

Washington State Register

OCTOBER 15, 1997

OLYMPIA, WASHINGTON

ISSUE 97-20



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filed not later than October 1, 1997

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 34.05 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 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 (360) 753-7470.

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

STATE MAXIMUM INTEREST RATE

(Computed and filed by the State Treasurer under RCW 19.52.025)

The maximum allowable interest rate applicable for the month of October 1997 pursuant to RCW 19.52.020 is twelve point zero percent (12.00%).

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.

WASHINGTON STATE REGISTER

(ISSN 0164-6389) is published twice each month by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504-0552, pursuant to RCW 34.08.020. Subscription rate is \$189.00 per year, sales tax included, postpaid to points in the United States. Periodical postage paid at Olympia, Washington.

POSTMASTER: SEND ADDRESS CHANGES TO:

WASHINGTON STATE REGISTER
Code Reviser's Office
Legislative Building
P.O. Box 40552
Olympia, WA 98504-0552

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.

Mary F. Gallagher Dilley
Chair, Statute Law Committee

Dennis W. Cooper
Code Reviser

Gary Reid
Chief Assistant Code Reviser

Kerry S. Radcliff
Editor

Joyce Matzen
Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following six sections:

- (a) **PREPROPOSAL**-includes the Preproposal Statement of Inquiry that will be used to solicit public comments on a general area of proposed rule making before the agency files a formal notice.
- (b) **PROPOSED**-includes the full text of formal proposals, continuances, supplemental notices, and withdrawals.
- (c) **PERMANENT**-includes the full text of permanently adopted rules.
- (d) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (e) **MISCELLANEOUS**-includes notice of public meetings of state agencies, rules coordinator notifications, summaries of attorney general opinions, executive orders and emergency declarations of the governor, rules of the state Supreme Court, and other miscellaneous documents filed with the code reviser's office under RCW 34.08.020 and 42.30.075.
- (f) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (g) **INDEX**-includes a combined subject matter and agency index.

Documents are arranged within each section 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 with a section's material.

2. PRINTING STYLE—INDICATION OF NEW OR DELETED MATERIAL

RCW 34.05.395 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 material is new material;
 - (ii) deleted material is (~~lined out 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**.

3. MISCELLANEOUS MATERIAL NOT FILED UNDER THE ADMINISTRATIVE PROCEDURE ACT

Material contained in the Register other than rule-making actions taken under the APA (chapter 34.05 RCW) 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.

4. EFFECTIVE DATE OF RULES

- (a) Permanently adopted agency rules normally take effect thirty-one days after the rules and the agency order adopting them are filed with the code reviser's office. This effective date may be delayed or advanced and such an 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's office unless a later date is provided by the agency. They remain effective for a maximum of one hundred twenty days from the date of filing.
- (c) Rules of the state Supreme Court generally contain an effective date clause in the order adopting the rules.

5. EDITORIAL CORRECTIONS

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

1997 - 1998

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³	Expedited Adoption ⁴
	Non-OTS & 30 p. or more	Non-OTS & 11 to 29 p.	OTS ² or 10 p. max. Non-OTS			
<i>For Inclusion in--</i>	<i>File no later than 12:00 NOON--</i>			<i>Count 20 days from--</i>	<i>For hearing on or after</i>	<i>First Agency Adoption Date</i>
97-20	Sep 3	Sep 17	Oct 1	Oct 15	Nov 4	Nov 29
97-21	Sep 24	Oct 8	Oct 22	Nov 5	Nov 25	Dec 20
97-22	Oct 8	Oct 22	Nov 5	Nov 19	Dec 9	Jan 3, 1998
97-23	Oct 22	Nov 5	Nov 19	Dec 3	Dec 23	Jan 17, 1998
97-24	Nov 5	Nov 19	Dec 3	Dec 17, 1997	Jan 6, 1998	Jan 31
<hr/>						
98-01	Nov 26	Dec 10	Dec 24, 1997	Jan 7, 1998	Jan 27	Feb 21
98-02	Dec 10	Dec 24, 1997	Jan 7, 1998	Jan 21	Feb 10	Mar 7
98-03	Dec 24, 1997	Jan 7, 1998	Jan 21	Feb 4	Feb 24	Mar 21
98-04	Jan 7	Jan 21	Feb 4	Feb 18	Mar 10	Apr 4
98-05	Jan 21	Feb 4	Feb 18	Mar 4	Mar 24	Apr 18
98-06	Feb 4	Feb 18	Mar 4	Mar 18	Apr 7	May 2
98-07	Feb 18	Mar 4	Mar 18	Apr 1	Apr 21	May 16
98-08	Mar 4	Mar 18	Apr 1	Apr 15	May 5	May 30
98-09	Mar 25	Apr 8	Apr 22	May 6	May 26	Jun 20

¹All documents are due at the code reviser's office by **12:00 noon** on or before the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-21-040.

²A filing of any length will be accepted on the closing dates of this column if it has been prepared and completed by the order typing service (OTS) of the code reviser's office; see WAC 1-21-040. 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.

³At least twenty days before the rule-making hearing, the agency shall cause notice of the hearing to be published in the Register; see RCW 34.05.320(1). These dates represent the twentieth day after the distribution date of the applicable Register.

⁴A minimum of forty-five days is required between the distribution date of the Register giving notice of the expedited adoption and the agency adoption date. No hearing is required, but the public may file written objections. See RCW 34.05.230, as amended by section 202, chapter 409, Laws of 1997.

STATEMENT OF OWNERSHIP, MANAGEMENT, AND CIRCULATION
(Required by 39 U.S.C. 3685)

The WASHINGTON STATE REGISTER (ISSN 0164-6389), is published twice each month by the Statute Law Committee, Office of the Code Reviser, Legislative Building, P.O. Box 40552, Olympia, Washington 98504-0552. The filing date of this report was September 30, 1997. The 1997 annual subscription price is \$175 for 24 issues. The general business offices of the publisher are located in the Legislative Building, Olympia, Washington 98504-0552.

The editor is Kerry S. Radcliff, Code Reviser's Office, Legislative Building, P.O. Box 40552, Olympia, Washington 98504-0552. There is no managing editor.

The owner is the Statute Law Committee, State of Washington, Legislative Building, P.O. Box 40552, Olympia, Washington 98504-0552.

There are no known bondholders, mortgagees, or other security holders.

The extent and nature of the circulation is as follows:

	Average no. copies each issue during preceding 12 months	Actual no. copies of single issue published nearest to filing date
Total no. copies printing	800	800
Paid circulation		
Sales through dealers & carriers, street vendors, & counter sales	69	83
Paid mail subscriptions	423	464
Total paid circulation	492	547
Free distribution by mail	42	42
Free distribution outside the mail	28	29
Total free distribution	70	71
Total distribution	562	618
Copies not distributed		
Office use, leftover, unaccounted, spoiled after printing	238	182
Returns from news agents	0	0
Total	800	800
Percent paid circulation	87.54%	88.51%

I certify that the statements made by me are correct and complete.

Kerry S. Radcliff
Editor

REGULATORY FAIRNESS ACT

The Regulatory Fairness Act, chapter 19.85 RCW, was enacted in 1982 to minimize the impact of state regulations on small business. Amended in 1994, the act requires a small business economic impact analysis of proposed rules that impose more than a minor cost on twenty percent of the businesses in all industries, or ten percent of the businesses in any one industry. The Regulatory Fairness Act defines industry as businesses within a four digit SIC classification, and for the purpose of this act, small business is defined by RCW 19.85.020 as "any business entity, including a sole proprietorship, corporation, partnership, or other legal entity, that is owned and operated independently from all other businesses, that has the purpose of making a profit, and that has fifty or fewer employees."

Small Business Economic Impact Statements (SBEIS)

A small business economic impact statement (SBEIS) must be prepared by state agencies when a proposed rule meets the above criteria. Chapter 19.85 RCW requires the Washington State Business Assistance Center (BAC) to develop guidelines for agencies to use in determining whether the impact of a rule is more than minor and to provide technical assistance to agencies in developing a SBEIS. All permanent rules adopted under the Administrative Procedure Act, chapter 34.05 RCW, must be reviewed to determine if the requirements of the Regulatory Fairness Act apply; if an SBEIS is required it must be completed before permanent rules are filed with the Office of the Code Reviser.

Mitigation

In addition to completing the economic impact analysis for proposed rules, state agencies must take reasonable, legal, and feasible steps to reduce or mitigate the impact of rules on small businesses when there is a disproportionate impact on small versus large business. State agencies are encouraged to reduce the economic impact of rules on small businesses when possible and when such steps are in keeping with the stated intent of the statute(s) being implemented by proposed rules. Since 1994, small business economic impact statements must contain a list of the mitigation steps taken, or reasonable justification for not taking steps to reduce the impact of rules on small businesses.

When is an SBEIS Required?

When:

The proposed rule has more than a minor (as defined by the BAC) economic impact on businesses in more than twenty percent of all industries or more than ten percent of any one industry.

When is an SBEIS Not Required?

When:

The rule is proposed only to comply or conform with a federal law or regulation, and the state has no discretion in how the rule is implemented;

There is less than minor economic impact on business;

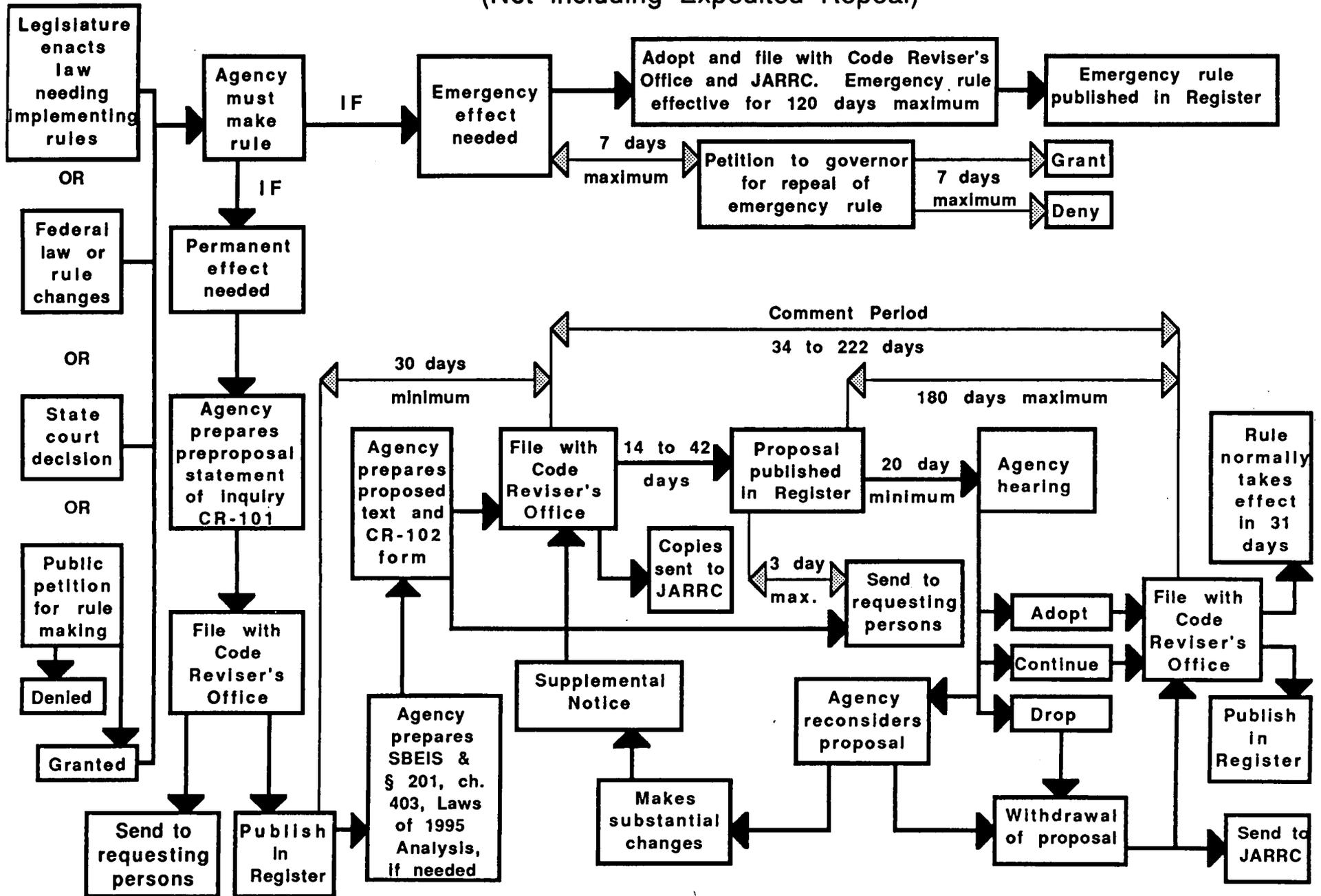
The rule **REDUCES** costs to business (although an SBEIS may be a useful tool for demonstrating this reduced impact);

The rule is adopted as an emergency rule, although an SBEIS may be required when an emergency rule is proposed for adoption as a permanent rule; or

The rule is pure restatement of state statute.

RULE-MAKING PROCESS

(Not including Expedited Repeal)



WSR 97-20-014
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 (Public Assistance)

[Filed September 19, 1997, 12:40 p.m.]

Subject of Possible Rule Making: Chapter 388-527 WAC, Estate recovery.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 43.20B.080, and 74.34.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Eliminates exemptions from estate recovery for clients with community property agreements, exempts costs of state-funded protective services from estate recovery, adds effective dates for changes, and establishes rules for determining value of life estates for the purposes of estate recovery.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of Financial Recovery (Department of Social and Health Services) - Coordinated joint project.

Process for Developing New Rule: The department invites the interested public to review and provide input into the adopted language of this proposed WAC amendment. The department will distribute draft material for an internal and external review process. All comments are taken into consideration before issuance of final rule.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Joanie Scotson, Program Manager, Medical Assistance Administration, Mailstop 45530, Olympia, Washington 98504-5530, phone (360) 753-7462, FAX (360) 753-7315, TDD 1-800-848-5429, e-mail SCOTSJK@DSHS.WA.GOV.

September 18, 1997
 Merry A. Kogut, Manager
 Rules and Policies Assistance Unit

WSR 97-20-021
PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION

[Filed September 19, 1997, 3:25 p.m.]

Subject of Possible Rule Making: Adopt a methodology for determination of just and reasonable rates for attachments to transmission facilities. Docket No. UT-970723.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.54.060 and 80.01.040.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The emergence of competition in the state utility market creates a need for an efficient and effective methodology for determining fair, consistent and effective rates for attachments to transmission facilities. The lack of a prescribed methodology creates uncertainty and unpredictability resulting in unnecessary burdens on the commission and affected companies. The lack of rules also creates uncertainty as to whether Washington regulates pole attachment rates sufficiently to preempt Federal Communications Commission regulation of the subject. The adoption of

rules implementing chapter 80.54 RCW will alleviate these problems. It also will comply with the commission's mandate under RCW 80.54.060 to adopt rules, regulations and procedures relative to the implementation of chapter 80.54 RCW. The commission is considering adopting the FCC methodology, which is found at 47 CFR § 1404(g).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The commission is not aware of any other federal or state agency that regulates this subject in Washington state. The FCC regulates cable television attachments and will be adopting rules regulating all telecommunications attachments, but is preempted from regulating attachments when a state regulates them. The FCC has identified Washington as a state in which rates, terms and conditions of attachments are regulated at the state level.

Process for Developing New Rule: Negotiated rule making; and workshop type meetings with regulated utilities, interested parties and consumer representatives in which information and views are exchanged in an effort to reach consensus on the issues.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. All utility companies and interested persons listed with the Commission's Records Center will be notified of the proposed rule process.

It is envisioned that there will be at least one meeting scheduled to discuss the proposed rule making with industry representatives in 1997. All persons filing comments will be notified of the dates of the meetings. After evaluating comments of interested persons, the commission will determine whether additional public input is appropriate, and establish procedural requirements at that time.

Interested persons may contact the Secretary, Washington Utilities and Transportation Commission, P.O. Box 47250, Olympia, WA 98504-7250, (360) 753-6451, FAX (360) 586-1150.

Written Comments: Written comments from persons interested in the subject matter of this proposed rule making may be filed with the Commission Secretary, referencing Docket No. UT-970723, not later than **November 10, 1997**. All commenters are asked, but not required, to file an original and eleven copies of their written comments. The commission also requests, but does not require, that comments be provided on a 3 1/2 inch IBM formatted high-density disk, in WordPerfect version 51. [5.1], 6.0 or 6.1, labeled with the commenter's name and type of software used. Interested persons may also file additional written comments and attend and participate in any workshops, to be announced by written notice to all commenters and to other persons specifically asking to receive notice in this rule-making proceeding.

Notice of Workshop: A workshop will be held on **December 3, 1997**, beginning at 9:30 a.m., in Room 206 of the Commission's Headquarters Office, 1300 South Evergreen Park Drive S.W., Olympia, WA.

September 15, 1997
 Terrence Stapleton
 for Steve McLellan
 Secretary

WSR 97-20-042
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION
 [Filed September 24, 1997, 9:06 a.m.]

Subject of Possible Rule Making: Bingo recordkeeping and accounting.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070 (1), (8)-(11), (14), and (20).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To facilitate recordkeeping and accounting in bingo operations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ben Bishop, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7640; Carrie Tellefson, Special Assistant to the Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7640; and Soojin Kim, Rules and Policy Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7654 ext. 310. Icicle Inn/Best Western, 505 Highway 2, Leavenworth, WA 98826, (509) 548-8000, on October 10, 1997; Shilo Inn, 707 Ocean Shores Boulevard, Ocean Shores, WA 98569, (360) 289-4600, on November 14, 1997; and Skamania Lodge, Exit 44, Interstate 84, Stevenson, WA 98648, (509) 427-7700, on January 9, 1998.

September 24, 1997
 Soojin Kim
 Rules and Policy Coordinator

WSR 97-20-043
PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION
 [Filed September 24, 1997, 9:09 a.m.]

Subject of Possible Rule Making: Public card room employee definition.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070(14).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify who would fall under the definition of "public card room employee."

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ben Bishop, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7640; Carrie Tellefson, Special Assistant to the Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7640; and Soojin Kim, Rules and Policy Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 438-7654 ext. 310. Icicle Inn/Best Western, 505 Highway 2, Leavenworth, WA 98826, (509) 548-8000, on October 10, 1997; Shilo Inn, 707 Ocean Shores Boulevard, Ocean Shores, WA 98569, (360) 289-4600, on November 14, 1997; and Skamania Lodge, Exit 44,

Preproposal

Interstate 84, Stevenson, WA 98648, (509) 427-7700, on January 9, 1998.

September 24, 1997
 Soojin Kim
 Rules and Policy Coordinator

WSR 97-20-053
PREPROPOSAL STATEMENT OF INQUIRY
LOTTERY COMMISSION
 [Filed September 24, 1997, 12:03 p.m.]

Subject of Possible Rule Making: Instant game rules.
 Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 67.70.040(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The lottery is considering proposing new administrative rules for individual instant ticket games during calendar year 1998. It is anticipated that two to six new instant game rules will be adopted at each commission meeting.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michael Aoki-Kramer, Rules Coordinator, at (360) 586-6583, FAX (360) 586-6586, P.O. Box 43025, Olympia, WA 98504-3025, with any comments or questions regarding this statement of intent. Meeting dates will be published when adopted.

September 16, 1997
 Merritt D. Long
 Director

WSR 97-20-057
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
 [Filed September 25, 1997, 8:34 a.m.]

Subject of Possible Rule Making: Chapter 308-96A WAC, Vehicle licenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.01.110.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify the requirements to renew a disabled parking privilege in WAC 308-96A-340. Relocate wording from WAC 308-96A-315 into WAC 308-96A-340 that address temporary disabled person parking placards. Create a new section in chapter 308-96A WAC which clarifies the return of individual disabled person parking placards and disabled person parking license plates when the privilege is no longer valid.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested parties are invited to participate in

this rule making. Please contact Pat Zlateff, Contracts Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, phone (360) 902-3718, FAX (360) 664-0831, TDD (360) 664-8885. Comments are requested by October 17, 1997.

September 5, 1997

Eric L. Andersen
for Nancy Kelly, Administrator
Title and Registration Services

WSR 97-20-079

PREPROPOSAL STATEMENT OF INQUIRY SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed September 26, 1997, 3:24 p.m.]

Subject of Possible Rule Making: Chapter 392-140 WAC, Finance, special allocations—Allocations of special education safety net funding.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290 and section 507(8), chapter 149, Laws of 1997.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update policies and procedures for school district special education safety net applications and awards for the 1997-98 school year.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Education regulates federal discretionary money used for safety net awards for high cost individual students.

Process for Developing New Rule: Early solicitation of public comments and recommendations respecting new, amended or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending written comments to Rules Coordinator, Legal Services, P.O. Box 47200, Olympia, WA 98504-7200, FAX (360) 753-4201, TDD (360) 664-3631.

September 25, 1997

Dr. Terry Bergeson
Superintendent of
Public Instruction

WSR 97-20-080

PREPROPOSAL STATEMENT OF INQUIRY PARKS AND RECREATION COMMISSION

[Filed September 29, 1997, 8:30 a.m.]

Subject of Possible Rule Making: Chapter 352-76 WAC, Clean vessel funding program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 88.12.325.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To rewrite the rule for clarity and to streamline the process of awarding funding for boating environmental projects including boater sewage waste disposal facilities and boater education programs. The

expected results include reduction of staff, advisory committee, commissioner and applicant time committed to the grant evaluation process and increased emphasis on recruiting and funding priority programs.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Funds awarded by the commission for boating environmental programs include federal funding from the aquatic resources trust fund, clean vessel account. State parks coordinates with the managing federal agency, the United States Fish and Wildlife Service, through an annual federal funding application and cooperative program agreement. Design criteria for the construction of boat sewage disposal facilities are coordinated with the Department of Ecology.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Public comments are encouraged. To comment in writing or request additional information, contact Dona Wolfe at Washington State Parks, P.O. Box 42650, Olympia, WA 98504-2650, phone (360) 902-8511, FAX (360) 753-1594, e-mail donaw@parks.wa.gov.

September 30 [29], 1997

Jim French
Senior Policy Analyst

WSR 97-20-084

PREPROPOSAL STATEMENT OF INQUIRY UNIVERSITY OF WASHINGTON

[Filed September 29, 1997, 9:33 a.m.]

Subject of Possible Rule Making: Chapter 478-160 WAC, Admission and registration procedures for the University of Washington.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.20.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The bachelors degree program in pharmacy at the University of Washington has been discontinued. It has been replaced by the doctor of pharmacy (Pharm. D.) degree program as the only entry level degree offered by the school. Thus the admission category of the school is now designated as an advanced professional degree program (similar to the Schools of Medicine, Dentistry and Law) instead of a program of undergraduate study. Concurrent with this change, authority for admission to the School of Pharmacy has been transferred from the university's undergraduate Office of Admissions to the school's Office of Academic and Student Programs. It should be noted that similar changes have occurred at the College of Pharmacy at Washington State University. These changes are in response to new national accreditation requirements for all schools and colleges of pharmacy in the United States.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before

publication. Written comments or inquiries may be directed to Rebecca Goodwin Deardorff, Administrative Procedures Officer via one of the following routes: United States mail University of Washington, 4014 University Way N.E., Seattle, WA 98105-6203; campus mail Box 355509; e-mail adminpro@u.washington.edu; FAX (206) 543-0786.

September 26, 1997
Rebecca Goodwin Deardorff
Administrative Procedures Officer

WSR 97-20-108
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING
[Filed September 30, 1997, 9:45 a.m.]

Subject of Possible Rule Making: WAC 308-61-108(5), delete the provision that a complete change of ownership requires a new registration; WAC 308-66-140(9), delete the prohibition against license issuance for the same name; WAC 308-80-015(1), delete initiating license staggering language; and WAC 308-80-020(3), delete requirement for a payroll employee to use special license plates.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 46.55.190, 46.70.160, 46.76.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The amendment to WAC 308-61-108(5) simply updates the WAC to recognize that corporations survive even with internal changes. The amendment to WAC 308-66-140(9) is to align with the master licensing service (chapter 19.02 RCW) which does not prohibit names. The amendment to WAC 308-80-015(1) eliminates outdated language (the licenses are permanently staggered now). The amendment to WAC 308-80-020(3) updates the WAC so that it recognizes the widespread industry practice of hiring contract drivers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The Washington State Patrol is interested in WAC 308-80-020(3) because of the transporter license plate enforcement on the highways. We are contacting the Washington State Patrol by phone and written correspondence.

Process for Developing New Rule: Routine review by the program area to see that the WACs are functional and appropriate.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Send comments to Gail Saul, Dealer and Manufacturer Services, Department of Licensing, P.O. Box 9039, Olympia, WA 98507-9039, FAX (360) 586-6703.

September 24, 1997
Evelyn P. Yenson
Director

WSR 97-20-118
PREPROPOSAL STATEMENT OF INQUIRY
MILITARY DEPARTMENT
(Emergency Management Division)
[Filed October 1, 1997, 8:40 a.m.]

Subject of Possible Rule Making: Chapter 118-40 WAC, Hazardous chemicals emergency response planning and community right-to-know planning.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 38.52 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Revisions are required for the following reasons: Bring chapter 118-40 WAC into compliance with chapter 38.52 RCW; and accurately reflect the interagency restructuring between the Military Department, Department of Ecology, and Washington State Patrol.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal: Federal Emergency Management Agency, Department of Transportation, Environmental Protection Agency and Occupational Safety and Health Administration. State: Military Department, Department of Ecology, Washington State Patrol, Department of Transportation, Department of Health, and State Emergency Response Committee (SERC).

Process for Developing New Rule: Agency study. An interagency work group has been convened by the Emergency Management Division.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Information will be disseminated through public meetings (east and west of the Cascades), SERC, Tribal Emergency Response Commission, and forty-seven Local Emergency Planning Committees. Written comments may also be sent to Daniel Staber, Washington State Military Department, Emergency Management Division, P.O. Box 40955, Olympia, WA 98504-0955, office (360) 459-9191, desk (360) 923-4573, FAX (360) 923-4591, e-mail staber@gate.emd.wa.gov.

June 9, 1997
Gregory P. Barlow
Major General
The Adjutant General

WSR 97-20-120
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Medical Assistance Administration)
(Aging and Adult Services Administration)
[Filed October 1, 1997, 9:36 a.m.]

Subject of Possible Rule Making: Economic Services Administration, working in collaboration with the Medical Assistance Administration and the Aging and Adult Services Administration, is reviewing all its rules, policies and other issuances for compliance with the Administrative Procedure Act, Executive Order 97-02, and the Department of Social and Health Services Secretary Order on Regulatory Improvement. This review may result in the repeal or amendment of

existing rules or the adoption of the Department of Social and Health Services rules that affect the Economic Services Administration, the Medical Assistance Administration, or the Aging and Adult Services Administration services. A full list of the rules, policies and other issuances under review may [be] requested through contact information below.

Statutes Authorizing the Agency to Adopt Rules on this Subject: The Economic Services Administration receives statutory authority to adopt rules from many sources, including: RCW 74.04.050, 74.04.055, 74.04.57 [74.04.057], 74.04.090. Specific statutory authority will be provided for each rule filing that follows from this review.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: State and federal changes in the public assistance programs require the state to update all its rules relating to these services. As part of that update, Economic Services Administration has set several goals: To write all rules in a simple, clear, effective style targeted to the person meant to use the rule; to fully include the public, clients, vendors, advocates and other parts of government in rule development; to streamline and consolidate rules as much as possible; and to repeal all rules that are not needed for effective program operation, by federal or state mandate, or to provide clear guidance to clients.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of Community, Trade and Economic Development, Employment Security Department, the Social Security Administration, and other administrations within the Department of Social and Health Services may need to be involved. Economic Services Administration will coordinate with all other affected agencies and include them in mailings, invitations to participate in meetings regarding these rule changes and any other rule development activities. Whenever possible, announcements of opportunities to collaborate will be published in the Washington State Register and posted on agency Internet pages.

Process for Developing New Rule: All existing rules and policies will be reviewed. A special rule improvement team (RIT) will develop a training plan, acceptable format criteria for review and public participation and provide oversight during the process. After its initial development using the RIT process, each rule will be developed and adopted as required by the Department of Social and Health Services policy and the Administrative Procedure Act.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. To have your name added to the list of interested parties to receive mailings and meeting announcements, contact Sydney Martin Doré, Regulatory Improvement Team, Economic Services Administration, Lacey Government Center, Olympia, WA 98506-5855, phone (360) 407-3610, FAX (360) 413-3495, e-mail sdore@dshs.wa.gov and/or doresm@dshs.wa.gov.

September 30, 1997
Jerry W. Friedman
Assistant Secretary
Economic Services Administration

WSR 97-20-121
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Aging and Adult Services)
[Filed October 1, 1997, 9:40 a.m.]

Subject of Possible Rule Making: Adjusting functional eligibility standards or service levels for the Chore, COPES, and MPC service programs. This action may require amendments to the functional eligibility requirements contained in chapter 388-15 WAC and WAC 388-97-235.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.09.035, [74.09.]520, [74.09.]530; 74.39A.110, [74.39A.]120, [74.39A.]030; and chapter 149, Laws of 1997.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The 1997-99 Operating Budget (section 205 (1)(c) and section 206(3), chapter 149, Laws of 1997) authorized the department to adjust functional eligibility standards or service levels sufficiently to maintain expenditures within appropriated levels for Chore, COPES and MPC services.

The 1997-99 budget provides the Division of Developmental Disabilities (DDD) funding for MPC caseload growth or 71 clients per month for fiscal year (FY) 98 and 99. Currently, the DDD MPC caseload growth is averaging approximately 90 clients per month.

The 1997-99 budget provided the Aging and Adult Services Administration (AASA) funding for a caseload growth level of 157 clients per month for FY 98 and 237 clients per month for FY 99 for home and community programs. Home and community caseloads have grown by an average of 220 cases per month in FY 97. The department does not anticipate a sudden decrease in caseloads to the FY 98 funded level of 157 clients per month beginning July 1997.

The 1997-99 budget allows the department to offset projected overexpenditures for Chore, COPES, and MPC with underexpenditures resulting from lower than budgeted nursing home caseloads. However, the nursing home caseload growth is currently growing at higher than budgeted levels.

RCW 74.09.520 and sections 205 (1)(c) and 206(3), chapter 149, Laws of 1997, require the department to adjust functional eligibility standards or service levels for Chore, COPES, and MPC programs to stay within appropriated levels. The department will be meeting with clients, advocates and provider groups for suggested amendments to functional eligibility requirements and/or service levels for the Chore, COPES, and MPC programs. Note: The COPES functional eligibility must be the same or more restrictive than that for nursing facility level of care; consequently, it may be necessary to amend the definition of functional eligibility for nursing facility care in WAC 388-97-235.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Health Care Financing Administration. The Department of Social and Health Services will notify the Health Care Financing Administration of required amendments to the state Medicaid plan or home and community-based waiver (i.e. COPES) regarding eligibility or service levels. Aging and Adult Services will be coordinating this

proposal on behalf of the department and will coordinate with the Medical Assistance Administration, Health and Rehabilitation Administration and other affected administrations.

Process for Developing New Rule: Interested parties may submit verbal or written comments, concerns, and recommendations to (AASA) at any time prior to filing the notice of proposed rule making. Public meetings will be widely publicized in advance in order to promote maximum attendance and participation in the rule development process. AASA will send notices to their mailing list of interested parties inviting them to attend informal meetings, and/or provide oral or written suggestions to the department. Anyone may be added to this list by contacting the responsible staff person at the address/phone/email indicated below. At the time the notice of proposed rule making is filed, interested parties will be notified of the scheduled rule-making hearing, and given another opportunity to submit comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kevin Krueger, Aging and Adult Services Administration, P.O. Box 45600, Olympia, WA 98504-5600, phone (360) 493-2578, TTY (360) 493-2637, FAX (360) 438-8633, e-mail kkrueger@dshs.wa.gov.

October 1, 1997

Merry A. Kogut, Manager
Rules and Policies Assistance Unit

WSR 97-20-140

PREPROPOSAL STATEMENT OF INQUIRY INSURANCE COMMISSIONER'S OFFICE

[Insurance Commissioner Matter No. R 97-4—Filed October 1, 1997,
10:47 a.m.]

Subject of Possible Rule Making: Modification of rules regarding consumer buying guides and disclosure forms for life insurance products.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current rules (for example WAC 284-23-200 through 283-23-270) are out of date and should be amended. Additionally, legislation was passed that affects current life insurance disclosure regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other agencies regulate disclosure to the public in the sale of life insurance policies.

Process for Developing New Rule: Agency study; and submit comments in writing to Kacy Brandeberry by November 15, 1997. For questions concerning the content of the possible rule(s), call Jon Hedegard, (360) 664-4615.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, phone (360) 664-3790, FAX (360) 586-3535, TDD (350) [(360)] 664-3154, Internet KacyB@oic.wa.gov.

October 1, 1997

Greg J. Scully
Chief Deputy Commissioner

WSR 97-20-141

PREPROPOSAL STATEMENT OF INQUIRY INSURANCE COMMISSIONER'S OFFICE

[Insurance Commissioner Matter No. R 97-5—Filed October 1, 1997,
10:48 a.m.]

Subject of Possible Rule Making: Adoption of NAIC model regulation for recognizing a new annuity mortality table for use in determining reserve liabilities for annuities.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 284-74-010 was adopted in 1987 and has not been amended since then. This proposed amendment will permit insurers to use a mortality table recently adopted by the NAIC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study; and submit comments in writing to Kacy Brandeberry by November 15, 1997. For questions concerning the content of the possible rule(s), call Melodie Bankers, (360) 586-3574.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, phone (360) 664-3790, FAX (360) 586-3535, TDD (350) [(360)] 664-3154, Internet KacyB@oic.wa.gov.

October 1, 1997

Greg J. Scully
Chief Deputy Commissioner

WSR 97-20-154

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF HEALTH

[Filed October 1, 1997, 11:40 a.m.]

Subject of Possible Rule Making: Acquisitions of nonprofit hospitals or public hospital district hospitals. The proposed rules intend to clarify the purpose and intent of the statute and to provide details concerning process.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 332, Laws of 1997.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Rules may provide potential participants, those acquiring and selling assets, and communities affected in particular, with information beyond what is provided in statute, thereby making participation more efficient and effective. The proposed rules intend to clarify, and provide detail to, the statute.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Attorney General's Office and Secretary of State's Office.

Process for Developing New Rule: The program will work with the industry and other interested parties to develop the rules. At least one or two public hearings will be held.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Stephen A. Boruchowitz, Washington State Department of Health, P.O. Box 47851, Olympia, WA 98504-7851, (360) 753-0719, FAX (360) 664-0398.

September 29, 1997

Bruce Miyahara
Secretary

WSR 97-20-155

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH**

(Board of Optometry)

[Filed October 1, 1997, 11:41 a.m.]

Subject of Possible Rule Making: Establishing a definition of "vision therapy"; establishing a definition of "low vision rehabilitation"; and amending the credentialing by endorsement rules to require that a practitioner be actively practicing in the state from which they are credentialing.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.54.070(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify the scope of practice and to further ensure the competency of applicants for licensure.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Notice of all future public meetings will be sent to interested persons. For more information contact Judy Haenke, Program Manager, P.O. Box 47863, Olympia, WA 98504-7863, (360) 753-4614, FAX (360) 586-0745.

September 30, 1997

Robert Nicoloff
Executive Director



WSR 97-19-086
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
 [Filed September 17, 1997, 9:30 a.m.]

Rules Relating to Ginseng Management

NEW SECTION

WAC 16-695-005 Purpose. These rules are promulgated under Chapter 34.05 RCW to establish standards and administer a ginseng management program. This program will promote the production and export of cultivated ginseng and prohibit acts detrimental to the survival of the indigenous wild ginseng population of the United States. These rules shall regulate the sale and export of ginseng, establish a registration program for dealers and growers, and provide for the certification of cultivated American ginseng.

NEW SECTION

WAC 16-695-010 Definitions. The following definitions shall apply:

(1) "Cultivated ginseng" means any part of a ginseng plant that is growing or grown in managed beds under artificial or natural shade and cultivated according to recognized ginseng horticultural practices. Cultivated ginseng includes woodsgrown ginseng.

(2) "Dealer" means anyone who buys ginseng for resale, or grows and sells it for export. This definition does not apply to persons who buy ginseng solely for the purpose of final retail sale to consumers in the United States.

(3) "Dealer registration" means an annual registration issued by the department authorizing a dealer to buy, collect, or otherwise acquire ginseng for resale or export from this state.

(4) "Department" means the Washington state department of agriculture.

(5) "Director" means the director of the department or his duly appointed representative.

(6) "Dry weight" means the weight in pounds and ounces of harvested or collected ginseng root that is dried and is no longer viable.

(7) "Export" means export outside the boundaries of the United States.

(8) "Out-of-state ginseng" means ginseng that is grown or originated outside the state of Washington.

(9) "Ginseng" means any and all parts of the plant known as American ginseng (*Panax quinquefolius* L.) including but not limited to: plants, whole roots, essentially intact roots, root chunks, slices, seeds, and tissue.

(10) "Green ginseng" means a ginseng root from which the moisture has not been removed by drying.

(11) "Green weight" means the weight in pounds and ounces of freshly harvested or collected ginseng root that is not dried and is still viable.

(12) "Grower" means a person who grows "cultivated," "wild simulated" and or "woodsgrown" ginseng, and sells it to a dealer.

(13) "Grower registration" means an annual registration issued by the department which enables a grower to sell cultivated ginseng that the grower has produced.

(14) "Person" means any individual, firm, partnership, corporation, company, society, association or other business entity, and every officer, agent or employee thereof, agency or organized group of persons whether or not incorporated.

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-02-037.

Title of Rule: Rules relating to ginseng management.

Purpose: To establish rules for the ginseng management program.

Statutory Authority for Adoption: Chapter 15.17 RCW.

Statute Being Implemented: Chapter 15.17 RCW.

Summary: To establish rules for: (1) Ginseng certification for foreign export, (2) registration of ginseng growers and dealers, (3) recordkeeping and storage of ginseng by growers and dealers, (4) certify recordkeeping and commerce of wild ginseng in compliance with United States Fish and Wildlife Service, 50 CFR Part 23, and (5) establish a fee schedule for services related to the certification of ginseng.

Name of Agency Personnel Responsible for Drafting: Mary Toohey, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1907; Implementation and Enforcement: Tom Wessels, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1922.

Name of Proponent: Northwest Ginseng Growers Association, Don Hoogesteger, President, private.

Rule is necessary because of federal law, 50 CFR Part 23.

Explanation of Rule, its Purpose, and Anticipated Effects: The ginseng industry requested these rules to facilitate the foreign export of cultivated ginseng. United States Fish and Wildlife Service requires states to have certification programs to protect wild ginseng (*Panax quinquefolius*) which is protected by federal law and is indigenous only to states east of the Mississippi River. Ginseng, a multi-year crop, has only been cultivated in commercial quantities in this state for five years. It is now ready for marketing overseas, and a state certification program is necessary to allow growers and dealers to export the product.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule must be in place and accepted by the United States Fish and Wildlife Service in order for the ginseng industry to export their products. Without these rules, the Washington ginseng industry will suffer significant economic loss through lack of access to foreign markets.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: George C. Marshall House, West Parlor, 1301 Officers' Row, Vancouver, WA, (360) 693-3103, on November 4, 1997, at 1:00 p.m. - 5:00 p.m.

Assistance for Persons with Disabilities: Contact Cathy Jensen by October 27, 1997, TDD (360) 902-1996, or (360) 902-1976.

Submit Written Comments to: Mary Toohey, FAX (360) 902-2094, by November 4, 1997.

Date of Intended Adoption: November 18, 1997.

September 17, 1997

Mary A. Martin Toohey
Assistant Director

PROPOSED

(15) "Wild ginseng" means ginseng growing naturally within its native range.

(16) "Wild simulated ginseng" means cultivated ginseng grown in a wooded site where wild ginseng is not established.

(17) "Woodsgrown ginseng" means ginseng grown in managed beds under natural shade.

NEW SECTION

WAC 16-695-015 Collection of wild ginseng. No grower's or dealer's registration will be issued for the collection, sale or distribution of wild ginseng for the purpose of sale or distribution.

NEW SECTION

WAC 16-695-020 Dealers and growers—Annual registration with the department — Requirements. Dealers and growers must register with the Washington State Department of Agriculture, and the following requirements apply. (1) No person may act as a dealer without first registering with the department. Registration shall be made annually on a form provided by the department and will expire on March 31 of each year. The department will assign a registration number to each person registered under this subsection.

(2) No person shall act as a grower without first registering with the department. Registration shall be made annually on a form provided by the department and will expire on March 31 of each year. The department will assign a registration number to each person registered under this subsection.

(3) Any person who acts as a dealer and a grower must register as both.

NEW SECTION

WAC 16-695-025 Grower records. A grower selling cultivated ginseng shall do all of the following when selling to a dealer:

(a) Provide a record of sale containing all of the following information to the dealer:

- (i) Grower's name and address;
- (ii) Grower's registration number;
- (iii) Ginseng certificate number;
- (iv) Ginseng dry weight;
- (v) Year harvested;
- (vi) County of harvest;
- (vii) Date of transaction;

(b) Certify that the ginseng was grown in Washington State. The certificate of origin shall be in the form prescribed by the director;

(c) Maintain records of all ginseng production and sales for a period of three years.

NEW SECTION

WAC 16-695-030 Dealer records. Dealers shall keep true and accurate records of transactions, including both sales and purchase records for a period of three years, in a format prescribed by the director.

(1) Purchase records shall include:

- (a) Dealer's Name;

(b) Dealer's registration number;

(c) Dealer's address;

(d) Grower/seller name;

(e) Grower/seller registration number;

(f) Ginseng weight in pounds and ounces;

(g) Designation of green or dry ginseng;

(h) Designation of wild or cultivated ginseng;

(i) Harvest year of ginseng;

(j) County in which the ginseng was harvested;

(k) Date of transaction;

(2) Sales records shall include the following information:

(a) Dealer's name;

(b) Dealer's registration number;

(c) Dealer's address;

(d) Buyer's name;

(e) Buyer's registration number;

(f) Ginseng weight in pounds and ounces;

(g) Designation of green or dry ginseng;

(h) Designation of wild or cultivated ginseng;

(i) Harvest year;

(j) County in which the ginseng was harvested;

(k) Date of transaction.

NEW SECTION

WAC 16-695-035 Out-of-state ginseng. (1) No dealer may purchase, receive or import out-of-state ginseng unless it is accompanied by a valid certificate of origin issued by the state or country of origin. The certificate must include the state or country of origin, the source (wild or cultivated), year of harvest, and dry weight of the out-of-state ginseng.

(2) The dealer shall retain for a period of three years a copy of each written certificate of origin received.

(3) If a dealer receives ginseng not accompanied by a valid certificate of origin, the uncertified ginseng must be returned within 30 days to the state or country of origin. Failure to do so shall render the ginseng illegal for commerce.

NEW SECTION

WAC 16-695-040 Selling and/or shipping of ginseng - certificates. (1) Except as described in subsection (7) of this section, no person shall sell or ship ginseng out-of-state or export Washington grown ginseng unless it is accompanied by a valid, prenumbered certificate of origin on a form issued by the department. The department shall, upon request and payment of the required fee(s), provide each registered grower or dealer with forms for certificates of origin. The department shall identify each certificate of origin form with a serial number, the registration number of the grower or dealer, and the expiration date of the certificate. The expiration date shall be the following March 31. Registered growers or dealers may certify their own cultivated ginseng by filling out and signing a certificate of origin form. The certificate of origin shall contain the following information:

(a) State of origin;

(b) Serial number of certificate;

(c) Dealer's and/or grower's state registration number;

(d) Year of harvest of ginseng being certified;

(e) Designation as cultivated roots or plants;

- (f) Designation as dried or fresh (green) roots, or live plants;
- (g) Weight of roots or plants (or number of plants) separately expressed both numerically and in writing;

- (h) Date of certification;
 - (i) Signature of grower or dealer making certification.
- (2) All of the following conditions must be met in order for a Washington certificate of origin to be valid:

(a) the ginseng must be harvested within the same registration year that the form for the certificate of origin was issued, (registration years extend from April 1 through March 31 - also see WAC 16-695-050)

(b) the certificate of origin form must be used on or prior to its expiration date,

(c) the certificate must be signed by the grower or dealer whose registration number was entered on it by the department, and

(d) the ginseng must be cultivated ginseng grown in Washington state.

(3) Forms for certificates of origin are issued by the department in triplicate. The original is designated for the dealer's use in commerce; the first copy is for the dealer's records; and the second copy shall be sent within two weeks of issuance by the grower or dealer to the Washington State Department of Agriculture, Laboratory Services Division, 1111 Washington Street, P.O. Box 42560, Olympia, WA 98504-2560.

(4) Unused forms for certificates of origin shall become void on the March 31 following issuance by WSDA. All voided certificates of origin and forms for certificates of origin shall be sent within two weeks to the Washington State Department of Agriculture, Laboratory Services Division, 1111 Washington Street, P.O. Box 42560, Olympia, WA 98504-2560.

(5) No person shall export ginseng grown in Washington using an out-of-state issued certificate.

(6) Certificates of origin shall not be issued for wild ginseng.

(7) Subsection (1) of this section shall not apply to a person who sells or ships cultivated ginseng out-of-state to a person who is buying or receiving it solely for the purpose of final retail sale to consumers in the United States, if the person selling or shipping keeps a record for a period of three years which includes:

- (a) Name and address of the buyer or receiver;
- (b) Weight of the ginseng in pounds and ounces;
- (c) Date of the sale or shipment;
- (d) County of harvest of the ginseng;
- (e) Year of harvest of the ginseng.

NEW SECTION

WAC 16-695-045 Maintaining separate lots of ginseng. Dealers shall maintain separation between lots of out-of-state ginseng and that harvested in Washington until a certificate of origin has been issued for the ginseng harvested in the state.

NEW SECTION

WAC 16-095-050 Dealer and/or grower holding ginseng after March 31 of the year. Any grower or dealer holding ginseng on or after March 31 must report all carryover stocks on a form provided by the department, which shall list name and address of the grower or dealer, location of the lot, lot identification, county of harvest, dry or green weight in pounds and ounces, and year of harvest.

Reviser's note: The above new section was filed by the agency as WAC 16-095-050. This section is placed among sections forming new chapter 16-695 WAC, and therefore should be numbered WAC 16-695-050. Pursuant to the requirements of RCW 34.08.040, the section is published in the same form as filed by the agency.

NEW SECTION

WAC 16-695-055 Inspection or submission of records. (1) All records required to be kept under this chapter must be made available to the Washington State Department of Agriculture upon request for audit, inspection, and/or copying.

(2) Pursuant to the authority provided in chapter 15.17 RCW, the department shall not disclose information obtained regarding purchases, sales, or production of an individual American ginseng dealer, except for providing reports to the United States Fish and Wildlife Service. This information is exempt from public disclosure required by chapter 42.17 RCW.

NEW SECTION

WAC 16-695-060 Export procedures. Valid Federal CITES documents are necessary to export ginseng.

NEW SECTION

WAC 16-695-065 Fees—Hourly, overtime. Fees shall be charged sufficient to cover the department's cost of implementing this chapter. (1) Ginseng certification activities shall be provided at an hourly and overtime rate. The overtime rate shall apply for service provided subsequent to a regularly scheduled eight-hour week day shift or on Saturdays, Sundays, and state legal holidays. No service will be performed on Thanksgiving Day, Christmas Day or New Years Day, beginning at 5:00 p.m., on the previous day.

(2) Charges shall be for a minimum of one hour. Additional time shall be charged in one-half hour increments.

NEW SECTION

WAC 16-695-070 Schedule of fees and charges. The following schedule for ginseng certification activities shall apply:

- (1) Certificate of origin form, each \$25.00
- (2) Hourly rate \$28.00
- (3) Overtime rate \$42.00
- (4) Travel time at the appropriate hourly or overtime rate shall be assessed.
- (5) Mileage and per diem shall be charged at the rate established by the state office of financial management.
- (6) Postage and other miscellaneous costs shall be charged back at actual cost.

PROPOSED

(7) Certification activities shall include auditing records of the production, sales and storage of ginseng, and issuing certificates.

NEW SECTION

WAC 16-695-075 Unlawful activities. A person shall not do any of the following:

- (1) Fail to maintain all required records.
- (2) Fail to submit information to the department as required in WAC 16-695-050.
- (3) Fail to submit voided certificates of origin or forms for certificates of origin to the department.
- (4) Buy, otherwise acquire, or possess uncertified ginseng, which is required by this chapter to be certified.
- (5) Export uncertified ginseng from this state.
- (6) Possess ginseng originating from another state without authorization from the state of origin.
- (7) Violate Chapter 15.17 RCW or any rule promulgated thereunder, or any lawful order of the director.
- (8) Knowingly provide incorrect or false information on a registration application, report, certificate of origin, or other document required under this act.
- (9) Provide a purchaser with a record of sale for more ginseng than is actually sold or otherwise exchanged.

NEW SECTION

WAC 16-695-080 Enforcement actions. (1) The director may take any enforcement action authorized by Chapter 15.17 RCW.

(2) Upon determination that an applicant or registered ginseng dealer or grower has violated this chapter, and after following the notice and hearing requirements and provisions of chapter 34.05 RCW concerning adjudicative proceedings, the director of the department may deny, suspend, or revoke any registration or application for registration.

WSR 97-20-041

PROPOSED RULES

GAMBLING COMMISSION

[Filed September 24, 1997, 9:02 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-17-030 dated August 12, 1997.

Title of Rule: Raffle rule, WAC 230-20-325 Manner of conducting a raffle and 230-08-070 Raffle records.

Purpose: Change raffle rules to allow one free raffle ticket when a certain number of tickets (numbered to be determined by licensee) are purchased by customer.

Statutory Authority for Adoption: RCW 9.46.070 (3), (8), (11), and (14).

Summary: See Purpose above.

Reasons Supporting Proposal: Rule change would allow nonprofits to sell raffle tickets at a discount, thereby stimulating sales.

Name of Agency Personnel Responsible for Drafting: Soojin Kim, Lacey, (360) 438-7654 ext. 310; Implementation: Ben Bishop, Lacey, (360) 438-7654 ext. 302; and Enforcement: Carrie Tellefson, Lacey, (360) 438-7654 ext. 373.

Name of Proponent: James H. Williams, private.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: Agency may develop an alternative rule to address concern.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Reasons Supporting Proposal above.

Proposal Changes the Following Existing Rules: The existing rule, WAC 230-20-325, states "Each raffle ticket must be sold for the same price as every other raffle ticket being used for that particular raffle."

The proposed change would allow a raffle license to offer one free ticket based on a predetermined number of tickets purchased.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Proposal is exempt under RCW 19.85.025(2), therefore, a small business economic impact statement is not required.

RCW 34.05.328 does not apply to this rule adoption. This agency does not choose to make section 201, chapter 403, Laws of 1995, apply to this rule adoption.

Hearing Location: Shilo Inn, 707 Ocean Shores Boulevard N.W., Ocean Shores, WA 98569, on November 14, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Susan Green by November 1, 1997, TDD (360) 438-7638, or (360) 438-7654 ext. 302.

Submit Written Comments to: Soojin Kim, Mailstop 42400, Olympia, Washington 98504-2400, FAX (360) 438-8652, by October 31, 1997.

Date of Intended Adoption: November 14, 1997.

