTMENT FOR RETIREMENT SYSTEM PURPOSES. "Back pay award or settlement" means a retroactive payment made by an employer or former employer to a member pursuant to an award by a court or an order of or conciliation agreement with an administrative agency charged with enforcing federal, state, or local statutes, ordinances, or regulations protecting employment rights, or a bona fide settlement of such a claim before a court or administrative agency. The department shall allocate any such award or settlement to the period or periods in which the work was done or in which it would have been done and, for retirement system purposes, deem such payments as earned in the period or periods to which the award or settlement is so allocated.

#### NEW SECTION

WAC 415-112-415 FIRST-IN-FIRST-OUT ACCOUNTING METHOD FOR DETERMINING WHEN LEAVE EARNED. When an employer provides cash compensation in lieu of unused leave, the department applies a first-in-first-out accounting method to determine when the compensated leave was earned, unless the employer has in place a regulation, charter provision, ordinance, collective bargaining agreement, or other comparable written policy statement which clearly delineates a different method of accounting for the accrual and use of leave, and, if applicable, compensation for unused leave and the same such method is consistently applied in each instance and for all purposes.

Any employer's policy which is not consistent for all purposes which is contained in a regularly negotiated labor agreement in effect on the effective date of this section will be honored until the expiration date of the agreement not including any extensions at which time it will be brought into compliance with this section. Any employer's policy which is not consistent for all purposes which is established by the employer shall be brought into compliance within sixty days of the effective date of this section. In the event an employer fails to come into full compliance with this section by the dates established herein, the department will treat cashed out leave on the same basis as the employer has established for using leave.

## WSR 87-17-061

## ADOPTED RULES

## DEPARTMENT OF RETIREMENT SYSTEMS

[Order DRS 87-08—Filed August 19, 1987]

I, Robert L. Hollister, Jr., director of the Department of Retirement Systems, do promulgate and adopt at 1025 East Union, Olympia, WA 98504, the annexed rules relating to chapter 415-108 WAC entitled public employees retirement board. Included with this filing are the following new sections: WAC 415-108-470 Non-money maintenance compensation—Determination and reporting—Form and weight of evidence; 415-108-480 Special recordkeeping rules for vehicles and vehicle allowances provided by employers to PERS members—Exemption—Presumption in absence of records; 415-108-490 Back pay award or settlement—Definition—Allocated by the department of retirement system purposes; and 415-108-510 First-in-first-out accounting method for determining when leave is earned. The purpose is to provide a uniform procedure for administering existing law and to codify long standing administrative procedure.

This action is taken pursuant to Notice No. WSR 87-14-038 filed with the code reviser on June 29, 1987. These rules shall take effect thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 41.40.010(8), 41.40.010 (8)(a) and (b) and 41.40.020, and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 17, 1987.

By Robert L. Hollister, Jr.  
Director

NEW SECTION

WAC 415-108-470 NONMONEY MAINTENANCE COMPENSATION—DETERMINATION AND REPORTING—FORM AND WEIGHT OF EVIDENCE. (1) Except for compensation described in WAC 415-108-450(2) or except as otherwise provided in this section, "nonmoney maintenance compensation" means the fair market value of living quarters, shelter, lodging, food, board, clothing, laundry, transportation, fuel, utilities, or other personal advantages of a similar nature legally furnished in a medium other than cash to a member (or the member and the member's dependents) by the member's employer in partial payment for the member's rendering of personal services to the employer.

(2) "Nonmoney maintenance compensation" does not include:

(a) Clothing, materials, vehicles, fuel, or equipment furnished by the member's employer or purchased, rented, or leased by the employee with an allowance provided by the employer, if such clothing, materials, vehicles,

fuel, or equipment are used by the member in rendering personal services to the employer;

(b) Any form of compensation in a medium other than cash: (i) That is associated with an available corresponding deduction for ordinary and necessary employee business expenses, under any provision of the United States Internal Revenue Code in the tax year the compensation was earned by the member; or (ii) that is excludable from taxation, under any provision of the United States Internal Revenue Code in the tax year the compensation was earned by the member, regardless of whether the employer and/or member reported the non-monetary compensation to the Internal Revenue Service as taxable.

(3) Every employer furnishing one or more items of "nonmoney maintenance compensation," to a Plan I PERS member shall contemporaneously establish and regularly update a written schedule reflecting the monthly fair market value of each such item of non-money maintenance compensation. The fair market value of an item of nonmoney maintenance compensation is determined on the basis of all objective facts and circumstances. It is usually what the cost of the item would be if acquired in an arm's length purchase or lease.

(4) For each month during which an employer furnishes to a Plan I PERS member "nonmoney maintenance compensation," the employer shall report to the department as "compensation earnable" the amount by which the fair market value of the "nonmoney maintenance compensation" exceeds the amount, if any, paid by the member for the "nonmoney maintenance compensation."

(5)(a) No item reported to the department as "non-money maintenance compensation" shall be included in the calculation of a Plan I PERS member's retirement benefits unless the employer or the member substantiates, by adequate records or by other sufficient corroborating evidence, the employer's report under subsection (4) of this section and the member's own statement: (i) That the net amount of the item, as reported in accordance with subsection (4) of this section is accurate; (ii) that the item was furnished for the personal use of the member in partial payment for the member's rendering of personal services to the employer; and (iii) that for federal income tax purposes the item was neither associated with an available corresponding deduction for ordinary and necessary employee business expenses nor excludable from taxation, as reflected in subsection (2)(b) of this section. Absent such evidence corroborating each of these elements, the department shall presume that the item neither qualifies as "nonmoney maintenance compensation" nor as "compensation earnable."

(b) Except as provided in WAC 415-108-480 (containing special substantiation rules for employer-provided vehicles and vehicle allowances), corroborating records or other evidence may take any form, but different types of evidence have different degrees of probative value. Usually, oral evidence alone has considerably less probative value than written evidence. In addition, the probative value of written evidence is greater the closer in time it relates to the furnishing of the item. Thus, written evidence prepared at or near the time the item

was furnished, absent unusual circumstances, generally has much more probative value than evidence created years later. Except as provided in WAC 415-108-480, the department will carefully weigh the probative value of all forms of evidence submitted or obtained to determine whether it is sufficient, when taken as a whole, to corroborate the employer's report and the member's own statement.

#### NEW SECTION

**WAC 415-108-480 SPECIAL RECORDKEEPING RULES FOR VEHICLES AND VEHICLE ALLOWANCES PROVIDED BY EMPLOYERS TO PERS MEMBERS—EXEMPTION—PRESUMPTION IN ABSENCE OF RECORDS.** (1)(a) For fiscal years beginning after the effective date of this regulation, and except as provided in (b) of this subsection, each employer shall maintain monthly contemporaneous records for each vehicle provided to a Plan I PERS member reflecting: (i) Whether the vehicle was authorized and available for personal use, including commuting; (ii) whether the vehicle was used for commuting and, if so, the distance the member normally commuted on a daily basis during the month; (iii) the dates, if any, on which the member used the vehicle for other personal purposes, the miles driven on each such trip, and the itinerary of each such trip; (iv) the total number of miles the vehicle was driven during the month; and (v) the percentages of the total miles driven during the month which were driven by the member for personal use of the vehicle (including commuting) during the month. If the employer maintains such records, the employer shall report to the department as "compensation earnable" for each month the lesser of: (A) The product of the monthly fair market lease value of the vehicle times the percentage of personal use of the vehicle during the month, or (B) one-twelfth of the amount reported by the employer to the Internal Revenue Service as the member's taxable income attributable to the personal use of the vehicle during the year under any alternative valuation method authorized by Internal Revenue Service regulations.

(b) The monthly records required under (a) of this subsection need not be maintained if: (i) The employer has an established policy that the vehicle shall not be used for personal purposes; (ii) any commuting or other personal use of the vehicle by the member during the month is excludable from the member's taxable income under any provision of the United States Internal Revenue Code; or (iii) any commuting or other personal use of the vehicle by the member is otherwise excluded from the definition of "compensation earnable" under WAC 415-108-450(2).

(c) Unless the employer maintains the records required under (a) of this subsection, the department shall presume that any vehicle provided by an employer to a member is authorized for use solely in connection with the employer's business, and therefore the use of the vehicle neither qualifies as "nonmoney maintenance compensation" nor as "compensation earnable."

(2)(a) For fiscal years beginning after the effective date of this regulation and except as provided in (b) of

this subsection, each employer that provides a vehicle allowance to one or more PERS members shall maintain monthly contemporaneous records for each such member reflecting: (i) The dates, if any, on which each such member used a privately owned vehicle in performing services for the employer, (ii) the miles driven on each such trip, and (iii) the itinerary of each such trip. If the employer maintains such records, the employer shall report to the department as "compensation earnable" for each member the difference between: (A) The vehicle allowance; and (B) the number of miles such employee drove a privately owned vehicle in performing services for the employer during the reporting period times the mileage reimbursement rate used by the employer to reimburse its other employees for expenses incurred in performing service to the employer; or (C) if the employer has established no such rate, the rate established by the United States Internal Revenue Service for use by taxpayers in computing deductions for employees business expenses.

(b) The monthly records required under (a) of this subsection need not be maintained if: (i) The contract of employment provides that such allowance is solely in lieu of reimbursement for expenses incurred or expected to be incurred in performing services for the employer; or (ii) the member receiving such allowance also receives separate reimbursement for automobile expenses for each use of a privately owned vehicle in performing services for the employer on the same basis as the other employees of the employer.

(c) For purposes of (a) and (b) of this subsection, a "privately owned vehicle" means any vehicle not owned by or leased to the employer.

(d) Unless the employer maintains the records required under (a) of this subsection or is excused from maintaining the records under (b) of this subsection, the department shall presume that any vehicle allowance provided by an employer to a PERS member is solely in lieu of reimbursement for expenses incurred or expected to be incurred in performing services for the employer and therefore does not constitute "compensation earnable."

#### NEW SECTION

**WAC 415-108-490 BACK PAY AWARD OR SETTLEMENT—DEFINITION—ALLOCATED BY THE DEPARTMENT FOR RETIREMENT SYSTEM PURPOSES.** "Back pay award or settlement" means a retroactive payment made by an employer or former employer to a member pursuant to an award by a court or an order of or conciliation agreement with an administrative agency charged with enforcing federal, state, or local statutes, ordinances, or regulations protecting employment rights, or a bona fide settlement of such a claim before a court or administrative agency. The department shall allocate any such award or settlement to the period or periods in which the work was done or in which it would have been done and, for retirement system purposes, deem such payments as earned in the period or periods to which the award or settlement is so allocated.

NEW SECTION

WAC 415-108-510 FIRST-IN-FIRST-OUT ACCOUNTING METHOD FOR DETERMINING WHEN LEAVE EARNED. When an employer provides cash compensation in lieu of unused leave, the department applies a first-in-first-out accounting method to determine when the compensated leave was earned, unless the employer has in place a regulation charter provision, ordinance, collective bargaining agreement, or other comparable written policy statement which clearly delineates a different method of accounting for the accrual and use of leave, and, if applicable, compensation for unused leave and the same such method is consistently applied in each instance and for all purposes.

Any employer's policy which is not consistent for all purposes which is contained in a regularly negotiated labor agreement in effect on the effective date of this section will be honored until the expiration date of the agreement not including any extensions at which time it will be brought into compliance with this section. Any employer's policy which is not consistent for all purposes which is established by the employer shall be brought into compliance within sixty days of the effective date of this section. In the event an employer fails to come into full compliance with this section by the dates established herein, the department will treat cashed out leave on the same basis as the employer has established for using leave.

**WSR 87-17-062****PROPOSED RULES****LIQUOR CONTROL BOARD**

[Filed August 19, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 314-20-050 Beer wholesalers—Importers—Brewers—Records—Preservation.  
Amd WAC 314-24-150 Wine records—Preservation;

that the agency will at 9:30 a.m., Tuesday, September 29, 1987, in the Offices of the [Liquor Control Board], Capital Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 66.08.030 and 66.28.110.

The specific statute these rules are intended to implement is RCW 66.28.110.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 29, 1987.

Dated: August 19, 1987

By: L. H. Pedersen  
Chairman

## STATEMENT OF PURPOSE

Title: WAC 314-20-050 Beer wholesalers—Importers—Brewers—Records—Preservation; and 314-24-150 Wine records—Preservation.

Description of Purpose: Amendments are being proposed to the two rules cited above which would allow nonretail liquor licensees to maintain their records on an automated data processing system in lieu of physical preservation of records when the system has been reviewed and approved of by the board. The amendments would also delete language which requires a monthly perpetual inventory. This requirement is considered to be excessively burdensome and unmanageable.

Statutory Authority: RCW 66.08.030 and 66.28.110.

Statutes Implemented by the Rule: RCW 66.28.110.

Summary of Rule: The current rules allow only for records to be kept on paper.

Reason Supporting Proposed Action: With the advance of data processing systems many licensees are using modern technology for their recordkeeping purposes. The amendments as proposed will allow nonretail licensees to maintain records on automated data processing systems when such system is approved by the financial division of the board. The board currently allows retail licensees to maintain records using ADP systems, and the amendments as proposed are similar to the privileges which are already extended, by rule, to retail licensees.

Agency Personnel Involved: In addition to the board, the following agency personnel have responsibility for drafting, implementing and enforcing this rule: Jan Britt, Supervisor, Manufacturers, Importers and Wholesalers Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6273; and James E. Hoing, Controller, Financial Division, Capital Plaza Building, Olympia, WA 98504, phone (206) 753-6290.

Person or Organization Proposing Rule: These rule amendments were proposed by the Washington State Liquor Control Board.

Agency Comments: None.

Necessity of Rule: This rule was not made necessary as a result of federal law or federal or state court action.

Small Business Economic Impact Statement: There will be no negative cost impact for this rule.

AMENDATORY SECTION (Amending Rule 44, filed 6/13/63)

WAC 314-20-050 BEER WHOLESALERS—IMPORTERS—BREWERS—RECORDS—PRESERVATION. (1) Beer wholesalers must keep beer accounts separate and independent from other accounts and ((~~must keep a perpetual inventory by brands, types and package sizes of beer, such inventory to be reconciled with a physical inventory at the end of each month, and~~)) maintain proper records in a form approved by the board, showing all transactions in beer, and must in case of beer exported or beer sold, transferred or shipped to another wholesaler, preserve all bills of lading or other evidence of shipment for a period of two years after such exportation, and must in the case of sales to retailers preserve all sales slips and keep the same on file in the office of the wholesaler for at least two years after each sale.

(2) Each brewery, beer wholesaler, and beer importer may maintain microfilm records containing reproductions (including microfiche) of any record, document, or report if first approved by the board. Request for approval shall be directed to the financial division of the Washington state liquor control board and must include the following information:

- (a) Records proposed to be reproduced.
- (b) Reproduction process.

- (c) Manner of preserving the reproduction.
- (d) Facilities provided for examining or viewing such reproduction.

If the request is approved, the licensee shall provide for the examining, viewing, and reproduction of such records the same as if they were the original records.

(3) If the brewery, beer wholesaler, or beer importer keeps records within an automatic data processing (ADP) system, the system must include a method for producing legible records that will provide the same information required of that type of record within this section. The ADP system is acceptable if it complies with the following guidelines:

(a) Provides an audit trail so that details (invoices and vouchers) underlying the summary accounting data may be identified and made available upon request.

(b) Provides the opportunity to trace any transaction back to the original source or forward to a final total. If printouts of transactions are not made when they are processed, the system must have the ability to reconstruct these transactions.

(c) Has available a full description of the ADP portion of the accounting system. This should show the applications being performed, the procedures employed in each application, and the controls used to ensure accurate and reliable processing.

**AMENDATORY SECTION** (Amending Order 5, filed 8/7/69, effective 9/8/69)

WAC 314-24-150 WINE RECORDS—PRESERVATION. (1) Every domestic winery, wine wholesaler, and wine importer shall keep wine accounts separate from other accounts, ~~((and keep a perpetual inventory by brand and type of wine, such inventory to be reconciled with a physical inventory at the end of each month;))~~ and maintain proper records in a form approved by the board showing all transactions in wine.

(2) Every domestic winery, wine wholesaler, and wine importer, shall, in the case of sales of wine within the state, keep and preserve all invoices, bills of lading, sales slips, and other evidence of sale, in the office of the domestic winery, wine wholesaler or wine importer for at least two years after each sale.

(3) Every domestic winery, wine wholesaler, and wine importer, shall, in the case of wine exported from the state, keep and preserve all bills of lading and other evidence of shipment in the office of the domestic winery, wine wholesaler, or wine importer for at least two years after each shipment.

(4) In the case of sales, transfers or shipments of wine between a domestic winery and a wine wholesaler, or between two domestic wineries, or between two wine wholesalers, or between a wine importer and a wine wholesaler, both the shipping and receiving licensees, as the case may be, shall keep and preserve all invoices, bills of lading, sales slips, and other evidence of sale, transfer or shipment in their respective offices for at least two years after each sale, transfer or shipment.

(5) Each winery, wine wholesaler, and wine importer may maintain microfilm records containing reproductions (including microfiche) of any record, document, or report if first approved by the board. Request for approval shall be directed to the financial division of the Washington state liquor control board and must include the following information:

- (a) Records proposed to be reproduced.
- (b) Reproduction process.
- (c) Manner of preserving the reproduction.
- (d) Facilities provided for examining or viewing such reproduction.

If the request is approved, the licensee shall provide for the examining, viewing, and reproduction of such records the same as if they were the original records.

(6) If the winery, wine wholesaler, or wine importer keeps records within an automatic data processing (ADP) system, the system must include a method for producing legible records that will provide the same information required of that type of record within this section. The ADP system is acceptable if it complies with the following guidelines:

(a) Provides an audit trail so that details (invoices and vouchers) underlying the summary accounting data may be identified and made available upon request.

(b) Provides the opportunity to trace any transaction back to the original source or forward to a final total. If printouts of transactions are not made when they are processed, the system must have the ability to reconstruct these transactions.

(c) Has available a full description of the ADP portion of the accounting system. This should show the applications being performed,

the procedures employed in each application, and the controls used to ensure accurate and reliable processing.

**WSR 87-17-063**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Filed August 19, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning certification of operators of wastewater treatment plants, chapter 173-230 WAC.

Public hearings on proposed amendments to chapter 173-230 WAC are scheduled as follows:

September 22, 1987	Spokane County Health District Auditorium - Room 140 W. 1101 College Spokane, WA	7:00 p.m.
September 23, 1987	City of Wenatchee - City Hall Council Chambers 129 S. Chelan Street Wenatchee, WA	7:00 p.m.
September 24, 1987	City of Centralia - City Hall Council Chambers 118 W. Maple Centralia, WA	7:00 p.m.
September 28, 1987	City of Everett - City Hall Council Chambers 3001 Wetmore Everett, WA	7:00 p.m.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on October 30, 1987.

The authority under which these rules are proposed is chapter 70.95B RCW, Domestic wastewater treatment plants—Certification and regulation of operators.

The specific statute these rules are intended to implement is chapter 70.95B RCW, Domestic wastewater treatment plants—Certification and regulation of operators.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before October 12, 1987.

Dated: August 18, 1987  
 By: Phillip C. Johnson  
 Deputy Director

**STATEMENT OF PURPOSE**

Title: Chapter 173-230 WAC, Certification of operators of wastewater treatment plants.

Description of Purpose: To certify the competency of individuals in responsible charge of operating wastewater treatment plants.

Statutory Authority: Chapter 70.95B RCW, Domestic wastewater treatment plants—Certification and regulation of operators.

Summary of Rule: The proposed rules amend chapter 173-230 WAC in several areas. The revisions to chapter 173-230 WAC include: Housekeeping: Insert genderless language where appropriate and reorganize definitions alphabetically; add definitions and requirements that

were added to chapter 70.95B RCW by the 1987 legislature; increase application and renewal fees as required by chapter 70.95B RCW: \$10.00 for each year of renewal, up from \$5.00, \$20.00 for certification by exam, up from \$10.00, and \$40.00 for certification by reciprocity, up from \$10.00; as recommended by the water and wastewater certification board of examiners: Delete responsible charge time from Group 3 and 4 certification requirements, allow Group 3 and 4 applicants to substitute operating experience for college education requirements, and identify specific procedures used to consider applications for certification by reciprocity; and to make the wastewater treatment plant operator's certification program more consistent with the waterworks operator's certification programs administered by the Department of Social and Health Services: Add more options for satisfying the continued professional growth requirement, and increase suspension period to 60 days for failure to renew, up from 30 days.

Reasons Supporting Proposed Action: The 1987 legislature revised chapter 70.95B RCW requiring the certification program to be fee supported by 1992. During 1986, the water and wastewater certification board of examiners approved a number of changes to the eligibility requirements for certification.

Agency Personnel Responsible for Drafting and Implementation: Cathy Betts, Department of Ecology, PV-11, (206) 459-6041; and Enforcement: Marc Horton, Department of Ecology, PV-11, (206) 459-6053.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendations Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: Not applicable.

Small Business Economic Impact Statement: Not applicable.

**AMENDATORY SECTION** (Amending Order DE 82-07, filed 4/16/82)

WAC 173-230-010 GENERAL. One of the basic requirements of the Wastewater Treatment Plant Operator Certification Act of 1973 (chapter 139, Laws of 1973) (chapter 70.95B RCW) is to have every operator in responsible charge of a wastewater treatment plant certified ((in a class)) at a level equal to or higher than the ((class)) classification rating of ((his)) the treatment plant being operated. Certification under this act is available to all ((operators)) individuals who can meet the minimum qualifications ((of)) for a given classification. ((Each operator is encouraged to apply for certification in the highest classification consistent with his qualifications.)) Operating personnel not required to be certified by chapter 70.95B RCW are encouraged to become certified on a voluntary basis.

**AMENDATORY SECTION** (Amending Order DE 82-07, filed 4/16/82)

WAC 173-230-020 DEFINITIONS. ((+)) "Director" means the director of the department of ecology.

(2) "Department" means the department of ecology.

(3) "Board" means the water and wastewater operators certification board of examiners established by RCW 70.95B.070.

(4) "Certificate" means the certificate of competency issued by the director stating that the operator has met the requirements for the specified operator classification of the certification program.

(5) "Wastewater treatment plant" means a facility used in the collection, transmission, storage, pumping, treatment or discharge of any liquid or waterborne waste, whether of domestic origin or a combination of domestic, commercial or industrial waste, and which by its design requires the presence of an operator for its operation. It shall not include any facility used exclusively by a single family residence nor septic tanks with subsoil absorption nor industrial wastewater works.

(6) "Operator" means an individual employed or appointed by any county, sewer district, municipality, public or private corporation, company, institution, person, or the state of Washington who is performing work in the actual operation of a wastewater treatment plant.

(7) "Responsible charge" means the position held by an operator working on-site at a wastewater treatment plant, including weekends, holidays, and shifts, where appropriate, who is in direct charge and is responsible for the operation of the plant or segment thereof. Responsible charge can, but is not required to, include supervisory responsibility over other employees. Responsible charge time may be accrued by the operator in charge of a shift, working alone as the only operator on-duty, or when assigned as operator in charge in the absence of the designated operator in charge.)) (1) "Board" means the water and wastewater operators certification board of examiners established by RCW 70.95B.070.

(2) "Certificate" means the certificate of competency issued by the director stating that an individual has met the requirements for a specific classification in the wastewater treatment plant operator's certification program.

(3) "Certificate holder" means the individual to whom a certificate is issued.

(4) "CEU" means continuing education unit which is a nationally recognized unit of measurement similar to college credit. One CEU is awarded for every ten contact hours of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction.

(5) "College" means credits earned toward a college degree or in course work that is relevant to the operation of a wastewater treatment plant. College shall also mean CEUs. Forty-five CEUs equals forty-five quarter credits equals thirty semester credits.

(6) "Department" means the Washington state department of ecology.

(7) "Director" means the director of the department of ecology or the director's designee.

(8) "GED" means a General Education Development certificate issued by a recognized education institution. A GED is equivalent to a high school diploma.

(9) "Group and class" for the purpose of operator certification and wastewater treatment plant classification shall mean the same.

(10) "OIT" means operator-in-training. This is the entry level certification classification offered by the department.

(11) "Operating experience" means the routine performance of duties, on-site in a wastewater treatment plant, that affect plant performance and/or effluent quality.

(12) "Operator" means an individual who performs routine duties on-site at a wastewater treatment plant which affect plant performance and/or effluent quality.

(13) "Operator in charge of each shift" means an individual designated by the owner as the person on-site in charge of a regularly run shift at a wastewater treatment plant and who is subordinate to the operator in responsible charge.

(14) "Operator in responsible charge" means an individual who is designated by the owner as the person on-site in overall charge of the routine operation of a wastewater treatment plant.

(15) "Owner" means in the case of a town or city, the city or town acting through its chief executive officer or the lessee if operated pursuant to a lease or contract; in the case of a county, the chairman of the county legislative authority or the chairman's designee; in the case of a sewer district, board of public utilities, association, municipality or other public body, the president or chairman of the body or the president's or chairman's designee; in the case of a privately owned wastewater treatment plant, the legal owner.

(16) "Reciprocity" means the exchange of a valid out-of-state wastewater treatment plant operator's certificate achieved by passing a written examination for an equivalent level of certification without further examination.

(17) "Wastewater certification program coordinator" means an employee of the department who is appointed by the director to serve on the board and who administers the wastewater treatment plant operator's certification program.

(18) "Wastewater collection system" means any system of lines, pipes, manholes, pumps, liftstations, or other facilities used to collect and transport wastewater.

(19) "Wastewater treatment plant" means a facility used to treat any liquid or waterborne waste of domestic origin or a combination of domestic, commercial or industrial origin, and which by its design requires the presence of an operator for its operation. It shall not include any facility used exclusively by a single family residence, septic tanks with subsoil absorption, industrial wastewater treatment plants, or wastewater collection systems.

AMENDATORY SECTION (Amending Order DE 78-16, filed 10/11/78)

WAC 173-230-030 DUTIES OF THE BOARD. (1) Recommend to the director the classification of wastewater treatment plants (and maintain records thereof) when a plant handles a unique treatment process or complex waste that is not reflected in the wastewater treatment plant classification system set forth in WAC 173-230-140.

(2) Develop operator qualification standards consistent with the wastewater treatment plant classification system and examine the qualifications of applicants for certification.

(3) Assist in the development of rules and regulations; prepare, administer and evaluate examinations (of) used to measure an operator's (competency as required by law, and) qualifications for certification. Recommend to the director the issuance or revocation of certificates.

(4) Encourage (to become certified) operating personnel other than those who are required to be certified (by the virtue of their responsibility as operator in charge) in RCW 70.95B.030 to become certified on a voluntary basis.

(5) Maintain records of operator qualifications, certifications, and a register of certified operators.

AMENDATORY SECTION (Amending Order DE 82-07, filed 4/16/82)

WAC 173-230-040 CERTIFICATION REQUIRED. (1) After July 1, 1974, it shall be unlawful for any person, firm, corporation, municipal corporation or other governmental subdivision or agency to operate a wastewater treatment plant unless the operator in responsible charge of (day-to-day operation of) the plant holds a valid certificate issued by the director of at least the same classification as that of the wastewater treatment plant being operated. Operators in charge of each regularly run shift at wastewater treatment plants shall also be certified.

(2) (When) After January 1, 1989, it shall be unlawful to operate a wastewater treatment plant (is operated) on more than one daily shift (including weekends or holidays,) unless the operator in charge of each shift (shall be), as designated by the owner, is certified at a level not less than one class lower than the class of plant being operated. The operator in charge of each shift shall be subordinate to the operator in responsible charge of the plant who is certified at a level equal to or higher than the classification of the plant being operated.

(3) When a position required to be filled by a certified wastewater treatment plant operator as described herein is vacated due to a scheduled vacation or a short-term illness, these requirements may be waived temporarily at the director's discretion.

AMENDATORY SECTION (Amending Order DE 82-07, filed 4/16/82)

WAC 173-230-050 CERTIFICATION PREREQUISITES. (1) Certificates shall be issued only upon application and only after payment of fees as required herein. Except as provided in WAC 173-230-050(2), certificates in appropriate classifications shall be issued to those who are eligible for examination pursuant to WAC 173-230-061 and only after successful completion of an examination as provided for in WAC 173-230-070.

(2) Certificates shall be issued without examination under the following conditions:

(a) In appropriate classifications, to an operator who on July 1, 1973, held a certificate of competency attained by examination under the voluntary certification program sponsored jointly by the department of social and health services and the pacific northwest pollution control association.

(b) In appropriate classifications, to a person verified by the (governing body or) owner to have been the operator in responsible charge

of a wastewater treatment plant on July 1, 1973. A certificate issued to any person under this subsection shall be known as a "provisional" certificate and shall be valid only for the plant of which he or she was the operator on July 1, 1973, and shall not be renewed if such plant thereafter has been or is significantly modified or if the operator terminates (his) service with that plant.

(c) In appropriate classifications, to persons who fill a vacated position required by RCW 70.95B.020 to (have a) be filled by a certified operator. A certificate issued under this subsection shall be known as a "temporary" certificate and shall be (issued) valid for a period of not more than twelve months from the date of issue and shall be nonrenewable. If a position is vacated by the holder of a temporary certificate issued under this subsection, no additional temporary certificate shall be issued (to his) for the individual chosen as the replacement.

AMENDATORY SECTION (Amending Order DE 82-07, filed 4/16/82)

WAC 173-230-061 APPLICATIONS AND CERTIFICATION REQUIREMENTS. (1) Application for certification to the various classifications of wastewater treatment plant operator shall be filed with the (secretary for wastewater treatment of the water and wastewater operator certification board) wastewater certification program coordinator. The (secretary) wastewater certification program coordinator shall make application forms available upon request.

(2) Upon receipt of a completed application, the (secretary) wastewater certification program coordinator shall (assemble all information needed and) screen the application against the following criteria to determine eligibility for examination or reciprocal certification.

(3) Certification requirements: Applicants for (examination or reciprocal) certification (to the various wastewater treatment operator classifications) by examination or reciprocity must meet the (following) minimum education and operating experience requirements or equivalents set forth below:

<u>(Class) Certification Classification</u>	<u>Education</u>	<u>Operating Experience</u>	<u>((Responsible) ((Charge Time))</u>
OIT	<u>((+2 years)) High School Diploma</u>	3 months	<u>((None))</u>
Group I	<u>((+2 years)) High School Diploma</u>	1 year	<u>((None))</u>
Group II	<u>((+2 years)) High School Diploma</u>	3 years	<u>((None))</u>
Group III	<u>((+4 years)) High School Diploma plus two years college</u>	4 years	<u>((2 years))</u>
Group IV	<u>((+16 years)) High School Diploma plus four years college</u>	4 years	<u>((2 years))</u>

(a) Applicants for Group I certification may not substitute equivalent work experience or college for any portion of the operating experience requirement.

(b) At least half of the operating experience requirement for ((certification to a)) Class II, III, or IV ((operator)) certification must be gained on-site, ((day-to-day experience. At least half of the responsible charge time requirement for certification to a Class III or IV operator must have been accrued on-site in a plant with a classification not less than one classification lower than the class of certification being applied for.

(4) Definitions and equivalents related to certification requirements:

(a) "College" means a college degree or course work that is relevant to the operation of a wastewater treatment plant, such as sanitary, chemical, civil, electrical, or mechanical engineering, chemistry, biology, pharmacy, mathematics, or any of the environmental sciences. College shall also mean continuing education units CEUs in courses relevant to the operation of a wastewater treatment plant.

(b) One year of college credit shall mean thirty semester hours or forty-five quarter hours or forty-five continuing education units CEUs.

(c) Continuing education unit, (CEU) means a nationally recognized unit of measurement similar to college credits. One CEU is

awarded for every ten contact lecture hours of participation in an organized continuing education experience, under responsible sponsorship, capable direction and qualified instruction. One CEU will also be awarded for twenty contact laboratory hours of training.

(d) Vocational experience shall mean work experience that is relevant to the operation of a wastewater treatment plant. Some related vocations are chemist, machinist, and electrician.

(5) Equivalent education:

(a) One year of operating experience may be substituted for one year of high school – four years maximum.

(b) One year of responsible charge time may be substituted for one year of college – one year maximum.

(6) Equivalent experience: College credit used as an equivalent for experience must be supported with a copy of college transcripts.

(a) Three CEUs relevant to the operation of a sewage treatment plant may be substituted for three months experience by an applicant for OIT.

(b) An applicant for Group I certification may not use an equivalent experience credit.

(c) An applicant for Group II certification may substitute up to one and one-half years of college for one and one-half years of experience.

(d) An applicant for Group III or IV certification may substitute up to two additional years of college for two years of experience.

(7) Equivalent responsible charge time: An applicant for Group III or IV may substitute one additional year of college for one year of responsible charge time.

(8) Equivalent experience: An applicant who does not satisfy the full amount of equivalent experience as specified under WAC 173-230-061 (3) or (6) may request the board to allow any of the following or similar work experience to be credited toward the experience maximums set forth in WAC 173-230-061(3):

(a) Operation consultant equals 0 to 50 percent of time on duty.

(b) Wastewater collection or pump station operator or specialist equals 0 to 25 percent of time on duty.

(c) Water treatment plant operator equals 50 percent of time on duty.

(d) Water distribution and management equals to 0 to 50 percent of time on duty.

(e) Sewage treatment plant process control and laboratory equals 100 percent of time on duty.

(f) Sewage treatment plant operation and pump station operation equals 100 percent of time on duty.

(g) Sewage treatment plant operation and incineration operation equals 100 percent of time on duty.) in a wastewater treatment plant with a classification rating not less than one class lower than the class of certification desired.

(c) College claimed by an applicant for certification shall be credited toward the certification requirements only when documented on a transcript or a certificate of completion.

(4) Equivalent Education

(a) A GED is equivalent to a high school diploma.

(b) One year of excess operating experience may be substituted for one year of high school or two years of grade school – no limit.

(c) Applicants for Group III and IV certification may substitute one year of excess operating experience for one year of college for up to half of the college requirement.

Note: Operating experience substituted for an education requirement may not also be applied to the operating experience requirement.

(5) Equivalent Operating Experience

(a) OIT applicants may substitute three CEUs for three months of operating experience provided the CEUs are earned in coursework teaching wastewater treatment plant operating theory and/or fundamentals.

(b) Applicants for Group II certification may substitute up to one and one-half years of college for one and one-half years of the operating experience requirement.

(c) Applicants for Group III and IV certification may substitute up to two years of excess college for two years of the operating experience requirement.

(d) Applicants may substitute work experience in the fields identified below for up to half of the operating experience requirement for Group II, III, and IV certification at a rate determined by the board:

- Experience as an environmental or operations consultant.
- Experience in a federal, state, county, or local government.
- Experience as a wastewater collection system operator.
- Experience as a water distribution system operator and/or manager.
- Experience as a wastewater pump station operator.