September 22, 1997

Soojin Kim

Rules and Policy Coordinator

AMENDATORY SECTION (Amending WSR 95-07-093, filed 3/17/95, effective 7/1/95)

WAC 230-08-070 Raffle records. A detailed record shall be prepared for each raffle conducted. Unless otherwise noted in this section, organizations licensed to conduct raffles at Class "D" or below and organizations conducting unlicensed raffles under the authority of RCW 9.46.0315 or 9.46.0321 are authorized to use reduced recordkeeping requirements as set out in WAC 230-08-015. Organizations licensed to conduct raffles at or above Class "E" or conducting raffles under any class of license by utilizing alternative drawing formats, as authorized by WAC 230-20-325, shall comply with the following recordkeeping procedures:

- (1) All data required shall be recorded in a standard format prescribed by the commission;
- (2) At least the following data shall be recorded:
 - (a) Beginning and ending ticket numbers;
 - (b) The total number of unsold tickets with ticket numbers that are below the highest ticket number sold;
 - (c) Total gross gambling receipts;
 - (d) A description of each prize including the cost, or if contributed to the organization, the fair market value;

(e) The name, address, and telephone number of each winner of a prize with a cost or fair market value in excess of twenty dollars;

(f) Except as authorized by WAC 230-20-335, details of disbursement to and return of tickets from sellers. Minimum details shall include:

(i) The name of the person receiving the tickets;

(ii) The number of tickets disbursed;

(iii) The number of tickets returned; ~~((and))~~

(iv) The number of tickets given under the one free ticket method; and

(v) All funds returned;

(3) In addition to the prescribed format, the following records shall be maintained:

(a) Validated deposit receipts for each deposit of raffle proceeds;

(b) All winning tickets;

(c) All ticket stubs for raffles that participants are not required to be present at the drawing;

(d) All unsold tickets for individual raffles for which gross gambling receipts exceed five thousand dollars;

(e) Invoices and other documentation recording the purchase or receipt of prizes; and

(f) Invoices and other documentation recording the purchase of tickets and other expenses of the raffle;

(4) Except as authorized by WAC 230-20-335, these records shall be maintained for a period of not less than three years from the end of the licensee's fiscal year in which the raffle was completed;

(5) Records for each individual raffle shall be completed and available for review by commission staff and local law enforcement or taxing authorities no later than thirty days following the drawing: *Provided*, That this subsection shall not restrict commission staff or local law enforcement authorities from review of any required records prior to the allowed completion date; and

(6) Records shall be maintained at the main administrative or business office of the organization that is located within Washington state and available for commission review or audit upon request. Organizations that do not have an administrative or business office located within Washington state structured to include more than one chapter or other subdivided unit that conducts raffles under the parent organization's license, shall designate records custodians that reside in Washington state. Such custodians shall be responsible for retaining all original records and making such available for review or audit at any reasonable location within seven days of a request by commission staff: *Provided*, That the director may authorize an organization to maintain records at alternative locations if the organization has demonstrated the ability and desire to comply with all commission requirements. Records maintained under such an agreement shall be made available for commission review and audit at any designated location within seven days. The director may revoke this authority at any time by providing written notice. A request to maintain records at alternative locations shall include at least the following:

(a) The conditions that preclude or restrict compliance with normal records maintenance requirements of this subsection, including costs;

(b) The address of the location where all records will be maintained;

(c) If such records are retained outside the state of Washington, the name, address, and telephone number of a resident of the state of Washington who is authorized by the organization to accept a request for records;

(d) The name, address, and telephone number of a primary and alternate records custodian; and

(e) A notarized statement by the chief executive officer of the organization acknowledging responsibility for providing records and that failure to comply with a request for records within the allotted time may result in suspension or revocation of all licenses held by the organization.

AMENDATORY SECTION (Amending Order 303, filed 11/21/96, effective 12/22/96)

WAC 230-20-325 Manner of conducting a raffle.

What are the general requirements for conducting a raffle?

(1) All raffles shall be conducted by selling individual chances for not more than twenty-five dollars and awarding prizes by selecting winners by a random drawing from among all chances sold;

(2) All raffle chances shall be consecutively numbered tickets or other objects imprinted with letters or symbols that are not repeated within the population of all chances sold for a specific raffle;

(3) No person shall be required to obtain more than one chance to enter a raffle;

What additional requirements apply to raffles offered to the general public and raffles that do not require the winner to be present at the drawing?

(4) Raffle chances sold to the general public or for raffles that do not require the winner to be present at the drawing shall consist of a ticket that includes a stub or other detachable section bearing a duplicate number, letter, or symbol corresponding to the number, letter, or symbol on the ticket or object representing the player's chance. The portion retained by the raffle operator shall include the participant's name, complete address, telephone number, and/or other information necessary to notify the winner;

What information must be provided to raffle participants and when must such information be provided?

(5) All participants in a raffle must be informed of all rules by which such prizes may be won at the time of sale of a chance. This information shall be provided by either imprinting such on the participant's portion of the ticket or otherwise providing such to each participant in writing. The following information shall be provided to each participant:

(a) The cost of each chance;

(b) All prizes available, whether cash or merchandise;

(c) Date and time of drawing;

(d) Location of drawing;

(e) Whether an entrant is required to be present at a raffle drawing in order to be eligible to win a prize; and

(f) Name of organization conducting raffle;

What are the restrictions on raffle entry fees and ticket prices?

(6) No person shall be required to pay, directly or indirectly, more than twenty-five dollars in order to enter

any raffle: *Provided*, That the sale of more than a single ticket to a single participant or the sale of a booklet of tickets under approval of the director, as authorized by subsection (7) of this section, shall not be deemed a violation of this section;

(7) ~~((Each raffle ticket must be sold for the same price as every other raffle ticket being used for that particular raffle: *Provided*, That))~~ The director may authorize a licensee to sell tickets at a discount if:

(a) A petition for approval for discount sales is received at the Lacey headquarters office at least thirty days prior to beginning the raffle for which such approval is requested. Each petition for approval to sell discounted raffle tickets shall include at least the following:

- (i) A full description of the discount scheme;
- (ii) The accounting controls and records to be used; and
- (iii) A facsimile of the tickets and booklet cover planned for the raffle.

(b) Any licensee requesting approval for this activity shall reimburse the commission for all costs in reviewing and approval of such under the guidelines set forth in WAC 230-08-017;

(c) The organization has a Class E or higher raffle license;

(d) Participants must be allowed to purchase a single ticket;

(e) Discounted tickets must be bundled into booklets that:

- (i) Contain not more than five tickets;
- (ii) Are not removed from the booklet and sold individually; and
- (iii) The booklet cover of each ticket booklet is imprinted with a control number that meets the requirements of subsection (1) of this section.

(f) The maximum discount for a ticket bundled into a booklet is twenty percent of the single ticket price;

(g) The value of each ticket sold, net of the discount, shall be imprinted on the ticket; and

(h) Accounting procedures must be established that provide controls necessary to allow commission staff the ability to audit gross gambling receipts from such tickets;

What are the limits on what may be offered as a prize or reward for either selling or purchasing tickets?

(8) The raffle licensee may implement a raffle ticket selling method of offering one free ticket based on a predetermined number of tickets purchased, e.g., raffle ticket cost five dollars each or three raffle tickets for ten dollars or raffle ticket cost one dollar each or five raffle tickets for four dollars: *Provided*, That the following requirements are complied with:

(a) The one free ticket selling method must be printed on the ticket portion retained by the purchaser, e.g., "Raffle ticket cost: Five dollars each or five for twenty dollars";

(b) The method of accountability for each ticket sold must be printed on the ticket portion retained by the purchaser and on the stub retained by the raffle operator, e.g., "Ticket of";

(c) When the raffle tickets are purchased, the raffle operator will complete the ticket accountability. "Ticket of" that is printed on each ticket will be completed, e.g., "Ticket one of five" "Ticket two of five" "Ticket three of five" etc.;

(d) If the one free ticket offer is not accepted by the raffle ticket purchaser then one of one will be used to identify the ticket purchased, e.g., "Ticket one of one";

(e) A raffle ticket seller does not have to use this method, but if the one free ticket method is used then strict accountability of tickets sold must be maintained.

(9) No free tickets, or any opportunity to participate in the drawing of any raffle, shall be awarded or given to a person as a prize or reward for selling raffle tickets ~~((or for purchasing a certain number of raffle tickets))~~: *Provided*, That noncash incentive awards may be provided to members selling tickets if:

(a) Individual awards do not exceed a fair market value of ten dollars;

(b) The awards are based on the number of chances sold; and

(c) The fair market value of the total amount awarded for an individual raffle does not exceed two percent of the gross gambling receipts of the raffle;

What are the procedures for handling sold tickets?

~~((9))~~ (10) Each ticket seller shall return to the licensee the stubs or other detachable section of all tickets sold. The licensee shall then place each stub or other detachable section of each ticket sold into a receptacle from which the winning tickets are to be drawn;

What are the procedures for conducting a raffle drawing?

~~((10))~~ (11) The raffle license issued by the commission or a copy of the license shall be posted in plain view at the location at all times during the occasion when a drawing is being conducted.

~~((11))~~ (12) The ticket collection receptacle shall be designed so that each ticket has an equal opportunity to be drawn: *Provided*, that an alternative drawing format to determine the winner may be utilized if such format is approved by the director before tickets are sold and the following requirements are complied with:

(a) The organization must have a current raffle license;

(b) The alternate format must meet the definition of a drawing as defined by WAC 230-02-500;

(c) The random selection process used in the alternative format shall be fully disclosed to each player prior to selling a ticket;

(d) Any alternate format utilized to determine the winners must be closely controlled by the licensee; and

(e) The written request to utilize an alternative drawing format shall contain, at a minimum, the following information:

(i) The time, date and location of the drawing;

(ii) The type of random selection process to be used and complete details of its operation;

(iii) The name and telephone number of the raffles manager; and

(iv) The signature of the organization's chief executive officer.

WSR 97-20-048
PROPOSED RULES
DEPARTMENT OF ECOLOGY

[Order 97-27—Filed September 24, 1997, 9:49 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-14-084.

Title of Rule: Chapter 173-224 WAC, Wastewater discharge permit fees.

Purpose: Establish annual permit fees for wastewater and/or stormwater permit holders.

Statutory Authority for Adoption: Chapter 90.48 RCW.

Statute Being Implemented: Chapter 90.48 RCW.

Summary: Amend the permit fee regulation to allow continued funding of the wastewater permit program.

Reasons Supporting Proposal: State-wide water quality protection.

Name of Agency Personnel Responsible for Drafting and Implementation: Bev Poston, Olympia, Washington, (360) 407-6425; and **Enforcement:** Steve Carley, Olympia, Washington, (360) 407-6572.

Name of Proponent: Washington Department of Ecology, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule amendment will keep ecology in compliance with RCW 90.48.465 by recovering the program funding level appropriated by the legislature. Chapter 173-224 WAC contains the fee schedule used by ecology to assess annual permit fees for wastewater and/or stormwater permit holders.

Proposal Changes the Following Existing Rules: The proposal increases annual permit fees by 4.05% for FY 98 and 4.01% for FY 99. In addition, ecology is proposing to change language that will do the following:

1. States any facility that obtains permit coverage is obligated to pay a fee regardless of whether or not the facility ever operates.

2. Establishes a minimum fee of \$100.00 for refunding.

3. Defines nonoperating aggregate sites.

4. Establish a procedure for processing delinquent accounts.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Economic analyses are required for impacts on small business and municipalities are required when establishing wastewater discharge permit fees (RCW 90.48.465(4)). Established fees are not subject to this requirement. The law requires analyses when establishing fees. The proposed rule changes rates of existing fees, the fees have been in their present form since the last biennium.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This is not a significant legislative rule.

Hearing Location: On November 5, 1997, at 1:00 p.m., at the Ecology Eastern Regional Office, North 4601 Monroe, Suite 100, Spokane, WA; on November 6, 1997, at 1:00 p.m., at the Ecology Central Regional Office, 15 West Yakima Avenue, Waterfall Room, Yakima, WA; and on November 10, 1997, at 1:00 p.m., at the Ecology Headquarters Office, 300 Desmond Drive, Room R1S-16, Lacey, WA.

Assistance for Persons with Disabilities: Contact Bev Poston by October 20, 1997, TDD (360) 407-6466, or (360) 407-6425.

Submit Written Comments to: Bev Poston, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600, FAX (360) 407-6426, by November 25, 1997.

Date of Intended Adoption: January 15, 1998.

September 23, 1997

Daniel J. Silver

Deputy Director

AMENDATORY SECTION (Amending Order 93-08, filed 4/28/94, effective 5/29/94)

WAC 173-224-030 Definitions. "Administrative expenses" means those costs associated with issuing and administering permits under RCW 90.48.160, 90.48.162, and 90.48.260.

"Aggregate production" means the mining or quarrying of sand, gravel, or rock and/or the production of concrete and/or asphalt.

"Aluminum and magnesium reduction mills" means the electrolytic reduction of alumina or magnesium salts to produce aluminum or magnesium metal.

"Animal unit" means one slaughter or feeder steer, 0.7 mature dairy cow, 25 swine or as more fully defined in Appendix B of 40 CFR 122.

"Annual permit fee" means the fee charged by the department for annual expenses associated with activities specified in RCW 90.48.465. This annual fee is based on the state's fiscal year (July 1 - June 30).

"bbls/d" means barrels per day of feedstock for petroleum refineries.

"bins/yr" means total standard bins used during the last complete calendar year by a facility in the crop preparing industry. The bins measure approximately 47.5 inches x 47.4 inches x 29.5 inches and hold approximately 870 pounds of fruit.

"Combined food processing waste treatment facility" means a facility which treats wastewater from more than one separately permitted food processor and receives no domestic wastewater or waste from industrial sources other than food processing.

"Combined industrial waste treatment" means a facility which treats wastewater from more than one industry in any of the following categories: Inorganic chemicals, metal finishing, ore concentration, organic chemicals, or photofinishers.

"Combined sewer overflow (CSO)" means the event during which excess combined sewage flow caused by inflow is discharged from a combined sewer, rather than conveyed to the sewage treatment plant because either the capacity of the treatment plant or the combined sewer is exceeded.

"Concentrated animal feeding operation" means an "animal feeding operation" which meets the criteria in Appendix B of 40 CFR 122 as presently enacted and any subsequent modifications thereto.

"Contaminants of concern" means a chemical for which an effluent limit is established (this does not include pH flow, temperature, or other "nonchemical parameters"). Petroleum constituents will be considered as one contaminant

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of concern even if more than one effluent limit is established (e.g., Total Petroleum Hydrocarbons and BTEX).

"Crane" means a machine used for the hoisting and lifting of ship hulls.

"Crop preparing" means the preparation of fruit for wholesale or retail sale by washing and/or other processes in which the skin of the fruit is not broken and in which the interior part of the fruit does not come in direct contact with the wastewater.

"cu. yds/yr" means the total production from an aggregate production facility in cubic yards during the most recent completed calendar year.

"Department" means the department of ecology.

"Director" means the director of the department of ecology.

"Domestic wastewater" means water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration or surface waters as may be present.

"Domestic wastewater facility" means all structures, equipment, or processes required to collect, carry away, treat, reclaim or dispose of domestic wastewater together with such industrial waste as may be present.

"Existing operations" means those industrial operations requiring a wastewater discharge permit before July 1, 1993.

"EPA" means the United States Environmental Protection Agency.

"Fin fish rearing and hatching" means the raising of fin fish for fisheries enhancement or sale, by means of hatcheries, net pens, or other confined fish facilities.

"Flavor extraction" means the recovery of flavors or essential oils from organic products by steam distillation.

"Food processing" means the preparation of food for human or animal consumption or the preparation of animal byproducts, but exclusive of crop preparing. This category includes, but is not limited to, fruit and vegetable processing, meat and poultry products processing, dairy products processing, beer production, rendering and animal feed production. Food processing wastewater treatment plants which treat wastes from only one separately permitted food processor shall be treated as one facility for billing purposes.

"Hazardous waste clean up sites" means any facility where there has been confirmation of a release or threatened release of a hazardous substance that requires remedial action other than RCRA corrective action sites.

~~("Inactive sites" means a location where previous mining or processing has occurred; that has not been fully reclaimed; that has no current mining or processing, and that may include stockpiles of raw materials or finished products. The permittee may add or withdraw raw materials or finished products from the stockpiles for transportation offsite for processing, use, or sale and still be considered an inactive site. This definition can be found in ecology's National Pollutant Discharge Elimination System and State Waste Discharge Permit for Process Water and Storm Water Discharges Associated with Sand and Gravel Operations, Rock Quarries and Similar Mining Facilities including Stockpiles of Mined Materials, Concrete Batch Operations and Asphalt Batch Operations.)~~

"Industrial facility" means any facility not included in definition of municipal/domestic facility.

"Industrial gross revenue" means the annual amount of the sales of goods and services produced using the processes regulated by the wastewater discharge permit.

"Industrial storm water" means an operation required to be covered under ecology's ~~((baseline industrial storm water general permit))~~ NPDES and state waste discharge baseline general permit for storm water discharges associated with industrial activities or modifications to that permit or having an individual wastewater permit for storm water only.

"MGD" means permitted flow expressed in million gallons per day.

"Manufacturing" means the making of goods and articles by hand or especially, by machinery into a manufactured product.

"Metal finishing" means the preparation of metal surfaces by means of electroplating, electroless plating, anodizing, coating (chromating, phosphating and coloring), chemical etching and milling, and printed circuit board manufacture.

"Municipal/domestic facility" means a publicly-owned facility treating domestic wastewater together with such industrial wastes as may be present, or a privately-owned facility treating solely domestic wastewater.

"Municipal gross revenue" means gross receipts from monthly, bimonthly, and/or quarterly user charges for sewer services received from all classes of customers;

Included in these user charges are user charges and fees based on wastewater constituents' strengths and characteristics including high-strength surcharges and charges based on biochemical oxygen demand, suspended solids, oil and grease, toxicants, heavy metals, and flow, etc.

Municipal gross revenue includes charges for receipt and treatment of septic tank wastes, holding tank wastes, chemical toilet wastes, etc.

Municipal gross revenue includes all amounts received from other municipalities for sewage interception, treatment, collection, or disposal.

Gross revenue excludes:

Amounts derived by municipalities directly from taxes levied for the support or maintenance of sewer services.

Late charges, penalties for nontimely payment by customers, interest on late payments, and all other penalties and fines.

Permit fees and compliance monitoring fees for wastewater discharge permits issued by municipalities with local pretreatment programs. Permit fees which are charged to cover the cost of providing sewer service are not excluded from municipal gross revenue.

Receipts by a municipality of special assessments or installments thereof and interests and penalties thereon, and charges in lieu of assessments.

Connection charges.

Revenues from sales of by-products such as sludge, processed wastewater, etc.

"Municipality" means a city, town, county, district, association, or other public body created by or pursuant to state law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under 33 U.S.C. Sec. 1288. State government agencies are not included in this definition.

"Noncontact cooling water with additives" means water used for cooling that comes into contact with corrosives.

"Noncontact cooling water without additives" means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product or finished product, and which does not contain chemicals added by the permittee. The noncontact cooling water fee without additives category applies to those facilities which discharge only noncontact cooling water and which have no other wastewater discharges required to be permitted under RCW 90.48.160, 90.48.162, and 90.48.260.

"Nonferrous metals forming" means the manufacturing of semifinished products from pure metal or metal alloys other than iron or steel or of metals not otherwise classified in WAC 173-224-040(2).

"Nonoperating aggregate site" means a location where previous mining or processing has occurred; that has not been fully reclaimed; that has no current mining or processing, and that may include stockpiles of raw materials or finished products. The permittee may add or withdraw raw materials or finished products from the stockpiles for transportation offsite for processing, use, or sale and still be considered an inactive site. This definition can be found in ecology's National Pollutant Discharge Elimination System and State Waste Discharge Permit for Process Water and Storm Water Discharges Associated with Sand and Gravel Operations, Rock Quarries and Similar Mining Facilities including Stockpiles of Mined Materials, Concrete Batch Operations and Asphalt Batch Operations.

"NPDES permit" means a National Pollutant Discharge Elimination System permit issued by the department pursuant to Section 402 of the federal Clean Water Act and RCW 90.48.260.

"Person" means any political subdivision, government agency, municipality, industry, public or private corporation, partnership, association, firm, individual, or any other entity whatever.

"RCRA" means Resource Conservation Recovery Act clean up sites required to have a wastewater discharge permit resulting from a corrective action under relevant federal authorities or under chapters 70.105 and 70.105D RCW including chapters 173-303 and 173-340 WAC, and are not subject to cost recovery.

"Residential equivalent" means a single-family residence or a unit of sewer service that yields an amount of gross revenue equal to the annual user charge for a single-family residence. In cases where the permit holder does not maintain data on gross revenue, user charges, and/or the number of single-family residences that it serves, "residential equivalent" means an influent flow of two hundred fifty gallons per day.

"Sewer service" means the activity of receiving sewage deposited into and carried off by a system of sewers, drains, and pipes to a common point, or points, for disposal or for transfer to treatment for disposal, and activities involving the interception, transfer, storage, treatment, and/or disposal of sewage, or any of these activities.

"State waste discharge permit" means a permit required under RCW 98.48.260.

"Storm water" means an industrial operation or construction activity discharging storm water runoff as defined in 40 CFR 122.26 (b)(14) or facilities who are permitted as

a significant contributor of pollutants as allowed in the federal Clean Water Act at Section 402 (p)(2)(E).

"Tons/yr." means the total production from an asphalt production facility in tons during the most recent completed calendar year.

"Vegetable/bulb washing" means the washing, packing, and shipping of fresh vegetables and bulbs when there is no cooking or cutting of the product before packing.

AMENDATORY SECTION (Amending Order 94-21, filed 1/10/96, effective 2/10/96)

WAC 173-224-040 Permit fee schedule. (1) Application fee. In addition to the annual fee, first time applicants (except those applying for coverage under a general permit) will pay a one time application fee of twenty-five percent of the annual permit fee, or \$250.00, whichever is greater. An application fee will be assessed for RCRA sites regardless of whether a new permit is being issued or an existing permit for other than the discharge resulting from the RCRA corrective action, is being modified.

(2) Industrial facility categories.

(INDUSTRIAL FACILITY CATEGORIES	FY 96	FY 97
	ANNUAL PERMIT FEE	ANNUAL PERMIT FEE
Aluminum Alloys	\$10,471.00	\$10,937.00
Aluminum and Magnesium Reduction Mills		
a. NPDES Permit	61,749.00	64,497.00
b. State Permit	30,875.00	32,249.00
Aluminum Forming	31,412.00	32,810.00
Aggregate Production		
a. Mining Activities		
1. Mining, screening, washing and/or crushing	1,802.00	1,882.00
2. Inactive Sites		
A. Single site	398.00	416.00
B. Single owner/multiple site (fee per site)		
i. 1 site will pay	398.00	416.00
ii. Additional sites 2 < 6 will pay	225.00	235.00
iii. Additional sites 6 < 11 will pay	150.00	157.00
iv. Additional sites 11 and greater will pay	75.00	78.00
The final fee for single owner/multiple inactive sites is the total sum of all the subcategories.		
b. Asphalt Production		
1. 0 < 50,000 tons/yr.	751.00	784.00
2. 50,000 < 300,000 tons/yr.	1,802.00	1,882.00
3. 300,000 tons/yr. and greater	2,253.00	2,353.00
c. Concrete Production		
1. 0 < 25,000 cu. yds/yr.	751.00	784.00
2. 25,000 < 200,000 cu. yds/yr.	1,802.00	1,882.00
3. 200,000 cu. yds/yr. and greater	2,254.00	2,353.00
The fee for a facility in the aggregate production category is the sum of the applicable fees in the mining activities and concrete and asphalt production categories.		
Aquaculture		
a. Finfish hatching and rearing	3,141.00	3,281.00
b. Shellfish hatching	107.00	112.00
Boat Yards		
a. With storm water only discharge	268.00	280.00
b. All others	537.00	561.00
Coal Mining and Preparation		
a. < 200,000 tons per year	4,188.00	4,374.00
b. 200,000 < 500,000 tons per year	9,424.00	9,843.00
c. 500,000 < 1,000,000 tons per year	16,752.00	17,497.00
d. 1,000,000 tons per year and greater	29,879.00	32,810.00

PROPOSED

PROPOSED

Combined Industrial Waste Treatment			b. Newspapers 2,685.00 2,804.00		
a. < 10,000 gpd	2,094.00	2,187.00	c. Box Plants	4,296.00	4,487.00
b. 10,000 < 50,000 gpd	5,235.00	5,468.00	d. Ink Formulation	5,370.00	5,609.00
c. 50,000 < 100,000 gpd	10,471.00	10,937.00	Inorganic Chemicals Manufacturing		
d. 100,000 < 500,000 gpd	20,941.00	21,873.00	a. Lime Products	5,235.00	5,468.00
e. 500,000 gpd and greater	31,412.00	32,810.00	b. Fertilizer	6,283.00	6,583.00
Combined Food Processing Waste Treatment Facilities 10,471.00 10,937.00			c. Peroxide	8,377.00	8,750.00
Combined Sewer Overflow System			d. Alkaline Earth Salts	10,471.00	10,937.00
a. < 50 acres	2,094.00	2,187.00	e. Metal Salts	14,658.00	15,310.00
b. 50 < 100 acres	5,235.00	5,468.00	f. Acid Manufacturing	20,941.00	21,873.00
c. 100 < 500 acres	6,283.00	6,563.00	g. Chlor alkali	41,833.00	43,747.00
d. 500 acres and greater	8,377.00	8,750.00	Irrigation Drainage Districts (only if covered under a municipal storm water permit as listed in subsection (2)(a)(iii) of this section):		
Commercial Laundry 268.00 280.00			Iron and Steel		
Concentrated Animal Feeding Operation (Including Dairies)			a. Foundries	10,471.00	10,937.00
a. < 200 Animal Units	107.00	112.00	b. Mills	20,941.00	21,873.00
b. 200 < 400 Animal Units	268.00	280.00	Metal Finishing		
c. 400 < 600 Animal Units	537.00	561.00	a. < 1,000 gpd	1,256.00	1,312.00
d. 600 < 800 Animal Units	805.00	841.00	b. 1,000 < 10,000 gpd	2,094.00	2,187.00
e. 800 Animal Units and greater	1,074.00	1,122.00	c. 10,000 < 50,000 gpd	5,235.00	5,468.00
Crop Preparing			d. 50,000 < 100,000 gpd	10,471.00	10,937.00
a. 0 < 1,000 bins/yr.	209.00	218.00	e. 100,000 < 500,000 gpd	20,941.00	21,873.00
b. 1,000 < 5,000 bins/yr.	418.00	437.00	f. 500,000 gpd and greater	31,412.00	32,810.00
c. 5,000 < 10,000 bins/yr.	838.00	875.00	Nonecontact Cooling Water With Additives		
d. 10,000 < 15,000 bins/yr.	1,676.00	1,751.00	a. < 1,000 gpd	655.00	684.00
e. 15,000 < 20,000 bins/yr.	2,774.00	2,897.00	b. 1,000 < 10,000 gpd	1,309.00	1,367.00
f. 20,000 < 25,000 bins/yr.	3,874.00	4,046.00	c. 10,000 < 50,000 gpd	1,964.00	2,051.00
g. 25,000 < 50,000 bins/yr.	5,182.00	5,413.00	d. 50,000 < 100,000 gpd	4,582.00	4,786.00
h. 50,000 < 75,000 bins/yr.	5,759.00	6,015.00	e. 100,000 < 500,000 gpd	7,853.00	8,202.00
i. 75,000 < 100,000 bins/yr.	6,701.00	6,999.00	f. 500,000 < 1,000,000 gpd	11,126.00	11,621.00
j. 100,000 < 125,000 bins/yr.	8,377.00	8,750.00	g. 1,000,000 < 2,500,000 gpd	14,398.00	15,039.00
k. 125,000 < 150,000 bins/yr.	10,471.00	10,937.00	h. 2,500,000 < 5,000,000 gpd	17,668.00	18,454.00
l. 150,000 bins/yr. and greater	12,562.00	13,124.00	i. 5,000,000 gpd and greater	20,941.00	21,873.00
Facilities Not Otherwise Classified			Nonecontact Cooling Water Without Additives		
a. < 1,000 gpd	1,047.00	1,094.00	a. < 1,000 gpd	524.00	547.00
b. 1,000 < 10,000 gpd	2,094.00	2,187.00	b. 1,000 < 10,000 gpd	1,047.00	1,094.00
c. 10,000 < 50,000 gpd	5,235.00	5,468.00	c. 10,000 < 50,000 gpd	1,571.00	1,641.00
d. 50,000 < 100,000 gpd	8,377.00	8,750.00	d. 50,000 < 100,000 gpd	3,665.00	3,828.00
e. 100,000 < 500,000 gpd	16,752.00	17,497.00	e. 100,000 < 500,000 gpd	6,283.00	6,563.00
f. 500,000 < 1,000,000 gpd	20,941.00	21,873.00	f. 500,000 < 1,000,000 gpd	8,900.00	9,296.00
g. 1,000,000 gpd and greater	31,412.00	32,810.00	g. 1,000,000 < 2,500,000 gpd	11,518.00	12,031.00
Flavor Extraction			h. 2,500,000 < 5,000,000 gpd	14,435.00	14,764.00
a. Steam Distillation	107.00	112.00	i. 5,000,000 gpd and greater	16,752.00	17,497.00
Food Processing			Nonferrous Metals Forming 10,471.00 10,937.00		
a. < 1,000 gpd	1,047.00	1,094.00	Ore Mining		
b. 1,000 < 10,000 gpd	2,670.00	2,789.00	a. Ore Mining	2,094.00	2,187.00
c. 10,000 < 50,000 gpd	4,764.00	4,976.00	b. Ore mining w/physical concentration processes	4,188.00	4,374.00
d. 50,000 < 100,000 gpd	7,486.00	7,819.00	e. Ore mining with physical and chemical concentration processes	16,752.00	17,497.00
e. 100,000 < 250,000 gpd	10,471.00	10,937.00	Organic Chemicals Manufacturing		
f. 250,000 < 500,000 gpd	13,769.00	14,382.00	a. Fertilizer	10,471.00	10,937.00
g. 500,000 < 750,000 gpd	17,276.00	18,045.00	b. Aliphatic	20,941.00	21,873.00
h. 750,000 < 1,000,000 gpd	20,941.00	21,873.00	c. Aromatic	31,412.00	32,810.00
i. 1,000,000 < 2,500,000 gpd	25,653.00	26,795.00	Petroleum Refining		
j. 2,500,000 < 5,000,000 gpd	28,794.00	30,075.00	a. < 10,000 bbls/d	20,941.00	21,873.00
k. 5,000,000 gpd and greater	31,412.00	32,810.00	b. 10,000 < 50,000 bbls/d	41,883.00	43,747.00
Fuel and Chemical Storage			c. 50,000 bbls/d and greater	83,764.00	87,497.00
a. < 50,000 bbls	1,047.00	1,094.00	Photofinishers		
b. 50,000 < 100,000 bbls	2,094.00	2,187.00	a. < 1,000 gpd	838.00	875.00
c. 100,000 < 500,000 bbls	5,235.00	5,468.00	b. 1,000 gpd and greater	2,094.00	2,187.00
d. 500,000 bbls and greater	10,471.00	10,937.00	Power and/or Steam Plants		
Hazardous Waste Clean Up Sites			a. Steam Generation Nonelectric	4,188.00	4,374.00
a. Leaking Underground Storage Tanks (LUST)			b. Hydroelectric	4,188.00	4,374.00
1. State Permit	2,747.00	2,869.00	c. Nonfossil Fuel	6,283.00	6,563.00
2. NPDES Permit Issued pre 7/1/94	2,747.00	2,869.00	d. Fossil Fuel	16,752.00	17,497.00
3. NPDES Permit Issued post 7/1/94	5,493.00	5,737.00	Pulp, Paper and Paper Board		
b. NonLUST Sites			a. Fiber Recyclers	10,471.00	10,937.00
1. 1 or 2 Contaminants of concern	5,370.00	5,609.00			
2. > 2 Contaminants of concern	10,739.00	11,217.00			
Ink Formulation and Printing					
a. Commercial Print Shops	1,611.00	1,683.00			

b. Paper Mills	20,941.00	21,873.00
e. Groundwood Pulp Mills		
1. < 300 tons per day	31,412.00	32,810.00
2. > 300 tons per day	62,824.00	65,620.00
d. Chemical Pulp Mills		
w/o Chlorine Bleaching	83,764.00	87,491.00
e. Chemical Pulp Mills		
w/Chlorine Bleaching	94,265.00	98,428.00
Radioactive Effluents and Discharges (RED)		
a. < 3 waste streams	20,270.00	21,172.00
b. 3 - < 8 waste streams	35,180.00	36,746.00
c. 8 waste streams and greater	57,943.00	60,521.00
RCRA Corrective Action Sites	14,718.00	15,373.00
Seafood Processing		
a. < 1,000 gpd	1,047.00	1,094.00
b. 1,000 - < 10,000 gpd	2,670.00	2,789.00
c. 10,000 - < 50,000 gpd	4,764.00	4,976.00
d. 50,000 - < 100,000 gpd	7,486.00	7,819.00
e. 100,000 gpd and greater	10,471.00	10,937.00
Shipyards		
a. Per crane, travel lift, small boat lift	2,094.00	2,187.00
b. Per drydock under 250 ft in length	2,094.00	2,187.00
c. Per graving dock	2,094.00	2,187.00
d. Per marine way	3,141.00	3,281.00
e. Per scyrolift	3,141.00	3,281.00
f. Per drydock over 250 ft in length	4,188.00	4,374.00
The fee for a facility in the shipyard category is the sum of the fees for the applicable units in the facility.		
Solid Waste Sites (nonstorm water)		
a. Nonputrescible	4,188.00	4,374.00
b. < 50 acres	8,377.00	8,750.00
c. 50 - < 100 acres	16,752.00	17,497.00
d. 100 - < 250 acres	20,941.00	21,873.00
e. 250 acres and greater	31,412.00	32,810.00
Storm Water (Unless specifically categorized elsewhere)		
a. Individual Industrial Permits		
1. < 50 acres	2,094.00	2,187.00
2. 50 - < 100 acres	4,188.00	4,374.00
3. 100 - < 500 acres	6,283.00	6,563.00
4. 500 acres and greater	8,377.00	8,750.00
b. Facilities covered under the Baseline		
Industrial Storm Water General Permit	279.00	291.00
c. Construction activities covered under the Baseline Industrial Storm Water General Permit	279.00	291.00
Textile Mills	41,833.00	43,747.00
Timber Products		
a. Log Storage	2,094.00	2,187.00
b. Veneer	4,188.00	4,374.00
c. Sawmills	8,377.00	8,750.00
d. Hardwood, Plywood	14,658.00	15,310.00
e. Wood Preserving	20,941.00	21,873.00
Vegetable/Bulb Washing Facilities		
a. < 1,000 gpd	69.00	72.00
b. 1,000 - < 5,000 gpd	139.00	145.00
c. 5,000 - < 10,000 gpd	276.00	288.00
d. 10,000 - < 20,000 gpd	554.00	579.00
e. 20,000 and greater	918.00	959.00
Vehicle Maintenance and Freight Transfer		
a. < 0.5 acre	2,094.00	2,187.00
b. 0.5 - < 1.0 acre	4,188.00	4,374.00
c. 1.0 acre and greater	6,283.00	6,563.00
Water Plants		
a. Potable water treatment	2,618.00	2,735.00
Wineries		
a. < 500 gpd	214.00	224.00
b. 500 - < 750 gpd	429.00	448.00
c. 750 - < 1,000 gpd	857.00	895.00

d. 1,000 - < 2,500 gpd	1,714.00	1,790.00
e. 2,500 - < 5,000 gpd	2,731.00	2,853.00
f. 5,000 gpd and greater	3,749.00	3,916.00

INDUSTRIAL FACILITY CATEGORIES	FY 98	FY 99
	ANNUAL PERMIT FEE	ANNUAL PERMIT FEE
Aluminum Alloys	\$11,380.00	\$11,836.00
Aluminum and Magnesium Reduction Mills		
a. NPDES Permit	67,109.00	69,800.00
b. State Permit	33,555.00	34,901.00
Aluminum Forming	34,139.00	35,508.00
Aggregate Production - Individual Permit Coverage		
a. Mining Activities		
1. Mining, screening, washing and/or crushing	1,958.00	2,037.00
2. Nonoperating aggregate site		
A. Single site	433.00	450.00
B. Single owner/multiple site (fee per site)		
i. 1 site will pay	433.00	450.00
ii. Additional sites 2 - < 6 will pay	245.00	255.00
iii. Additional sites 6 - < 11 will pay	163.00	170.00
iv. Additional sites 11 and greater will pay	81.00	84.00
The final fee for single owner/multiple nonoperating aggregate sites is the total sum of all the subcategories.		
b. Asphalt Production		
1. 0 - < 50,000 tons/yr.	816.00	849.00
2. 50,000 - < 300,000 tons/yr.	1,958.00	2,037.00
3. 300,000 tons/yr. and greater	2,448.00	2,546.00
c. Concrete Production		
1. 0 - < 25,000 cu. yds/yr.	816.00	849.00
2. 25,000 - < 200,000 cu. yds/yr.	1,958.00	2,037.00
3. 200,000 cu. yds/yr. and greater	2,448.00	2,546.00
The fee for a facility in the aggregate production category is the sum of the applicable fees in the mining activities and concrete and asphalt production categories.		
Aggregate Production - General Permit Coverage		
a. Mining Activities		
1. Mining, screening, washing and/or crushing	1,371.00	1,426.00
2. Nonoperating aggregate site		
A. Single Site	303.00	315.00
B. Single owner/multiple site		
i. 1 site will pay	303.00	315.00
ii. Additional sites 2 - < 6 will pay	172.00	179.00
iii. Additional sites 6 - < 11 will pay	114.00	119.00
iv. Additional sites 11 and greater will pay	57.00	59.00
The final fee for single owner/multiple nonoperating aggregate sites is the total sum of all the subcategories.		
b. Asphalt Production		
1. 0 - < 50,000 tons/yr.	571.00	594.00
2. 50,000 - < 300,000 tons/yr.	1,371.00	1,427.00
3. 300,000 tons/yr. and greater	1,714.00	1,782.00
c. Concrete Production		
1. 0 - < 25,000 cu. yds/yr.	571.00	594.00
2. 25,000 - < 200,000 cu. yds/yr.	1,371.00	1,427.00
3. 200,000 cu. yds/yr. and greater	1,714.00	1,782.00
The fee for a facility in the aggregate production category is the sum of the applicable fees in the mining activities and concrete and asphalt production categories.		
Aquaculture		
a. Finfish hatching and rearing - Individual Permit	3,414.00	3,551.00
b. Finfish hatching and rearing - General Permit Coverage	2,390.00	2,486.00
c. Shellfish hatching	117.00	122.00
Boat Yards - Individual Permit Coverage		
a. With storm water only discharge	291.00	303.00
b. All others	584.00	607.00

PROPOSED

PROPOSED

Boat Yards - General Permit Coverage

a. With storm water only discharge	204.00	212.00
b. All others	409.00	425.00

Coal Mining and Preparation

a. < 200,000 tons per year	4,551.00	4,733.00
b. 200,000 - < 500,000 tons per year	10,242.00	10,653.00
c. 500,000 - < 1,000,000 tons per year	18,206.00	18,936.00
d. 1,000,000 tons per year and greater	34,139.00	35,508.00

Combined Industrial Waste Treatment

a. < 10,000 gpd	2,276.00	2,367.00
b. 10,000 - < 50,000 gpd	5,689.00	5,917.00
c. 50,000 - < 100,000 gpd	11,380.00	11,836.00
d. 100,000 - < 500,000 gpd	22,759.00	23,672.00
e. 500,000 gpd and greater	34,139.00	35,508.00

Combined Food Processing Waste Treatment

Facilities	10,895.00	11,332.00
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Combined Sewer Overflow System

a. < 50 acres	2,276.00	2,367.00
b. 50 - < 100 acres	5,689.00	5,918.00
c. 100 - < 500 acres	6,829.00	7,103.00
d. 500 acres and greater	9,104.00	9,469.00

Commercial Laundry

	291.00	303.00
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Concentrated Animal Feeding Operation (Including Dairies) - Individual Permit Coverage

a. < 200 Animal Units	117.00	121.00
b. 200 - < 400 Animal Units	291.00	303.00
c. 400 - < 600 Animal Units	584.00	607.00
d. 600 - < 800 Animal Units	875.00	910.00
e. 800 Animal Units and greater	1,167.00	1,214.00

Concentrated Animal Feeding Operation (Including Dairies) - General Permit Coverage

a. < 200 Animal Units	82.00	85.00
b. 200 - < 400 Animal Units	204.00	212.00
c. 400 - < 600 Animal Units	409.00	425.00
d. 600 - < 800 Animal Units	613.00	637.00
e. 800 Animal Units and greater	817.00	850.00

Crop Preparing - Individual Permit Coverage

a. 0 - < 1,000 bins/yr.	227.00	236.00
b. 1,000 - < 5,000 bins/yr.	455.00	473.00
c. 5,000 - < 10,000 bins/yr.	910.00	947.00
d. 10,000 - < 15,000 bins/yr.	1,822.00	1,895.00
e. 15,000 - < 20,000 bins/yr.	3,014.00	3,135.00
f. 20,000 - < 25,000 bins/yr.	4,210.00	4,379.00
g. 25,000 - < 50,000 bins/yr.	5,632.00	5,858.00
h. 50,000 - < 75,000 bins/yr.	6,259.00	6,510.00
i. 75,000 - < 100,000 bins/yr.	7,282.00	7,574.00
j. 100,000 - < 125,000 bins/yr.	9,104.00	9,469.00
k. 125,000 - < 150,000 bins/yr.	11,380.00	11,836.00
l. 150,000 bins/yr. and greater	13,656.00	14,203.00

Crop Preparing - General Permit Coverage

a. 0 - < 1,000 bins/yr.	159.00	165.00
b. 1,000 - < 5,000 bins/yr.	319.00	331.00
c. 5,000 - < 10,000 bins/yr.	637.00	663.00
d. 10,000 - < 15,000 bins/yr.	1,275.00	1,327.00
e. 15,000 - < 20,000 bins/yr.	2,110.00	2,195.00
f. 20,000 - < 25,000 bins/yr.	2,947.00	3,065.00
g. 25,000 - < 50,000 bins/yr.	3,942.00	4,100.00
h. 50,000 - < 75,000 bins/yr.	4,381.00	4,557.00
i. 75,000 - < 100,000 bins/yr.	5,097.00	5,302.00
j. 100,000 - < 125,000 bins/yr.	6,373.00	6,628.00
k. 125,000 - < 150,000 bins/yr.	7,966.00	8,285.00
l. 150,000 bins/yr. and greater	9,559.00	9,942.00

Facilities Not Otherwise Classified - Individual Permit Coverage

a. < 1,000 gpd	1,138.00	1,184.00
b. 1,000 - < 10,000 gpd	2,276.00	2,367.00
c. 10,000 - < 50,000 gpd	5,689.00	5,918.00
d. 50,000 - < 100,000 gpd	9,104.00	9,469.00
e. 100,000 - < 500,000 gpd	18,206.00	18,936.00
f. 500,000 - < 1,000,000 gpd	22,759.00	23,671.00
g. 1,000,000 gpd and greater	34,139.00	35,508.00

Facilities Not Otherwise Classified - General Permit Coverage

a. < 1,000 gpd	797.00	829.00
b. 1,000 - < 10,000 gpd	1,593.00	1,657.00
c. 10,000 - < 50,000 gpd	3,982.00	4,143.00
d. 50,000 - < 100,000 gpd	6,373.00	6,628.00
e. 100,000 - < 500,000 gpd	12,744.00	13,255.00
f. 500,000 - < 1,000,000 gpd	15,931.00	16,570.00
g. 1,000,000 gpd and greater	23,897.00	24,856.00

Flavor Extraction

a. Steam Distillation	117.00	121.00
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Food Processing

a. < 1,000 gpd	1,138.00	1,183.00
b. 1,000 - < 10,000 gpd	2,902.00	3,018.00
c. 10,000 - < 50,000 gpd	5,178.00	5,385.00
d. 50,000 - < 100,000 gpd	8,136.00	8,462.00
e. 100,000 - < 250,000 gpd	11,380.00	11,836.00
f. 250,000 - < 500,000 gpd	14,964.00	15,564.00
g. 500,000 - < 750,000 gpd	18,776.00	19,529.00
h. 750,000 - < 1,000,000 gpd	22,759.00	23,671.00
i. 1,000,000 - < 2,500,000 gpd	27,880.00	28,998.00
j. 2,500,000 - < 5,000,000 gpd	31,293.00	32,548.00
k. 5,000,000 gpd and greater	34,139.00	35,508.00

Fuel and Chemical Storage

a. < 50,000 bbls	1,138.00	1,184.00
b. 50,000 - < 100,000 bbls	2,276.00	2,367.00
c. 100,000 - < 500,000 bbls	5,689.00	5,918.00
d. 500,000 bbls and greater	11,380.00	11,836.00

Hazardous Waste Clean Up Sites

<u>a. Leaking Underground Storage Tanks (LUST)</u>		
1. State Permit	2,985.00	3,105.00
2. NPDES Permit Issued pre 7/1/94	2,985.00	3,105.00
3. NPDES Permit Issued post 7/1/94	5,969.00	6,209.00
<u>b. NonLUST Sites</u>		
1. 1 or 2 Contaminants of concern	5,836.00	6,070.00
2. > 2 Contaminants of concern	11,671.00	12,139.00

Ink Formulation and Printing

a. Commercial Print Shops	1,751.00	1,821.00
b. Newspapers	2,918.00	3,035.00
c. Box Plants	4,669.00	4,856.00
d. Ink Formulation	5,836.00	6,070.00

Inorganic Chemicals Manufacturing

a. Lime Products	5,689.00	5,918.00
b. Fertilizer	6,850.00	7,124.00
c. Peroxide	9,104.00	9,469.00
d. Alkaline Earth Salts	11,380.00	11,836.00
e. Metal Salts	15,930.00	16,569.00
f. Acid Manufacturing	22,759.00	23,671.00
g. Chlor-alkali	45,519.00	47,344.00

Iron and Steel

a. Foundries	11,380.00	11,836.00
b. Mills	22,759.00	23,692.00

Metal Finishing

a. < 1,000 gpd	1,365.00	1,419.00
b. 1,000 - < 10,000 gpd	2,275.00	2,366.00
c. 10,000 - < 50,000 gpd	5,689.00	5,917.00
d. 50,000 - < 100,000 gpd	11,379.00	11,835.00
e. 100,000 - < 500,000 gpd	22,758.00	23,670.00
f. 500,000 gpd and greater	34,138.00	35,506.00

Noncontact Cooling Water With Additives

a. < 1,000 gpd	712.00	740.00
b. 1,000 - < 10,000 gpd	1,422.00	1,479.00
c. 10,000 - < 50,000 gpd	2,134.00	2,220.00
d. 50,000 - < 100,000 gpd	4,980.00	5,179.00
e. 100,000 - < 500,000 gpd	8,534.00	8,876.00
f. 500,000 - < 1,000,000 gpd	12,092.00	12,577.00
g. 1,000,000 - < 2,500,000 gpd	15,648.00	16,276.00
h. 2,500,000 - < 5,000,000 gpd	19,201.00	19,971.00
i. 5,000,000 gpd and greater	22,759.00	23,671.00

Noncontact Cooling Water Without Additives - Individual Permit Coverage

a. < 1,000 gpd	569.00	592.00
b. 1,000 - < 10,000 gpd	1,138.00	1,184.00
c. 10,000 - < 50,000 gpd	1,707.00	1,776.00
d. 50,000 - < 100,000 gpd	3,983.00	4,143.00
e. 100,000 - < 500,000 gpd	6,829.00	7,103.00
f. 500,000 - < 1,000,000 gpd	9,672.00	10,060.00
g. 1,000,000 - < 2,500,000 gpd	12,518.00	13,020.00
h. 2,500,000 - < 5,000,000 gpd	15,362.00	15,978.00
i. 5,000,000 gpd and greater	18,206.00	18,936.00
Noncontact Cooling Water Without Additives - General Permit Coverage		
a. < 1,000 gpd	398.00	414.00
b. 1,000 - < 10,000 gpd	797.00	829.00
c. 10,000 - < 50,000 gpd	1,195.00	1,243.00
d. 50,000 - < 100,000 gpd	2,788.00	2,900.00
e. 100,000 - < 500,000 gpd	4,780.00	4,972.00
f. 500,000 - < 1,000,000 gpd	6,770.00	7,042.00
g. 1,000,000 - < 2,500,000 gpd	8,763.00	9,114.00
h. 2,500,000 - < 5,000,000 gpd	10,753.00	11,185.00
i. 5,000,000 gpd and greater	12,744.00	13,255.00
Nonferrous Metals Forming	11,380.00	11,836.00
Ore Mining		
a. Ore Mining	2,276.00	2,367.00
b. Ore mining w/physical concentration processes	4,551.00	4,734.00
c. Ore mining with physical and chemical concentration processes	18,206.00	18,936.00
Organic Chemicals Manufacturing		
a. Fertilizer	11,380.00	11,836.00
b. Aliphatic	22,759.00	23,671.00
c. Aromatic	34,139.00	35,508.00
Petroleum Refining		
a. < 10,000 bbls/d	22,759.00	23,671.00
b. 10,000 - < 50,000 bbls/d	45,519.00	47,344.00
c. 50,000 bbls/d and greater	91,041.00	94,691.00
Photofinishers		
a. < 1,000 gpd	910.00	947.00
b. 1,000 gpd and greater	2,276.00	2,367.00
Power and/or Steam Plants		
a. Steam Generation - Nonelectric	4,551.00	4,733.00
b. Hydroelectric	4,551.00	4,733.00
c. Nonfossil Fuel	6,829.00	7,102.00
d. Fossil Fuel	18,206.00	18,936.00
Pulp, Paper and Paper Board		
a. Fiber Recyclers	11,380.00	11,835.00
b. Paper Mills	22,759.00	23,671.00
c. Groundwood Pulp Mills		
1. < 300 tons per day	34,139.00	35,508.00
2. > 300 tons per day	68,278.00	71,016.00
d. Chemical Pulp Mills w/o Chlorine Bleaching	91,034.00	94,685.00
e. Chemical Pulp Mills w/Chlorine Bleaching	102,414.00	106,521.00
Radioactive Effluents and Discharges (RED)		
a. < 3 waste streams	22,029.00	22,913.00
b. 3 - < 8 waste streams	38,234.00	39,767.00
c. 8 waste streams and greater	62,972.00	65,497.00
RCRA Corrective Action Sites	15,996.00	16,637.00
Seafood Processing		
a. < 1,000 gpd	1,138.00	1,184.00
b. 1,000 - < 10,000 gpd	2,902.00	3,018.00
c. 10,000 - < 50,000 gpd	5,178.00	5,385.00
d. 50,000 - < 100,000 gpd	8,136.00	8,462.00
e. 100,000 gpd and greater	11,380.00	11,836.00
Shipyards		
a. Per crane, travel lift, small boat lift	2,276.00	2,367.00
b. Per drydock under 250 ft in length	2,276.00	2,367.00
c. Per graving dock	2,276.00	2,367.00
d. Per marine way	3,414.00	3,551.00
e. Per sycrolift	3,414.00	3,551.00

f. Per drydock over 250 ft in length 4,551.00 4,734.00

The fee for a facility in the shipyard category is the sum of the fees for the applicable units in the facility.

Solid Waste Sites (nonstorm water)

a. Nonputrescible	4,551.00	4,734.00
b. < 50 acres	9,104.00	9,469.00
c. 50 - < 100 acres	18,206.00	18,936.00
d. 100 - < 250 acres	22,759.00	23,671.00
e. 250 acres and greater	34,139.00	35,508.00

Storm Water (Unless specifically categorized elsewhere.)

a. Individual Industrial Permits		
1. < 50 acres	2,276.00	2,367.00
2. 50 - < 100 acres	4,551.00	4,734.00
3. 100 - < 500 acres	6,829.00	7,102.00
4. 500 acres and greater	9,104.00	9,469.00
b. Facilities covered under the Industrial Storm Water General Permit		
	303.00	315.00
c. Construction activities covered under the Industrial Storm Water General Permit		
	303.00	315.00

Textile Mills 45,519.00 47,344.00

Timber Products

a. Log Storage	2,276.00	2,367.00
b. Veneer	4,551.00	4,734.00
c. Sawmills	9,104.00	9,469.00
d. Hardwood, Plywood	15,930.00	16,569.00
e. Wood Preserving	22,759.00	23,671.00

Vegetable/Bulb Washing Facilities

a. < 1,000 gpd	75.00	78.00
b. 1,000 - < 5,000 gpd	151.00	157.00
c. 5,000 - < 10,000 gpd	300.00	312.00
d. 10,000 - < 20,000 gpd	602.00	627.00
e. 20,000 and greater	998.00	1,038.00

Vehicle Maintenance and Freight Transfer

a. < 0.5 acre	2,276.00	2,367.00
b. 0.5 - < 1.0 acre	4,551.00	4,734.00
c. 1.0 acre and greater	6,829.00	7,102.00

Water Plants

a. Potable water treatment	2,846.00	2,960.00
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Wineries

a. < 500 gpd	233.00	242.00
b. 500 - < 750 gpd	466.00	485.00
c. 750 - < 1,000 gpd	931.00	969.00
d. 1,000 - < 2,500 gpd	1,862.00	1,937.00
e. 2,500 - < 5,000 gpd	2,969.00	3,088.00
f. 5,000 gpd and greater	4,075.00	4,239.00

(a) Facilities other than those in the aggregate production, crop preparing, shipyard, or RCRA categories which operate within several fee categories or subcategories shall be charged from that category or subcategory with the highest fee.