The board may also consider work experience in fields such as building and equipment maintenance, boiler operation, machinist, laboratory technician, engineering, welding, or other related fields on a case-by-case basis when presented with a written description of the duties performed on the job by the applicant for certification.

Note: College substituted for an operating experience requirement cannot also be applied to the education requirement.

(6) Exemptions

(a) In the event an applicant for Group III or IV certification cannot meet the minimum college education requirements or equivalents set forth in subsections (3), (4), and (5) of this section, the board shall consider the applicants eligibility for certification using the following substitution formula:

- After providing verification of a high school diploma or GED, Group III and IV applicants may substitute three years of excess operating experience in a wastewater treatment plant with a classification rating not less than one classification lower than the level of certification desired, for one year of college – no limit.

(b) Any wastewater treatment plant operator who was issued a certificate under the provisions of WAC 173-230-050 (2)(a) or (b) may take the certification examination at the level for which he or she has a certificate regardless of the experience and education requirements for that certification level, provided the individual can prove prior or existing certification pursuant to WAC 173-230-050 (2)(a) or (b).

((9)) (7) If no examination is required, the ((secretary)) wastewater certification program coordinator shall present the application to the board for consideration. The board shall make a recommendation to the director ((as required by WAC 173-230-070(6) or 173-230-110)) regarding the approval or denial of the request for certification.

((10)) (8) Group IV applications shall be submitted to the board for approval prior to scheduling for examination.

((11)) (9) If an examination is required, the ((secretary)) wastewater certification program coordinator shall notify, schedule, and examine all applicants for certification.

AMENDATORY SECTION (Amending Order DE 82-07, filed 4/16/82)

WAC 173-230-070 EXAMINATION. (1) The board shall prepare written examinations to be used in determining the competency of operators.

(2) Examinations shall be held at least three times annually at places and times set by the board ((with advance announcements made by the board)). These examinations shall be held on the first Monday of February, June, and October each year. In the event the exam date falls on a holiday, the examination shall be rescheduled by the wastewater certification program coordinator.

(3) All examinations ((will)) shall be graded by the ((board or by others designated by the board,)) wastewater certification program coordinator and the applicant shall be notified of ((grade)) the score attained and pass or fail. Examinations ((will)) shall not be returned to the applicant.

(4) An applicant who fails to pass an examination may be reexamined at the next ((subsequent)) scheduled examination with no additional application or fee.

(5) An applicant who fails to pass a second examination as provided for in WAC 173-230-070(4) must reapply for further examination as provided for in WAC 173-230-090(2). ((The examination will not be administered until the second scheduled examination period following the date of the applicant's last examination.)) No individual will be allowed to retake the same examination more than twice consecutively. After two consecutive examinations, one examination period must be skipped.

(6) The board shall forward its recommendations for certification of those examined to the director.

AMENDATORY SECTION (Amending Order DE 82-07, filed 4/16/82)

WAC 173-230-080 CERTIFICATE TERM AND RENEWALS. (1) Except as provided for in WAC 173-230-050 (2)(c), the term for any certificate or renewal thereof shall be from the first of January of the year of issuance until the thirty-first of December of the same year.

(2) Except as provided in WAC 173-230-050 (2)(c), all certificates shall be renewable (~~annually~~) upon presentation of (~~satisfactory~~) evidence that the (~~operator~~) certificate holder demonstrates continued professional growth in the field. In order to demonstrate continued professional growth in the field, each (~~certified operator~~) certificate holder must accomplish one of the following (~~three~~) activities during a three-year period ending December 31, 1979, and (~~in~~) each three-year period thereafter.

(a) Accumulate a minimum of three (~~relevant continuing education units CEUs, or three relevant college quarter hour credits, or~~

(b) Advance in his level of wastewater certification by examination. Advancement from ~~0-1~~ to ~~1~~ does not fulfill this requirement, or

(c) Retake and satisfactorily pass the examination given by the board for the classification for which a renewable certificate is desired.) CEUs or college credits in coursework relevant to the field;

(b) Advance by exam to a higher level of certification in Washington's wastewater treatment plant operator's certification program;

(c) Achieve certification by examination in the waterworks certification program administered by the Washington department of social and health services;

(d) Achieve certification by examination in a different classification of the waterworks certification program administered by DSHS as shown below:

- Water Distribution Manager (WDM) to Water Treatment Plant Operator (WTPO)
- WTPO to WDM
- Water Distribution Specialist (WDS) to WDM or WTPO
- Cross Connection Control Specialist (CCS) to WDM or WTPO or WDS;

(e) On or after January 1, 1989, achieve certification by examination or advance by examination to a higher level in Washington's voluntary wastewater collection system operator's certification program administered by the Washington Wastewater Collection System Personnel Association.

(3) On and after January 1, 1989, the department may collect renewal fees for a period not to exceed three calendar years. The department shall notify certificate holders who are eligible for renewal as described in subsection (2) of this section the amount of fees owed and the date by which the fees must be paid.

AMENDATORY SECTION (Amending Order DE 78-16, filed 10/11/78)

WAC 173-230-090 FEES. (1) Except for applications for certificates under WAC 173-230-050 (2)(a), (~~initial~~) applications for certification by examination will be accepted for processing only when accompanied by (~~an application~~) a fee of (~~ten~~) twenty dollars. Applications for certification by reciprocity will be accepted for processing only when accompanied by a fee of forty dollars.

(2) Except as provided under WAC 173-230-070(4), applications for reexamination will be accepted for processing only when accompanied by an application fee of (~~ten~~) twenty dollars.

(3) In the event an application for certification is denied, the department may reimburse up to half the fee amount provided the department receives a written request for reimbursement within thirty days after the letter of denial is mailed.

(4) Applications for certificate renewals will be accepted for processing only when accompanied by a renewal fee of (~~five~~) ten dollars for each year of renewal.

(~~four~~) (5) All receipts hereunder shall be paid into the state general fund.

AMENDATORY SECTION (Amending Order DE 82-07, filed 4/16/82)

WAC 173-230-100 SUSPENSION AND REVOCATION. (1) When a certificate is not renewed, such certificate, upon notice by the

director, shall be suspended for (~~thirty~~) sixty days. If (~~the~~) renewal of the certificate is not completed during (~~such~~) the suspension period, (~~renewal of the certificate is not completed;~~) the director shall (~~give~~) mail a written notice of revocation to the certificate holder's employer as last known by the department and to the certificate holder (~~and~~) at the address last known by the department. This notice of revocation shall be sent by certified mail. If, during the revocation notice period, (~~renewal of~~) the certificate is not (~~completed~~) renewed, the certificate shall be revoked ten days after such notice is (~~given~~) mailed.

(2) Certificates may also be revoked when the board so recommends to the director, upon finding:

(a) Fraud or deceit in obtaining the certificate.

(b) Gross negligence in the operation of a wastewater treatment plant.

(c) Violation of the requirements of this chapter or the statute it implements or of any lawful rule, regulation or order of the department.

(3) No revocation shall be made under this subsection unless the operator has been notified that revocation is proposed, has been advised of the grounds therefor and has been given an opportunity to appear before the board and be heard on the matter.

(4) Whenever (~~his~~) an individual's certificate is revoked, the (~~operator~~) individual shall not be certified again until he or she has applied for certification (~~as herein provided;~~) pursuant to WAC 173-230-061 paid the (~~initial~~) application fee, and (~~successfully completed~~) passed the written examination (~~provided for in WAC 173-230-070~~) for the classification of certification desired.

(5) If revocation was made pursuant to subsection (2) (~~above~~) of this section, the operator shall not be eligible to reapply for a certificate for one year from the date the revocation became final.

AMENDATORY SECTION (Amending Order DE 82-07, filed 4/16/82)

WAC 173-230-110 RECIPROCITY. (~~The director shall accord an operator certified by another state reciprocal treatment, when in his judgment, and upon advice of the board, the certification requirements of such state are substantially equivalent to the requirements of this chapter. When such reciprocity is granted, the director shall so advise the operator. However, the term of such reciprocal approval shall be as provided in WAC 173-230-080 and the operator shall be subject to the same requirement of renewal as any operator initially certified in this state.~~) The director may, with the approval of the board, waive examinations for applicants holding valid wastewater treatment plant operators certificates or licenses issued by other states having equivalent standards as determined by the board.

(1) Applications for reciprocity will be considered for approval only when the department receives written confirmation from the certifying authority of the state or province in which the applicant is certified, that the certificate is currently valid and was earned by passing a written examination. A copy of the exam passed by the applicant must also be released for review.

(2) The board shall review and compare out-of-state examinations with Washington's exams to determine at which level the exam is most equivalent.

(3) Certificates shall be issued to each reciprocity applicant who meets the minimum education and experience requirements set forth in WAC 173-230-061 and who passes a written examination comparable to Washington's exam as determined by the board and approved by the director.

AMENDATORY SECTION (Amending Order DE 78-16, filed 10/11/78)

WAC 173-230-140 CLASSIFICATION OF WASTEWATER TREATMENT PLANTS. Wastewater treatment plants are classified in four groups, according to the total point rating as derived from the items listed below. Assignment of points for wastewater treatment (~~works to the proper classification group will~~) plants shall be made by the director.

(1) PLANT CLASS:

(a) Class I - 1 - 25 total points.

(b) Class II - 26 - 50 total points.

(c) Class III - 51 - 70 total points.

(d) Class IV - 71 or more total points.

**WSR 87-17-064**

**EMERGENCY RULES**

**DEPARTMENT OF LABOR AND INDUSTRIES**

[Order 87-19—Filed August 19, 1987]

	RATING VALUE
(2) DESIGN FLOW .....	1 per 5 mgd, not to exceed
(Example: ((1 to 5 mgd)) <u>5 mgd and less</u> = 1 point; 5.1 to 10 mgd= 2 points, etc.)	20 points
(3) POPULATION EQUIVALENT(P.E.) .....	1 per 5,000 P.E., not to exceed
$PE = \frac{(Flow, mgd)(BOD, mg/L)(8.34 lbs/gal)}{0.2 lbs BOD/person/day}$	20 points
<b>(4) PRETREATMENT UNITS</b>	
(a) Manually cleaned screens .....	1
(b) Mechanically cleaned screens .....	2
(c) Grit removal .....	3
(d) Preaeration .....	1
(e) Comminutor, barminutors, grinders, etc. ....	1
(f) Plant pumping .....	3
<b>(5) PRIMARY TREATMENT UNITS</b>	
(a) Imhoff tanks, spirogesters, Clarigesters, etc. ....	3
(b) Primary clarifiers .....	5
(c) Primary clarifiers utilizing settling aid chemicals .....	9
<b>(6) SECONDARY TREATMENT UNITS</b>	
(a) Trickling filter (without recirculation) .....	5
(b) Trickling filter (with recirculation) .....	7
(c) Activated sludge .....	8
(i) Mechanical aeration .....	8
(ii) Diffused or dispersed air .....	10
(iii) Oxidation ditch .....	8
(iv) Pure oxygen .....	13
(d) Stabilization ponds .....	5
(e) Stabilization ponds with aeration .....	7
(f) Secondary clarifiers .....	5
<b>(7) TERTIARY TREATMENT UNITS</b>	
(a) Polishing pond .....	2
(b) Land disposal of effluent .....	5
(c) Chemical treatment for phosphorus removal .....	5
(d) Activated carbon beds (with carbon regeneration) .....	10
(e) Activated carbon beds (without carbon regenera- tion) .....	8
(f) Sand or mixed-media filters .....	4
(g) Other nutrient removal processes following second- ary treatment .....	10
<b>(8) DISINFECTION .....</b>	
	<b>4</b>
<b>(9) SLUDGE TREATMENT</b>	
(a) Sludge digesters (anaerobic) .....	4
(i) If heated, add .....	3
(ii) If mechanically or gas mixed, add .....	2
(b) Sludge digesters (aerobic) .....	6
(c) Drying beds or evaporation lagoons .....	2
(d) Thickener clarifier .....	5
(e) Vacuum filter .....	7
(f) Centrifuge .....	7
(g) Incinerator .....	10
(h) Utilizing digester gas for other than heating purpos- es .....	3

When a wastewater treatment plant handles a complex waste or a unique treatment process that is not reflected in the classification system, the director upon recommendations of the board may establish a classification consistent with the intent of the above classification system.

I, Joseph A. Dear, director of the Department of Labor and Industries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to WAC 296-150B-320, Transporting fuel powered vehicles as it relates to recreational vehicles. To conform to new standard covering transporting of fuel burning vehicles, or equipment within the interior of the recreational vehicle.

I, Joseph A. Dear, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is this modification to the rules will provide the department with adequate rules for preserving public health, safety, and general welfare by requiring a definite separation between temporary living quarters and that area that could be used to transport fuel burning vehicles or equipment.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 43.22.340 through 43.22.445 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 17, 1987.

By Joseph A. Dear  
Director

NEW SECTION

**WAC 296-150B-320 TRANSPORTATION OF FUEL POWERED VEHICLES.** (1) *Recreational vehicles as defined in this section, having systems installed to accommodate temporary living quarters, shall not include provisions to internally transport or store any other type of fuel powered vehicle or equipment.*

(2) *Unless a permanent one hour wall assembly, as defined in the Model Building Code, is installed as a permanent partition between storage area and the temporary living area, there shall be no protrusions into this wall assembly. Access to the vehicles or equipment compartment shall be from the exterior of the unit and that access shall be in addition to and separate from the access or exit from the living section. Nothing herein shall exclude the external transport of such equipment.*

**WSR 87-17-065**  
**PROPOSED RULES**  
**DEPARTMENT OF ECOLOGY**  
 [Filed August 19, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning:

- Amd WAC 173-18-280 Okanogan County.
- Amd WAC 173-22-0648 Okanogan County;

that the agency will at 10:00 a.m., Tuesday, September 22, 1987, in Room 154, Abbott Raphael Hall, St. Martin's College Campus, Lacey, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 29, 1987, at 2:15 p.m.

The authority under which these rules are proposed is RCW 90.58.030, [90.58.]120 and [90.58.]200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 22, 1987.

Dated: August 17, 1987

By: Phillip C. Johnson  
 Deputy Director, Programs

**STATEMENT OF PURPOSE**

Title: Amending WAC 173-18-280 Okanogan County and 173-22-0648 Okanogan County.

Description of Purpose: Recognize new information relative to the designation of a shoreline of the state.

Statutory Authority: RCW 90.58.030, 90.58.120 and 90.58.200.

Summary of Rule: The amendment designates Early Winters Creek in Okanogan County as a shoreline of the state.

Reasons Supporting Proposed Action: Information on Early Winters Creek concludes that the mean annual flow of the stream is greater than 20 c.f.s., the minimum criteria for designation as a shoreline of the state.

Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Susan Mauermann, WDOE, Mailstop PV-11, Olympia, WA 98504, (206) 459-6787.

Person or Organization Proposing Rule, and Whether Public, Private, or Governmental: Department of Ecology, state government.

Agency Comments or Recommendation Regarding Statutory Language, Implementation, Enforcement, Fiscal Matters: None.

Whether Rule is Necessary as a Result of Federal Law or Federal or State Court Action: [No information supplied by agency.]

Small Business Economic Impact Statement: Not applicable.

AMENDATORY SECTION (Amending Order DE 77-15, filed 9/1/77)

WAC 173-18-280 OKANOGAN COUNTY. Streams

<u>Stream Name</u>	<u>Quadrangle Name and Size</u>	<u>Legal Description</u>
(1) Beaver Creek	<u>Blue Buck Mt. 7 1/2 Twisp East 7 1/2</u>	From the confluence of Beaver Creek and unnamed creek (NE1/4 of NE1/4 Sec. 26, T34N, R22E) downstream to mouth at Methow River (Sec. 27, T33N, R22E).
(2) Bonaparte Creek	<u>Tonasket 15</u>	From the confluence of Bonaparte Creek and Bannon Creek (Sec. 32, T37N, R28E) downstream to mouth on Okanogan River near Tonasket (Sec. 16, T37N, R27E).
(3) Chewack* River	<u>Doe Mt.* 15 Winthrop 7 1/2</u>	From the Okanogan National Forest boundary (Sec. 2, T35N, R21E) downstream to mouth at Methow River (Sec. 2, T34N, R21E). The flow exceeds 200 cfs MAF at Okanogan N.F. boundary.
(4) Columbia River (cont.)*	<u>Grand Coulee Dam 15 Bridgeport 15 Brewster 15 Wells Dam 7 1/2 Azwell 7 1/2</u>	From the intersection of the Okanogan County line and the Colville Indian Reservation boundary (Sec. 18, T30N, R25E) downstream right bank only to Chelan County line (Sec. 31, T29N, R24E). The flow exceeds 200 cfs MAF at the Colville Indian Reservation boundary.
(5) <u>Early Winters Creek</u>	<u>Mazama 15</u>	<u>From the Okanogan National Forest boundary line (Sec. 23, T29N, R19E) downstream to mouth at Methow River (Sec. 27, same township).</u>
(6) Gold Creek	<u>Concrete AMS Methow 7 1/2</u>	From the confluence of Gold Creek and South Fork Gold Creek (Sec. 17, T31N, R22E) downstream to mouth at Methow River (Sec. 16, same township).
((6))		
(7) Methow River*	<u>Mazama 15* Brewster 15 Doe Mtn. 15 Thompson Ridge 15 7 1/2 Winthrop 7 1/2 Blue Buck Mtn. 7 1/2 Twisp East 7 1/2 Methow 7 1/2 Cooper Mtn. 7 1/2</u>	From the Okanogan National Forest boundary (Sec. 6, T36N, R19E) downstream to mouth at the Columbia River (Sec. 36, T30N, R23E) excluding all federal lands. The stream flow is 200 cfs MAF at confluence of Methow River and Lost River (Sec. 5, T37N, R19E).
((7))		
(8) Myers Creek	<u>Mt. Bonaparte 15</u>	From the confluence of Myers Creek and Mary Ann Creek (Sec. 28, T40N, R30E) downstream to the Canadian Border (Sec. 3, same township).

Stream Name	Quadrangle Name and Size	Legal Description
((#)) (9) Okanogan River*	Oroville* 15 Tonasket 15 Omak Lake 15 Okanogan 15 Bridgeport 15 Conconully 15	From the United States-Canadian Border crossing Osoyoos Lake (Sec. 4&5,T40N,R27E) downstream on both shores to Colville Indian Reservation (Sec.6,T34N,R27E) the west shore only to mouth at Columbia River (Sec.18,T30N,R25E), excluding all federal lands. This stream has over 200 cfs MAF and over 300 sq. miles of drainage area at United States-Canadian Border.
((#)) (10) Sanpoil River (W. Fk.)	Aeneas Valley 15 Aeneas 15	From the confluence of West Fork Sanpoil River and Frosty Creek (Sec. 12,T35N,R30E) to the Okanogan National Forest boundary (Sec.22,T35N,R31E).
((#)) (11) Similkameen River*	Loomis* 15 Oroville 15	From the Canadian Border (Sec.4,T40N,R25E) downstream to mouth at Okanogan River (Sec.9, T39N,R27E) excluding all federal lands. This stream has over 200 cfs MAF and over 300 sq. miles of drainage at Canadian Border.
((#)) (12) Sinlahekin River (Creek)	Conconully 15 Loomis 15	From the confluence on the Sarsapkin Creek and Sinlahekin Creek (Sec. 10,T37N,R25E) downstream to mouth at Palmer Lake (Sec.13,T39N,R25E).
((#)) (13) Toats Coulee Creek	Horseshoe Basin 15 Loomis 15	From the confluence of South and Middle Fork Toats Coulee Creek (Sec.35,T39N,R24E) downstream to mouth at Sinlahekin Creek (Sec. 35,T39N,R25E).
((#)) (14) Toroda Creek	Bodie Mt. 15	From the confluence of Beaver Creek and Toroda Creek (Sec.22,T39N,R31E) downstream to the Ferry County line (Sec.25, T40N,R31E) excluding federal lands.
((#)) (15) Twisp River*	Concrete AMS Winthrop* 7 1/2 Twisp West 7 1/2 Twisp East 7 1/2	From the Okanogan National Forest boundary (Sec.10,T33N,R21E) downstream to mouth at Methow River (Sec.8, T33N,R22E). The flow exceeds 200 cfs MAF at Okanogan N.F. boundary.

**WSR 87-17-066**  
**PROPOSED RULES**  
**LOTTERY COMMISSION**  
[Filed August 19, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Lottery Commission intends to adopt, amend, or repeal rules concerning:

- Amd WAC 315-32-040 Prizes for Lotto.
- Amd WAC 315-32-050 Ticket purchases.
- Amd WAC 315-32-060 Drawings;

that the agency will at 10:00 a.m., Thursday, September 24, 1987, in the Sea-Tac Center I, Room 500, 18000 Pacific Highway South, Seattle, WA, conduct a public hearing on the proposed rules.

The adoption, amendment, or repeal of the rules will take place immediately following the hearing.

The authority under which these rules are proposed is RCW 67.70.040.

The specific statute these rules are intended to implement is RCW 67.70.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 24, 1987.

Dated: August 19, 1987  
By: Evelyn Y. Sun  
Director

**STATEMENT OF PURPOSE**

Title and Number of Rule Section(s) or Chapter(s): WAC 315-32-040 Prizes for Lotto; 315-32-050 Ticket purchases; and 315-32-060 Drawings.

Statutory Authority for the Rule(s): RCW 67.70.040.

Specific Statute that Rules are Intended to Implement: RCW 67.70.040.

Summary of the Rule(s): WAC 315-32-040 authorizes the lottery to pay Lotto prizes with a cash value of \$250,000 or less in a single payment; 315-32-050 establishes the times when Lotto tickets may be sold; and 315-32-060 authorizes the lottery to conduct Lotto drawings on both Wednesday and Saturday.

Reasons Supporting the Proposed Rule(s): WAC 315-32-040 authorizes payment of prizes of \$250,000 in a single payment, will enhance the lottery's marketing program; 315-32-050 is necessary to inform the public of the times when tickets will not be sold after a Wednesday or Saturday Lotto drawing; and 315-32-060 authorizes two drawings per week, will enable the lottery to increase the revenue it generates for the state.

Agency Personnel Responsible for Drafting: Frank Edmondson, Contracts Specialist 3, Office of the Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 586-1088; Implementation and Enforcement: Washington State Lottery Commission, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1412, Evelyn Y. Sun, Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-3330, Scott Milne, Deputy Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-3334, Roger Wilson, Assistant Director, Washington State Lottery, P.O. Box

**AMENDATORY SECTION** (Amending Order 86-06, filed 5/23/86)

WAC 173-22-0648 OKANOGAN COUNTY. Okanogan County designation maps approved June 30, 1972. Revision approved August 28, 1973. Revision approved September 20, 1977. Revision approved September 29, 1987.

9770, Olympia, Washington 98504, (206) 586-1065, and Candice Bluechel, Assistant Director, Washington State Lottery, P.O. Box 9770, Olympia, Washington 98504, (206) 753-1947.

Name of Person or Organization, Whether Private, Public, or Governmental, that is Proposing this Rule: Washington State Lottery Commission.

Agency Comments or Recommendations, if any, Regarding the Statutory Language, Implementation, Enforcement, and Fiscal Matters Pertaining to the Rule: None.

The rule is not necessary to comply with federal law or a federal/state court decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

Small Business Economic Impact Statement: The Office of the Director, Washington State Lottery, has reviewed the requirements to file a small business economic impact statement and has determined that such a statement is not required for the rules proposed by the Washington State Lottery Commission for the following reason: These rules will only affect those businesses, large and small, which voluntarily apply to be licensed retailers for the sale of lottery tickets, or contractors who provide other services to the Office of the Director, Washington State Lottery, or who voluntarily interact with the Office of the Director, Washington State Lottery. No business or industry will be required to comply with these rules unless they wish to provide services to, or interact with, the Office of the Director, Washington State Lottery.

**AMENDATORY SECTION** (Amending Order 92, filed 5/22/86)

WAC 315-32-040 PRIZES FOR LOTTO. (1) The prize amounts to be paid to each Lotto player who selects a winning combination of numbers in the first, second, and third prize categories vary due to the parimutuel calculation of prizes. The prize amounts are based on the total amount in the prize pool for that Lotto drawing distributed over the number of winning tickets in each category. The prize amount to be paid in the fourth prize category is a fixed value and shall be the same regardless of the number of fourth prize winners.

WINNING COMBINATIONS	PRIZE CATEGORIES	ODDS OF WINNING (ONE PLAY)
All six winning numbers in one play	First Prize (Jackpot)	1:7,059,052
Any five but not six winning numbers in one play	Second Prize	1:30,960
Any four but not five or six winning numbers in one play	Third Prize	1:670
Any three but not four, five, or six winning numbers in one play	Fourth Prize	1:42

(2) Prize allocation. The prize allocation consists of forty-five percent of Lotto revenue. The prize allocation will be divided between the prize pool and the prize reserve as follows: Prize pool—forty-three percent of Lotto revenue and prize reserve—two percent of Lotto revenue.

(3) Prize amounts.

(a) First prize (jackpot). Fifty-eight percent of the prize pool is to be divided equally among all players who selected all six winning numbers in one play (in any sequence). The director may increase the cash value of the jackpot by an amount not to exceed the amount in the prize reserve.

(b) Second prize. Ten percent of the prize pool is to be divided equally among all players who selected five of the six winning numbers in one play (in any sequence).

(c) Third prize. Nineteen percent of the prize pool is to be divided equally among all players who selected four of the six winning numbers in one play (in any sequence).

(d) Fourth prize. All players who selected three of the six winning numbers in one play (in any sequence) will receive a free ticket of \$1.00 value for a future purchase of Lotto or Daily Number Game tickets.

(e) Prize reserve. The prize reserve will be held for payment of prizes at the discretion of the director.

(f) All prizes will be rounded to nearest dollar. The remainder or shortages, if any, from the rounding process shall be placed in or taken from the prize reserve.

(g) The holder of a winning ticket may win only one prize per play in connection with the winning number drawn but shall be entitled only to the highest prize category won by those numbers.

(h) The holder of two or more jackpot winning tickets with a cumulative total cash value of \$250,000 or more may elect to receive a single prize based on the total cash value with prize payments in accordance with subsection (5)(a) or (b) ((or)) of this section.

(i) In the event any player who has selected three, four, five, or six of the six winning numbers does not claim the prize won within one hundred eighty days after the drawing in which the prize was won, that player's prize shall be retained in the state lottery account for further use as prizes, pursuant to RCW 67.70.190.

(4) Roll-over feature.

(a) If no player selects all six winning numbers for any given drawing, the jackpot accumulated for that drawing will be added to the jackpot accumulation for the next drawing. This process is repeated until the jackpot is won.

(b) If no player selects five of the six winning numbers for any given drawing, the second prize allocation will be added to the jackpot accumulation for the next drawing or placed in the prize reserve for future consideration at the discretion of the director.

(c) If no player selects four of the six winning numbers for any given drawing, the third prize allocation will be added to the jackpot accumulation for the next drawing or placed in the prize reserve for future consideration at the discretion of the director.

(d) If no player selects three of the six winning numbers for any given drawing, the fourth prize allocation will be added to the jackpot accumulation for the next drawing or placed in the prize reserve for future consideration at the discretion of the director.

(5) Prize payments will be made in accordance with WAC 315-30-030(6), provided, fourth prize winning tickets submitted to the lottery for payment will receive \$1.00 in lieu of a free ticket.

(a) Each prize that has a cash value of \$500,000 or more shall be paid in twenty annual payments.

(b) Each prize that has a cash value ((from)) of more than \$250,000 up to but not including \$500,000 shall, at the discretion of the director, be paid either in ten annual payments or twenty annual payments.

(c) Each prize that has a cash value of ((less than)) \$250,000 or less shall be paid in a single payment.

(d) For prizes paid over a period of years, the lottery will make the first annual payment. The remaining payments will be paid in the form designated by the director.

**AMENDATORY SECTION** (Amending Order 81, filed 11/5/85)

WAC 315-32-050 TICKET PURCHASES. (1) Lotto tickets may be purchased between 6:00 a.m. and 11:00 p.m., Sunday through ((Friday)) Tuesday and from 6:00 a.m. to the time established under WAC 315-30-040(2) on Wednesdays and between 6:00 a.m. and 11:00 p.m., Thursday and Friday and from 6:00 a.m. to the time established under WAC 315-30-040(2) on Saturdays, provided that on-line retailers shall sell tickets only during their normal business hours.

(2) Lotto tickets may be purchased only from a lottery retailer authorized by the director to sell on-line tickets.

(3) Lotto tickets shall on the front of the ticket contain the player's selection of numbers, amount, game grids played, drawing date, and validation and reference numbers. The back of the ticket shall contain overall odds of winning, player instructions, player information and signature area, and the ticket serial number.

(4) Lotto tickets may be purchased for the next drawing only.

**AMENDATORY SECTION** (Amending Order 81, filed 11/5/85)

WAC 315-32-060 DRAWINGS. (1) ((★)) The Lotto drawing shall be held each week on Wednesday and Saturday evenings, except

that the director may change the drawing schedule if Wednesday or Saturday is a holiday.

(2) The drawing will be conducted by lottery officials.

(3) Each drawing shall determine, at random, six winning numbers with the aid of mechanical drawing equipment which shall be tested before and after that drawing. Any drawn numbers shall not be declared winning numbers until the drawing is certified by the lottery. The winning numbers shall be used in determining all Lotto winners for that drawing. If a drawing is not certified, another drawing will be conducted to determine actual winners.

(4) The drawing shall not be invalidated based on the liability of the lottery.

**WSR 87-17-067**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**

[Filed August 19, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the director of the Department of Licensing intends to adopt, amend, or repeal rules concerning the regulation of health care assistants;

that the agency will at 1:30 p.m., Tuesday, September 29, 1987, in the Exam Center, Quince Street Office Building, 1300 Quince Street S.E., Olympia, WA 98504, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place after September 29, 1987.

The authority under which these rules are proposed is RCW 18.135.040.

The specific statute these rules are intended to implement is RCW 18.135.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 29, 1987.

Dated: August 19, 1987

By: John H. Keith  
Assistant Attorney General  
Agency Counsel

**STATEMENT OF PURPOSE**

Name of Agency: Washington State Department of Licensing.

Purpose: The purpose of chapter 308-175 WAC is to implement the provisions of chapter 18.135 RCW dealing with the functions authorized to be performed by health care assistants; the delegation and supervision of these functions, and mechanism for certification of the health care assistants. The proposed rules outline the responsibilities of the department, the delegators and describing training of health care assistants.

Statutory Authority: RCW 18.135.040.

Summary of the Rules: WAC 308-175-040 Recertification of health care assistants; 308-175-050 Department of licensing responsibilities; 308-175-065 Medication and diagnostic agent list; 308-175-075 Health care assistant classification; 308-175-085 Qualified trainee; 308-175-090 Provision of health care assistants training; 308-175-095 Category A minimum requirements; 308-175-100 Category B minimum requirements; 308-175-105 Category C minimum requirements; 308-175-110

Category D minimum requirements; 308-175-115 Category E minimum requirements; 308-175-120 Category F minimum requirements; 308-175-125 Grandfather clause; 308-175-130 Hospital or nursing home drug injection; 308-175-135 Intravenous medications flow restrictions; and 308-175-140 Health care assistant fees.

Reason Proposed: These rules are proposed to implement the provisions of chapter 18.135 RCW adopted by the legislature during the 1986 session.

Responsible Departmental Personnel: In addition to the director of the Department of Licensing, the following individual has knowledge of and responsibility for drafting, implementing and enforcing these rules: Delores Spice, Program Manager, 1300 Quince Street, Olympia, Washington 98504, (206) 753-1761 comm, 234-1761 scan.

Proponents: These rules are proposed by the director, state of Washington Department of Licensing with the advice of designees of the board of medical examiners, the board of osteopathic medicine and surgery, the podiatry board and the board of nursing.

Small Business Economic Impact Statement: A small business economic impact statement is not required since these rules do not impact small business as that term was defined by RCW 43.31.920.

AMENDATORY SECTION (Amending Order PL 515, filed 2/25/85)

WAC 308-175-040 RECERTIFICATION OF HEALTH CARE ASSISTANTS. Updated certification/delegation forms must be submitted within two years from the date of the most recent certification/delegation form on file with the department of licensing. Recertification forms are available from the department of licensing. The department of licensing will not send renewal forms or notifications of necessity to renew certification. It shall be the responsibility of every health care facility and every health care practitioner who certifies health care assistants to submit a recertification application and fees on or before each certification expiration date.

AMENDATORY SECTION (Amending Order PL 515, filed 2/25/85)

WAC 308-175-050 DEPARTMENT OF LICENSING RESPONSIBILITIES. The department of licensing will maintain files with regard to certification of health care assistants and delegation of functions. ~~((No fee shall be charged by the department with regard to certification of health care assistants.))~~ Department of licensing will not approve training programs.

NEW SECTION

WAC 308-175-065 MEDICATION AND DIAGNOSTIC AGENT LIST. The list of specific medications, diagnostic agents, and the route of administration of each that has been authorized for injection pursuant to RCW 18.135.065 shall be submitted to the director within sixty days of initial certification registration and again with every recertification registration. If any changes occur which alter the list, a new list with the delegator and delegatee's signatures must be submitted to the department within thirty days of the change. All submitted lists will be maintained in the department of licensing filed under the name of the certifying practitioner or facility and shall be available for review.

NEW SECTION

WAC 308-175-075 HEALTH CARE ASSISTANT CLASSIFICATION. Effective September 1, 1988, there shall be six categories of health care assistants:

(1) Category A assistants may perform venous and capillary invasive procedures for blood withdrawal.

(2) Category B assistants may perform arterial invasive procedures for blood withdrawal.

(3) Category C assistants may perform intradermal, subcutaneous and intramuscular injections for diagnostic agents and administer skin tests.

(4) Category D assistants may perform intravenous injections for diagnostic agents.

(5) Category E assistants may perform intradermal, subcutaneous and intramuscular injections for therapeutic agents.

(6) Category F assistants may perform intravenous injections for therapeutic agents.

#### NEW SECTION

WAC 308-175-085 QUALIFIED TRAINER. Qualified trainers for health care assistant trainees are:

(1) Delegator with a minimum of two years of current experience (within the last five years) in the appropriate category in which they are providing the training.

(2) Delegates from the appropriate category of health care assistants who has a minimum of two years experience obtained within the last five years in the appropriate procedure.

(3) Licensed nurses who meet the educational and experiential criteria for the appropriate category.

#### AMENDATORY SECTION (Amending Order PL 515, filed 2/25/85)

WAC 308-175-090 PROVISION OF HEALTH CARE ASSISTANTS TRAINING. The training of health care assistants ((as described in WAC 308-175-080)) may be provided either:

(1) Under a licensed physician, osteopathic physician, podiatrist or certified registered nurse with prescriptive authorization, who shall ascertain the proficiency of the health care assistant; or under a registered nurse, physician's assistant, osteopathic physician's assistant, health care assistant, or LPN acting under the direction of a licensed physician, osteopathic physician, podiatrist or certified registered nurse with prescriptive authorization who shall be responsible for determining the content of the training and for ascertaining the proficiency of the health care assistant; or

(2) In a training program provided by a postsecondary institution registered with the Washington state council for post secondary education, or a community college approved by the Washington state board for community college education, or a vocational education program approved by the superintendent of public instruction, or in a private vocational school registered with the Washington state commission on vocational education, or in a program or post-secondary institution accredited by an accrediting agency recognized by the U.S. Department of Education.

#### NEW SECTION

WAC 308-175-095 CATEGORY A MINIMUM REQUIREMENTS. Effective September 1, 1988, category A assistants shall meet all of the following minimum requirements:

(1) Educational and occupational qualifications to perform venous and capillary invasive procedures for blood withdrawal:

(a) High school education or its equivalent;

(b) The ability to read, write, and converse in the English language; and

(c) Adequate physical ability, including sufficient manual dexterity to perform the requisite health care services.

(2) Training and instruction. The category A assistant shall receive training, evaluation(s), and assessment of knowledge and skills to determine entry level competency in the following areas:

(a) Job responsibilities - to cover all areas of the responsibilities to be delegated which include ethical implications and patient confidentiality;

(b) Patient identification process;

(c) Identification of and relationship to licensed health care practitioner;

(d) Procedure requesting process, including forms used, accessing process, and collection patterns;

(e) Materials to be used;

(f) Anatomic considerations for performing such functions as venipuncture, capillary finger collection, heel sticks;

(g) Procedural standards and techniques for blood collection;

(h) Common terminology and practices such as medical classifications, standard diagnoses, test synonyms, background information on procedures, interferences;

(i) Physical layout of the work place, including patient care areas; and

(j) Safety requirements including the handling of infectious disease cases and the handling and disposal of biohazardous materials.

(3) Work experience. The category A assistant should have the following work experience under the direct supervision of a qualified trainer:

(a) Practice technique in a simulated situation;

(b) Observe and perform procedures on patients until the trainee demonstrates proficiency to be certified at the minimum entry level of competency. The time and number of performances will vary with the specific procedure and skill of the trainee; and

(c) Document all training on a checklist appropriate to the facility and the duties and responsibilities of the trainee. This will be completed, signed by the qualified trainer, trainee and delegator and be placed in employee personnel file.

#### NEW SECTION

WAC 308-175-100 CATEGORY B MINIMUM REQUIREMENTS. Effective September 1, 1988, category B assistants shall meet all of the following minimum requirements:

(1) Educational and occupational qualifications to perform arterial invasive procedures for blood withdrawal:

(a) Minimum high school education or its equivalent with additional education to include but not be limited to anatomy, physiology, concepts of asepsis, and microbiology;

(b) The ability to read, write, and converse in the English language; and

(c) Adequate physical ability, including sufficient manual dexterity to perform the requisite health care services.

(2) Training and instruction. The category B assistant shall receive training, evaluation(s), and assessment of knowledge and skills to determine entry level competency in the following areas:

(a) Job responsibilities - to cover all areas of the responsibilities to be delegated which include ethical implications and patient confidentiality;

(b) Patient identification process;

(c) Identification of and relationship to licensed health care practitioner;

(d) Procedure requesting process, including forms used, accessing process, and collection patterns;

(e) Materials to be used;

(f) Anatomic considerations for performing such functions as venipuncture, capillary finger collection, heel sticks, arterial puncture, line draws, and use of local anesthetic agents;

(g) Procedural standards and techniques for blood collection;

(h) Common terminology and practices such as medical classifications, standard diagnoses, test synonyms, background information on procedures, interferences;

(i) Physical layout of the work place, including patient care areas; and

(j) Safety requirements including the handling of infectious disease cases and the handling and disposal of biohazardous materials.

(3) Work experience. The category B assistant should have the following work experience under the direct supervision of a qualified trainer:

(a) Practice technique in a simulated situation;

(b) Observe and perform procedures on patients until the trainee demonstrates proficiency to be certified at the minimum level of competency. The time and number of performances will vary with the specific procedure and skill of the trainee; and

(c) Document all training on a checklist appropriate to the facility and the duties and responsibilities of the trainee. This will be completed, signed by the qualified trainer, trainee, and delegator and be placed in employee personnel file.

#### NEW SECTION

WAC 308-175-105 CATEGORY C MINIMUM REQUIREMENTS. Effective September 1, 1988, category C assistants shall meet all of the following minimum requirements:

(1) Educational and occupational qualifications to perform intradermal (including skin tests), subcutaneous, and intramuscular injections for diagnostic agents:

(a) One academic year of formal education at the post-secondary level. Education shall include but not be limited to anatomy, physiology, basic pharmacology, concepts of asepsis, and microbiology;

(b) The ability to read, write, and converse in the English language;

(c) Possess a basic knowledge of mathematics; and

(d) Adequate physical ability including sufficient manual dexterity to perform the requisite health care services.

(2) Training and instruction. The category C assistant shall receive training, evaluation(s), and assessment of knowledge and skills to determine entry level competency in the following areas:

(a) Job responsibilities – to cover all areas of the responsibilities to be delegated which include ethical implications and patient confidentiality;

(b) Patient identification process;

(c) Identification of and relationship to licensed health care practitioner;

(d) Procedure requesting process to include, but not be limited to, forms used;

(e) Materials to be used;

(f) Anatomic considerations for performing injections;

(g) Procedures for injections of agents will include readily available written, current, organized information. For each agent there shall be instruction concerning dosage, technique, acceptable route(s) of administration and appropriate anatomic sites, expected reactions, possible adverse reactions, appropriate intervention for adverse reaction and risk to patient and employee;

(h) Common terminology and practices such as medical classifications, standard diagnoses, test synonyms, background information on procedures, interferences;

(i) Physical layout of the work place, including patient care areas; and

(j) Safety requirements including the handling of infectious disease cases and the handling and disposal of biohazardous materials.

(3) Work experience. The category C assistant should have the following work experience under the direct supervision of a qualified trainer:

(a) Practice technique in a simulated situation;

(b) Observe and perform procedure on patients until the trainee demonstrates proficiency in each drug classification. The time and number of performances will vary with the specific procedure and skill of the trainee; and

(c) Document all health care assistants' training on a checklist appropriate to the facility and the duties and responsibilities of the trainee. This documentation will be completed, signed by the qualified trainer, trainee, and delegator and be placed in employee personnel file. The trainee must demonstrate minimum entry level skill proficiency before certification can be granted.

#### NEW SECTION

WAC 308-175-110 CATEGORY D MINIMUM REQUIREMENTS. Effective September 1, 1988, category D assistants shall meet all of the following minimum requirements:

(1) Educational and occupational qualifications to perform intravenous injections for diagnostic agents:

(a) Two academic years of formal education at the post-secondary level. Education shall include but not be limited to anatomy, physiology, basic pharmacology, mathematics, chemistry, concepts of asepsis, and microbiology;

(b) The ability to read, write, and converse in the English language; and

(c) Adequate physical ability including sufficient manual dexterity to perform the requisite health care services.

(2) Training and instruction. The category D assistant shall receive training, evaluation(s), and assessment of knowledge and skills to determine entry level competency in the following areas:

(a) Job responsibilities – to cover all areas of the responsibilities to be delegated which include ethical implications and patient confidentiality;

(b) Patient identification process;

(c) Identification of and relationship to licensed health care practitioner;

(d) Procedure requesting process to include, but not be limited to, forms used;

(e) Materials to be used;

(f) Anatomic considerations for performing injections;

(g) Procedures for injections of agents will include readily available written, current, organized information. For each agent there shall be

instruction concerning dosage, technique, acceptable route(s) of administration and appropriate anatomic sites, expected reactions, possible adverse reactions, appropriate intervention for adverse reaction and risk to patient and employee;

(h) Common terminology and practices such as medical classifications, standard diagnoses, test synonyms, background information on procedures, interferences;

(i) Physical layout of the work place, including patient care areas; and

(j) Safety requirements including the handling of infectious disease cases and the handling and disposal of biohazardous materials.

(3) Work experience. The category D assistant should have the following work experience under the direct supervision of a qualified trainer:

(a) Practice technique in a simulated situation;

(b) Observe and perform procedure on patients until the trainee demonstrates proficiency in each drug classification. The time and number of performances will vary with the specific procedure and skill of the trainee; and

(c) Document all health care assistants' training on a checklist appropriate to the facility and the duties and responsibilities of the trainee. This documentation will be completed, signed by the qualified trainer, trainee, and delegator and be placed in employee personnel file. The trainee must demonstrate minimum entry level skill proficiency before certification can be granted.

#### NEW SECTION

WAC 308-175-115 CATEGORY E MINIMUM REQUIREMENTS. Effective September 1, 1988, category E assistants shall meet all of the following minimum requirements:

(1) Educational and occupational qualifications to perform intramuscular, intradermal (including skin tests), and subcutaneous injections for therapeutic agents:

(a) One academic year of formal education at the post-secondary level. Education shall include but not be limited to anatomy, physiology, pharmacological principles and medication administration, mathematics, concepts of asepsis, and microbiology;

(b) The ability to read, write, and converse in the English language; and

(c) Adequate physical ability including sufficient manual dexterity to perform the requisite health care services.

(2) Training and instruction. The category E assistant shall receive training, evaluation(s), and assessment of knowledge and skills to determine entry level competency in the following areas:

(a) Job responsibilities – to cover all areas of the responsibilities to be delegated which include ethical implications and patient confidentiality;

(b) Patient identification process;

(c) Identification of and relationship to licensed health care practitioner;

(d) Procedure requesting process to include, but not be limited to, forms used;

(e) Materials to be used;

(f) Anatomic considerations for performing injections;

(g) Procedures for injections of agents will include readily available written, current, organized information. For each agent there shall be instruction concerning dosage, technique, acceptable route(s) of administration and appropriate anatomic sites, expected reactions, possible adverse reactions, appropriate intervention for adverse reaction, and risk to patient and employee;

(h) Common terminology and practices such as medical classifications, standard diagnoses, test synonyms, background information on procedures, interferences;

(i) Physical layout of the work place, including patient care areas; and

(j) Safety requirements including the handling of infectious disease cases and the handling and disposal of biohazardous materials.

(3) Work experience. The category E assistant should have the following work experience under the direct supervision of a qualified trainer:

(a) Practice technique in a simulated situation;

(b) Observe and perform procedure on patients until the trainee demonstrates proficiency in each drug classification. The time and number of performances will vary with the specific procedure and skill of the trainee; and

(c) Document all health care assistants' training on a checklist appropriate to the facility and the duties and responsibilities of the trainee. This documentation will be completed, signed by the qualified trainer, trainee, and delegator and be placed in employee personnel file. The trainee must demonstrate minimum entry level skill proficiency before certification can be granted.

**NEW SECTION**

WAC 308-175-120 CATEGORY F MINIMUM REQUIREMENTS. Effective September 1, 1988, category F assistants shall meet all of the following minimum requirements:

(1) Educational and occupational qualifications to perform intravenous injections for therapeutic agents:

(a) Two academic years of formal education at the post-secondary level. Education shall include but not be limited to anatomy, physiology, pharmacological principles and medication administration, chemistry, mathematics, concepts of asepsis, and microbiology;

(b) The ability to read, write, and converse in the English language; and

(c) Adequate physical ability including sufficient manual dexterity to perform the requisite health care services.

(2) Training and instruction. The category F assistant shall receive training, evaluation(s), and assessment of knowledge and skills to determine entry level competency in the following areas:

(a) Job responsibilities - to cover all areas of the responsibilities to be delegated which include ethical implications and patient confidentiality;

(b) Patient identification process;

(c) Identification of and relationship to licensed health care practitioner;

(d) Procedure requesting process to include, but not be limited to, forms used;

(e) Materials to be used;

(f) Anatomic considerations for performing injections;

(g) Procedures for injections of agents will include readily available written, current, organized information. For each agent there shall be instruction concerning dosage, technique, acceptable route(s) of administration and appropriate anatomic sites, expected reactions, possible adverse reactions, appropriate intervention for adverse reaction and risk to patient and employee;

(h) Common terminology and practices such as medical classifications, standard diagnoses, test synonyms, background information on procedures, interferences;

(i) Physical layout of the work place, including patient care areas; and

(j) Safety requirements including the handling of infectious disease cases and the handling and disposal of biohazardous materials.

(3) Work experience. The category F assistant should have the following work experience under the direct supervision of a qualified trainer:

(a) Practice technique in a simulated situation;

(b) Observe and perform procedure on patients until the trainee demonstrates proficiency in each drug classification. The time and number of performances will vary with the specific procedure and skill of the trainee; and

(c) Document all health care assistants' training on a checklist appropriate to the facility and the duties and responsibilities of the trainee. This documentation will be completed, signed by the qualified trainer, trainee, and delegator and be placed in employee personnel file. The trainee must demonstrate minimum entry level skill proficiency before certification can be granted.

**NEW SECTION**

WAC 308-175-125 GRANDFATHER CLAUSE. Currently certified health care assistants performing any of the practices authorized in RCW 18.135.010 may continue to be certified or recertified by demonstrating proficiency in the appropriate classification to a delegator as defined in RCW 18.135.020. Retraining or completion of a training program shall not be necessary if the health care assistant is able to so demonstrate. Eligibility for recertification by individuals certified under the provisions of this section shall not be restricted by change of employment.

**NEW SECTION**

WAC 308-175-130 HOSPITAL OR NURSING HOME DRUG INJECTION. (1) Class C, D, E, or F health care assistants working in a hospital or nursing home may administer the following types of drugs by injection:

- Antihistamines
- Antiinfective agents
- Antineoplastic agents
- Autonomic drugs
- Blood derivatives
- Blood formation and coagulation
- Cardiovascular drugs
- CNS agents
- Diagnostic agents
- Electrolytic, caloric and water balance
- Enzymes
- Gastrointestinal drugs
- Gold compounds
- Heavy metal antagonists
- Hormones/synthetic substitutes
- Local anesthetics
- Oxytocics
- Radioactive agents
- Serums toxoids, vaccines
- Skin and mucous membrane agents
- Smooth muscle relaxants
- Vitamins
- Unclassified therapeutic agents

(2) The schedule of drugs in subsection (1) of this section shall not include any controlled substances as defined in RCW 69.50.101 (1)(d), any experimental drug and any cancer chemotherapy agent unless a delegator is physically present in the immediate area where the drug is administered.

**NEW SECTION**

WAC 308-175-135 INTRAVENOUS MEDICATIONS FLOW RESTRICTIONS. (1) Category D and F assistants will be permitted to interrupt an IV, administer an injection, and restart at the same rate.

(2) Line draws may be performed by a category B assistant only if the IV is stopped and restarted by a licensed practitioner.

**NEW SECTION**

WAC 308-175-140 HEALTH CARE ASSISTANT FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Initial 2 year certification	\$10.00
2 year recertification	\$15.00

**WSR 87-17-068**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
[Filed August 19, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 that the state of Washington Department of Licensing intends to adopt, amend, or repeal rules concerning the amending of WAC 308-124-001, 308-124-005, 308-124-007, 308-124-021, 308-124A-010, 308-124A-020, 308-124A-025, 308-124A-030, 308-124A-040, 308-124A-110, 308-124A-120, 308-124A-130, 308-124A-410, 308-124A-420, 308-124A-450, 308-124B-100, 308-124B-120, 308-124B-130, 308-124C-010, 308-124C-030, 308-124C-040, 308-124E-011, 308-124F-010, 308-124H-010, 308-

124H-030, 308-124H-040, and 308-124H-070; new 308-124A-205, 308-124D-050 and 308-124H-038; and repealing WAC 308-124B-040 and 308-124A-210;

that the agency will at 9:00 a.m., Thursday, September 24, 1987, in the Manito Room, Cavanaugh's Inn at the Park, West 303 North River Drive, Spokane, WA 99201, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place at a later date.

The authority under which these rules are proposed is RCW 18.85.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 18, 1987.

Dated: August 19, 1987

By: Ann Silvernale  
Assistant Attorney General

#### STATEMENT OF PURPOSE

Title and Number of Rule Section and Chapter: WAC 308-124-001 Promulgation—Authority, 308-124-005 Organization, 308-124-007 Meetings, 308-124-021 Definitions, 308-124A-010 Character report, 308-124A-020 Application for a license—Fingerprinting, 308-124A-025 Notice required of intention to take examination, 308-124A-030 Successful applicants must apply for license, 308-124A-040 Unsuccessful broker applicants—Loss of waiver privilege, 308-124A-110 Application for real estate examination, licensed in foreign state, 308-124A-120 Application for license by employing broker, 308-124A-130 Salesperson, associate brokers—Termination of services, 308-124A-205 Corporate license renewal—Proof required, 308-124A-210 Corporate or copartnership application for land development representative—Proof required, 308-124A-410 Application for broker license examination—Two years sales experience, 308-124A-420 Application for broker license examination, other qualification or related experience, 308-124A-450 Examination procedures, 308-124B-040 Branch offices operating under another name, 308-124B-100 Office identification, 308-124B-120 Change of office location, 308-124B-130 Names prohibited, 308-124C-010 Licensee's responsibilities, 308-124C-030 Accuracy and accessibility of records, 308-124C-040 Suit or complaint notification, 308-124D-050 Property management agreements and disclosures, 308-124E-011 Administration of funds held in trust, 308-124F-010 Real estate office in same building as residence requirements, 308-124H-010 Approval of real estate courses to satisfy clock hour requirements, 308-124H-030 Filing of courses, 308-124H-038 Course titles, 308-124H-040 Approval of classes and 308-124H-070 Completion of courses.

Statutory Authority for Adopting Rules and Specific Statute that the Rules are Intended to Implement: These rules are proposed under authority of RCW 18.85.040 and intended to implement RCW 18.85.040.

Summary of Rules and Reasons Supporting the Rules: The following amendments and repeals to existing rules are housekeeping changes: WAC 308-124-001, 308-124-005, 308-124-007, 308-124-021, 308-124A-210, 308-124A-420, 308-124A-450, 308-124B-040, 308-

124B-100, 308-124B-120, 308-124H-010, 308-124H-030 and 308-124H-040. The amendment to WAC 308-124A-010 removes the requirement for credit reports from applicants. The amendment to WAC 308-124A-020 requires fingerprints only from applicants convicted of a felony within ten years prior to the application and includes applicants for an associate real estate brokers license. The amendment to WAC 308-124A-025 provides that dishonored checks for license fees will result in a determination that the applicant is incomplete and provides that applications must be submitted by a deadline date for the applicant to sit for the next examination. The amendment to WAC 308-124A-040 deletes the availability for a second waiver of the necessary sales experience to take the broker's examination. The amendment to WAC 308-124A-110 authorizes the acceptance of applicants licensed in another jurisdiction whose licenses were in good standing during the six months prior to making the application even if the license in the other jurisdiction is not currently active. The amendment to WAC 308-124A-120 requires that signatures on applications be original signatures. The amendment to WAC 308-124A-130 clarifies the termination date of employment with brokers. New section WAC 308-124A-205 requires corporations to be currently registered with the Secretary of State to obtain renewals of their licenses. The amendment to WAC 308-124B-130 disallows the issuance of a license in a name similar to a previously issued license. The amendment to WAC 308-124C-010 requires licensees to keep the director notified of their current addresses and requires brokers to keep their offices and records accessible to auditors from the department. The amendment to WAC 308-124C-030 clarifies the responsibility for accuracy of the trust account records when an office changes brokers. The amendment to WAC 308-124C-040 requires all licensees to advise the department when they are named as defendants in any suit involving their business activity. New section WAC 308-124D-050 requires written property management agreements with certain disclosures to the property owners. The amendment to WAC 308-124E-011 requires trust account records to be maintained with a particular accounting method. The amendment to WAC 308-124F-010 authorizes offices in any residential building meeting the requirements specified rather than restricting the building to only the broker's residence. New section WAC 308-124H-038 prohibits courses not approved by the director from using titles that could be construed as courses approved by the director. The amendment to WAC 308-124H-070 clarifies when documentation evidencing the completion of required courses are to be submitted to the department.

Agency Personnel Responsible for the Drafting, Implementation and Enforcement of the Rule: Theresa Anna Aragon, Director, Department of Licensing, Fourth Floor, Highways—Licenses Building, Olympia, WA 98504, 234-5029 scan, 753-5029 comm; Bob Van Schoorl, Assistant Director, Business and Professions, First Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98502, 234-2241 scan, 753-2241 comm; and Jon Clark, Program Manager, Professional

Program Management Division, Fourth Floor, Eastside Plaza Building, 1300 Quince Street, Olympia, WA 98502, 234-0775 scan, 753-0775 comm.

Name of Person or Organization that is Proposing these Rules: Department of Licensing.

Agency Comments or Recommendations, if any, Regarding Statutory Language, Implementation, Enforcement and Fiscal Matters Pertaining these Rules: None.

These Rules are not Necessary to Comply with a Federal Law or State Court Decision.

Any Other Information that may be of Assistance in Identifying the Rule or its Purpose: None.

The department has reviewed the impact that the adoption of these rules would have on real estate brokers and salespersons and schools offering real estate courses. Real estate brokers and salespersons are most appropriately classed in SIC CODE 6531. They account for more than 10 percent of the firms and individuals in this area. They are less than 20 percent of all firms and individuals in all industries. Cost for small business is estimated to be zero. Any impact that these proposed rules may have is intended to fall equally on all real estate brokers and salespersons.

AMENDATORY SECTION (Amending Order RE 120, filed 9/20/77)

WAC 308-124-001 PROMULGATION—AUTHORITY. The director of the department of licensing, state of Washington, pursuant to the authority vested in the director by 18.85.040 RCW, does hereby promulgate the following rules and regulations relating to the licensing of real estate brokers, associate real estate brokers and real estate ~~((salesmen))~~ salespersons, and the registration of land development representatives.

AMENDATORY SECTION (Amending Order 130, filed 8/13/82)

WAC 308-124-005 ORGANIZATION. The principal location of ~~((the))~~ Real Estate ~~((Division))~~ Program Management is on the ~~((Sixth))~~ Fourth Floor, ~~((Highways—Licenses))~~ Quince Street Building, ~~((12th and Franklin))~~ 1300 Quince Street, Olympia, Washington 98504. ~~((The division maintains a Seattle office at 320 North 85th Street, Seattle, Washington 98103. The division maintains))~~ A Spokane office is at East 11530 Sprague Avenue, Spokane, Washington 99206.

~~((The))~~ Real estate ~~((division))~~ program management of the business and professions administration of the department of licensing administers the Washington real estate license law, chapter 18.85 RCW. The real estate commission, composed of the director of the department of licensing and six commission members, appointed by the governor from the real estate industry, prepares or reviews and approves examination questions for license applicants, holds real estate education conferences, advises the director as to the issuance of rules and regulations governing the activities of real estate brokers and ~~((salesmen))~~ salespersons and performs such other duties and functions as prescribed by chapter 18.85 RCW. Submissions and requests for information regarding real estate licenses, the real estate commission, or the real estate ~~((division))~~ program, may be sent in writing to the ~~((Administrator;))~~ Real Estate ~~((Division))~~ Program Manager, Department of Licensing, P.O. Box ~~((247))~~ 9649, Olympia, Washington 98504.

AMENDATORY SECTION (Amending Order RE 114, filed 7/2/75)

WAC 308-124-007 MEETINGS. The real estate commission meets quarterly or at the call of the director. Individuals desiring to be informed as to date, time and place and agenda of the meeting must make a written request to the ~~((administrator of the))~~ real estate ~~((division))~~ program manager.

AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124-021 DEFINITIONS. (1) Words and terms used in these rules shall have the same meaning as each has under chapter 18.85 RCW unless otherwise clearly provided in these rules, or the context in which they are used in these rules clearly indicates that they be given some other meaning.

(2) "Designated broker" is the natural person designated by a corporation or partnership to act as a broker on behalf of the corporation or partnership. The designated broker must be an officer of the corporation or a general partner of the partnership and must be separately qualified for licensure as a real estate broker.

(3) "Principal owner" is a person who owns or controls, directly or indirectly, ten percent or more of a real estate brokerage, regardless of whether such interest stands in the person's true name or in the name of a nominee.

(4) "Individual broker" is the natural person who owns a sole proprietorship brokerage company and is the licensed broker of the firm.

(5) "Incorporated associate broker" is the natural person qualified as a broker who works with a broker and who is licensed as a corporation and whose license states that he or she is associated with a broker.

(6) ~~((Administrator))~~ "Real estate program manager" is the person appointed by the director of the department of licensing to administer the real estate ~~((division))~~ program of the department of licensing.

AMENDATORY SECTION (Amending Order RE 125, filed 10/23/78)

WAC 308-124A-010 ~~((CREDIT AND))~~ CHARACTER REPORT. ~~((+))~~ Any person making application for registration as a land development representative pursuant to chapter 18.85 RCW, must as an integral part of the application, supply the director with satisfactory proof of applicant's identification ~~((;))~~ and good moral character ~~((and credit rating))~~. Proof of ~~((credit and))~~ good moral character ~~((rating))~~ shall be obtained and attested by the employing broker upon a form to be provided by the ~~((real estate division))~~ department.

~~((2))~~ Any person making application for a real estate broker's license must as an integral part of the application, supply the director with satisfactory proof of applicant's character and credit rating. Such proof shall be obtained and provided by a recognized credit reporting agency (credit bureau) in a form approved by the real estate division.)

AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124A-020 APPLICATION FOR A LICENSE—FINGERPRINTING. All persons who have been convicted of a felony within ten years of application must submit fingerprint identification, on a form provided by the ~~((real estate division))~~ department when making application for:

- (1) A real estate salesperson license;
- (2) An individual broker license;
- (3) A corporation or partnership broker license; ~~((or))~~
- (4) An associate real estate broker license; or
- (5) A land development representative registration.

~~((The applicant is not required to submit a new fingerprint form if he or she has filed a fingerprint form with the real estate division within one calendar year preceding the application.))~~

AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124A-025 NOTICE REQUIRED OF INTENTION TO TAKE EXAMINATION. Any person desiring to take an examination for a real estate broker or real estate salesperson license must file a completed application together with the correct fee and supporting documents with the ~~((real estate))~~ licensing division of the department of licensing ~~((;))~~. Dishonored checks will be considered as an incomplete application. The applicant will be assigned to the first available examination subsequent to determination of eligibility. The cutoff date for eligibility for any specific examination is available to the applicant upon request. Any application postmarked after the cutoff date will not be accepted for that examination, but will be assigned to the next available examination. An applicant shall forfeit all examination fees for any examination or examinations for which the applicant has applied and does not take for any reason, other than through

the fault or mistake of the ~~((real estate division))~~ department of licensing.

AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124A-030 **SUCCESSFUL APPLICANTS MUST APPLY FOR LICENSE.** ~~((+))~~ Examination results are valid for one year only. Any person who has passed the examination for real estate broker or real estate salesperson licensure must become licensed within one year from the date of such examination. Failure to comply with this provision will necessitate the taking and passing of another examination prior to licensure.

AMENDATORY SECTION (Amending Order 130, filed 8/13/82)

WAC 308-124A-040 **UNSUCCESSFUL BROKER APPLICANTS—LOSS OF WAIVER PRIVILEGE.** Whenever any applicant for a broker's license receives a waiver from the requirement of two years of actual experience as a full time real estate ~~((salesman))~~ salesperson based upon approval of alternative qualifications, but subsequently fails to pass the broker's examination, the applicant shall lose the privilege of the waiver and must satisfy the requirement as provided in RCW 18.85.090. ~~((However, the director may again waive this requirement, upon the recommendation of the real estate commission. The commission's recommendation shall be based upon the applicant's affirmative showing that it is reasonably likely that the applicant will pass the next examination, including in such showing circumstances accounting for the failure to pass the earlier examination.))~~

AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124A-110 **APPLICATION FOR REAL ESTATE EXAMINATION, LICENSED IN FOREIGN STATE.** Any person applying for a real estate broker or real estate salesperson examination who is actively licensed in another state, territory of the United States or province of the Dominion of Canada and has maintained his or her license in good standing or who was actively licensed in good standing within the preceding six months may become licensed as a Washington resident real estate broker, associate broker or salesperson after passing an examination on Washington law and real estate practices if he or she meets the minimum requirements established by RCW 18.85.090, 18.85.095, and/or 18.85.120 whichever is (are) applicable.

AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124A-120 **APPLICATION FOR LICENSE BY EMPLOYING BROKER.** A person who desires to be licensed as a real estate salesperson or associate broker shall make application on a form furnished by the director and signed by the broker or designated broker to whom the license will be issued. The branch manager may sign for the broker or designated broker for licenses to be issued to that branch office. All signatures must be original.

AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124A-130 **SALESPERSON, ASSOCIATE BROKERS—TERMINATION OF SERVICES.** A person licensed as salesperson or associate broker may perform duties and activities as licensed only under the direction and supervision of a licensed individual broker or designated broker and as a representative of such broker. This relationship may be terminated unilaterally by either the broker or salesperson or associate broker. Notice of such termination shall be given by the broker to the director without delay and such notice shall be accompanied by and include the surrender of the salesperson's or associate broker's license. The broker may not condition his or her surrender of license to the director upon performance of any act by the salesperson or associate broker. Notice of termination shall be provided by signature of the broker, or a person authorized by the broker to sign for the broker, on the surrendered license of the salesperson or associate broker or surrender of the license by the licensee to the department. The broker, or person authorized by the broker to sign for the broker, shall place the termination date on the surrendered license or if the licensee is terminating the relationship and the licensee surrenders the license to the department then the termination date shall be the postmark date or date hand delivered to the department.

#### NEW SECTION

WAC 308-124A-205 **CORPORATE LICENSE RENEWAL—PROOF REQUIRED.** Applicants for renewal of corporate license shall furnish proof of current master license renewed by authority of secretary of state.

AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124A-410 **APPLICATION FOR BROKER LICENSE EXAMINATION—TWO YEARS SALES EXPERIENCE.** To qualify for two years of actual experience as a full time real estate salesperson, applicants for a real estate broker license examination shall provide evidence of either:

- (1) A minimum of forty hours per week spent in licensed real estate ~~((sales))~~ activity for the period; or
- (2) A major source of income from licensed real estate ~~((sales))~~ activity continuously for the period.

AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124A-420 **APPLICATION FOR BROKER LICENSE EXAMINATION, OTHER QUALIFICATION OR RELATED EXPERIENCE.** Applications for a real estate broker license examination by persons who do not possess two years of actual experience as a full time real estate salesperson as required by RCW 18.85.090 which show other and similar qualifications, or qualification by reason of practical experience in a business allied with or related to real estate ~~((alternative qualifications or experience))~~ shall be submitted to the ~~((administrator of the))~~ Real Estate ~~((Division))~~ Program Manager, P.O. Box ((247)) 9649, Olympia, Washington 98504. The application shall be accompanied by a letter requesting approval of alternative qualifications or experience and indicating the basis for such approval. The letter must include a detailed personal history or work resume, with appropriate documentation, and a letter from each of five ~~((persons))~~ business associates describing from personal knowledge the qualifications and experience of the applicant. The following guidelines are provided as examples of experience which may qualify in lieu of two years of full time sales experience:

- (1) Post-secondary education with major study in real estate together with one year experience as a real estate salesperson or one year experience under the provisions of subsections (2) - (7) below.
- (2) Experience as an attorney at law with practice in real estate transactions for not less than one year.
- (3) Five years' experience, with decision responsibility, in closing real estate transactions for escrow companies, mortgage companies, or similar institutions.
- (4) Five years' experience as an officer of a commercial bank, savings and loan association, title company or mortgage company, involving all phases of real estate transactions.
- (5) Five years' experience as a real property fee appraiser or salaried appraiser for a governmental agency.
- (6) Five years' experience in all phases of land development, construction, financing, selling and leasing of residences, apartments or commercial buildings.
- (7) Five years' experience in real estate investment, property management, or analysis of investments or business opportunities.

All time periods suggested in these guidelines shall be within the last seven years prior to the date of application.

AMENDATORY SECTION (Amending Order PM 595, filed 5/12/86, effective 10/1/86)

WAC 308-124A-450 **EXAMINATION PROCEDURES.** (1) Each applicant will be required to present one piece of positive identification which bears a photograph of the applicant. In the event the applicant has no photo identification, the applicant will be required to make prior arrangements with the ~~((real estate))~~ licensing division not later than ten working days prior to the examination. Failure to produce the required identification will result in the applicant being refused admission to the examination.

(2) Applicants will be required to refrain from talking to other examinees during the examination unless specifically directed or permitted to do so by a test monitor. Any applicant observed talking or attempting to give or receive information; using unauthorized materials during any portion of the examination; or removing test booklets

and/or notes from the testing room will be subject to denial of a license.

(3) Applicants who participate in disruptive behavior during the examination will be required to turn in their test materials to the test monitor and leave the examination site. Their opportunity to sit for the examination will be forfeited. Their answer sheet will be voided. A voided answer sheet will not be scored and the examination fee will not be refunded. A candidate must then reapply to take the examination.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-124A-210 CORPORATE OR COPARTNERSHIP APPLICATION FOR LAND DEVELOPMENT REPRESENTATIVE—PROOF REQUIRED.

#### AMENDATORY SECTION (Amending Order RE 114, filed 7/2/75)

WAC 308-124B-100 OFFICE IDENTIFICATION. Any main or branch office of the real estate broker shall be identified by displaying the name, visible to the public, of the broker ((~~firm name~~)) as licensed at the address appearing on the ((~~office~~)) license.

#### AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124B-120 CHANGE OF OFFICE LOCATION. The real estate broker shall notify the director of the change of location and mailing address of the broker's office by promptly filing a completed change of address application with the ((~~administrator~~)) department together with the return of all licenses and payment of the correct fees.

#### AMENDATORY SECTION (Amending Order RE 114, filed 7/2/75)

WAC 308-124B-130 ((~~DECEPTIVE~~)) NAMES PROHIBITED. A real estate broker shall not be issued a license nor advertise in any manner using names or trade styles which are similar to previously issued licenses or imply that the real estate firm is a nonprofit organization, research organization, public bureau or public group.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-124B-040 BRANCH OFFICES OPERATING UNDER ANOTHER NAME.