(b) ~~((Facilities with existing fee structures that obtain coverage under a general permit other than the industrial and municipal storm water general permits shall be charged a permit fee equaling 70% of the fee category in which they would otherwise belong.~~

(e))) The total annual permit fee for a water treatment plant that primarily serves residential customers shall not exceed three dollars per residential equivalent. The number of residential equivalents is determined by dividing the facility's annual gross revenue in the previous calendar year by the annual user charge for a single family residence which uses nine hundred cubic feet of water per month.

((+)) (c) Crop preparation and aggregate production permittees are required to submit information to the department certifying annual production (calendar year) or unit

processes. When required, the information form shall be completed and returned to the department within thirty days after it is mailed to the permittee by the department. Failure to provide this information could result in permit termination.

(i) Information submitted shall bear a certification of correctness and be signed:

(A) In the case of a corporation, by an authorized corporate officer;

(B) In the case of a limited partnership, by an authorized general partner;

(C) In the case of a general partnership, by an authorized partner; or

(D) In the case of a sole proprietorship, by the proprietor.

(ii) The department may verify information submitted and, if it determines that false or inaccurate statements have been made, it may, in addition to taking other actions provided by law, revise both current and previously granted fee determinations.

~~((e))~~ (d) Fees for crop preparers discharging only noncontact cooling water without additives shall pay the lesser of the applicable fee in the crop preparing or noncontact cooling water without additives categories.

~~((f))~~ (e) Where no clear industrial facility category exists for placement of a permittee, the department may elect to place the permittee in a category with dischargers or permittees that contain or use similar properties or processes and/or a category which contains similar permitting complexities to the department.

~~((g))~~ (f) Hazardous waste clean up sites and EPA authorized RCRA corrective action sites with whom the department is commencing cost recovery through chapter 70.105D RCW shall not pay a permit fee under chapter 173-224 WAC until such time as the cost recovery under chapter 70.105D RCW ceases.

~~((h))~~ (g) Any permit holder with the exception of inactive aggregate operations who has not been in continuous operation within a consecutive eighteen-month period or who commits to not being in operation for a consecutive eighteen-month period or longer can have their permit fee reduced to twenty-five percent of the fee which they would be otherwise assessed. This nonoperating mode must be verified by the appropriate ecology staff. Once operations resume, the permit fee shall be returned to the full amount.

Facilities who commit to the minimum eighteen-month nonoperating mode but go back into operation during the same eighteen-month period will be assessed permit fees as if they were active during the entire period.

~~((i) Fees for inactive aggregate sites that become active will be prorated to reflect the number of days the facility is active during the fiscal year. Facilities that become active more than once in a fiscal year shall pay the full annual fee.~~

~~((j))~~ (h) Facilities with subcategories based on gallons per day (gpd) shall have their annual permit fee determined by using the maximum daily flow or maximum monthly average permitted flow in gallons per day as specified in the waste discharge permit, whichever is greater.

~~((k))~~ (i) RCRA corrective action sites requiring a waste discharge permit will be assessed a separate permit fee regardless of whether the discharge is authorized by a separate permit or by a modification to an existing permit for

a discharge other than that resulting from the corrective action.

(3) MUNICIPAL/DOMESTIC FACILITIES

(a) The annual permit fee for a permit held by a municipality for a domestic wastewater facility issued under RCW 90.48.162 or 90.48.260 is determined as follows:

((i) Residential Equivalents (RE))	FY 96 Annual Permit Fee	FY 97 Annual Permit Fee
< 250,000	\$1.29 per RE	\$1.35 per RE
> 250,000	.78 per RE	.81 per RE))

(i) Residential Equivalents (RE)	FY 98 Annual Permit Fee	FY 99 Annual Permit Fee
< 250,000	\$1.40 per RE	\$1.46 per RE
> 250,000	.84 per RE	.88 per RE

(ii) ~~(In addition to the municipal annual permit fee, a biosolids surcharge amounting to five percent of the annual permit fee will also be assessed for municipalities who do not incinerate their sludge.~~

~~((iii))~~ Municipal storm water permit annual fee for only the entities listed below will be:

(Name of Entity)	FY 96 Annual Permit Fee	FY 97 Annual Permit Fee
King County	\$ 23,852.00	\$ 24,913.00
Snohomish County	23,852.00	24,913.00
Pierce County	23,852.00	24,913.00
Tacoma, City of	23,852.00	24,913.00
Seattle, City of	23,852.00	24,913.00
Department of Transportation	23,852.00	24,913.00
Clark County	23,852.00	24,913.00
Spokane, County	23,852.00	24,913.00))

Name of Entity	FY 98 Annual Permit Fee	FY 99 Annual Permit Fee
King County	\$ 25,922.00	\$ 26,961.00
Snohomish County	25,922.00	26,961.00
Pierce County	25,922.00	26,961.00
Tacoma, City of	25,922.00	26,961.00
Seattle, City of	25,922.00	26,961.00
Department of Transportation	25,922.00	26,961.00
Clark County	25,922.00	26,961.00

Facilities listed in (a)~~((iii))~~ (ii) of this subsection shall pay an annual fee for fiscal year ~~((1996))~~ 1998 and fiscal year ~~((1997))~~ 1999 regardless of the permit issuance date or the number of municipal storm water permits under which they are covered.

(b) The annual permit fee for each permit issued under RCW 90.48.162 or 90.48.260 that is held by a municipality that holds more than one permit for domestic wastewater facilities and which treats each domestic wastewater facility as a separate accounting entity, (i.e., maintaining separate funds/accounts for each facility, into which revenue received from the users of that facility is deposited and out of which expenditures to pay for the costs of operating, etc., that facility are made) is determined as in (a) of this subsection.

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(c) The sum of the annual permit fees for permits held by a municipality that holds more than one permit for domestic wastewater facilities issued under RCW 90.48.162 or 90.48.260 and which does not treat each domestic wastewater facility as a separate accounting entity, (i.e., maintaining separate funds/accounts for each facility, into which revenue received from the users of that facility is deposited and out of which expenditures to pay for the costs of operating, etc., that facility are made) is determined as in (a) of this subsection.

(d) The permit fee for a privately-owned domestic wastewater facility that primarily serves residential customers is determined as in (a) of this subsection. Residential customers are those whose lot, parcel or real estate, or building is primarily used for domestic dwelling purposes.

(e) Permit fees for privately-owned domestic wastewater facilities that do not serve primarily residential customers and for state-owned domestic wastewater facilities are the following:

<u>(Permitted Flows</u>	<u>FY 96 Annual Permit Fee</u>	<u>FY 97 Annual Permit Fee</u>
.1 MGD and Greater	\$5,235.00	\$5,468.00
.05 MGD to < .1 MGD	2,094.00	2,187.00
.0008 MGD to < .05 MGD	1,047.00	1,094.00
< .0008 MGD	314.00	328.00))

<u>Permitted Flows</u>	<u>FY 98 Annual Permit Fee</u>	<u>FY 99 Annual Permit Fee</u>
.1 MGD and Greater	\$5,689.00	\$5,918.00
.05 MGD to < .1 MGD	2,276.00	2,367.00
.0008 MGD to < .05 MGD	1,138.00	1,184.00
< .0008 MGD	341.00	355.00

Privately-owned domestic wastewater facilities shall have their annual permit fee determined by using the maximum daily flow or maximum monthly average permitted flow in million gallons per day, whichever is greater, as specified in the waste discharge permit.

(f) The number of residential equivalents is calculated in the following manner:

(i) If the facility serves only single-family residences, the number of residential equivalents is the number of single-family residences that it served on January 1 of the previous calendar year.

(ii) If the facility serves both single-family residences and other classes of customers, the number of residential equivalents is calculated in the following manner:

(A) Calculation of the number of residential equivalents that the facility serves in its own service area. Subtract from the previous calendar year's gross revenue:

(I) Any amounts received from other municipalities for sewage interception, treatment, collection, or disposal; and

(II) Any user charges received from customers for whom the permit holder pays amounts to other municipalities for sewage treatment or disposal services. Divide the resulting figure by the annual user charge for a single-family residence.

(B) Calculation of the number of residential equivalents that the facility serves in other municipalities which pay

amounts to the facility for sewage interception, treatment, collection, or disposal:

(I) Divide any such amounts received from other municipalities during the previous calendar year by the annual user charge for a single-family residence. In this case "annual user charge for a single-family residence" means the annual user charge that the facility charges other municipalities for sewage interception, treatment, collection, or disposal services for a single-family residence. If the facility charges different municipalities differing single-family residential user charges, then the charge used in these calculations must be that which applies to the largest number of single-family residential customers. Alternatively, if the facility charges different municipalities differing single-family residential user charges, the permit holder may divide the amount received from each municipality by the annual user charge that it charges that municipality for a single-family residence and sum the resulting figures.

(II) If the facility does not charge the other municipality on the basis of a charge per single-family residence, the number of residential equivalents in the other municipality is calculated by dividing its previous calendar year's gross revenue by its annual user charge for a single-family residence. If the other municipality does not maintain data on its gross revenue, user charges, and/or the number of single-family residences that it serves, the number of residential equivalents is calculated as in (f)(iv) of this subsection.

(III) If the other municipality serves only single-family residences, the number of residential equivalents may be calculated as in (f)(i) of this subsection.

The sum of the resulting figures is the number of residential equivalents that the facility serves in other municipalities.

(C) The number of residential equivalents is the sum of the number of residential equivalents calculated in (f)(ii)(A) and (B) of this subsection.

(iii) The annual user charge for a single-family residence is calculated by either of the following methods, at the choice of the permit holder:

(A) The annual user charge for a single-family residence using nine hundred cubic feet of water per month. If users are billed monthly, this is calculated by multiplying by twelve the monthly user charge for a single-family residence using nine hundred cubic feet of water per month. If users are billed bimonthly, the annual user charge is calculated by multiplying by six the bimonthly user charge for a single-family residence using one thousand eight hundred cubic feet of water per two-month period. If the user charge for a single-family residence varies, depending on age, income, location, etc., then the charge used in these calculations must be that which applies to the largest number of single-family residential customers.

(B) The average annual user charge for a single-family residence. This average is calculated by dividing the previous calendar year's gross revenue from provision of sewer services to single-family residences by the number of single-family residences served on January 1 of the previous calendar year. If the user charge for a single-family residence varies, depending on age, income, location, etc., then the gross revenue and number of single-family residences

used in making this calculation must be those for all the single-family residential customers.

In either case, (f)(iii)(A) or (B) of this subsection, the permit holder must provide the department with a copy of its complete sewer rate schedule for all classes of customers.

(iv) If a permit holder does not maintain data on its gross revenue, user charges, and/or the number of single-family residences that it serves, and therefore cannot use the methods described in (f)(i) or (ii) of this subsection to calculate the number of residential equivalents that it serves, then the number of residential equivalents that it serves is calculated by dividing the average daily influent flow to its facility for the previous calendar year by two hundred fifty gallons. This average is calculated by summing all the daily flow measurements taken during the previous calendar year and then dividing the resulting sum by the number of days on which flow was measured. Data for this calculation must be taken from the permit holder's discharge monitoring reports. Permit holders using this means of calculating the number of their residential equivalents must submit with their application a complete set of copies of their discharge monitoring reports for the previous calendar year.

(g) Fee calculation procedures for holders of permits for domestic wastewater facilities.

(i) Municipalities holding permits for domestic wastewater facilities issued under RCW 90.48.162 and 90.48.260, and holders of permits for privately-owned domestic wastewater facilities that primarily serve residential customers must complete a form certifying the number of residential equivalents served by their domestic wastewater system. The form must be completed and returned to the department within thirty days after it is mailed to the permit holder by the department. Failure to return the form could result in permit termination. Fees will be calculated in even-numbered fiscal years.

(ii) The form shall bear a certification of correctness and be signed:

(A) In the case of a corporation, by an authorized corporate officer;

(B) In the case of a limited partnership, by an authorized partner;

(C) In the case of a general partnership, by an authorized partner;

(D) In the case of a sole proprietorship, by the proprietor; or

(E) In the case of a municipal or other public facility, by either a ranking elected official or a principal executive officer.

(iii) The department may verify the information contained in the form and, if it determines that the permit holder has made false statements, may, in addition to taking other actions provided by law, revise both current and previously granted fee determinations.

AMENDATORY SECTION (Amending Order 94-21, filed 1/10/96, effective 2/10/96)

WAC 173-224-050 Permit fee computation and payments. (1) The department shall charge permit fees based on the permit fee schedule contained in WAC 173-224-040. The department may charge fees at the beginning of the year to which they apply. The department shall notify

permit holders of fee charges by mailing billing statements. Permit fees must be received by the department within forty-five days after the department mails a billing statement. The department may elect to bill permit holders a prorated portion of the annual fee on a monthly, quarterly, or other periodic basis. In cases where a new permit is only in effect for a portion of the fiscal year upon which the annual fee is based, the department shall prorate the fee on a quarterly basis. In addition to other circumstances, this applies where the department terminates a permit upon its determination that an industry which discharges to a municipal sewer system is satisfactorily regulated by a local pretreatment program.

(2) Permit fee computation for individual permits. Computation of permit fees shall begin on the first day of each fiscal year, or in the case of facilities or activities not previously covered by permits, on the issuance date of the permit. In the case of applicants for state waste discharge permits who are deemed to have a temporary permit under RCW 90.48.200, computation shall begin on the sixty-first day after the department accepts a completed application. In the case of NPDES permit holders who submit a new, updated permit application containing information which could change their assigned permit fee, computation and permit fee category reassignment begins upon acceptance of the application by the department. Any facility that obtains permit coverage but fails to operate will still be obligated to pay the annual permit fee assessment until the permit has been terminated by the department. Permits terminated during the fiscal year will have their fees prorated as follows unless it results in an annual fee assessment of less than one hundred dollars. Ecology will not process refunds of one hundred dollars or less:

(a) Permit coverage for up to three months will pay twenty-five percent of the annual permit fee;

(b) Permit coverage for three to six months will pay fifty percent of the annual permit fee;

(c) Permit coverage for six to nine months will pay seventy-five percent of the annual permit fee; and

(d) Permit coverage for nine months or greater will pay one hundred percent of the annual permit fee.

(3) Permit fee computation for general permits. Computation of fees for permittees covered under a general permit (with the exception of permittees (~~covered under the baseline industrial storm water general permit~~)) who have received permit coverage under the general storm water permits for industrial and construction activities and municipal storm water general permit begins at the end of the permit application coverage period, regardless of the date of submission of the notice of intent. Any facility that is an existing operation requiring general permit coverage but that does not apply for a permit during the permit application coverage period will incur fees beginning at the end of the application coverage period. Any facility that obtains permit coverage is obligated to pay the annual permit fee regardless of whether or not the facility has ever operated until the permit has been terminated by the department. Permits terminated during the fiscal year will have their fees prorated as described in subsection (2)(a), (b), (c) and (d) of this section unless it results in an annual fee assessment of less than one hundred dollars. Ecology will not process refunds of one hundred dollars or less.

(4) Permit fees for sand and gravel (aggregate) general permittees will be assessed as in subsection (3) of this section and:

(a) ~~((A mining facility that is active for three months or more during the state fiscal year will be considered active for the full year for fee purposes. A mining facility that is active for less than three months shall be considered inactive for fee calculation purposes.))~~ Nonoperating aggregate sites. A facility conducting mining, screening, washing and/or crushing activities is considered inactive for fee purposes if they are conducting these activities for less than ninety cumulative days during a calendar year. A facility producing no asphalt and/or concrete during the calendar year is also considered nonoperating for fee purposes.

(b) Inactive sites that become active for only concrete and/or asphalt production will be assessed a prorated fee for the actual time inactive. For the actual time a concrete and/or asphalt facility is active, fees will be based on total production of concrete and/or asphalt.

(c) Fees for continuously active sites that produce concrete and/or asphalt will be based on the average of the three previous calendar years production totals. Existing facilities must provide the department with the production totals for concrete and/or asphalt produced during the previous three calendar years or for the number of full calendar years of operation if less than three. New facilities with no historical asphalt and/or concrete production data will have their first year fee based on the production levels reported on the notice of intent for coverage under the National Pollutant Discharge Elimination System and State Waste Discharge Permit for Process Water and Storm Water Discharges Associated with Sand and Gravel Operations, Rock Quarries and Similar Mining Facilities including Stockpiles of Mined Materials, Concrete Batch Operations and Asphalt Batch Operations general permit. The second year fee will be determined based on the actual production during the first year and estimated production for the second year. The third year fee will be determined based on the average of actual production for the first two years and estimated for the third year. Fee calculation for subsequent years will be based on the average production values of previous years.

(5) Fees for crop preparation general permittees will be assessed as in subsection (3) of this section and will be computed on the three previous calendar years production totals. Existing facilities must provide the department with the production totals in the manner described in WAC 173-224-040 (2)(d). New facilities with no historical production data will have their first year fee based on the estimated production level for that year. The second year fee will be determined based on the actual production during the first year and estimated production for the second year. The third year fee will be determined based on the average of actual production for the first two years and estimated for the third year. Fee calculation for subsequent years will be based on the average production values of previous years.

(6) ~~((Permittees covered under the baseline industrial storm water general permit before July 1, 1993, will have their annual permit fees calculated beginning on July 1, 1993. Facilities that are existing operations prior to July 1, 1993, and apply for permit coverage after July 1, 1993, will be assessed the annual permit fee beginning on July 1, 1993.~~

~~Construction activities receiving coverage under the baseline industrial storm water general permit after July 1, 1993, will be assessed a permit fee beginning upon the permit issuance date.))~~ Facilities with construction and industrial storm water general permit coverage will have their annual permit fees begin on the permit issuance date. Permit fee accrual will continue until the permit has been terminated by the department regardless if the activity covered under the permit has already ceased.

(7) Facilities with an existing NPDES and/or state wastewater discharge permit who also have obtained ~~((coverage under the baseline industrial storm water general permit shall not pay a permit fee for coverage under the baseline industrial storm water general permit))~~ industrial and/or construction storm water general permit coverage shall only pay an annual fee based on the permit with the highest permit fee category assessment.

(8) Computation of fees shall end on the last day of the state's fiscal year, or in the case of a terminated permit, during the quarter the termination took place.

(9) The applicable permit fee shall be paid by check or money order payable to the "Department of Ecology" and mailed to the Wastewater Discharge Permit Fee Program, P.O. Box 5128, Lacey, Washington ((98503-0240)) 98509-5128.

(10) In the event a check is returned due to insufficient funds, the permit fee shall be deemed to be unpaid.

(11) ~~((Penalty due on delinquent accounts. The department may charge permit holders a penalty on fee charges that have not been paid by the due date indicated on the billing statement at the rates of:~~

(a) ~~Ten percent of the assessed fee for the first thirty days late;~~

(b) ~~Fifteen percent of the assessed fee for between thirty one days late and sixty days late; and~~

(c) ~~Twenty five percent of the assessed fee for between sixty one days late and ninety days late.~~

~~Failure to pay fees and penalties after ninety days may result in termination of the permit or the exercise of such other legal or equitable remedies that ecology is authorized to carry out including, but not limited to, the assessment of additional penalties. Civil penalties issued by the department may be sufficiently large to offset the economic benefit gained from nonpayment of fees and to deter continued operation and/or nonpayment. Payment of civil penalties shall not be deemed as payment of fees, nor shall payment of fees after assessment of penalties be deemed as a cause for reducing the penalty. Nothing herein shall be interpreted as restricting the authority of the department to exercise its other enforcement remedies as authorized by law.))~~ Delinquent accounts. Permittees are considered delinquent in the payment of fees if the fees are not received by the first invoice billing due date. The department will notify the delinquent permittee by certified letter of its intent to turn the delinquent account over to a collection agency. Permit holders will have thirty days from receipt of the certified letter to bring the account up-to-date before the department turns it over for collection. Any delinquent account turned over for collection will be assessed a surcharge totaling twenty percent of the delinquent amount owed. The surcharge assessment is to recover the costs for collection. If the collection agency fails to recover the delinquent fees, the

department may exercise other legal or equitable remedies including, but not limited to, the assessment of penalties. Civil penalties issued by the department shall not be deemed as payment of fees, nor shall payment of fees after assessment of penalties be deemed as a cause for reducing the penalty. Nothing herein shall be interpreted as restricting the authority of the department to exercise other enforcement remedies as authorized by law.

PROPOSED

WSR 97-20-050
PROPOSED RULES
DEPARTMENT OF ECOLOGY

[Order 97-31—Filed September 24, 1997, 11:40 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Uses and limitations of centennial clean water funds.

Purpose: Implement certain provisions of RCW 70.146.70 [70.146.070] that were changed in 1997.

Other Identifying Information: Related to chapter 36.70A RCW, the Growth Management Act.

Statutory Authority for Adoption: RCW 70.146.70 [70.146.070].

Statute Being Implemented: RCW 70.146.70 [70.146.070].

Summary: The Growth Management Act was amended in 1997 to allow local governments to accept water quality facilities grants from ecology even while they are out of compliance with the Growth Management Act. To do so, however, they must be able to document a "public health need" or "severe environmental degradation." The proposed rule defines these terms and provides a method for ecology to determine whether these situations truly exist and whether the proposed projects will address the situation.

Name of Proponent: Department of Ecology, governmental.

Explanation of Rule, its Purpose, and Anticipated Effects: The Growth Management Act was amended in 1997 to allow local governments to accept water quality facilities grants from ecology even while they are out of compliance with the Growth Management Act. To do so, however, they must be able to document a "public health need" or "severe environmental degradation." The proposed rule defines these terms and provides a method for ecology to determine whether these situations truly exist and whether the proposed projects will address the situation. Public health need is defined, and a procedure to determine a public health need is outlined. Determination is shown through a letter of determination signed by the secretary of the state Department of Health. Substantial environmental degradation is also defined, and a similar procedure (a letter from the director of the state Department of Ecology) is outlined.

The purpose of the rule is to implement the changed law. Anticipated effects are that certain water quality projects proposed by local governments, for which money has been offered by ecology, will be able to proceed.

Proposal Changes the Following Existing Rules: An emergency rule was signed in May 1997. Minor changes to wording are proposed.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Rule affects only local governments.

RCW 34.05.328 does not apply to this rule adoption. This is not a significant legislative rule.

Hearing Location: Yakima, Spokane, and Lacey, on November 5, 6, and 7, 1997, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Tim Hilliard at (360) 407-6429 by October 28, 1997, TDD (360) 407-6006.

Submit Written Comments to: Timothy Hilliard, P.O. Box 47600, Olympia, WA 98504, FAX (360) 407-6426, by November 14, 1997.

Date of Intended Adoption: December 1, 1997.

September 23, 1997

Daniel J. Silver

Deputy Director

Chapter 173-95A WAC
USES AND LIMITATIONS OF
CENTENNIAL CLEAN WATER FUNDS

- WAC 173-95A-010 Purpose and scope.**
WAC 173-95A-020 Definitions.
WAC 173-95A-030 Documenting a public health need.
WAC 173-95A-040 Documenting a substantial environmental degradation.
WAC 173-95A-050 Awarding grant and loan funds.

NEW SECTION

WAC 173-95A-010 Purpose and scope. This chapter is intended to address critical or emergent public health needs or environmental problems in jurisdictions that are not in compliance with the Growth Management Act. It implements an exception to the prohibition of counties, cities, and towns that are not in compliance with the Growth Management Act (chapter 36.70A RCW) from receiving grant or loan funds for water pollution control facilities. The exception is provided in limited circumstances, where necessary to address a public health need or substantial environmental degradation.

NEW SECTION

WAC 173-95A-020 Definitions. (1) "Compliance with the Growth Management Act" means that (a) a county, city, or town that is required or chooses to plan under RCW 36.70A.040 has adopted a comprehensive plan and development regulations in conformance with the requirements of chapter 36.70A RCW, after it is required that the comprehensive plan and development regulations be adopted; and (b) the county, city, or town has not been found out of compliance by a growth management hearings board; or (c) a growth management hearings board has found a county, city, or town in compliance with the requirements of chapter 36.70A RCW, after previously finding the county, city, or town was not in compliance.

(2) "Department" means the department of ecology.

(3) "Public health need" means that a situation exists where (a) there is a documented potential for: (i) Contaminating a source of drinking water; or (ii) failure of existing wastewater system or systems resulting in contamination being present on the surface of the ground in such quantities

and locations as to create a potential for public contact; or (iii) contamination of a commercial or recreational shellfish bed as to create a critical public health risk associated with consumption of the shellfish; or (iv) contamination of surface water so as to create a critical public health risk associated with recreational use; and (b) the problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and (c) the problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(4) "Substantial environmental degradation" means that

(a) there is a situation causing real, documented, critical environmental contamination that (i) contributes to violations of the state's water quality standards; or (ii) interferes with beneficial uses of the waters of the state; and (b) the problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and (c) the problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(5) "Water pollution control facility" or "facilities" means any facilities or systems for the control, collection, storage, treatment, disposal, or recycling of wastewater, including but not limited to sanitary sewage, storm water, residential, commercial, industrial, and agricultural wastes, which are causing water quality degradation due to concentrations of conventional, nonconventional, or toxic pollutants. Water pollution control facilities include all equipment, utilities, structures, real property, and interests in and improvements on real property necessary for or incidental to such purpose. Water pollution control facilities also include such facilities, equipment, and collection systems as are necessary to protect federally designated sole source aquifers.

NEW SECTION

WAC 173-95A-030 Determining a public health need. For the purposes of this chapter, a determination of a public health need related to a grant or loan must be requested by the public official who signed the grant or loan application. The request needs to be in the form of a letter, with supporting documentation, to the secretary of the Washington state department of health. The secretary or his or her designee reviews the documentation and determines whether a public health need exists. A determination of a public health need must be documented in a letter signed by the secretary or his or her designee and addressed to the same public official.

NEW SECTION

WAC 173-95A-040 Determining a substantial environmental degradation. For the purposes of this chapter, a determination of a substantial environmental degradation related to a grant or loan must be requested by the public official who signed the grant or loan application. The request needs to be in the form of a letter, with supporting documentation, to the director of the Department. The director or his or her designee reviews the documentation and determines whether a substantial environmental degrada-

tion exists. A determination of a substantial environmental degradation must be documented in a letter signed by the director or his or her designee and addressed to the same public official.

NEW SECTION

WAC 173-95A-050 Awarding grant and loan funds.

A county, city or town that has been offered a grant or loan for a water pollution control facility project may not receive grant or loan funds while the county, city, or town is not in compliance with the Growth Management Act unless:

(1) A letter of determination showing that a public health need exists has been provided by the Washington state department of health; or a letter of determination showing that a substantial environmental degradation exists has been provided by the Department; and

(2) The county, city or town has provided documentation to the Department that actions or measures are being implemented to address the public health need or substantial environmental degradation; and

(3) The Department has determined that the project is designed to address only the public health need or substantial environmental degradation described in the documentation, and does not address unrelated needs including but not limited to provisions for additional growth.

WSR 97-20-054 WITHDRAWAL OF PROPOSED RULES LOTTERY COMMISSION

[Filed September 24, 1997, 12:05 p.m.]

The Washington State Lottery Commission is withdrawing the proposal for WAC 315-34-040. This rule was proposed under the notice filed as WSR 97-15-123, then continued under the notice filed as WSR 97-16-116, but was not adopted.

Merritt D. Long
Director

WSR 97-20-058 PROPOSED RULES DEPARTMENT OF LICENSING (Cemetery Board)

[Filed September 25, 1997, 10:42 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Fees.

Purpose: To amend WAC 98-70-010 to bring Cemetery Board revenues into line with expenditures.

Statutory Authority for Adoption: RCW 68.05.105.

Statute Being Implemented: Title 68 RCW.

Summary: This amendment will allow the Cemetery Board to raise its application and renewal fees by the four percent allowed by statute in order to bring its revenues more closely into line with its expenditures.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jon Donnellan, Depart-

PROPOSED

ment of Licensing, 405 Black Lake Boulevard, Olympia, (360) 586-4905.

Name of Proponent: Cemetery Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 98-70-010 provides for application and renewal fees for the certificate of authority to operate a cemetery, crematory license or endorsement, prearrangement sales license, exemption from prearrangement sales license, and the cremated remains disposition permit or endorsement. The fees have not been changed since 1994. Expenses incurred in operating the Cemetery Board and its support unit have increased. This amendment will provide a four percent increase in all fees as allowed for fiscal year 1998 under Initiative 601.

Proposal Changes the Following Existing Rules: See Explanation of Rule above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These fee increases are permitted by Initiative 601.

RCW 34.05.328 does not apply to this rule adoption. The Department of Licensing is exempt from this statute.

Hearing Location: Department of Licensing (Conference Room #1), 405 Black Lake Boulevard, Olympia, WA 98504, on November 5, 1997, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Jon Donnellan by telephone TDD (360) 586-2788, or (360) 586-4905.

Submit Written Comments to: Jon Donnellan, Administrator, Funeral and Cemetery Unit, P.O. Box 9012, Olympia, WA 98507-9012, (360) 586-4905.

Date of Intended Adoption: November 5, 1997.

September 24, 1997

Jon Donnellan
Administrator

AMENDATORY SECTION (Amending WSR 94-01-117, filed 12/17/93, effective 1/17/94)

WAC 98-70-010 Fees. The following fees shall be charged by the department of licensing:

Title of Fee	Fee
Certificate of authority	
Application	((\$250.00))
	<u>\$260.00</u>
Renewal	((3.75))
	<u>3.90</u>
Charge per each interment, entombment and inurnment during preceding calendar year	
Crematory license/endorsement	
Application	((100.00))
	<u>104.00</u>
Renewal	
Fifty-two dollars plus fifty-two cents per cremation performed during the preceding calendar year	

Prearrangement sales license	
Application	((100.00))
	<u>104.00</u>
Renewal	((50.00))
	<u>52.00</u>
Exemption from prearrangement sales license	
Application	((50.00))
	<u>52.00</u>
Renewal	((25.00))
	<u>26.00</u>
Cremated remains disposition permit or endorsement	
Application	((50.00))
	<u>52.00</u>
Renewal	((25.00))
	<u>26.00</u>

**WSR 97-20-061
PROPOSED RULES
PERSONNEL RESOURCES BOARD**

[Filed September 25, 1997, 2:57 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 356-15-060 Shift premium provisions and compensation, 356-15-090 Schedule change and compensation, and 356-15-130 Special pay ranges.

Purpose: These rules pertain to shift premium provisions and compensation, schedule changes and compensation, and special pay ranges.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Statute Being Implemented: RCW 41.06.150.

Summary: These modifications are intended for clarification purposes to reflect current practice and board intent, allow agencies more flexibility to designate staff to schedule and change schedules, and move language detailing pay ranges to the compensation plan.

Name of Agency Personnel Responsible for Drafting: Sharon Peck, 521 Capitol Way South, Olympia, WA, (360) 753-0468; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 356-15-060 describes when employees are eligible to receive shift premium. This modification is for clarification to reflect current practice and board intent; and defines regularly scheduled. WAC 356-15-090 governs schedule change and compensation. This modification is for clarification to allow agencies more flexibility to designate staff to schedule and change schedules. WAC 356-15-130 governs special pay ranges. This modification moves language detailing pay ranges to the compensation plan to allow a more prompt response time to agencies requesting new special pay ranges or modification to existing ranges.

Proposal does not change existing rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

RCW 34.05.328 does not apply to this rule adoption. These rules relate to internal government operations that are not subject to violation by a nongovernmental party. Therefore, pursuant to RCW 34.05.328 [(5)](b)(ii), section 201 does not apply.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 13, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by November 6, 1997, TDD (360) 753-4107, or (360) 586-0509.

Submit Written Comments to: Sharon Peck, Department of Personnel, P.O. Box 47500, FAX (360) 586-4694, by November 11, 1997.

Date of Intended Adoption: November 13, 1997.

September 25, 1997

Dennis Karras

Secretary

AMENDATORY SECTION (Amending WSR 96-13-075, filed 6/18/96, effective 8/1/96)

WAC 356-15-060 Shift premium provisions and compensation. (1) Basic shift premium shall be paid in the amount specified in WAC 356-15-061. For purposes of this section, regularly scheduled means the permanently assigned work schedule/work shift, not including overtime hours, as determined by the agency.

(2) For purposes of this section, evening shift is defined as a work shift of eight or more hours which ends at or after 10:00 p.m. Night shift is defined as a work shift of eight or more hours which begins by 3:00 a.m.

(3) Full time employees shall be entitled to basic shift premium under the following circumstances:

(a) ~~((Employees whose assigned hours consist entirely of evening and/or night shifts are entitled to shift premium for all hours of their scheduled evening and/or night shifts and for all additional hours which are worked and compensated.))~~ Regularly scheduled evening shift employees are entitled to shift premium for all hours worked.

(b) ~~((Employees are entitled to shift premium for all regularly scheduled workshift hours after 6 p.m. or before 6 a.m.))~~ Regularly scheduled night shift employees are entitled to shift premium for all hours worked.

(c) ~~((Employees assigned to work at least one, but not all, night and/or evening shifts, are entitled to shift premium for those scheduled evening or night shifts, and for all additional hours which are worked and compensated.))~~ Regularly scheduled day shift employees are not entitled to shift premium unless the employee's regularly scheduled work shift includes hours after 6:00 p.m. and before 6:00 a.m. The employee shall be entitled to shift premium for the hours worked after 6:00 p.m. or before 6:00 a.m., excluding overtime.

(d) Employees regularly scheduled to work at least one, but not all, night and/or evening shifts are entitled to shift premium for those shifts. Additionally, these employees are entitled to shift premium for all hours adjoining that evening or night shift which are worked and compensated.

(4) Part-time and intermittent employees shall be entitled to basic shift premium under the following circumstances:

(a) For all assigned hours of work after 6:00 p.m. and before 6:00 a.m.

(b) For assigned full night or evening shifts, as defined in subsection (2) of this section.

(5) Employees on contingency schedules do not normally receive shift premium with the exception noted in WAC 356-15-090.

~~((6))~~ (6) Monthly shift premium rates: In cases where shift premium hours are regularly scheduled over a year, agencies may pay shift premium at a monthly rate which is equal for all months of the year. Such monthly rates shall be calculated by dividing twelve into the amount of shift premium an employee would earn in a year if the hourly rules in subsection (2) of this section were applied. This option is granted to simplify bookkeeping and is not authorized to establish shift premium rates higher or lower than those set by the board.

~~((6))~~ (7) Shift premium and overtime: When an employee is compensated for working overtime during hours for which shift premium is authorized in this section, the overtime rate shall be calculated using the "regular rate" as defined in WAC 356-05-353.

~~((7))~~ (8) Payment during leave and for holidays not scheduled to work: Employees eligible for shift premium for their regularly scheduled shifts will receive the same proportion of shift premium for respective periods of authorized paid leave and for holidays not worked which fall within their ~~((usual))~~ regularly scheduled shift.

AMENDATORY SECTION (Amending WSR 96-02-073, filed 1/3/96, effective 2/3/96)

WAC 356-15-090 Schedule change and compensation. (1) The ~~((appointing authority))~~ agency shall schedule the working days and hours of scheduled work period employees. This schedule shall remain in effect for at least seven calendar days, and may be changed only with seven or more calendar days notice. If seven calendar days notice is not given, a new schedule does not exist until the notice period expires. Agencies may notify employees of more than one future schedule change in a single notice.

The seven calendar days notice of changes in working days and/or hours must be given to the affected employees during their scheduled working hours. The day that notification is given shall constitute a day of notice.

(2) If the ~~((appointing authority))~~ agency changes the assigned hours or days of scheduled work period employees without giving them at least seven days notice of the change, employees will be paid for all time worked outside the scheduled hours or days at the overtime rate for the duration of the notice period.

(a) When changes in employees' assigned hours or days are made without proper notice, employees may work their scheduled hours or days unless the ~~((appointing authority))~~ agency deems that:

(i) The employees are unable to perform satisfactorily as the result of excessive overtime hours; or

(ii) The work which normally would have been performed within the scheduled hours or days cannot be performed.

(b) The state is not obligated to pay for those scheduled hours or days not worked, unless the employee is on an authorized leave of absence with pay.

PROPOSED

(c) Overtime pay and shift or schedule change pay shall not be paid for the same incident.

(3) Regardless of whether advance notice is given, an agency is not obligated to pay overtime due to a change in work schedule, when such a change is in response to a request from an employee, provided the employee works no more than forty hours in a workweek.

When the majority of employees in a work unit ask, in writing, for such a change, and the work unit can function properly only if all employees in the unit work the proposed schedule or scheduling plan, the agency is authorized to approve the change for the entire unit as an employee-initiated change. A written request for a schedule change from the exclusive representative shall constitute a request of employees within a certified bargaining unit.

(4) When an agency initiates a scheduled change from one scheduled standard work schedule to another scheduled standard work schedule, there is created a seven-day transition period.

(a) The transition period starts at the beginning of the shift of the previous schedule which would have begun a new five-consecutive-day work cycle.

(Example: An eight-to-five Tuesday through Saturday employee changes to a Sunday-Thursday schedule beginning on Sunday. The transition period starts at eight a.m. on the last Tuesday of the old schedule, and runs until eight a.m. on the first Tuesday under the new schedule.)

(b) If, during the transition period, the employee must work more than five of the seven workdays, then the work in excess of forty non-overtime hours will be paid at overtime rates.

(c) If, during the transition period, the schedule change causes an employee to begin work on an earlier day of the workweek or at an earlier hour of the workday than was required under the old schedule, the employee will be paid at the overtime rate for the first hours worked in the new schedule which precede the next hours which the employee would have worked under the old schedule.

(5) Contingency scheduling is allowed for employees having the following responsibilities: Highway snow, ice, and avalanche control, grain inspection, horticulture inspection; and in the departments of natural resources or corrections, controlling forest fires, or performing work in a fire camp in support of fire crews, "hoot owl," forest fuels management and aerial applications.

(a) Therefore: For non-forest-fire personnel in scheduled work period positions, the ~~((appointing authority))~~ agency shall not be bound by the above scheduled shift change notice requirement if the ~~((appointing authority))~~ agency notifies affected employees of the contingency schedule in writing when they enter the position or not less than 30 days prior to implementation.

When conditions mandate the activating of the contingency schedule, the ~~((appointing authority))~~ agency shall pay affected employees the overtime rate for all hours worked outside the original schedule at least for the employee's first shift of the contingency schedule and for other overtime hours covered by subsection (7) of this section.

(b) For forest-fire control and fire-camp support personnel in scheduled work period positions, the above schedule change notice requirement shall not apply if the ~~((appointing authority))~~ agency notifies affected employees in writing that

they are subject to contingency scheduling when they enter the position or not less than 30 days prior to implementation.

When an employee's forest fire contingency schedule requires him or her to change working hours from the previous schedule, the ~~((appointing authority))~~ agency shall pay the affected employee the overtime rate for all hours worked outside the previous schedule for the employee's first shift of the new contingency schedule.

When such employees have completed the first eight hours of their assigned contingency shift (10 hours in the case of 10-40 work schedule employees), they shall receive overtime rates for all subsequent work performed until released from duty for a period of five consecutive hours.

(6) In the department of corrections, division of prisons, the agency and the employees may agree that employees sent to forest fire camps in charge of inmate fire fighters for a period of twenty four hours or more will be on "extended duty assignment." Employees on extended duty assignment will be considered to be on continuous duty from the time they commence such duty including travel time to the fire, until they are released from duty including travel time for return to their nonfire duty station.

(a) During the extended duty assignment, all time will be paid as work time, except that the employer may deduct up to eight hours of nonwork time each day for sleep, plus up to three hours for meals, provided that:

(i) The employee has no responsibility during time deducted for meal periods.

(ii) The time deducted for sleep includes a period of five continuous hours which are not interrupted by a call to work.

(iii) No sleep time shall be deducted if the employer does not furnish adequate sleeping facilities. Adequate sleeping facilities are those which are usual and customary for forest fire camps.

(b) Scheduled work period employees shall be entitled to call back pay to the extent described in WAC 356-15-100 and 356-15-110 for a maximum of one payment, equal to three straight-time hours, at the commencement of an extended duty assignment. No call-back payment shall be made for any work during the hours of an extended duty assignment, or the transition back to the regular work schedule.

(c) The beginning of each work week on extended duty assignment shall be unchanged from the last previous work week on the employee's regular work schedule. All compensable hours of work on extended duty assignment shall be at overtime rates except eight in any work day. All compensable hours on a holiday shall be at overtime rates.

(d) There are no scheduled days off during an extended duty assignment. However, compensable hours on a holiday, and all compensable hours in excess of forty straight time hours in any workweek (including hours worked within the same workweek either before or after the extended duty assignment), shall be paid at overtime rates.

(e) During an extended duty assignment, all hours are duty hours; there is no eligibility for standby pay.

(f) Employees whose regular scheduled work shift entitles them to shift premium for their full shift, or a portion thereof, shall be paid shift premium as follows:

(i) Employees whose regular schedules are all night shifts will continue to receive night shift premium for all paid hours of the extended duty assignment.

(ii) Employees whose regular schedules call for some, but less than four hours of, night shift work each day will continue to receive the same number of hours at shift premium during each workday of the extended duty assignment.

(iii) Employees whose regular schedules call for some, but not all, full night shifts each week will receive shift premium for all paid hours on those same days during the extended duty assignment.

(7) When a scheduled or nonscheduled work period employee experiences a schedule change (within or between agencies) which causes an overlap in workweeks and requires work in excess of forty hours in either the old or the new workweek, the employee must receive overtime compensation at least equal to the amount resulting from the following calculations:

(a)(i) Starting at the beginning of the "old" workweek, count all hours actually worked before the end of that workweek, and calculate the straight-time pay and the overtime pay (based on "regular rate" as defined in WAC 356-05-353).

(ii) Starting at the conclusion of the "new" workweek, count back to include all hours actually worked since the beginning of that workweek, and calculate the straight-time and overtime (based on "regular rate" as defined in WAC 356-05-353).

(iii) Pay the larger amount calculated under (a)(i) and (ii) of this subsection.

(b) If any other combination of straight-time and time-and-one-half-rate pay required by these rules results in an amount of pay, for either workweek, which is greater than the amount calculated in (a)(iii) of this subsection, then only the larger amount should be paid.

(8) If overtime is incurred as a result of employee movement between state agencies, the overtime will be borne by the receiving agency.

AMENDATORY SECTION (Amending WSR 92-22-043 (Order 413), filed 10/27/92, effective 12/1/92)

WAC 356-15-130 Special pay ranges. ((These ranges are used)) The personnel resources board may allow for special pay ranges to equal or approximate prevailing rates practices found in private industry or other governmental units. An affected class is identified either by a letter designation following the basic salary range number or by a letter designation preceding a number. In the latter case, a special salary schedule will be used for such classes.

Details of the affected classes with a special pay range will appear in the salary schedule section of the compensation plan.

~~((1) "E" range: This range is used for classes having a prevailing pay range which is shorter than Washington's standard ranges. An "E" range is a standard range with the first four steps removed. Thus, the first step of such a range is the same as Step E of the standard range having the same range number. Periodic increases through the steps of this range are made at the same time intervals as through standard ranges, i.e., a two step increase after six months at~~

~~Step E and two annually thereafter up to the maximum step of the range.~~

~~(2) "L" range: This special range is used only for the class of liquor store clerk (0628). The "L" range was designed to more closely parallel the prevailing pay structure for retail clerks in private industry. Periodic increases through the steps of the "L" range are made at the same time intervals as through a standard range. Normal progression is Steps A, D, G and K, which represents ten percent per periodic increase.~~

~~(3) "T" range: Used only for the classes of institution teachers. These ranges are constructed by identifying Step K of the correspondingly numbered regular state ranges as "Step 10" of the "T" range; the lower nine steps of the "T" range are each two regular range steps (approximately 5%) apart. Advancement through these ranges is at the rate of one step per year.~~

~~(4) "V" range: Used only for the classes of teachers of the deaf or blind and principals, school for the deaf or blind. "V" ranges are the same as the current ranges of Vancouver, Washington School District #37 for certificated employees of similar background and experience. Advancement through the range is at the rate of one step per year.~~

~~(5) "I" range: This range is always ten ranges higher than the range approved for lottery district sales representative or lottery telemarketing representative 1 and 2 and it may be applied only to those classifications. Use of this range is limited to sales incentive programs which: (a) May not exceed thirteen weeks for any program; (b) may not exceed four programs in any consecutive twelve months; (c) require achievement of specific goals which are set for each program by the lottery, such goals to be in excess of normal performance standards for the class.~~

~~The lottery is authorized to compensate individual employees on the "I" range for not more than three months as a result of any one sales incentive program, with the number of months stipulated in the incentive program announcement. Within these limits, movement of any employee to and from the "I" range will be at the discretion of the lottery, and shall be from and to the same step, subject to change by the employee's periodic increment date.~~

~~(6) "N" range: This range is used for classes requiring licensure as a registered nurse and having a prevailing pay range which is longer than Washington's standard ranges. An "N" range is a standard range, steps A through K, with five added steps, L through P. Periodic increases through step K of these ranges are made at the same intervals as through standard ranges. Thereafter, an employee receives a one step increase each year up to the maximum step of the range.~~

~~(7) "J" range: This range consists of the single rate per hour of salary range 62, step K. Use is limited to lottery employees who volunteer and are selected for lottery drawing duty as one of the following: (a) The lottery drawing official (LDO); (b) the lottery security official (LSO); or (c) the headquarters drawing official (HDO), as described under lottery procedures.~~

~~Employees performing these functions during their normal working shift will not be eligible for "J" range compensation. Employees performing these functions outside of their shift will be compensated by the "J" rate on~~

September 25, 1997

Dennis Karras
Secretary

~~an hourly basis with a two hour minimum per drawing period.~~

~~(8) "D" range: This range is a single level hourly rate equivalent to one half of step A of range 29. It is payable to employees who have dog handler assignments, and only while they are off duty, but are still required to care for the dog in their charge (usually at home). Work time to be paid at D range includes, but is not limited to time required for daily feeding, exercising, grooming, and emergency health care of the dog, and care and cleaning of the kennel.)~~

WSR 97-20-062**PROPOSED RULES****PERSONNEL RESOURCES BOARD**

[Filed September 25, 1997, 2:59 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 356-15-130 Special pay ranges.

Purpose: This rule pertains to special pay ranges.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Statute Being Implemented: RCW 41.06.150.

Summary: This modification pertains to special pay ranges and will add the "HR" range to be used for the proposed human resources consultant broad band series.

Name of Agency Personnel Responsible for Drafting: Sharon Peck, 521 Capitol Way South, Olympia, WA, (360) 753-0468; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This modification pertains to special pay ranges. The "HR" range will be added and will be used for the proposed human resources consultant broad band series. It consists of a minimum, intervening, and maximum salary amount, and is broader than traditional salary ranges, to accommodate the breadth of duties and responsibilities within a tier in this occupational grouping.

Proposal does not change existing rules. See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

RCW 34.05.328 does not apply to this rule adoption. These rules relate to internal government operations that are not subject to violation by a nongovernmental party. Therefore, pursuant to RCW 34.05.328 [(5)](b)(ii), section 201 does not apply.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 13, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by November 6, 1997, TDD (360) 753-4107, or (360) 586-0509.

Submit Written Comments to: Sharon Peck, Department of Personnel, P.O. Box 47500, FAX (360) 586-4694, by November 11, 1997.

Date of Intended Adoption: November 13, 1997.

AMENDATORY SECTION (Amending WSR 92-22-043 (Order 413), filed 10/27/92, effective 12/1/92)

WAC 356-15-130 Special pay ranges. These ranges are used to equal or approximate prevailing rate practices found in private industry or other governmental units. An affected class is identified either by a letter designation following the basic salary range number or by a letter designation preceding a number. In the latter case, a special salary schedule will be used for such classes.

(1) **"E" range:** This range is used for classes having a prevailing pay range which is shorter than Washington's standard ranges. An "E" range is a standard range with the first four steps removed. Thus, the first step of such a range is the same as Step E of the standard range having the same range number. Periodic increases through the steps of this range are made at the same time intervals as through standard ranges, i.e., a two-step increase after six months at Step E and two annually thereafter up to the maximum step of the range.

(2) **"L" range:** This special range is used only for the class of liquor store clerk (0628). The "L" range was designed to more closely parallel the prevailing pay structure for retail clerks in private industry. Periodic increases through the steps of the "L" range are made at the same time intervals as through a standard range. Normal progression is Steps A, D, G and K, which represents ten percent per periodic increase.

(3) **"T" range:** Used only for the classes of institution teachers. These ranges are constructed by identifying Step K of the correspondingly numbered regular state ranges as "Step 10" of the "T" range; the lower nine steps of the "T" range are each two regular-range steps (approximately 5%) apart. Advancement through these ranges is at the rate of one step per year.

(4) **"V" range:** Used only for the classes of teachers of the deaf or blind and principals, school for the deaf or blind. "V" ranges are the same as the current ranges of Vancouver, Washington School District #37 for certificated employees of similar background and experience. Advancement through the range is at the rate of one step per year.

(5) **"I" range:** This range is always ten ranges higher than the range approved for lottery district sales representative or lottery telemarketing representative 1 and 2 and it may be applied only to those classifications. Use of this range is limited to sales incentive programs which: (a) May not exceed thirteen weeks for any program; (b) may not exceed four programs in any consecutive twelve months; (c) require achievement of specific goals which are set for each program by the lottery, such goals to be in excess of normal performance standards for the class.

The lottery is authorized to compensate individual employees on the "I" range for not more than three months as a result of any one sales incentive program, with the number of months stipulated in the incentive program announcement. Within these limits, movement of any employee to and from the "I" range will be at the discretion

of the lottery, and shall be from and to the same step, subject to change by the employee's periodic increment date.

(6) **"N" range:** This range is used for classes requiring licensure as a registered nurse and having a prevailing pay range which is longer than Washington's standard ranges. An "N" range is a standard range, steps A through K, with five added steps, L through P. Periodic increases through step K of these ranges are made at the same intervals as through standard ranges. Thereafter, an employee receives a one-step increase each year up to the maximum step of the range.

(7) **"J" range:** This range consists of the single rate per hour of salary range 62, step K. Use is limited to lottery employees who volunteer and are selected for lottery drawing duty as one of the following: (a) The lottery drawing official (LDO); (b) the lottery security official (LSO); or (c) the headquarters drawing official (HDO), as described under lottery procedures.

Employees performing these functions during their normal working shift will not be eligible for "J" range compensation. Employees performing these functions outside of their shift will be compensated by the "J" rate on an hourly basis with a two-hour minimum per drawing period.

(8) **"D" range:** This range is a single level hourly rate equivalent to one-half of step A of range 29. It is payable to employees who have dog handler assignments, and only while they are off duty, but are still required to care for the dog in their charge (usually at home). Work time to be paid at D range includes, but is not limited to time required for daily feeding, exercising, grooming, and emergency health care of the dog, and care and cleaning of the kennel.

(9) **"HR" range:** This range is used for the human resources consultant broad band series. It consists of a minimum, intervening, and maximum salary amount, and is broader than traditional salary ranges, to accommodate the breadth of duties and responsibilities within a tier in this occupational grouping. Movement within the tier is outlined in WAC 356-14-069.

WSR 97-20-063

PROPOSED RULES

PERSONNEL RESOURCES BOARD

[Filed September 25, 1997, 3:01 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 251-10-030 Layoff.

Purpose: This rule pertains to layoffs.

Statutory Authority for Adoption: Chapter 41.06 RCW.

Statute Being Implemented: RCW 41.06.150.

Summary: This modification is intended to clarify the current practice that is used to notify employees of their layoff options and effective date of their layoff.

Name of Agency Personnel Responsible for Drafting: Sharon Peck, 521 Capitol Way South, Olympia, WA (360) 753-0468; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule governs the layoff procedures for permanent classified employees in higher education institutions. During layoff actions, employees shall receive written notice of any available options in lieu of layoff. This modification stipulates the procedures for providing this notification.

Proposal does not change existing rules. See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

RCW 34.05.328 does not apply to this rule adoption. These rules relate to internal government operations that are not subject to violation by a nongovernmental party. Therefore, pursuant to RCW 34.05.328 [(5)](b)(ii), section 201 does not apply.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 13, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by November 6, 1997, TDD (360) 753-4107, or (360) 586-0509.

Submit Written Comments to: Sharon Peck, Department of Personnel, P.O. Box 47500, FAX (360) 586-4694, by November 11, 1997.

Date of Intended Adoption: November 13, 1997.

September 25, 1997

Dennis Karras

Secretary

AMENDATORY SECTION (Amending WSR 96-13-078, filed 6/18/96, effective 8/1/96)

WAC 251-10-030 Layoff. (1) An appointing authority may layoff or reduce the number of working hours or the work year of an employee without prejudice because of lack of funds or lack of work and/or for good faith reorganization for efficiency purposes.

(2) Each institution shall develop for approval by the director a layoff procedure based upon layoff seniority as defined in WAC 251-01-245, to include as a minimum:

(a) Clearly defined layoff unit(s), in order to minimize the disruption of an institution's total operation, and

(b) Provision for veterans preference for eligible veterans and their unmarried widows/widowers as defined in WAC 251-10-045.

(3) A permanent status employee scheduled for layoff shall receive written notice of any available options in lieu of layoff as provided in subsections (5) and (6) of this section. Such notice shall be furnished directly to the employee during his/her scheduled working hours, or if this is not possible because of the absence of the employee, mailed by certified letter to the employee's last known address. If the notification is furnished directly to the employee, the day it is furnished shall be counted as a day of notice. If the notification is mailed, the notice shall be considered received the same day as it is postmarked and the notice period shall be computed as provided in WAC 251-04-100. The employee shall be given no less than three working days to select an option, if available, or to elect to be laid off and/or be placed on the appropriate institution-wide layoff list(s).

PROPOSED

(4) Written notice of at least fifteen calendar days must be given to the employee after he/she has selected one of the options or upon completion of the option period. This notice shall be furnished as provided in subsection (3) of this section and may be incorporated into the original notice of options.

(5) Within the layoff unit, a permanent status employee scheduled for layoff shall be offered employment options to position(s):

(a) For which he/she meets any specific position requirements;

(b) Which are comparable, as determined by the personnel officer; and

(c) Which are in:

(i) Class(es) in which the employee has held permanent status which have the same or lower salary range maximum as the current class;

(ii) Lower class(es) in those same class series for which the employee is qualified.

The employee may exercise either option subsection (5)(c)(i) or (ii) of this section provided that the employee being replaced is the least senior in a comparable position in the class and has less layoff seniority than the employee replacing him/her. A vacant position, if available, should be considered to be the position in the class held by the least senior person. The employee may elect to have access to less-than-comparable positions by so notifying the personnel officer in writing.

(6) Except as provided in WAC 251-10-035, a permanent employee scheduled for layoff who has no options available under subsection (5) of this section shall be offered position(s) as follows:

(a) The personnel officer will offer in writing not less than three positions from among the highest available classes (unless the total available is less than three); provided that any position(s) offered must be:

(i) At the same level or lower than the class from which the employee is being laid off; and

(ii) Vacant or held by a provisional, temporary, or probationary employee; and

(iii) In a class for which the employee being laid off meets the minimum qualifications and can pass the appropriate qualifying examination.

(b) The employee will be required to indicate within three working days his/her interest in a specific class(es) so that the personnel officer may schedule the appropriate examination(s).

(c) Upon satisfactory completion of the examination(s) the employee will be offered option(s) to specific position(s), including salary information.

(d) Employees appointed to positions through provisions of this subsection will be required to serve a trial service period.

(7) In order to be offered a layoff option or return from layoff to a position for which specific position requirements have been documented in accordance with WAC 251-18-255(1), the employee must demonstrate a satisfactory level of knowledge, skill, or ability on the specific position requirements.

(8) In a layoff action involving a position for which a particular sex is a bona fide occupational requirement, as approved by the Washington state human rights commission,

the most senior employee meeting the occupational requirements may be retained in the position over more senior employees in such class who do not meet the occupational requirement.

(9) When it is determined that layoffs will occur within a unit, the personnel officer will:

(a) Provide a copy of the institution's reduction in force procedure to all employees subject to layoff;

(b) Advise each employee in writing of available options in lieu of layoff;

(c) Advise each employee in writing of the specific layoff list(s) upon which he/she may be placed as required per WAC 251-10-055 and 251-10-035;

(d) Provide information about the process by which the employee may make application for state-wide layoff lists, as required per WAC 251-10-060(7);

(e) Advise each employee in writing of the right to appeal his/her layoff to the board per WAC 251-12-080.

(10) Layoff actions for employees of special employment programs as identified in WAC 251-19-150 shall be administered as provided in WAC 251-10-035.

WSR 97-20-064

PROPOSED RULES

PERSONNEL RESOURCES BOARD

[Filed September 25, 1997, 3:02 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: Chapters 359-39, 359-09, 359-48, and 359-07 WAC.

Purpose: The above WAC chapters were scheduled to be effective January 1, 1998, as filed by WSR 96-20-038. This proposal will delay the effective date of chapters 359-39, 359-09, 359-48, and 359-07 WAC until January 1, 1999.

Statutory Authority for Adoption: Chapter 41.06 RCW. Statute Being Implemented: RCW 41.06.150.

Summary: This proposal will postpone the effective date of Title 359 WAC as originally submitted in WSR 94-23-136.

Reasons Supporting Proposal: The Department of Personnel is working to consolidate the two existing civil service rule books, Titles 251 and 356 WAC, to create a new set of civil service rules, Title 359 WAC. The Personnel Resources Board has adopted four chapters of Title 359 WAC to be effective January 1, 1998. The Department of Personnel is continuing to work on the development of the remaining chapters. At this time, it is evident the remainder of Title 359 WAC will not be completed by January 1, 1998, to coincide with the effective date of the four adopted WAC chapters. Therefore, the Department of Personnel is proposing to postpone the effective date of the following chapters of WAC: Chapters 359-39, 359-09, 359-48, and 359-07 WAC filed as WSR 96-20-038.

Name of Agency Personnel Responsible for Drafting: Sharon Peck, 521 Capitol Way South, Olympia, WA, (360) 753-0468; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this proposal is to postpone the effective date of chapters 359-39, 359-09, 359-48, and 359-07 WAC until January 1, 1999.

Proposal does not change existing rules. See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

RCW 34.05.328 does not apply to this rule adoption. These rules relate to internal government operations that are not subject to violation by a nongovernmental party. Therefore, pursuant to RCW 34.05.328 [(5)](b)(ii), section 201 does not apply.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 13, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by November 6, 1997, TDD (360) 753-4107, or (360) 586-0509.

Submit Written Comments to: Sharon Peck, Department of Personnel, P.O. Box 47500, FAX (360) 586-4694, by November 11, 1997.

Date of Intended Adoption: November 13, 1997.

September 25, 1997

Dennis Karras
Secretary

WSR 97-20-065

PROPOSED RULES

PERSONNEL RESOURCES BOARD

[Filed September 25, 1997, 3:04 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 356-05-390 Seniority.

Purpose: This rule pertains to seniority within classified service.

Statutory Authority for Adoption: Chapter 41.06 RCW. Statute Being Implemented: RCW 41.06.150.

Summary: This modification is to clarify the amount of time that will be credited to seniority when an employee is off the state payroll due to a reduction-in-force.

Name of Agency Personnel Responsible for Drafting: Sharon Peck, 521 Capitol Way South, Olympia, WA, (360) 753-0468; Implementation and Enforcement: Department of Personnel.

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule defines seniority and describes circumstances where adjustments to this date may be needed. When an employee is off the state payroll due to a reduction-in-force, the time spent off the state payroll will be credited for the period of time the employee is eligible to be placed on the reduction-in-force register. This modification clarifies that this time is a maximum of three years.

Proposal does not change existing rules. See above

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required.

RCW 34.05.328 does not apply to this rule adoption. These rules relate to internal government operations that are not subject to violation by a nongovernmental party. Therefore, pursuant to RCW 34.05.328 [(5)](b)(ii), section 201 does not apply.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 13, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by November 6, 1997, TDD (360) 753-4107, or (360) 586-0509.

Submit Written Comments to: Sharon Peck, Department of Personnel, P.O. Box 47500, FAX (360) 586-4694, by November 11, 1997.

Date of Intended Adoption: November 13, 1997.

September 25, 1997

Dennis Karras
Secretary

AMENDATORY SECTION (Amending WSR 89-16-030, filed 7/25/89, effective 9/1/89)

WAC 356-05-390 Seniority. A measure of the last period of unbroken time served in positions in the classified service under the jurisdiction of the state personnel board. Service in positions brought under the jurisdiction of the state personnel board by statute is counted as though it had previously been under the jurisdiction of the state personnel board. Leaves of absence granted by agencies and separations due to reduction in force are not considered a break in service. Time spent on leaves of absence without pay is not credited unless it is approved for the reasons cited in WAC 356-18-220(2), or statutes require it be credited. Time spent off the state payroll due to reduction in force will be credited for that period of time the employee is eligible to be placed on the reduction in force register, for a maximum of three years. Time spent in exempt appointments listed in RCW 41.06.070 will be credited and the service will not be regarded as broken when employees return from exempt service in accordance to RCW 41.06.070(26), WAC 356-06-055 and 356-30-330. Time spent under the jurisdiction of the higher education personnel board will be added when the employee comes under the jurisdiction of the state personnel board through the provisions of WAC 356-49-040. The length of active military service of a veteran, not to exceed five years, shall be added to the state service for such veteran or the deceased veteran's spouse as defined in WAC 356-05-470.

WSR 97-20-077

PROPOSED RULES

DEPARTMENT OF AGRICULTURE

[Filed September 26, 1997, 11:36 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-16-066.

Title of Rule: Chapter 16-156 WAC, Organic producer and transition to organic producer certification.

PROPOSED

Purpose: The goals of the amendments are to provide sufficient revenue to effectively administer and enforce the Organic Food Products Act, chapter 15.86 RCW.

Statutory Authority for Adoption: RCW 15.86.070.

Statute Being Implemented: Chapter 15.86 RCW.

Summary: The 1997 legislature passed a bill which allows the organic food program to increase fees in excess of the fiscal growth factor. The proposed amendments would increase fees by ten percent for producers with gross sales up to \$750,000 and increase fees for producers with gross sales over \$750,000 to \$2,000 plus one-tenth of one percent (0.10%) of gross sales.

Reasons Supporting Proposal: The organic food program has doubled in size since 1993 and needs increased revenues to meet current workload demands. The fee increase will allow the program to put more resources into enforcement and providing technical assistance.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Miles McEvoy, Olympia, (360) 902-1924.

Name of Proponent: Organic Food Program, Washington State Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Organic producer and transition to organic producer certification, chapter 16-156 WAC, provides the procedural framework for certifying producers of organic and transition to organic food. The procedural requirements include specifying conditions of inspection, sampling, certification and decertification as well as specifying the application fees for organic certification. Amendments to WAC 16-156-060 are proposed to increase application fees in order to obtain more revenue for program activities. Increased revenue will be used for increased enforcement and technical assistance in the organic food program.

Proposal Changes the Following Existing Rules: The proposal would amend WAC 16-156-060 to increase fees. The proposal raises fees for organic food producer certification by 10% for producers with less than \$750,000 in gross sales. It raises fees for producers with gross sales over \$750,000 to \$2,000 plus one-tenth of one percent (0.10%) of gross sales.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Introduction: Organic producer and transition to organic producer certification, chapter 16-156 WAC, provides the procedural framework for certifying producers of organic and transition to organic food in Washington state. The procedural requirements include specifying conditions of inspection, sampling, certification and decertification as well as outlining the application fees for organic certification. Amendments to chapter 16-156 WAC are needed to amend the fee schedule. The revised fee schedule raises the application fees to provide adequate revenue for the full recovery of the cost of producer certification in the organic food program.

Purpose for the Rule Amendment: The organic food industry has had a number of developments as the industry has matured from greater consumer interest in organic food.

The organic certification program has doubled in size since 1992 and now includes additional food categories that were not covered in 1992 including milk, mushrooms, bakery items, and eggs. To compensate for the amount of growth in the organic food program, the fees need to be increased to provide adequate resources to effectively administer and enforce the organic food program rules.

The 55th legislature passed an amendment to the Washington State Organic Food Products Act in July 1997 that allows for the increase of fees in excess of the fiscal growth factor, RCW 15.86.070(2). The proposed amendment to chapter 16-156 WAC increases fees at the rate of ten percent (10%) for producers with gross sales up to \$750,000 and assesses application fees at \$2,000 plus one-tenth of one percent (0.10%) of gross sales for producers with gross sales over \$750,000. In addition, the cost for inspections (beyond the two inspections provided) has been raised from \$20/hr. to \$30/hr.

Businesses Affected by the Rule Amendment: Chapter 16-156 WAC affects all individuals and businesses that produce organic food and transition to organic food in Washington state. All producers of organic and transition to organic food are small businesses (less than fifty full-time, year-round employees). The proposed fee structure would impact all producers of organic and transition to organic food and would not impose a disproportionate impact on small businesses.

Reporting and Record-keeping Requirements: No new record-keeping requirements would be imposed; the amendments would merely increase annual fees.

Compliance Requirements: Organic and transition to organic producer certification standards will not be altered by the proposed amendments.

Professional Services: The reporting, record-keeping and compliance requirements would not necessitate the need for professional services. No professional service expenses would be incurred by the small businesses affected by chapter 16-156 WAC.

Industries Impacted by the Rule Amendment: All producers of organic and transition to organic food products in Washington state within the following SIC codes are impacted by chapter 16-156 WAC: 019 general farms, primarily crop; 0241 dairy farms; 029 general farms, primarily livestock and animal specialties; 201 meat products; 202 dairy products; 203 canned, frozen, preserved fruits, vegetables and food specialties; 205 bakery products; 515 farm product—raw materials; 542 meat and fish (seafood) markets; and 545 dairy product stores.

Two hundred and ninety producers of organic and transition to organic food products in Washington state are currently affected by chapter 16-156 WAC. Approximately 1,450 persons are employed by the producers of organic and transition to organic food products in Washington state. All producers of organic and transition to organic food are small businesses (less than fifty full-time, year-round employees); 290 small businesses are affected by chapter 16-156 WAC.

Cost of Compliance: The proposed amendments to the fee schedule increases fees at the rate of ten percent for producers with gross sales up to \$750,000 and assesses application fees at \$2,000 plus one-tenth of one percent (0.10%) of gross sales for producers with gross sales over \$750,000. See explanation below:

Gross Organic Sales

Low	High	Current Fee - 1997	Proposed Fee
\$ -	\$ 12,000.00	\$ 150.00	\$ 165.00
\$ 12,001.00	\$ 15,000.00	\$ 185.00	\$ 200.00
\$ 15,001.00	\$ 20,000.00	\$ 200.00	\$ 220.00
\$ 20,001.00	\$ 25,000.00	\$ 250.00	\$ 275.00
\$ 25,001.00	\$ 30,000.00	\$ 300.00	\$ 330.00
\$ 30,001.00	\$ 35,000.00	\$ 350.00	\$ 385.00
\$ 35,001.00	\$ 42,500.00	\$ 425.00	\$ 465.00
\$ 42,501.00	\$ 50,000.00	\$ 500.00	\$ 550.00
\$ 50,001.00	\$ 65,000.00	\$ 600.00	\$ 660.00
\$ 65,001.00	\$ 80,000.00	\$ 750.00	\$ 825.00
\$ 80,001.00	\$ 100,000.00	\$ 900.00	\$ 990.00
\$ 100,001.00	\$ 125,000.00	\$ 1,000.00	\$ 1,100.00
\$ 125,001.00	\$ 150,000.00	\$ 1,044.00	\$ 1,150.00
\$ 150,001.00	\$ 175,000.00	\$ 1,200.00	\$ 1,320.00
\$ 175,001.00	\$ 200,000.00	\$ 1,251.00	\$ 1,375.00
\$ 200,001.00	\$ 240,000.00	\$ 1,400.00	\$ 1,540.00
\$ 240,001.00	\$ 280,000.00	\$ 1,450.00	\$ 1,595.00
\$ 280,001.00	\$ 325,000.00	\$ 1,500.00	\$ 1,650.00
\$ 325,001.00	\$ 375,000.00	\$ 1,565.00	\$ 1,720.00
\$ 375,001.00	\$ 425,000.00	\$ 2,000.00	\$ 2,200.00
\$ 425,001.00	\$ 500,000.00	\$ 2,089.00	\$ 2,300.00
\$ 500,001.00	\$ 750,000.00	\$ 2,500.00	\$ 2,750.00
Gross sales over \$750,000		\$ 2,611.00	\$2,000 plus 0.10% of gross organic sales

Impact On Small Businesses: The fee increases at the same rate of ten percent for all producers that gross up to \$750,000 in organic sales. The fee for the high-end producers (over \$750,000) increases proportionately at \$2,000 plus assessment of one-tenth of one percent on gross organic sales. The proposed amendments to chapter 16-156 WAC would not impose a disproportionate economic impact on small businesses because all producers of organic and transition to organic food in Washington state are considered small businesses (less than fifty full-time, year-round employees).

Presolicitation and Research Efforts: The organic food program has worked with the Washington State Department of Agriculture appointed Organic Advisory Board over the past four years in the development of the proposed amendments. In addition, rule amendment memos are sent to all producers of certified organic and transition to organic food as well as individuals and organizations involved in the organic food industry.

Memos to constituents:

- July 27, 1993, memo to certified organic growers and handlers regarding state budget situation and shift of administrative costs to local fund programs.
- November 3, 1993, memo to certified organic growers regarding changes to chapter 16-156 WAC.

- November 24, 1993, FS/AH management initiatives/tasks regarding application fees and additional inspection fees.
- February 22, 1994, Organic Advisory Board (OAB) meeting minutes.
- May 2, 1994, memo to OAB regarding WAC amendment process and limitations on fee increase.
- August 15, 1996, OAB meeting minutes regarding legislative proposal to raise fees beyond the fiscal growth factor.
- November 13, 1996, OAB meeting minutes regarding approaching Washington state legislature for allocation of general funds to the organic food program.
- December 24, 1996, memo to OAB regarding revised fee schedule proposal.
- January 1997, organic food program update regarding legislative proposal for raising application fees above the fiscal growth factor.
- January 15, 1997, OAB meeting minutes regarding legislative proposal for raising application fees above the fiscal growth factor.
- February 1997, Washington State Department of Agriculture's Bill Draft Z-0158/Z-0588, explanation of SB 5514 and HB 1528.

PROPOSED

A copy of the statement may be obtained by writing to Washington State Department of Agriculture, Organic Food Program, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1877, or FAX (360) 902-2087.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Washington State Department of Agriculture is not a listed agency in section 201.

Hearing Location: Natural Resources Building, 1111 Jefferson, Room 259, Olympia, WA 98504, on November 15, 1997, at 10 a.m.

Assistance for Persons with Disabilities: Contact Julie Carlson by October 27, 1997, TDD (360) 902-1996, or (360) 902-1880.

Submit Written Comments to: Miles McEvoy, P.O. Box 42560, Olympia, WA 98504-2560, FAX (360) 902-2087, by November 5, 1997.

Date of Intended Adoption: November 14, 1997.
 September 27 [26], 1997
 Candace Jacobs, DVM
 Assistant Director

AMENDATORY SECTION (Amending Order 6011, filed 12/20/96, effective 1/20/97)

WAC 16-156-060 Fee schedule. (1) The cost per application shall be based on the following fee schedule.

For renewal applicants -

Application fees shall be based on the previous calendar year's gross sales of organic and transition to organic food. In the event that the current calendar year's gross sales exceed the previous year's gross sales, the department may bill the producer for the additional fee. In the event that the current calendar year's gross sales is less than the previous year's gross sales, the producer may request a refund for the reduced fee. In addition, renewal applications postmarked after March 1, shall pay a late fee of fifty dollars.

For new applicants -

Application fees shall be based on an estimate of the current year's gross sales of organic and transition to organic food. In the event that the current calendar year's gross sales exceed the estimate, the department may bill the producer for the additional fee. In the event that the current calendar year's gross sales is less than the estimate, the producer may request a refund for the reduced fee. In addition, new applicants pay a seventy-five dollar new applicant fee. The fee shall accompany the application.

Gross Sales	Annual Fee
\$ 0 - \$ 12,000	((\$ 150))
\$ 12,001 - \$ 15,000	\$ 165
\$ 15,001 - \$ 20,000	((\$ 185))
\$ 20,001 - \$ 25,000	\$ 200
\$ 25,001 - \$ 30,000	((\$ 200))
\$ 30,001 - \$ 35,000	\$ 220
\$ 35,001 - \$ 42,500	((\$ 250))
\$ 42,501 - \$ 50,000	\$ 275
\$ 50,001 - \$ 65,000	((\$ 300))
	\$ 330
	((\$ 350))
	\$ 385
	((\$ 425))
	\$ 465
	((\$ 500))
	\$ 550
	((\$ 600))
	\$ 660

\$ 65,001 - \$ 80,000	((\$ 750))
\$ 80,001 - \$ 100,000	\$ 825
\$ 100,001 - \$ 125,000	((\$ 900))
\$ 125,001 - \$ 150,000	\$ 990
\$ 150,001 - \$ 175,000	((\$ 1,000))
\$ 175,001 - \$ 200,000	\$ 1,100
\$ 200,001 - \$ 240,000	((\$ 1,044))
\$ 240,001 - \$ 280,000	\$ 1,150
\$ 280,001 - \$ 325,000	((\$ 1,200))
\$ 325,001 - \$ 375,000	\$ 1,320
\$ 375,001 - \$ 425,000	((\$ 1,254))
\$ 425,001 - \$ 500,000	\$ 1,375
\$ 500,001 - \$ 750,000	((\$ 1,400))
\$ 750,001 and up	\$ 1,540
	((\$ 1,450))
	\$ 1,595
	((\$ 1,500))
	\$ 1,650
	((\$ 1,565))
	\$ 1,720
	((\$ 2,000))
	\$ 2,200
	((\$ 2,089))
	\$ 2,300
	((\$ 2,500))
	\$ 2,750
	((\$ 2,614))
	\$ 2,000

plus one-tenth
of one percent
(0.10%) of gross
organic sales

((As of December 1, 1997 for gross sales:))

\$ 0	\$ 12,000	\$ 150
\$ 12,001	\$ 15,000	\$ 185
\$ 15,001	\$ 20,000	\$ 200
\$ 20,001	\$ 25,000	\$ 250
\$ 25,001	\$ 30,000	\$ 300
\$ 30,001	\$ 35,000	\$ 350
\$ 35,001	\$ 42,500	\$ 425
\$ 42,501	\$ 50,000	\$ 500
\$ 50,001	\$ 65,000	\$ 600
\$ 65,001	\$ 80,000	\$ 750
\$ 80,001	\$ 100,000	\$ 900
\$ 100,001	\$ 125,000	\$ 1,000
\$ 125,001	\$ 150,000	\$ 1,085
\$ 150,001	\$ 175,000	\$ 1,200
\$ 175,001	\$ 200,000	\$ 1,300
\$ 200,001	\$ 240,000	\$ 1,400
\$ 240,001	\$ 280,000	\$ 1,450
\$ 280,001	\$ 325,000	\$ 1,500
\$ 325,001	\$ 375,000	\$ 1,625
\$ 375,001	\$ 425,000	\$ 2,000
\$ 425,001	\$ 500,000	\$ 2,171
\$ 500,001	\$ 750,000	\$ 2,500
\$ 750,001 and up		\$ 2,714))

(2) Two inspections per year within the state of Washington are provided for under the above fee schedule. Additional inspections (in addition to two inspections provided for), if required for certification or maintenance of certification by the director, or requested by the producer, shall be at ((\$20/hr.)) \$30/hr. plus mileage set at the rate established by the state office of financial management.

Out-of-state inspections, if necessary or requested, shall be at the rate of ((\$20/hr.)) \$30/hr. plus transportation costs.

(3) One sample per year is provided for under the above fee schedule. Additional samples (in addition to one sample provided for), if required for certification or maintenance of certification by the director, or requested by the organic producer, shall cost an additional lab fee of one hundred ten

dollars. If an additional visit must be arranged to obtain a sample, it shall be at ((~~\$20/hr.~~) \$30/hr. plus mileage set at the rate established by the state office of financial management.



PROPOSED



WSR 97-20-078
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
 [Filed September 26, 1997, 11:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-04-065.

Title of Rule: Chapter 16-162 WAC, Animal production standards for organic meat and dairy products.

Purpose: The goals for the proposed amendment to chapter 16-162 WAC clarify and strengthen the rules for organic meat and dairy production.

Statutory Authority for Adoption: RCW 15.86.060.

Statute Being Implemented: Chapter 15.86 RCW.

Summary: The proposal amends the purpose, certification requirement, definitions, living conditions, disease and pest management, and recordkeeping. The proposal also repeals three sections that describe organically produced meat, milk, and eggs which are replaced by sections that specify organic standards for poultry and dairy products as well as meat from bovine animals, swine, lamb, sheep, and goat. In addition, two other new sections provide rules for the use of emergency feed and feed additives.

Reasons Supporting Proposal: The organic meat and dairy production rules need to be updated to keep pace with national developments and assure Washington State Department of Agriculture's accreditation by United States Department of Agriculture upon implementation of the National Organic Program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Miles McEvoy, Olympia, (360) 902-1924.

Name of Proponent: Organic Food Program, Washington State Department of Agriculture, governmental.

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



Explanation of Rule, its Purpose, and Anticipated Effects: Chapter 16-162 WAC, Animal production standards for organic meat and dairy products, provide the standards for organically produced meat, milk, and eggs including required feed requirements, living conditions, disease management, and recordkeeping. Changes to chapter 16-162 WAC are being proposed for the first time since its adoption in 1992. National standards for organic livestock production have changed over the last few years as demand for these products has increased. The organic meat and dairy production rules need to be updated to keep pace with the national developments and assure Washington State Department of Agriculture's accreditation by United States Department of Agriculture upon implementation of the National Organic Program.

The proposed organic livestock standards, if implemented, specify requirements for dairy, poultry and other animals raised for meat.

Proposal Changes the Following Existing Rules: The organic dairy standards require organic feed and no antibiotics for at least three months prior to milk production. They also prohibit the use of hormones such as BST (bovine growth hormone) in the production of organic milk. The organic poultry standards require organic feed from day old chicks, prohibit the use of antibiotics and hormones and require at least four square feet of living space per bird. The organic meat standards require organic feed for at least twelve months prior to slaughter and prohibit the use of antibiotics and hormones. The standards also outline emergency feed conditions when organic feed is not available and approved disease management tools such as vaccinations and herbal remedies.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Introduction: Chapter 16-162 WAC, Animal production standards for organic meat and dairy products, was originally adopted in 1992. These rules provide the standards for organically produced meat, milk, and eggs including required living conditions, disease prevention and control, and recordkeeping.

Purpose for the Rule Amendment: Changes to chapter 16-162 WAC are being proposed for the first time since 1992. Since 1992, there have been a number of developments in the organic livestock industry as the industry has matured. National standards for organic livestock production have changed over the last few years as demand for these products has expanded the organic livestock industry. The organic meat and dairy production rules need to be updated to keep pace with the national developments and assure the Washington State Department of Agriculture's accreditation by the United States Department of Agriculture upon implementation of the National Organic Program.

The goals for the proposed amendment to chapter 16-162 WAC are to clarify and strengthen the rules for organic meat and dairy production. The proposed changes amend five sections that describe the purpose, certification requirements, definitions, living conditions, and recordkeeping; and retitles and amends one section on disease and pest management. The proposal also repeals three sections that describe organically produced meat, milk, and eggs which are

replaced by three new sections that provide information on poultry and dairy products as well as meat from bovine animals, swine, lamb, sheep, and goat. In addition, two other new sections provide rules for the use of feed additives in situations of certified organic feed supply shortages.

Businesses Affected by the Rule Amendment: Chapter 16-162 WAC affects all individuals and businesses that produce organic meat and dairy products in Washington state. All producers of organic meat and dairy products are small businesses (less than fifty full-time, year-round employees). Therefore, the record-keeping and compliance requirements would not impose a disproportionate impact on small businesses.

Reporting and Record-keeping Requirements: Record-keeping requirements, RCW 15.86.080 and WAC 16-162-100, have been effective for all producers of organic meat and dairy since 1992. No new record-keeping requirements would be imposed; the amendments would merely reiterate the current requirements in clear language. The record-keeping requirements proposed in the amended WAC 16-162-100 specifies the types of records producers must maintain for at least two years: All disease and pest management materials administered; all purchased feeds; weights of slaughter animals at slaughter and post-slaughter animal products; and sales records.

Compliance Requirements: Organic meat and dairy standards will be altered by the amended chapter 16-162 WAC. WAC 16-162-034 explains the feed, health maintenance, and living condition requirements for bovine animal, swine, lamb, sheep, and goat meat production. WAC 16-162-036 explains the feed, health maintenance, living space and living condition requirements for poultry and poultry products. WAC 16-162-037 explains the feed, health maintenance, and living condition requirements for dairy animals. WAC 16-162-040 explains the procedural requirements for situations of organic feed shortages.

Professional Services: The reporting, record-keeping and compliance requirements would not necessitate the need for professional services. No professional services expenses would be incurred by the small businesses affected by chapter 16-162 WAC.

Industries Impacted by the Rule Amendment: All producers of organic meat and dairy products in Washington state within the following SIC codes are impacted by chapter 16-162 WAC: 0241 dairy farms; 029 general farms, primarily livestock and animal specialties; 201 meat products; 202 dairy products; 515 farm product—raw materials; 542 meat and fish (seafood) markets; and 545 dairy product stores.

Fourteen producers of organic meat and dairy products in Washington state are currently affected by chapter 16-162 WAC. Approximately thirty persons are employed by the producers of organic meat and dairy products in Washington state. All producers of organic meat and dairy products are small businesses (less than fifty full-time, year-round employees); fourteen small businesses are affected by chapter 16-162 WAC.

Cost of Compliance: WAC 16-162-100 Record-keeping requirements, the record-keeping requirements would not require any additional costs associated with supplies, labor, or administration since no new requirements were included that had not been previously required in chapter 15.86 RCW

or rules adopted thereunder. All producers of organic meat and dairy would incur similar record-keeping costs.

Impact on Small Businesses: The proposed amendments to chapter 16-162 WAC would not impose a disproportionate economic impact on small businesses because all producers of organic meat and dairy in Washington state are considered small businesses (less than fifty full-time, year-round employees). No fee changes are proposed in chapter 16-162 WAC, therefore financial impact on producers of organic meat and dairy products is not applicable.

Presolicitation and Research Efforts: The organic food program has worked with the Washington State Department of Agriculture appointed Organic Advisory Board over the past three years in the development of the proposed amendments. In addition, rule amendment memos are sent to all producers of certified organic meat and dairy as well as individuals and organizations involved in the organic food industry.

Correspondence Regarding the Proposed Amendment:

- May 2, 1994, memo to the Organic Advisory Board (OAB) regarding amending organic livestock and dairy standards.
- June 16, 1994, OAB meeting agenda and information associated with the organic dairy standards and the new herd clause.
- June 30, 1994, OAB meeting minutes regarding strong interest in amending organic certification standards for dairies.
- March 5, 1996, memo to OAB regarding emergency feed clause for revised livestock standards.
- April 17, 1996, OAB meeting minutes, overview of timeline for amending livestock rules.
- January 1997, organic program update, introducing Linda Condon as the coordinator for the revised organic livestock standards process.
- February 18, 1997, draft of proposed amendments to chapter 16-162 WAC, distributed to OAB, 1996 livestock producers certified by the organic food program, consumers and other parties interested in the organic livestock standards.

A copy of the statement may be obtained by writing to Washington State Department of Agriculture, Organic Food Program, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1877, or FAX (360) 902-2087.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Washington State Department of Agriculture is not a listed agency in section 201.

Hearing Location: Natural Resources Building, 1111 Jefferson, Room 259, Olympia, WA 98504, on November 10, 1997, at 1 p.m.

Assistance for Persons with Disabilities: Contact Julie Carlson by October 27, 1997, TDD (360) 902-1996, or (360) 902-1880.

Submit Written Comments to: Miles McEvoy, P.O. Box 42560, Olympia, WA 98504-2560, FAX (360) 902-2087, by November 10, 1997.

Date of Intended Adoption: November 21, 1997.

September 27 [26], 1997
Candace Jacobs, DVM
Assistant Director

AMENDATORY SECTION (Amending WSR 92-11-001, filed 5/6/92, effective 6/6/92)

WAC 16-162-010 Purpose. ~~((This chapter is promulgated pursuant to RCW 15.86.060 wherein the director is authorized to adopt rules for the proper administration of the Organic Food Products Act.))~~ This chapter provides standards for ~~((the production))~~ producers of organic ((meat and dairy)) animal products, including meat, dairy and eggs, pursuant to RCW 15.86.060.

AMENDATORY SECTION (Amending WSR 92-11-001, filed 5/6/92, effective 6/6/92)

WAC 16-162-025 Certification. All animal products marketed and/or labeled as organic must be produced by producers certified by the department or an official organic certifying agent recognized by the department. Producers of organic animal products seeking certification as an organic food producer may apply for certification under chapter 16-156 WAC.

AMENDATORY SECTION (Amending WSR 92-11-001, filed 5/6/92, effective 6/6/92)

WAC 16-162-030 Definitions. As used in this chapter:

(1) "Approved" means any material or practice which meets the required criteria or standards for use in the production of organic animal products.

(2) "Botanical pesticides" are pesticides derived from plant materials.

(3) "Department" means the department of agriculture of the state of Washington.

~~((3))~~ (4) "Director" means the director of the department of agriculture or his or her duly authorized representative.

~~((4))~~ "Drug" means any chemical substance or noninfectious biological substance, which may be administered to or used on or for animals, as an aid in the diagnosis, treatment, or prevention of disease or other abnormal condition, for the relief of pain or suffering, to control or improve any physiological or pathological condition, or to affect the structure or function of the animal.)

(5) "Feed" means all edible materials which are consumed by livestock, including concentrates (grains, oilseed meals, fats and oils, vitamins and minerals) and forages (hay, straw, stover, silage, cobs, husks, hulls, pasture plants). The term "feed" encompasses all edible agricultural commodities, including crops in pasture, which is ingested by livestock for nutritional purposes.

(6) "Feed additive" means a substance or combination of substances added to feed, or offered on free-choice basis for consumption by livestock to fulfill specific nutritional or physiological needs, e.g., minerals, amino acids, and vitamins.

(7) "Fertile" means any poultry animal product that is:

(a) Marketed using the term fertile or any derivative of fertile in its labeling or advertising; and

(b) A product of an animal that is in a flock of at least one rooster per twenty hens, and that incubating the eggs at a hatchery results in at least eighty percent of the eggs being fertile.

(8) "Material" means any substance or mixture of substances that is used internally or externally in the production of animals or animal products.

~~((6))~~ (9) "Organic animal product" means any animal product labeled and offered for sale with the words organic or any derivative of organic.

(10) "Organic feed" means feed produced and processed organically in accordance with Organic crop production standards, chapter 16-154 WAC and Standards for the certification of processors of organic food, chapter 16-158 WAC. Approved feed additives may be added to organic feed.

(11) "Organic pasture" means ground covered with vegetation, which is suitable for grazing and has been managed in accordance with Organic crop production standards, chapter 16-154 WAC, for at least thirty-six months.

(12) "Organic range" means ground covered with vegetation, which is suitable for grazing and has been managed in accordance with Organic crop production standards, chapter 16-154 WAC, for at least thirty-six months.

(13) "Prohibited" means any material or practice which is disallowed ~~((#))~~ by this chapter for the production of organic animal products.

~~((7)) "Recommended" means that the stated materials or practices are encouraged.~~

~~((8))~~ (14) "Remedy" means anything that relieves or cures a disease.

~~((9)) "Required" means any material or practice which must be used or followed for the production of organic animal products-))~~

NEW SECTION

WAC 16-162-034 Meat from bovine animals, swine, lamb, sheep, and goat. Organic meat products produced from bovine animals, swine, lamb, sheep, and goat must meet the following criteria for at least twelve months prior to slaughter or, when slaughtered in less than twelve months from birth, from birth to slaughter. In addition, when animals are slaughtered in less than twelve months from birth, the animal's mother must meet the following criteria during the last third of gestation and while the slaughter animal is nursing:

(1) Animals must be raised on one hundred percent organic feed;

(2) Animals may not be administered hormones, antibiotics or synthetic parasiticides;

(3) Animals must have fresh air, daylight and access to organic pasture or organic range; and

(4) Animals may be kept in a feedlot for up to ninety days prior to slaughter as long as the animals have access to fresh air, daylight and are fed one hundred percent organic feed.

NEW SECTION

WAC 16-162-036 Poultry and poultry products. Organic poultry products must meet the following criteria:

(1) Birds must be raised on one hundred percent organic feed from the time the animals are one day old;

(2) Birds must be raised in either:

(a) A moveable pen management system which is moved on a daily basis and provides access to organic pasture or organic range; or

(b) A living space that provides a minimum of four square feet of living space per bird, (including both inside and outside areas), and access to the outside areas. Minimum living space requirements are calculated for the size of an adult chicken and requirements for other poultry animals are calculated proportionately according to the size of the species;

(3) Birds must be provided shade and dusting wallows and laying birds must also be provided nest boxes and perches;

(4) Birds may not be administered hormones, antibiotics or synthetic parasiticides from one day old to slaughter;

(5) Organic eggs are not required to be fertile.

NEW SECTION

WAC 16-162-037 Dairy products. Organic animal products produced from dairy animals must meet the following criteria:

(1) Dairy animals must be raised on one hundred percent organic feed for ninety days prior to milk production and have access to only organic pasture for at least one year prior to organic milk production;

(2) Dairy animals may not be administered synthetic parasiticides nor hormones for one year prior to organic milk production; and

(3) Dairy animals may not be administered antibiotics for ninety days prior to organic milk production.

NEW SECTION

WAC 16-162-040 Emergency feed. In situations of an organic feed shortage which results from emergency conditions (e.g., weather conditions, road closures, crop failures), the organic livestock producer may feed nonorganic feed to livestock for a limited period, provided that the organic feed shortage is temporary and unforeseeable due to emergency conditions beyond the producer's control and:

(1) The organic livestock producer must make every reasonable effort and maintain a record of every such effort to locate organically grown feed, using the following prioritization:

(a) Certified organic feed;

(b) Noncertified organic feed;

(c) Feed from farms under organic management for two years;

(d) Feed from farms under organic management for one year; and

(e) Conventional feed;

(2) The organic livestock producer notifies the department and submits the organic feed supplier record (subsection (1) of this section) to the department prior to the feeding of nonorganic feed;

(3) The department verifies the emergency conditions (e.g., weather conditions, road closures, crop failures);

(4) The department reviews the situation to determine a maximum time period during which second year transitional organic feed, first year transitional organic feed, or conventional feed may be used;

(5) The livestock producer may not represent egg and dairy products as organic animal products during the time period the animals are fed conventional feed plus an extended time period equal to the time period that conventional feed was fed to the animals (e.g., organic feed unavailable for three days, no organic sales for six days); and

(6) The livestock producer may not represent meat products as organic animal products during the time period the animals are fed conventional feed plus an extended period of ninety days (e.g., organic feed unavailable for three days, no organic sales for ninety-three days).

NEW SECTION

WAC 16-162-045 Approved and prohibited feed additives. (1) The following list of feed additives are approved for adding to organic feed:

- (a) Amino acids (chelated or nonchelated);
- (b) Salt;
- (c) Minerals;
- (d) Vitamins;
- (e) Molasses;
- (f) Mineral oil;
- (g) Enzymes;
- (h) Fish meal and fish by-products.

(2) The following additives are prohibited for adding to organic feed:

- (a) Synthetic additives not approved in subsection (1) of this section;
- (b) Animal by-products including bloodmeal, and bonemeal except for fish meal and fish by-products;
- (c) Processed or unprocessed animal waste (manure); and
- (d) Feeding of plastic.

AMENDATORY SECTION (Amending WSR 92-11-001, filed 5/6/92, effective 6/6/92)

WAC 16-162-050 Living conditions. (1) ~~((Required: (a)))~~ Organic livestock producers ((must provide, when appropriate,)) are required to provide the following living conditions for animals raised for organic meat, dairy and egg production:

- (a) Organic producers must provide their animals with access to fresh air and daylight((-);
- (b) Every animal must have enough room to get up, lie down, turn around, groom, and stretch its limbs.
- ~~(((c) Stock facilities must be clean and sanitary.))~~

(2) Organic livestock producers are prohibited((+)) from practices that are contrary to humane treatment guidelines, good sanitation practices, and good animal health programs.

AMENDATORY SECTION (Amending WSR 92-11-001, filed 5/6/92, effective 6/6/92)

WAC 16-162-070 Disease ~~((prevention and control))~~ and pest management. In order for animals to be considered "organically produced" an organic disease and pest management program must be in place. An organic disease and pest management program includes an integrated approach to disease and pest management that stresses preventative control. The department shall restrict producers from using the terms "organic," or "organically produced"

for producers without adequate organic disease and pest management programs. A proper herd health program should include strategies for disease prevention, parasite control, and disease treatment. Producers of organic animal products shall market only healthy animals and animal products, and shall never deny treatment to an animal in order that it may be labeled or sold as organic.

~~(((1) The following practices are recommended:~~

- ~~(a) Quarantine and fecal exams for all incoming stock.~~
- ~~(b) Adequate pasture rotation and good pasture management.~~

~~(c) Maintaining and cleaning facilities regularly.~~

~~(d) Periodic fecal exams and the culling of seriously infested animals.~~

~~(e) Vector and intermediate host control.~~

~~(f) Biological control methods.~~

~~(g) Maintaining dusting wallows for poultry.~~

~~(2) The following)) Approved disease and pest management materials ((or)) and practices are ((approved for use in the production of organic animal products)):~~

~~(((a) Rotenone and pyrethrum))~~ (1) Approved botanical insecticides for external parasite control and for fly management, only if labeled for such use((-);

~~(((b)))~~ (2) Natural materials used in homeopathic, naturopathic, and herbal remedies((-);

~~(((c)))~~ (3) Tamed iodine, alcohol, and/or hydrogen peroxide as a disinfectant((-);

~~(((d)))~~ (4) Vaccinations against endemic disease((-);

~~(((e)))~~ (5) Sodium hypochlorite (bleach), for use on machinery and facilities((-); and

~~(((f)))~~ (6) Steam sterilization of equipment.

~~(((3) Prohibited materials and practices. The disease prevention and control materials and practices that are prohibited for use in the production of organic animal products includes but is not limited to the following:~~

~~(a) Administration of hormones or subtherapeutic levels of antibiotics.~~

~~(b) The use of synthetic internal parasiticides on a routine basis.~~

~~(c) Synthetic internal parasiticides used within twelve months of slaughter, milk production, or egg production.~~

~~(d) Antibiotics used within thirty days or twice the FDA withdrawal time, whichever is longer, in the production of organic milk.~~

~~(e) Antibiotics used within twelve months in the production of organic meat or eggs.))~~

AMENDATORY SECTION (Amending WSR 92-11-001, filed 5/6/92, effective 6/6/92)

WAC 16-162-100 Recordkeeping. (1) All organic stock must be ear tagged or individually marked with the exception of poultry, which may be identified by flock.

(2) ~~(((Records must be kept of:)))~~ Organic livestock producers must maintain the following records from birth or purchase of livestock animals and for two years after the sale of the organic animal products or slaughter of organic livestock:

(a) All ~~(((medications)))~~ disease and pest management materials administered ((or)) including dates administered, material type, dosages, and sources((+));

(b) All purchased feeds ((bought and fed)) including dates purchased, feed type, quantities purchased, sources, and a copy of organic certificates;

(c) ~~((All feed supplements used; and~~

~~(d) The))~~ Weight of slaughter animals at slaughter and weight of post-slaughter animal products; and

(d) Sales records of all organic animal products sold including dates, quantities and weights.

~~(3) ((All records must be kept from birth or purchase and for two years after sale or slaughter.~~

~~(4))~~ Receipts for stock and materials must be kept to insure a complete audit trail.

~~((5))~~ (4) Inadequate recordkeeping may constitute cause for the director to prohibit labeling or marketing animal products as "organic" or "organically produced."

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 16-162-031	"Organically produced meat."
WAC 16-162-032	"Organically produced milk."
WAC 16-162-033	"Organically produced eggs."

WSR 97-20-085

PROPOSED RULES

UNIVERSITY OF WASHINGTON

[Filed September 29, 1997, 9:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-16-101.

Title of Rule: Chapter 478-156 WAC, Regulations for the University of Washington residence halls, apartments and family housing.

Purpose: The purpose of the proposed revisions to the rules is to modify eligibility and assignment-priority standards for family-housing apartments at the University of Washington. The proposed modifications will extend eligibility for family-housing apartments to registered, same-sex domestic partners, and update and clarify the language without changing the effect of the rules.

Other Identifying Information: The title of chapter 478-156 WAC is being changed to read: Rules for the University of Washington residence halls and family housing apartments.

Statutory Authority for Adoption: RCW 28B.20.130.

Statute Being Implemented: RCW 28B.20.130.

Summary: The rules establish eligibility and assignment-priority standards for residence halls and family-housing apartments at the University of Washington. The proposed modifications will extend eligibility for family-housing apartments to registered, same-sex domestic partners. Moreover, minor changes of a housekeeping nature are proposed to update and clarify the language without changing the effects of the rules.

Reasons Supporting Proposal: The university intends to extend eligibility to reside in its family-housing apartments to registered, same-sex domestic partners. Moreover, minor changes of a housekeeping nature are proposed to update and clarify the language without changing the effects of the rules.

Name of Agency Personnel Responsible for Drafting and Implementation: Ernest R. Morris, Vice-President for Student Affairs, 476 Schmitz Hall, University of Washington, (206) 543-4972; and Enforcement: Paul F. Brown, Director of Housing and Food Services, 305 Schmitz Hall, University of Washington, (206) 543-2430.

Name of Proponent: University of Washington, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of the rules is to modify eligibility and assignment-priority standards for family-housing apartments to include registered, same-sex domestic partners. Moreover, minor changes of a housekeeping nature are proposed to update and clarify the language without changing the effects of the rules.

Proposal Changes the Following Existing Rules: The following sections of the Washington Administrative Code are amended: WAC 478-156-010, 478-156-011, 478-156-012, 478-156-013, 478-156-014, 478-156-015, 478-156-016, 478-156-017, and 478-156-018.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Chapter 478-156 WAC is not subject to the Regulatory Fairness Act, chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. Chapter 478-156 WAC is not subject to RCW 34.05.328 and is not considered a significant legislative rule.

Hearing Location: Room 106B of the Husky Union Building (HUB), University of Washington, Seattle, Washington, on November 6, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact University of Washington Disability Services Office by October 23, 1997, TDD (206) 543-6452, or (206) 543-6450.

Submit Written Comments to: Rebecca Goodwin Deardorff, Administrative Procedures Officer, Administrative Procedures Office via one of the following routes: Campus mail Box 355509; United States mail University of Washington, 4014 University Way N.E., Seattle, WA 98105-6203; e-mail adminpro@u.washington.edu; or FAX (206) 543-0786, by November 6, 1997.

Date of Intended Adoption: November 21, 1997.

September 26, 1997

Rebecca Goodwin Deardorff
Administrative Procedures Officer

Chapter 478-156 WAC

((REGULATIONS)) RULES FOR THE UNIVERSITY OF WASHINGTON RESIDENCE HALLS((; APARTMENTS)) AND FAMILY HOUSING APARTMENTS

AMENDATORY SECTION (Amending Order 72-6, filed 11/6/72)

WAC 478-156-010 Legal authority to enact. Pursuant to the authority granted by RCW 28B.20.130(~~chapter 223, Laws of 1969 ex. sess.;~~) and ~~((RCW))~~ 28B.15.031(~~section 2, chapter 279, Laws of 1971 ex. sess.;~~), the board of regents of the University of Washington has established the following ~~((regulations))~~ rules governing the operation of

the university's residence halls(~~(, apartments))~~ and family housing apartments.

AMENDATORY SECTION (Amending Order 72-6, filed 11/6/72)

WAC 478-156-011 Purpose of residence halls(~~(, apartments))~~ and family housing(~~(s existence))~~ apartments. The residence halls(~~(, apartments))~~ and family housing apartments exist to provide a conveniently(~~(-))~~ located living environment for university students which will contribute to their educational development.

AMENDATORY SECTION (Amending Order 72-6, filed 11/6/72)

WAC 478-156-012 Modification of these (~~(regulations))~~ rules. The board of regents reserves the right to add, delete, or modify portions of these (~~(regulations))~~ rules in accordance with its (~~(regulations))~~ rules and applicable laws.

AMENDATORY SECTION (Amending Order 72-6, filed 11/6/72)

WAC 478-156-013 Residence halls—Eligibility. Priority (~~(in))~~ for use of residence hall space is given to (~~(registered))~~ enrolled students at the University of Washington. Subject to space availability, the following may be granted residence privileges in the order of their applications after (~~(student))~~ the needs of enrolled students have been fulfilled:

- (1) Participants in university-sponsored short courses, conferences and state tests and examinations.
- (2) Visiting scholars sponsored by (~~(an))~~ academic departments.
- (3) Students attending nearby community colleges.
- (4) On a transient basis, visiting students from other institutions, visiting faculty members and guests of student residents.
- (5) Other groups when approved by the (~~(university's))~~ committee on the use of university facilities.

AMENDATORY SECTION (Amending Order 72-6, filed 11/6/72)

WAC 478-156-014 Assignment priority. Priority in the assignment of residence hall space will be on the following basis:

- (1) Returning residents will be given priority, within established deadlines, according to the number of quarters of prior occupancy (~~(with the student having the longest residence being given the highest priority)).~~
- (2) New residents will be assigned according to the date of application with highest priority being given to those who applied the earliest.

AMENDATORY SECTION (Amending Order 72-6, filed 11/6/72)

WAC 478-156-015 Occupancy deadline. Students who have applied and have been assigned to a hall must occupy their rooms by noon of the second day of the quarter or their reservations will be terminated (~~(and such deposits as required by the housing and food services office will not~~

~~be refunded unless notification is given the manager of the students' assigned hall by noon of the second day of instruction that the students will occupy their rooms at a later date as agreed to by the hall manager)).~~

AMENDATORY SECTION (Amending Order 79-5, filed 2/8/80)

WAC 478-156-016 (~~(Apartments and))~~ Family housing apartments—Eligibility. Residents must be (~~(registered))~~ enrolled as full-time students at the University of Washington three of the four quarters of an academic year, and be married couples; registered, same-sex domestic partners; or single parents with dependent children. In addition, financial eligibility must be verified annually for those students in priority groups (1) through (3), which are described in WAC 478-156-017. The office of student financial aid will annually update financial need figures for family housing eligibility and will annually evaluate the resources of each new applicant and each current resident of family housing to determine if their requirements for financial assistance exceed(~~(s))~~ the established need figures. Separate financial need figures are established for each unit size. The applicable dollar amounts and deadlines for submission of the financial aid form are published by and available at the housing and food services office in January of each year. Eligibility will be for the period July 1 through June 30. Any expenses related to the processing of the financial aid form will be borne by the applicant or the current resident. (~~(This rule shall apply to all students except that for the 1980-81 academic year the rule will not affect current residents of family housing as of the effective date of this rule, and those assigned prior to April 1, 1980.))~~ Residents not meeting the eligibility requirements who feel they have mitigating circumstances may appeal to the application appeal and eviction review committee.