#### AMENDATORY SECTION (Amending Order RE 128, filed 2/10/81)

WAC 308-124C-010 LICENSEE'S RESPONSIBILITIES. (1) The real estate broker shall be responsible for the custody, safety and correctness of entries of all required real estate records. The broker retains this responsibility even though another person or persons may be assigned by the broker the duties of preparation, custody or recording.

(2) It is the responsibility of each and every licensee to obtain a copy of and be knowledgeable of and keep current with the rules implementing chapter 18.85 RCW.

(3) It is the responsibility of each and every licensee to keep the director informed of his or her current home address.

(4) It is the broker's responsibility to ensure accessibility of their offices and records to auditors of the department.

#### AMENDATORY SECTION (Amending Order 130, filed 8/13/82)

WAC 308-124C-030 ACCURACY AND ACCESSIBILITY OF RECORDS. All required real estate records shall be accurate, posted and kept up to date. All required real estate records shall be kept at an address where the real estate broker is licensed to maintain a real estate office. Such records shall be retained and available for inspection by the director or the director's authorized representative for a minimum of three years. While RCW 18.85.230(20) requires the retention of records for three years, licensees should be aware that the applicable statute of limitations may vary from this three-year retention period.

In the case of a corporate brokerage firm, the responsibility imposed by this section shall apply to both the corporation and the natural person designated and licensed to act as broker for the corporation. Prior to issuing a new license indicating a change of designated broker for a corporate licensee, the licensee must submit evidence that the requirements have been satisfied. ~~((Such evidence may take either of the following forms:~~

(1)) A statement signed by both the outgoing designated broker and the incoming designated broker, listing all outstanding client trust liabilities, copies of trust account bank statements and the latest trust account reconciliations and certifying that funds in hand in the trust account maintained by the licensee are adequate to meet these client trust liabilities(;

(2) ~~An audit performed at the request of, and at the expense of, the licensee by the audit staff of the real estate division. The incoming designated broker shall not be deemed responsible for any discrepancy identified during such an audit))~~ will satisfy this requirement. The incoming designated broker shall not be deemed responsible for any discrepancy identified in the statement, unless the incoming designated broker contracted to accept such responsibility.

#### AMENDATORY SECTION (Amending Order RE 114, filed 7/2/75)

WAC 308-124C-040 SUIT OR COMPLAINT NOTIFICATION. Every licensee shall, within twenty days after service or knowledge thereof, notify the ((~~administrator of the real estate division~~)) real estate program manager of any suit, complaint, counterclaim or cross complaint served or filed in any court of competent jurisdiction, civil or criminal, in which the licensee is named as a defendant; and in which the subject matter, thereof, involves any real estate or business activity of the defendants therein named ~~((in which any of the grounds enumerated in RCW 18.85.230 are in issue))~~.

#### NEW SECTION

WAC 308-124D-050 PROPERTY MANAGEMENT AGREEMENTS AND DISCLOSURES. (1) All properties managed by the broker must be supported by a written management agreement signed by the owner and broker and retained. The management agreement must state as a minimum: (a) The broker's compensation (b) the type (i.e., apartments, industrial) and number of individual units in the project or square footage (if other than residential) (c) whether or not the broker is authorized to collect funds and disburse funds and for what purposes (d) authorization, if any, to hold security deposits and the manner in which security deposits may be disbursed and (e) the frequency of furnishing summary statements to the owner.

(2) All properties rented or leased by the firm must be supported by a written rental or lease agreement.

(3) Each owner of property managed by the broker must be provided a summary statement as provided in the property management agreement for each property managed showing: (The broker is to retain a true copy of this statement.)

(a) Balance carried forward from previous summary statement.

(b) Total rent receipts.

(c) Owner contributions.

(d) Other itemized receipts.

(e) Itemization of all expenses paid.

(f) Ending balance.

(g) Number of units rented or square footage if other than residential.

(4) The broker may provide other services to owners of properties managed provided full disclosure to the owner is provided in writing of the broker's relationship with any and all persons providing such services, prior disclosure of fees charged, and permission is granted by the owner.

#### AMENDATORY SECTION (Amending Order 136R, filed 10/11/85)

WAC 308-124E-011 ADMINISTRATION OF FUNDS HELD IN TRUST. Any real estate broker who receives funds or moneys from any principal or any party to a real estate transaction, property management agreement, or collection agreement shall hold the funds or moneys in trust for the purposes of the transaction or agreement, and shall not utilize such funds or moneys for the benefit of the broker

or any person not entitled to such benefit. Except as specifically provided in this section, funds or moneys received in trust shall be deposited in a Washington state banking institution approved by the banking division, department of general administration, state of Washington, or successor. The broker is responsible for depositing, holding, disbursing and accounting for funds in trust as provided herein.

(1) Bank accounts shall be designated as trust accounts in the firm name of the real estate broker as licensed. Trust bank accounts shall be noninterest-bearing demand deposit accounts, except as follows:

(a) Interest-bearing trust bank accounts containing funds pertaining to an individual real estate or business opportunity transaction may be established by the broker if directed by written agreement signed by the principals to the transaction and specifying the manner of distribution of accumulated interest to the parties to the transaction.

(b) Interest-bearing trust bank accounts or dividend-earning investment accounts containing only funds held on behalf of an individual owner of income property managed by the broker may be established by the broker when directed by written management agreement or directive signed by the owner: PROVIDED, That all interest or earnings shall accrue to the owner.

(c) Interest-bearing trust bank accounts containing only damage or security deposits received from tenants of residential income properties managed by the broker for an individual owner may be established by the broker when directed by written management agreement, and the interest on such trust bank accounts may be paid to the owner (landlord), if the broker is by written agreement designated as "representative of the landlord" under the provisions of RCW 59.18.270, Residential Landlord-Tenant Act.

(d) Interest credited to a clients account must be recorded as a liability on client ledger. Interest assigned or credited to the broker may not be paid to the trust account. The broker is responsible to make arrangements with the financial institution to credit this interest to the general account of the firm, (or other account as agreed).

(e) The broker is not required to establish individual interest-bearing accounts for each owner when all owners assign the interest to the broker.

(f) A common account, usually referred to as a "clearing account" may be established if desired. (Primarily used in property management operations.) No funds which belong to the broker or firm shall be maintained in this account.

(2) The broker shall establish and maintain a system of records and procedures approved by the director that provide an audit trail accounting for all funds received and disbursed, identified to the account of each individual client. Records and procedures described herein meet approval requirements. Any alternative records or procedures proposed for use by a broker shall be approved in advance by the real estate division, department of licensing.

(3) Any property management accounting system is to be an accounting of cash received and disbursed by the managing broker only. Any other method of accounting offered to owners for their rental properties, units and/or complexes are to be supplementary to the brokers accounting of all cash received and disbursed through his/her trust account(s). All owners summary statements must include this accounting.

(4) The real estate broker shall be responsible for deposits, disbursements or transfers of clients' funds received and held in trust, whether disbursed by personal signature, signature plate or signature of another person authorized to act on the broker's behalf.

((4)) (5) All funds or moneys received for any reason pertaining to the sale, renting, leasing or option of real estate or business opportunities or contract or mortgage collections shall be deposited in the broker's real estate trust bank account not later than the first banking day following receipt thereof; except

(a) Checks received as earnest money deposits when the earnest money agreement states that a check is to be held for a specified length of time or until the occurrence of a specific event; and

(b) Checks, funds or moneys received as rent, contract payments or mortgage payments on real estate or business opportunities, contracts or mortgages owned exclusively by the real estate broker or the broker's real estate firm.

((5)) (6) All checks, funds or moneys received shall be identified by the day received and by the amount, source and purpose on either a cash receipts journal or duplicate receipt retained as a permanent record.

((6)) (7) All deposits to the trust bank account shall be documented by duplicate deposit slip, validated by bank imprint or electronic transfer memo identifying the source of funds and transaction to

which it applies. Receipt of funds by wire transfer are to be posted in the same manner as other receipts provided there is a traceable identifying number provided by the financial institution or transferring entity. The broker must also make arrangements for a follow-up "hard-copy" receipt for the deposit.

((7)) (8) An individual client's ledger sheet shall be established and maintained for each client for whom funds are received in trust, to which ledger sheet all receipts and disbursements shall be posted. The credit entries must show the date of deposit, amount of deposit, and item covered (e.g., "earnest money deposit," "down payment," "rent," "damage deposit," "rent deposit"). The debit entries must show the date of the check, check number, amount of the check, name of payee and item covered. The "item covered" entry may indicate a code number per chart of accounts, or may be documented by entry in a cash receipts journal, cash disbursements journal, or check voucher.

((8)) (9) The real estate trust bank account balance must be equal at all times to the outstanding trust liability to clients. The balance shown in the check register or bank control account must equal the total liability to clients (the sum of credit balances of all individual clients' ledger sheets).

((9)) (10) The broker shall be responsible for preparation of a monthly trial balance of the client's ledger, reconciling the ledger with both the trust account bank statement and the trust account check register or bank control account.

((10)) (11) All disbursements of trust funds shall be made by check, or electronic transfer, drawn on the real estate trust bank account and identified thereon to a specific real estate or business opportunity transaction. The number of each check, amount, date, payee, items covered and the specific client's ledger sheet debited must be shown on the check stub or check register and all data must agree exactly with the check as written.

(a) The preauthorization of disbursements or deductions by the financial institution for recurring expenses such as mortgage payments on behalf of the owner is not permitted if the account contains tenant security deposits or funds belonging to more than one client.

(b) No disbursement from the trust account shall be made based upon wire transfer receipts until the deposit has been verified.

(c) The broker must make arrangements with the financial institution in which the trust account is located to provide a follow-up "hard-copy" debit memo when funds are disbursed via wire transfer.

(d) The broker shall retain in the transaction file a copy of instructions signed by the owner of funds to be wire-transferred which identifies the receiving entity and account number.

((11)) (12) Voided checks written on the trust bank account shall be permanently defaced and shall be retained.

((12)) (13) A separate check shall be drawn on the real estate trust bank account, payable to the broker as licensed, for each commission earned, after the final closing of the real estate or business opportunity transaction. Each commission check shall be identified to the transaction to which it applies. Property management activities shall not be considered "transactions" for this purpose. Therefore a single check may be drawn in payment of all property management fees and commissions, if such check is supported by a schedule of commissions identified to each individual client. Property management commissions shall be withdrawn at least once monthly.

((13)) (14) Commissions owed to another real estate broker may be paid from the real estate trust bank account. Those commissions shall be paid promptly upon receipt of funds. Commissions shared with another broker are a reduction of the gross commissions received.

((14)) (15) No deposits to the real estate trust bank account shall be made of funds:

(a) That belong to the real estate broker or the real estate firm, including funds to "open" the bank account or to keep the account from being "closed"; or

(b) That do not pertain to a client's real estate or business opportunity sales transaction or are not received in connection with a client's rental, contract or mortgage collection account.

((15)) (16) No disbursements from the real estate trust bank account shall be made:

(a) For items not pertaining to a specific real estate or business opportunity transaction or a rental, contract or mortgage collection account;

(b) In advance of the closing of a real estate or business opportunity transaction or before the happening of a condition set forth in the earnest money agreement, to any person or for any reason, without a written release from both the purchaser and the seller; except that

(i) If the agreement terminates according to its own terms prior to closing, disbursement of funds shall be made as provided by the agreement without a written release; and

(ii) Funds may be disbursed to the escrow agent designated in writing by the purchaser and seller to close the transaction, reasonably prior to the date of closing in order to permit checks to clear;

(c) Pertaining to a specific real estate or business opportunity transaction or a rental, contract or mortgage collection account in excess of the actual amount held in the real estate trust bank account in connection with that transaction or collection account;

(d) In payment of a commission owed to any person licensed to the real estate broker or in payment of any business expense of the broker. Payment of commissions to persons licensed to the broker or of any business expense of the broker shall be paid from the regular business bank account of the broker;

(e) For bank charges of any nature, including bank services, checks or other items. Bank charges are business overhead expenses of the broker. Arrangements must be made with the bank to have any such charges applicable to the real estate trust bank account charged to the broker's regular business bank account, or to provide a separate monthly statement of bank charges so that they may be paid from the broker's business bank account; or

(f) Of funds received as a damage or security deposit on a lease or rental contract for property managed by the broker to the landlord or any other person without the written agreement of the tenant, until the end of the tenancy when the funds are to be disbursed to the person or persons (tenant, landlord, or assigns) entitled to the funds as provided by the terms of the rental or lease agreement and consistent with the provisions of RCW 59.18.270, Residential Landlord-Tenant Act, or other appropriate statute.

~~((+6))~~ (17) The provisions of this chapter are applicable to manual or computerized accounting systems. For clarity, the following is addressed for computer systems:

(a) The system must provide for a capability to back-up all data files.

(b) Receipt and check registers will be printed at least once monthly (thirty-one days) and retained as a permanent record. Reconciliation and trial balance will be accomplished at least once monthly, printed and retained as a permanent record.

(c) The broker will maintain a printed, dated source document file to support any changes to existing accounting records.

(d) If the program has the ability to write checks, the check number must be preprinted on the check or retained voucher copy by the supplier (printer). The program may, if desired assign suffixes or subaccount codes before or after the check number for identification purposes.

(e) The check number must appear in the magnetic coding (usually at the bottom of the check) which also identifies the account number for readability by the financial institution computer.

**AMENDATORY SECTION** (Amending Order RE 129, filed 2/10/81)

WAC 308-124F-010 REAL ESTATE OFFICE IN SAME BUILDING AS RESIDENCE REQUIREMENTS. A real estate broker may maintain an office in ~~((the))~~ a residential building ~~((wherein the broker resides))~~ provided: (1) The office is separate from any living quarters; (2) the office is identified as a real estate office by a sign at the office entrance that is visible to the public; (3) the office entrance is open to the public and does not lead through any living quarters; (4) the office is in conformance with existing zoning; and (5) the office is accessible to the public by a reasonably locatable street address.

**AMENDATORY SECTION** (Amending Order 136R, filed 10/11/85)

WAC 308-124H-010 APPROVAL OF REAL ESTATE COURSES TO SATISFY CLOCK HOUR REQUIREMENTS. RCW 18.85.090, 18.85.095, and 18.85.215 set forth requirements that applicants for real estate broker's license examinations, real estate salesperson's first license, second renewal of real estate salesperson's license or license activation after three or more years of inactive status, furnish proof to the director that they have successfully completed a specified number of clock hours of instruction in real estate education. The course(s) must be approved pursuant to this chapter. The thirty-

clock hours for salespersons second renewal must be initiated and completed after the date of first license ~~((PROVIDED, That requirements for salespersons created by section 8, chapter 139, Laws of 1972 ex. sess., shall apply to any person licensed as a salesperson on or after May 23, 1972))~~. The purposes of this chapter are to set forth the conditions under which an applicant may meet these educational requirements and the conditions which must be met and the procedure which must be followed if an educational course is to gain approval.

**AMENDATORY SECTION** (Amending Order 136R, filed 10/11/85)

WAC 308-124H-030 FILING OF COURSES. Each proprietary school, individual, association or agency seeking approval of courses, shall apply to the ~~((administrator))~~ department on a prescribed form. Courses shall meet the following requirements:

(1) Each course shall include at least one text book that is in general circulation or other instructional materials approved by the commission.

(2) Each course must add to the practical knowledge of the real estate practitioner.

(3) Each course must be supervised or under the direction of at least one natural person who meets the qualifications of WAC 308-124H-060.

(4) Each course must deal with substantive real estate subject matter such as, but not limited to, legal aspects of real estate, real estate principles and practices, real estate finance, appraising, deposit receipts and earnest money agreements. General sales motivation courses will not qualify.

(5) Each course must require a comprehensive examination or examinations and a final grade.

(6) Each course must require a minimum of seven and one-half hours of classroom work for the student; a classroom hour is a period of fifty minutes of actual classroom or workshop instruction. The time allotted for examinations shall not be applicable toward the minimum hours of course study.

**AMENDATORY SECTION** (Amending Order PM 631, filed 12/22/86)

WAC 308-124H-040 APPROVAL OF CLASSES. Each proprietary school, individual, association or agency seeking approval of a course or courses shall be required to file an application ~~((+))~~ on forms provided by the director, at least thirty days prior to the date of a regular meeting of the real estate commission. Applications which are completed and filed in a timely manner will be reviewed by the commission for recommendation to the director for consideration of approval or disapproval. The commission may recommend approval of courses solely for the broker requirement or solely for the second renewal requirement.

The director, with the advice of the real estate commission, may deny a course of instruction which, in the opinion of the director, does not meet the requirements of this chapter or meet the needs of the majority of licensees.

Upon approval or disapproval of a course or courses, the applicant will be so advised in writing by the director.

Any changes in the director ~~((+))~~ or ownership of schools must be submitted to the department within twenty days from ~~((+))~~ the date of such change ~~((+))~~ for referral to the director and real estate commission for consideration of continued approval.

Any changes in course content ~~((+))~~ or material must be submitted to the department no later than twenty days prior to the date of such change ~~((+))~~ for referral to the director and the real estate commission for approval of the change.

Any change in qualified course instructor ~~((+ school name, or instruction location))~~ school name, or instruction location must be submitted to the department for approval by the director before implementing such change.

Approval may be withdrawn if the school or course is not conducted in accordance with this chapter or chapter 18.85 RCW, or the school, or its owner ~~((+))~~ managers or employees, directly or indirectly, solicits information from applicants for a real estate license following the administration of any real estate examination to discover the content of and/or answer to any examination question or questions. The proceedings for the withdrawal of approval shall be held in accordance with chapter 34.04 RCW.

AMENDATORY SECTION (Amending Order RE 125, filed 10/23/78)

WAC 308-124H-070 COMPLETION OF COURSES. (1) To satisfy the requirement of having received clock hours of instruction in real estate, an applicant must submit proof of satisfactory completion of courses which have been approved pursuant to WAC 308-124H-010 through 308-124H-060.

(2) The student shall not receive clock hour credits for any course which is a duplication of material of a course that the student has previously taken and successfully completed.

(3) It is the responsibility of each student to furnish the ((real estate division)) department with a copy of the student's grade report or transcript at the time of application for first salespersons license, second renewal of salespersons license, activation of brokers or salespersons license after being inactive for three years or more or application for the brokers examination.

NEW SECTION

WAC 308-124H-038 COURSE TITLES. Only courses approved by the director for clockhours in real estate fundamentals pursuant to WAC 308-124H-035, real estate brokerage management pursuant to WAC 308-124H-036, and real estate law pursuant to WAC 308-124H-037 may include in their course titles the phrases "real estate fundamentals," "real estate brokerage management," and "real estate law."

**WSR 87-17-069****PROPOSED RULES****DEPARTMENT OF FISHERIES**

[Filed August 19, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules;

that the agency will at 2:00 p.m., Tuesday, September 22, 1987, in the Large Conference Room, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 29, 1987.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.10.120.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 22, 1987.

This notice is connected to and continues the matter in Notice No. WSR 87-13-010 filed with the code reviser's office on June 8, 1987.

Dated: August 19, 1987

By: Robert Turner  
for Joseph R. Blum  
Director

**STATEMENT OF PURPOSE**

Title: WAC 220-20-050 Display of registration and commercial licenses; and 220-20-055 Commercial license conditions.

Description of Purpose: Modify commercial fishing rules.

Statutory Authority: RCW 75.08.080.

Summary of Rule and Reasons Supporting Proposed Action: WAC 220-20-050, require display of commercial registration number and decal. The requirement makes it unnecessary to board a vessel to see if the fisherman is currently licensed; and WAC 220-20-055, establish penalty points and posted forfeitable security for multiple convictions. This provides an alternative to mandatory denial of fishing privileges and puts fishermen on notice of the effect of multiple convictions.

Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, Washington, 586-2429; Implementation: Gene DiDonato, 115 General Administration Building, Olympia, Washington, 753-6716; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, Washington, 753-6585.

These rules are proposed by the Washington Department of Fisheries.

Comments: This notice continues WSR 87-13-010, and contains the following changes: WAC 220-20-050, the requirement to display commercial identification numbers is deleted. This requirement, existent in current WAC, was interpreted to mean an extension of the identification numbers to user groups that are not required to display eighteen inch high numbers on their vessels. In order to avoid confusion, this portion of the proposal has been deleted. WAC 220-20-055, charter boat violations relating to gear, angler permits, and time and area violations other than salmon are specifically added to the point system; salmon time and area violations are excluded; the issuance of a license after five convictions is returned to the discretion of the director. As charter boat violations were not specifically addressed in the earlier notice, opportunity for testimony from charter boat operators is being solicited.

These proposals are not the result of federal law or court order.

Small Business Economic Impact Statement: No differential impact is anticipated. If such impact occurs, the allowance for various forms of security assists small businesses by not requiring corporate surety bonding.

NEW SECTION

WAC 220-20-050 DISPLAY OF REGISTRATION AND COMMERCIAL LICENSES. The vessel commercial fishing registration number and commercial fishing year license decals issued by the department:

(1) Must be affixed to the registered and licensed vessel in a permanent manner.

(2) Must be affixed in such a manner that they are clearly visible from each side of the vessel.

NEW SECTION

WAC 220-20-055 COMMERCIAL LICENSE CONDITIONS. (1) Upon being convicted twice or more for commercial fishing violations within a five-year period, a fisherman is required to post a security each year to obtain a license until the fisherman has only one conviction within the immediate five prior years. The amount of the security is based upon an accumulation of points, and the security is subject to forfeiture as a civil penalty in the event the fisherman receives a third or subsequent conviction.

(2) The following points will be assigned for each conviction of the indicated type:

(a) All commercial fishing violations, except salmon time and area violations requiring mandatory suspension under RCW 75.10.130 and those violations provided for in (c) of this subsection - 2 points.

(b) Charter boat violations involving gear, angler permits, and time and area violations other than salmon - 2 points.

(c) Violations for failure to display boat registration numbers, buoy brand numbers, or herring validation pennant - 1 point.

(3) Upon conviction of the second offense, the fisherman must post a security in the following amount depending on the point total of the convictions within the immediate five prior years:

2nd Conviction	3rd Conviction	4th Conviction
2 points - \$2,000	3 points - \$6,000	4 points - \$12,000
3 points - \$3,000	4 points - \$8,000	5 points - \$15,000
4 points - \$4,000	5 points - \$10,000	6 points - \$18,000
	6 points - \$12,000	7 points - \$21,000
		8 points - \$24,000

(4) Upon subsequent conviction for an offense committed during any time period in which the security is required as provided for in this section, the security shall be forfeited to the department and a new security must be posted with the department based upon the total number of points accumulated within the five-year period prior to receiving a fishing license. After the fifth conviction for offenses committed within a five-year period, the fisherman must appeal to the director for issuance of a license, and the director may impose both a security amount and additional conditions.

(5) When sufficient time has elapsed such that the convicted fisherman has only one conviction within the last five years, the department shall release the security, except that if criminal charges are pending, the security shall not be released pending resolution of the criminal charges. The security shall only be released upon written notification from the department.

(6) An acceptable security shall be a corporate surety bond executed in favor of the department by a corporation authorized to do business in the state of Washington under chapter 48.28 RCW and approved by the department, a cash deposit, negotiable securities acceptable to the department, or an assignment of a savings account or savings certificate in a bank on an assignment form prescribed by the department.

**WSR 87-17-070**  
**PROPOSED RULES**  
**DEPARTMENT OF FISHERIES**  
 [Filed August 19, 1987]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Fisheries intends to adopt, amend, or repeal rules concerning commercial fishing rules;

that the agency will at 10:00 a.m., Tuesday, September 22, 1987, in the Large Conference Room, General Administration Building, Olympia, Washington, conduct a public hearing on the proposed rules.

The formal decision regarding adoption, amendment, or repeal of the rules will take place on September 29, 1987.

The authority under which these rules are proposed is RCW 75.08.080.

The specific statute these rules are intended to implement is RCW 75.08.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency before September 22, 1987.

Dated: August 19, 1987

By: Robert Turner  
 for Joseph R. Blum  
 Director

**STATEMENT OF PURPOSE**

Title: WAC 220-12-020 Shellfish classification; 220-52-035 Crab and shrimp pot gear—Escape mechanism required; 220-52-050 Shrimp fishery—Coastal waters; 220-52-051 Shrimp fishery—Puget Sound; 220-52-060 Crawfish fishery; 220-52-071 Sea cucumbers; and 220-52-073 Sea urchins.

Description of Purpose: Modify commercial fishing rules.

Statutory Authority: RCW 75.08.080.

Summary of Rule and Reasons Supporting Proposed Action: WAC 220-12-020, adds species, changes scientific names, reorganizes list. The species added are those that have either harvestable potential or are in need of protection; WAC 220-52-035, establishes escape mechanism requirement. By requiring an escape mechanism, lost crab and shrimp pots will not continue to fish; WAC 220-52-050, consolidates coastal shrimp regulations for ease of review; WAC 220-52-051, consolidates all Puget Sound shrimp regulations into one section, creates shrimp districts, closes Sequim Bay, restricts gear in selected areas. The catch effort in nontraditional areas has increased to the point that protection measures are necessary. Selected areas need gear amount reduction or complete closure. The regulations are consolidated for ease of review; WAC 220-52-060, deletes permit requirement for listed waters. Eliminating the permit requirement will reduce paperwork for both the department and the fisherman; WAC 220-52-071, set incidental catch limit, set seasons. By setting an incidental catch limit, a directed trawl fishery is prohibited. The seasons allow fishermen to plan ahead; and WAC 220-52-072, redefines districts, sets minimum sizes, sets seasons. By putting the San Juan Islands into the three-year rotation, the need for permits is eliminated. The sizes correspond to what is available in the various districts for harvest. The seasons allow fishermen to plan ahead.

Personnel Responsible for Drafting: Evan S. Jacoby, 115 General Administration Building, Olympia, Washington, 586-2429; Implementation: Ronald E. Westley, 115 General Administration Building, Olympia, Washington, 753-6772; and Enforcement: James W. McKillip, 115 General Administration Building, Olympia, Washington, 753-6585.

These rules are proposed by the Washington Department of Fisheries.

Comments: None.

These proposals are not the result of federal law or court order.

Small Business Economic Impact Statement: No differential impact is anticipated. No effect on 10% of the businesses in any one three digit industrial classification nor 20% of all businesses is expected.

**AMENDATORY SECTION** (Amending Order 86-190, filed 11/26/86)

WAC 220-12-020 SHELLFISH—CLASSIFICATION. ((The following species are classified as shellfish under RCW 75.08.080 and are subject to the provisions of this title:

Abalone	
Red abalone	<i>Haliotis refescens</i>
Kamshatka	<i>Haliotis kamtschatkana</i>

Clams	
Bent nose clam	Macoma secta
All other macoma clams	Macoma spp.
Butter clam	Saxidomus giganteus
Common cockle	Clinocardium nuttalli
Geoduck	Panope generosa
Horse clam	Schizothaerus nuttalli; Schizothaerus capax
Mud or soft shell clam	Mya arenaria
Manila clam	Venerupis japonica
Piddock	Zirfaea pilsbryi
Razor clam	Siliqua patula
Rock or native little neck clam	Protothaca staminea
Mussel	
Blue mussel	Mytilus edulis
California mussel	Mytilus californianus
Crab	
Dungeness or Pacific	Cancer magister
Red Crab	Cancer productus
Tanner Crab	Chionoecetes tanneri
Crawfish	
Crawfish	Astacus leniusculus
Crawfish	Astacus trowbridgii
Crawfish	Astacus klamathensis
Octopus	Octopus hongkongensis
Squid	
Pacific Coast squid	Loligo opalescens
Squid	Onychoteuthis borealijaponica
Squid	Ommastrephes bartramai
All other squid	(Decapoda)
Oysters	
Eastern oyster	Crassostrea virginica
Olympia or native oyster	Ostrea lurida
Pacific oyster	Crassostrea gigas
Kumamoto oyster	Crassostrea gigas kumamoto
European oyster	Ostrea edulis
All other oysters	(Ostreidae)
Scallops	
Pacific pink scallop	Chlamys hastata hericia
Sea scallop	Pecten caurinus
Rock scallop	Hinnites multirugosus
Hinds' scallop	Chlamys hindsii
Shrimp	
Dock shrimp	Pandalus danae
Coonstripe shrimp	Pandalus goniurus
Coonstripe shrimp	Pandalus hypsinotus
Ocean Pink shrimp	Pandalus jordani
Pink shrimp	Pandalus borealis
Sidestripe shrimp	Pandalopsis dispar
Spot shrimp	Pandalus platyceros
Sea cucumber	Stichopus californicus Cucumaria miniata
Sea urchin	
Green urchin	Strongylocentrotus droebachiensis
Red urchin	Strongylocentrotus franciscanus
Purple urchin	Strongylocentrotus purpuratus
Barnacles	
Pacific goose barnacle or Gooseneck barnacle)	Mitella polymerus

The following species are classified as shellfish under RCW 75.08-.080 and are subject to the provisions of this title:

Abalone	Haliotis refescens
Red abalone	Haliotis kamschatkana
Pinto abalone	
Mussel	
Blue mussel	Mytilus edulis
California mussel	Mytilus californianus
Scallops	
Pacific pink scallop	Chlamys rubida
Rock scallop	Crassadoma gigantea
Spiny scallop	Chlamys hastata
Weathervane scallop	Patinopecten caurinus
Clams	
Bent nose clam	Macoma secta
All other macoma clams	Macoma spp.
Butter clam	Saxidomus giganteus
Common cockle	Clinocardium nuttalli
Geoduck	Panope abrupta
Horse or Gaper clam	Tresus nuttalli, Tresus capax
Mud or soft shell clam	Mya arenaria
Manila clam	Tapes philippinarum
Piddock	Zirfaea pilsbryi
Razor clam	Siliqua patula
Rock or native little neck clam	Protothaca staminea
Oysters	
Eastern oyster	Crassostrea virginica

Olympia or native oyster	Ostrea lurida
Pacific oyster	Crassostrea gigas
Kumamoto oyster	Crassostrea gigas (kumamoto)
European oyster	Ostrea edulis
All other oysters	(Ostreidae)
Squid	
Pacific Coast squid	Loligo opalescens
Nail squid	Onychoteuthis borealijaponica
Flying squid	Ommastrephes bartramai
All other squid	Sepioidea or Teuthoiden
Octopus	
Octopus	Octopus dolfini
Barnacles	
Goose barnacle	Pollicipes polymerus
Shrimp	
Coonstripe shrimp	Pandalus danae
Coonstripe shrimp	Pandalus hypsinotus
Humpy shrimp	Pandalus goniurus
Ocean Pink shrimp	Pandalus jordani
Pink shrimp	Pandalus borealis
Sidestripe shrimp	Pandalopsis dispar
Spot shrimp	Pandalus platyceros
Crab	
Dungeness or Pacific	Cancer magister
Red Crab	Cancer productus
Tanner Crab	Chionoecetes tanneri
Crawfish	
Crawfish	Pacifastacus sp.
Sea cucumber	
Sea cucumber	Para stichopus californicus
Sea cucumber	Cucumaria miniata
Sea urchin	
Green urchin	Strongylocentrotus droebachiensis
Red urchin	Strongylocentrotus franciscanus
Purple urchin	Strongylocentrotus purpuratus

**NEW SECTION**

WAC 220-52-035 CRAB AND SHRIMP POT GEAR—ESCAPE MECHANISM REQUIRED. After October 1, 1988, It is unlawful to fish for crab or shrimp for commercial purposes with shellfish pot gear unless the gear is equipped to allow for escapement using at least one of the following methods:

- (1) Replacement of pot lid hooks or tiedown straps with a single strand of untreated cotton twine or other natural fiber no larger than thread size 120 for crab pots or 100 for shrimp pots, tied in such a manner that the pot lid will open freely if the twine or fiber is broken.
- (2) An opening of not less than five inches in diameter in the pot mesh on the top or side of the pot which is laced, sewn, or otherwise secured with untreated cotton twine or other natural fiber not larger than thread size 120 for crab pots or 100 for shrimp pots. The opening must be located within the top half of the pot and be unimpeded by entry tunnels, bait boxes, or any other structures or materials.

**AMENDATORY SECTION (Amending Order 84-24, filed 3/27/84)**

WAC 220-52-050 SHRIMP FISHERY—(~~LAWFUL AND UNLAWFUL~~) COASTAL WATERS. It is unlawful to fish for or possess shrimp taken for commercial purposes from coastal waters except as provided for in this section:

(1) (~~It is unlawful to land or possess shrimp exceeding an average of 160 whole shrimp per pound in or from the coastal waters of the state of Washington and the adjoining waters of the Pacific Ocean.~~)

**TRAWL GEAR:**

(a) SEASON - Open to trawl fishing April 1 through October 31 of each year.

(b) GEAR RESTRICTIONS - The following gear is prohibited:

(i) Shrimp trawl gear having a mesh size greater than two inches or smaller than one and three-eighths inches in the intermediate or codend. At least seventy-five percent of the meshes measured randomly throughout the net by means of a metal tapered gauge must fit on the gauge for compliance. It is lawful to have mesh larger than two inches in the wings or body of the trawl.

(ii) Shrimp trawl gear having a lined or double layered codend, except it is lawful to employ a lifting bag or additional layer of webbing if the lifting bag webbing is not less than three inch mesh not smaller in circumference than the shrimp trawl at its greatest circumference.

(iii) Shrimp trawl gear employing layers of protective webbing or chafing gear over the codend unless such webbing is attached at only one strip around the circumference of the codend, trails freely, and has a minimum mesh of three inches.

(iv) It is unlawful for any fisherman to be in possession of any gear described in (i) through (iii) above while any shrimp are aboard the vessel.

(2) SHELLFISH POT GEAR:

(a) SEASON - Open to shellfish pot gear fishing the entire year.

(b) GEAR RESTRICTIONS - No mesh restriction.

(3) MINIMUM NUMBER OF SHRIMP PER POUND:

The count must average no more than 160 shrimp per pound for a minimum of two samples increasing at a rate of one sample per one thousand pounds landed or in possession up to a maximum requirement of twenty samples. Such samples shall consist of at least one pound each of whole unbroken shrimp taken at random from throughout the individual load landed or in possession. This subsection applies only to loads of 3,000 pounds of shrimp or more.