AMENDATORY SECTION (Amending Order 79-5, filed 2/8/80)

WAC 478-156-017 Assignment priority. Applicants for university-owned (~~(apartments and))~~ family housing apartments who are judged eligible for assignment pursuant to WAC 478-156-016 are assigned in the following order of priority:

- (1) Students who have special housing (~~(problems, such as the physically handicapped*))~~ needs due to disability-related reasons (financial eligibility may be waived on a case-by-case basis for students with disabilities), students in the university's educational opportunity program, and others with extreme financial or personal hardship.
- (2) Students who are single parents and have dependent children.
- (3) Other students meeting financial eligibility criteria as set forth in WAC 478-156-016.
- (4) Other students exceeding financial eligibility criteria. (~~(*Financial eligibility may be waived for physically handicapped students.))~~

PROPOSED

AMENDATORY SECTION (Amending Order 72-6, filed 11/6/72)

WAC 478-156-018 Unit size—Eligibility standards.

(1) Studio units. Married couples with no children; registered, same-sex domestic partners with no children; or single persons at least 20 years of age or of junior standing.

(2) One bedroom units. Married couples with no children(~~-~~); registered, same-sex domestic partners with no children; single parents with one child (~~(-)~~); married couples with one child; or registered, same-sex domestic partners with one child.

(3) Two bedroom units. Married couples with one or two children(~~-~~); registered, same-sex domestic partners with one or two children; or single parents with one or two children.

(4) Three bedroom units. Married couples with two or more children(~~(- one of whom is 5 years or older.)~~); registered, same-sex domestic partners with two or more children; or single parents with two or more children(~~(- one of whom is 5 years or older.)~~). (~~((The 5 year age requirement may be lowered when there are insufficient eligible applicants with children that age.))~~)

**WSR 97-20-093
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed September 29, 1997, 10:40 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-15-116.

Title of Rule: Local enhancement funds, the rule sets forth the formula for distributing moneys to school districts and the required reporting procedures to ensure accountability in the use of the resources.

Purpose: The purpose of this rule is to communicate allocation rates, conditions on receipt of moneys, and reporting requirements relating to local enhancement funds that were appropriated by the legislature for the 1997-99 biennium.

Other Identifying Information: These allocations are to be used to enhance the ability of instructional staff to teach and assess the state standards as well as for other educational needs as identified by the district.

Statutory Authority for Adoption: 1997-99 State Operating Appropriations Act.

Summary: The rule defines the purpose of local enhancement funds, establishes conditions and allocation rates, clarifies limitations on expenditures, and specifies reporting requirements.

Reasons Supporting Proposal: This rule will communicate important changes in the program, reduce requirements, clarify reporting, explain areas of local discretion, and ensure accountability.

Name of Agency Personnel Responsible for Drafting: Rick Wilson, Office of Superintendent of Public Instruction, (360) 753-2298; **Implementation:** Tom R. Hulst, Office of Superintendent of Public Instruction, (360) 753-2298; and

Enforcement: Tom Hulst/Steve Shish, Office of Superintendent of Public Instruction, (360) 753-2298.

Name of Proponent: Office of Superintendent of Public Instruction, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Local enhancement funds, the rule sets forth the formula for distributing moneys to school districts and the required reporting procedures to ensure accountability in the use of the resources.

The purpose of this rule is to communicate allocation rates, conditions on receipt of moneys to school districts, and the required reporting requirements relating to local enhancement funds that were appropriated by the legislature for the 1997-99 biennium.

These allocations are to be used to enhance the ability of instructional staff to teach and assess the state standards as well as for other educational needs as identified by the district.

Proposal Changes the Following Existing Rules: This rule will communicate important changes in the program, reduce requirements, clarify reporting, explain areas of local discretion, and ensure accountability.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Wanamaker Conference Room, 2nd Floor, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, on November 6, 1997, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Jim Rich by October 23, 1997, TDD (360) 664-3631, or (360) 753-6733.

Submit Written Comments to: Legal Services, Office of Superintendent of Public Instruction, P.O. Box 47200, 600 South Washington Street, Olympia, WA 98504-7200, FAX (360) 753-4201, by November 5, 1997.

Date of Intended Adoption: November 7, 1997.

September 26, 1997

Terry Bergeson
Superintendent of
Public Instruction

1997-99 LOCAL ENHANCEMENT FUNDS

NEW SECTION

WAC 392-140-800 1997-99 Local enhancement funds—Applicable provisions. WAC 392-140-800 through 392-140-836 apply to the distribution of moneys to school districts for local educational enhancement including the administration of learning improvement allocations pursuant to the 1997-99 State Operating Appropriations Act.

NEW SECTION

WAC 392-140-802 1997-99 Local enhancement funds—Definition—Learning improvement allocations. As used in WAC 392-140-800 through 392-140-836 learning improvement allocations means that portion of total local enhancement funds which is allocated to school districts to enhance the ability of instructional staff to teach and assess the essential academic learning requirements for reading,

writing, communication, and math in accordance with the timelines and requirements established under RCW 28A.630.885; as well as to provide special emphasis to the successful teaching of reading.

NEW SECTION

WAC 392-140-804 1997-99 Local enhancement funds—Definition—Local education program enhancement. As used in WAC 392-140-800 through 392-140-836 local education program enhancement means that portion of total local enhancement funds which is allocated to school districts to meet educational needs as identified by the school district, including alternative education programs.

NEW SECTION

WAC 392-140-806 1997-99 Local enhancement funds—Definition—Essential academic learning requirements. As used in WAC 392-140-800 through 392-140-836, the essential academic learning requirements means those specific academic and technical skills and knowledge based on the student learning goals set forth in RCW 28A.630.885 (3)(a) and adopted by the commission on student learning. Such requirements shall not limit the instructional strategies used by schools or school districts or require the use of specific curricula.

NEW SECTION

WAC 392-140-808 1997-99 Local enhancement funds—Definition—Assessment system. As used in WAC 392-140-800 through 392-140-836, assessment system means a series of assessments pursuant to RCW 28A.630.885 used to determine if students have successfully learned the essential academic learning requirements as developed by the commission on student learning.

NEW SECTION

WAC 392-140-810 1997-99 Local enhancement funds—Definition—School year. As used in WAC 392-140-800 through 392-140-836 "school year" means the period beginning September 1 and ending the following August 31.

NEW SECTION

WAC 392-140-812 1997-99 Local enhancement funds—Definition—School district. As used in WAC 392-140-800 through 392-140-836 "school district" means the same as defined in WAC 392-140-069.

NEW SECTION

WAC 392-140-814 1997-99 Local enhancement funds—Definition—Student learning improvement plan. As used in WAC 392-140-800 through 392-140-836, student learning improvement plan means a written document developed and kept on file at each building that delineates how the learning improvement allocation will be used to achieve the student learning goals, essential academic learning requirements, and implement the assessment system.

NEW SECTION

WAC 392-140-816 1997-99 Local enhancement funds—Definition—Annual performance report. As used in WAC 392-140-800 through 392-140-836, the annual performance report means that report referenced in RCW 28A.320.205 which requires each school to annually publish and deliver such report to each parent with children enrolled in the school and to make the report available to the community served by the school.

NEW SECTION

WAC 392-140-818 1997-99 Local enhancement funds—Definition—Enrolled as a Medicaid service provider. Enrolled as a Medicaid service provider means having applied for and received a core provider agreement number pursuant to WAC 388-87-007 from the department of social and health services, medical assistance administration, office of provider services.

NEW SECTION

WAC 392-140-820 1997-99 Local enhancement funds—Actively pursuing federal matching funds for medical services provided through special education programs. The superintendent of public instruction shall find that a district is actively pursuing federal matching funds if the district is enrolled as a Medicaid service provider, and:

(1) That the district is billing for Medicaid eligible services provided to Medicaid eligible students in its special education program conducted pursuant to chapter 392-171 WAC; or

(2) That the district participates in a special education cooperative and the serving district(s) is billing for all Medicaid eligible services provided to all Medicaid eligible students in the cooperative; or

(3) That the Medicaid eligibility of the students enrolled in special education programs has been verified and none of the district's students enrolled in the district's special education program are eligible for Medicaid; or

(4) That the school district does not have any students needing special education.

NEW SECTION

WAC 392-140-822 1997-99 Local enhancement funds—Filing truancy petitions as required under RCW 28A.225.030. The superintendent of public instruction shall find that a district is properly filing truancy petitions if the district:

(1) Files petitions and supporting affidavits for civil actions with the juvenile court not later than the seventh unexcused absence by any child within any month during the current school year or not later than the tenth unexcused absence during the current school year; or

(2) Does not have any students for whom it is necessary to file petitions under RCW 28A.225.030.

NEW SECTION

WAC 392-140-824 1997-99 Local enhancement funds—Conditions on receipt of moneys. School districts shall comply with the following conditions in order to receive local enhancement funds:

(1) Receipt by a school district of one-fourth of the district's local enhancement funds allocation shall be conditioned on a finding by the superintendent of public instruction that:

(a) The school district is enrolled as a Medicaid service provider;

(b) The school district is actively pursuing federal matching funds for medical services provided through special education programs, pursuant to chapter 149, Laws of 1993, during the school year in which local enhancement funds are received; and

(c) The district is filing truancy petitions as required under RCW 28A.225.030.

(2) For receipt by a school district of learning improvement allocations the district shall maintain a policy regarding the involvement of school staff, parents, and community members in instructional decisions.

NEW SECTION

WAC 392-140-826 1997-99 Local enhancement funds—Definition—Allocation enrollment. As used in WAC 392-140-800 through 392-140-836, "allocation enrollment" means the school district's annual average full-time equivalent students as defined in WAC 392-121-133 plus running start enrollment except in the following cases:

(1) For a school district enrolling less than one hundred annual average full-time equivalent students, allocation enrollment means the sum of the following:

(a) The greater of sixty or the annual average full-time equivalent students enrolled in kindergarten through sixth grade;

(b) The greater of twenty or the annual average full-time equivalent students enrolled in seventh through eighth grade; and

(c) The greater of sixty or the annual average full-time equivalent students enrolled in ninth through twelfth grade.

(2) For a school district operating small school plants designated remote and necessary, allocation enrollment means the sum of the following:

(a) The school district's annual average full-time equivalent enrollment as defined in WAC 392-121-133 plus running start enrollment minus the annual average full-time equivalent enrollment in the small school plants designated remote and necessary; plus

(b) For the small school plant designated remote and necessary:

(i) The greater of sixty or the annual average full-time equivalent students enrolled in kindergarten through sixth grade;

(ii) The greater of twenty or the annual average full-time equivalent students enrolled in seventh through eighth grade; and

(iii) The greater of sixty or the annual average full-time equivalent students enrolled in ninth through twelfth grade.

NEW SECTION

WAC 392-140-828 1997-99 Local enhancement funds—Allocation of moneys. From moneys appropriated by the legislature for local educational enhancement, the superintendent of public instruction shall apportion money to each eligible school district as follows:

(1) The learning improvement allocation for a school year for districts meeting the conditions on receipt of moneys in WAC 392-140-824 (1) and (2) shall equal the school district's allocation enrollment times a uniform state-wide rate of up to:

(a) \$36.69 for students enrolled in grades K-4;

(b) \$30.00 for students enrolled in grades 5-7; and

(c) \$22.95 for students enrolled in grades 8-12.

(2) The learning improvement allocation for a school year for districts not meeting the conditions on receipt of moneys in WAC 392-140-824(1) shall equal the school district's allocation enrollment times a uniform state-wide rate of up to:

(a) \$27.52 for students enrolled in grades K-4;

(b) \$22.50 for students enrolled in grades 5-7; and

(c) \$17.21 for students enrolled in grades 8-12.

(3) The school district's local education program enhancement allocation for a school year shall equal the school district's allocation enrollment times a uniform state-wide rate of up to either \$29.86 for school districts meeting the conditions on receipt of moneys in WAC 392-140-824(1) or \$22.40 for districts not meeting the conditions on receipt of moneys in WAC 392-140-824(1).

(4) The school district's learning improvement allocation shall be paid to the school district in accordance with the apportionment schedule and procedures set forth in RCW 28A.510.250 and WAC 392-121-400.

(5) The school district's local education program enhancement allocation shall be paid to the school district in accordance with the apportionment schedule and procedures set forth in RCW 28A.510.250 and WAC 392-121-400.

NEW SECTION

WAC 392-140-830 1997-99 Local enhancement funds—Allocations of moneys for remote and necessary schools and school districts enrolling fewer than one-hundred annual average full-time equivalent students. In calculating the allocation of moneys for remote and necessary schools and school districts enrolling fewer than one-hundred annual average full-time equivalent students, the uniform state-wide rate specified for grade groups in WAC 392-140-828 shall be applied proportionately to the grade groups indicated in WAC 392-140-826 for such schools and districts.

NEW SECTION

WAC 392-140-832 1997-99 Local enhancement funds—Allocation of moneys—A distribution formula to districts. The uniform state-wide allocation rates set forth in WAC 392-140-828 shall be used by the superintendent of public instruction to distribute local enhancement funds to school districts. The districts shall have discretion concerning how the funds are distributed to buildings within the district and are not required to use the allocation rates in

WAC 392-140-828 as an expenditure rate; provided however, that the district shall expend the allocations in accordance with the purposes, conditions, and limitations set forth in WAC 392-140-834.

NEW SECTION

WAC 392-140-834 1997-99 Local enhancement funds—Conditions and limitations on expenditures. Expenditure of moneys allocated pursuant to WAC 392-140-800 through 392-140-836 is subject to the following conditions and limitations.

(1) The learning improvement allocations pursuant to WAC 392-140-828 (1) and (2) shall:

(a) Be expended by school districts to enhance the ability of instructional staff to teach and assess the essential academic learning requirements for reading, writing, communication, and math in accordance with the timelines and requirements established under RCW 28A.630.885; and

(b) Give special emphasis to the successful teaching of reading.

(2) Each building planning team in a district shall develop and keep on file a student learning improvement plan to achieve the student learning goals and essential academic learning requirements and to implement the assessment system as it is developed. The plan shall delineate how the learning improvement allocations will accomplish the learning goals, the essential academic learning requirements, and the assessment system and shall be made available to the public upon request.

(3) The local education program enhancement allocation pursuant to WAC 392-140-828(3) may be expended to meet educational needs identified by the district, including alternative education programs.

(4) The school district shall account for the expenditures of the learning improvement allocation and the local education program enhancement allocation separately in expenditure Program 75, Local Education Program Enhancement.

(5) The 1997-98 student learning improvement allocation may be expended beginning July 1, 1997. Expenditure of these allocations shall end on August 31, 1998, for the first period of the biennium and on August 31, 1999, for the second period.

(6) The local educational program enhancement allocation shall be expended during the period beginning September 1 and ending on or before August 31 of the school year.

(7) The school district shall report to the superintendent of public instruction as provided in WAC 392-140-836.

NEW SECTION

WAC 392-140-836 1997-99 Local enhancement funds—School district reporting. School districts receiving local enhancement funds shall comply with the following reporting requirements:

(1) Provide parents and the local community with specific information in the annual performance report required in RCW 28A.320.205 on the expenditure of the learning improvement allocations and the results achieved.

(2) File a report by October 1, 1998, and October 1, 1999, with the office of superintendent of public instruction in a format developed by the superintendent of public instruction that:

(a) Enumerates the activities funded by these allocations and specifies the amount expended for each activity; and

(b) Describes how the activity improved the understanding, teaching, and assessment of the essential academic learning requirements by instructional staff; and

(c) Identifies any amounts expended from this allocation for supplemental contracts.

(3) File a report by October 1, 1998, and October 1, 1999, in a format prescribed by the superintendent of public instruction that contains such data as direct expenditures concerning the school year local educational program enhancement allocations.

WSR 97-20-098

PROPOSED RULES

EXECUTIVE ETHICS BOARD

[Filed September 29, 1997, 4:10 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-15-041.

Title of Rule: Advisory opinions.

Purpose: To explain procedures used by state officers, state employees, or members of the general public when requesting advisory opinions.

Statutory Authority for Adoption: RCW 42.52.360 (2)(b) and (c).

Statute Being Implemented: Chapter 42.52 RCW.

Summary: Advisory opinions are used to provide prospective ethics guidance to state officers and employees.

Reasons Supporting Proposal: Intended to prevent violations of chapter 42.52 RCW, and subsequent investigation and enforcement action.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Margaret A. Grimaldi, P.O. Box 40100, Olympia, WA, (360) 664-0871.

Name of Proponent: Executive Ethics Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To briefly explain the submission, review, and overall process used by the Executive Ethics Board to evaluate requests for advisory opinions. The purpose is to assist state officers and employees in understanding the application of chapter 42.52 RCW, and to prevent violations. By providing such guidance, the board anticipates that there will be fewer investigations and enforcement actions as a result of ethics complaints.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small business impact statement was prepared because this issue is limited to the conduct of state officers and employees.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Pursuant to RCW 34.05.328(5) the Executive Ethics Board is not an agency subject to the provisions of RCW 34.05.328 (1)-(4). In addition, under RCW 34.05.328 (5)(b)(ii), these rules relate to internal governmental operations that are not subject to violation by a nongovernmental party.

Hearing Location: Office of the Attorney General, 1125 Washington Street S.E., 7th Floor, Room HLB 742, Olympia, WA, on November 14, 1997, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Patti Hurn, Board Clerk by October 31, 1997, (360) 586-3265.

Submit Written Comments to: Margaret A. Grimaldi, Board Secretary, FAX (360) 664-0229, by October 31, 1997.

Date of Intended Adoption: At the meeting following hearing November 14, 1997.

September 29, 1997
Margaret A. Grimaldi
Board Secretary

EXECUTIVE ETHICS BOARD

CHAPTER 292-110 WAC

AGENCY SUBSTANTIVE RULES

NEW SECTION

WAC 292-110-050 Advisory opinions. State officers and employees are encouraged to seek an advisory opinion whenever they have questions concerning ethical standards or potential conflicts of interest. Advisory opinions are intended to provide guidance to a state officer or state employee in advance of an action or decision and thereby prevent ethics violations.

(1) Whenever requested by a state officer, state employee, or other person, or whenever it deems it in the public interest, the board shall issue advisory opinions. Requests for advisory opinions, if not issued in response to a motion by the Board, shall be written and signed, and addressed to either the chair of the board or the board secretary. Requests may be made by Electronic mail. Each request should provide sufficient information and circumstances to enable the board to evaluate the request and issue the advisory opinion.

(2) Upon receiving a request for an advisory opinion, the board secretary shall, within fifteen (15) calendar days of receipt, acknowledge the request. All requests for advisory opinions shall be assigned a reference number consisting of a two-digit year reference and a two-digit opinion number. Persons requesting advisory opinions shall be notified of the status of the request at thirty (30) day intervals until final action is taken.

(3) The board shall either:

(a) deny the request and state the reason(s) for the denial; or,

(b) issue a written advisory opinion.

(4) An advisory opinion is final when it has been approved by the board and is signed by the board secretary.

(5) A person requesting an advisory opinion may, upon receiving the opinion, petition the board for reconsideration if the person believes that the opinion is erroneous in factual detail. A petition for reconsideration shall be written and signed, and shall briefly state the errors of fact. The board may deny the petition if it lacks merit, or if the person who submitted the request provided erroneous information to the board.

(6) If a state officer or state employee receives an advisory opinion and fails to make a good faith effort to follow its guidance, the board shall give this fact weight

when considering a complaint alleging a violation based on the advice received.

(7) **Informal Staff Analysis.** It is the responsibility of the board secretary to provide ethics advice to any state officer, state employee, or other person. In providing such advice, the board secretary may issue a non-binding staff analysis. A non-binding staff analysis is intended to provide ethics guidance and advice in an expeditious manner, but does not substitute for a formal advisory opinion from the board. The board secretary shall provide a disclaimer to the person requesting the non-binding staff analysis that the advice is solely the opinion of the board secretary and not the opinion of the board or in any respect binding on the board. Only advisory opinions issued by the board and complaints decided by the board may be relied on for determining how the board will interpret a provision of the Ethics in Public Service Act.

(a) in considering a complaint alleging a violation, the board will give weight to the fact that the person charged in the complaint relied in good faith on advice from the board secretary.

(b) the board may review staff analyses provided under this subsection and may approve or disapprove of any advice so provided. However, any such approval or disapproval is limited to whether staff had reasonable grounds for the advice and should not be interpreted as indicating approval or disapproval of the advice provided.

WSR 97-20-099
PROPOSED RULES
EXECUTIVE ETHICS BOARD
[Filed September 29, 1997, 4:13 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-15-041.

Title of Rule: Compensation for outside activities and contracting with state agencies.

Purpose: To explain procedures used by state officers and state employees, when contracting with state agencies.

Statutory Authority for Adoption: RCW 42.52.360 (2)(b).

Statute Being Implemented: Chapter 42.52 RCW.

Summary: To provide guidance to state employees on procedures relating to review and approval of contracts between state employees and state agencies.

Reasons Supporting Proposal: Intended to prevent violations of chapter 42.52 RCW.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Margaret A. Grimaldi, P.O. Box 40100, Olympia, WA, (360) 664-0871.

Name of Proponent: Executive Ethics Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To briefly explain evaluation criteria and procedures to be used by the Executive Ethics Board in reviewing contracts between state employees and state agencies. Provides specific exemptions from procedures for state employees who receive assistance through state programs

when entitled to receive such assistance by law and on the same basis as similarly situated citizens; and exempts state employees who contract for teaching duties at bona fide community colleges, vocational-technical institutions, or institutions of higher learning.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. No small business impact statement was prepared because this issue is limited to the conduct of state officers and employees.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Pursuant to RCW 34.05.328(5) the Executive Ethics Board is not an agency subject to the provisions of RCW 34.05.328 (1)-(4). In addition, under RCW 34.05.328 (5)(b)(ii), these rules relate to internal governmental operations that are not subject to violation by a nongovernmental party.

Hearing Location: Office of the Attorney General, 1125 Washington Street S.E., 7th Floor, Room HLB 742, Olympia, WA, on November 14, 1997, at 9:30 a.m.

Assistance for Persons with Disabilities: Contact Patti Hurn, Board Clerk by October 31, 1997, (360) 586-3265.

Submit Written Comments to: Margaret A. Grimaldi, Board Secretary, FAX (360) 664-0229, by October 31, 1997.

Date of Intended Adoption: At the meeting following hearing November 14, 1997.

September 29, 1997
Margaret A. Grimaldi
Board Secretary

EXECUTIVE ETHICS BOARD

CHAPTER 292-110 WAC

AGENCY SUBSTANTIVE RULES

NEW SECTION

WAC 292-110-060 Compensation for outside activities and contracting with state agencies. The primary purpose of the Ethics in Public Service Act is to prevent conflicts of interest that impair the impartial and independent judgment of state officers and employees. A conflict of interest may occur when a state officer or state employee accepts compensation for outside activities, and acceptance conflicts with the performance of official duties on behalf of the state and the citizens of Washington. Conflicts of interest occur whenever a state officer or state employee has a beneficial interest in a transaction with the state; accepts outside compensation for the performance or non-performance of an official duty; or, accepts or seeks outside compensation relating to a matter in which the officer or employee participated in an official capacity. A conflict of interest extends to those matters in which a state officer or employee exercises responsibility. Potential conflicts of interest relating to the receipt of compensation for outside activities may be resolved by seeking the review and prior approval of the Executive Ethics Board.

(1) A state officer or employee may not receive anything of economic value under a contract or grant outside his or her official duties unless each of the following conditions is met:

(a) the contract or grant is legitimate and actually performed;

(b) the contract or grant is not within the state officer's or employee's official duties, under his or her supervision, created or authorized by the state officer or employee in an official capacity, or is within an area of his or her responsibility;

(c) The contract or grant is not performed for nor compensated by a person from whom the state officer or employee would not be able to accept a gift; and,

(d) the contract or grant would not require the disclosure of confidential or non-public information.

(2) A state officer or employee may not enter into a contract or receive a grant with his or her state agency unless all conditions in section one are met, and one of the following conditions are satisfied:

(a) the contract bid or grant application is awarded through an open and competitive bidding process and more than one bid or grant application is received; or

(b) if only one bid or application is received, or the process for awarding the contract or grant was not open and competitive, the approval of the board is obtained.

(3) A state officer or employee may not engage in a business or transaction or professional activity, or incur an obligation of any nature if such activities may conflict with the proper discharge of official duties.

(4) The conditions in sections one and two do not apply to state employees who receive assistance through state programs or federal programs administered by the state, when they are entitled to receive such assistance by law and on the same basis as similarly situated citizens. Section three applies only in circumstances wherein a state officer or employee exercises discretionary judgment and decision-making with regard to an assistance program under which he or she is otherwise eligible.

(5) A contract does not include a contract of employment for teaching duties at a bona fide community college, vocational-technical school, or institution of higher learning, provided:

(a) there is no conflict with the performance of official duties;

(b) the state officer or employee did not use his or her official position to influence the contract of employment;

(c) no state resources are used to fulfill the contract; and,

(d) the position would not require the disclosure of confidential information.

(6) State officers and employees seeking the approval of the board for a contract, grant application, or outside employment shall provide the following information to the board secretary no later than thirty days prior to the commencement of the contract:

(a) a description of current official duties and responsibilities;

(b) a statement of the work to be performed or, a copy of the contract;

(c) the duration and dollar value of the contract, if applicable;

(d) a statement that no state resources will be used to perform the outside employment or to fulfill the contract or grant; and,

(e) a description of how the work will be performed without the use of state resources.

(7) If a state officer or employee bids on a contract valued at more than \$2500.00, if only one contract bid is received, or the contract is to be awarded under a process that is not open and competitive, and the basis for the award of contract is sole source or some other exemption, the agency must provide the following additional information to the board no later than thirty days prior to the commencement of the contract:

(a) a statement of the scope of work to be performed with special attention paid to the uniqueness of the work;

(b) an explanation of why only one contractor or consultant is able to perform the work, including specific qualifications and experience that make the contractor or consultant the only available person;

(c) a description of the steps taken to identify other qualified contractors or consultants to perform the work;

(d) a description of why other contractors or consultants who might appear to be viable were not considered for the contract.

(8) The board secretary shall review the contract or grant application terms and related documents and may determine whether there could be a potential conflict. If the board secretary determines:

(a) there would be no potential conflict under sections one and two of this rule, the board secretary shall approve the contract or grant application.

(b) there could be a potential conflict under sections one and two of this rule, the board secretary shall refer the contract or grant application to the board for approval or disapproval.

(9) If an agency is unable to submit the required information at least thirty days prior to the commencement of work, the agency shall provide a brief explanation of the reasons for the delay.

(10) If a contract has been amended or the scope of work altered, and the effect of the amendment or alteration is to create a potential conflict of interest under section one of this rule, the agency must resubmit the contract to the board at least fifteen days prior to commencement of work under the amended or altered contract.

(11) If a series of substantially identical contracts or grants with a state agency is anticipated, the state officer or employee may request that the board pre-approve such contracts or grants. Pre-approval shall be effective for the period of one calendar year, after which the state officer or employee shall resubmit the request.

(12) The board secretary shall provide written notice of any action on a contract bid, grant application or request for outside employment within fifteen (15) working days of the board's action.

(13) Final contracts reviewed under this rule shall be filed with the board secretary within thirty (30) days of execution.

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

WSR 97-20-107
PROPOSED RULES
FOREST PRACTICES BOARD
 [Filed September 30, 1997, 9:43 a.m.]

Continuance of WSR 97-15-042.

Preproposal statement of inquiry was filed as WSR 97-05-033.

Title of Rule: Revisions to stream typing rules.

Purpose: To modify forest practices rules that define type 2 and 3 waters in WAC 222-16-030 and define requirements for the Forest Practices Board manual.

Statutory Authority for Adoption: Chapter 35.05 RCW, RCW 76.09.040, [76.09.]050.

Statute Being Implemented: Chapter 76.09 RCW.

Name of Agency Personnel Responsible for Drafting: Judith Holter, 1111 Washington Street S.E., Olympia, WA 98501-7012, (360) 902-1412; Implementation and Enforcement: John Edwards, 1111 Washington Street S.E., Olympia, WA 98501-7012, (360) 902-1730.

Name of Proponent: Forest Practice Board, governmental.

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

Proposal does not change existing rules.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

A copy of the statement may be obtained by writing to Forest Practices Board, Recording Secretary, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 90504 [98504]-7012, phone (360) 902-1413, or FAX (360) 902-1730.

Section 201, chapter 403, Laws of 1995, applies to this rule adoption.

Hearing Location: Natural Resources Building, Room 172, 1111 Washington Street S.E., Olympia, WA, on January 26, 1998, at 9 a.m.

Assistance for Persons with Disabilities: Contact Forest Practices Board Secretary, (360) 902-1413, by January 15, 1998, TDD (360) 902-1431.

Submit Written Comments to: Judith Holter, Department of Natural Resources, Forest Practices Division, P.O. Box 47012, Olympia, WA 98504-7012, FAX (360) 902-1784, by January 26, 1998.

Date of Intended Adoption: January 28, 1998.

September 30, 1997

Kaleen Cottingham

for Jennifer M. Belcher
 Commissioner of Public Lands

WSR 97-20-114
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Aging and Adult Services Administration)
 (Public Assistance)
 [Filed September 30, 1997, 3:28 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 96-18-089.

Title of Rule: Adult family home minimum licensing designations, WAC 388-76-561, 388-76-590, 388-76-600, 388-76-610, and 388-76-615.

Purpose: To comply with legislative mandate for the Department of Social and Health Services to define, in rule, adult family home (AFH) license levels based upon the education, training, and caregiving experience of the licensed provider or staff. To comply with statute requiring providers to obtain specialty care training before admitting residents with special care needs.

Statutory Authority for Adoption: RCW 70.128.060 and 70.128.120.

Statute Being Implemented: Chapter 70.128 RCW.

Summary: Establishes AFH licensing designations based upon education, training, and caregiving experience of providers and staff. Amends "specialty" AFH standards to require specialty care training before providers may admit residents with special care needs. Amends AFH disclosure and assessment requirements to deter inappropriate admissions to adult family homes. Revises and clarifies negotiated service agreement standards.

Reasons Supporting Proposal: Comply with legislative mandate. Promote quality services and protection for AFH residents. State legislation RCW 70.128.060(6) and 70.128.120(6).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: John Gaskell, P.O. Box 45600, Olympia, WA 98504-5600, 1-800-422-3263 or (360) 438-7937.

Name of Proponent: Department of Social and Health Services, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: These rules are intended to bring adult family home regulations into compliance with RCW 70.128.060 and 70.128.120. The rules should help ensure that AFH providers admit only those residents for whom they are capable of providing care. The rules should also allow consumers to make more informed decisions when selecting an adult family home. Finally, these rules are intended to promote the development of more highly trained providers who will have the capability to serve residents with special care needs.

Proposal Changes the Following Existing Rules: Establishes adult family home licensing designations (levels). Changes current rules to require specialty care training before providers may admit and serve residents with special care needs (with exceptions, effective July 1, 1999). Requires providers to give more detailed information about an adult family home to prospective residents. Requires completion of a comprehensive assessment prior to a resident's admission to an adult family home. Provides that the comprehensive assessment must be completed by a qualified health services assessor (with exceptions, effective July 1, 1999).

No small business economic impact statement has been prepared under chapter 19.85 RCW. An analysis of the economic impact to small businesses will be included in the detailed written analysis required by RCW 34.05.328.

RCW 34.05.328 applies to this rule adoption.

Hearing Location: Lacey Government Center (behind Tokyo Bento restaurant), 1009 College Street S.E., Room

104-B, Lacey, WA 98503, on November 4, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Paige Wall by October 23, 1997, phone (360) 902-7731, TTY (360) 902-8324, e-mail pwall@dshs.wa.gov.

Submit Written Comments to and Identify WAC Numbers: Paige Wall, Rules Assistant, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, FAX (360) 902-8292, by November 4, 1997.

Date of Intended Adoption: No sooner than November 5, 1997.

September 26, 1997

Merry A. Kogut, Manager
Rules and Policies Assistance Unit

PROPOSED

NEW SECTION

WAC 388-76-561 Adult family home licensing designations. (1) The department shall designate an adult family home as:

(a) A "basic" adult family home if the individual provider and resident manager have successfully completed the fundamentals of caregiving training or the modified fundamentals of caregiving training as required by WAC 388-76-660;

(b) An "experienced" adult family home if the home:

(i) Meets the criteria of subsection (1)(a) of this section; and

(ii) Has operated for the last two licensing periods without the imposition of any of the following:

(A) Civil penalties exceeding two hundred fifty dollars per visit;

(B) Cumulative civil penalties exceeding five hundred dollars;

(C) Conditions on the home's license related to resident care; or

(D) A stop placement order;

(c) A "RN" adult family home if:

(i) The individual provider is a licensed registered nurse, or the provider employs or contracts with a licensed registered nurse; and

(ii) The licensed registered nurse is on-site and on duty at least twenty hours per week or more, based upon assessed resident needs identified in the assessment required under WAC 388-76-610;

(d) A "specialty" adult family home if:

(i) The individual provider and resident manager have successfully completed specialty care training as required under WAC 388-76-590; and

(ii) The individual provider or resident manager is on-site and on duty at least twenty hours per week or more, based upon assessed resident needs identified in the assessment required under WAC 388-76-610; or

(e) A "RN-specialty" adult family home if:

(i) The individual provider is a licensed registered nurse, or the provider employs or contracts with a licensed registered nurse;

(ii) The individual provider, resident manager and any registered nurse have successfully completed specialty care training as required under WAC 388-76-590; and

(iii) The RN and individual with specialty care training are on-site and on duty at least twenty hours per week or

more, based upon assessed resident needs identified in the assessment required under WAC 388-76-610.

(2) Licensed registered nurses under subsection (1)(c) and (e) of this section must also successfully complete the department's modified fundamentals of caregiving training.

(3) An adult family home designated as a "RN," "specialty," or "RN-specialty" home may also be designated as an "experienced" adult family home if it meets the criteria defined under subsection (1)(b) of this section.

(4) The department may change an adult family home's designation after the provider has submitted:

(a) Certification of successful completion of required specialty care training to the department's licenser for that home; or

(b) Notarized documentation that the home satisfies requirements defined in this section for designation as a "RN" adult family home.

(5) The department may revoke an adult family home's designation:

(a) If the adult family home fails to meet resident needs; or

(b) If for any reason, the home no longer qualifies for its current designation; or

(c) As permitted under WAC 388-76-705.

(6) The department will designate a qualifying home as an "experienced" adult family home at the time of the home's full reinspection.

(7) The provider shall immediately notify the department when the adult family home:

(a) No longer employs or contracts with a licensed registered nurse as required under subsection (1)(b) and (d) of this section; or

(b) For any reason, no longer qualifies for the home's current licensing designation.

(8) Failure to provide notification as required under subsection (7) of this section shall subject the provider to remedies permitted under WAC 388-76-705.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-590 Specialty adult family homes. (1) ~~((Beginning September 1, 1996,))~~ An applicant or provider may apply for a designation as a specialty adult family home to serve and meet the unique needs of residents with:

(a) ~~A developmental ((disabilities))~~ disability as defined by subsection (3)(a) of this section;

(b) ~~A mental ((illnesses))~~ illness as defined by subsection (3)(b) of this section; or

(c) Dementia.

(2) ~~((An adult family home is not required to have a specialty designation to serve residents identified in subsection (1) above.~~

~~(3))~~ For purposes of this section, the term "related condition" means a severe, chronic disability which is:

(a) Attributable to:

(i) Cerebral palsy or epilepsy; or

(ii) Any other condition, other than mental illness, found to be closely related to mental retardation which results in impairment of general intellectual functioning or adaptive behavior similar to that of a person with mental retardation,

and requires treatment or services similar to those required for these persons (i.e., autism);

(b) Manifested before the person reached age twenty-two;

(c) Likely to continue indefinitely; and

(d) Results in substantial functional limitations in three or more of the following areas of major life activities:

(i) Self-care;

(ii) Understanding and use of language;

(iii) Learning;

(iv) Mobility;

(v) Self-direction; and

(vi) Capacity for independent living.

(3) Beginning July 1, 1999, except as provided under subsection (4) of this section, an adult family home is required to have a specialty designation to admit and serve residents whose primary disability is:

(a) Mental retardation or a related condition; or

(b) An Axis I or II diagnosed mental illness as defined by volume IV of the Diagnostic and Statistical Manual of Mental Disorders; or

(c) Dementia as determined by a department approved functional assessment.

(4) An adult family home must obtain a "specialty" designation before admitting and serving residents whose primary disability is mental retardation or a related condition if the adult family home:

(a) Is licensed after the effective date of these rules; or

(b) Does not already serve residents whose primary disability is mental retardation or a related condition.

(5) Except as limited by subsection (4) of this section, all providers may admit residents whose primary disability is defined by subsection (3) of this section. Such admissions may occur until July 1, 1999.

(6) Beginning July 1, 1999, individual providers and resident managers:

(a) Must have completed specialty care training as required by this section before admitting and retaining residents whose primary disability is defined under subsection (3) of this section; and

(b) Shall have one hundred twenty days to complete specialty care training after a resident already living in the home develops a disability as defined under subsection (3) of this section.

(7) Successful completion of specialty care training shall satisfy continuing education requirements:

(a) For the current and following calendar year; or

(b) For the following two calendar years if the specialty care training is completed in the same year as required fundamentals in caregiving training or modified fundamentals in caregiving training;

(8) Developmental Disabilities. To be designated as a home specializing in services to residents ~~((with))~~ whose primary disability is a developmental ~~((disabilities))~~ disability as defined by subsection (3)(a) of this section, the individual provider ~~((or))~~ and resident manager, in addition to complying with all other rules in this chapter, shall:

(a) Complete the department approved ~~((supplemental))~~ specialty care training addressing the residential support needs for ~~((persons))~~ residents with developmental disabilities prior to being designated as a specialty adult family home. Training shall include, at a minimum, courses in

positive behavior supports addressing behavior as a means of communication, and the division of developmental disabilities residential services guidelines;

~~(b) ((Each calendar year, complete a minimum of ten hours of continuing education credits that relates to providing care to persons with developmental disabilities. Training is to be obtained through regional division of developmental disabilities core training courses as offered for community service providers;~~

~~(i) The continuing education requirement listed above in subsection (3)(b) shall also qualify for the continuing education requirement in WAC 388-76-660 (2)(e);~~

~~(ii) The continuing education requirement begins the calendar year after the year in which the provider or resident manager completes the training listed above in subsection (3)(a); and~~

~~(e)) Demonstrate an ability to accommodate for communication barriers of residents and recognize how behaviors may be a means for communication((-~~

~~(4) A home specializing in services to residents with developmental disabilities shall provide the degree of supervision needed by residents and specified in the residents' negotiated service plans, which may be less than twenty-four hour supervision.~~

~~(5)); and~~

(c) Hire qualified caregivers and assure coverage of the home during periods of absence in order to meet residents' identified service needs, and have a documented staffing plan in place at all times.

(9) Mental Illness. To be designated as a home specializing in services to residents ~~((with))~~ whose primary disability is a mental ((illnesses)) illness as defined by subsection (3)(b) of this section, the individual provider ((or)) and resident manager shall, in addition to complying with all other rules in this chapter:

(a) Complete the department approved ~~((specialized mental health))~~ specialty care training addressing the needs of ~~((persons))~~ residents who have a mental illness prior to being designated as a specialty adult family home;

~~(b) ((Each calendar year, complete a minimum of ten hours of continuing education credits that relates to mental health issues;~~

~~(i) The continuing education requirement listed above in subsection (5)(b) of this section shall also qualify for the continuing education requirement in WAC 388-76-660 (2)(e);~~

~~(ii) The continuing education requirement begins the calendar year after the year in which the provider or resident manager completes the training listed above in subsection (5)(a) of this section;~~

~~(e))~~ Have a documented crisis response plan in place, know how to access emergency mental health services, and assure all caregivers are knowledgeable and capable of implementing the plan in a crisis; and

~~((d))~~ (c) Hire qualified caregivers and assure coverage of the home during periods of absence in order to meet residents' identified service needs, and have a documented staffing plan in place at all times.

~~((6))~~ (10) Dementia. To be designated as a home specializing in services to residents ~~((with))~~ whose primary disability is dementia as defined by subsection (3)(c) of this section, the individual provider ((or)) and resident manager

shall, in addition to complying with all other rules in this chapter:

(a) Complete the department approved specialty care training ~~((course))~~ in providing care to ~~((persons))~~ residents with dementia prior to being designated as a specialty adult family home;

~~(b) ((Each calendar year, complete a minimum of ten hours of continuing education credits that relate to providing care to persons with dementia;~~

~~(i) The continuing education requirement listed above in subsection (6)(b) of this section shall also qualify for the continuing education requirement in WAC 388-76-660 (2)(e);~~

~~(ii) The continuing education requirement begins the calendar year after the year in which the provider or resident manager completes the training listed above in subsection (6)(a) of this section;~~

~~(e))~~ Hire qualified caregivers and assure coverage of the home during periods of absence in order to meet residents' identified service needs, and have a documented staffing plan in place at all times; and

~~((d-Be))~~ (c) Ensure the home is designed to accommodate residents with dementia in a homelike environment. The design and environment of the home shall support residents in their activities of daily living; enhance their quality of life; reduce tension, agitation, and problem behaviors; and promote their safety.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-600 General resident rights. (1) The provider shall comply with all requirements of chapter 70.129 RCW, Long-term care resident rights. The provider shall promote and protect the resident's exercise of all rights granted under that law.

~~((The provider shall have written policies for the services provided, house policies, financial arrangements expected, and the home's policy on refunds and deposits. Prior to admitting any resident, the provider shall provide this information to the prospective resident and his or her surrogate decision maker, if applicable.~~

~~(3))~~ Prior to admitting any resident, the provider shall provide information about the adult family home to the prospective resident and his or her surrogate decision maker, if applicable. The information shall be presented orally and in writing in a language understandable to the prospective resident and at a minimum shall include:

(a) A description of services and activities provided and available in the home;

(b) House rules and policies governing resident conduct and responsibilities;

(c) The financial arrangements expected including payment rates and schedules;

(d) The home's policy on refunds and deposits;

(e) The education, training, and caregiving experience of the provider and resident manager. This information shall indicate if the provider or resident manager has completed department approved training in order for the home to be designated as a "specialty" adult family home under WAC 388-76-590;

(f) The availability and responsibilities of:

(i) Licensed nursing staff; and

(ii) Staff who have successfully completed department approved specialty care training;

(g) A statement indicating if the provider performs or is willing to perform nurse delegation as allowed under state law;

(h) A description of what the adult family home does or will do to accommodate a resident's increasing care needs;

(i) The resident needs and conditions for which the adult family home cannot or will not provide care;

(j) The number of persons living in the home, including their ages and gender; and

(k) All information prepared and provided for resident distribution by the department.

(3) Before admitting any resident, the provider shall offer for review all inspection reports and statements of deficiencies done in the past year to prospective residents and their families.

(4) The provider shall provide all inspection reports and statements of deficiencies done in the past year to adult family home referral sources if requested by those sources.

(5) The provider shall inform the resident both orally and in writing in a manner and in a language the resident understands when there are changes in:

(a) House policies governing resident conduct and responsibilities during the resident's stay in the adult family home;

(b) Services and activities available in the adult family home;

(c) Charges for available services including charges for services not covered by the home's per diem rate or applicable public benefit programs; and

(d) Refund and deposit policies.

~~((4))~~ (6) House policies implemented by the provider shall be reasonable and may not conflict with rights granted to the resident under chapter 70.129 RCW, Long-term care resident rights or this chapter.

~~((5))~~ (7) The resident has the right to be fully informed in language that he or she can understand of his or her total health status, including, but not limited to, his or her medical condition as defined under RCW 7.70.060.

~~((6))~~ (8) The resident has the right to be fully informed in advance about recommended care and treatment and of any recommended changes in that care or treatment.

~~((7))~~ (9) The provider shall not require or ask the resident to sign any contract or agreement that waives any rights of the resident.

~~((8))~~ (10) The resident shall be free from abuse, neglect, abandonment, or financial exploitation.

~~((9))~~ (11) The provider shall comply with all applicable federal and state statutory requirements regarding nondiscrimination.

~~((10))~~ (12) The provider shall post in a place and manner clearly visible to residents and visitors the department's toll-free complaint telephone number, and the names, addresses, and telephone numbers of the state licensure office, the state ombudsman program, and the protection and advocacy systems. This posting shall include a description of the long-term care ombudsman program.

AMENDATORY SECTION (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-610 Resident assessment. (1) The provider shall not admit or retain a resident unless:

(a) The adult family home can meet the resident's assessed needs and maintain a safe environment for all residents;

(b) The resident's admission will not:

(i) Adversely affect the provider's ability to meet the needs of other residents in the home; or

(ii) Endanger the safety of other residents; and

(c) All residents and household members can be safely evacuated (~~(in an emergency)~~) within five minutes of the commencement of a fire drill.

~~(2) ((For each resident))~~ Prior to the resident's admission, the provider shall ~~((have))~~ obtain a current written assessment which describes the resident's:

(a) Health and medical status;

(b) Mental status;

(c) Strengths and needs;

~~((e) Activities preferences; and)~~

(d) Functional ability in relationship to activities of daily living including: eating, toileting, ambulating, transferring, positioning, specialized body care, personal hygiene, dressing, bathing, and management of own medication; and

(e) Preferences and choices regarding issues important to the resident (e.g., food, daily routine).

~~(3) ((The provider shall:~~

~~(a) Obtain sufficient assessment information to develop a negotiated service plan within fourteen days of the resident's admission; and~~

~~(b) Complete the assessment within thirty days of the resident's admission.~~

~~(4))~~ For purposes of this section, "health services assessor" means:

(a) An individual with a master's degree in social services, human services, behavioral sciences or an allied field and two years social service experience working with adults who have functional or cognitive disabilities; or a bachelor's degree in social services, human services, behavioral sciences, or an allied field and three years social service experience working with adults who have functional or cognitive disabilities; or

(b) An individual with a bachelor's degree involving major study in nursing and three years of clinical nursing experience. A master's degree in nursing may be substituted for one year of clinical nursing experience. A valid Washington state license to practice as a registered nurse is required.

(4) Prior to admitting a private pay resident, the provider shall obtain an assessment of the resident and a service plan which have been completed by a health services assessor as defined by subsection (3) of this section. The assessment required by this subsection shall include a department approved functional assessment for dementia. The requirements of this subsection shall become effective beginning July 1, 1999.

(5) Prior to admitting residents receiving services paid for fully or partially by the department, the provider shall obtain a comprehensive assessment and service plan com-

pleted by department staff or department approved contractors.

(6) The provider shall ensure that the resident's assessment is reviewed and updated ((for accuracy)) to document the resident's ongoing needs:

(a) ((As needed; and)) At least every twelve months;

(b) When there is a significant change in the resident's physical or mental condition; and

(c) At the resident's or the resident legal representative's request.

(7) The assessment review required by subsection (6) of this section shall be completed by:

(a) A health services assessor as defined by subsection (3) of this section for private pay residents beginning July 1, 1999; or

(b) Department staff or department approved contractors for residents receiving services paid for fully or partially by the department.

(8) If it is determined that the provider cannot continue to meet the resident's needs, then the provider must immediately initiate the discharge process.

AMENDATORY SECTION, (Amending WSR 96-14-003, filed 6/19/96, effective 7/20/96)

WAC 388-76-615 Negotiated service ((plan)) agreement. (1) Within fourteen days of the resident's admission the provider shall develop a negotiated service ((plan)) agreement with the resident which identifies:

(a) The services to be provided;

(b) Who will provide the services; ((and))

(c) When and how the services will be provided((-
(2));

(d) The resident's activities preferences and how those preferences will be accommodated; and

(e) Other preferences and choices regarding issues important to the resident (e.g., food, daily routine, grooming), and what efforts will be made to accommodate those preferences and choices.

(2) For private pay residents, the provider shall build upon the assessment and service plan required under WAC 388-76-610(4) to develop the negotiated service agreement.

(3) For residents receiving services paid for fully or partially by the department, the provider shall build upon the department's comprehensive assessment and service plan when developing the negotiated service agreement.

(4) The provider shall ensure that the negotiated service ((plan)) agreement is((-

(a) Designed to meet resident needs and preferences currently identified in the assessment; and

(b)) agreed to and signed by the resident or the resident's surrogate decision maker, if applicable.

((3)) (5) For residents receiving services paid for fully or partially by the department, the provider shall implement and provide the negotiated service agreement to the home and community services (HCS) staff person or authorized department case manager for review and determination that the agreement is designed to meet the resident's identified needs.

(6) The negotiated service ((plan)) agreement shall be completed with input from:

(a) The resident to the greatest extent practicable;

(b) The resident's family, if approved by the resident;
(c) The resident's surrogate decision maker, if applicable;

(d) Appropriate professionals;

(e) Other individuals the resident wants included; and

(f) The ((case manager,)) HCS staff person or authorized department case manager if the resident is receiving services paid for fully or partially by the department.

((4)) (7) The provider shall ensure that the resident's negotiated service ((plan)) agreement is reviewed and revised:

(a) ((As needed)) At least every twelve months;

(b) When there is a significant change in the resident's physical or mental condition;

(c) At the resident's request; and

((e)) (d) If changes or additions to assessment information result in significant changes to the resident's identified needs or preferences and choices.

(8) If there are significant changes to a resident's identified needs, and the resident is receiving services paid for fully or partially by the department, the provider shall notify the HCS staff person or the authorized department case manager. No payment rate change will be approved without an assessment and authorization by the department.

WSR 97-20-117

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF HEALTH

(By the Code Reviser's Office)

[Filed September 30, 1997, 4:47 p.m.]

WAC 246-838-040, proposed by the Department of Health in WSR 97-07-074, appearing in issue 97-07 of the State Register, which was distributed on April 2, 1997, is withdrawn by the code reviser's office under RCW 34.05.335(3), since the proposal was not adopted within the one hundred eighty day period allowed by the statute.

Kerry S. Radcliff, Editor
Washington State Register

WSR 97-20-119

PROPOSED RULES DEPARTMENT OF PERSONNEL

[Filed October 1, 1997, 9:35 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 356-56-035 Definitions.

Purpose: This rule describes definitions pertaining to the Washington management service.

Statutory Authority for Adoption: Chapter 41.06 RCW.
Statute Being Implemented: RCW 41.06.500.

Summary: This modification will add the definition of salary standard, which is the maximum dollar amount assigned to a position.

Name of Agency Personnel Responsible for Drafting: Sharon Peck, 521 Capitol Way South, Olympia, WA, (360) 753-0468; Implementation and Enforcement: Department of Personnel.

PROPOSED

Name of Proponent: Department of Personnel, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: This rule describes definitions pertaining to the Washington management service. Modifications to the Washington management service rules were adopted in August to allow the use of salary standard in addition to, or in place of, evaluation points for various Washington management service actions. This proposal defines salary standard.

Proposed Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW.

RCW 34.05.328 does not apply to this rule adoption. These rules relate to internal government operations that are not subject to violation by a nongovernmental party. Therefore, pursuant to RCW 34.05.328 [(5)](b)(ii), section 201 does not apply.

Hearing Location: Department of Personnel, 521 Capitol Way South, Olympia, WA, on November 4, 1997, at 1:30 p.m.

Assistance for Persons with Disabilities: Contact Department of Personnel by October 28, 1997, TDD (360) 753-4107, or (360) 586-0509.

Submit Written Comments to: Sharon Peck, Department of Personnel, P.O. Box 47500, Olympia, WA, FAX (360) 586-4694, by October 31, 1997.

Date of Intended Adoption: November 5, 1997.

September 30, 1997
Dennis Karras
Director

AMENDATORY SECTION (Amending WSR 94-12-055, filed 5/27/94, effective 7/1/94)

WAC 356-56-035 Definitions. (1) **Anchor positions.** Generic anchor positions are those which are found in many agencies; they are commonly understood and similarly used from agency to agency. Agency-specific anchor positions are those anchor positions in each agency which are commonly understood and similarly used throughout the agency.

(2) **Appointing authority.** A person or group of persons designated by the agency head to make appointments, impose formal discipline or otherwise regulate personnel matters.

(3) **Evaluation points.** The points resulting from an evaluation of a position using the managerial job value assessment chart.

(4) **Management bands.** A series of management levels included in the Washington management service. Placement in a band reflects the nature of management, decision-making environment and policy impact, and scope of management accountability and control assigned to the position.

(5) **Salary Standard.** The maximum dollar amount assigned to a position in those agencies that use a salary standard in addition to, or in place of, evaluation points.

(((5))) (6) **Transfer.** Movement from one position to a different position with the same evaluation points.