~~((2) It is unlawful for any person to take or fish for shrimp for commercial purposes in Puget Sound with more than 100 shellfish pots; and it is unlawful for any group of persons using the same vessel to take or fish for shrimp for commercial purposes in Puget Sound with more than 100 shellfish pots except:~~

~~(a) It is unlawful for any person, or for any group of persons using the same vessel, to take or fish for shrimp for commercial purposes with more than 75 shellfish pots in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 28B:~~

~~(b) It is unlawful for any person, or any group of persons using the same vessel, to take or fish for shrimp for commercial purposes in that portion of Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 23D inside and westerly of a line projected from the tip of Ediz Hook to the ITT Rayonier dock with more than 10 shellfish pots:~~

~~(c) It is unlawful for any person, or any group of persons using the same vessel, to use more than 50 shrimp pots while commercially fishing for shrimp in Hood Canal south of the Hood Canal Floating Bridge (see RCW 75.28.134):~~

~~(3) It is unlawful to operate, set or have in the water any baited or unbaited shellfish pots for taking of shrimp for commercial purposes in any area or at any time that it is unlawful to take or fish for shrimp for commercial purposes therein:))~~

NEW SECTION

WAC 220-52-051 SHRIMP FISHERY—PUGET SOUND. It is unlawful to fish for or possess shrimp taken for commercial purposes from Puget Sound except as provided for in this section:

(1) SHRIMP DISTRICTS: The following areas are defined as shrimp fishing districts:

(a) Shrimp District 1 - (Protection Island, Discovery Bay) Waters south of a line from McCurdy Point on the Quimper Peninsula to the northern tip of Protection Island then to Rocky Point on the Miller Peninsula and all waters of Discovery Bay.

(b) Shrimp District 2 - (Griffin Bay) Waters south of a line projected true east-west through Turn Rock Light from San Juan Island to Lopez Island and north of a line projected true east from Cattle Point on San Juan Island to Lopez Island.

(c) Shrimp District 3 - (Port Angeles) Waters inside Ediz Hook west of a line from the tip of Ediz Hook to the ITT Rayonier Dock.

(d) Shrimp District 4 - (Sequim Bay) Waters of Sequim Bay south of a line projected true west from Travis Spit on the Miller Peninsula.

(e) Shrimp District 5 - (Hood Canal) Waters south of the Hood Canal Floating Bridge.

(f) Shrimp District 6 - (Carr Inlet) Waters of Carr Inlet north of a line projected from Penrose Point to Green Point.

(2) TRAWL GEAR:

(a) SEASONS - Open to trawl gear April 15 through October 15 except closed in:

(i) Shrimp Districts 1, 2, 3, 4, and 5.

(ii) Waters south of the Narrows Bridge.

(iii) Waters closed to trawl fishing in WAC 220-49-015.

(b) GEAR RESTRICTIONS - Otter trawl gear may not be used.

(3) SHELLFISH POT GEAR:

(a) SEASONS - Open to shellfish pot gear April 15 through October 15 except:

(i) Open in Shrimp Districts 1, 2, and 3 from May 15 through September 15.

(ii) Closed in Shrimp Districts 4, 5, and 6 unless opened by emergency regulation.

(b) GEAR RESTRICTIONS -

(i) In all areas, maximum 100 pots per fisherman, except:

(A) Maximum 75 pots per fisherman in Marine Fish-Shellfish Management and Catch Reporting Area 28B.

(B) Maximum 50 pots per fisherman in Shrimp Districts 1, 2, and 5.

(C) Maximum 10 pots per fisherman in Shrimp District 3.

(ii) In all shrimp districts:

(A) Buoys must be orange in color and consist of durable material that will remain floating on the surface with five pounds attached; bleach or antifreeze bottles or other containers may not be used as floats.

(B) The line attaching the pot to the buoy must be weighted sufficiently to prevent the line from floating on the surface.

(iii) In Shrimp Districts 1, 2, 3, and 5:

(A) The entire top, bottom, and sides of the pot, except entrance tunnels, must be constructed of mesh material having a minimum mesh of such size that a 7/8 inch square peg can pass through without changing the shape of the opening.

(B) All entrance tunnels must open into the pot from the sides.

(C) The sum of the maximum widths of all entrance tunnels must not exceed one-half of the perimeter of the bottom of the pot.

AMENDATORY SECTION (Amending Order 86-102, filed 9/12/86)

WAC 220-52-060 CRAWFISH FISHERY. It is unlawful to fish for or possess crawfish taken for commercial purposes except as provided for in this section:

~~(1) ((It shall be unlawful to take, fish for or possess crawfish for commercial purposes from waters of the state of Washington without first obtaining and having in possession a commercial crawfish permit from the director of fisheries and it shall be unlawful to fail to comply with any of the provisions of a commercial crawfish permit and with the following regulations:~~

~~(2) It shall be unlawful to operate, set or have in the water any baited or unbaited shellfish pots for the taking of crawfish for commercial purposes except in the times and areas specified and with no more than the number of shellfish pots specified in the commercial crawfish permit issued by the director of fisheries:)) General crawfish provisions:~~

~~((3) It shall be unlawful to take, fish for or possess)) (a) Crawfish may not be taken for commercial purposes with gear other than shellfish pots.~~

~~((4) It shall be unlawful to take, fish for or possess crawfish for)) (b) The open season for commercial ((purposes from the waters of the state of Washington except from the)) crawfish fishing is first Monday in May through October 31 ((; provided that it shall be lawful to take, fish for and possess crawfish for commercial purposes)), except in Washington waters of the Columbia River downstream from the mouth of the Walla Walla River crawfish may be taken from April 1 through October 31.~~

~~((5) It shall be unlawful to take, fish for or possess)) (c) The minimum commercial crawfish ((for commercial purposes less than)) size is 3-1/4 inches in length from the tip of the rostrum (nose) to the tip of the tail and all undersize crawfish and female crawfish with eggs or young attached to the abdomen must be immediately returned unharmed to the waters from which taken ((; It shall be unlawful for crawfish)). Fishermen ((to fail to)) must sort and return illegal crawfish to the waters from which taken immediately after the crawfish are removed from the shellfish pot and prior to lifting additional pots from the water.~~

~~((6) It shall be unlawful for crawfish)) (d) Fishermen ((to)) may not discard into any water of the state any crawfish bait.~~

~~((7) It shall be unlawful to plant or place in the waters of the state any crawfish imported from any other state or country without prior written approval of the director of fisheries:~~

~~(8) Commercial crawfish harvest permits will be issued only in those "waters" where fishing will not conflict with high density residential or recreational areas provided that no permit will be issued in areas where developed parks encompass more than one-half of the water shoreline: In areas where developed parks encompass less than one-half of the water shoreline:)) (e) Crawfish fishing ((will not be permitted)) is not allowed within 1/4 mile of the ((park)) shoreline of developed parks.~~

~~(f) The provisions of this section do not apply to the commercial culture of crawfish at a registered aquatic farm.~~

~~(2) It is lawful for an individual fisherman to fish for crawfish in the waters set out below with up to the number of pots shown, except the total number of pots any fisherman may fish is 400 shellfish pots.~~

Name of Lake, River, or Slough	County	Max. Pots Allowed
Alder Lake (Res.)	Pierce/Thurston	200
Aldwell Lake (Res.)	Clallam	100
Alkali Lake	Grant	100
Bachelor Slough	Clark	100
Baker Lake	Whatcom	200
Banks Lake	Grant	200
Big Lake	Skagit	200
Black Lake	Thurston	200
Blue Lake	Grant	200
Bonaparte Lake	Okanogan	100
Buckmire Slough	Clark	100
Camas Slough	Clark	100
Campbell Lake	Skagit	100
Cassidy Lake	Snohomish	100
Cavanaugh Lake	Skagit	200
Chehalis River	Lewis/Grays Harbor	100
Chelan Lake	Chelan	200
Clear Lake	Skagit	100
Coal Creek Slough	Cowlitz	100
Columbia River	Clark, Cowlitz, etc.	200
Copalis River	Grays Harbor, etc.	100
Cowlitz River	Clark, Cowlitz, etc.	100
Curlew Lake	Ferry	200
Cushman Lake #1	Clark	100
Deep River	Wahkiakum	100
Deschutes River	Thurston	100
Diablo Lake	Whatcom	200
Drano Lake	Skamania	100
Elochoman River	Wahkiakum	100
Erie Lake	Skagit	100
Evergreen Reservoir	Grant	100
Fisher Island Slough	Cowlitz	100
Goose Lake (upper)	Grant	100
Grays River	Pacific	100
Harts Lake	Pierce	100
Hoquiam River	Grays Harbor	100
Humptulips River	Grays Harbor	100
John's River	Grays Harbor	100
Kapowsin Lake	Pierce	200
Kalama River	Cowlitz, etc.	100
Klickitat	Klickitat	100
Lackamas Lake (Res.)	Clark	100
Lake River	Clark	100
Lawrence Lake	Thurston	100
Lenore Lake	Grant	200
Lewis River	Clark/Cowlitz	100
Loomis Lake	Pacific	100
Mayfield Lake	Lewis	200
McIntosh Lake	Thurston	100
McMurray Lake	Skagit	100
Merwin Lake	Clark/Cowlitz	200
Moses Lake	Grant	200
Naselle River	Pacific, etc.	100
Nisqually River	Pierce, etc.	100
Nooksack River	Whatcom	100
North River	Grays Harbor	100
Padden Lake	Whatcom	100
Palmer Lake	Okanogan	100
Patterson Lake (Res.)	Okanogan	100
Portage Bay	King	100
Rattlesnake Lake	King	100
Ross Lake (Res.)	Whatcom	200
Salmon Lake	Okanogan	100
Samish Lake	Whatcom	200
Satsop River	Grays Harbor	100
Shannon Lake (Res.)	Skagit	200
Sidley Lake	Okanogan	100
Silver Lake	Pierce	100
Silver Lake	Cowlitz	200
Skagit River	Skagit/Whatcom	200
Skamokawa River	Wahkiakum	100
Snake River	Franklin/Walla Walla	200
Snohomish River	Snohomish	100

Name of Lake, River, or Slough	County	Max. Pots Allowed
St. Clair Lake	Thurston	100
Swift Lake (Res.)	Skamania	200
Terrell Lake	Whatcom	100
Toutle River	Cowlitz	100
Union Lake	King	200
Vancouver Lake	Clark	200
Warden Lake	Grant	100
Washington Lake	King	200
Washougal River	Clark/Skamania	100
Whatcom Lake	Whatcom	200
Whitestone Lake	Okanogan	100
Willapa River	Pacific	100
Wiser Lake	Whatcom	100
Wind River	Cowlitz	100
Wishkah River	Grays Harbor	100
Woodland Slough	Clark	100
Wynoochee River	Grays Harbor	100
Yakima River	Kittitas	100
Yale Lake (Res.)	Clark/Cowlitz	200

((#)) (3) Commercial crawfish harvest permits will be issued to ((restrict)) prescribe the number of allowable crawfish pots per fisherman per ((take, reservoir, pond, river, slough, or stream)) body of water in suitable crawfish harvest sites not listed in subsection (2) of this section as follows:

- (a) Under ((#)) 20 acres - no commercial harvest.
- (b) ((Between 10 and 25)) 20 acres to 100 acres - 50 pots.
- (c) ((Between 25 and)) 101 acres to 400 acres - 100 pots.
- (d) Over 400 acres - 200 pots.

((Provided that permits issued and number of pots allowed for individual fishermen will not exceed a maximum total of 400 pots per individual fisherman.

((#)) The department of fisheries shall fix the maximum number of pots to be permitted in any given body of water. Once the permitted maximum number of pots for any given body of water has been reached, no further permits will be issued. Permits will be issued on a first-come, first-serve basis consistent with all other regulations concerning issuance of commercial crawfish harvest permits.

((#) The provisions of this section shall not apply to the private commercial culture of crayfish at a registered aquatic farm.))

AMENDATORY SECTION (Amending Order 87-69, filed 7/8/87)

WAC 220-52-071 SEA CUCUMBERS. ((#)) It is unlawful for persons possessing shellfish diver gear licenses to take or possess sea cucumbers taken for commercial purposes ((without first having obtained a permit issued by the director)) except as provided for in this section.

(1) SEA CUCUMBER DISTRICTS:

(a) Sea Cucumber District 1 as defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, 22B, and 23B outside of the following closed areas:

(i) San Juan Channel and Upright Channel within the following lines: North of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island and south of a line projected from Flat Point on Lopez Island true west to Shaw Island; west of a line from Neck Point on Shaw Island to Steep Point on Orcas Island; south of a line from Steep Point on Orcas Island to Limestone Point on San Juan Island.

(ii) Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(iii) Within one-quarter mile of Green Point on Spieden Island.

(iv) Within one-quarter mile of Gull Reef, located between Spieden Island and Johns Island.

(b) Sea Cucumber District 2 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23C, 23D, 25A, 25B, 25C, 25D, 25E, 29 and those waters west of the Bonilla-Tatoosh Line, Pacific Ocean waters, Grays Harbor, Willapa Bay, and the waters at the mouth of the Columbia River west of the Buoy 10 Line.

(c) Sea Cucumber District 3 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 26A, 26B, 26C, and 26D.

(d) Sea Cucumber District 4 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 27A, 27B, 27C, 28A, 28B, 28C, and 28D.

(2) SEA CUCUMBER AREAS AND SEASONS:

(a) District 1 open May 1 through October 31, 1987.

(b) District 2 open May 1 through October 31, 1988.

(c) District 3 open May 1 through October 31, 1989.

(d) District 4 open May 1 through October 31, 1990.

(e) Other areas and times as authorized by permit issued by the director.

(3) SHELLFISH DIVER GEAR:

(a) Divers must have a permit issued by the director to take sea cucumbers for commercial purposes.

(b) ~~((2) It is unlawful to take or possess sea cucumbers taken for commercial purposes by))~~ Divers operating from a vessel ((without having)) must have a number assigned by the department placed on both sides and the top of the vessel in such a manner that the number is clearly visible when the vessel is viewed from either side or from the air, and the letters must be black on white no less than eighteen inches in height and of proportional width.

~~((3) It is lawful to take, fish for and possess sea cucumbers for commercial purposes with trawl gear as authorized under chapter 220-48 WAC during seasons and within areas provided for in WAC 220-52-072, or as authorized by a permit issued by the director.~~

~~(4) It is unlawful to take or possess))~~

(c) Divers may not take sea cucumbers ((taken for commercial purposes by shellfish divers)) from one-half hour before official sunset to official sunrise or 6:00 a.m. whichever is later((-- It is unlawful to take or possess sea cucumbers taken for commercial purposes by shellfish divers)), or on Sunday.

~~((5) It is unlawful to take;))~~

(d) Divers may not fish for or possess geoduck clams during commercial sea cucumber harvesting operations, or possess geoduck clams on a vessel that has sea cucumbers on board.

(4) TRAWL GEAR:

(a) Trawl gear is limited to that gear and those times authorized under Chapter 220-48 WAC, or otherwise as authorized by a permit issued by the director.

(b) Up to 100 pounds of sea cucumbers may be taken without regard to other species aboard, but landings of more than 100 pounds are lawful only if sea cucumbers represent no more than 20 percent of the total weight of fish on board. No trawl vessel may land more than 250 pounds of sea cucumbers in any one vessel trip except as authorized by permit issued by the director.

**Reviser's note:** The typographical errors in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 87-69, filed 7/8/87)

WAC 220-52-073 SEA URCHINS. ~~((+))~~ It is unlawful to take or possess sea urchins taken for commercial purposes except ((by persons possessing shellfish diver gear licenses using hand-operated equipment that does not penetrate the shell unless authorized by a permit issued by the director)) as provided for in this section.

(1) SEA URCHIN DISTRICTS:

(a) Sea Urchin District 1 (Northern San Juan Islands) is defined as Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, and those waters of Area 22A north of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and west of a line projected true north from Limestone Point on San Juan Island. The following areas within Sea Urchin District 1 are closed to the harvest of sea urchins at all times:

(i) Those waters within one-quarter mile of Green Point on Speiden Island.

(ii) Those waters within one-quarter mile of Gull Reef, located between Speiden and Johns Island.

(b) Sea Urchin District 2 (Southern San Juan Islands and Port Townsend) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 22A south of a line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island and east of a line projected true north from Limestone Point on San Juan Island and Areas 23B and 25A. The following areas within Sea Urchin District 2 are closed to the harvest of sea urchins at all times:

(i) Those waters of Haro Strait north of a line projected east-west one-half mile south of Eagle Point on San Juan Island and south of a

line projected east-west one-quarter mile north of Lime Kiln Light on San Juan Island.

(ii) Those waters of San Juan Channel and Upright Channel within the following lines: north of a line from Cattle Point on San Juan Island to Davis Point on Lopez Island; south of a line projected from Flat Point on Lopez Island true west to Shaw Island; west of line from Neck Point on Shaw Island to Steep Point on Orcas Island; south of a line from Steep Point on Orcas Island to Limestone point on San Juan Island.

(c) Sea Urchin District 3 (Port Angeles) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 23C east of line projected true north from Low Point, and Area 23D.

(d) Sea Urchin District 4 (Sekiu) is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 23C west of a line projected true north from Low Point and those waters of Area 29 east of a line projected true north from the mouth of Rasmussen Creek (3.1 miles southeast of Sail Rock).

(e) Sea Urchin District 5 is defined as those waters of Marine Fish-Shellfish Management and Catch Reporting Area 29 west of a line projected true north from the mouth of Rasmussen Creek (3.1 miles southeast of Sail Rock) and Areas 59A and 59B. Within Sea Urchin District 4, waters within one-quarter mile of Tatoosh Island are closed to the harvest of sea urchins at all times.

(2) SEA URCHIN AREAS, SEASONS, SPECIES, AND SIZES:

(a) District 2 is open October 1, 1987 through April 15, 1988 to harvest red sea urchins between 4.0 and 5.5 inches.

(b) District 4 is open November 1, 1987 through March 31, 1988 to harvest red sea urchins between 3.0 and 4.5 inches.

(c) District 1 is open October 1, 1988 through April 15, 1989 to harvest red sea urchins between 4.0 and 5.5 inches.

(d) District 3 is open November 1, 1988 through March 31, 1989 to harvest red sea urchins between 3.35 and 5.0 inches.

(e) District 2 is open October 1, 1989 through April 15, 1990 to harvest red sea urchins between 3.35 and 5.0 inches.

(f) Otherwise as authorized by a permit issued by the director.

(g) All sizes in this subsection are shell diameter exclusive of the spines.

(3) SHELLFISH DIVER GEAR:

(a) Divers may only use hand-operated equipment that does not penetrate the shell.

(b) ~~((It is unlawful to take))~~ Sea urchins ((for commercial purposes in waters)) may not be taken from water shallower than ((+)) ten feet below mean lower low water.

~~((3) It is unlawful to take or possess))~~

(c) Green and purple sea urchins may not be taken ((for commercial purposes)).

~~((4) It is unlawful to take or possess red sea urchins taken for commercial purposes greater than 4.50 inches or less than 3.0 inches in diameter measured at the largest diameter of the shell, exclusive of the spines unless authorized by a permit issued by the director.~~

(5) It is unlawful to take or possess green sea urchins taken for commercial unless authorized by a permit issued by the director.

(6) It is unlawful to take, fish for, or possess sea urchins for commercial purposes without having))

(d) Divers operating from a vessel must have a number ((which has been)) assigned by the department ((of fisheries,)) placed ((in a visible location)) on ((each side of each)) both sides and the top of the vessel ((and on the top)) in such a manner ((to be)) that the number is clearly visible when the vessel is viewed from ((the)) either side or from the air((-)), and the ((letters and)) number ((shall)) must be black on white ((and shall be not)) no less than ((+)) eighteen inches high and of proportionate width.

~~((7) It is unlawful to harvest))~~

(e) Divers may not take sea urchins ((for commercial purposes)) from one-half hour after sunset to one-half hour before sunrise.

~~((8))~~ (f) No processing of sea urchins is permitted aboard the harvest vessel.

~~((9) It is unlawful to take or possess))~~

(g) Divers may not take sea urchins ((taken for commercial purposes except)) for use other than as human food. ((unless))

(h) Variance from any of the provisions of this subsection is only allowed if authorized by a permit issued by the director.

**Reviser's note:** RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

Reviser's note: Errors of punctuation or spelling in the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 220-16-385 SEA URCHIN DISTRICTS. (86-123)
WAC 220-16-390 SEA CUCUMBER DISTRICT. (86-197)
WAC 220-52-053 SHRIMP FISHERY--SEASONS--AREAS AND GEAR. (84-24)
WAC 220-52-054 SHRIMP FISHERY--UNLAWFUL GEAR. (82-6)
WAC 220-52-072 SEA CUCUMBERS--AREAS AND SEASONS. (86-190)
WAC 220-52-074 SEA URCHIN--AREAS AND SEASONS. (86-123)

WSR 87-17-071
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 87-102--Filed August 19, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

This rule is promulgated pursuant to RCW 75.08.080 and is intended to administratively implement that statute.

The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

APPROVED AND ADOPTED August 19, 1987.

By Robert Turner
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19500G CLOSED AREA--SALT-WATER SALMON ANGLING--PORT SUSAN. Notwithstanding the provisions of WAC 220-56-195 and 220-56-199, effective immediately until 11:59 p.m. September 30, 1987, it is unlawful to fish for or possess salmon taken for personal use from those waters of Port Susan northerly of a line from Camano Head to Hermosa Point.

NEW SECTION

WAC 220-57-37000C PUYALLUP RIVER. Notwithstanding the provisions of WAC 220-57-370, effective August 22, 1987 until further notice, Bag Limit A - Downstream from the mouth of the Carbon River to the 11th St. Bridge.

NEW SECTION

WAC 220-57-45000F SNOHOMISH RIVER. Notwithstanding the provisions of WAC 220-57-450, effective August 22, 1987 until further notice, the six fish daily bag limit in the Snohomish River may contain up to six pink salmon downstream from Crabb Bar. Upstream from Crabb Bar pink salmon must be released.

WSR 87-17-072
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 87-103--Filed August 19, 1987]

I, Joseph R. Blum, director of the Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use rules.

I, Joseph R. Blum, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest.

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APPROVED AND ADOPTED August 19, 1987.

By Robert Turner
for Joseph R. Blum
Director

NEW SECTION

WAC 220-56-19000S SALTWATER SEASONS AND BAG LIMITS. Notwithstanding the provisions of WAC 220-56-190:

(1) Effective 12:00 noon August 20, 1987, until further notice it is unlawful to fish for or possess salmon taken for personal use in Puget Sound waters west of the mouth of the Sekiu River, Pacific Ocean waters, and Washington waters west of the Buoy 10 line.

(2) Effective immediately until further notice:

(a) In Punch Card Areas 5 and 6, special bag limit of two salmon per day, but chinook salmon must be not less

than 22 inches in length, and it is unlawful to fish for salmon from 12:01 a.m. to 11:59 p.m. Friday of each week.

(b) In Punch Card Areas 7, 8, and 9, special bag limit of two salmon per day, but chinook salmon must be not less than 22 inches in length. This subsection does not effect the June 16 to August 31 chinook closure in Port Susan. See WAC 220-56-199.

(3) Effective immediately until further notice those waters of Area 8 lying easterly of a line projected from West Point on Whidbey Island to Reservation Head on Fidalgo Island, northerly of a line projected from Polnell Point to Rocky Point, northerly of the State Highway 532 Bridge between Camano Island and the mainland, and south of the Burlington Northern Railroad Bridge at the north end of Swinomish Slough are closed to salmon angling, except that it is lawful to fish for and possess pink salmon taken from these waters during the period August 22 through September 11, 1987. The special daily bag limit is two pink salmon. Barbless hooks are required and any salmon other than pink salmon must be released immediately.

#### REPEALER

The following section of the Washington Administrative Code is repealed effective 12:00 noon, August 20, 1987:

WAC 220-56-19000R SALTWATER SEASONS AND BAG LIMITS. (87-92)

## Table of WAC Sections Affected

### KEY TO TABLE

**Symbols:**

- AMD = Amendment of existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- RE-AD = Readoption of existing section
- REP = Repeal of existing section
- REAFF = Order assuming and reaffirming rules
- REMOV = Removal of rule pursuant to RCW 34.04.050(5)
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule
- STMT = Statement regarding previously adopted rule

**Suffixes:**

- P = Proposed action
- C = Continuance of previous proposal
- E = Emergency action
- W = Withdrawal of proposed action
- No suffix means permanent action

This table covers the current calendar year through this issue of the Register and should be used to locate rules amended, adopted, or repealed subsequent to the publication date of the latest WAC or Supplement.

WAC # shows the section number under which an agency rule is or will be codified in the Washington Administrative Code.

WSR # shows the issue of the Washington State Register where the document may be found; the last three digits show the sequence of the document within the issue.

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
4-25-040	AMD-P	87-15-140	16-54-030	AMD	87-08-021
4-25-140	AMD	87-04-051	16-54-082	AMD-P	87-04-053
4-25-141	AMD-P	87-09-059	16-54-082	AMD	87-08-021
4-25-141	AMD-C	87-10-033	16-54-120	AMD-P	87-04-053
4-25-141	AMD	87-15-072	16-54-120	AMD	87-08-021
4-25-181	AMD-P	87-09-060	16-86-005	AMD-P	87-04-052
4-25-181	AMD-C	87-10-034	16-86-005	AMD	87-08-020
4-25-181	REP-P	87-09-060	16-86-015	AMD-P	87-04-052
4-25-181	REP-C	87-10-034	16-86-015	AMD	87-08-020
4-25-182	REP-P	87-15-141	16-96-130	AMD-E	87-08-058
4-25-183	REP-P	87-15-141	16-96-130	AMD-P	87-08-061
4-25-184	REP-P	87-15-141	16-96-130	AMD	87-12-037
4-25-185	NEW-P	87-15-141	16-96-130	AMD-E	87-12-038
4-25-186	NEW-P	87-15-141	16-101-455	NEW-P	87-06-036
4-25-187	NEW-P	87-15-141	16-101-455	NEW-C	87-09-032
4-25-188	NEW-P	87-15-141	16-101-455	NEW-C	87-10-048
4-25-190	NEW-P	87-09-060	16-101-455	NEW	87-12-026
4-25-190	NEW-C	87-10-034	16-101-465	NEW-P	87-06-036
4-25-280	NEW	87-03-040	16-101-465	NEW-C	87-09-032
10-08-180	AMD-P	87-09-038	16-101-465	NEW-C	87-10-048
10-08-180	AMD	87-13-036	16-101-465	NEW	87-12-026
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16-23-020	NEW-P	87-15-106	16-101-475	NEW-C	87-09-032
16-23-025	NEW-P	87-15-106	16-101-475	NEW-C	87-10-048
16-23-030	NEW-P	87-15-106	16-101-475	NEW	87-12-026
16-23-035	NEW-P	87-15-106	16-101-570	AMD-P	87-06-036
16-23-040	NEW-P	87-15-106	16-101-570	AMD	87-09-033
16-23-045	NEW-P	87-15-106	16-101-690	NEW-P	87-05-028
16-23-050	NEW-P	87-15-106	16-101-690	NEW	87-08-038
16-23-060	NEW-P	87-15-106	16-104-001	REP-P	87-12-045
16-23-070	NEW-P	87-15-106	16-104-001	REP	87-16-075
16-23-075	NEW-P	87-15-106	16-104-0011	REP-P	87-12-045
16-23-085	NEW-P	87-15-106	16-104-0011	REP	87-16-075
16-23-090	NEW-P	87-15-106	16-104-010	REP-P	87-12-045
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16-32-010	AMD-P	87-15-107	16-104-090	REP	87-16-075
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16-104-110	REP-P	87-12-045			
16-104-110	REP	87-16-075			
16-104-120	REP-P	87-12-045			
16-104-120	REP	87-16-075			
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16-104-230	NEW-P	87-12-045			
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16-200-705	NEW-E	87-16-015			
16-200-710	REP-P	87-13-061			
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16-200-731	NEW-P	87-13-061			
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16-200-740	REP-E	87-16-015	16-231-126	REP-E	87-14-074	16-304-040	AMD	87-12-006
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16-213-260	NEW	87-08-030	16-231-145	AMD-P	87-14-073	16-316-525	AMD-P	87-08-063
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16-213-270	NEW	87-08-030	16-231-148	NEW-E	87-08-072	16-316-525	AMD	87-15-030
16-228-400	NEW-E	87-09-001	16-231-148	NEW-P	87-14-073	16-316-724	AMD-E	87-15-029
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16-228-430	NEW-E	87-09-001	16-231-215	AMD-E	87-08-072	16-316-800	AMD	87-12-006
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16-228-450	NEW-E	87-09-054	16-231-225	AMD-P	87-04-060	16-316-810	AMD	87-12-006
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16-230-650	AMD-E	87-08-072	16-231-840	AMD-P	87-04-060	16-324-360	AMD-P	87-15-070
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16-230-655	AMD-P	87-04-060	16-231-840	AMD	87-09-015	16-324-390	AMD-P	87-15-070
16-230-655	AMD-E	87-08-072	16-231-910	AMD-P	87-04-060	16-324-430	AMD-P	87-15-070
16-230-655	AMD	87-09-015	16-231-910	AMD-E	87-08-072	16-324-450	AMD-P	87-15-070
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16-230-673	NEW-E	87-14-074	16-231-912	NEW	87-09-015	16-324-620	NEW-E	87-13-017
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16-231-030	AMD-P	87-04-060	16-232-010	AMD-P	87-04-060	16-324-650	NEW-P	87-15-070
16-231-030	AMD-E	87-08-072	16-232-010	AMD-E	87-08-072	16-324-660	NEW-E	87-13-017
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16-231-115	AMD	87-09-015	16-232-038	NEW-E	87-14-074	16-328-003	REP	87-13-016
16-231-115	AMD-P	87-14-073	16-232-125	REP-P	87-04-060	16-328-008	AMD-P	87-09-085
16-231-115	AMD-E	87-14-074	16-232-125	REP-E	87-08-072	16-328-008	AMD	87-13-016
16-231-120	AMD-P	87-04-060	16-232-125	REP	87-09-015	16-328-009	NEW-P	87-09-085
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16-231-120	REP-P	87-14-073	16-232-225	AMD-E	87-08-072	16-328-010	AMD-P	87-09-085
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16-328-065	AMD	87-13-016	16-750-900	NEW-E	87-16-030	30-16-020	NEW	87-11-001
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16-328-090	REP	87-13-016	18-06-050	REP-P	87-15-117	30-16-120	NEW	87-11-001
16-329-001	REP-P	87-09-085	18-06-900	REP-P	87-15-117	30-20-010	NEW	87-11-001
16-329-001	REP	87-13-016	18-20-010	REP-P	87-15-118	30-20-020	NEW	87-11-001
16-329-010	REP-P	87-09-085	18-20-020	REP-P	87-15-118	30-20-030	NEW	87-11-001
16-329-010	REP	87-13-016	18-20-030	REP-P	87-15-118	30-20-040	NEW	87-11-001
16-329-015	REP-P	87-09-085	18-20-040	REP-P	87-15-118	30-20-050	NEW	87-11-001
16-329-015	REP	87-13-016	18-20-050	REP-P	87-15-118	30-20-060	NEW	87-11-001
16-329-020	REP-P	87-09-085	18-20-060	REP-P	87-15-118	30-20-070	NEW	87-11-001
16-329-020	REP	87-13-016	18-20-070	REP-P	87-15-118	30-20-080	NEW	87-11-001
16-329-025	REP-P	87-09-085	18-20-080	REP-P	87-15-118	30-20-090	NEW	87-11-001
16-329-025	REP	87-13-016	18-20-090	REP-P	87-15-118	30-20-100	NEW	87-11-001
16-329-030	REP-P	87-09-085	18-20-100	REP-P	87-15-118	30-20-110	NEW	87-11-001
16-329-030	REP	87-13-016	18-24-010	REP-P	87-15-116	30-20-120	NEW	87-11-001
16-333-020	AMD-P	87-09-085	18-24-020	REP-P	87-15-116	30-24-010	NEW	87-11-001
16-333-020	AMD	87-13-016	18-24-030	REP-P	87-15-116	30-24-020	NEW	87-11-001
16-333-040	AMD-P	87-09-085	18-24-040	REP-P	87-15-116	30-24-030	NEW	87-11-001
16-333-040	AMD	87-13-016	18-28-010	REP-P	87-15-123	30-24-040	NEW	87-11-001
16-333-050	AMD-P	87-09-085	18-28-020	REP-P	87-15-123	30-24-050	NEW	87-11-001
16-333-050	AMD	87-13-016	18-28-030	REP-P	87-15-123	30-24-060	NEW	87-11-001
16-333-065	NEW-P	87-13-064	18-28-040	REP-P	87-15-123	30-24-070	NEW	87-11-001
16-333-065	NEW-E	87-14-012	18-28-050	REP-P	87-15-123	30-24-080	NEW	87-11-001
16-333-065	NEW	87-17-024	18-40-010	REP-P	87-15-119	30-24-090	NEW	87-11-001
16-401-002	REP-P	87-13-062	18-40-020	REP-P	87-15-119	30-24-100	NEW	87-11-001
16-401-002	REP-E	87-16-014	18-40-030	REP-P	87-15-119	30-28-010	NEW	87-11-001
16-401-020	AMD-P	87-13-062	18-40-040	REP-P	87-15-119	30-28-020	NEW	87-11-001
16-401-020	AMD-E	87-16-014	18-40-050	REP-P	87-15-119	30-28-030	NEW	87-11-001
16-401-025	AMD-P	87-13-062	18-40-060	REP-P	87-15-119	30-28-040	NEW	87-11-001
16-401-025	AMD-E	87-16-014	18-40-990	REP-P	87-15-119	30-32-010	NEW	87-11-001
16-401-030	AMD-P	87-13-062	18-40-991	REP-P	87-15-119	30-32-020	NEW	87-11-001
16-401-030	AMD-E	87-16-014	18-44-010	REP-P	87-15-124	30-32-030	NEW	87-11-001
16-401-040	NEW-P	87-13-062	18-44-020	REP-P	87-15-124	30-32-040	NEW	87-11-001
16-401-040	NEW-E	87-16-014	18-44-030	REP-P	87-15-124	30-32-050	NEW	87-11-001
16-401-050	NEW-P	87-13-062	18-44-040	REP-P	87-15-124	30-32-060	NEW	87-11-001
16-401-050	NEW-E	87-16-014	18-44-050	REP-P	87-15-124	30-32-070	NEW	87-11-001
16-470-500	NEW	87-04-027	18-44-060	REP-P	87-15-124	30-32-080	NEW	87-11-001
16-470-510	NEW	87-04-027	18-44-990	REP-P	87-15-124	30-36-010	NEW	87-11-001
16-470-520	NEW	87-04-027	18-48-080	REP-P	87-15-121	30-36-020	NEW	87-11-001
16-470-530	NEW	87-04-027	18-48-090	REP-P	87-15-121	30-36-030	NEW	87-11-001
16-516-040	AMD-P	87-12-018	18-48-100	REP-P	87-15-121	30-36-040	NEW	87-11-001
16-516-040	AMD-P	87-12-019	18-48-110	REP-P	87-15-121	30-36-050	NEW	87-11-001
16-532-040	AMD-P	87-04-045	18-48-120	REP-P	87-15-121	30-36-060	NEW	87-11-001
16-532-040	AMD	87-10-059	18-48-130	REP-P	87-15-121	30-36-070	NEW	87-11-001
16-570-010	AMD-P	87-13-051	18-48-140	REP-P	87-15-121	30-36-080	NEW	87-11-001
16-570-010	AMD-E	87-15-011	18-48-150	REP-P	87-15-121	30-36-090	NEW	87-11-001
16-570-010	AMD	87-16-071	18-48-900	REP-P	87-15-121	30-36-100	NEW	87-11-001
16-570-030	AMD-P	87-13-051	18-56-010	REP-P	87-15-120	30-36-110	NEW	87-11-001
16-570-030	AMD-E	87-15-011	18-56-020	REP-P	87-15-120	30-40-010	NEW	87-11-001
16-570-030	AMD	87-16-071	18-56-030	REP-P	87-15-120	30-40-020	NEW	87-11-001
16-602-005	NEW-P	87-05-053	18-56-040	REP-P	87-15-120	30-40-030	NEW	87-11-001
16-602-010	AMD-P	87-05-053	18-56-050	REP-P	87-15-120	30-40-040	NEW	87-11-001
16-602-020	AMD-P	87-05-053	18-56-060	REP-P	87-15-120	30-40-050	NEW	87-11-001
16-602-030	AMD-P	87-05-053	18-56-990	REP-P	87-15-120	30-40-060	NEW	87-11-001
16-620-290	AMD-P	87-13-058	25-24-010	REP-P	87-02-052	30-40-070	NEW	87-11-001
16-620-290	AMD	87-16-044	25-24-010	REP	87-05-027	30-40-080	NEW	87-11-001
16-620-300	REP-P	87-13-058	25-24-020	REP-P	87-02-052	30-40-090	NEW	87-11-001