(((6))) (7) **Washington general service.** The system of personnel administration that applies to classified employees or positions under the jurisdiction of chapter 41.06 RCW and exclusively under those chapters of Title 356 WAC that are adopted by the Washington personnel resources board.

(((7))) (8) **Washington management service.** The system of personnel administration that applies to classified managerial employees or positions under the jurisdiction of RCW 41.06.022 and 41.06.500 and those chapters of Title 356 WAC that are adopted by the director of personnel.

WSR 97-20-123

PROPOSED RULES

DEPARTMENT OF ECOLOGY

[Order 96-01—Filed October 1, 1997, 9:43 a.m.]

Continuance of WSR 97-15-071.

Preproposal statement of inquiry was filed as WSR 96-12-080.

Title of Rule: WAC 173-400-110 General air regulations, new source review.

Purpose: To extend adoption date from October 24, 1997, to November 21, 1997.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Daniel J. Silver
Deputy Director

WSR 97-20-131

PROPOSED RULES

LOTTERY COMMISSION

[Filed October 1, 1997, 10:21 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-00-037 [97-02-037] and 97-11-057.

Title of Rule: New sections WAC 315-11A-208 Instant Game Number 208, 315-11A-209 Instant Game Number 209, 315-11A-210 Instant Game Number 210, 315-11A-211 Instant Game Number 211, 315-11A-212 Instant Game Number 212, 315-11A-213 Instant Game Number 213 and 315-11A-214 Instant Game Number 214; and amendatory section WAC 315-34-040 Prizes for Lotto.

Purpose: To establish the game play rules and criteria for determining winners of Instant Game Nos. 208, 209, 210, 211, 212, 213 and 214; and to amend chapter 315-34 WAC.

Statutory Authority for Adoption: RCW 67.70.040.

Statute Being Implemented: RCW 67.70.040.

Summary: See Purpose above.

Reasons Supporting Proposal: See Explanation of Rule below.

Name of Agency Personnel Responsible for Drafting: Michael Aoki-Kramer, Rules Coordinator, Olympia, (360) 586-6583; Implementation and Enforcement: Merritt D. Long, Director, Olympia, (360) 753-3330.

Name of Proponent: Washington State Lottery Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 315-11A-208, 315-11A-209, 315-11A-210, 315-11A-211, 315-11A-212, 315-11A-213 and 315-11A-214, for each game, certain terms must be defined in order to provide consistency in the game play rules. The play criteria will explain how the game functions to licensed retailers and players. Rigid validation requirements are set forth which will prevent the lottery or its retailers from paying out prize money on invalid tickets.

Proposal Changes the Following Existing Rules: Chapter 315-34 WAC, Lotto 6 of 49 Rules, allows players to elect, at the time of purchase, to receive a cash option payment in lieu of twenty annual payments.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The lottery has considered whether these rules are subject to the Regulatory Fairness Act, chapter 19.85 RCW, and has determined that they are not for the following reasons: (1) The rules have no economic impact on business' cost of equipment, supplies, labor or administrative costs. The rules are designed to establish rules and procedures for the playing of instant lottery games; and (2) the rules will have a negligible impact, if any, on business because they are interpretive. They have been promulgated for the purpose of stating policy, procedure and practice and do not include requirements for forms, fees, appearances or other actions by business.

RCW 34.05.328 does not apply to this rule adoption. Said section does not apply to these proposed rules because they are not proposed by one of the listed agencies. As the rules are merely interpretive, the lottery does not voluntarily apply this section.

Hearing Location: Washington State Lottery, 5936 Corson Avenue South, Suite 106, Seattle, WA 98108, on November 7, 1997, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Michael Aoki-Kramer by October 29, 1997, (360) 586-6583.

Submit Written Comments to: Michael Aoki-Kramer, Lottery, FAX (360) 586-6586, by November 6, 1997.

Date of Intended Adoption: November 7, 1997.

September 16, 1997

Merritt D. Long

Director

NEW SECTION

WAC 315-11A-208 Instant Game Number 208. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 208, on file at the lottery headquarters office.

(2) **Price per ticket:** One dollar.

(3) **Prizes available:** \$1, \$2, \$3, \$4, \$5, \$6, \$10, \$20, \$25, \$50, \$100, \$500, \$1,000, and \$2,000. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** "Your" (the player's) card is greater than "their" card. Uncover a heart symbol to win instantly.

NEW SECTION

WAC 315-11A-209 Instant Game Number 209. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 209, on file at the lottery headquarters office.

(2) **Price per ticket:** One dollar.

(3) **Prizes available:** \$1, \$2, \$3, \$4, \$5, \$6, \$7, \$10, \$25, \$50, and \$500. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** Match any of the "Your Symbols" to the "Winning Symbol."

NEW SECTION

WAC 315-11A-210 Instant Game Number 210. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 210, on file at the lottery headquarters office.

(2) **Price per ticket:** Two dollars.

(3) **Prizes available:** \$1, \$2, \$3, \$4, \$5, \$8, \$50, \$500, \$1,000, \$5,000, and \$10,000. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** Match "Your Numbers" to either of the "Winning Numbers."

NEW SECTION

WAC 315-11A-211 Instant Game Number 211. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 211, on file at the lottery headquarters office.

(2) **Price per ticket:** Two dollars.

(3) **Prizes available:** \$1, \$2, \$3, \$5, \$6, \$10, \$50, \$100, \$1,000, and \$5,000. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** The sum of the cards within a hand totals 13. Uncover a king to win instantly.

NEW SECTION

WAC 315-11A-212 Instant Game Number 212. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 212, on file at the lottery headquarters office.

(2) **Price per ticket:** Two dollars.

(3) **Prizes available:** \$1, \$2, \$3, \$4, \$5, \$7, \$9, \$10, \$25, \$45, \$50, \$100, and \$2,000. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** "Your" (the player's) number is greater than "their" number. Uncover a mitt symbol to win instantly.

NEW SECTION

WAC 315-11A-213 Instant Game Number 213. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 213, on file at the lottery headquarters office.

(2) **Price per ticket:** One dollar.

(3) **Prizes available:** \$1, \$2, \$3, \$4, \$5, \$6, \$8, \$10, \$20, \$50, and \$500. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** "Your" (the player's) number is greater than "their" number.

NEW SECTION

WAC 315-11A-214 Instant Game Number 214. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 214, on file at the lottery headquarters office.

(2) **Price per ticket:** One dollar.

(3) **Prizes available:** \$1, \$2, \$3, \$4, \$5, \$6, \$10, \$100, and \$2,000. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** "Your" (the player's) number is greater than "their" number. Uncover a "2" and double the prize shown.

AMENDATORY SECTION (Amending WSR 96-15-054, filed 7/15/96, effective 8/15/96)

WAC 315-34-040 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 parimutuel calculation of prizes.

WINNING COMBINATIONS	PRIZE CATEGORIES	ODDS OF WINNING (ONE PLAY)
All six winning numbers in one play	First Prize (Jackpot)	1:13,983,816
Any five but not six winning numbers in one play	Second Prize	1:54,201
Any four but not five or six winning numbers in one play	Third Prize	1:1,033
Any three but not four, five or six winning numbers in one play	Fourth Prize	1:57

(2) Reserved.

(3) Prize amounts.

(a) **First prize (jackpot).** The first prize will be the amount announced by the director as the Lotto jackpot. The jackpot will be divided equally among all players who selected all six winning numbers in one play (in any sequence).

(b) **Second prize.** 2.3 percent of the Lotto sales for the drawing shall be divided equally among all players who selected five of the six winning numbers in one play (in any sequence).

(c) **Third prize.** 4.6 percent of the Lotto sales for the drawing shall be divided equally among all players who selected four of the six winning numbers in one play (in any sequence).

(d) **Fourth prize.** A \$3.00 prize is to be paid to each player who selected three of the six winning numbers in one play (in any sequence).

(e) Reserved.

(f) Second and third prizes will be rounded down to the nearest dollar.

(g) The holder of a winning ticket may win only one prize per play in connection with the winning numbers drawn and 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) 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.

(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.

~~((5) Prize payments will be made in accordance with WAC 315-30-030(6).~~

~~(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 of more than \$250,000 but less than \$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 \$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 WSR 90-19-048, filed 9/14/90, effective 10/15/90)

WAC 315-34-050 Ticket purchases. (1) Lotto tickets may be purchased or redeemed during no less than seventeen hours each day in accordance with a schedule to be determined by the director, provided that on-line retailers shall sell and redeem 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) At the time of ticket purchase, the player may elect the cash option method of jackpot prize payment.

PROPOSED

(5) The election of payment method at the time of purchase is final and irrevocable.

NEW SECTION

WAC 315-34-055 Lotto prize claim and payment methods. The following sets forth requirements for claims and payment of Lotto prizes:

(1) Claims for prize payment shall be made in accordance with WAC 315-30-030(6).

(2) Prize payments shall be made as follows:

(a) **Annuity:** A player who elects their prize to be paid annually shall be paid as follows:

(i) If the player's share of the announced jackpot prize is \$500,000 or more, the player shall be paid in twenty annual installment payments.

(ii) If the player's share of the announced jackpot prize is less than \$500,000, the director shall have the discretion of paying the winner as follows:

(A) The present cash value of the jackpot prize share based on the cost to purchase a twenty-year annuity: *Provided*, That the present cash value is equal to or greater than fifty percent of their share of the announced jackpot;

(B) If the present cash value of the player's share of the announced jackpot is less than fifty percent of their share of the announced jackpot, then the player shall receive a one-time single cash payment of fifty percent of their share of the announced jackpot; or

(C) The player shall be paid in twenty annual installment payments.

(b) **Cash option:** A player who elects the cash option shall be paid as follows:

(i) The player shall receive a one-time single cash payment of fifty percent of their share of the announced jackpot; or

(ii) If the director exercises his or her discretion as set forth in (a)(ii)(A) or (B) of this subsection, a player who elects the cash option will receive the same amount as those who have chosen to receive an annuity.

388-222-040	97-17-103
388-222-050	97-17-103
388-222-060	97-17-103
388-220-0010	97-17-088
388-220-0020	97-17-088
388-220-0040	97-17-088
388-310-1300	97-17-070

Jerry W. Friedman
Assistant Secretary
Economic Services Administration

WSR 97-20-133
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed October 1, 1997, 10:30 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-007.

Title of Rule: WAC 180-78A-160 Approval standard—Program design and 180-78A-263 Program approval requirement—Field experience for school psychologists.

Purpose: The internship required for approval of a school psychologist preparation program will be updated and brought into alignment with the standards of the National Association of School Psychologists.

Statutory Authority for Adoption: RCW 28A.410.010 and 28A.305.130.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis
Executive Director

WSR 97-20-132
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed October 1, 1997, 10:23 a.m.]

By this memo, the Department of Social and Health Services is withdrawing the following proposed rules:

WAC NUMBER	WSR NUMBER
388-265-1010	97-17-097
388-230-0090	97-17-102
388-230-0110	97-17-102
388-230-0120	97-17-102
388-230-0140	97-17-102
388-215-0020	97-17-087
388-290-100	97-17-104
388-290-045	97-17-104
388-61-010	97-17-089
388-61-020	97-17-089
388-222-030	97-17-103

PROPOSED

AMENDATORY SECTION (Amending WSR 97-04-084, filed 2/5/97, effective 3/8/97)

WAC 180-78A-160 Approval standard—Program design. Building on the mission to prepare educators who demonstrate a positive impact on student learning, the following evidence shall be evaluated to determine whether each preparation program is in compliance with the program design standard of WAC 180-78A-140(4):

(1) The curriculum is guided by a conceptual framework and is based on current research and best practice, is cohesive and integrated, is performance-based, and supports the state's student learning goals and for teacher preparation programs reflects the essential academic learning requirements.

(2) Candidates who demonstrate potential for acquiring the content and pedagogical knowledge and skills for success as educators in schools are recruited, admitted, and retained (see WAC 180-78A-135 Candidate admission policies). These candidates include members from underrepresented groups.

(3) Candidates attain/demonstrate academic competence in the educator role for which they are being prepared.

(4) A set of criteria/performances for program completion are established and published.

(5) Field experiences are integrated throughout the preparation program and include experience with diverse populations in a variety of settings.

(6) Candidates complete an internship in which they demonstrate the required knowledge and skills: *Provided*, That candidates for an administrator certificate shall complete an internship pursuant to WAC 180-78A-265, candidates for a school psychologist certificate shall complete an internship pursuant to WAC 180-78A-263, and candidates for a school counselor certificate shall complete an internship pursuant to WAC 180-78A-260.

(7) Programs reflect ongoing collaboration with P-12 schools.

(8) Candidates for a teacher certificate shall hold/obtain a baccalaureate degree from a regionally accredited college or university in any of the subject areas of the endorsement listed in WAC 180-79A-302. Such degrees shall require the completion of at least forty-five quarter hours (thirty semester hours) of course work in the subject area: *Provided*, That a candidate who holds a baccalaureate degree in another academic field will not be required to obtain a second baccalaureate degree if the candidate provides evidence to the superintendent of public instruction that he or she has completed the required forty-five quarter or thirty semester hours of course work in one of the subject areas of the endorsements listed in WAC 180-79A-302.

NEW SECTION

WAC 180-78A-263 Program approval requirement—Field experience for school psychologists. Approved school psychology preparation programs shall require all students to complete a supervised internship in the schools that include a minimum of twelve hundred hours of on-the-job professional service and one hour per week of individual supervision provided by the site supervisor. Site supervisors must be fully certificated school personnel and have a minimum of three years of professional experience in

the role of school psychologist. Faculty supervision including on-site visits will be provided on an ongoing basis. Prior to the internship, the student will complete a faculty supervised practicum (a distinctly defined clinical experience intended to enable the student to develop basic school psychology skills and integrate professional knowledge).

**WSR 97-20-134
PROPOSED RULES
STATE BOARD OF EDUCATION**

[Filed October 1, 1997, 10:32 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-016.

Title of Rule: Chapter 180-77 WAC, Standards for vocational certification.

Purpose: Editorial changes are needed for greater accuracy and clarity.

Statutory Authority for Adoption: RCW 28A.410.010.
Summary: Editorial changes.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 97-04-085, filed 2/5/97, effective 3/8/97)

WAC 180-77-003 Definitions. The following definitions shall apply to terms used in this chapter:

(1) "Approved program for training vocational teachers and vocational counselors" shall be defined as any program approved by the state board of education which complies with chapter ((180-78)) 180-77A WAC.

(2) "Vocational educator training" shall mean those vocational programs, courses, seminars and workshops offered for the purpose of vocational certification in compliance with chapter 180-85 WAC.

(3) "General safety" shall mean course work approved by the state board of education and/or its designee that is designed to provide skill and knowledge common to all vocational instructors in safety.

(4) "Specific safety requirements" shall mean completion of course work approved by the state board of education and/or its designee which is designed to provide the vocational instructor with the specific skill and knowledge of safety for the occupation he or she is to teach.

(5) "Learning period" shall mean the amount of time required prior to becoming gainfully employed at the journeyman or equivalent level in the occupation being taught. In any case, this shall be no less than one year.

(6) "Management experience" shall mean work as a supervisor, foreman or manager in the occupational area in which the person will instruct.

(7) "Occupational experience" shall mean paid or unpaid work experience in the career field to be taught.

(8) "One year of occupational experience" shall equal two thousand hours of employment.

(9) "Professional education" shall mean those programs, courses, seminars and workshops that are designed to improve teaching ability.

(10) "Professional experience" shall mean employment in vocational education in the discipline and/or specialty for which the application has been submitted.

(11) "Quarter hours or the equivalent" shall mean one quarter credit, two-thirds semester credit, ten clock hours or one hundred hours of occupational experience.

(12) "Technical education/upgrading" shall mean those vocational programs, courses, seminars and workshops which are designed to improve the skills and/or knowledge in the discipline in which the application is being made.

AMENDATORY SECTION (Amending WSR 95-12-056, filed 6/2/95, effective 7/3/95)

WAC 180-77-014 Requirements for limited certification. (1) Probationary certificate. The probationary certificate is valid for two years and is renewable one time for two additional years upon recommendation of the employing district if the individual has completed the procedures outlined for the first year in the professional growth plan and has made additional progress in meeting the requirements for the initial vocational certificate.

The candidate for a probationary certificate must have substantially completed requirements for the initial vocational certificate as set forth in WAC 180-77-031 or 180-77-041.

(a) Such a certificate may be issued upon recommendation by the employing school district.

(b) The (~~vocational instructor~~) candidate shall have developed a professional growth plan in cooperation with the vocational administrator (~~and the candidate to be employed~~). The plan must be approved by the local school district vocational program advisory committee, to which the candidate is assigned. The plan shall provide for orientation, prior to the commencement of the teaching assignment, in the following:

(i) Issues related to legal liability;

(ii) The responsibilities of professional vocational educators; and

(iii) The lines of authority in the employing school district and/or building.

Within the first sixty working days, the plan shall establish procedures for the vocational instructor to develop competencies in the following:

(iv) Vocational methods; and

(v) General and specific safety.

If the (~~vocational instructor~~) candidate does not have access to the required course work within the first ninety working days, the local school district vocational advisory committee responsible may authorize the completion of the course work at a later date. The required course work shall be completed prior to the second year of employment.

(vi) The plan shall develop procedures and timelines for the vocational instructor to meet the requirements for the initial vocational certificate.

(vii) *Provided*, That candidates for probationary certificates as a coordinator of work-based learning shall have completed a course in coordination techniques and either:

(A) Possess a valid initial or continuing vocational teacher certificate; or

(B) Have completed five hundred hours of occupational experience within the past six years.

(2) Conditional vocational certificate. Notwithstanding other requirements prescribed in this chapter for eligibility for vocational certification in the state of Washington, the one-year conditional vocational certificate may be issued under specific circumstances set forth below for limited service:

(a) The issuance of the conditional vocational certificate may be issued only under unique and special circumstances where no regularly certificated vocational instructor is available and is limited to:

(i) Persons highly qualified and experienced in the knowledge and occupational skills of the vocational program to be certified; or

(ii) Persons who meet the occupational experience requirements for vocational certification; or

(iii) Persons who will be employed in new and emerging occupations as identified by the state board of education and/or its designee.

(b) The certificate is issued to individuals who are screened by the local vocational administrator and school district superintendent or designee. The local vocational administrator or superintendent will verify that the following criteria have been met when requesting the conditional vocational certificate:

(i) No person with vocational certification in the field is available as verified by the local vocational administrator or superintendent;

(ii) The individual is being certified for a limited assignment and responsibility in a specified vocational program area;

(iii) Personnel so certificated will be oriented and prepared for the specific assignment and will be apprised of any legal liability, the lines of authority and the duration of the assignment;

(iv) The vocational administrator and local program advisory committee will indicate the basis on which he/she

has determined that the individual is competent for the assignment;

(v) A written work and/or educational experience training plan as specified in WAC 180-77-014 (1)(b) is on file with the employing district.

(c) The certificate is valid for one year and only for the teaching area specified on the certificate. The certificate may be reissued on application and evidence that requirements continue to be met.

(3) Substitute vocational certificates. Substitute vocational certificates may be issued to candidates who meet the requirements in WAC ~~((180-79-230(2)))~~ 180-79A-230(2).

AMENDATORY SECTION (Amending Order 11-78, filed 9/7/78)

WAC 180-77-025 Personnel assignment. Vocational teachers teaching other secondary school subjects and vocational counselors serving in addition as general counselors need to hold a valid certificate as provided for in chapter ~~((180-79 WAC, Professional preparation certification requirements))~~ 180-79A WAC, Standards for teacher, administrator, and educational staff associate certification.

AMENDATORY SECTION (Amending WSR 97-04-085, filed 2/5/97, effective 3/8/97)

WAC 180-77-031 Requirements for candidates seeking vocational certification ~~((of instructors who complete))~~ through completion of approved college/university programs. Candidates for certification through the completion of approved programs shall complete the following requirements in addition to those set forth in WAC ~~((180-75-081, 180-75-085 (1) and (2)))~~ 180-79A-122, 180-79A-150 (1) and (2), and chapter ((180-78)) 180-78A WAC.

(1) Initial.

(a) Candidates for the initial certificate shall hold a baccalaureate degree from a regionally accredited college or university which includes a minimum of forty-five quarter hours of study in the specific vocational subject area for which certification is sought.

(b) Candidates for the initial certificate shall demonstrate competency in one or more of the major categories of WAC 180-77A-170, Program area standards.

(c) Candidates for the initial certificate shall complete a state approved vocational teacher training program through a regionally accredited college or university which shall include completion of student teaching in the relevant vocational subject area.

(d) Candidates for the initial certificate shall demonstrate competence in the general standards for all vocational-technical teacher certificate candidates pursuant to WAC 180-77A-165, which include but are not limited to knowledge and skills in the following areas:

- (i) General and specific safety;
- (ii) Vocational teaching methods;
- (iii) Occupational analysis;
- (iv) Course organization and curriculum design;
- (v) Philosophy of vocational education;
- (vi) Personal student development and leadership techniques.

(e) In addition, candidates for initial certification in diversified occupations or coordinator of work based learning

shall demonstrate competency in knowledge and skills described in WAC 180-77A-180.

(f) Candidates for the initial certificate shall provide documentation of one year of paid occupational experience (two thousand hours) in the specific vocational field for which certification is sought. If all or part of the two thousand hours is more than six years old, candidates must complete an additional three hundred hours of recent (occurring in the last two years) occupational experience.

(2) Initial renewal. Candidates for renewal of the initial certificate must complete three quarter hours of credit or thirty clock hours of vocational educator training in the subject area certified to teach since the initial certificate was issued or renewed.

(3) Continuing.

(a) Candidates for the continuing certificate shall have in addition to the requirements for the initial certificate at least nine quarter hours or ninety clock hours of vocational educator training in the vocational subject area to be certified completed subsequent to the conferral of the baccalaureate degree.

(b) Candidates for the continuing certificate shall provide as a condition for the issuance of a continuing certificate documentation of two years of teaching/coordination in the vocational subject area certified to teach with an authorized employer—i.e., school district(s) or skills center(s).

(4) Continuing certificate renewal.

(a) Candidates for renewal of the continuing certificate shall complete since the previous continuing certificate was issued one of the following:

(i) Six quarter hours or sixty clock hours of vocational educator training;

(ii) Three quarter hours or thirty clock hours of vocational educator training and three quarter hours or thirty clock hours of technical education/upgrading;

(iii) Three quarter hours or thirty clock hours of vocational educator training and three hundred hours of occupational experience.

AMENDATORY SECTION (Amending WSR 97-04-085, filed 2/5/97, effective 3/8/97)

WAC 180-77-041 Requirements for candidates seeking vocational certification ~~((of instructors))~~ on the basis of business and industry work experience. Candidates for certification who have not completed approved programs set forth in WAC 180-77A-028 shall complete the following requirements in addition to those set forth in WAC ~~((180-75-081 and 180-75-085 (1) and (2)))~~ 180-79A-122 and 180-79A-150 (1) and (2).

(1) Initial.

(a) Candidates for the initial certificate shall provide documentation of three years (six thousand hours) of paid occupational experience in the specific vocational subcategory for which certification is sought. One year (two thousand hours) must be within the past six years. If all or part of the two thousand hours is more than six years old, candidates must complete an additional three hundred hours of recent (occurring in the last two years) occupational experience.

(b) Candidates for the initial certificate shall demonstrate competence in the general standards for all vocational-

technical teacher certificate candidates pursuant to WAC 180-77A-165, which include but are not limited to knowledge and skills in the following areas:

- (i) General and specific safety;
- (ii) Vocational teaching methods;
- (iii) Occupational analysis;
- (iv) Course organization and curriculum design;
- (v) Philosophy of vocational education;
- (vi) Personal student development and leadership techniques.

(c) Provided, until such time as two or more programs are approved by the SBE under WAC 180-77A-029, candidates shall complete a minimum of twenty-five quarter hours or two hundred fifty hours of vocational educator training and/or technical education/upgrading of which a minimum of ten quarter hours or one hundred clock hours of competency-based course work must be in the above areas.

(d) Candidates for the initial certificate shall also demonstrate knowledge and skills in the following areas:

- (i) School law;
- (ii) Issues related to abuse as specified in WAC ((180-78-165(3))) 180-78A-165 (1)(t).

(e) In addition, candidates for initial certification in diversified occupations or coordinator of work based learning shall demonstrate competency in knowledge and skills described in WAC 180-77A-180.

(2) Initial renewal. Candidates for renewal of the initial certificate must complete three quarter hours of credit or thirty clock hours of vocational educator training in the subject matter certified to teach since the initial certificate was issued or renewed.

(3) Continuing.

(a) Candidates for the continuing certificate shall have in addition to the requirements for the initial certificate at least nine quarter hours or ninety clock hours of vocational educator training in the vocational subject matter to be certified completed subsequent to the issuance of the initial certificate.

(b) Candidates for the continuing certificate shall provide as a condition for the issuance of a continuing certificate documentation of two years of teaching/coordination in the vocational subject matter certified to teach with an authorized employer—i.e., school district(s) or skills center(s).

(4) Continuing certificate renewal.

(a) Candidates for renewal of the continuing certificate shall complete since the previous continuing certificate was issued one of the following:

- (i) Six quarter hours or sixty clock hours of vocational educator training;
- (ii) Three quarter hours or thirty clock hours of vocational educator training and three quarter hours or thirty clock hours of technical education/upgrading;
- (iii) Three quarter hours or thirty clock hours of vocational educator training and three hundred hours of occupational experience.

AMENDATORY SECTION (Amending WSR 97-04-085, filed 2/5/97, effective 3/8/97)

WAC 180-77-120 Out-of-state candidates. Out-of-state applicants shall be eligible for Washington vocational certificates if they meet the standards in chapter 180-77 WAC or as follows: *Provided*, That candidates who apply for a vocational certificate who have not successfully completed course work or an in-service program including a minimum of ten clock hours of instruction on issues of abuse, must complete such course work or in-service program as a condition of the issuance of a vocational certificate. The content of the course work or in-service program shall discuss the identification of physical, emotional, sexual, and substance abuse, information on the impact of abuse on the behavior and learning abilities of students, discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are victims of abuse, and methods for teaching students about abuse of all types and their prevention.

(1) Initial certificate. The initial certificate shall be issued by the superintendent of public instruction to a candidate who has two thousand hours of paid occupational experience and who meets one of the following:

- (a) Qualifies under provisions of the interstate compact;
- (b) Holds the appropriate degree and, if applicable, credit hours and/or licensing as set forth in this chapter and has completed a state-approved preparation program at a regionally accredited college or university in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC ((180-79-049)) 180-79A-150(4);
- (c) Holds an appropriate vocational certificate issued by another state and has practiced at the P-12 level in that respective role outside the state of Washington for three years and has completed the ten quarter hours of academic study as specified in WAC 180-77-041 (1)(c).

(2) Continuing certificate. The continuing certificate shall be issued on verification that the candidate has met all requirements for initial and continuing certification in the state of Washington.

WSR 97-20-135

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed October 1, 1997, 10:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-011.

Title of Rule: WAC 180-85-109 SPI audits of documentation.

Purpose: The amendment would allow the Superintendent of Public Instruction to audit documentation for maintaining a continuing certificate on a selective basis.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

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Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 90-12-076, filed 6/1/90, effective 7/2/90)

WAC 180-85-109 SPI audits of documentation. ~~((Each year the superintendent of public instruction shall audit at least five percent of the))~~ Continuing education compliance forms filed with the superintendent of public instruction shall be audited by the superintendent of public instruction on a selective basis, which may include responses to complaints or other evidence of possible noncompliance, with the number of actual audits per year left to the discretion of the superintendent of public instruction. Such audit may consist of requesting the affected certificate holder to supply the superintendent of public instruction copies of the documents which indicate compliance and/or may consist of any other audit procedure deemed necessary by the superintendent of public instruction in order to check compliance.

WSR 97-20-136

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed October 1, 1997, 10:37 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-010.

Title of Rule: Chapter 180-97 WAC, Excellence in teacher preparation award.

Purpose: The proposed amendment would revise the process for selecting the recipients of the award.

Statutory Authority for Adoption: RCW 28A.625.360.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

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Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 90-24-066, filed 12/5/90, effective 1/5/91)

WAC 180-97-015 Definition—Professional education advisory board. As used in this chapter, the term "professional education advisory board" means: One of the professional education advisory boards approved by the state board of education as defined in WAC ~~((180-78-075))~~ 180-78A-075(1) (Professional education advisory board for teacher preparation programs).

AMENDATORY SECTION (Amending WSR 90-24-066, filed 12/5/90, effective 1/5/91)

WAC 180-97-060 Selection of recipients—Review committee. Recipients shall be selected as follows:

A committee composed of ~~((eight))~~ no fewer than five members of the professional education advisory committee shall be appointed by the chairperson of the professional education advisory committee as defined in WAC 180-78-015. Committee membership shall include individuals selected from no fewer than three of the following categories:

(1) ~~((Two))~~ Teachers.

(2) ~~((Two))~~ School administrators.

(3) ~~((Two))~~ Higher education representatives.

(4) ~~((Two))~~ Persons from the other groups represented on the professional education advisory committee.

Provided, no person who represents a higher education teacher education institution from which a nomination has been received or is a member of that college or university's professional education advisory ~~((committee))~~ board shall be allowed to vote on that individual's nomination.

AMENDATORY SECTION (Amending WSR 90-24-066, filed 12/5/90, effective 1/5/91)

WAC 180-97-070 Selection criteria. The following criteria shall be considered by the selection committee in determining the person who shall receive the Washington award for excellence in teacher preparation: Provided, That consideration will be given to recent contributions to the field:

- (1) Communication with legislators, common school teachers, and administrators about the nominee's teacher preparation program.
- (2) Implementation of ~~((innovation))~~ innovative developments by the nominee's teacher preparation program.
- (3) Leadership among professional colleagues and with students or the community.
- (4) Contributions to the field such as education related curriculum, research, and/or field services activities.
- (5) Excellence in teaching.
- (6) ~~((Publication and dissemination of information about educational programs and practices--))~~ Contributions to preparing teachers to implement the state learning goals.

**WSR 97-20-138
PROPOSED RULES**

NOXIOUS WEED CONTROL BOARD

[Filed October 1, 1997, 10:43 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-12-019.

Title of Rule: Chapter 16-750 WAC, State noxious weed list and schedule of monetary penalties.

Purpose: The State Noxious Weed Control Board proposes amending the state noxious weed list to add species determined to be noxious and to change areas designated for control of some noxious weeds.

Statutory Authority for Adoption: Chapter 17.10 RCW.
Statute Being Implemented: Chapter 17.10 RCW.

Summary: Proposed changes to the state noxious weed list include the addition of five new Class A noxious weeds and three new Class B noxious weeds, as well as designation area changes for four noxious weeds.

Reasons Supporting Proposal: These nonnative species were found to be highly destructive, competitive or difficult to control.

Name of Agency Personnel Responsible for Drafting: Lisa Lantz, Kent, Washington, (253) 872-2972; Implementation: Ray Fann, Kent, Washington, (253) 872-2972; and Enforcement: K. Diane Dolstad, Olympia, Washington, (360) 902-2071.

Name of Proponent: Washington State Noxious Weed Control Board, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The state noxious weed list provides the basis for noxious weed control efforts by county noxious weed control boards, weed districts, the State Weed Board and the Washington State Department of Agriculture, under the auspices of chapter 17.10 RCW. The effect of the state

noxious weed list is to prioritize control of noxious weed species state-wide, concentrating on prevention and early detection, while still allowing for local program flexibility.

Proposal Changes the Following Existing Rules: See attached amendatory sections. The proposal adds five new Class A weeds, three new Class B weeds and changes the designation areas for four previously listed noxious weeds.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Background: The Washington State Noxious Weed Control Board (WSNWCB) is charged with annually reviewing and updating the state noxious weed list, found in chapter 16-750 WAC, to ensure it accurately reflects and prioritizes the noxious weeds threatening Washington.

The WSNWCB issued a call for suggestions and recommendations on the content of the state noxious weed list in November of 1996 to all county noxious weed control boards and an extensive mailing list of agricultural and environmental organizations, state and federal agencies, county governments, and other parties who have asked to be notified of such opportunities. This comment period was open until the end of April 1997. An additional reminder notice was sent during the comment period. A handout is also available to the public with tips for making a successful recommendation.

The WSNWCB Noxious Weed Committee, which is composed of scientific advisors, county representatives, WSNWCB representatives, and a public interest representative, first met in May of 1997 to review the suggestions received to date. Committee meetings are open to the public and suggestions can be presented in person or in writing. The committee then used the next few months to gather additional information needed to evaluate suggestions. This process includes field investigations, literature searches, interviews with scientists and weed specialists in other areas of the country or world, and additional interviews with persons making recommendations.

The committee held another public meeting in July 1997 to finish evaluation of suggestions and to review additional suggestions that had been submitted outside of the formal comment period. The committee then developed a draft set of recommendations for changes to the state noxious weed list. The preproposal statement was filed in May and the draft amendments were sent out for comment in September of 1997.

The Noxious Weed Committee met a third time in September to consider public input and to finalize its recommendations to the WSNWCB. After discussion and review of the committee's recommendations, the WSNWCB adopted the recommended changes to the state weed list as their formal proposal in September 1997.

Summary of Amendments: The following changes are proposed:

WAC 16-750-005 State noxious weed list—Class A noxious weeds, Class A noxious weeds are required to be eradicated by all landowners under the authority of chapter 17.10 RCW.

Add five new nonnative species that are of extremely limited distribution and are highly destructive, competitive, or difficult to control (*Hieracium floribundum*, *Salvia*

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pratensis, *Salvia sclarea*, *Spartium junceum*, and *Soliva sessilis*).

WAC 16-750-011 State noxious weed list—Class B noxious weeds, Class B noxious weeds are required to be controlled by all landowners in the areas where they are designated, under the authority of chapter 17.10 RCW. In the areas where they are not designated, landowners are only required to control Class B noxious weeds if they are placed on the county noxious weed control list, as a local priority for control.

Designate new areas for the mandatory control of four previously listed species, each in only three counties or a smaller area (*Hieracium aurantiacum*, *Kochia scoparia*, *Linaria dalmatica* ssp. *dalmatica*, and *Tribulus terrestris*). These species have been found to have only limited distribution in the areas where they are proposed for designation, making control and containment feasible.

Add three new nonnative species that are highly destructive, competitive, or difficult to control (*Geranium robertianum*, *Hieracium atratum*, and *Hieracium laevigatum*). The species are designated for control where they are unknown or of limited distribution.

Costs of Compliance: The addition of new noxious weeds to the state noxious weed list or the designation of noxious weeds in new areas of the state impose potential costs on all businesses that own or manage infested property. These costs are only incurred if the listed species occur on the property. By definition, the noxious weeds for which the state requires control are of limited distribution and, therefore, only a relatively small number of businesses will actually incur noxious weed control costs in any one season.

The control of noxious weeds involves costs for the actual control strategy selected, as well as some administrative time for recordkeeping, compliance correspondence, training, and safety education for some control strategies. The state's noxious weed law, chapter 17.10 RCW, does not mandate a specific method of control; it mandates a result. The landowner can select the method he/she feels is most appropriate, after considering site characteristics, cost, time, and effectiveness. Technical assistance in choosing a control strategy is available to all landowners at no cost from the local county noxious weed control board or weed district, Washington State University Cooperative Extension, the Washington State Department of Agriculture, and the WSNWCB. Control costs will vary widely, based on the noxious weed, the site's environmental characteristics, weather, the extent of the vegetation, the surrounding land use, and the control strategy used.

Chemical control strategies involve costs for the following items. These control cost ranges capture the majority of control situations, but some sites may have higher or lower costs:

- herbicides - \$15 to \$100 per acre.
- application equipment - spot spray with a premixed chemical \$0, hand held sprayer \$15 to \$45, backpack sprayer \$60 to \$100 new (may be available for loan from county weed board), truck mounted spray rig and boom \$500 to \$5,000 (not including vehicle).
- labor - in-house or contracted with a licensed applicator (who would handle equipment, licensing, permitting, and recordkeeping) \$20 to \$100 per hour contracted applicator; aerial application \$150 to \$250 per hour.

- protective equipment - goggles \$3 to \$10, chemical-resistant gloves \$5 to \$40, chemical-resistant boots \$20 to \$60, Tyvek coveralls \$3 to \$12. Personal protective equipment costs will vary depending on the type of herbicide and the frequency and duration of use.
- licensing and permitting - application of many herbicides requires the applicator to be licensed and permits may be required for some types of sites (mainly those in or near water) - \$21 to \$40 for license and study materials, \$20 to \$500 for permit notices and signage.
- recordkeeping - 15 minutes to 2 hours of labor time, depending on the extent and variability of the application.

Hand-pulling or mowing costs include:

- labor - hand methods may require two to ten times more labor time than chemical strategies.
- equipment - hand tools \$5 to \$40 each for shovels, hoes, weed whip; \$35 to \$250 for hand-held trimmers.
- disposal - bags 50 cents to \$4 each, land-filling \$15 to \$100/ton.

Other strategies like burning, steam solarization, tillage, etc. may be appropriate for some sites, but the previous two methods are the most commonly used.

Comparison of Cost - Small versus Large Employers: Administrative and control costs vary only with the control strategy selected, the site characteristics, and the type and extent of the infestation. These costs on a per acre basis would be the same for small and large employers, but could be proportionally more per employee for small employers. The cost to outfit, train, and equip one employee for noxious weed control work would depend on the number of employees needed to conduct the control work, but this may represent a larger percentage of employees for small businesses. Contracting for control work could cost more per hour of labor or per \$100 of sales for a small employer. Larger businesses would be expected, in general, to own or manage more land, thus potentially incurring a higher total cost.

The proposed amendments affect a small percentage of landowners in Washington. It is highly unlikely they would affect more than 20% of all industries or more than 10% of any one industry. The species proposed for the A list are all presently known from four or fewer sites in the state. The proposed changes to the B list would also affect limited numbers of landowners; these changes are proposed because the species are present in limited areas or present at very small levels of infestation.

Mitigation of Disproportionate Costs to Small Employers: The state noxious weed law recognizes that the immediate prevention, control, and eradication of noxious weeds is practical on some lands and that these activities should be extended over a period of time on other lands. RCW 17.10.154 allows county noxious weed control boards, at their discretion, to enter into agreements with local landowners. These agreements allow for gradual containment and control of noxious weeds over a period of years on appropriate sites. This flexibility allows small businesses to spread noxious weed control costs over time in some cases.

Due to site conditions and infestation patterns, mitigation of control requirements for small businesses may not

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always be possible. Noxious weeds do not recognize human political and ownership boundaries. Effective control state-wide requires that all landowners fulfill the requirements to control and contain noxious weeds. This is an inherent part of all pest control programs. Through the state noxious weed list, the state has prioritized control efforts in Washington, concentrating landowner efforts on new infestations. Control of infestations when they are small provides the most protection for the least cost. County noxious weed control boards limit landowner costs by conducting regular surveys so that infestations can be caught when small. Technical assistance is also available through several sources to assist landowners in devising the most effective and cost-efficient control program possible.

Hearing Location: The public hearing on this proposed rule making will be held on November 18, 1997, at the Grant County PUD Auditorium, 312 West Third Avenue, Moses Lake, WA, from 9:00 a.m. to 10:00 a.m.

Submit Written Comments to: Lisa Lantz, Executive Secretary, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, WA 98031, (253) 872-2972, FAX (253) 872-6320.

Date of Intended Adoption: November 18, 1997.

A copy of the statement may be obtained by writing to Lisa Lantz, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, WA 98031, phone (253) 872-2972, or FAX (253) 872-6320.

RCW 34.05.328 does not apply to this rule adoption. The Washington State Noxious Weed Control Board is not one of the agencies listed in this section.

Hearing Location: Grant County, Public Utility District Auditorium, 312 West Third Avenue, Moses Lake, WA, on November 18, 1997, at 9:00-10:00 a.m.

Assistance for Persons with Disabilities: Contact Lisa Lantz by November 14, 1997, TDD (360) 902-1996, or (253) 872-2972.

Submit Written Comments to: Lisa Lantz, Washington State Noxious Weed Control Board, 1851 South Central Place, Suite 211, Kent, WA 98031, FAX (253) 872-6320, by November 14, 1997.

Date of Intended Adoption: November 18, 1997.

September 29, 1997

Lisa E. Lantz

Executive Secretary

AMENDATORY SECTION (Amending WSR 96-06-030, filed 2/29/96, effective 3/31/96)

WAC 16-750-005 State noxious weed list—Class A noxious weeds.

Common Name	Scientific Name
bean-caper, Syrian	Zygophyllum fabago
blueweed, Texas	Helianthus ciliaris
broom, Spanish	<u>Spartium junceum</u>
buffalobur	Solanum rostratum
<u>clary, meadow</u>	Salvia pratensis
cordgrass, salt meadow	Spartina patens
crupina, common	Crupina vulgaris
four o'clock, wild	Mirabilis nyctaginea
hawkweed, mouseear	Hieracium pilosella
<u>hawkweed, yellow devil</u>	<u>Hieracium floribundum</u>
hogweed, giant	Heraclium mantegazzianum
hydrilla	Hydrilla verticillata
johnsongrass	Sorghum halepense

knapweed, bighead
knapweed, Vochin
lawnweed
mallow, Venice
nightshade, silverleaf
peganum
sage, clary
sage, Mediterranean
starthistle, purple
thistle, Italian
thistle, milk
thistle, slenderflower
unicorn-plant
velvetleaf
woad, dyers

Centaurea macrocephala
Centaurea nigrescens
Soliva sessilis
Hibiscus trionum
Solanum elaeagnifolium
Peganum harmala
Salvia sclarea
Salvia aethiopsis
Centaurea calcitrapa
Carduus pycnocephalus
Silybum marianum
Carduus tenuiflorus
Proboscidea louisianica
Abutilon theophrasti
Isatis tinctoria

AMENDATORY SECTION (Amending WSR 97-06-108, filed 3/5/97, effective 4/5/97)

WAC 16-750-011 State noxious weed list—Class B noxious weeds.

Name	Will be a "Class B designate" in all lands lying within:
(1) blackgrass <i>Alopecurus myosuroides</i>	(a) regions 1,2,3,5,6,8,9,10 (b) Ferry, Stevens, Pend Oreille counties of region 4 (c) Adams County of region 7.
(2) blueweed <i>Echium vulgare</i>	(a) regions 1,2,3,4,5,6,8,9,10 (b) region 7 except for an area starting at the Stevens County line on SR 291 south to the SR 291 bridge over the Little Spokane River, thence upstream along the Little Spokane River to the first Rutter Parkway Bridge; thence south along the Rutter Parkway to the intersection of Rutter Parkway and Indian Trail Road; thence southerly along Indian Trail Road to a point three miles south (on section line between sections 22 and 27, T-26N, R-42E); thence due west to a point intersecting the line between Ranges 41 and 42; thence north along this line to a point 1/4 mile south of Charles Road; thence northwesterly parallel to Charles Road to a point 1/4 miles south of the intersection of Charles Road and West Shore Road; thence northerly along West Shore Road to the Spokane River (Long Lake); thence southeasterly along the Spokane River to the point of beginning.
(3) broom, Scotch <i>Cytisus scoparius</i>	(a) regions 3,4,6,7,9,10.
(4) bryony, white <i>Bryonia alba</i>	(a) regions 1,2,3,4,5,6,8,9 (b) region 7 except Whitman County (c) Franklin County of region 10.
(5) bugloss, common <i>Anchusa officinalis</i>	(a) regions 1,2,3,5,6,8,9,10 (b) region 4 except Stevens and Spokane counties (c) Lincoln, Adams, and Whitman counties of region 7.
(6) bugloss, annual <i>Anchusa arvensis</i>	(a) regions 1,2,3,4,5,6,8,9 (b) Lincoln and Adams counties (c) Whitman County except ranges 43 through 46 East of Townships 16 through 20 North.
(7) fanwort <i>Cabomba caroliniana</i>	(a) regions 1,2,3,4,5,6,7,9,10 (b) region 8 except T8N, R3W of Cowlitz County.

- (8) camelthorn
Alhagi maurorum
- (a) regions 1,2,3,4,5,7,8,9
(b) region 6 except those portions of Sections 23,24,25, and 29 through 36, T16N, R27E, W.M. lying outside Intercounty Weed District No. 52 and except Sections 1 through 12, T15N, R27E, W.M. in Grant County and except the area west of Highway 17 and north of Highway 26 in Adams County
(c) Franklin, Columbia, Garfield, and Asotin counties of region 10
(d) an area beginning at the Washington — Oregon border at the southwest portion of section 15, R32E, T6N, then north to the northwest corner of section 3, R32E, T7N, then east to the northeast corner of section 3, R36E, T7N, then south to southeast portion of section 15, R36E, T6N, at the Washington — Oregon border, then west along the Washington — Oregon border to the point of beginning.
- (9) catsear, common
Hypochaeris radicata
- (10) cinquefoil, sulfur
Potentilla recta
- (a) regions 3,4,6,7,10
(b) region 9 except Klickitat County.
(b) regions 1,3,8,10
(b) region 2 except Skagit County
(c) region 4 except Stevens, Ferry, and Pend Oreille counties
(d) region 5 except Thurston County
(e) region 6 except Yakima County
(f) region 7 except Spokane County
(g) region 8 except Lewis County
(h) region 9 except Klickitat County.
- (11) Cordgrass, smooth
Spartina alterniflora
- (a) regions 1,3,4,5,6,7,9,10
(b) region 2 except Padilla Bay of Skagit County
(c) region 8 except bays and estuaries of Pacific County.
- (12) cordgrass, common
Spartina anglica
- (a) regions 1,3,4,5,6,7,8,9,10
(b) region 2 except bays and estuaries of Skagit and Island counties and except bays and estuaries north of Everett in Snohomish County.
- (13) daisy, oxeye
Leucanthemum vulgare
- (a) regions 7,10
(b) region 9 except those areas lying within Klickitat and Yakima counties west of Range 13 East
(c) region 6 except those areas lying within Yakima and Kittitas counties west of Range 13 E.
- (14) deadnettle, hybrid
Lamium hybridum
- (15) elodea, Brazilian
Egeria densa
- (16) fieldcress, Austrian
Rorippa austriaca
- (a) regions 1,3,4,5,6,7,8,9,10
(b) region 2 except Skagit County.
(a) regions 3,4,6,7,9,10
(b) Lewis County of region 8.
(a) regions 1,2,3,4,5,6,8,9
(b) regions 7 and 10 except within the Palouse River Canyon from Big Palouse Falls to the Snake River.
- (17) gorse
Ulex europaeus
- (a) regions 3,4,6,7,9,10
(b) Skagit County of region 2
(c) Thurston and Pierce counties of region 5
(d) Wahkiakum, Cowlitz, and Lewis counties of region 8.
- (18) hawkweed, orange
Hieracium aurantiacum
- (a) regions 3,6,9,10
(b) Clallam County of region 1
(c) Skagit County of region 2
(d) Ferry County of region 4
(~~(e)~~) (e) Thurston (County) and King counties of region 5
(~~(f)~~) (f) Lincoln and Adams counties of region 7.
- (19) hawkweed, polar
Hieracium atratum
- (a) regions 1,2,3,4,6,7,8,9,10
(b) region 5 outside the boundaries of Mt. Rainier National Park.
- (20) hawkweed, smooth
Hieracium laevigatum
- (a) regions 1,3,4,5,6,7,8,9,10
(b) San Juan and Island counties of region 2.
- (~~(19)~~) (21) hawkweed, yellow
Hieracium caespitosum
- (a) regions 1,2,3,5,6,7,8,10
(b) region 4 except north of T32N in Pend Oreille County and east Highway 395 and north of Highway 20 in Stevens County
(c) region 9 except sections 32, 33 and 34 of T6N, R12E, and sections 4, 5, 6, and 7 of T5N, R12E, and section 12 of T5N, R11E of Klickitat County.
- (~~(20)~~) (22) hedgeparsley
Torilis arvensis
- (a) regions 1,2,3,4,5,6,7,8,10
(b) Yakima, Benton, Franklin counties
(c) Klickitat County except those lands lying within T4N, R10E, R11E, R12E, R13E, R14E; T3N, R10E, R11E, R12E, R13E; T2N, R12E, R13E.
- (23) herb-Robert
Geranium robertianum
- (a) regions 3,4,6,7,8,9,10
(b) Clallam County of region 1
(c) Whatcom, San Juan, and Island counties of region 2
(d) Grays Harbor, Mason, and Kitsap counties of region 5
(e) portions of King County lying in:
(i) Issaquah Alps: T24N, R5E, sections 25, 26, 35, and 36; T24N, R6E, sections 30 and 31; T23N, R6E, sections 4, 5, 6 (north 1/2 and west of SR900), 9, and 10 (north 1/2); T23N, R8E, sections 8 (SW 1/4 SW 1/4), 17, 18 (eastern half), 20, 21 (western half), 28, and 29 (eastern half).
(ii) Tradition Plateau area: T24N, R6E, sections 26 (south of I-90), 27 (south of I-90, east of E. Sunset Way), and 35.
- (~~(24)~~) (24) indigobush
Amorpha fruticosa
- (a) regions 1,2,3,4,5,6
(b) regions 7 and 10 except within 200 feet of the Snake River from Central Ferry downstream
(c) regions 8,9, and 10 except within 200 feet of the Columbia River.
- (~~(25)~~) (25) knapweed, black
Centaurea nigra
- (a) regions 1,2,3,4,5,7,9,10
(b) region 6 except Kittitas County
(c) region 8 except Clark County.
- (~~(26)~~) (26) knapweed, brown
Centaurea jacea
- (a) regions 1,2,3,4,5,7,9,10
(b) region 6 except Kittitas County
(c) region 8 except Clark County.
- (~~(27)~~) (27) knapweed, diffuse
Centaurea diffusa
- (a) regions 1,2,5,8
(b) Grant County lying in Townships 13 through 16 North, Ranges 25 through 27 East; Townships 17 and 18 N., Ranges 25 through 30 East; Townships 19 and 20 North, Ranges 29 and 30 East; T21N, R23E, Sections 1 through 30; T21N, R26E., Sections 5,6,7,8,17, and 18; East 1/2 Township 21N, Range 27E.; T21N, Ranges 28 through 30 E.; those portions of Townships 22 through 28N, Ranges 28 through 30 E.; those portions of Township 22 through 28N., Ranges 23 through 30E. lying in Grant County; all W.M.

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- (c) Adams County except those areas within T15N, R36E, Section 36; T15N, R37E, Sections 22,26,27,28, 31,32,33 and 34; T15N, R37E, western half of Sections 23, 24 and 25; T15N, R38E, Sections 2,10, 11,14,15,19 and 20; T16N, R38E, Sections 34 and 35; T17N, R37E, Sections 5 and 6
- (d) Franklin County of regions 9 and 10.
 - (a) regions 1,2,3,4,5,7,9,10
 - (b) region 6 except Kittitas County
 - (c) region 8 except Clark County.
- ~~((25))~~ (28) knapweed, meadow *Centaurea jacea x nigra*
- ~~((26))~~ (29) knapweed, Russian *Acroptilon repens*
- ~~((27))~~ (30) knapweed, spotted *Centaurea biebersteinii*
- ~~((28))~~ (31) kochia *kochia scoparia*
- ~~((29))~~ (32) lepyrodiclis *Lepyrodiclis holosteoides*
- ~~((30))~~ (33) loosestrife, garden *Lysimachia vulgaris*
- ~~((31))~~ (34) loosestrife, purple *Lythrum salicaria*
- ~~((32))~~ (35) loosestrife, wand *Lythrum virgatum*
- (a) regions 1,2,3,4,5,7,9,10
- (b) region 6 except Kittitas County
- (c) region 8 except Clark County.
- (a) regions 1,2,5,7,8
- (b) region 4 except that area lying within the boundaries of the Colville Indian Reservation within Ferry County
- (c) Adams County of region 6 except for the area west of Highway 17 and North of Highway 26
- (d) Intercounty Weed District No. 52
- (e) region 10 except Franklin County.
- (a) regions 1,2,3,5,6,8,9
- (b) Ferry County of region 4
- (c) Adams and Whitman counties of region 7
- (d) region 10 except Garfield County.
- (a) Skagit County of region 2
- (b) Pend Oreille County of region 4
- ~~((33))~~ (c) Kittitas County of region 6.
- (a) regions 1,2,3,4,5,6,8,9,10
- (b) region 7 except an area within Whitman County east of the Pullman — Wawawai Road from Wawawai to Pullman and south of State Highway 270 from Pullman to Moscow, Idaho.
- (a) regions 1,2,3,4,6,7,8,9,10
- (b) region 5 except King County.
- (a) regions 1,4,7,8
- (b) region 2 except Snohomish County
- (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside
- (d) region 5 except the area west of the Urban Growth Line, as defined in the King County Comprehensive Plan, and south of I-90, but not including Vashon Island, of King County
- (e) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed
- (f) region 9 except Benton County
- (g) region 10 except Walla Walla County
- (h) Intercounty Weed Districts No. 51 and No. 52.
- (a) regions 1,4,7,8
- (b) region 2 except Snohomish County
- (c) region 3 except within 100 feet of the ordinary highwater mark of the Okanogan River from the Canadian border south to Riverside
- ~~((33))~~ (36) nutsedge, yellow *Cyperus esculentus*
- (d) region 5 except King County
- (e) region 6 except that portion of Grant County lying northerly of the Frenchmen Hills-O'Sullivan Dam Road, southerly of Highway Interstate 90, easterly of the section line of the location of County Road J SW/NW if constructed and westerly of the section line of the location of County Road H SE/NE if constructed
- (f) region 9 except Benton County
- (g) region 10 except Walla Walla County
- (h) Intercounty Weed Districts No. 51 and No. 52.
- (a) regions 1,2,3,4,5,7,8
- (b) region 6 except those areas lying between State Highway 26 and State Highway 28, and westerly of Dodson Road in Grant County, and except S 1/2, Sec. 2, T20N, R25E., W.M.
- (c) region 9 except:
 - (i) except those areas lying within the following boundary description within Yakima County: Beginning at the intersection of Highway 12 and Parker Heights Road and continuing easterly to Konnowac Pass Road follow said road north to the intersection of Konnowac Pass Road and Nightingale Road. The northern boundary shall be the Roza Canal, continuing from the established point at Nightingale Road. The boundaries will follow the Roza Canal easterly to the County Line Road. The east boundaries will be the Yakima/Benton County Line from a point beginning at the County Line and Highway 22 (near Byron) continuing westerly along Highway 22 (to near the city of Mabton) to the intersection of Highway 22 and the Reservation Boundary (Division Road) and continuing north to the Yakima River. Then it will follow the river northwest to the Wapato-Donald Road continuing north along said road to Highway 12 then Highway 12 to Parker Heights Road.
 - (ii) an area lying southerly of State Route 14 and within T2N, Ranges 13 and 14 E of Klickitat County
- (d) region 10 except Walla Walla County.
 - (a) regions 1,2,3,4,5,6,7,9,10
 - (b) region 8 except Skamania County.
 - (a) regions 1,2,3,4,5,6,7,9,10
 - (b) region 8 except Clark, Cowlitz, and Wahkiakum counties.
- ~~((34))~~ (37) oxtongue, hawkweed *Picris hieracioides*
- ~~((35))~~ (38) parrotfeather *Myriophyllum aquaticum*

- ~~((36))~~ (39) pepperweed, perennial
Lepidium latifolium
- (a) regions 1,2,3,4,5,7,8,10
(b) Grant County lying northerly of Township 21, North, W.M.
(c) Intercounty Weed Districts No. 51 and 52
(d) Kittitas County of region 6
(e) Adams County of region 6 except for the area west of Highway 17 and north of Highway 26.
- ~~((37))~~ (40) puncturevine
Tribulus terrestris
- (a) Skagit County of region 2
(b) Kittitas County of region 6
(c) Adams County.
- ~~((38))~~ (41) ragwort, tansy
Senecio jacobaea
- (a) regions 3,4,6,7,9,10
(b) region 5, that portion of Pierce County lying south or east of a boundary beginning at the White River and State Highway 410, then west along State Highway 410 to intersection with State Highway 162 (Orting) to intersection with Orville Road, then south along Orville Road to intersection with Kapowsin Highway (304th Street East), then west following Kapowsin Highway to intersection with State Route 7, then south along State Route 7 to intersection with State Route 702, then west along State Route 702 to intersection with State Route 507, then southwest along State Route 507 to intersection with the Nisqually River.
- ~~((39))~~ (42) sandbur, longspine
Cenchrus longispinus
- (a) regions 1,2,3,4,5,7,8
(b) Adams County of region 6 except for that area lying within Intercounty Weed District No. 52
(c) Intercounty Weed District No. 51.
- ~~((40))~~ (43) skeletonweed, rush
Chondrilla juncea
- (a) regions 1,2,3,5,8,9
(b) Franklin County except T13N, R36E; and T14N, R36E
(c) Adams County except those areas lying west of a line running north from Franklin County along the western boundary of Range 36 East to State Highway 26 then north on Sage Road until it intersects Lee Road, then due north until intersection with Providence Road, then east to State Highway 261, then north along State Highway 261 to its intersection with Interstate 90, henceforth on a due north line to intersection with Bauman Road, then north along Bauman Road to its terminus, then due north to the Lincoln County line.
(d) region 6 except that portion lying within Grant County that is southerly of State Highway 28, northerly of Interstate Highway 90 and easterly of Grant County Road E Northwest
(e) Stevens countynorth of Township 33 North of region 4
(f) Ferry and Pend Oreille counties of region 4
(g) Asotin County of region 10
(h) Garfield and Columbia counties south of Highway 12
(i) Whitman County lying in Ranges 43 through 46 East of Townships 15 through 20 North; T14N, Ranges 44 through 46 East; and T13N, Ranges 45 and 46 East.
- ~~((41))~~ (44) sowthistle, perennial
Sonchus arvensis
ssp. arvensis
- (a) regions 1,2,3,4,7,8,9,10
(b) Adams County of region 6
(c) region 5 except for sections 28, 29, 30, 31, 32, and 33 in T19N, R1E of Thurston and Pierce counties.
- ~~((42))~~ (45) spurge, leafy
Euphorbia esula
- (a) regions 1,2,3,4,5,6,8,9,10
(b) region 7 except as follows:
(i) T27N, R37E. Sections 34,35,36; T27N, R38E. Sections 31,32,33; T26N, R37E. Sections 1,2,3,10, 11,12,13,14,15,16,26; T26N, R38E. Sections 5, 6,7,8 of Lincoln County
(ii) T24N, R43E, Section 12, Qtr. Section 3. Parcel No. 9068 of Spokane County.
- ~~((43))~~ (46) starthistle, yellow
Centaurea solstitialis
- (a) regions 1,2,3,5,6,8
(b) region 4 except those areas within Stevens County bounded by a line beginning at the intersection of State Highway 20 and State Highway 25, then north to intersection with Pinkston Creek Road, then east along Pinkston Creek Road to intersection with Highland Loop Road, then south along Highland Loop Road to intersection with State Highway 20, then west along State Highway 20 to intersection with State Highway 25
(c) region 7 except those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border
(d) Franklin County
(e) region 9 except Klickitat County
(f) in all lands lying within Asotin County, Region 10, except as follows: T11N, R44E. Sections 25, 26, 27, 28, 29, 31, 32, 33, 34, and 35; T11N, R45E. Sections 21, 22, 23, and 25; T11N, R36E. Sections 19, 20, 21, 28, 29, 30, 31, 32, and 33; T10N, R44E. Sections 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 15, and 16; T10N, R45E. Sections 23 and 24; T10N, R46E. Sections 7, 8, 17, 18, 19, 20, 21, 22, 27, 34, and 35; T9N, R46E. Sections 1, 2, 12, 13, 14, 23, 24, 25, 26, 35, and 36; T9N, R47E. Sections 18, 19, 30, and 31; T8N, R46E. Sections 1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 16, 23, and 24; T8N, R47E. Sections 8, 17, 18, 19, 20, 29, 30, 31, and 32.
- ~~((44))~~ (47) Swainsonpea
Sphaerophysa salsula
- (a) regions 1,2,3,4,5,7,8
(b) Columbia, Garfield, Asotin, and Franklin counties
(c) an area beginning at the Washington — Oregon border at the southwest portion of Section 15, R32E, T6N, then north to the northwest corner of Section 3, R32E, T7N, then east to the northeast corner of Section 3, R36E, T7N, then south to the southeast portion of Section 15, R36E, T6N, at the Washington — Oregon border.

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then west along the Washington — Oregon border to the point of beginning

- (d) Weed District No. 3 of Grant County
- (e) Adams County of region 6.
 - (a) regions 1,2,3,5,6,7,8,9,10
 - (b) Spokane and Pend Oreille counties.
 - (a) regions 1,2,3,5,6,7,8,9,10
 - (b) region 4 except those areas within Stevens County lying north of State Highway 20.
 - (a) regions 1,2,3,4,5,6,8,9
 - (b) region 7 except for those areas within Whitman County lying south of State Highway 26 from the Adams County line to Colfax and south of State Highway 195 from Colfax to Pullman and south of State Highway 270 from Pullman to the Idaho border
 - (c) Franklin County.
 - (a) regions 1,2,5,8,10
 - (b) Douglas County of region 3 lying south of T25N, west of R25E, and east of R28E
 - (c) Kittitas, Chelan, Douglas, and Adams counties of region 6
 - ~~((48))~~ (d) Intercounty Weed District No. 51
 - ~~((49))~~ (e) Weed District No. 3 of Grant County
 - ~~((50))~~ (f) Lincoln and Adams counties
 - ~~((51))~~ (g) The western two miles of Spokane County of region 7
 - ~~((52))~~ (h) region 9 except as follows:
 - (i) those areas lying within Yakima County
 - (ii) those areas lying west of the Klickitat River and within Klickitat County.
 - (a) regions 1,9,10
 - (b) region 7 except Spokane County
 - (c) region 8 except within 200 feet of the Columbia River
 - (d) Adams County of region 6
 - (e) in all water bodies of public access, except the Pend Oreille River, in Pend Oreille County of region 4.

~~((45))~~ (48) thistle, musk
Carduus nutans
~~((46))~~ (49) thistle, plumeless
Carduus acanthoides

~~((47))~~ (50) thistle, Scotch
Onopordum acanthium

~~((48))~~ (51) toadflax, Dalmatian
Linaria dalmatica
spp. dalmatica

~~((49))~~ (52) watermilfoil,
Eurasian
Myriophyllum spicatum

Statutory Authority for Adoption: RCW 48.02.060, 48.44.050, and 48.46.200.

Statute Being Implemented: RCW 48.44.020 (2)(d), 48.44.022, 48.44.023, 48.44.040, 48.46.060 (3)(d), (5), 48.46.064, and 48.46.066.

Summary: These rules set guidelines for when rate filings are required and what the filings are to contain. They further provide the parameters within which the rates will be evaluated.

Reasons Supporting Proposal: RCW 48.44.020 (2)(d) and 48.46.060 (3)(d) allow the commissioner to disapprove contracts because the benefits are unreasonable in relation to the amount charged. This statute serves to provide the public with protection from excessive charges for the benefits provided by health benefit plans. The rule that established a standard for the evaluation of rates was repealed in 1995 because it was outdated, inflexible, and inappropriate for the current health care environment. Legislation that would have established a standard for this evaluation was passed by the legislature in 1996 but was vetoed by the governor. In the absence of standards, lengthy and costly litigation has occurred regarding the rates filed by carriers. In light of the lack of standards and the litigation that has occurred, the regulated community has requested that rules be adopted that not only establish standards for the evaluation of rates, but also establish guidelines for the material that is to be submitted in support of the requested rates. These new rules respond to these needs as well as the public's need for protection by defining the parameters within which the rates will be evaluated and the material that must be submitted in support of the requested rates.

Name of Agency Personnel Responsible for Drafting: Brian Morris, Olympia, (360) 664-4301; Implementation and Enforcement: Ida Zodrow, Olympia, (360) 664-8137.

Name of Proponent: Deborah Senn, Insurance Commissioner, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The new rule requires annual filings for health benefit plans and plans offered by limited health care service contractors. It includes a list of data elements and justifications that must be supplied in support of individual and small group rates. The rule establishes loss ratio and rate of increase criteria that, if met, will result in a determination that requested rates are reasonable. If the criteria are not met, the rule defines the components of the rate that will be reviewed in order to determine if the requested rate is reasonable. It is anticipated that the rule will bring more uniformity to the material submitted and help to establish a common language for discussions regarding the requested rates. It is further anticipated that the rule will allow the carriers a better understanding of how the filed rates will be reviewed.

Proposal Changes the Following Existing Rules: These rules will provide up-to-date guidelines for filing contract and rate schedules. These rules provide the standard to be used to determine when proposed premiums are unreasonable in relation to benefits.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

WSR 97-20-139

PROPOSED RULES

INSURANCE COMMISSIONER'S OFFICE

[Filed October 1, 1997, 10:46 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-13-072.

Title of Rule: Procedures and standards for health care service contractors and health maintenance organizations to use in filing contract forms and rate schedules with the Insurance Commissioner.

Purpose: To provide consistent and up-to-date guidelines for filing contract forms and rate schedules and to specify the standards to be used to determine when proposed premiums are unreasonable in relation to benefits.

Other Identifying Information: R 97-2.

Small Business Economic Impact Statement

(a) Is the rule required by federal law or federal regulation? No, this proposed rule is not required by federal law.

(b) What industry is affected by the proposed rule? The industry code that would be affected by this rule includes Hospital and Medical Service Plans, industry code #6324. In Washington, such plans are called Health Care Service Contractors (HCSCs) and Health Maintenance Organizations (HMOs).

(c) List the specific parts of the proposed rule, based on the underlying statutory authority (RCW section), which may impose a cost to businesses. Most rates filed by Health Care Service Contractors (HCSCs) and Health Maintenance Organizations (HMOs) are currently subject to review by the commissioner. The commissioner has the statutory authority to disapprove these rates if the benefits provided therein are "unreasonable in relation to the amount charged" (RCW 48.44.020 (2)(d) and 48.46.060 (2)(d)). Although rate analysts for the Office of the Insurance Commissioner (OIC) evaluate rates based on criteria included in this proposed rule, the commissioner believes it is important to explicitly set forth in a rule, the standards used to review rates. The intended result of this proposed rule is to achieve uniformity in the rate review process for all carriers, consistent with applicable statutes and regulations, standard actuarial practices, and standards for financial reporting.

HMOs and HCSCs are currently required to file specific rating information with the commissioner for approval of all individual and small group rates. This proposed rule imposes costs on the carriers by modifying and expanding the filing requirements associated with the rate review process. In addition, the commissioner recognizes the potential for costs associated with the time required to read and comprehend the new rule. The goal of this impact statement is to determine whether potential costs would disproportionately affect small carriers doing business in Washington state.

(d) What will be the compliance costs for industries affected? The intent of the proposed rule is to set forth in rule a consistent set of criteria on which to evaluate rate increases proposed by HCSCs and HMOs. These proposed criteria will be used by the OIC staff to determine whether a proposed rate increase is unreasonable in relation to benefits. In order to thoroughly and consistently evaluate these rates, a set of proposed filing requirements is included in this rule. Some of these filing requirements are new to the health carriers and will increase the costs of compliance to this industry; however, rule drafters have attempted to create filing requirements which reflect, as much as possible, the way HMOs and HCSCs currently do business.

New filing requirements that may impose additional compliance costs on HMOs and HCSCs include:

- Subscriber data compiled by family size.
- Documentation and justification of adjustments made to experience data, claim trend assumptions, and future claim costs assumptions.
- Nonclaims expense allocation information and justification of forecast changes in expenses
- Information on investment earnings.

- Information on criteria to determine contribution to surplus.
- Description of methodology used to adjust base rates.

(e) What percentage of the industries in the four-digit standard industrial classification will be affected by the rule? This proposed rule would affect one hundred percent of the HCSCs and HMOs that file rating information for individual and small group health benefit plans subject to OIC rate regulation under RCW 48.44.020 and 48.46.060.

(f) Will the rule impose a disproportionately higher economic burden on small businesses within the four-digit classification? In order to evaluate the effects of this proposed rule on large and small HCSCs and HMOs, it is important to recognize the varying structure of the health carriers within the industry. Tables 1 and 2 (following) describe the types of health benefit plans that are currently offered by the largest and smallest HCSCs and HMOs in Washington state. The carriers will remain anonymous to maintain confidentiality. There are currently only two health carriers that have under 50 employees in the state of Washington. These "small" carriers exclusively offer health plans that are not subject to this proposed rate review rule (e.g. Medicaid plans, subsidized Basic Health Plans). Presuming these carriers continue to offer these or similar types of plans, these companies would not be affected by the proposed rule. Conversely, all of the largest four carriers (largest 10%) described in Table 2 offer plans that are subject to rate review by the commissioner and would be subject to this proposed rule. Due to the types of benefit plans small carriers choose to offer, they are effectively excluded from the requirements of this proposed rule. Thus, this proposed rule does not appear to disproportionately burden "small" HCSCs and HMOs.

Table 1

Small HCSCs and HMOs

<u>Types of Plans Marketed by Carrier</u> (1996 data)				
Health Carrier	Standard Rates or Community Rated Plans	Non-standard Rates or Negotiated Rate Plans	Medicare Supplement Plans	State or Federally funded Plans (<u>not</u> subject to OIC rate review)
	Subject to OIC Rate Review and subject to the rate standards set forth in this proposed rule		Subject to OIC Rate Reviews, but not subject to this proposed rule	<u>Not</u> Subject to OIC Rate Review
A				X
B				X

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Table 2

Large HMOs and HCSCs

<u>Types of Plans Marketed by Carrier</u> (1996 data)				
Health Carrier	Standard Rates or Community Rated Plans	Non-standard Rates or Negotiated Rate Plans	Medicare Supplement Plans	State or Federally funded Plans (<u>not</u> subject to OIC rate review)
	Subject to OIC Rate Review and subject to the rate standards set forth in this proposed rule		Subject to OIC Rate Reviews, but not subject to this proposed rule	<u>Not</u> Subject to OIC Rate Review
A	X	X	X	X
B	X	X	X	X
C	X	X	X	X
D	X	X	X	X

(g) Can mitigation be used to reduce the economic impact of the rule on small businesses and still meet the stated objective of the statutes which are the basis of the proposed rule? Consideration of possible cost impacts have played a key role in shaping the proposed draft rule. A technical workgroup meeting with carrier staff familiar with the filing process was held specifically to discuss aspects of the draft rule that may potentially create compliance difficulties. Table 3 summarizes the cost reduction efforts that have taken place to reduce the economic burden on small businesses affected by this rule.

Table 3

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<u>Preliminary Drafts</u>		<u>Proposed Rule (CR-102)</u>
General Contents of Filings		
1A. For all rate class filings requesting rate changes. . . experience data, assumptions, and justifications must be provided on the individual rate class, small group rate class and merit class, as follows [in general. . .-->]		1A. An actuarially sound estimate of future claims. Experience data, assumptions, and justifications must be provided by the carrier as follows:.
2A. The number of current subscribers, in total and by family size, for each month of the experience period and the prior two periods, for the relevant rating class.		2A. The number of current subscribers, in total and by family size, for the contracts included in the filing. Show these figures for each month for the experience period and the prior two periods, for the contracts included in the filing and the carrier's total enrollment.
3A. Actual earned premium for each month of the experience period and the prior two periods for the relevant rating class.		3A. Earned premium for each month of the experience period and the prior two periods for the contracts included in the filing.
4A. Adjusted earned premium rates for each month of the experience period and the prior two periods, for the relevant rating class.		4A. Adjusted earned premiums for each month of the experience period and the prior two periods, for the contracts included in the filing.
A. Cost impacts: <ul style="list-style-type: none"> Above requirements include "merit class" filings. Merit classes are generally used in rating large groups. By including merit class filings, carriers would be required to submit information on individual, small and large groups. 	Cost Reduction →→→→	A. Cost impacts: <ul style="list-style-type: none"> By eliminating the requirements for merit class filings, health carriers need only submit detailed filing information for small and individual groups.
1B. The number of current subscribers, in total and by family size, in the rate class to be affected by the change in rates. Show these figures for each month for the experience period and the prior two periods, for (a) the relevant rating class and (b) the carrier's total enrollment. Calculate the current enrollment in the relevant rating class as a percentage of the carrier's total enrollment.		1B. Eliminated
2B. A new sales and lapse report for the relevant rating class showing for each month of the experience period and the prior two periods, a) the number of subscribers at the beginning of the month, b) the number of new subscribers added during the month, and c) the number of subscribers terminating coverage during the month.		2B. Eliminated
3B. Incurred claims by family size, for each month of the experience period and the prior two periods.		3B. Eliminated
B. Cost impacts: <ul style="list-style-type: none"> Includes filing requirements for subscriber information, sales lapse reports, and incurred claims segregated by family size. 	Cost Reduction →→→→	B. Cost impacts: <ul style="list-style-type: none"> Eliminated requirements, reducing cost impacts to zero.

Table 3 (Continued)

<u>Preliminary Drafts</u>		<u>Proposed Rule (CR-102)</u>
General Contents of Filings (continued)		
1C. Incurred claims, in total and by service type, for each month of the experience period and the prior two periods, for the relevant rating class.		1C. Incurred claims, in total and by service type, for each month of the experience period and the prior two periods, for the contracts included in the filing. As an alternative, monthly utilization and unit cost data or monthly utilization and staffing data may be supplied if it provides the basis for the carrier's development of estimated future claims.
2C. The amount of other benefit costs such as capitation payments, provider bonuses, etc. by month for the experience period and the prior two periods.		2C. The amount of capitation payments by month for the experience period and the prior two periods, for the contracts included in the filing. As an alternative monthly utilization and unit cost data or monthly utilization and staffing data may be supplied if it provides the basis for the carrier's development of estimated future claims.
C. Cost impacts: <ul style="list-style-type: none"> 1C is currently included in 284-44-210, WAC. 2C is a new filing requirement geared to reflect the current structure of most HCSCs. 	Cost Reduction →→→→	C. Cost impacts: <ul style="list-style-type: none"> Newer versions provide cost reducing alternatives for staff model HMOs (staff models may compile data differently than HCSCs).
1D. Documentation and justification of any adjustments to be made to the experience data prior to performing claim cost projections.		1D. Documentation and justification of any adjustments made to the experience data.
2D. Documentation and justification of claim trend assumptions, differentiating between the underlying medical trend for the purchaser class from any insurance determined trends such as the impact of deductibles, changes in lapse rates, and wearing off of underwriting.		2D. Documentation and justification of claim trend assumptions.
D. Cost impacts: <ul style="list-style-type: none"> These subsections would expand documentation requirements. 	Cost Reduction →→→→	D. Cost impacts: <ul style="list-style-type: none"> Newer version reduces restrictions on how HMOs and HCSCs compile data.
Non-claims Expenses		
1E. Experience data, assumptions, and justifications must be provided by an insurer on the individual rate class, small group rate class and merit class, [general data -->]as follows:		1E. A verifiable estimate of prudently incurred future expenses. Experience data, assumptions, and justifications must be provided by the carrier as follows
E. Cost impacts: <ul style="list-style-type: none"> Above requirements include "merit class" filings. Merit classes are generally used in rating large groups. By including merit class filings, carriers would be required to submit information on individual, small and large groups. 	Cost Reduction →→→→	E. Cost impacts: <ul style="list-style-type: none"> By eliminating the requirements for merit class filings, health carriers need only submit detailed filing information for small and individual groups.

PROPOSED

Table 3 (continued)

PROPOSED

<u>Preliminary Drafts</u>		<u>Proposed Rule (CR-102)</u>
Non-Claims Expenses (continued)		
2E. A breakdown of carrier's expenses allocated or assigned to the contracts included in the filing for the experience period.		2E. A breakdown of the carrier's expenses allocated or assigned to the contracts included in the filing for the experience period or for the period corresponding to the most recent Annual Statement. (i) HCSCs -- Underwriting and Investment Exhibit Part 3 (ii) HMOs Report #2.
E. Cost estimates <ul style="list-style-type: none"> In the past, expense data was requested on a case by case basis. This expands filing requirements to make expenses part of the annual rate filings. 	Cost Reduction →→→→	E. Cost estimates <ul style="list-style-type: none"> Because carriers are already filing expense information with Annual Statements, this requirement was modified to allow the time periods to match up with the Annual Statement periods so that Annual Statement data could be re-used.
1F. Taxes, other than federal income taxes, including premium tax, itemizing all revenue-sensitive tax rates paid and incurred, the taxable rate, the taxable base (for example, premium taxes of two percent), and the total resulting tax;		1F. Eliminated
2F. The effective and statutory federal income tax rates;		2F. Eliminated
3F. A listing of all contracts and amounts of payments to an affiliate or subsidiary where the carrier assigns or allocates all or a portion of the amounts to the plan contracts at issue in the filing.		3F. Eliminated
F. Cost estimates <ul style="list-style-type: none"> New expense filing requirements 	Cost Reduction →→→→	F. Cost estimates <ul style="list-style-type: none"> Eliminated requirements, reducing potential costs to zero.
Future Contribution to Surplus		
1G. the leverage ratio before the affects of the requested rate change and after the affects of the requested rate change.		1G. Eliminated
2G. If the carrier has any borrowed money (such as notes payable, short-term debt, or long-term debt) a schedule that identifies the composition of the borrowed debt liability, the rate of interest paid on each debt, and the composite rate paid on the total amount of borrowed money. The beginning and ending balances of the experience period and the average amount of borrowed money shall be reported. These balances shall not include non-interest bearing debt or trade		2G. eliminated
G. Cost estimates <ul style="list-style-type: none"> New contribution to surplus filing requirements 	Cost Reduction →→→→	G. Cost estimates <ul style="list-style-type: none"> Eliminated requirements, reducing potential costs to zero.

Table 3 (Continued)

<u>Preliminary Drafts</u>		<u>Proposed Rule (CR-102)</u>
Future Investment Income		
1H The total amount of investment income for the experience period and for the prior five calendar years stated both in dollars and as a percentage of total premiums. The investment income shall be reported showing the amounts achieved through ordinary income earned on investments and through gains or losses on the sale of securities.		1H. Eliminated
2H. The total amount of other income for the experience period, on a total company basis and for the plan contracts in the relevant rating class (if such amounts of other income are included in the filing by the carrier), stated both in dollars and as a percentage of total premiums. Also provide a breakdown & explanation of the sources of other income.		2H. Eliminated
3H. documentation and justification of forecasted other income identified in dollars, and as a percentage of total premiums and the amount credited to the plan contracts in the relevant rating class.		3H. Eliminated
H. Cost estimates <ul style="list-style-type: none"> • New investment income filing requirements 	Cost Reduction →→→→	H. Cost estimates <ul style="list-style-type: none"> • Eliminated requirements reducing potential costs to zero.

PROPOSED

(h) **What steps will the commissioner take to reduce the costs of the rule on small businesses?** As described in Table 3, the commissioner has taken steps to reduce the costs imposed by this rule. Small carriers were invited to provide input throughout the rule drafting process.

(i) **Which mitigation techniques have been considered and incorporated into the proposed rule?** Based on written comments from and discussions with representatives of HCSCs and HMOs, as well as input from OIC rate analysts, the commissioner eliminated several provisions from the proposed rule that significantly reduced the filing costs associated with this rule. Elimination of these provisions has reduced the analytical work and paperwork required to comply with the proposed rule. On September 29th, carriers were invited to a meeting to discuss potential cost produced by the proposed rule. Details of mitigation efforts are described in Table 3.

(j) **Which mitigation techniques were considered for incorporation into the proposed rule but were rejected, and why?** The proposed rule includes a requirement that an actuary, defined as a member of the American Academy of Actuaries, certify that the benefits provided are reasonable in relation to the amount charged. Because this is a relatively restrictive definition of "actuary," and because smaller health carriers may not have as much access to actuarial resources (defined in this manner) as larger carriers, the commissioner considered broadening this definition to allow more flexibility. This modification was considered, but not incorporated at the time of the filing in order to explore the issue further during the notice and public comment period of the rule-

making process. The commissioner also considered modifying the requirements that certain data be segregated by family size in order to more closely reflect the practices of health carriers. These modifications were also considered, but not incorporated so that the issue could be evaluated in more detail during the notice and public comment period of the rule-making process.

(k) **Briefly describe the reporting, recordkeeping, and other compliance requirements of the proposed rule.** The rate review criteria are designed to be consistent with applicable statutes and regulations, standard actuarial practices, and standards for financial reporting. It is not the intent of this rule to require recordkeeping that is not consistent with the standard practice and sound financial management of health carriers. HMOs and HCSCs are required to file documentation regarding claims expenses, nonclaims expenses, criteria for determining contribution to surplus, and justification for adjustments made to base rates. All data would come from records and reports that are part of the standard rate-making process.

(l) **List the kinds of professional services that a small business is likely to need in order to comply with the reporting, recordkeeping, and other compliance requirements of the proposed rule.** In the event an HCSC or HMO has difficulty comprehending the intent of the proposed rule, the Insurance Commissioner will make resources available to assist the carrier in understanding and complying with the proposed rule. "Small" businesses (as defined in RCW 19.85.020(1)) will not need to employ additional professional services as a result of this rule; however, the

commissioner will make efforts to explore any potential disproportionate impacts on relatively small businesses by soliciting cost information and including health carrier representatives in all technical workgroups. It is possible that this rule may require "relatively" small HMOs and HCSCs to employ more actuarial resources. The commissioner will make efforts to ensure that smaller carriers will not need to employ disproportionately more resources than larger carriers in order to comply with this rule.

(m) Analyze the cost of compliance including, specifically:

- **Cost of equipment:** No additional cost of equipment expected.
- **Cost of supplies:** No additional cost of supplies expected.
- **Cost of labor:** Firms may possibly need to hire consulting labor to assist them in making their initial filing under the revised criteria.
- **Cost of increased administration:** No additional cost of increased administration expected.

(n) Compare the cost of compliance for small business with the cost of compliance for the largest businesses in the same four-digit classification, using one or more of the following (as specifically required by RCW 19.85.040 (1)(a), (b), and (c)). HCSCs and HMOs offering individual and group plans based on standard, nonnegotiated rates are currently subject to community rating statutes (RCW 48.44.022, 48.44.023, 48.46.064 and 48.46.066). Rate proposals for all state and federally funded plans are subject to appropriate state and federal regulation. The target of the proposed rate review rule is to provide a consistent set of criteria for all plans under the jurisdiction of the OIC.

Due to the structure of the "small" health carriers in this state, small companies are effectively excluded from the filing requirements and potential cost impacts of this rule. Because the cost impact on these "small" businesses is \$0 per employee and the cost impact on larger carriers is greater than \$0 per employee, this proposed rule does not disproportionately burden "small" health carriers in this state. The commissioner will continue to solicit input and consider further mitigation of possible cost impacts on medium-sized businesses (with 100-300 employees) relative to larger carriers. In an effort to reduce disproportionate filing burdens on smaller businesses, the commissioner has modified and eliminated a number of requirements (see Table 3).

(o) Have businesses that will be affected been asked what the economic impact will be? All carriers were informed of the commissioner's intent to draft a rule regarding rate review criteria for all health carriers in July 1997. The CR-101 for this rule was filed on July 23, 1997. Three workgroup meetings were held throughout July and August. The workgroups included representatives from health carriers, consumers, and members of the business community who would potentially be affected by a proposed rate rule. In addition, a public hearing was held on August 8, 1997, to discuss the proposed rate rule. A technical workgroup meeting to discuss filing impacts was held on September 29, 1997. Additional workgroup meetings will be held before the rule-making hearing.

(p) How did the commissioner involve small businesses in the development of the proposed rule? All small HCSCs and HMOs were invited to provide feedback to the commissioner regarding the intent to draft a rule pertaining to rate review standards in July 1997. Also, all small carriers were sent copies of the draft rule on September 29, 1997, and asked to provide comments to the commissioner. Three workgroup meetings which included representatives from small carriers were held throughout July and August.

(q) How and when were affected small businesses advised of the proposed rule? Small carriers were advised of the proposed rule in writing on July 23, 1997. Also, see parts (o) and (p) for more details.

A copy of the statement may be obtained by writing to Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, Internet e-mail KacyB@oic.wa.gov, phone (360) 664-3790, or FAX (360) 586-3535.

RCW 34.05.328 applies to this rule adoption.

Hearing Location: General Administration Building, 1st Floor Auditorium, 11th and Columbia, Olympia, Washington, on November 7, 1997, at 9:00.

Assistance for Persons with Disabilities: Contact Steve Carlsberg by November 5, 1997, TDD (360) 664-3154.

Submit Written Comments to: Kacy Brandeberry, P.O. Box 40255, Olympia, WA 98504-0255, Internet e-mail KacyB@oic.wa.gov, FAX (360) 586-3535, by November 5, 1997.

Date of Intended Adoption: December 2, 1997.

October 1, 1997

Greg J. Scully

Chief Deputy Commissioner

SUBCHAPTER I—HEALTH PLAN RATES

NEW SECTION

WAC 284-43-900 Authority and purpose. This subchapter is adopted under the general authority of RCW 48.02.060, 48.44.050, and 48.46.200. Its purpose is to provide guidelines for the implementation of RCW 48.44.020 (2)(d), 48.44.022, 48.44.023, 48.44.040, 48.46.060 (3)(d), 48.46.060(5), 48.46.064, and 48.46.066 as to the filing of contract forms by health care service contractors and health maintenance organizations and the calculations and evaluations of premium rates for these contracts.

NEW SECTION

WAC 284-43-905 Applicability and scope. This subchapter applies to all health care service contractors and health maintenance organizations registered in this state under chapter 48.44 or 48.46 RCW. It applies to health benefit plans as defined in RCW 48.43.005(9), and contracts for limited health care services as defined in RCW 48.44.035(1), purchased directly from such carriers by individuals, small employers, and large employers or other organizations.

NEW SECTION

WAC 284-43-910 Definitions. For the purpose of this subchapter:

(1) "Adjusted earned premium" means the amount of "earned premium" the "carrier" would have earned had the "carrier" charged current approved "premium rates" for all applicable "plans."

(2) "Amount charged" means all sums charged, received, or deposited as consideration for a "contract" or "group contract" or the continuance thereof. An assessment or a membership, contract, survey, inspection, service, or similar fee or charge made by the carrier in consideration for a "contract" or "group contract" is considered part of the "amount charged."

(3) "Annualized earned premium" means the "earned premium" that would be earned in a twelve-month period if earned at the same rate as during the applicable period.

(4) "Anticipated loss ratio" means the "projected incurred claims" divided by the "projected earned premium."

(5) "Base rate" means the amount charged for a specific "plan," expressed as a monthly amount per "covered person," prior to any adjustments for geographic area, age, family size, wellness activities, tenure, or any other factors as may be allowed.

(6) "Capitation expenses" means the amount paid to a provider on a fixed per "covered person" basis for the coverage of specified health care services.

(7) "Carrier" means a health care service contractor or health maintenance organization.

(8) "Certificate" means the statement of coverage document furnished "subscribers" covered under a "group contract."

(9) "Claim reserves" means the "claims" that have been reported but not paid plus the "claims" that have not been reported but may be reasonably expected.

(10) "Claims" means the cost to the "carrier" of health care services provided to a "covered person" or paid to or on behalf of the "covered person" in accordance with the terms of a "plan." This includes "capitation payments" or other similar payments made to "providers" for the purpose of prepaying for health care services for a "covered person."

(11) "Community rate" means the weighted average of all "premium rates" within a filing with the weights determined according to current enrollment.

(12) "Contract" means an agreement to provide health care services or pay health care costs for or on behalf of a "subscriber" or group of "subscribers" and such eligible dependents as may be included therein.

(13) "Contract form" means the prototype of a "contract" and any associated "certificates," riders, and endorsements filed with the commissioner by a health care service contractor or health maintenance organization.

(14) "Contribution to surplus, contingency charges, or risk charges" means the portion of the "projected earned premium" not associated directly with "claims" or "expenses" but that provide the "carrier" with compensation for underwriting the risks involved, provide a return on the "carrier's" investment of capital, or provide assurance of the "carrier's" solvency.

(15) "Covered persons" means all "subscribers" and their eligible dependents.

(16) "Current community rate" means the weighted average of the "community rates" at the renewal or initial effective dates of each plan for the year immediately preceding the renewal period, with weights determined according to current enrollment.

(17) "Earned premium" means the "amount charged" applicable to an accounting period whether received before, during, or after such period.

(18) "Expenses" means costs that include but are not limited to the following:

- (a) Claim adjudication costs;
- (b) Utilization management costs;
- (c) Home office and field overhead;
- (d) Acquisition and selling costs;
- (e) Taxes; and
- (f) All other costs except "claims."

(19) "Experience period" means the most recent twelve-month period from which the carrier accumulates the data to support a filing.

(20) "Extraordinary expenses" means "expenses" resulting from occurrences atypical of the normal business activities of the "carrier" that are not expected to recur regularly in the near future.

(21) "Group contract" or "group plan" means an agreement issued to an employer, corporation, labor union, association, trust, or other organization to provide health care services to employees or members of such entities and the dependents of such employees or members.

(22) "Incurred claims" means "claims" paid during the applicable period plus the change in "claim reserves." Alternatively, for the purpose of providing monthly data or trend analysis, "incurred claims" may be defined as the current best estimate of the "claims" for services provided during the applicable period.

(23) "Individual contract" means a "contract" issued to and covering an individual. An "individual contract" may include dependents.

(24) "Investment earnings" means the income, dividends, and realized capital gains earned on an asset.

(25) "Loss ratio" means "incurred claims" as a percentage of "earned premiums" before any deductions.

(26) "Managed care provisions" means the elements of the "plan" that affect access to and control payment for health care services.

(27) "Medical care component of the consumer price index for all urban consumers" means the similarly named figure published monthly by the United States Bureau of Labor Statistics.

(28) "Net worth or reserves and unassigned funds" means the excess of assets over liabilities on a statutory basis.

(29) "Plan" means a "contract" that is a health benefits plan as defined in RCW 48.43.005(9) or a "contract" for limited health care services as defined in RCW 48.44.035(1).

(30) "Premium rate" means the "amount charged" per "subscriber" obtained by adjusting the "base rate" for geographic area, family size, age, wellness activities, tenure, or any other factors as may be allowed.

(31) "Projected earned premium" means the "earned premium" that would be derived from applying the proposed "premium rates" to the current enrollment.

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PROPOSED

(32) "Projected incurred claims" means the estimate of "incurred claims" for the rate renewal period based on the current enrollment.

(33) "Proposed community rate" means the weighted average of the "community rates" at the renewal dates of each plan for the renewal period, with weights determined according to current enrollment.

(34) "Provider" means any health professional, hospital, or other institution, organization, prescription drug vendor, or person that furnishes health care services and is licensed or otherwise authorized to furnish such services.

(35) "Rate renewal period" means the period for which the proposed "premium rates" are to remain in effect.

(36) "Rate schedule" means the schedule of all "base rates" for "plans" included in the filing.

(37) "Requested increase in the community rate" means the amount, expressed as a percentage, by which the "proposed community rate" exceeds the "current community rate."

(38) "Service type" means the category of service for which "claims" are paid, minimally defined as hospital, professional, dental, prescription drug, or other.

(39) "Small group contracts" or "small group plans" means the class of "group contracts" issued to small employers with no more than fifty eligible employees, including sole proprietors. "Small employer" is defined at RCW 48.43.005(13).

(40) "Staffing data" means statistics on the number of "providers" and associated compensation required to provide a fixed number of services or provide services to a fixed number of "covered persons."

(41) "Subscriber" means a person on whose behalf a "contract" or "certificate" is issued.

(42) "Unit cost data" means statistics on the cost per health care service provided to a "covered person."

(43) "Utilization data" means statistics on the number of services used by a fixed number of "covered persons" over a fixed length of time.

NEW SECTION

WAC 284-43-915 Demonstration that benefits provided are reasonable in relation to the amount charged for a contract per RCW 48.44.020 (2)(d) and 48.46.060 (3)(d). In addition to the requirements of RCW 48.44.022, 48.44.023, 48.46.064, and 48.46.066, where applicable:

(1) For individual and small group plans, benefits shall be found to be reasonable in relation to the amount charged if the following conditions are met:

(a) The carrier possesses, as of the most recent statement filed with the commissioner, net worth or reserves and unassigned funds equal to fourteen and two-tenths percent of annualized earned premiums; and

(b) One or more of the following is true:

(i) The requested increase in the community rate is zero percent or less and the anticipated loss ratio is seventy percent or more; or

(ii) The requested increase in the community rate is not more than the rate of increase in the medical care component of the consumer price index for all urban consumers and the anticipated loss ratio is eighty percent or more; or

(iii) The anticipated loss ratio is eighty-five percent or more and the requested increase in the community rate is not more than the applicable rate in the following table.

CPI*	Maximum Rate Increase
7% or less	CPI*+3%
7% to 10%	10%
10% or more	CPI*

* CPI refers to the rate of increase in the medical care component of the consumer price index for all urban consumers.

(2) For group plans other than small group plans, benefits shall be found to be reasonable in relation to amount charged if the anticipated loss ratio is eighty percent or more.

(3) If benefits are not found to be reasonable in relation to the amount charged under subsection (1) or (2) of this section, they shall be found to be reasonable if the projected earned premium for the rate renewal period is equal to the following:

(a) An actuarially sound estimate of incurred claims associated with the filing for the rate renewal period, where the actuarial estimate of claims shall recognize, as applicable, the savings and costs associated with managed care provisions of the plans included in the filing; plus

(b) A verifiable estimate of prudently incurred expenses that are allocated or assigned to the filing for the rate renewal period on the basis of a reasonable and consistent method; plus

(c) A well justified provision for contribution to surplus, contingency charges, or risk charges; minus

(d) The carrier's total forecasted investment earnings multiplied by the ratio of earned premiums for the plans included in the filing to the carrier's total earned premiums.

(4) For the purposes of this section, the rate of increase in the medical care component of the consumer price index for all urban consumers shall be measured by comparing the index for the month immediately preceding the month in which the filing is submitted to the index for the corresponding calendar month for the prior year.

NEW SECTION

WAC 284-43-920 When a carrier is required to file.

(1) Every contract form and any modification thereof, and every rate schedule and any change thereof shall be filed with the commissioner:

(a) Before being offered for sale to the public; and

(b) Within thirty days after the end of a one-year period during which a previous filing has remained unchanged for such period, including contract forms filed prior to the effective date of this regulation.

(2) Filings of negotiated contract forms, and applicable rate schedules, that are placed into effect at time of negotiation or that have a retroactive effective date are not required to be filed in accordance with subsection (1)(a) and (b) of this section, but shall be filed within thirty working days after the earlier of:

(a) The date group contract negotiations are completed;

or

(b) The date renewal premiums are effective.

(3) An explanation for any delayed filing shall be given on the filing document as set forth in WAC 284-43-950.

NEW SECTION**WAC 284-43-925 General contents of all filings.**

Each filing required to be made pursuant to WAC 284-43-920 shall be submitted with the filing transmittal form prescribed by and available from the commissioner. The form will include the name of the filing entity, its address, identification number, the type of filing being submitted, the form name or group name and number, and other relevant information. Filings shall also include the information required on the filing summary set forth in WAC 284-43-945 for individual and small group plans and rate schedules or as set forth in WAC 284-43-950 for group plans and rate schedules other than those for small groups.

NEW SECTION

WAC 284-43-930 Contents of individual and small group filings. Under RCW 48.44.022(3) and 48.46.064(3) the experience of all individual plans shall be pooled; and under RCW 48.44.023(3)(i) and 48.46.066(3)(i) the experience of all small group plans shall be pooled. Filings for individual plans shall include base rates for all individual plans and filings for small group plans shall include base rates for all small group plans. Each individual and small group filing shall include all of the following information and documents:

(1) An actuarially sound estimate of incurred claims. Experience data, assumptions, and justifications shall be provided by the carrier as follows:

(a) The number of current subscribers, in total and by family size, for the plans included in the filing. These figures shall be shown for each month of the experience period and the prior two periods, for the plans included in the filing and for all of the carrier's plans.

(b) Earned premium for each month of the experience period and the prior two periods, for the plans included in the filing.

(c) Adjusted earned premiums for each month of the experience period and the prior two periods, for the plans included in the filing.

(d) Incurred claims, in total and by service type, for each month of the experience period and the prior two periods, for the plans included in the filing. As an alternative, monthly utilization and unit cost data or monthly utilization and staffing data may be supplied if they provide the basis for the carrier's development of estimated future claims.

(e) The amount of capitation payments for each month of the experience period and the prior two periods, for the plans included in the filing. As an alternative, monthly utilization and unit cost data or monthly utilization and staffing data may be supplied if they provide the basis for the carrier's development of estimated future claims.

(f) Documentation and justification of any adjustments made to the experience data.

(g) Documentation and justification of claim trend assumptions.

(h) Documentation and justification of other assumptions affecting future claim costs such as the impact of managed care provisions.

(2) A verifiable estimate of prudently incurred expenses. Experience data, assumptions, and justifications shall be provided by the carrier as follows:

(a) A breakdown of the carrier's expenses allocated or assigned to the plans included in the filing for the experience period or for the period corresponding to the most recent "annual statement";

(i) Health care service contractors shall provide the expense breakdown in the same format as the annual statement schedule "Underwriting and Investment Exhibit, Part 3, Analysis of Expenses" as revised from time to time;

(ii) Health maintenance organizations shall provide the expense breakdown in the same format as the "Annual Statement, Report #2: Statement of Revenues, Expenses and Net Worth," for the medical, hospital, and administrative expenses as revised from time to time;

(b) Identification of any experience period expenses that are extraordinary; and

(c) Documentation and justification of the assignment or allocation of expenses to the plans included in the filing; and

(d) Documentation and justification of forecasted changes in expenses.

(3) A justifiable provision for contribution to surplus, contingency charges, or risk charges. Assumptions and justifications shall be provided by a carrier as follows:

(a) The criteria used to determine the contribution to surplus, contingency charges, or risk charges included in the proposed base rates; and

(b) The carrier's net worth or reserves and unassigned surplus at the beginning of the experience period and at the end of the experience period.

(4) The carrier's total forecasted investment earnings. The carrier shall include documentation and justification of forecasted investment earnings identified in dollars, and as a percentage of total premiums and the amount credited to the plans included in the filing.

(5) Adjustment of the base rate. Experience data, assumptions, justifications, and methodology descriptions shall be provided that include:

(a) Justifications for adjustments to the base rate, supported by data, attributable to geographic region, age, family size, use of wellness activities, and tenure discounts;

(b) Justifications, supported by data if appropriate, of any other factors or circumstances used to adjust the base rates; and

(c) Description of the methodology used to adjust the base rate to obtain the premium rate for a specific individual or group, which is detailed enough to allow the commissioner to replicate the calculation of premium rates if given the necessary data.

(6) Actuarial certification. Certification by an actuary, as defined by WAC 284-05-060 (1)(a), that the benefits and services to be provided are reasonable in relation to the amount charged.

NEW SECTION

WAC 284-43-935 Experience records. (1) Every carrier shall maintain for each plan for the five most recent years, records of:

(a) Incurred claims;

(b) Earned premiums; and

PROPOSED

(c) Expenses.

(2) Such records shall include data for rider and endorsement forms that are used with the contract forms. Separate data may be maintained for each rider or endorsement form as appropriate. Experience under contract forms that provide substantially similar coverage may be combined for recordkeeping purposes.

NEW SECTION

WAC 284-43-940 Evaluating experience data. In determining the credibility and appropriateness of experience data, consideration shall be given to all relevant factors, including:

- (1) Statistical credibility of the amount charged and services and benefits paid, such as low exposure, low loss frequency, and recoupment;
- (2) Actual and projected trends relative to changes in medical costs and changes in utilization;
- (3) The mix of business by risk classification; and
- (4) Adverse selection or lapse factors reasonably expected in connection with revisions to plan provisions, services, benefits, and amount charged.

PROPOSED

NEW SECTION

WAC 284-43-945 Summary for individual and small group contract filings.

INDIVIDUAL AND SMALL GROUP FILING SUMMARY

Carrier Name	
Address	
Carrier Identification Number	

Rate Renewal Period:	From _____ To _____
Date Submitted:	
Type of Filing:	Individual Plans <input type="checkbox"/> Group Plans <input type="checkbox"/>

Proposed Rate Summary

Current community rate		per month
Proposed community rate		per month
Percentage change		%
Portion of carrier's total enrollment affected		%
Portion of carrier's total premium revenue affected		%

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Components of Proposed Community Rate

	Dollars Per Month	% of Total
a) Claims		
b) Expenses		
c) Contribution to surplus, contingency charges, or risk charges		
d) Investment earnings		
e) Total (a + b + c - d)		

Summary of Pooled Experience

	Experience Period		First Prior Period		Second Prior Period	
	From	To	From	To	From	To
Member Months						
Earned Premium						
Paid Claims						
Beginning Claim Reserve						
Ending Claim Reserve						
Incurred Claims						
Expenses						
Gain/Loss						
Contribution to Corporate Surplus						
Loss Ratio Percentage						

General Information

1. Trend Factor Summary

Type of Service	Annual Trend Assumed	Portion of Claim Dollars
Hospital	%	%
Professional	%	%
Prescription Drugs	%	%
Dental	%	%
Other	%	%

PROPOSED

2. List the effective date and rate of increase for all rate changes in the past three rate periods.

1) _____ 2) _____ 3) _____
 Date % Date % Date %

3. Since the previous filing, have any changes been made to the factors or methodology for adjusting base rates?

- Geographic Area Yes No
- Family Size Yes No
- Age Yes No
- Wellness Activities Yes No
- Tenure Discounts Yes No
- Other (specify) Yes No

4. Attach a table showing the base rate for each plan affected by this filing.

5. Attach comments or additional information.

6. Preparers Information

Name: _____

Title: _____

Telephone Number: _____

NEW SECTION

WAC 284-43-950 Summary for group contract filings other than small group contract filings.

GROUPS OTHER THAN SMALL GROUPS FILING SUMMARY

PROPOSED

Carrier Name	_____
Address	_____

Carrier Identification Number	_____
Contract Holder	_____
Contract Form Number	_____
Contract Number	_____

Rate Renewal Period: From	_____	To	_____
Date Submitted:	_____		
Type of Filing	New Contract <input type="checkbox"/>	Revision of Existing Contract <input type="checkbox"/>	

Summary of New Rate Development

Current Rates	
Experience Rate Change	
Recoupment	
Reserves	
Benefit Changes	
Total New Rates	

Summary of Contract Experience

	Experience Period		First Prior Period		Second Prior Period	
	From	To	From	To	From	To
Member Months						
Earned Premium						
Paid Claims						
Beginning Claim Reserve						
Ending Claim Reserve						
Incurred Claims						
Expenses						
Gain/Loss						
Experience Refund or Credit						
Contribution to Corporate Surplus						
Loss Ratio Percentage						

PROPOSED

Attach comments or additional information.

Preparers Information

Name: _____

Title: _____

Telephone Number: _____

NEW SECTION

WAC 284-43-955 Effective date. This subchapter shall become effective on January 1, 1998.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 284-44-100 Authority and purpose.
- WAC 284-44-110 Applicability and scope.
- WAC 284-44-120 Definitions.
- WAC 284-44-130 When filing is required.
- WAC 284-44-140 General contents of all filings.
- WAC 284-44-150 Experience records.
- WAC 284-44-160 Evaluating experience data.
- WAC 284-44-190 Unique contract forms.
- WAC 284-44-200 Effective date.
- WAC 284-44-210 "Filing document" form—
Standard contract filing information.
- WAC 284-44-220 "Filing document" form—
Nonstandard contract filing information.

**WSR 97-20-142
PROPOSED RULES
STATE BOARD OF EDUCATION**
[Filed October 1, 1997, 10:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-014.

Title of Rule: Chapter 180-16 WAC, State support of public schools.

Purpose: Editorial amendments.

Statutory Authority for Adoption: RCW 28A.150.220(4) and 28A.410.010.

Summary: Editorial amendments.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 90-17-009, filed 8/6/90, effective 9/6/90)

WAC 180-16-002 Authority. The authority for this chapter is RCW 28A.150.220(~~((6))~~) (4) which authorizes the state board of education to adopt rules that implement and ensure compliance with the basic program of education requirements of RCW 28A.150.250, 28A.150.260, and 28A.150.220 and such related basic program of education requirements as may be established by the state board of education.