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
30-44-010	NEW	87-11-001	50-52-250	NEW-P	87-10-046	50-52-630	NEW	87-13-030
30-44-020	NEW	87-11-001	50-52-250	NEW	87-13-030	50-52-640	NEW-P	87-10-046
30-44-030	NEW	87-11-001	50-52-260	NEW-P	87-10-046	50-52-640	NEW	87-13-030
30-44-040	NEW	87-11-001	50-52-260	NEW	87-13-030	82-24-080	AMD	87-06-012
30-44-050	NEW	87-11-001	50-52-270	NEW-P	87-10-046	82-24-090	AMD	87-06-012
30-48-010	NEW	87-11-001	50-52-270	NEW	87-13-030	82-24-110	AMD	87-06-012
30-48-020	NEW	87-11-001	50-52-280	NEW-P	87-10-046	82-24-130	AMD	87-06-012
30-48-030	NEW	87-11-001	50-52-280	NEW	87-13-030	82-50-021	AMD-P	87-13-066
30-48-040	NEW	87-11-001	50-52-290	NEW-P	87-10-046	82-50-021	AMD	87-16-060
30-48-050	NEW	87-11-001	50-52-290	NEW	87-13-030	100-100-050	AMD-P	87-09-099
30-48-060	NEW	87-11-001	50-52-300	NEW-P	87-10-046	100-100-050	AMD-E	87-09-100
30-48-070	NEW	87-11-001	50-52-300	NEW	87-13-030	100-100-070	AMD-P	87-06-046
50-12-110	AMD-P	87-16-109	50-52-310	NEW-P	87-10-046	100-100-070	AMD-C	87-09-101
50-12-115	NEW-P	87-16-109	50-52-310	NEW	87-13-030	100-100-070	AMD-E	87-09-102
50-12-116	NEW-P	87-16-109	50-52-320	NEW-P	87-10-046	113-12-087	NEW	87-05-064
50-12-210	NEW-P	87-16-108	50-52-320	NEW	87-13-030	113-12-115	AMD	87-05-064
50-12-220	NEW-P	87-16-108	50-52-330	NEW-P	87-10-046	113-12-195	AMD	87-05-064
50-12-230	NEW-P	87-16-108	50-52-330	NEW	87-13-030	113-12-197	NEW	87-05-064
50-12-240	NEW-P	87-16-108	50-52-340	NEW-P	87-10-046	114-12-136	AMD-P	87-07-046
50-12-250	NEW-P	87-16-108	50-52-340	NEW	87-13-030	114-12-136	AMD	87-10-028
50-12-260	NEW-P	87-16-108	50-52-350	NEW-P	87-10-046	131-08-010	AMD	87-04-025
50-12-270	NEW-P	87-16-108	50-52-350	NEW	87-13-030	132E-136-010	REP-P	87-10-039
50-12-280	NEW-P	87-16-108	50-52-360	NEW-P	87-10-046	132E-136-010	REP	87-14-002
50-12-290	NEW-P	87-16-108	50-52-360	NEW	87-13-030	132E-136-020	REP-P	87-10-039
50-12-300	NEW-P	87-16-108	50-52-370	NEW-P	87-10-046	132E-136-020	REP	87-14-002
50-48-100	NEW-P	87-08-071	50-52-370	NEW	87-13-030	132E-136-030	REP-P	87-10-039
50-48-100	NEW	87-10-047	50-52-380	NEW-P	87-10-046	132E-136-030	REP	87-14-002
50-48-100	AMD-P	87-10-058	50-52-380	NEW	87-13-030	132E-137-010	NEW-P	87-10-038
50-48-100	AMD	87-13-015	50-52-390	NEW-P	87-10-046	132E-137-010	NEW	87-14-001
50-52-010	NEW-P	87-10-046	50-52-390	NEW	87-13-030	132E-137-020	NEW-P	87-10-038
50-52-010	NEW	87-13-030	50-52-400	NEW-P	87-10-046	132E-137-020	NEW	87-14-001
50-52-020	NEW-P	87-10-046	50-52-400	NEW	87-13-030	132E-137-030	NEW-P	87-10-038
50-52-020	NEW	87-13-030	50-52-410	NEW-P	87-10-046	132E-137-030	NEW	87-14-001
50-52-030	NEW-P	87-10-046	50-52-410	NEW	87-13-030	132E-137-040	NEW-P	87-10-038
50-52-030	NEW	87-13-030	50-52-420	NEW-P	87-10-046	132E-137-040	NEW	87-14-001
50-52-040	NEW-P	87-10-046	50-52-420	NEW	87-13-030	132E-137-050	NEW-P	87-10-038
50-52-040	NEW	87-13-030	50-52-430	NEW-P	87-10-046	132E-137-050	NEW	87-14-001
50-52-050	NEW-P	87-10-046	50-52-430	NEW	87-13-030	132E-137-060	NEW-P	87-10-038
50-52-050	NEW	87-13-030	50-52-440	NEW-P	87-10-046	132E-137-060	NEW	87-14-001
50-52-060	NEW-P	87-10-046	50-52-440	NEW	87-13-030	132E-137-070	NEW-P	87-10-038
50-52-060	NEW	87-13-030	50-52-450	NEW-P	87-10-046	132E-137-070	NEW	87-14-001
50-52-070	NEW-P	87-10-046	50-52-450	NEW	87-13-030	132F-104-010	AMD-P	87-15-098
50-52-070	NEW	87-13-030	50-52-460	NEW-P	87-10-046	132F-148-010	AMD-P	87-04-064
50-52-080	NEW-P	87-10-046	50-52-460	NEW	87-13-030	132F-148-010	AMD	87-08-026
50-52-080	NEW	87-13-030	50-52-470	NEW-P	87-10-046	132F-148-030	AMD-P	87-04-064
50-52-090	NEW-P	87-10-046	50-52-470	NEW	87-13-030	132F-148-030	AMD	87-08-026
50-52-090	NEW	87-13-030	50-52-480	NEW-P	87-10-046	132F-148-040	AMD-P	87-04-064
50-52-100	NEW-P	87-10-046	50-52-480	NEW	87-13-030	132F-148-040	AMD	87-08-026
50-52-100	NEW	87-13-030	50-52-490	NEW-P	87-10-046	132L-10-010	NEW-E	87-07-031
50-52-110	NEW-P	87-10-046	50-52-490	NEW	87-13-030	132L-10-010	NEW-P	87-08-017
50-52-110	NEW	87-13-030	50-52-500	NEW-P	87-10-046	132L-10-010	NEW	87-13-026
50-52-120	NEW-P	87-10-046	50-52-500	NEW	87-13-030	132L-10-020	NEW-E	87-07-031
50-52-120	NEW	87-13-030	50-52-510	NEW-P	87-10-046	132L-10-020	NEW-P	87-08-017
50-52-130	NEW-P	87-10-046	50-52-510	NEW	87-13-030	132L-10-020	NEW	87-13-026
50-52-130	NEW	87-13-030	50-52-520	NEW-P	87-10-046	132L-10-030	NEW-E	87-07-031
50-52-140	NEW-P	87-10-046	50-52-520	NEW	87-13-030	132L-10-030	NEW-P	87-08-017
50-52-140	NEW	87-13-030	50-52-530	NEW-P	87-10-046	132L-10-030	NEW	87-13-026
50-52-150	NEW-P	87-10-046	50-52-530	NEW	87-13-030	132L-10-040	NEW-E	87-07-031
50-52-150	NEW	87-13-030	50-52-540	NEW-P	87-10-046	132L-10-040	NEW-P	87-08-017
50-52-160	NEW-P	87-10-046	50-52-540	NEW	87-13-030	132L-10-040	NEW	87-13-026
50-52-160	NEW	87-13-030	50-52-550	NEW-P	87-10-046	132L-10-050	NEW-E	87-07-031
50-52-170	NEW-P	87-10-046	50-52-550	NEW	87-13-030	132L-10-050	NEW-P	87-08-017
50-52-170	NEW	87-13-030	50-52-560	NEW-P	87-10-046	132L-10-050	NEW	87-13-026
50-52-180	NEW-P	87-10-046	50-52-560	NEW	87-13-030	132L-10-060	NEW-E	87-07-031
50-52-180	NEW	87-13-030	50-52-570	NEW-P	87-10-046	132L-10-060	NEW-P	87-08-017
50-52-190	NEW-P	87-10-046	50-52-570	NEW	87-13-030	132L-10-070	NEW-E	87-07-031
50-52-190	NEW	87-13-030	50-52-580	NEW-P	87-10-046	132L-10-070	NEW-P	87-08-017
50-52-200	NEW-P	87-10-046	50-52-580	NEW	87-13-030	132L-10-080	NEW-E	87-07-031
50-52-200	NEW	87-13-030	50-52-590	NEW-P	87-10-046	132L-10-080	NEW-P	87-08-017
50-52-210	NEW-P	87-10-046	50-52-590	NEW	87-13-030	132L-10-090	NEW-E	87-07-031
50-52-210	NEW	87-13-030	50-52-600	NEW-P	87-10-046	132L-10-090	NEW-P	87-08-017
50-52-220	NEW-P	87-10-046	50-52-600	NEW	87-13-030	132L-10-100	NEW-E	87-07-031
50-52-220	NEW	87-13-030	50-52-610	NEW-P	87-10-046	132L-10-100	NEW-P	87-08-017
50-52-230	NEW-P	87-10-046	50-52-610	NEW	87-13-030	132L-10-100	NEW	87-13-026
50-52-230	NEW	87-13-030	50-52-620	NEW-P	87-10-046	132L-10-110	NEW-E	87-07-031
50-52-240	NEW-P	87-10-046	50-52-620	NEW	87-13-030	132L-10-110	NEW-P	87-08-017
50-52-240	NEW	87-13-030	50-52-630	NEW-P	87-10-046	132L-10-110	NEW	87-13-026

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
132L-10-120	NEW-E 87-07-031	132L-20-135	NEW-P 87-14-023	132L-23-010	NEW 87-13-026
132L-10-120	NEW-P 87-08-017	132L-20-135	NEW-E 87-14-024	132L-23-020	NEW-E 87-07-031
132L-10-120	NEW 87-13-026	132L-20-135	NEW 87-17-037	132L-23-020	NEW-P 87-08-017
132L-10-130	NEW-E 87-07-031	132L-20-140	AMD-E 87-07-048	132L-23-020	NEW 87-13-026
132L-10-130	NEW-P 87-08-017	132L-20-140	AMD-P 87-08-018	132L-23-030	NEW-E 87-07-031
132L-10-130	NEW 87-13-026	132L-20-140	AMD-P 87-14-023	132L-23-030	NEW-P 87-08-017
132L-10-140	NEW-E 87-07-031	132L-20-140	AMD-E 87-14-024	132L-23-030	NEW 87-13-026
132L-10-140	NEW-P 87-08-017	132L-20-140	AMD 87-17-037	132L-23-040	NEW 87-13-026
132L-10-150	NEW-E 87-07-031	132L-20-150	AMD-E 87-07-048	132L-24	AMD-E 87-07-048
132L-10-150	NEW-P 87-08-017	132L-20-150	AMD-P 87-08-018	132L-24	AMD-P 87-08-018
132L-10-150	NEW-E 87-07-031	132L-20-150	REP-P 87-14-023	132L-24	AMD-P 87-14-023
132L-10-160	NEW-P 87-08-017	132L-20-150	REP-E 87-14-024	132L-24	AMD-E 87-14-024
132L-10-160	NEW-E 87-07-048	132L-20-150	REP 87-17-037	132L-24	AMD 87-17-037
132L-20	AMD-E 87-08-018	132L-20-160	AMD-E 87-07-048	132L-24-010	AMD-E 87-07-048
132L-20	AMD-P 87-14-023	132L-20-160	AMD-P 87-08-018	132L-24-010	AMD-P 87-08-018
132L-20	AMD-E 87-14-024	132L-20-160	REP-P 87-14-023	132L-24-010	AMD-P 87-14-023
132L-20	AMD 87-17-037	132L-20-160	REP-E 87-14-024	132L-24-010	AMD-E 87-14-024
132L-20-010	AMD-E 87-07-048	132L-20-160	REP 87-17-037	132L-24-010	AMD 87-17-037
132L-20-010	AMD-P 87-08-018	132L-20-170	AMD-E 87-07-048	132L-24-020	AMD-E 87-07-048
132L-20-010	AMD-P 87-14-023	132L-20-170	AMD-P 87-08-018	132L-24-020	AMD-P 87-08-018
132L-20-010	AMD-E 87-14-024	132L-20-170	REP-P 87-14-023	132L-24-020	AMD-P 87-14-023
132L-20-010	AMD 87-17-037	132L-20-170	REP-E 87-14-024	132L-24-020	AMD-E 87-14-024
132L-20-020	AMD-E 87-07-048	132L-20-170	REP 87-17-037	132L-24-020	AMD 87-17-037
132L-20-020	AMD-P 87-08-018	132L-21-010	NEW-E 87-07-031	132L-24-030	AMD-E 87-07-048
132L-20-020	REP-P 87-14-023	132L-21-010	NEW-P 87-08-017	132L-24-030	AMD-P 87-08-018
132L-20-020	REP-E 87-14-024	132L-21-010	NEW 87-13-026	132L-24-030	AMD-P 87-14-023
132L-20-020	REP 87-17-037	132L-21-020	NEW-E 87-07-031	132L-24-030	AMD-E 87-14-024
132L-20-030	AMD-E 87-07-048	132L-21-020	NEW-P 87-08-017	132L-24-030	AMD 87-17-037
132L-20-030	AMD-P 87-08-018	132L-21-020	NEW 87-13-026	132L-24-040	AMD-E 87-07-048
132L-20-030	AMD-P 87-14-023	132L-21-030	NEW-E 87-07-031	132L-24-040	AMD-P 87-08-018
132L-20-030	AMD-E 87-14-024	132L-21-030	NEW-P 87-08-017	132L-24-040	AMD-P 87-08-018
132L-20-030	AMD 87-17-037	132L-21-030	NEW 87-13-026	132L-24-040	REP-P 87-14-023
132L-20-040	AMD-E 87-07-048	132L-21-040	NEW-E 87-07-031	132L-24-040	REP-E 87-14-024
132L-20-040	AMD-P 87-08-018	132L-21-040	NEW-P 87-08-017	132L-24-040	REP 87-17-037
132L-20-040	REP-P 87-14-023	132L-21-040	NEW 87-13-026	132L-24-050	AMD-E 87-07-048
132L-20-040	REP-E 87-14-024	132L-22	AMD-E 87-07-048	132L-24-050	AMD-P 87-08-018
132L-20-040	REP 87-17-037	132L-22	AMD-P 87-08-018	132L-24-050	REP-P 87-14-023
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132L-20-050	AMD-P 87-08-018	132L-22	AMD-E 87-14-024	132L-24-050	REP 87-17-037
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173-221-050	NEW-P	87-13-068	173-303-103	AMD-P	87-09-078	173-304-440	AMD-P	87-04-038
173-221-100	NEW-P	87-13-068	173-303-103	AMD	87-14-029	173-304-440	AMD-W	87-05-035
173-230-010	AMD-P	87-17-063	173-303-120	AMD-P	87-09-078	173-304-440	AMD-P	87-05-054
173-230-020	AMD-P	87-17-063	173-303-120	AMD	87-14-029	173-304-440	AMD-C	87-08-060
173-230-030	AMD-P	87-17-063	173-303-170	AMD-P	87-09-078	173-304-440	AMD-W	87-11-038
173-230-040	AMD-P	87-17-063	173-303-170	AMD	87-14-029	173-304-450	AMD-P	87-14-060
173-230-050	AMD-P	87-17-063	173-303-201	AMD-P	87-09-078	173-304-460	AMD-P	87-14-060
173-230-061	AMD-P	87-17-063	173-303-201	AMD	87-14-029	173-304-467	NEW-P	87-13-067
173-230-070	AMD-P	87-17-063	173-303-220	AMD-P	87-09-078	173-304-467	NEW-P	87-14-060
173-230-080	AMD-P	87-17-063	173-303-220	AMD	87-14-029	173-304-600	AMD-P	87-14-060
173-230-090	AMD-P	87-17-063	173-303-230	AMD-P	87-09-078	173-326-010	NEW-E	87-05-032
173-230-100	AMD-P	87-17-063	173-303-230	AMD	87-14-029	173-326-010	NEW-P	87-11-028
173-230-110	AMD-P	87-17-063	173-303-240	AMD-P	87-09-078	173-326-010	NEW-E	87-11-029
173-230-140	AMD-P	87-17-063	173-303-240	AMD	87-14-029	173-326-010	NEW	87-14-078
173-245-010	NEW-C	87-02-050	173-303-280	AMD-P	87-09-078	173-326-020	NEW-E	87-05-032
173-245-010	NEW-C	87-04-014	173-303-280	AMD	87-14-029	173-326-020	NEW-P	87-11-028
173-245-010	NEW	87-04-020	173-303-360	AMD-P	87-09-078	173-326-020	NEW-E	87-11-029
173-245-015	NEW-C	87-02-050	173-303-360	AMD	87-14-029	173-326-020	NEW	87-14-078
173-245-015	NEW-C	87-04-014	173-303-400	AMD-P	87-09-078	173-326-030	NEW-E	87-05-032
173-245-015	NEW	87-04-020	173-303-400	AMD	87-14-029	173-326-030	NEW-P	87-11-028
173-245-020	NEW-C	87-02-050	173-303-420	AMD	87-03-014	173-326-030	NEW-E	87-11-029
173-245-020	NEW-C	87-04-014	173-303-420	AMD-P	87-09-078	173-326-030	NEW	87-14-078
173-245-020	NEW	87-04-020	173-303-420	AMD	87-14-029	173-326-040	NEW-E	87-05-032
173-245-030	NEW-C	87-02-050	173-303-515	AMD-P	87-09-078	173-326-040	NEW-P	87-11-028
173-245-030	NEW-C	87-04-014	173-303-515	AMD	87-14-029	173-326-040	NEW-E	87-11-029

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173-326-040	NEW	87-14-078	174-116-042	AMD-C	87-13-029	180-24-130	NEW	87-04-059
173-400-105	NEW-P	87-15-114	174-116-042	AMD	87-14-020	180-24-140	NEW	87-04-059
173-403-030	AMD-P	87-15-115	174-116-043	AMD-P	87-10-054	180-24-200	AMD	87-04-059
173-421-010	NEW-P	87-15-116	174-116-043	AMD-C	87-13-029	180-24-300	NEW	87-04-059
173-421-020	NEW-P	87-15-116	174-116-043	AMD	87-14-020	180-24-305	NEW	87-04-059
173-421-030	NEW-P	87-15-116	174-116-044	AMD-P	87-10-054	180-24-310	NEW	87-04-059
173-421-100	NEW-P	87-15-116	174-116-044	AMD-C	87-13-029	180-24-312	NEW	87-04-059
173-422-130	AMD	87-02-051	174-116-044	AMD	87-14-020	180-24-315	NEW	87-04-059
173-434	NEW-C	87-03-045	174-116-045	AMD-P	87-10-054	180-24-320	NEW	87-04-059
173-434-010	NEW	87-07-041	174-116-045	AMD-C	87-13-029	180-24-325	NEW	87-04-059
173-434-020	NEW	87-07-041	174-116-045	AMD	87-14-020	180-24-327	NEW	87-04-059
173-434-030	NEW	87-07-041	174-116-050	AMD-P	87-10-054	180-24-330	NEW	87-04-059
173-434-050	NEW	87-07-041	174-116-050	AMD-C	87-13-029	180-24-335	NEW	87-04-059
173-434-100	NEW	87-07-041	174-116-050	AMD	87-14-020	180-24-340	NEW	87-04-059
173-434-110	NEW	87-07-041	174-116-070	REP-P	87-10-054	180-24-345	NEW	87-04-059
173-434-120	NEW	87-07-041	174-116-070	REP-C	87-13-029	180-24-350	NEW	87-04-059
173-434-130	NEW	87-07-041	174-116-070	REP	87-14-020	180-24-355	NEW	87-04-059
173-434-160	NEW	87-07-041	174-116-071	AMD-P	87-10-054	180-24-360	NEW	87-04-059
173-434-170	NEW	87-07-041	174-116-071	AMD-C	87-13-029	180-24-365	NEW	87-04-059
173-434-190	NEW	87-07-041	174-116-071	AMD	87-14-020	180-24-370	NEW	87-04-059
173-434-200	NEW	87-07-041	174-116-072	AMD-P	87-10-054	180-24-375	NEW	87-04-059
173-434-210	NEW	87-07-041	174-116-072	AMD-C	87-13-029	180-24-380	NEW	87-04-059
173-440-010	NEW-P	87-15-117	174-116-072	AMD	87-14-020	180-40-235	AMD-P	87-05-047
173-440-020	NEW-P	87-15-117	174-116-091	AMD-P	87-10-054	180-40-235	AMD	87-09-040
173-440-030	NEW-P	87-15-117	174-116-091	AMD-C	87-13-029	180-75-005	AMD-P	87-09-052
173-440-040	NEW-P	87-15-117	174-116-091	AMD	87-14-020	180-75-005	AMD	87-12-042
173-440-100	NEW-P	87-15-117	174-116-092	AMD-P	87-10-054	180-75-015	AMD-P	87-05-048
173-440-900	NEW-P	87-15-117	174-116-092	AMD-C	87-13-029	180-75-015	AMD	87-09-010
173-450-010	NEW-P	87-15-118	174-116-092	AMD	87-14-020	180-75-018	NEW-P	87-05-048
173-450-020	NEW-P	87-15-118	174-116-119	AMD-P	87-10-054	180-75-018	NEW	87-09-010
173-450-030	NEW-P	87-15-118	174-116-119	AMD-C	87-13-029	180-75-019	NEW-P	87-05-048
173-450-040	NEW-P	87-15-118	174-116-119	AMD	87-14-020	180-75-019	NEW	87-09-010
173-450-050	NEW-P	87-15-118	174-116-121	AMD-P	87-10-054	180-75-025	AMD-P	87-05-048
173-450-060	NEW-P	87-15-118	174-116-121	AMD-C	87-13-029	180-75-025	AMD	87-09-010
173-450-070	NEW-P	87-15-118	174-116-121	AMD	87-14-020	180-75-026	NEW-P	87-05-048
173-450-080	NEW-P	87-15-118	174-116-122	AMD-P	87-10-054	180-75-026	NEW	87-09-010
173-450-090	NEW-P	87-15-118	174-116-122	AMD-C	87-13-029	180-75-034	NEW-P	87-05-048
173-450-100	NEW-P	87-15-118	174-116-122	AMD	87-14-020	180-75-034	NEW	87-09-010
173-470-010	NEW-P	87-15-119	174-116-123	AMD-P	87-10-054	180-75-035	AMD-P	87-05-048
173-470-020	NEW-P	87-15-119	174-116-123	AMD-C	87-13-029	180-75-035	AMD	87-09-010
173-470-030	NEW-P	87-15-119	174-116-123	AMD	87-14-020	180-75-037	NEW-P	87-05-048
173-470-100	NEW-P	87-15-119	174-116-126	AMD-P	87-10-054	180-75-037	NEW	87-09-010
173-470-110	NEW-P	87-15-119	174-116-126	AMD-C	87-13-029	180-75-038	NEW-P	87-05-048
173-470-150	NEW-P	87-15-119	174-116-126	AMD	87-14-020	180-75-038	NEW	87-09-010
173-470-160	NEW-P	87-15-119	174-116-127	AMD-P	87-10-054	180-75-039	NEW-P	87-05-048
173-474-010	NEW-P	87-15-120	174-116-127	AMD-C	87-13-029	180-75-039	NEW	87-09-010
173-474-020	NEW-P	87-15-120	174-116-127	AMD	87-14-020	180-75-040	AMD-P	87-05-048
173-474-030	NEW-P	87-15-120	174-116-190	REP-P	87-10-054	180-75-040	AMD	87-09-010
173-474-100	NEW-P	87-15-120	174-116-190	REP	87-14-020	180-75-042	NEW-P	87-05-048
173-474-150	NEW-P	87-15-120	174-116-260	REP-P	87-10-054	180-75-042	NEW	87-09-010
173-474-160	NEW-P	87-15-120	174-116-260	REP	87-14-020	180-75-043	NEW-P	87-05-048
173-481-010	NEW-P	87-15-121	180-16-210	AMD-P	87-09-051	180-75-043	NEW	87-09-010
173-481-020	NEW-P	87-15-121	180-16-210	AMD	87-12-043	180-75-044	NEW-P	87-05-048
173-481-030	NEW-P	87-15-121	180-16-221	AMD-P	87-09-092	180-75-044	NEW	87-09-010
173-481-100	NEW-P	87-15-121	180-16-221	AMD	87-12-040	180-75-065	AMD-P	87-05-048
173-481-110	NEW-P	87-15-121	180-24-003	NEW	87-04-059	180-75-065	AMD	87-09-010
173-481-150	NEW-P	87-15-121	180-24-005	REP	87-04-059	180-75-070	AMD-P	87-05-048
173-481-160	NEW-P	87-15-121	180-24-007	NEW	87-04-059	180-75-070	AMD	87-09-010
174-107-261	NEW-E	87-03-038	180-24-008	NEW	87-04-059	180-75-075	AMD-P	87-05-048
174-116	AMD-P	87-10-054	180-24-010	REP	87-04-059	180-75-075	AMD	87-09-010
174-116	AMD	87-14-020	180-24-013	NEW	87-04-059	180-75-080	AMD-P	87-05-048
174-116-010	AMD-P	87-10-054	180-24-015	REP	87-04-059	180-75-080	AMD	87-09-010
174-116-010	AMD-C	87-13-029	180-24-016	NEW	87-04-059	180-75-081	NEW-P	87-05-048
174-116-010	AMD	87-14-020	180-24-017	NEW	87-04-059	180-75-081	NEW	87-09-010
174-116-020	AMD-P	87-10-054	180-24-020	REP	87-04-059	180-75-082	NEW-P	87-05-048
174-116-020	AMD-C	87-13-029	180-24-021	NEW	87-04-059	180-75-082	NEW	87-09-010
174-116-020	AMD	87-14-020	180-24-025	REP	87-04-059	180-75-083	NEW-P	87-05-048
174-116-030	AMD-P	87-10-054	180-24-030	REP	87-04-059	180-75-083	NEW	87-09-010
174-116-030	AMD-C	87-13-029	180-24-080	NEW	87-04-059	180-75-084	NEW-P	87-05-048
174-116-030	AMD	87-14-020	180-24-100	REP	87-04-059	180-75-084	NEW	87-09-010
174-116-040	AMD-P	87-10-054	180-24-101	NEW	87-04-059	180-75-085	AMD-P	87-05-048
174-116-040	AMD-C	87-13-029	180-24-102	NEW	87-04-059	180-75-085	AMD	87-09-010
174-116-040	AMD	87-14-020	180-24-110	NEW	87-04-059	180-75-086	NEW-P	87-05-048
174-116-041	AMD-P	87-10-054	180-24-112	NEW	87-04-059	180-75-086	NEW	87-09-010
174-116-041	AMD-C	87-13-029	180-24-115	NEW	87-04-059	180-75-087	AMD-P	87-05-048
174-116-041	AMD	87-14-020	180-24-120	NEW	87-04-059	180-75-087	AMD	87-09-010
174-116-042	AMD-P	87-10-054	180-24-125	NEW	87-04-059	180-75-199	NEW-P	87-05-048

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180-75-199	NEW	87-09-010	180-79-330	NEW-P	87-05-050	180-85-225	AMD	87-09-013
180-78	AMD-P	87-05-049	180-79-330	NEW	87-09-012	180-90-125	NEW-P	87-05-052
180-78	AMD	87-09-011	180-79-332	NEW-P	87-05-050	180-90-125	NEW	87-09-039
180-78-003	NEW-P	87-05-049	180-79-332	NEW	87-09-012	180-90-141	NEW-P	87-05-052
180-78-003	NEW	87-09-011	180-79-334	NEW-P	87-05-050	180-90-141	NEW	87-09-039
180-78-005	AMD-P	87-05-049	180-79-334	NEW	87-09-012	180-90-160	AMD-P	87-05-052
180-78-005	AMD	87-09-011	180-79-336	NEW-P	87-05-050	180-90-160	AMD	87-09-039
180-78-010	AMD-P	87-05-049	180-79-336	NEW	87-09-012	182-08-060	AMD-E	87-11-003
180-78-010	AMD	87-09-011	180-79-338	NEW-P	87-05-050	182-08-060	AMD-E	87-14-004
180-78-025	AMD-P	87-05-049	180-79-338	NEW	87-09-012	182-08-060	AMD-P	87-15-025
180-78-025	AMD	87-09-011	180-79-340	NEW-P	87-05-050	182-12-126	REP-E	87-11-003
180-78-191	NEW-P	87-05-049	180-79-340	NEW	87-09-012	182-12-126	REP-E	87-14-004
180-78-191	NEW	87-09-011	180-79-342	NEW-P	87-05-050	182-12-126	REP-P	87-15-025
180-78-192	NEW-P	87-05-049	180-79-342	NEW	87-09-012	182-12-127	NEW-E	87-11-003
180-78-192	NEW	87-09-011	180-79-344	NEW-P	87-05-050	182-12-127	NEW-E	87-14-004
180-78-193	NEW-P	87-05-049	180-79-344	NEW	87-09-012	182-12-127	NEW-P	87-15-025
180-78-193	NEW	87-09-011	180-79-346	NEW-P	87-05-050	182-12-210	AMD-E	87-04-016
180-78-194	NEW-P	87-05-049	180-79-346	NEW	87-09-012	182-12-210	AMD-P	87-04-039
180-78-194	NEW	87-09-011	180-79-348	NEW-P	87-05-050	182-12-210	AMD	87-07-034
180-78-195	NEW-P	87-05-049	180-79-348	NEW	87-09-012	192-09-064	NEW-E	87-15-026
180-78-195	NEW	87-09-011	180-79-350	NEW-P	87-05-050	192-12-005	NEW-P	87-08-049
180-78-197	NEW-P	87-05-049	180-79-350	NEW	87-09-012	192-12-005	NEW	87-12-021
180-78-197	NEW	87-09-011	180-79-352	NEW-P	87-05-050	192-12-011	NEW-P	87-08-049
180-78-198	NEW-P	87-05-049	180-79-352	NEW	87-09-012	192-12-011	NEW	87-12-021
180-78-198	NEW	87-09-011	180-79-354	NEW-P	87-05-050	192-12-012	NEW-P	87-08-049
180-78-199	NEW-P	87-05-049	180-79-354	NEW	87-09-012	192-12-012	NEW	87-12-021
180-78-199	NEW	87-09-011	180-79-356	NEW-P	87-05-050	192-12-042	AMD-P	87-16-052
180-79	AMD-P	87-05-050	180-79-356	NEW	87-09-012	192-12-141	AMD-P	87-08-049
180-79	AMD	87-09-012	180-79-358	NEW-P	87-05-050	192-12-141	AMD	87-12-021
180-79-003	NEW-P	87-05-050	180-79-358	NEW	87-09-012	192-12-158	NEW	87-03-006
180-79-003	NEW	87-09-012	180-79-360	NEW-P	87-05-050	192-23	AMD-P	87-08-049
180-79-007	NEW-P	87-09-053	180-79-360	NEW	87-09-012	192-23	AMD	87-12-021
180-79-007	NEW	87-12-039	180-79-362	NEW-P	87-05-050	192-23-011	AMD-P	87-08-049
180-79-010	AMD-P	87-05-050	180-79-362	NEW	87-09-012	192-23-011	AMD	87-12-021
180-79-010	AMD	87-09-012	180-79-364	NEW-P	87-05-050	192-23-012	AMD-P	87-08-049
180-79-045	AMD-P	87-05-050	180-79-364	NEW	87-09-012	192-23-012	AMD	87-12-021
180-79-045	AMD	87-09-012	180-79-366	NEW-P	87-05-050	192-23-014	AMD-P	87-08-049
180-79-060	AMD-P	87-05-050	180-79-366	NEW	87-09-012	192-23-014	AMD	87-12-021
180-79-060	AMD	87-09-012	180-79-368	NEW-P	87-05-050	192-23-015	AMD-W	87-08-049
180-79-065	AMD-P	87-05-050	180-79-368	NEW	87-09-012	192-23-016	AMD-P	87-08-049
180-79-065	AMD	87-09-012	180-79-370	NEW-P	87-05-050	192-23-016	AMD	87-12-021
180-79-065	AMD-P	87-09-093	180-79-370	NEW	87-09-012	192-23-018	NEW-P	87-08-049
180-79-065	AMD	87-13-044	180-79-372	NEW-P	87-05-050	192-23-018	NEW	87-12-021
180-79-075	AMD-P	87-05-050	180-79-372	NEW	87-09-012	192-23-051	AMD-P	87-08-049
180-79-075	AMD	87-09-012	180-79-374	NEW-P	87-05-050	192-23-051	AMD	87-12-021
180-79-075	AMD-P	87-09-093	180-79-374	NEW	87-09-012	192-23-800	AMD-P	87-08-049
180-79-075	AMD	87-13-044	180-79-376	NEW-P	87-05-050	192-23-800	AMD	87-12-021
180-79-080	AMD-P	87-05-050	180-79-376	NEW	87-09-012	192-23-810	AMD-P	87-08-049
180-79-080	AMD	87-09-012	180-79-378	NEW-P	87-05-050	192-23-810	AMD	87-12-021
180-79-086	AMD-P	87-05-050	180-79-378	NEW	87-09-012	196-08-085	REP-P	87-08-052
180-79-086	AMD	87-09-012	180-79-380	NEW-P	87-05-050	196-08-085	REP	87-13-005
180-79-115	AMD-P	87-05-050	180-79-380	NEW	87-09-012	196-12-010	AMD-P	87-08-052
180-79-115	AMD	87-09-012	180-79-382	NEW-P	87-05-050	196-12-010	AMD	87-13-005
180-79-230	AMD-P	87-05-050	180-79-382	NEW	87-09-012	196-12-020	AMD-P	87-08-052
180-79-230	AMD	87-09-012	180-79-384	NEW-P	87-05-050	196-12-020	AMD	87-13-005
180-79-300	NEW-P	87-05-050	180-79-384	NEW	87-09-012	196-16-007	AMD-P	87-08-052
180-79-300	NEW	87-09-012	180-79-386	NEW-P	87-05-050	196-16-007	AMD	87-13-005
180-79-305	NEW-P	87-05-050	180-79-386	NEW	87-09-012	196-16-010	AMD-P	87-08-052
180-79-305	NEW	87-09-012	180-79-388	NEW-P	87-05-050	196-16-010	AMD	87-13-005
180-79-310	NEW-P	87-05-050	180-79-388	NEW	87-09-012	196-20-020	AMD-P	87-08-052
180-79-310	NEW	87-09-012	180-79-390	NEW-P	87-05-050	196-20-020	AMD	87-13-005
180-79-312	NEW-P	87-05-050	180-79-390	NEW	87-09-012	196-20-030	AMD-P	87-08-052
180-79-312	NEW	87-09-012	180-79-392	NEW-P	87-05-050	196-20-030	AMD	87-13-005
180-79-315	NEW-P	87-05-050	180-79-392	NEW	87-09-012	196-24-050	AMD-P	87-08-052
180-79-315	NEW	87-09-012	180-79-394	NEW-P	87-05-050	196-24-050	AMD	87-13-005
180-79-317	NEW-P	87-05-050	180-79-394	NEW	87-09-012	196-24-070	REP-P	87-08-052
180-79-317	NEW	87-09-012	180-79-396	NEW-P	87-05-050	196-24-070	REP	87-13-005
180-79-320	NEW-P	87-05-050	180-79-396	NEW	87-09-012	196-24-085	AMD-P	87-08-052
180-79-320	NEW	87-09-012	180-79-398	NEW-P	87-05-050	196-24-085	AMD	87-13-005
180-79-322	NEW-P	87-05-050	180-79-398	NEW	87-09-012	196-24-100	NEW-P	87-08-052
180-79-322	NEW	87-09-012	180-85-020	AMD-P	87-09-094	196-24-100	NEW	87-13-005
180-79-324	NEW-P	87-05-050	180-85-020	AMD	87-12-041	196-24-105	NEW-P	87-08-052
180-79-324	NEW	87-09-012	180-85-045	AMD-P	87-05-051	196-24-105	NEW	87-13-005
180-79-326	NEW-P	87-05-050	180-85-045	AMD	87-09-013	196-24-110	NEW-P	87-08-052
180-79-326	NEW	87-09-012	180-85-220	AMD-P	87-05-051	196-24-110	NEW	87-13-005
180-79-328	NEW-P	87-05-050	180-85-220	AMD	87-09-013	196-26-010	REP-P	87-07-046
180-79-328	NEW	87-09-012	180-85-225	AMD-P	87-05-051	196-26-010	REP-P	87-13-057

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196-26-020	NEW-P	87-07-046	220-24-02000Y	NEW-E	87-16-049	220-47-301	AMD	87-15-059
196-26-020	NEW-P	87-13-057	220-24-02000Y	REP-E	87-17-005	220-47-311	AMD-P	87-09-082
196-26-020	NEW-E	87-14-088	220-24-02000Z	NEW-E	87-17-005	220-47-311	AMD-C	87-12-086
196-27-020	AMD-P	87-08-052	220-28-624	REP-E	87-03-008	220-47-311	AMD	87-15-059
196-27-020	AMD	87-13-005	220-28-625	NEW-E	87-03-008	220-47-312	AMD-P	87-09-082
204-08-010	AMD-P	87-13-034	220-28-625	REP-E	87-05-002	220-47-312	AMD-C	87-12-086
204-08-010	AMD	87-16-032	220-32-02200S	NEW-E	87-04-013	220-47-312	AMD	87-15-059
204-65-010	NEW	87-04-065	220-32-02000C	NEW-E	87-14-005	220-47-313	AMD-P	87-09-082
204-65-020	NEW	87-04-065	220-32-03000E	NEW-E	87-05-037	220-47-313	AMD-C	87-12-086
204-65-030	NEW	87-04-065	220-32-03000E	REP-E	87-06-037	220-47-313	AMD	87-15-059
204-65-040	NEW	87-04-065	220-32-03000F	NEW-E	87-14-005	220-47-401	AMD-P	87-09-082
204-65-050	NEW	87-04-065	220-32-03000F	REP-E	87-14-018	220-47-401	AMD-C	87-12-086
204-65-060	NEW	87-04-065	220-32-03000G	NEW-E	87-14-018	220-47-401	AMD	87-15-059
204-76-99001	AMD-P	87-15-078	220-32-03000G	REP-E	87-14-033	220-47-402	AMD-P	87-09-082
204-76-99002	AMD-P	87-15-078	220-32-03000H	NEW-E	87-14-033	220-47-402	AMD-C	87-12-086
204-76-99005	NEW-P	87-15-078	220-32-03000H	REP-E	87-17-011	220-47-402	AMD	87-15-059
204-90-030	AMD-P	87-15-077	220-32-03000I	NEW-E	87-17-011	220-47-403	AMD-P	87-09-082
204-91-050	AMD-P	87-13-048	220-32-04100J	NEW-E	87-11-059	220-47-403	AMD-C	87-12-086
204-91-050	AMD	87-16-033	220-32-05100H	NEW-E	87-05-037	220-47-403	AMD	87-15-059
204-91-060	AMD-P	87-13-048	220-32-05100I	NEW-E	87-14-008	220-47-411	AMD-P	87-09-082
204-91-060	AMD	87-16-033	220-32-05100I	REP-E	87-14-025	220-47-411	AMD-C	87-12-086
212-32-015	AMD-P	87-14-075	220-32-05100J	NEW-E	87-14-025	220-47-411	AMD	87-15-059
212-51-001	NEW-P	87-03-053	220-32-05100J	REP-E	87-14-033	220-47-412	AMD-P	87-09-082
212-51-001	NEW	87-06-044	220-32-05100K	NEW-E	87-14-033	220-47-412	AMD-C	87-12-086
212-51-005	NEW-P	87-03-053	220-32-05100K	REP-E	87-15-007	220-47-412	AMD	87-15-059
212-51-005	NEW	87-06-044	220-32-05100L	NEW-E	87-15-007	220-47-413	AMD-P	87-09-082
212-51-010	NEW-P	87-03-053	220-32-05100L	REP-E	87-15-071	220-47-413	AMD-C	87-12-086
212-51-010	NEW	87-06-044	220-32-05100M	NEW-E	87-15-071	220-47-413	AMD	87-15-059
212-51-015	NEW-P	87-03-053	220-32-05100M	REP-E	87-17-011	220-47-414	AMD-P	87-09-082
212-51-015	NEW	87-06-044	220-32-05100N	NEW-E	87-17-011	220-47-414	AMD-C	87-12-086
212-51-020	NEW-P	87-03-053	220-32-05100N	REP-E	87-17-030	220-47-414	AMD	87-15-059
212-51-020	NEW	87-06-044	220-32-05100P	NEW-E	87-17-030	220-47-50101	REP-P	87-09-082
212-51-025	NEW-P	87-03-053	220-32-05500T	NEW-E	87-11-033	220-47-50101	REP-C	87-12-086
212-51-025	NEW	87-06-044	220-32-05900K	NEW-E	87-09-065	220-47-50101	REP	87-15-059
212-51-030	NEW-P	87-03-053	220-32-05900L	NEW-E	87-09-084	220-47-50201	REP-P	87-09-082
212-51-030	NEW	87-06-044	220-32-05900M	NEW-E	87-13-011	220-47-50201	REP-C	87-12-086
212-51-035	NEW-P	87-03-053	220-32-05900N	NEW-E	87-15-071	220-47-50201	REP	87-15-059
212-51-035	NEW	87-06-044	220-36-021	AMD-P	87-15-131	220-47-503	REP-P	87-09-082
212-51-040	NEW-P	87-03-053	220-36-02100J	NEW-E	87-15-005	220-47-503	REP-C	87-12-086
212-51-040	NEW	87-06-044	220-36-02100J	REP-E	87-15-062	220-47-503	REP	87-15-059
212-51-045	NEW-P	87-03-053	220-36-02100K	NEW-E	87-15-062	220-47-800	NEW-E	87-16-006
212-51-045	NEW	87-06-044	220-36-02100K	REP-E	87-15-130	220-47-800	REP-E	87-16-056
212-51-050	NEW-P	87-03-053	220-36-02100L	NEW-E	87-15-130	220-47-801	NEW-E	87-16-056
212-51-050	NEW	87-06-044	220-36-02100L	REP-E	87-16-051	220-47-801	REP-E	87-17-010
220-12-020	AMD-P	87-17-070	220-36-02100M	NEW-E	87-16-051	220-47-802	NEW-E	87-17-010
220-16-075	AMD-P	87-09-082	220-36-02100M	REP-E	87-17-007	220-47-802	REP-E	87-17-038
220-16-075	AMD-C	87-12-086	220-36-02100N	NEW-E	87-17-007	220-47-803	NEW-E	87-17-038
220-16-075	AMD	87-15-059	220-36-022	AMD-P	87-15-131	220-48-011	AMD	87-04-003
220-16-385	REP-P	87-17-070	220-36-024	AMD-P	87-15-131	220-48-015	AMD	87-04-003
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220-20-018	NEW-P	87-14-032	220-40-021	AMD-P	87-15-131	220-48-01500Z	NEW-E	87-08-010
220-20-02000U	REP-E	87-15-015	220-40-02100U	NEW-E	87-15-005	220-48-017	AMD	87-04-003
220-20-02000V	NEW-E	87-15-015	220-40-02100U	REP-E	87-17-007	220-48-025	AMD	87-04-003
220-20-02000V	REP-E	87-15-060	220-40-02100V	NEW-E	87-17-007	220-48-026	AMD	87-04-003
220-20-050	NEW-P	87-13-010	220-40-02100V	REP-E	87-17-029	220-48-027	AMD	87-04-003
220-20-050	NEW-P	87-17-069	220-40-02100W	NEW-E	87-17-029	220-48-032	AMD	87-04-003
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220-20-055	NEW-P	87-17-069	220-40-024	AMD-P	87-15-131	220-48-056	REP	87-04-003
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220-22-030	AMD-C	87-12-086	220-44-050	AMD	87-07-042	220-49-02000A	NEW-E	87-09-055
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220-24-02000U	REP-E	87-15-060	220-44-05000G	NEW-E	87-15-096	220-52-03000D	NEW-E	87-08-047
220-24-02000V	NEW-E	87-15-060	220-44-060	REP	87-04-003	220-52-035	NEW-P	87-17-070
220-24-02000V	REP-E	87-15-097	220-44-070	REP	87-04-003	220-52-046	AMD	87-05-038
220-24-02000W	NEW-E	87-15-097	220-44-09000A	NEW-E	87-14-048	220-52-050	AMD-P	87-17-070
220-24-02000W	REP-E	87-16-017	220-44-09000B	NEW-E	87-15-046	220-52-051	NEW-P	87-17-070
220-24-02000X	NEW-E	87-16-017	220-47-301	AMD-P	87-09-082	220-52-053	REP-P	87-17-070

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220-52-05300T	NEW-E	87-11-031	220-56-310	AMD	87-09-066	220-57-42500J	NEW-E	87-14-003
220-52-05300U	NEW-E	87-17-027	220-56-31000H	NEW-E	87-08-048	220-57-445	AMD-P	87-03-056
220-52-05300V	NEW-E	87-17-046	220-56-320	AMD-P	87-03-056	220-57-445	AMD	87-09-066
220-52-054	REP-P	87-17-070	220-56-320	AMD	87-09-066	220-57-45000F	NEW-E	87-17-071
220-52-060	AMD-P	87-17-070	220-56-32000A	NEW-E	87-08-048	220-57-460	AMD-P	87-03-056
220-52-063	AMD-P	87-12-063	220-56-32500H	NEW-E	87-11-022	220-57-460	AMD	87-09-066
220-52-063	AMD	87-15-022	220-56-32500I	NEW-E	87-17-027	220-57-46000Q	NEW-E	87-13-006
220-52-069	AMD-P	87-12-063	220-56-32500J	NEW-E	87-11-031	220-57-46000Q	REP-E	87-13-024
220-52-069	AMD	87-15-022	220-56-350	AMD-P	87-03-056	220-57-46000R	NEW-E	87-13-024
220-52-071	AMD-P	87-12-063	220-56-350	AMD	87-09-066	220-57-46000R	REP-E	87-14-033
220-52-071	AMD	87-15-022	220-56-35000C	NEW-E	87-08-048	220-57-46000S	NEW-E	87-14-033
220-52-071	AMD-P	87-17-070	220-56-35000D	NEW-E	87-12-030	220-57-473	AMD-P	87-03-056
220-52-07100B	NEW-E	87-08-047	220-56-360	AMD-P	87-03-056	220-57-473	AMD	87-09-066
220-52-07100B	REP-E	87-09-025	220-56-360	AMD	87-09-066	220-57-495	AMD-P	87-03-056
220-52-07100C	NEW-E	87-09-025	220-56-36000N	NEW-E	87-06-034	220-57-495	AMD	87-09-066
220-52-072	REP-P	87-17-070	220-56-372	AMD-P	87-03-056	220-57-49500E	NEW-E	87-08-048
220-52-07200A	NEW-E	87-04-004	220-56-372	AMD	87-09-066	220-57-505	AMD-P	87-03-056
220-52-073	AMD-P	87-12-063	220-56-37200A	NEW-E	87-08-048	220-57-505	AMD	87-09-066
220-52-073	AMD	87-15-022	220-56-380	AMD-P	87-03-056	220-57-50500L	NEW-E	87-08-048
220-52-073	AMD-P	87-17-070	220-56-380	AMD	87-09-066	220-57-50500M	NEW-E	87-09-024
220-52-074	REP-P	87-17-070	220-57-130	AMD-P	87-03-056	220-57-510	AMD-P	87-03-056
220-52-075	AMD-P	87-12-063	220-57-130	AMD	87-09-066	220-57-510	AMD	87-09-066
220-52-075	AMD	87-15-022	220-57-13000K	NEW-E	87-15-061	220-57-51500B	NEW-E	87-09-024
220-52-35000B	NEW-E	87-08-047	220-57-135	AMD-P	87-03-056	220-57-520	AMD-P	87-03-056
220-55-025	AMD-P	87-03-056	220-57-135	AMD	87-09-066	220-57-520	AMD	87-09-066
220-55-025	AMD	87-09-066	220-57-13500I	NEW-E	87-15-061	220-57-525	AMD-P	87-03-056
220-55-02500A	NEW-E	87-08-048	220-57-138	AMD-P	87-03-056	220-57-525	AMD	87-09-066
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220-55-065	AMD	87-09-066	220-57-155	AMD	87-09-066	220-57A-175	AMD	87-09-066
220-56-115	AMD-P	87-03-056	220-57-160	AMD-P	87-03-056	220-57A-180	AMD-P	87-03-056
220-56-115	AMD	87-09-066	220-57-160	AMD	87-09-066	220-57A-180	AMD	87-09-066
220-56-11500E	NEW-E	87-08-048	220-57-16000F	NEW-E	87-07-011	220-76-030	REP-P	87-04-071
220-56-120	AMD-P	87-03-056	220-57-16000G	NEW-E	87-17-028	220-77-010	NEW-P	87-04-071
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220-56-180	AMD-P	87-03-056	220-57-175	AMD	87-09-066	220-77-020	NEW-P	87-04-071
220-56-180	AMD-C	87-08-005	220-57-215	AMD-P	87-03-056	220-77-020	NEW	87-08-033
220-56-180	AMD	87-08-006	220-57-215	AMD	87-09-066	220-77-030	NEW-P	87-04-071
220-56-18000T	NEW-E	87-06-035	220-57-220	AMD-P	87-03-056	220-77-030	NEW	87-08-033
220-56-18000T	REP-E	87-07-020	220-57-220	AMD	87-09-066	220-77-040	NEW-P	87-04-071
220-56-18000U	NEW-E	87-07-020	220-57-235	AMD-P	87-03-056	220-77-040	NEW	87-08-033
220-56-190	AMD-P	87-03-056	220-57-235	AMD	87-09-066	220-77-050	NEW-P	87-04-071
220-56-190	AMD	87-09-066	220-57-240	AMD-P	87-03-056	220-77-050	NEW	87-08-033
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220-56-19000G	REP-E	87-14-003	220-57-24200B	NEW-E	87-13-011	220-77-060	NEW	87-08-033
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220-56-19000H	REP-E	87-15-006	220-57-250	AMD	87-09-066	220-77-070	NEW	87-08-033
220-56-19000I	NEW-E	87-15-006	220-57-270	AMD-P	87-03-056	220-77-070	NEW	87-04-003
220-56-19000I	REP-E	87-15-014	220-57-270	AMD	87-09-066	220-87-020	NEW	87-04-003
220-56-19000J	NEW-E	87-15-014	220-57-280	AMD-P	87-03-056	220-110-010	AMD-P	87-08-062
220-56-19000J	REP-E	87-15-023	220-57-280	AMD	87-09-066	220-110-010	AMD	87-15-086
220-56-19000K	NEW-E	87-15-023	220-57-290	AMD-P	87-03-056	220-110-020	AMD-P	87-08-062
220-56-19000K	REP-E	87-15-047	220-57-290	AMD	87-09-066	220-110-020	AMD	87-15-086
220-56-19000L	NEW-E	87-15-047	220-57-29000I	NEW-E	87-10-016	220-110-030	AMD-P	87-08-062
220-56-19000L	REP-E	87-15-075	220-57-300	AMD-P	87-03-056	220-110-030	AMD	87-15-086
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220-56-19000M	REP-E	87-16-005	220-57-310	AMD-P	87-03-056	220-110-040	AMD	87-15-086
220-56-19000N	NEW-E	87-16-005	220-57-310	AMD	87-09-066	220-110-050	AMD-P	87-08-062
220-56-19000N	REP-E	87-16-050	220-57-31000F	NEW-E	87-08-048	220-110-050	AMD	87-15-086
220-56-19000P	NEW-E	87-16-050	220-57-315	AMD-P	87-03-056	220-110-060	AMD-P	87-08-062
220-56-19000P	REP-E	87-16-055	220-57-315	AMD	87-09-066	220-110-060	AMD	87-15-086
220-56-19000Q	NEW-E	87-16-055	220-57-31500F	NEW-E	87-09-014	220-110-080	AMD-P	87-08-062
220-56-19000Q	REP-E	87-17-006	220-57-31500F	REP-E	87-09-024	220-110-080	AMD	87-15-086
220-56-19000R	NEW-E	87-17-006	220-57-31500G	NEW-E	87-09-024	220-110-090	AMD-P	87-08-062
220-56-19000R	REP-E	87-17-072	220-57-335	AMD-P	87-03-056	220-110-090	AMD	87-15-086
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220-110-220	AMD	87-15-086	230-12-200	AMD-P	87-15-050
220-110-320	AMD-P	87-08-062	230-12-305	NEW-P	87-06-008
220-110-320	AMD	87-15-086	230-12-305	NEW	87-09-043
220-110-340	AMD-P	87-08-062	230-20-064	AMD-P	87-03-024
220-110-340	AMD	87-15-086	230-20-064	AMD-C	87-07-037
220-110-350	AMD-P	87-08-062	230-20-064	AMD-P	87-09-041
220-110-350	AMD	87-15-086	230-20-064	AMD-E	87-09-042
222	AMD-C	87-15-063	230-20-064	AMD	87-13-045
222-08-035	NEW-P	87-10-018	230-20-380	AMD-P	87-03-024
222-08-040	AMD-P	87-10-018	230-20-380	AMD	87-07-038
222-12-030	AMD-P	87-10-018	230-20-380	AMD-P	87-11-011
222-12-040	AMD-P	87-10-018	230-20-380	AMD-C	87-15-051
222-12-045	NEW-P	87-10-018	230-30-050	AMD-P	87-11-011
222-12-090	AMD-P	87-10-018	230-30-050	AMD-P	87-13-047
222-16-010	AMD-P	87-10-018	230-30-060	AMD	87-03-023
222-16-030	AMD-P	87-10-018	230-30-070	AMD	87-03-023
222-16-040	REP-P	87-10-018	230-30-070	AMD-P	87-11-011
222-16-050	AMD-P	87-10-018	230-30-070	AMD-P	87-13-047
222-20-010	AMD-P	87-10-018	230-30-070	AMD	87-17-052
222-20-020	AMD-P	87-10-018	230-30-075	AMD-P	87-11-011
222-20-040	AMD-P	87-10-018	230-30-075	AMD-P	87-13-047
222-20-060	AMD-P	87-10-018	230-30-075	AMD-C	87-17-053
222-20-090	AMD-P	87-10-018	230-30-103	AMD-P	87-11-011
222-20-100	AMD-P	87-10-018	230-30-103	AMD	87-15-052
222-20-120	NEW-P	87-10-018	230-30-106	AMD-P	87-11-011
222-24-010	AMD-P	87-10-018	230-30-106	AMD-P	87-11-017
222-24-020	AMD-P	87-10-018	230-30-106	AMD-C	87-15-051
222-24-025	AMD-P	87-10-018	230-30-999	REP-P	87-11-011
222-24-030	AMD-P	87-10-018	230-30-999	REP	87-15-052
222-24-035	AMD-P	87-10-018	230-40-401	NEW-P	87-13-046
222-24-040	AMD-P	87-10-018	230-40-401	NEW-C	87-17-053
222-24-050	AMD-P	87-10-018	230-12-024	AMD-P	87-08-066
222-24-060	AMD-P	87-10-018	232-12-024	AMD-W	87-12-072
222-30-020	AMD-P	87-10-018	232-12-067	NEW-P	87-14-083
222-30-030	AMD-P	87-10-018	232-12-131	AMD-P	87-08-067
222-30-040	AMD-P	87-10-018	232-12-131	AMD	87-12-034
222-30-050	AMD-P	87-10-018	232-12-136	NEW-P	87-08-068
222-30-060	AMD-P	87-10-018	232-12-136	NEW-W	87-12-073
222-30-070	AMD-P	87-10-018	232-12-141	AMD-P	87-12-074
222-30-090	AMD-P	87-10-018	232-12-141	AMD	87-15-082
222-30-100	AMD-P	87-10-018	232-12-169	NEW-P	87-05-030
222-34-010	AMD-P	87-10-018	232-12-169	NEW	87-09-026
222-34-020	AMD-P	87-10-018	232-12-181	AMD-P	87-12-075
222-34-030	AMD-P	87-10-018	232-12-181	AMD-W	87-15-080
222-34-040	AMD-P	87-10-018	232-12-274	REP-P	87-14-081
222-38-020	AMD-P	87-10-018	232-12-275	NEW-P	87-14-084
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230-02-350	AMD-P	87-03-024	232-12-276	NEW-W	87-17-031
230-02-350	AMD	87-07-038	232-14-010	AMD-P	87-08-070
230-04-020	AMD-P	87-06-008	232-14-010	AMD	87-15-085
230-04-020	AMD	87-09-043	232-28-109	REP-P	87-12-076
230-04-020	AMD	87-10-017	232-28-109	REP	87-15-083
230-04-020	AMD-P	87-15-050	232-28-110	NEW-P	87-12-076
230-04-020	AMD-E	87-15-053	232-28-110	NEW	87-15-083
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230-04-123	AMD	87-09-043	232-28-212	REP	87-14-031
230-04-140	AMD-P	87-06-008	232-28-213	NEW-P	87-08-069
230-04-140	AMD	87-09-043	232-28-213	NEW	87-14-031
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230-04-145	AMD-P	87-06-008	232-28-21302	NEW-E	87-17-034
230-04-145	AMD	87-07-038	232-28-214	NEW-P	87-12-077
230-04-145	AMD	87-09-043	232-28-214	NEW-E	87-13-050
230-04-145	AMD-P	87-11-016	232-28-214	NEW	87-15-081
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230-04-190	AMD-P	87-15-050	232-28-215	NEW-W	87-14-079
230-04-190	AMD-E	87-15-053	232-28-215	NEW-P	87-14-080
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230-04-201	AMD-P	87-15-050	232-28-509	REP-P	87-12-079
230-04-201	AMD-E	87-15-053	232-28-510	NEW-P	87-12-079
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248-100-555	REP	87-11-047	250-40-030	AMD	87-16-047	251-07-040	NEW-P	87-04-055
248-100-560	REP-P	87-07-039	250-40-040	AMD-P	87-12-047	251-07-040	NEW	87-08-056
248-100-560	REP	87-11-047	250-40-040	AMD	87-16-047	251-07-050	NEW-P	87-04-055
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248-100-565	REP	87-11-047	250-40-050	AMD-P	87-12-047	251-07-060	NEW-P	87-04-055
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248-102-010	REP-P	87-07-040	250-40-060	AMD-P	87-12-047	251-08-005	AMD-P	87-04-056
248-102-010	REP	87-11-040	250-40-060	AMD	87-16-047	251-08-005	AMD	87-08-056
248-102-020	REP-E	87-07-033	250-40-070	AMD-P	87-12-047	251-08-021	AMD-P	87-04-056
248-102-020	REP-P	87-07-040	250-40-070	AMD	87-16-047	251-08-021	AMD-P	87-08-056
248-102-020	REP	87-11-040	250-40-070	AMD	87-12-066	251-08-021	AMD-P	87-04-056
248-102-020	REP-E	87-07-033	250-44-010	AMD	87-16-061	251-08-021	AMD-P	87-08-056
248-102-020	REP-P	87-07-040	250-44-010	AMD	87-12-066	251-08-021	AMD-P	87-04-056
248-102-040	REP	87-11-040	250-44-020	AMD-P	87-12-066	251-08-040	AMD	87-08-056
248-102-040	REP-E	87-07-033	250-44-020	AMD	87-16-061	251-08-100	AMD-P	87-04-056
248-102-040	REP-P	87-07-040	250-44-020	AMD	87-12-066	251-08-100	AMD-P	87-10-051
248-102-070	REP-E	87-07-033	250-44-030	AMD-P	87-12-066	251-08-100	AMD	87-14-051
248-102-070	REP-P	87-07-040	250-44-030	AMD	87-16-061	251-08-110	AMD-E	87-14-052
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248-103-001	NEW-P	87-07-040	250-44-060	AMD	87-16-061	251-10-020	AMD-P	87-08-054
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248-103-030	NEW-P	87-07-040	250-44-120	AMD-P	87-12-066	251-10-108	NEW-P	87-06-054
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248-148-060	REP-P	87-16-086	250-44-160	AMD	87-16-061	251-12-085	AMD-P	87-16-094
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296-23-07903	AMD-P	87-11-050	296-23-715	AMD-E	87-12-044
296-23-07903	AMD-E	87-12-044	296-23-715	AMD	87-16-004
296-23-07903	AMD	87-16-004	296-23-720	AMD-P	87-11-050
296-23-07904	AMD-P	87-11-050	296-23-720	AMD-E	87-12-044
296-23-07904	AMD-E	87-12-044	296-23-725	AMD-P	87-02-057
296-23-07904	AMD	87-16-004	296-23-725	AMD	87-08-004
296-23-07905	AMD-P	87-11-050	296-23-811	AMD-P	87-11-050
296-23-07905	AMD-E	87-12-044	296-23-811	AMD-E	87-11-051
296-23-07905	AMD	87-16-004	296-23-811	AMD	87-16-004
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296-23-07907	AMD-E	87-12-044	296-23A-100	NEW	87-03-005
296-23-07907	AMD	87-16-004	296-23A-100	AMD-P	87-11-050
296-23-07908	AMD-P	87-11-050	296-23A-100	AMD-E	87-12-044
296-23-07908	AMD-E	87-12-044	296-23A-100	AMD	87-16-004
296-23-07908	AMD	87-16-004	296-23A-105	NEW-E	87-02-042
296-23-080	AMD-P	87-11-050	296-23A-105	NEW	87-03-005
296-23-080	AMD-E	87-12-044	296-23A-110	NEW-E	87-02-042
296-23-080	AMD	87-16-004	296-23A-110	NEW	87-03-005
296-23-115	REP-P	87-11-050	296-23A-115	NEW-E	87-02-042
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296-23-115	REP	87-16-004	296-23A-120	NEW-E	87-02-042
296-23-125	AMD-P	87-11-050	296-23A-120	NEW	87-03-005
296-23-125	AMD-E	87-12-044	296-23A-125	NEW-E	87-02-042
296-23-125	AMD	87-16-004	296-23A-125	NEW	87-03-005
296-23-20102	AMD-E	87-02-042	296-23A-130	NEW-E	87-02-042
296-23-20102	AMD	87-03-005	296-23A-130	NEW	87-03-005
296-23-204	AMD-P	87-11-050	296-23A-135	NEW-E	87-02-042
296-23-204	AMD-E	87-12-044	296-23A-135	NEW	87-03-005
296-23-204	AMD	87-16-004	296-23A-140	NEW-E	87-02-042
296-23-212	AMD-E	87-02-042	296-23A-140	NEW	87-03-005
296-23A-145	NEW-E	87-02-042			
296-23A-145	NEW	87-03-005			
296-23A-150	NEW-E	87-02-042			
296-23A-150	NEW	87-03-005			
296-23A-150	AMD-P	87-11-050			
296-23A-150	AMD-E	87-12-044			
296-23A-150	AMD	87-16-004			
296-23A-200	NEW-E	87-02-042			
296-23A-200	NEW	87-03-005			
296-23A-205	NEW-E	87-02-042			
296-23A-205	NEW	87-03-005			
296-23A-210	NEW-E	87-02-042			
296-23A-210	NEW	87-03-005			
296-23A-215	NEW-E	87-02-042			
296-23A-215	NEW	87-03-005			
296-23A-220	NEW-E	87-02-042			
296-23A-220	NEW	87-03-005			
296-23A-225	NEW-E	87-02-042			
296-23A-225	NEW	87-03-005			
296-23A-230	NEW-E	87-02-042			
296-23A-230	NEW	87-03-005			
296-23A-235	NEW-E	87-02-042			
296-23A-235	NEW	87-03-005			
296-23A-240	NEW-E	87-02-042			
296-23A-240	NEW	87-03-005			
296-23A-242	NEW-E	87-02-042			
296-23A-242	NEW	87-03-005			
296-23A-244	NEW-E	87-02-042			
296-23A-244	NEW	87-03-005			
296-23A-244	AMD-P	87-11-050			
296-23A-244	AMD-E	87-12-044			
296-23A-244	AMD	87-16-004			
296-23A-246	NEW-E	87-02-042			
296-23A-246	NEW	87-03-005			
296-23A-246	AMD-P	87-11-050			
296-23A-246	AMD-E	87-12-044			
296-23A-246	AMD	87-16-004			
296-23A-248	NEW-E	87-02-042			
296-23A-248	NEW	87-03-005			
296-23A-250	NEW-E	87-02-042			
296-23A-250	NEW	87-03-005			
296-23A-252	NEW-E	87-02-042			
296-23A-252	NEW	87-03-005			
296-23A-252	AMD-P	87-11-050			
296-23A-252	AMD-E	87-12-044			
296-23A-252	AMD	87-16-004			
296-23A-254	NEW-E	87-02-042			
296-23A-254	NEW	87-03-005			
296-23A-254	AMD-P	87-11-050			
296-23A-254	AMD-E	87-12-044			
296-23A-254	AMD	87-16-004			
296-23A-256	NEW-E	87-02-042			
296-23A-256	NEW	87-03-005			
296-23A-256	AMD-P	87-11-050			
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296-23A-256	AMD	87-16-004			
296-23A-258	NEW-E	87-02-042			
296-23A-258	NEW	87-03-005			
296-23A-258	AMD-P	87-11-050			
296-23A-258	AMD-E	87-12-044			
296-23A-258	AMD	87-16-004			
296-23A-260	NEW-E	87-02-042			
296-23A-260	NEW	87-03-005			
296-23A-260	AMD-P	87-11-050			
296-23A-260	AMD-E	87-12-044			
296-23A-260	AMD	87-16-004			
296-23A-262	NEW-E	87-02-042			
296-23A-262	NEW	87-03-005			
296-23A-262	AMD-P	87-11-050			
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296-23A-262	AMD	87-16-004			
296-23A-264	NEW-E	87-02-042			
296-23A-264	NEW	87-03-005			
296-23A-266	NEW-E	87-02-042			
296-23A-266	NEW	87-03-005			
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296-23A-266	AMD-E	87-12-044			

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296-23A-300	NEW-E	87-02-042	296-46-110	AMD-P	87-06-047	296-62-07729	NEW-P	87-05-055
296-23A-300	NEW	87-03-005	296-46-110	AMD	87-10-030	296-62-07729	NEW	87-10-008
296-23A-310	NEW-E	87-02-042	296-46-130	AMD-P	87-06-047	296-62-07731	NEW-P	87-05-055
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296-23A-315	NEW-E	87-02-042	296-46-140	AMD-P	87-06-047	296-62-07733	NEW-P	87-05-055
296-23A-315	NEW	87-03-005	296-46-140	AMD	87-10-030	296-62-07733	NEW	87-10-008
296-23A-320	NEW-E	87-02-042	296-46-150	AMD-P	87-06-047	296-62-07735	NEW-P	87-05-055
296-23A-320	NEW	87-03-005	296-46-150	AMD	87-10-030	296-62-07735	NEW	87-10-008
296-23A-325	NEW-E	87-02-042	296-46-160	AMD-P	87-06-047	296-62-07737	NEW-P	87-05-055
296-23A-325	NEW	87-03-005	296-46-160	AMD	87-10-030	296-62-07737	NEW	87-10-008
296-23A-325	AMD-P	87-11-050	296-46-180	AMD-P	87-06-047	296-62-07739	NEW-P	87-05-055
296-23A-325	AMD-E	87-12-044	296-46-180	AMD	87-10-030	296-62-07739	NEW	87-10-008
296-23A-325	AMD	87-16-004	296-46-200	AMD-P	87-06-047	296-62-07741	NEW-P	87-05-055
296-23A-330	NEW-E	87-02-042	296-46-200	AMD	87-10-030	296-62-07741	NEW	87-10-008
296-23A-330	NEW	87-03-005	296-46-220	AMD-P	87-06-047	296-62-07743	NEW-P	87-05-055
296-23A-335	NEW-E	87-02-042	296-46-220	AMD	87-10-030	296-62-07743	NEW	87-10-008
296-23A-335	NEW	87-03-005	296-46-240	AMD-P	87-06-047	296-62-07745	NEW-P	87-05-055
296-23A-335	AMD-P	87-11-050	296-46-240	AMD	87-10-030	296-62-07745	NEW	87-10-008
296-23A-335	AMD-E	87-12-044	296-46-316	NEW-P	87-06-047	296-62-07747	NEW-P	87-05-055
296-23A-335	AMD	87-16-004	296-46-316	NEW	87-10-030	296-62-07747	NEW	87-10-008
296-23A-340	NEW-E	87-02-042	296-46-350	AMD-P	87-06-047	296-62-07749	NEW-P	87-05-055
296-23A-340	NEW	87-03-005	296-46-350	AMD	87-10-030	296-62-07749	NEW	87-10-008
296-23A-340	AMD-P	87-11-050	296-46-370	AMD-P	87-06-047	296-65-005	AMD-P	87-05-055
296-23A-340	AMD-E	87-12-044	296-46-370	AMD	87-10-030	296-65-005	AMD	87-10-008
296-23A-340	AMD	87-16-004	296-46-420	AMD-P	87-06-047	296-65-015	AMD-P	87-05-055
296-23A-345	NEW-E	87-02-042	296-46-420	AMD	87-10-030	296-65-015	AMD	87-10-008
296-23A-345	NEW	87-03-005	296-46-422	NEW-P	87-06-047	296-65-020	AMD-P	87-05-055
296-23A-345	AMD-P	87-11-050	296-46-422	NEW	87-10-030	296-65-020	AMD	87-10-008
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296-23A-345	AMD	87-16-004	296-46-495	AMD	87-10-030	296-65-030	AMD	87-10-008
296-23A-350	NEW-E	87-02-042	296-46-514	NEW-P	87-06-047	296-65-040	AMD-P	87-05-055
296-23A-350	NEW	87-03-005	296-46-514	NEW	87-10-030	296-65-040	AMD	87-10-008
296-23A-355	NEW-E	87-02-042	296-46-680	AMD-P	87-06-047	296-81-007	AMD-P	87-14-077
296-23A-355	NEW	87-03-005	296-46-680	AMD	87-10-030	296-81-008	AMD-P	87-14-077
296-23A-355	AMD-P	87-11-050	296-46-910	AMD-P	87-06-047	296-104-701	NEW-P	87-07-023
296-23A-355	AMD-E	87-12-044	296-46-910	AMD	87-10-030	296-104-701	NEW-E	87-07-024
296-23A-355	AMD	87-16-004	296-46-920	AMD-P	87-06-047	296-104-701	NEW	87-12-003
296-23A-360	NEW-E	87-02-042	296-46-920	AMD	87-10-030	296-116-080	AMD-P	87-02-053
296-23A-360	NEW	87-03-005	296-46-940	AMD-P	87-06-047	296-116-175	NEW-P	87-16-083
296-23A-360	AMD-P	87-11-050	296-62-05405	AMD-P	87-05-055	296-150B-030	AMD-P	87-15-031
296-23A-360	AMD	87-16-004	296-62-05405	AMD	87-10-008	296-150B-035	AMD-P	87-15-031
296-23A-360	AMD-E	87-12-044	296-62-05427	AMD-P	87-05-055	296-150B-050	AMD-P	87-15-031
296-23A-400	NEW-E	87-02-042	296-62-05427	AMD	87-10-008	296-150B-060	AMD-P	87-15-031
296-23A-400	NEW	87-03-005	296-62-07353	AMD-P	87-02-058	296-150B-122	NEW-P	87-15-031
296-23A-410	NEW-E	87-02-042	296-62-07353	AMD	87-07-022	296-150B-125	AMD-P	87-15-031
296-23A-410	NEW	87-03-005	296-62-07517	AMD-P	87-05-055	296-150B-185	AMD-P	87-15-031
296-23A-415	NEW-E	87-02-042	296-62-07517	AMD	87-10-008	296-150B-200	AMD-P	87-15-031
296-23A-415	NEW	87-03-005	296-62-077	NEW-P	87-05-055	296-150B-320	NEW-E	87-11-060
296-23A-420	NEW-E	87-02-042	296-62-077	NEW	87-10-008	296-150B-320	NEW-P	87-15-017
296-23A-420	NEW	87-03-005	296-62-07701	NEW-P	87-05-055	296-150B-320	NEW-E	87-17-064
296-23A-425	NEW-E	87-02-042	296-62-07701	NEW	87-10-008	296-150B-513	AMD-P	87-15-031
296-23A-425	NEW	87-03-005	296-62-07703	NEW-P	87-05-055	296-150B-515	NEW-P	87-15-031
296-23A-425	AMD-P	87-11-050	296-62-07703	NEW	87-10-008	296-155-160	AMD-P	87-05-055
296-23A-425	AMD-E	87-11-051	296-62-07705	NEW-P	87-05-055	296-155-160	AMD	87-10-008
296-23A-425	AMD	87-16-004	296-62-07705	NEW	87-10-008	296-155-175	NEW-P	87-05-055
296-23A-425	AMD-E	87-16-007	296-62-07707	NEW-P	87-05-055	296-155-175	NEW	87-10-008
296-24-14011	AMD-P	87-02-058	296-62-07707	NEW	87-10-008	296-155-17505	NEW-P	87-05-055
296-24-14011	AMD	87-07-022	296-62-07709	NEW-P	87-05-055	296-155-17505	NEW	87-10-008
296-27-160	AMD	87-03-011	296-62-07709	NEW	87-10-008	296-155-17510	NEW-P	87-05-055
296-27-16001	AMD	87-03-011	296-62-07711	NEW-P	87-05-055	296-155-17510	NEW	87-10-008
296-27-16002	NEW	87-03-011	296-62-07711	NEW	87-10-008	296-155-17515	NEW-P	87-05-055
296-27-16003	AMD	87-03-011	296-62-07713	NEW-P	87-05-055	296-155-17515	NEW	87-10-008
296-27-16004	NEW	87-03-011	296-62-07713	NEW	87-10-008	296-155-17520	NEW-P	87-05-055
296-27-16005	REP	87-03-011	296-62-07715	NEW-P	87-05-055	296-155-17520	NEW	87-10-008
296-27-16007	AMD	87-03-011	296-62-07715	NEW	87-10-008	296-155-17525	NEW-P	87-05-055
296-27-16009	REP	87-03-011	296-62-07717	NEW-P	87-05-055	296-155-17525	NEW	87-10-008
296-27-16011	AMD	87-03-011	296-62-07717	NEW	87-10-008	296-155-17530	NEW-P	87-05-055
296-27-16013	REP	87-03-011	296-62-07719	NEW-P	87-05-055	296-155-17530	NEW	87-10-008
296-27-16015	REP	87-03-011	296-62-07719	NEW	87-10-008	296-155-17532	NEW-P	87-05-055
296-27-16017	REP	87-03-011	296-62-07721	NEW-P	87-05-055	296-155-17532	NEW	87-10-008
296-27-16018	NEW	87-03-011	296-62-07721	NEW	87-10-008	296-155-17535	NEW-P	87-05-055
296-27-16019	REP	87-03-011	296-62-07723	NEW-P	87-05-055	296-155-17535	NEW	87-10-008
296-27-16020	NEW	87-03-011	296-62-07723	NEW	87-10-008	296-155-17540	NEW-P	87-05-055
296-27-16021	REP	87-03-011	296-62-07725	NEW-P	87-05-055	296-155-17540	NEW	87-10-008

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296-155-17545	NEW	87-10-008	296-155-447	NEW-C	87-07-021
296-155-17550	NEW-P	87-05-055	296-155-447	NEW-W	87-13-008
296-155-17550	NEW	87-10-008	296-155-449	NEW-P	87-02-058
296-155-17555	NEW-P	87-05-055	296-155-449	NEW-C	87-07-021
296-155-17555	NEW	87-10-008	296-155-449	NEW-W	87-13-008
296-155-17560	NEW-P	87-05-055	296-155-450	REP-P	87-02-058
296-155-17560	NEW	87-10-008	296-155-450	REP-C	87-07-021
296-155-17565	NEW-P	87-05-055	296-155-450	REP-W	87-13-008
296-155-17565	NEW	87-10-008	296-155-452	NEW-P	87-02-058
296-155-17570	NEW-P	87-05-055	296-155-452	NEW-C	87-07-021
296-155-17570	NEW	87-10-008	296-155-452	NEW-W	87-13-008
296-155-17575	NEW-P	87-05-055	296-155-455	REP-P	87-02-058
296-155-17575	NEW	87-10-008	296-155-455	REP-C	87-07-021
296-155-177	NEW-P	87-05-055	296-155-455	REP-W	87-13-008
296-155-177	NEW	87-10-008	296-155-456	NEW-P	87-02-058
296-155-179	NEW-P	87-05-055	296-155-456	NEW-C	87-07-021
296-155-179	NEW	87-10-008	296-155-456	NEW-W	87-13-008
296-155-181	NEW-P	87-05-055	296-155-459	NEW-P	87-02-058
296-155-181	NEW	87-10-008	296-155-459	NEW-C	87-07-021
296-155-183	NEW-P	87-05-055	296-155-459	NEW-W	87-13-008
296-155-183	NEW	87-10-008	296-155-462	NEW-P	87-02-058
296-155-185	NEW-P	87-05-055	296-155-462	NEW-C	87-07-021
296-155-185	NEW	87-10-008	296-155-462	NEW-W	87-13-008
296-155-187	NEW-P	87-05-055	296-155-745	AMD-P	87-02-058
296-155-187	NEW	87-10-008	296-155-745	AMD-C	87-07-021
296-155-189	NEW-P	87-05-055	296-155-745	AMD-W	87-13-008
296-155-189	NEW	87-10-008	296-155-775	AMD-P	87-05-055
296-155-191	NEW-P	87-05-055	296-155-775	AMD	87-10-008
296-155-191	NEW	87-10-008	296-200-340	AMD	87-07-003
296-155-191	NEW	87-10-008	296-200-350	AMD	87-07-003
296-155-193	NEW-P	87-05-055	296-200-370	AMD	87-07-003
296-155-193	NEW	87-10-008	296-200-370	AMD	87-07-003
296-155-265	AMD-P	87-02-058	296-306-003	NEW-C	87-02-056
296-155-265	AMD-C	87-07-021	296-306-003	NEW-C	87-05-023
296-155-265	AMD-W	87-13-008	296-306-003	NEW	87-09-079
296-155-270	AMD-P	87-02-058	296-306-005	REP-C	87-02-056
296-155-270	AMD-C	87-07-021	296-306-005	REP-C	87-05-023
296-155-270	AMD-W	87-13-008	296-306-005	REP	87-09-079
296-155-405	AMD-P	87-02-058	296-306-006	NEW-C	87-02-056
296-155-405	AMD-C	87-07-021	296-306-006	NEW-C	87-05-023
296-155-405	AMD-W	87-13-008	296-306-006	NEW	87-09-079
296-155-425	REP-P	87-02-058	296-306-009	NEW-C	87-02-056
296-155-425	REP-C	87-07-021	296-306-009	NEW-C	87-05-023
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296-155-426	NEW-C	87-07-021	296-306-012	NEW-C	87-05-023
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296-155-428	NEW-P	87-02-058	296-306-025	AMD-C	87-02-056
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296-155-428	NEW-W	87-13-008	296-306-025	AMD	87-09-079
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296-155-429	NEW-C	87-07-021	296-306-057	NEW-C	87-05-023
296-155-429	NEW-W	87-13-008	296-306-057	NEW	87-09-079
296-155-430	REP-P	87-02-058	296-306-300	NEW-C	87-02-056
296-155-430	REP-C	87-07-021	296-306-300	NEW-C	87-05-023
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320-08-270	AMD 87-14-053	326-20-080	AMD-P 87-15-143	332-24-027	REP-P 87-06-055
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320-08-370	AMD 87-14-053	332-16-030	REP-P 87-15-102	332-24-058	REP-P 87-06-055
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320-08-390	AMD-P 87-10-068	332-16-040	AMD-E 87-15-100	332-24-059	REP 87-11-005
320-08-390	AMD 87-14-053	332-16-040	REP-P 87-15-102	332-24-060	REP-P 87-06-055
320-08-400	AMD-P 87-10-068	332-16-045	NEW-P 87-15-101	332-24-060	REP 87-11-005
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320-08-430	AMD 87-14-053	332-16-075	NEW-P 87-15-102	332-24-095	REP-P 87-06-055
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332-24-190	REP	87-11-005	332-24-410	REP-P	87-06-055	332-150-040	REP-P	87-09-103
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332-24-230	REP	87-11-005	332-24-658	NEW-P	87-06-055	352-42-020	REP	87-11-037
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332-24-238	NEW-P	87-06-055	332-26-040	NEW-E	87-15-008	352-42-070	REP-P	87-04-075
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332-24-261	NEW	87-11-005	332-26-101b	NEW-E	87-17-040	352-44A-040	REP-P	87-04-075
332-24-301	NEW-P	87-06-055	332-26-101b	REP-E	87-17-048	352-44A-040	REP	87-11-037
332-24-301	NEW	87-11-005	332-26-101c	NEW-E	87-17-048	352-44A-050	REP-P	87-04-075
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332-24-330	REP-P	87-06-055	332-26-102b	NEW-E	87-17-040	356-05-048	NEW	87-15-065
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415-104-165	NEW-P	87-03-047	415-108-490	NEW	87-17-061	440-44-030	AMD	87-16-084
415-104-165	NEW	87-07-016	415-108-510	NEW-P	87-14-038	440-44-040	AMD-P	87-10-015
415-104-170	REP-P	87-03-047	415-108-510	NEW	87-17-061	440-44-040	AMD-E	87-14-065
415-104-170	REP	87-07-016	415-112-330	NEW-P	87-16-077	440-44-040	AMD	87-14-066
415-104-175	NEW-P	87-03-047	415-112-410	AMD-P	87-14-034	440-44-045	AMD-P	87-10-015
415-104-175	NEW	87-07-016	415-112-411	NEW-P	87-14-034	440-44-045	AMD-E	87-14-065
415-104-180	REP-P	87-03-047	415-112-412	NEW-P	87-14-034	440-44-045	AMD	87-14-066
415-104-180	REP	87-07-016	415-112-412	NEW	87-17-060	440-44-048	AMD-P	87-10-015
415-104-190	REP-P	87-03-047	415-112-413	NEW-P	87-14-034	440-44-048	AMD-E	87-14-065
415-104-190	REP	87-07-016	415-112-413	NEW	87-17-060	440-44-048	AMD	87-14-066
415-104-200	REP-P	87-03-047	415-112-414	NEW-P	87-14-034	440-44-057	AMD-P	87-17-041
415-104-200	REP	87-07-016	415-112-414	NEW	87-17-060	440-44-061	AMD	87-03-017
415-104-210	REP-P	87-03-047	415-112-415	NEW-P	87-14-034	440-44-070	AMD-P	87-10-015
415-104-210	REP	87-07-016	415-112-415	NEW	87-17-060	440-44-070	AMD-E	87-14-065
415-104-220	REP-P	87-03-047	415-112-800	NEW-E	87-14-035	440-44-070	AMD	87-14-066
415-104-220	REP	87-07-016	415-112-800	NEW-P	87-16-016	440-44-075	AMD-P	87-10-015
415-104-230	REP-P	87-03-047	415-112-810	NEW-E	87-14-035	440-44-075	AMD	87-17-045
415-104-230	REP	87-07-016	415-112-810	NEW-P	87-16-016	440-44-076	AMD-P	87-10-015
415-104-240	REP-P	87-03-047	415-112-820	NEW-E	87-14-035	440-44-076	AMD-E	87-14-065
415-104-240	REP	87-07-016	415-112-820	NEW-P	87-16-016	440-44-076	AMD	87-14-066
415-104-250	REP-P	87-03-047	434-09-010	NEW-E	87-02-067	440-44-100	AMD-P	87-10-015
415-104-250	REP	87-07-016	434-09-010	NEW-P	87-02-068	440-44-100	AMD-C	87-13-082
415-104-260	REP-P	87-03-047	434-09-010	NEW	87-06-009	446-55-005	NEW-C	87-04-024
415-104-260	REP	87-07-016	434-09-020	NEW-E	87-02-067	446-55-005	NEW	87-05-012
415-104-270	REP-P	87-03-047	434-09-020	NEW-P	87-02-068	446-55-020	AMD-C	87-04-024
415-104-270	REP	87-07-016	434-09-020	NEW	87-06-009	446-55-020	AMD	87-05-012
415-104-300	REP-P	87-03-047	434-09-030	NEW-E	87-02-067	446-55-030	AMD-C	87-04-024
415-104-300	REP	87-07-016	434-09-030	NEW-P	87-02-068	446-55-030	AMD	87-05-012
415-104-310	REP-P	87-03-047	434-09-030	NEW	87-06-009	446-55-060	AMD-C	87-04-024
415-104-310	REP	87-07-016	434-09-040	NEW-E	87-02-067	446-55-060	AMD	87-05-012
415-104-320	REP-P	87-03-047	434-09-040	NEW-P	87-02-068	446-55-090	AMD-P	87-02-040
415-104-320	REP	87-07-016	434-09-040	NEW	87-06-009	446-55-090	AMD-E	87-02-041
415-104-400	REP-P	87-03-047	434-09-050	NEW-E	87-02-067	446-55-100	AMD-P	87-02-040
415-104-400	REP	87-07-016	434-09-050	NEW-P	87-02-068	446-55-100	AMD-E	87-02-041
415-104-410	REP-P	87-03-047	434-09-060	NEW	87-06-009	446-55-170	AMD-C	87-04-024
415-104-410	REP	87-07-016	434-09-060	NEW-E	87-02-067	446-55-170	AMD	87-05-012
415-104-800	REP-P	87-03-047	434-09-060	NEW-P	87-02-068	446-55-180	AMD-C	87-04-024
415-104-800	REP	87-07-016	434-09-060	NEW	87-06-009	446-55-180	AMD	87-05-012
415-104-810	REP-P	87-03-047	434-09-070	NEW-E	87-02-067	446-55-200	REP-C	87-04-024
415-104-810	REP	87-07-016	434-09-070	NEW-P	87-02-068	446-55-200	REP	87-05-012
415-104-820	REP-P	87-03-047	434-09-070	NEW	87-06-009	446-55-210	REP-C	87-04-024
415-104-820	REP	87-07-016	434-09-080	NEW-E	87-02-067	446-55-210	REP	87-05-012
415-104-830	REP-P	87-03-047	434-09-080	NEW-P	87-02-068	446-55-220	AMD-C	87-04-024
415-104-830	REP	87-07-016	434-09-080	NEW	87-06-009	446-55-220	AMD	87-05-012
415-105-050	AMD-P	87-03-048	434-09-090	NEW-E	87-02-067	446-55-240	REP-C	87-04-024
415-105-050	AMD	87-07-015	434-09-090	NEW-P	87-02-068	446-55-240	REP	87-05-012
415-105-060	AMD-P	87-03-048	434-09-090	NEW	87-06-009	446-55-250	AMD-P	87-02-040
415-105-060	AMD	87-07-015	434-55-010	AMD-P	87-14-028	446-55-250	AMD-E	87-02-041
415-105-070	AMD-P	87-03-048	434-55-010	AMD-E	87-16-011	446-55-270	AMD-P	87-02-040
415-105-070	AMD	87-07-015	434-55-010	AMD	87-17-002	446-55-270	AMD-E	87-02-041
415-105-090	AMD-P	87-03-048	434-55-015	AMD-P	87-14-028	446-60-005	NEW-C	87-04-024
415-105-090	AMD	87-07-015	434-55-015	AMD-E	87-16-011	446-60-005	NEW	87-05-012
415-105-100	NEW-P	87-03-048	434-55-015	AMD	87-17-002	446-60-015	NEW-C	87-04-024
415-105-100	NEW	87-07-015	434-55-016	AMD-P	87-14-028	446-60-015	NEW	87-05-012
415-105-110	NEW-P	87-03-048	434-55-016	AMD-E	87-16-011	446-60-020	AMD-C	87-04-024
415-105-110	NEW	87-07-015	434-55-016	AMD	87-17-002	446-60-020	AMD	87-05-012
415-105-120	NEW-P	87-03-048	434-55-020	REP-P	87-14-028	446-60-080	AMD-C	87-04-024
415-105-120	NEW	87-07-015	434-55-020	REP-E	87-16-011	446-60-080	AMD	87-05-012
415-105-130	NEW-P	87-03-048	434-55-020	REP	87-17-002	446-70-010	NEW-P	87-06-007
415-105-130	NEW	87-07-015	434-55-030	AMD-P	87-14-028	446-70-010	NEW	87-09-049
415-105-140	NEW-P	87-03-048	434-55-030	AMD-E	87-16-011	446-70-020	NEW-P	87-06-007
415-105-140	NEW	87-07-015	434-55-030	AMD	87-17-002	446-70-020	NEW	87-09-049
415-105-150	NEW-P	87-03-048	434-55-035	REP-P	87-14-028	446-70-030	NEW-P	87-06-007
415-105-150	NEW	87-07-015	434-55-035	REP-E	87-16-011	446-70-030	NEW	87-09-049
415-105-160	NEW-P	87-03-048	434-55-035	REP	87-17-002	446-70-040	NEW-P	87-06-007
415-105-160	NEW	87-07-015	434-55-040	AMD-P	87-14-028	446-70-040	NEW	87-09-049
415-105-170	NEW-P	87-03-048	434-55-040	AMD-E	87-16-011	446-70-050	NEW-P	87-06-007
415-105-170	NEW	87-07-015	434-55-040	AMD	87-17-002	446-70-050	NEW	87-09-049
415-105-180	NEW-P	87-03-048	434-55-055	AMD-P	87-14-028	446-70-060	NEW-P	87-06-007
415-105-180	NEW	87-07-015	434-55-055	AMD-E	87-16-011	446-70-060	NEW	87-09-049
415-108-450	NEW-P	87-14-038	434-55-055	AMD	87-17-002	446-70-070	NEW-P	87-06-007
415-108-460	NEW-P	87-14-038	434-55-060	AMD-P	87-14-028	446-70-070	NEW	87-09-049
415-108-470	NEW-P	87-14-038	434-55-060	AMD-E	87-16-011	446-70-080	NEW-P	87-06-007
415-108-470	NEW	87-17-061	434-55-060	AMD	87-17-002	446-70-080	NEW	87-09-049
415-108-480	NEW-P	87-14-038	440-44-030	AMD-P	87-09-007	458-15-005	NEW	87-05-022
415-108-480	NEW	87-17-061	440-44-030	AMD	87-12-049	458-15-010	NEW	87-05-022
415-108-490	NEW-P	87-14-038	440-44-030	AMD-P	87-13-081	458-15-015	NEW	87-05-022

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458-15-030	NEW	87-05-022	460-70-015	NEW	87-02-044	478-116-588	AMD	87-16-037
458-15-040	NEW	87-05-022	460-70-020	NEW	87-02-044	478-116-590	AMD-P	87-10-057
458-15-050	NEW	87-05-022	460-70-025	NEW	87-02-044	478-116-590	AMD	87-16-037
458-15-060	NEW	87-05-022	460-70-030	NEW	87-02-044	478-116-600	AMD-P	87-10-057
458-15-070	NEW	87-05-022	460-70-035	NEW	87-02-044	478-116-600	AMD	87-16-037
458-15-080	NEW	87-05-022	460-70-040	NEW	87-02-044	478-116-601	AMD-P	87-10-057
458-15-090	NEW	87-05-022	460-70-045	NEW	87-02-044	478-116-601	AMD	87-16-037
458-15-100	NEW	87-05-022	460-70-050	NEW	87-02-044	478-138-050	AMD-P	87-11-052
458-15-110	NEW	87-05-022	460-70-060	NEW	87-02-044	478-138-050	AMD	87-16-038
458-15-120	NEW	87-05-022	463-42-075	AMD	87-05-017	480-12-010	AMD-P	87-16-039
458-18-210	NEW-E	87-16-023	463-42-455	AMD	87-05-017	480-12-020	AMD-P	87-16-039
458-18-210	NEW-P	87-16-024	463-42-465	AMD	87-05-017	480-12-025	AMD-P	87-16-039
458-18-220	NEW-E	87-16-023	463-42-515	AMD	87-05-017	480-12-030	AMD-P	87-16-039
458-18-220	NEW-P	87-16-024	463-42-655	NEW	87-05-017	480-12-031	AMD-P	87-16-039
458-20-130	AMD-P	87-16-080	463-42-665	NEW	87-05-017	480-12-045	AMD-P	87-16-039
458-20-163	AMD-P	87-16-080	463-42-675	NEW	87-05-017	480-12-070	AMD-P	87-16-039
458-20-168	AMD-P	87-02-061	463-54-080	NEW	87-05-017	480-12-100	AMD-P	87-16-039
458-20-168	AMD	87-05-042	468-38-120	AMD-E	87-15-069	480-12-110	AMD-P	87-16-039
458-20-170	AMD-P	87-16-080	468-38-120	AMD-P	87-15-079	480-12-125	AMD-P	87-16-039
458-20-182	AMD-P	87-02-061	468-58-080	AMD-P	87-09-006	480-12-127	AMD-P	87-16-039
458-20-182	AMD	87-05-042	468-58-080	AMD-C	87-12-061	480-12-130	AMD-P	87-16-039
458-20-184	AMD-P	87-16-080	468-58-080	AMD	87-15-021	480-12-135	AMD-P	87-16-039
458-20-186	AMD-P	87-16-080	468-95-010	AMD	87-05-043	480-12-150	AMD-P	87-16-039
458-20-18801	AMD-P	87-02-061	468-95-025	NEW-P	87-16-054	480-12-175	REP-P	87-16-039
458-20-18801	AMD	87-05-042	468-300-010	AMD-P	87-06-052	480-12-200	AMD-P	87-16-039
458-20-211	AMD-P	87-14-055	468-300-010	AMD-E	87-08-019	480-12-205	AMD-P	87-16-039
458-20-211	AMD-E	87-14-056	468-300-010	AMD-C	87-09-047	480-12-210	AMD	87-04-012
458-20-211	AMD	87-17-015	468-300-010	AMD-C	87-10-002	480-12-235	AMD-P	87-16-039
458-20-240	AMD-P	87-16-080	468-300-010	AMD	87-12-005	480-12-250	AMD-P	87-16-039
458-20-24001	AMD-P	87-16-081	468-300-020	AMD-P	87-06-052	480-12-260	AMD-P	87-16-039
458-20-24002	AMD-P	87-16-080	468-300-020	AMD-C	87-09-047	480-12-295	AMD-P	87-16-039
458-20-244	AMD-E	87-16-079	468-300-020	AMD-C	87-10-002	480-12-321	AMD-P	87-16-039
458-20-244	AMD-P	87-16-081	468-300-020	AMD	87-12-005	480-80-041	NEW-C	87-04-011
458-30-500	NEW	87-07-009	468-300-030	REP-P	87-06-052	480-80-041	NEW-P	87-05-013
458-30-510	NEW	87-07-009	468-300-030	REP-C	87-09-047	480-80-050	AMD-C	87-04-011
458-30-520	NEW	87-07-009	468-300-030	REP-C	87-10-002	480-80-050	AMD-P	87-05-013
458-30-530	NEW	87-07-009	468-300-030	REP	87-12-005	480-90-021	AMD-W	87-03-057
458-30-540	NEW	87-07-009	468-300-040	AMD-P	87-06-052	480-90-021	AMD-P	87-03-058
458-30-550	NEW	87-07-009	468-300-040	AMD-C	87-09-047	480-90-021	RESCIND	87-03-059
458-30-560	NEW	87-07-009	468-300-040	AMD-C	87-10-002	480-90-021	AMD-E	87-03-060
458-30-570	NEW	87-07-009	468-300-040	AMD	87-12-005	480-90-051	AMD-W	87-03-057
458-30-580	NEW	87-07-009	468-300-070	AMD-P	87-06-052	480-90-051	AMD-P	87-03-058
458-30-590	NEW	87-07-009	468-300-070	AMD-C	87-09-047	480-90-051	RESCIND	87-03-059
458-40-650	AMD-P	87-10-062	468-300-070	AMD-C	87-10-002	480-90-051	AMD-E	87-03-060
458-40-650	AMD	87-14-042	468-300-070	AMD	87-12-005	480-90-071	AMD-W	87-03-057
458-40-650	AMD-E	87-14-043	468-300-210	NEW-P	87-14-041	480-90-071	AMD-P	87-03-058
458-40-660	AMD-P	87-10-062	468-300-700	AMD-P	87-06-052	480-90-071	RESCIND	87-03-059
458-40-660	AMD	87-14-042	468-300-700	AMD-C	87-09-047	480-90-071	AMD-E	87-03-060
458-40-660	AMD-E	87-14-043	468-300-700	AMD-C	87-10-002	480-90-072	AMD-W	87-03-057
458-40-670	AMD-P	87-10-062	468-300-700	AMD	87-12-005	480-90-072	AMD-P	87-03-058
458-40-670	AMD	87-14-042	478-116-080	AMD-P	87-10-057	480-90-072	RESCIND	87-03-059
458-40-670	AMD-E	87-14-043	478-116-080	AMD	87-16-037	480-90-072	AMD-E	87-03-060
458-53-110	AMD-P	87-09-022	478-116-240	AMD-P	87-10-057	480-90-191	NEW-C	87-06-030
458-53-110	AMD	87-12-029	478-116-240	AMD	87-16-037	480-90-191	NEW-P	87-08-053
458-53-141	AMD-P	87-09-022	478-116-250	AMD-P	87-10-057	480-100-021	AMD-W	87-03-057
458-53-141	AMD	87-12-029	478-116-250	AMD	87-16-037	480-100-021	AMD-P	87-03-058
458-53-160	AMD-P	87-09-022	478-116-260	AMD-P	87-10-057	480-100-021	RESCIND	87-03-059
458-53-160	AMD	87-12-029	478-116-260	AMD	87-16-037	480-100-021	AMD-E	87-03-060
458-53-163	AMD-P	87-09-022	478-116-270	AMD-P	87-10-057	480-100-051	AMD-W	87-03-057
458-53-163	AMD	87-12-029	478-116-270	AMD	87-16-037	480-100-051	AMD-P	87-03-058
458-61-030	AMD	87-03-036	478-116-290	AMD-P	87-10-057	480-100-051	RESCIND	87-03-059
458-61-030	AMD-P	87-09-034	478-116-290	AMD	87-16-037	480-100-051	AMD-E	87-03-060
458-61-030	AMD	87-12-016	478-116-350	AMD-P	87-10-057	480-100-071	AMD-W	87-03-057
458-61-050	AMD	87-03-036	478-116-350	AMD	87-16-037	480-100-071	AMD-P	87-03-058
458-61-080	AMD	87-03-036	478-116-370	AMD-P	87-10-057	480-100-071	RESCIND	87-03-059
458-61-150	AMD	87-03-036	478-116-370	AMD	87-16-037	480-100-071	AMD-E	87-03-060
458-61-210	AMD	87-03-036	478-116-390	AMD-P	87-10-057	480-100-072	AMD-W	87-03-057
458-61-335	NEW	87-03-036	478-116-390	AMD	87-16-037	480-100-072	AMD-P	87-03-058
458-61-490	AMD	87-03-036	478-116-450	AMD-P	87-10-057	480-100-072	RESCIND	87-03-059
458-61-555	AMD-P	87-09-034	478-116-450	AMD	87-16-037	480-100-072	AMD-E	87-03-060
458-61-555	AMD	87-12-016	478-116-520	AMD-P	87-10-057	480-100-251	NEW-P	87-06-031
458-61-570	AMD	87-03-036	478-116-520	AMD	87-16-037	480-100-251	NEW	87-11-045
460-46A-040	AMD	87-15-084	478-116-582	AMD-P	87-10-057	480-120-027	NEW-C	87-04-011
460-64A-010	AMD	87-03-052	478-116-582	AMD	87-16-037	480-120-027	NEW-P	87-05-013
460-64A-020	AMD	87-03-052	478-116-584	AMD-P	87-10-057	480-120-031	AMD-P	87-17-026
460-70-005	NEW	87-02-044	478-116-584	AMD	87-16-037	480-122-010	NEW-P	87-16-073

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480-122-020	NEW-E	87-16-074	504-34-080	AMD-P	87-08-002
480-122-030	NEW-P	87-16-073	504-34-080	AMD	87-12-013
480-122-030	NEW-E	87-16-074	504-34-090	AMD-P	87-08-002
480-122-040	NEW-P	87-16-073	504-34-090	AMD	87-12-013
480-122-040	NEW-E	87-16-074	504-34-100	AMD-P	87-08-002
480-122-050	NEW-P	87-16-073	504-34-100	AMD	87-12-013
480-122-050	NEW-E	87-16-074	504-34-110	AMD-P	87-08-002
480-122-060	NEW-P	87-16-073	504-34-110	AMD	87-12-013
480-122-060	NEW-E	87-16-074	504-34-120	AMD-P	87-08-002
480-122-070	NEW-P	87-16-073	504-34-120	AMD	87-12-013
480-122-070	NEW-E	87-16-074	508-60-008	NEW	87-05-034
480-122-080	NEW-P	87-16-073	516-12	AMD-C	87-13-009
480-122-080	NEW-E	87-16-074	516-12-400	AMD-P	87-08-011
480-122-909	NEW-P	87-16-073	516-12-400	AMD-C	87-11-012
480-122-909	NEW-E	87-16-074	516-12-470	AMD-P	87-08-011
490-800-100	AMD-P	87-10-056	516-12-470	AMD-C	87-11-012
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490-800-100	AMD	87-14-007	516-15-010	NEW-E	87-15-091
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490-800-130	AMD-E	87-12-008	516-15-020	NEW-E	87-15-091
490-800-130	AMD	87-14-007	516-15-030	NEW-P	87-15-090
490-800-180	AMD-P	87-10-056	516-15-030	NEW-E	87-15-091
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