AMENDATORY SECTION (Amending WSR 97-04-083, filed 2/5/97, effective 3/8/97)

WAC 180-16-221 Assignment of classroom teachers within districts. In addition to holding teaching permits or certificates as required by WAC 180-16-220(2), the assignment of classroom teachers in the basic program of education(~~(effective August 31, 1987.)~~) shall comply with the following:

(1) Classroom teachers with standard or unendorsed continuing teacher certificates may be assigned to any grade or subject areas for which certification is required.

(2) Classroom teachers with initial or endorsed continuing teacher certificates may be assigned only to the specified grades and specified subject areas stated as endorsements upon their respective certificates or permits.

(3) Classroom teachers with initial or endorsed continuing teacher certificates who have an elementary education endorsement may be assigned to teach any subject in grades K-8.

(4) Any certificated teacher who has completed twenty-four quarter hours (sixteen semester hours) of academic study in a content area that will be offered in grades four through nine may be assigned to that course even if the teacher does not hold an endorsement in that area.

(5) Any certificated teacher may be assigned to a middle school or junior high school block program, which for the purpose of this section shall be defined as the same teacher assigned to teach two or more subject areas to the same group of students, if the teacher has an endorsement in one of the subject areas and has completed or will complete within one year nine quarter hours in each of the other subject areas.

(6) Upon determination by school districts that teachers have the competencies to be effective teachers in alternative settings, individuals with initial or endorsed continuing teacher certificates who have completed provisional status with a school district under RCW 28A.405.220 may be assigned to teach in alternative schools.

(7) Any certificated teacher may be assigned to courses offered in basic education subject areas not included with the list of endorsements specified in WAC 180-79A-302.

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(8) Any certificated teacher may be assigned to serve as a substitute classroom teacher at any grade level or in any subject area for a period not to exceed thirty consecutive school days in any one assignment.

(9) Any certificated person holding a limited certificate as specified in WAC 180-79A-230 or a vocational education certificate as specified in chapter 180-77 WAC may be assigned as per the provisions of such section or chapter.

(10) If a teacher is assigned to provide special education, then the district must also comply with WAC 392-172-200 and 392-172-202.

(11) For the purpose of this section, the term "specified grades" shall mean any grade preschool through twelve specified by the classroom teacher's endorsement. In the event the teacher is assigned to an ungraded classroom, the chronological age of such students shall be converted for the purpose of compliance with this section to the grade level such students would have been assigned but for the ungraded classroom assignment.

(12) For the purpose of this section, the term "specified subject areas" shall mean courses or classes with the same subject area title as specified by the classroom teachers endorsement and courses or classes which the board of directors of the district determines to substantially include the same subject area as the endorsement—e.g., a classroom teacher with a health endorsement may be assigned to any course, regardless of course title, which substantially includes health as the subject area.

(13) Exceptions to the assignment requirements of subsection (1) of this section must comply with WAC 180-16-222.

(14) School district compliance with this section shall be subject to the state staff review process specified in WAC 180-16-195(2).

WSR 97-20-143
PROPOSED RULES
STATE BOARD OF EDUCATION
[Filed October 1, 1997, 10:54 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-013.

Title of Rule: Various sections of chapter 180-78A WAC, Approval standards for performance-based preparation programs for teachers, administrators and educational staff associates.

Purpose: Editorial changes need to be made to this chapter for greater accuracy and clarity.

Statutory Authority for Adoption: RCW 28A.410.010 and 28A.305.130.

Summary: Editorial changes.

Reasons Supporting Proposal: Greater accuracy and clarity.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 97-04-084, filed 2/5/97, effective 3/8/97)

WAC 180-78A-057 Approval of preparation program offered by an out-of-state college or university within the state applicable to certification. No out-of-state college or university shall offer a program of courses within Washington state for purposes of Washington state certification without meeting all program approval requirements set forth in this chapter and those set forth in the Degree Authorization Act, chapter ((28A.85)) 28B.85 RCW.

AMENDATORY SECTION (Amending WSR 97-04-084, filed 2/5/97, effective 3/8/97)

WAC 180-78A-150 Approval standard—Accountability. Building on the mission to prepare educators who demonstrate a positive impact on student learning, the following evidence shall be evaluated to determine whether each preparation program is in compliance with the program approval standards of WAC 180-78A-140(2). Each college and university shall:

(1) Submit for initial approval to the state board of education a performance-based program for the preparation of teachers, administrators, and educational staff associates.

(2) Conduct follow-up studies of graduates, maintain placement records for all graduates and prepare annual placement and follow-up summaries.

(3) Submit annually the following to the state board of education for each approved program:

(a) The number of students enrolled in certificate programs during fall of the previous year;

(b) The number of students completing approved programs during the period from July 1 of the previous year to June 30 of the reporting year;

(c) Demographic characteristics, including gender(±) and ethnicity, ((~~and citizenship~~)) of students completing approved programs during the period from July 1 of the previous year to June 30 of the reporting year;

(d) The number of full-time and part-time faculty and graduate teaching assistants teaching in approved programs

during each term from summer through spring of the reporting year;

(e) Demographic characteristics of faculty teaching in approved programs including ethnicity and gender; and

(f) A brief narrative description of changes that occurred in certificate programs during the reporting year.

(4) Submit its program for review when requested by the state board of education to ensure that the program meets the state's program approval standards and to provide assessment data relative to the performance standards to the state board of education for the year prior to the site visit.

Provided, Institutions seeking National Council for the Accreditation of Teacher Education, Council for Accreditation of Counseling and Related Education Programs, and National Association of School Psychologist accreditation may request from the state board of education approval for concurrent site visits which would utilize the same documentation with the exception of material submitted by the institution to the state for the professional education advisory boards and the accountability standards.

WSR 97-20-144

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed October 1, 1997, 10:55 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-012.

Title of Rule: WAC 180-79A-010 State Board of Education performance-based certification system, 180-79A-015 Washington Advisory Council for professional certification standards—Purpose and selection, and 180-79A-022 Washington Advisory Councils for professional administrator standards and professional educational staff associates standards—Duties.

Purpose: Deadline dates and duties for the council need to be amended.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: The amendments would delay the creation of the councils and the implementation date for the performance-based certification system for administrators and educational staff associates.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-010 State board of education performance-based certification system. The state board of education establishes a performance-based certification system to be fully implemented for all teacher candidates applying for certification after August 31, 2000, and for all educational staff associate and administrator candidates no later than August 31, 2004. The performance-based certification system shall include the issuance of a residency certificate, a professional certificate, and other certificates which the state board of education may add in the future.

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-015 Washington advisory council for professional certification standards—Purpose and selection. The state board of education shall establish, no later than December 31, 1997, Washington advisory councils for professional (~~(teaching)~~) standards for teachers, and no later than August 31, 2000, for administrators, and educational staff associates. The purpose of the councils shall be to serve as working councils of the state board of education to advise the state board of education regarding the development and implementation of the certification system (~~(to be implemented in the year 2000)~~).

(1) A majority of the advisory councils' members shall be practitioners in their respective roles.

(2) The state board of education shall solicit recommendations from the appropriate professional organizations for persons to serve on the councils.

(3) The board of education shall appoint council members on the basis of the recommendations received with consideration being given to educator roles, geographic distribution, gender, race, and ethnicity.

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-022 Washington advisory councils for professional administrator standards and professional educational staff associates standards—Duties. The Washington advisory councils for professional administrator standards and for educational staff associate standards shall present initial recommendations to the state board of education no later than September 30, (~~(2000)~~) 2001, in regard to the following:

- (1) Standards to be used to obtain the professional certificates;
 - (2) Standards for renewing the professional certificate;
 - (3) Standards for obtaining the professional career certificate; and
 - (4) The policies for implementing these standards.
- In addition, the councils shall submit recommendations for the future composition, term of membership and responsibilities of the councils.

WSR 97-20-145
PROPOSED RULES
STATE BOARD OF EDUCATION
 [Filed October 1, 1997, 11:00 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-009.

Title of Rule: WAC 180-79A-230 Limited certificates.

Purpose: The purpose is to allow an individual who qualifies for certification in Washington under reciprocity based on certification and experience in another state to also qualify for a substitute certificate.

Statutory Authority for Adoption: RCW 28.410.010 [28A.410.010].

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis
Executive Director

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-230 Limited certificates. Notwithstanding other requirements prescribed in this chapter for eligibility for certification in the state of Washington, the following certificates shall be issued under specific circumstances set forth below for limited service:

(1) Conditional certificate.

(a) Such certificates are issued upon application by the local school district, approved private school, or educational service district superintendent to persons:

(i) Who meet the age, good moral character, and personal fitness requirements of WAC 180-79A-150 (1) and (2); and

(ii) Who are highly qualified and experienced in subject matter to be taught in the common or nonpublic schools; or

(iii) Who qualify to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020 (2) and (3); or

(iv) Who are assigned instructional responsibility for intramural/interscholastic activities which are part of the district or approved private school approved program; or

(v) Who possess a state of Washington license for a registered nurse: *Provided*, That the district will be responsible for orienting and preparing individuals for their assignment as described in (c)(ii) of this subsection; or

(vi) Who have completed a baccalaureate degree level school speech pathologist or audiologist certification preparation program, who were eligible for certification at the time of program completion and who have served in the role for three of the last seven years.

(b) The educational service district or local district superintendent or administrator of an approved private school will verify that the following criteria have been met when requesting the conditional certificate:

(i) No person with regular certification in the field is available as verified by the district or educational service district superintendent or approved private school administrator;

(ii) The district or educational service district superintendent or approved private school administrator will indicate the basis on which he/she has determined that the individual is competent for the assignment;

(iii) The individual is being certificated for a limited assignment and responsibility in a specified activity/field.

(c) When requesting the conditional certificate for persons who are highly qualified and experienced in fields of knowledge to be taught in the common or nonpublic schools, the educational service district superintendent or local district superintendent or approved private school administrator will verify that the following additional criteria will be met:

(i) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities with the direct assistance of a school district or approved private school mentor and will not be serving in a paraprofessional role which would not require certification;

(ii) Personnel so certificated will be oriented and prepared for the specific assignment by the employing district or approved private school. A written plan of assistance will be developed, in cooperation with the person

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to be employed within twenty working days from the commencement of the assignment. In addition, prior to service the person will be apprised of any legal liability, the responsibilities of a professional educator, the lines of authority, and the duration of the assignment;

(iii) Within the first sixty working days, personnel so certificated will complete sixty clock hours (six quarter hours or four semester hours) of course work in pedagogy and child/adolescent development appropriate to the assigned grade level(s) as approved by the employing school district or approved private school.

(d) The certificate is valid for two years or less, as evidenced by the expiration date which is printed on the certificate, and only for the activity specified. The certificate may be reissued for two years and for two-year intervals thereafter upon completion of sixty clock hours (six quarter hours or four semester hours) of course work since the issuance of the most recent certificate as approved by the employing school district or approved private school.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Teachers, educational staff associates or administrators whose state of regular Washington certificates have expired; or

(ii) Persons who have completed state approved preparation programs and baccalaureate degrees at regionally accredited colleges and universities for certificates; or

(iii) Persons applying as out-of-state applicants who qualify for certification pursuant to WAC 180-79A-205 (2)(c) and (d).

(b) The substitute certificate is valid for life:

(c) *Provided*, That if the district or approved private school has exhausted or reasonably anticipates it will exhaust its list of qualified substitutes who are willing to serve as substitutes, the superintendent of public instruction may issue emergency substitute certificates to persons not fully qualified under this subsection for use in a particular school district or approved private school once the list of otherwise qualified substitutes has been exhausted. Such emergency substitute certificates shall be valid for three years or less, as evidenced by the expiration date which is printed on the certificate.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents or approved private school administrators to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: *Provided*, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate: *Provided further*, That a candidate for emergency certification as a school counselor, school psychologist, or social worker shall be the best qualified of the candidates for the position as verified by the employing school district and shall have completed all course work for the required master's degree

with the exception of the internship: *Provided further*, That a candidate for emergency certification as a school psychologist shall be enrolled in an approved school psychologist preparation program and shall be participating in the required internship.

(b) The emergency certificate is valid for one year or less, as evidenced by the expiration date which is printed on the certificate.

(4) Nonimmigrant alien exchange teacher. Applicants for certification as a nonimmigrant alien exchange teacher must qualify pursuant to WAC 180-79A-220 and be eligible to serve as a teacher in the elementary or secondary schools of the country of residence.

WSR 97-20-146
PROPOSED RULES
STATE BOARD OF EDUCATION

[Filed October 1, 1997, 11:02 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-015.

Title of Rule: Various sections of chapter 180-79A WAC, Standards for teacher, administrator, and educational staff associate certification.

Purpose: Editorial amendments are needed for accuracy and clarity.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-170 Reinstatement of certificates.

Only a continuing certificate may be reinstated. A holder of a lapsed, surrendered, or revoked continuing professional certificate at the time of application for reinstatement of such certificate must submit the following:

- (1) Character evidence as required by WAC 180-79A-150(2) for candidates for certification.
- (2) In accordance with RCW 28A.410.110, a revoked certificate may not be reinstated within one calendar year from the date of revocation.
- (3) *Provided*, That no certificate may be reinstated if more than five calendar years has passed since the date of (~~lapse~~,) surrender(=) or revocation; however, such applicants may apply pursuant to WAC 180-79A-161 for a new certificate under requirements in effect at the time of application.

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-300 Certificate endorsement. Teacher certificates shall be endorsed as follows:

- (1) Teacher certificates shall specify endorsements in subject area(s) and grade level(s).
- (2) In order to change or add an endorsement to any teaching certificate, the candidate must complete an application, pay the certification fee specified in WAC 180-79A-130, and submit verification of completion of the necessary requirements specified in this chapter: *Provided, That in order to change or add an endorsement to any teaching certificate in the vocational areas of agriculture education, business education, family and consumer sciences education, marketing education, and technology education after August 31, 1999, the candidate must also complete requirements under WAC 180-77-031.*

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-302 Authorized endorsement for teachers. Endorsements for grade levels, and subject areas within such grade levels, for certificated teachers shall be limited to the following:

- (1) Preschool through grade three endorsements shall be granted in the subject area of:
 - (a) Early childhood special education;
 - (b) Early childhood education.
- (2) Grade kindergarten through grade eight endorsements shall be granted in the subject area of elementary education which shall include all subject areas taught in such grades.
- (3) Grade kindergarten through grade twelve endorsements shall be granted in:
 - (a) Art;
 - (b) Music (broad subject area endorsement) and the specialized subject areas of:
 - (i) Choral music;
 - (ii) Instrumental music;
 - (c) Physical education;
 - (d) Reading;

- (e) Designated foreign language;
 - (f) Special education;
 - (g) Learning resources;
 - (h) English as a second language;
 - (i) Bilingual education.
- (4) Grade four through grade twelve endorsements shall be granted in:
- (a) English/language arts (broad subject area endorsement) and the specialized English/language arts subject areas of:
 - (i) Drama;
 - (ii) English;
 - (iii) Journalism;
 - (iv) Speech.
 - (b) Science (broad subject area endorsement) and the specialized science subject areas of:
 - (i) Biology;
 - (ii) Chemistry;
 - (iii) Earth science;
 - (iv) Physics.
 - (c) Social studies (broad subject area endorsement) and the specialized social studies subject areas of:
 - (i) Anthropology;
 - (ii) Economics;
 - (iii) Geography;
 - (iv) History;
 - (v) Political science;
 - (vi) Psychology;
 - (vii) Sociology.
 - (d) The specialized subject areas of:
 - (i) Comparative religion;
 - (ii) Instructional technology (formerly computer science);
 - (iii) Health;
 - (iv) (~~Technology education (formerly industrial arts);~~ ~~(+))~~ Mathematics;
 - (~~(+))~~ (v) Philosophy.
 - (e) The vocational areas of:
 - (i) Agriculture education;
 - (ii) Business education;
 - (iii) Family and consumer sciences education;
 - (iv) Marketing education;
 - (v) Technology education (formerly industrial arts).
- (5) Traffic safety endorsements may be noted on certificates issued under this chapter if the candidate meets the requirements of the regulations promulgated by the superintendent of public instruction pursuant to RCW 28A.220.020(3).

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-405 Initial and continuing certificates—Renewal requirements. The following shall apply to initial and continuing certificates issued pursuant to this chapter:

- (1) Initial certificate.

An initial teacher certificate may be renewed for an additional three-year period on application and verification that the individual has completed all course work requirements from a regionally accredited institution of higher education as defined in WAC 180-78A-010(6) for continuing

certification or has completed at least fifteen quarter hours (ten semester hours) of college credit course work (normally 100 level or higher) from a regionally accredited institution of higher education as defined in WAC 180-78A-010(6) since the certificate was issued or renewed. After August 31, 2000, provisions of WAC 180-79A-160 will apply.

(2) Continuing certificate.

(a) The continuing certificates of holders who were eligible for such certificates prior to August 31, 1987, and who applied for such certificates prior to July 1, 1988, or who would have been eligible for such certificates prior to August 31, 1987, but for one of the three-year experience requirement and who complete such requirement and apply for such certificate prior to August 31, 1988, will be valid for life. Holders of valid continuing certificates affected by this subsection shall be entitled to have such certificate reissued and subject to the terms and conditions applicable to certification at the time of reissuance including the continuing education requirements of chapter 180-85 WAC.

(b) All continuing certificates not affected by the exception stated in (a) of this subsection shall lapse if the holder does not complete the continuing education requirement specified in chapter 180-85 WAC. To reinstate such a lapsed continuing certificate the individual must complete the requirements for reinstatement stated within chapter 180-85 WAC.

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-433 Academic requirements for certification—School nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist. Candidates for school nurse, school occupational therapist, school physical therapist and school speech-language pathologist or audiologist certification shall apply directly to the professional education and certification office. Such candidates shall complete the following requirements, in addition to those set forth in WAC 180-79A-150, except state approved college/university professional preparation program:

(1) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree in nursing from a National League of Nursing accredited program.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting: *Provided*, That an individual who meets all other requirements but who has not completed the required course work shall(~~(-upon verification of employment in the role,))~~ be issued a temporary permit valid for one hundred (~~(twenty))~~ eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course

work during the one hundred (~~(twenty-day))~~ eighty-day period.

(b) Continuing. The candidate shall have completed the requirements for the initial certificate as a school nurse and have completed forty-five quarter hours (thirty semester hours) of post-baccalaureate course work in education, nursing, or other health sciences.

(2) School occupational therapist.

(a) Initial.

(i) The candidate shall hold a valid license as an occupational therapist in Washington state.

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Occupational Therapy Association approved program in occupational therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting: *Provided*, That an individual who meets all other requirements but who has not completed the required course work shall(~~(-upon verification of employment in the role,))~~ be issued a temporary permit valid for one hundred (~~(twenty))~~ eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred (~~(twenty-day))~~ eighty-day period.

(b) Continuing. The candidate shall have completed the requirements for the initial certificate as a school occupational therapist and have completed at least fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate degree in occupational therapy, other health sciences or education.

(3) School physical therapist.

(a) Initial.

(i) The candidate shall hold a valid license as a physical therapist in Washington state.

(ii) The candidate shall hold a baccalaureate (or higher) degree from an American Physical Therapy Association accredited program in physical therapy.

(iii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting: *Provided*, That an individual who meets all other requirements but who has not completed the required course work shall(~~(-upon verification of employment in the role,))~~ be issued a temporary permit valid for one hundred (~~(twenty))~~ eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred (~~(twenty-day))~~ eighty-day period.

(b) Continuing. The candidate shall have completed the requirements for the initial certificate as a school physical therapist and have completed fifteen quarter hours (ten semester hours) of course work beyond the baccalaureate

degree in physical therapy, other health sciences or education.

(4) School speech-language pathologist or audiologist.
(a) Initial.

(i) The candidate shall have completed all course work (except special project or thesis) for a master's degree from a college or university program accredited by the American Speech and Hearing Association (ASHA) with a major in speech pathology or audiology. Such program shall include satisfactory completion of a written comprehensive examination: *Provided*, That if any candidate has not completed a written comprehensive examination, the candidate may present verification from ASHA of a passing score on the National Teacher's Examination in speech pathology or audiology as a condition for certification.

(ii) The candidate shall successfully complete thirty clock hours or three quarter hours (two semester hours) of course work approved by the state board of education which will include schools and society; human growth, development, and learning; American school law; legal responsibilities of the ESA; and the responsibilities of the specific ESA role in a school setting: *Provided*, That an individual who meets all other requirements but who has not completed the required course work shall (~~upon verification of employment in the role;~~) be issued a temporary permit valid for one hundred (~~twenty~~) eighty calendar days which will allow the individual to practice in the role. The candidate shall verify to OSPI the completion of the required course work during the one hundred (~~twenty-day~~) eighty-day period.

(b) Continuing. The candidate shall hold a master's degree with a major in speech pathology or audiology.

WSR 97-20-148

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed October 1, 1997, 11:06 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-14-105.

Title of Rule: WAC 180-79A-150 General requirements—Teachers, administrators, educational staff associates.

Purpose: The amendment will allow individuals with vocational teacher certificates to meet the teachers certificate requirement for a principal's certificate.

Statutory Authority for Adoption: RCW 28A.410.010.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 97-04-088, filed 2/5/97, effective 3/8/97)

WAC 180-79A-150 General requirements—Teachers, administrators, educational staff associates. The following requirements are to be met by candidates for certification as teachers including vocational teachers, administrators, or educational staff associates:

(1) Age. No person who is less than eighteen years of age shall receive a certificate to serve in the public or nonpublic schools of Washington state.

(2) Character. Applicants for certificates in Washington state who are not holders of a valid Washington state teacher's, administrator's, educational staff associate's, or vocational certificate must give evidence of good moral character and personal fitness as specified in WAC 180-79A-122 and must complete a record check through the Washington state patrol criminal identification system and through the Federal Bureau of Investigation at the applicant's expense as required by RCW 28A.410.010; such record check shall include a fingerprint check using a Washington state patrol approved fingerprint card: *Provided*, That the superintendent of public instruction may waive the record check for an applicant who has had a record check within the two years prior to application.

(3) Degrees and course work. A candidate for certification shall hold appropriate degrees, licenses, and additional course work as prescribed in chapters 180-79A and 180-77 WAC or have qualified under WAC 180-79A-205.

(4) Approved preparation program. Applicants for certification as teachers, administrators, school counselors, school psychologists and school social workers, except as otherwise provided in WAC 180-79A-205, 180-79A-230, 180-79A-236, and 180-79A-241 and in chapter 180-77 WAC, in order to be certified within the state of Washington shall have completed a state approved college/university preparation program in the professional field for which certification is to be issued. In addition, candidates for principal's certificates must hold a valid teacher's certificate, excluding certificates issued under WAC 180-79A-230, 180-79A-236, or 180-79A-241 (~~or chapter 180-77 WAC~~), or comparable out-of-state certificates. Candidates for superintendent's certificates must hold a valid teacher, educational staff associate, or program administrator certifi-

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cate; excluding certificates issued under WAC 180-79A-230, 180-79A-236, or 180-79A-241 ((or chapter 180-77 WAC)), or comparable out-of-state certificates.

PROPOSED

WSR 97-20-149
PROPOSED RULES
STATE BOARD OF EDUCATION

[Filed October 1, 1997, 11:08 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-14-104.

Title of Rule: WAC 180-78A-265 Program approval requirement—Field experience for all administrators.

Purpose: The proposed amendments would delay for one year the increase in the number of hours required for an internship for a principal's certificate.

Statutory Authority for Adoption: RCW 28A.305.130.

Summary: See Purpose above.

Reasons Supporting Proposal: Funding to support the longer internship is being sought, and an additional year is needed.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 97-04-084, filed 2/5/97, effective 3/8/97)

WAC 180-78A-265 Program approval requirement—Field experience for all administrators. An approved preparation program for administrators and, prior to August 31, ((1997)) 1998, for principals, shall require an internship of at least three hundred sixty hours: *Provided*, That effective August 31, ((1997)) 1998, an approved preparation program for principals shall require an internship

which requires practice as an intern during a full school year. A "full school year" shall mean seven hundred twenty hours of which at least one-half shall be during school hours, when students and/or staff are present and include the principal performance domains as stated in WAC 180-78A-165: *Provided further*, That for a candidate seeking the P-12 principal certificate, the internship shall include P-12 administrative experience. The internship shall take place in an education setting serving under the general supervision of a certificated practitioner who is performing in the role for which the endorsement is sought. Components of the required internship shall include demonstration by the candidate that he or she has the appropriate, specific skills pursuant to WAC 180-78A-165.

WSR 97-20-150
PROPOSED RULES
STATE BOARD OF EDUCATION

[Filed October 1, 1997, 11:10 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-10-006.

Title of Rule: WAC 180-78A-010 Definition of terms.

Purpose: The amendment clarifies "impact on student learning" as it applies to private schools.

Statutory Authority for Adoption: RCW 28A.410.010 and 28A.305.130.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Larry Davis, State Board of Education, Olympia, (360) 753-6715.

Name of Proponent: State Board of Education, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See above.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. Not applicable.

Hearing Location: Hyatt Regency Bellevue, 900 Bellevue Way N.E., Bellevue, WA 98004, on November 19, 1997, at 1:00 p.m.

Assistance for Persons with Disabilities: Contact Patty Martin by October 16, 1997, TDD (360) 664-3631, or (360) 753-6715.

Submit Written Comments to: Rules Coordinator, State Board of Education, P.O. Box 47206, Olympia, WA 98504-7206, FAX (360) 586-2357.

Date of Intended Adoption: November 21, 1997.

September 30, 1997

Larry Davis

Executive Director

AMENDATORY SECTION (Amending WSR 97-04-084, filed 2/5/97, effective 3/8/97)

WSR 97-20-151
PROPOSED RULES
SECRETARY OF STATE
 (Corporations Division)
 [Filed October 1, 1997, 11:28 a.m.]

WAC 180-78A-010 Definition of terms. The following definitions shall be used in this chapter:

(1) "College or university" means any regionally accredited baccalaureate degree granting Washington institution of higher learning or cooperative group of such institutions which has or develops programs of preparation in education which are submitted to the state board of education for approval.

(2) "Endorsement" means a specification placed on a certificate to indicate the subject area, grade level, and/or specialization for which the individual is prepared to teach.

(3) "Interstate compact" means the contractual agreement among several states authorized by RCW 28A.690.010 and 28A.690.020 which facilitates interstate reciprocity.

(4) "Program approval" means the approval by the state board of education of an educator preparation program within Washington state.

(5) "Field experience" means a sequence of learning experiences which occur in actual school settings or clinical or laboratory settings. Such learning experiences are related to specific program outcomes and are designed to integrate educational theory, knowledge, and skills in actual practice under the direction of a qualified supervisor.

(6) "Regionally accredited institution of higher education" means a community college, college, or university which is fully accredited by one of the following regional accrediting bodies:

- (a) Middle States, Association of Colleges and Schools;
- (b) New England Association of Schools and Colleges;
- (c) North Central Association of Colleges and Schools;
- (d) Northwest Association of Schools and Colleges;
- (e) Southern Association of Colleges and Schools;
- (f) Western Association of Schools and Colleges;

Accrediting Commission for Junior and Senior Colleges.

(7) "A performance-based approved educator preparation program" means a program that requires the candidate to demonstrate in multiple ways, over time, specific state board of education required standards, criteria, knowledge and skills, including, where appropriate, evidence related to positive impact on student learning.

(8) "A positive impact on student learning" means that a teacher through instruction and assessment has been able to document students' increased knowledge and/or demonstration of a skill or skills related to the state goals and/or essential academic learning requirements; Provided, That teachers employed by private schools who are candidates for the professional teaching certificate shall document students' increased knowledge and/or demonstration of a skill or skills related to either:

- (a) The state goals or essential academic learning requirements; or
- (b) Such alternative learning goals as the private school has established.

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-13-060.

Title of Rule: Electronic authentication.

Purpose: To provide administrative guidelines for the use of electronic authentication in the state of Washington.

Statutory Authority for Adoption: RCW 19.34.030, 19.34.040, 19.34.100, 19.34.111, 19.34.400.

Statute Being Implemented: Chapter 19.34 RCW.

Summary: Provides definition, establishes fees, licensing procedures and requirements for Certification Authorities and Repositories, and certification of operative personnel. Defines revocation and suspension processes of licensees.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Hans Dettling, 505 East Union, Olympia, WA 98504, 586-0393.

Name of Proponent: Office of the Secretary of State, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: To permit the use of digital signature technology in electronic transactions and to create a process for licensing the certification authorities which will issue certificates for digital signatures.

Proposal does not change existing rules.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Summary: It is indeterminate whether the proposed regulation will have an economic impact on any one industry.

Background: The proposed regulation would establish specific administrative guidelines for the use of electronic authentication in the state of Washington. It also provides definition, establishes fees, licensing procedures and requirements for certification authorities and repositories, and certification of operative personnel. It further defines the revocation and suspension processes of licensees.

Impact Analysis: As the result of this proposed regulation, it would not have an impact on sales or revenues for small businesses.

The licensing of certification authorities to permit the use of digital signature technology in electronic transactions is a new activity, therefore, at this point, it cannot be measured if and what the impact on small businesses would be.

Along with the requirements to apply for a license, some cost would be associated with the certification of operative personnel (background check) as outlined in RCW 19.34.100 (1)(b), (c) and WAC 434-200-215 (2)(a), (b). The precise measurement of this cost could not be determined, but the secretary concludes it is likely to have less impact on small businesses with fewer employees who must comply with the requirement.

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It is also required that the certification authority and/or repository has:

- (a) A trustworthy data system if it materially satisfies as per WAC 434-200-360 by adopting national standards;
- (b) A suitable guaranty as per RCW 19.34.100 (1)(d) (WAC 434-200-225) either in the form of a bond or an irrevocable letter of credit;
- (c) Sufficient working capital as per WAC 434-200-235;
- (d) A compliance audit at least once every year as per WAC 434-200-240; and
- (e) Recordkeeping (WAC 434-200-310). To allow minimal impact, the form of recordkeeping is based on chapter 40.10 RCW to adopt new technologies in the future.

Recordkeeping: The records are generally necessary to establish compliance with statutory requirements, and so presumably a certification authority would be required to keep them by virtue of the statute even without the rule. It is to the discretion of the licensed certification authority what medium they use for recordkeeping. This allows to keep the cost on a minimum basis as long as these records can be reproduced and are accessible to an auditor (chapter 40.10 RCW).

Description of How the Agency Involved Small Businesses in Development of Rule: The office has established an open task force with representatives of private industry, state and local agencies. Meetings were conducted since 1996 on the draft of the rule. Drafts have been circulated for comment and were also posted on the Secretary of State's Internet home page.

Lists of Industries Required to Comply: All businesses that wish to become either a certification authority or act as a repository must comply with the rule. They could include, but are not limited to:

SICCode	Classification
6091	Nondeposit trust companies
99	Non-classifiable establishments

There is no established SIC code for certification authorities or repositories. Therefore, the current small business economic impact statement requirement would not apply to these rules. The secretary supplies this analysis, however to recognize that in the future there could be impact upon small business in this state.

Conclusion: The Secretary of State finds that, given the measures incorporated within the rule, adoption of the proposed rule will not have an adverse economic impact on small businesses. Rules for a trustworthy system are nationally adopted rules suggested by the National Institute of Standards and Technology (CC Common Criteria, CS2 Protection Profile) and the International Telecommunication Union (X.509).

Since digital signature is new technology, there is no established industry to comply with the rule or make an accurate assessment of the costs. They have to comply with national standards and state requirements set by chapter 434-200 WAC. Security measurements like the required background check for operative personnel and suitable guarantee

should ensure the qualification and consistency of operations within the field of digital signature.

A copy of the statement may be obtained by writing to Office of the Secretary of State, Corporations Division, P.O. Box 40234, Olympia, WA 98504, phone (360) 586-0393, or FAX (360) 664-8781.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: John L. O'Brien Building (Capitol Campus), Hearing Room "C", 504 15th Avenue, Olympia, WA 98504, on November 4, 1997, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Hans Dettling by November 3, 1997, TDD (360) 753-1485.

Submit Written Comments to: Office of the Secretary of State, Corporations Division, 505 East Union, 2nd Floor, P.O. Box 40234, Olympia, WA 98504-0234, FAX (360) 664-8781, by November 4, 1997.

Date of Intended Adoption: November 6, 1997.

Tracy Guerin
Assistant Secretary of State

Chapter 434-200 WAC ELECTRONIC AUTHENTICATION

PART 1 GENERAL PRINCIPLES

NEW SECTION

WAC 434-200-100 Scope and purpose of chapter. This chapter implements the Washington Electronic Authentication Act, codified as chapter 19.34 RCW.

NEW SECTION

WAC 434-200-110 Office address, hours, and telephone number. All services of the office of the secretary of state related to the Washington Electronic Authentication Act shall be provided through the corporations division.

(1) The mailing address of the division is: Corporations Division, Office of the Secretary of State, Post Office Box 40234, Olympia, Washington 98504-0234.

(2) The offices of the division are located in the Republic Building at 505 E. Union Avenue, Olympia, Washington.

(3) The office hours are from 8:00 a.m. to 5:00 p.m. daily, Monday through Friday, except for state holidays.

(4) The telephone number for the corporations division is (360) 753-7115.

NEW SECTION

WAC 434-200-120 Definitions. For purposes of this chapter, all terms defined in RCW 19.34.020 have the meanings set forth in statute. Additionally, the following terms shall have the following meanings:

(1) "Operative personnel" means one or more natural persons acting as an agent of a licensed certification authority, or in the employment of, or under contract with, a licensed certification authority, and who have:

(a) Managerial or policy making responsibilities for such licensed certification authority; or

(b) Duties directly involving the issuance of certificates (including the identification of persons requesting a certificate from a certification authority), creation of private keys, or administration of a licensed certification authority's computing facilities.

(2) "Managerial or policy making responsibilities" means direct responsibility for the day-to-day operations, security and performance of those business activities that are regulated under chapter 19.34 of the Revised Code of Washington. If a licensed certification authority is a corporation, then it is presumed that the members of the board of directors, among others, exercise managerial or policy making responsibilities, unless the board delegates those duties in writing to one or more officers or employees of the corporation.

(3) "Presiding officer" means the secretary or an administrative law judge assigned to preside over an adjudicative hearing pursuant to this chapter.

(4) "X.509" means the specific set of technical standards identified by that name which were adopted by the international telecommunication union, formerly known as the international telegraph and telephone consultation committee. For purposes of these rules, all references to X.509 shall be construed as referring to version 3, or higher. Compliance with only versions 1 or 2 shall not be construed as compliance with X.509.

NEW SECTION

WAC 434-200-130 Fees. Fees for services performed by the secretary of state are established in the following amounts:

(1) For application for a license as a certification authority:

(a) For the applicant's first year doing business as a licensed certification authority in this state: One thousand four hundred dollars;

(b) For the applicant's second year doing business as a licensed certification authority in this state: One thousand eight hundred dollars; and

(c) For the applicant's third or subsequent year doing business as a licensed certification authority in this state: Two thousand eight hundred dollars.

(2) For recognition as a repository, in addition to the license issuance or renewal fee paid pursuant to this section:

(a) For the applicant's first year doing business as a recognized repository in this state: One thousand four hundred dollars;

(b) For the applicant's second year doing business as a recognized repository in this state: One thousand eight hundred dollars; and

(c) For the applicant's third or subsequent year doing business as a recognized repository in this state: Two thousand eight hundred dollars.

(3) For recognition of a foreign license, either:

(a) Two thousand eight hundred dollars; or

(b) Upon certification by the issuer of the foreign license that the applicant has been licensed as a certification authority in that jurisdiction for less than three years, the fee that would be due under subsection (1) of this section for a Washington license under the same circumstances. No

applicant may file under this subsection (b) more than two times.

(4) For qualification of operative personnel:

(a) For administering and scoring the examination required by WAC 434-200-215(3), fifty dollars per individual; and

(b) For qualifying operative personnel pursuant to WAC 434-200-215 and 434-200-220, other than (or in addition to) administering and scoring the examination, twenty-five dollars per individual.

PART 2

CERTIFICATION AUTHORITY LICENSE APPLICATION, SUSPENSION, REVOCATION

NEW SECTION

WAC 434-200-200 Application for license as a certification authority. Any person desiring to be licensed as a certification authority must file an application pursuant to this chapter demonstrating compliance with the requirements of RCW 19.34.100. To apply for a license, an applicant must submit all of the following:

(1) A completed application form as prescribed by WAC 434-200-210;

(2) The fee or fees provided by WAC 434-200-130;

(3) A certificate that shows the applicant as subscriber and is published in a recognized repository;

(4) A suitable guaranty, described by WAC 434-200-225, unless the applicant is a self-insured city, a self-insured county, or the department of information services of the state of Washington;

(5) Demonstration of sufficient working capital, pursuant to WAC 434-200-235;

(6) Documentation, in the form of an information systems audit, establishing that the applicant has the use of a trustworthy system as defined by WAC 434-200-360. The audit required by this subsection shall be performed pursuant to WAC 434-200-240, except that it is not required to establish anything more than that the applicant has the use of a trustworthy system;

(7) Materials establishing, to the satisfaction of the secretary that each person listed as operative personnel has qualified to act as operative personnel pursuant to WAC 434-200-215; and

(8) A written certification practice statement as described in WAC 434-200-330.

NEW SECTION

WAC 434-200-205 Issuance of license or renewal. The secretary shall, within a reasonable time, issue or renew a license as a certification authority if the applicant has:

(1) Submitted all documentation required by WAC 434-200-200 and 434-200-210; and

(2) The secretary has determined that the applicant meets all requirements for licensure.

(3) Issuance or renewal of a license shall be valid for a period of one year. Failure to receive a notice of the need to renew a license is an insufficient reason for failing to file the required application for renewal.

PROPOSED

NEW SECTION

WAC 434-200-210 Form. Each application for a license, or renewal of a license, as a certification authority shall be submitted on a form prescribed by the secretary. The completed form shall contain the following:

- (1) The name of the applicant;
- (2) The applicant's uniform business identifier number;
- (3) The mailing address of the applicant, and a physical address if different;
- (4) The telephone number of the applicant;
- (5) The electronic mail address of the applicant;
- (6) The name and address of the applicant's registered agent for service of process, other than the secretary. Address information shall include a physical address, but may additionally provide a mailing address if different;
- (7) The names of all operative personnel; and
- (8) The appointment of the secretary of state as the applicant's agent for service of process.

NEW SECTION

WAC 434-200-215 Certification of operative personnel. The secretary shall not issue or renew a license as a certification authority unless the licensee documents that every individual employed or acting as operative personnel qualifies to act as operative personnel. This documentation shall include:

- (1) Receipt of a completed form, signed by the individual under penalty of perjury, stating:
 - (a) The name (including all other names used in the past), date of birth, and business address of the individual;
 - (b) That the individual has not been convicted within the past fifteen years of a felony and has never been convicted of a crime involving fraud, false statement, or deception in any jurisdiction; and
 - (c) If the individual has resided in any nation other than the United States during the previous five years, the name of that nation and the period of residency.
- (2) A criminal background check supporting the declaration required by subsection (1) of this section. This requirement is excused as to any individual for whom documentation satisfying this paragraph was submitted within the previous two years, even if the individual has changed employment. This check must include both of the following:
 - (a) A criminal background check compiled by a private sector provider, documenting a background check reasonably sufficient to disclose any criminal convictions within the previous seven years in any state or federal jurisdiction in the United States, its territories, or possessions, and any other jurisdiction specified pursuant to subsection (1)(c) of this section. This background check must contain information that is current to within thirty days of its date of submission; and
 - (b) The certified results of a criminal background check performed by the Washington state patrol for the previous fifteen years, dated not more than thirty days prior to submission.
- (3) Satisfactory completion by the individual of a written examination demonstrating knowledge and proficiency in following the requirements of the Washington Electronic Authentication Act and these rules. The secretary

shall develop an open book written test covering the subject matter of the act, and provide it upon request, which may include electronic access. The secretary may update or modify the test from time to time. The secretary shall indicate at the top of the test the percentage or number of questions that must be answered correctly in order to constitute satisfactory completion. No individual may take the examination more than once within a period of thirty days. A certification by the secretary that an individual has successfully completed this examination shall be valid for two years, and shall continue to satisfy the requirements of this subsection even if the individual changes employment.

(4) A licensed certification authority must remove a person from performing the functions of operative personnel immediately upon learning that the person has been convicted within the past fifteen years of a felony or has ever been convicted of a crime involving fraud, false statement, or deception, and must notify the secretary of this action within three business days.

NEW SECTION

WAC 434-200-220 Qualification of newly designated operative personnel. No licensed certification authority may assign any individual to perform the functions of operative personnel if that individual has not been certified by the secretary pursuant to WAC 434-200-215. Such certification may be obtained by application to the secretary at any time, without regard to the time at which the certification authority's license is subject to renewal.

NEW SECTION

WAC 434-200-225 Suitable guaranty. (1) The suitable guaranty required for licensure as a certification authority may be in the form of either a surety bond executed by an insurer lawfully operating in this state, or an irrevocable letter of credit issued by a financial institution authorized to do business in this state.

(2) The suitable guaranty must be in an amount of at least fifty thousand dollars.

(3) As to form, the suitable guaranty must:

(a) Identify the insurer or financial institution upon which it is drawn, including name, mailing address, and physical address, and identify by number or copy its licensure or approval as an insurer or financial institution in this state;

(b) Identify the certification authority on behalf of which it is issued;

(c) Be issued payable to the secretary for the benefit of persons holding qualified rights of payment against the licensed certification authority named as principal of the bond or customer of the letter of credit;

(d) State that it is issued for filing under the Washington Electronic Authentication Act; and

(e) Specify a term of effectiveness extending at least as long as the term of the license to be issued to the certification authority.

NEW SECTION

WAC 434-200-235 Sufficient working capital. (1) A certification authority's working capital is sufficient for licensing purposes if, at the time it applies for a license or renewal, its current assets minus current liabilities exceeds twenty-five thousand dollars.

(2) A certification authority may demonstrate the sufficiency of its working capital only through a financial statement signed by a licensed certified public accountant, dated no more than sixty days prior to the date received by the secretary. A state agency shall be deemed to have sufficient working capital without documentation.

NEW SECTION

WAC 434-200-240 Compliance audits. (1) A licensed certification authority shall obtain a compliance audit at least once every year. The auditor shall issue an opinion evaluating the degree to which the certification authority conforms to the requirements of this chapter and of chapter 19.34 RCW. If the certification authority is also a recognized repository, the audit must include the repository.

(2) For purposes of the opinion required by this section, the auditor shall exercise reasonable professional judgment as to whether a condition that does not strictly comply with legal requirements is or is not material, taking into consideration the circumstances and context. Noncompliance as to any of the following shall be deemed material, in addition to any others the auditor may judge to be material:

(a) Any condition of noncompliance with statute or rule that relates to the validity of a certificate;

(b) Any employee performing the functions of operative personnel who has not qualified pursuant to WAC 434-200-215;

(c) Any material indication that the certification authority has used any system other than a trustworthy system.

(3) An audit may be performed by any licensed certified public accountant, or, in the case of a public agency, by the Washington state auditor. Any auditor, or group of auditors, performing an audit pursuant to this section shall include at least one individual who has been issued a current and valid certificate as either a certified information systems auditor, by the information systems audit and control foundation, or as a certified information systems security professional, by the International Information Systems Security Certification Consortium. The names of all individuals possessing such certificates shall be disclosed in the audit report, or in a cover letter accompanying that report.

(4) The certification authority shall file a copy of the audit report with the secretary, prior to the date the certification authority must renew its license pursuant to WAC 434-200-205. At the certification authority's option, it shall be sufficient to file a portion of the report if that report summarizes all audit exceptions and conditions of noncompliance (including, but not limited to, those stated in subsection (2) of this section) stated in the full report, and bears the auditor's signature. The report may be filed electronically, if it is validly digitally signed by the auditor, using a licensed certification authority. The secretary shall publish the report, or summary, in the certification authority disclosure record it maintains for the certification authority.

NEW SECTION**WAC 434-200-245 Recognition of foreign licenses.**

(1) A certification authority licensed as such by a governmental entity other than the state of Washington, may act as a licensed certification authority in Washington only if, in addition to meeting any other requirements established by law for the transaction of business, it either:

(a) Obtains a license as a certification authority from the secretary; or

(b) Provides to the secretary a certified copy of a license issued by a governmental entity whose licensing or authorization requirements the secretary has found to be substantially similar to those of Washington, together with the fee required by WAC 434-200-130. A license recognized under this subsection shall be valid in Washington only during the time it is valid in the issuing jurisdiction.

(2) The secretary may certify that the requirements of another jurisdiction are substantially similar to those of Washington if, in order to obtain a license, the controlling law of the other jurisdiction requires that a licensed certification authority:

(a) Issue certificates based upon a system of public key cryptography using a trustworthy system;

(b) Provide a suitable guaranty in an amount of at least twenty-five thousand dollars;

(c) Employ as operative personnel only individuals who have demonstrated knowledge and proficiency in the requirements of the law regarding digital signatures, and who are free of felony criminal conviction for a minimum of seven years;

(d) Be subject to a legally established system of enforcement of licensure requirements.

(3) The secretary shall publish in the *State Register*, and make available upon request, a list of those jurisdictions which the secretary has certified pursuant to subsection (2) of this section. If a jurisdiction is not included in the list most recently published in the *State Register*, the secretary shall consider whether certification of such jurisdiction should be added, upon request of either the jurisdiction or a certification authority licensed by that jurisdiction and upon receipt of an English language copy of the applicable laws and regulations of that jurisdiction.

NEW SECTION**WAC 434-200-250 Revocation or suspension of license.**

(1) The secretary may revoke or suspend a license, pursuant to chapter 34.05 RCW, for failure to comply with any requirement of chapter 19.34 RCW or this chapter, for failure to remain qualified for a license pursuant to chapter 19.34 RCW or this chapter, or for failure to comply with a lawful order of the secretary.

(2) The secretary shall inform a licensed certification authority by written order, by mail directed to the mailing address or electronic mail address listed on the licensee's application, of a decision to revoke or suspend the license. The notification shall state when the revocation or suspension shall be effective, which shall not be less than thirty days following the issuance of the order except in the case of a summary suspension pursuant to WAC 434-200-255.

(3) If the licensee files an application for an adjudicative hearing, pursuant to WAC 434-200-500, prior to the effective

tive date of revocation or suspension, the suspension or revocation shall not take effect until so ordered by the presiding officer, except in the case of a summary suspension pursuant to WAC 434-200-255.

NEW SECTION

WAC 434-200-255 Summary suspension of license.

The secretary may order the summary suspension of a license pending proceedings for revocation or other action, as described in RCW 19.34.100(4). A summary suspension of a license is effective immediately upon issuance.

NEW SECTION

WAC 434-200-260 Technical assistance program.

(1) This section describes the secretary's technical assistance program for licensed certification authorities, including recognized repositories. This section implements RCW 43.05.020, by providing for the dissemination of information to licensed certification authorities regarding the requirements of the Washington Electronic Authentication Act and this chapter. It is not intended as a method of providing general business advice to certification authorities, or technical information to the general public, although any member of the public may receive written materials described in this section upon request.

(2) The technical assistance program shall consist of the following:

(a) Technical assistance visits: The secretary, in his or her discretion, may conduct a technical assistance visit, as described by RCW 43.05.030, either by the request or the consent of a licensed certification authority. The secretary is not required to conduct a technical assistance visit.

(b) Printed information: The secretary shall develop, and make available upon request, printed information outlining the requirements of chapter 19.34 RCW and this chapter. This information should not be regarded as a comprehensive guide to conducting business as a certification authority.

(c) Information and assistance by telephone: A licensed certification authority or applicant for licensing or recognition, may contact the secretary's office by telephone during normal business hours at the number listed in WAC 434-200-110. The secretary's office shall provide information regarding the licensing and recognition requirements of chapter 19.34 RCW, and this chapter, but no representation or conclusion offered shall be binding upon the secretary.

(d) Training meetings: The secretary may, in his or her discretion, conduct meetings for the purpose of providing training regarding requirements for licensure or recognition.

(e) List of organizations providing technical assistance: The secretary shall compile, and make available upon request, a list of organizations, including private companies, that provide technical assistance to certification authorities. The secretary shall compile this list from information submitted by the organizations and shall not constitute an endorsement by the secretary of any organization.

(3) If the secretary determines, during or within a reasonable time after a technical assistance visit, that the licensed certification authority has violated any statute or rule, the secretary shall notify the certification authority in writing and specify a reasonable period of time to correct the

violation before any civil penalty may be imposed. The notification shall include a copy of the specific statute or rule violated. After the expiration of a reasonable time period conveyed to the certification authority, the secretary may revisit the certification authority and issue civil penalties with regard to any uncorrected violations, for which notice was provided.

NEW SECTION

WAC 434-200-265 Civil penalties. The secretary may, by order, impose and collect a civil monetary penalty against a licensed certification authority for a violation of chapter 19.34 RCW as provided by RCW 19.34.120.

NEW SECTION

WAC 434-200-270 Criteria for determining penalty amounts. In determining the appropriate penalty amount against a licensed certification authority for violation of chapter 19.34 RCW or this chapter, the secretary may consider the nature of the violation and the extent or magnitude of the severity of the violation, including:

(1) The damages arising from the violation including:

(a) The financial impact of the violation to any subscriber, relying party, or any other person;

(b) The amount of money obtained, or profit derived, by the certification authority as a result of the violation;

(c) The costs incurred by the state in enforcement, including reasonable investigative costs;

(d) The nonfinancial consequences of the violation, including harm to any subscriber, relying party, or other person;

(2) The nature of the violation, including whether it was continuing in nature, involved criminal conduct, or tended to significantly impair the reliability of any certificate or key pair;

(3) The presence of any aggravating circumstances, including whether the violator:

(a) Intentionally committed the violation with knowledge that the conduct constituted a violation;

(b) Attempted to conceal the violation;

(c) Was untruthful or uncooperative in dealing with the secretary or the secretary's staff;

(d) Had committed prior violations found by the secretary;

(e) Incurred no other sanction as a result of the violation;

(4) The presence of any mitigating circumstances, including whether the violator:

(a) Had taken any prior action to correct the violation or mitigate its consequences;

(b) Had previously paid any damages to any party resulting from the violation;

(c) Acted without intention to commit a violation; or

(d) Acted reasonably in light of any other mitigating factors deemed relevant by the secretary.

NEW SECTION

WAC 434-200-275 Recovery against suitable guaranty. (1) To recover a qualified right to payment against a surety or issuer of a suitable guaranty, pursuant to RCW 34.10.290, the claimant must:

(a) File a signed notice of the claim with the secretary stating the name and address of the claimant, the amount claimed, the grounds for the qualified right to payment, the date of the occurrence of the violation forming the basis of the claim; and

(b) Append to the notice a certified copy of the judgment on which the qualified right to payment is based, except as provided in subsection (2) of this section.

(2) If the notice pursuant to subsection (1)(a) of this section is filed prior to entry of judgment, the secretary shall hold such notice on file, without further action, until the claimant files a copy of the judgment. If the secretary determines that the litigation identified in the notice has been finally resolved without a judgment providing the claimant with a qualified right to payment, the secretary may expunge the notice from his or her records. The secretary shall not expunge a notice until three years have elapsed since it was first filed.

(3) The secretary shall reject a notice for filing if the date of the occurrence of the violation is more than three years prior to the filing of the notice.

(4) If a notice and judgment are filed pursuant to subsection (1) of this section, the secretary shall provide the notice and judgment to the surety or issuer.

PART 3 CERTIFICATION AUTHORITY STANDARDS AND PRACTICES

NEW SECTION

WAC 434-200-300 Form of certificates. (1) Certificates issued by licensed certification authorities shall follow the Basic Certificate Field Standards specified in standard X.509, part one, section 4.1. Certificate data extension fields are optional. If certificate extension fields are used, usage must conform to the required guidelines referenced in X.509 section 4.1.2.1, section 4.2, and may be displayed on the certificate.

(2) Any certificate issued by a licensed certification authority that is to be used as an acknowledgment, as provided in RCW 19.34.340, shall include a certificate data extension field that specifies the reliance limit, if any, and a certificate data extension field that states that the certificate may be used as an acknowledgment.

NEW SECTION

WAC 434-200-310 Recordkeeping and retention. (1) Every licensed certification authority shall make, keep, and preserve the following records:

(a) Such records as are necessary to demonstrate compliance with RCW 19.34.100 (1)(b), (c), (e), (f), and (g);

(b) Such records as are necessary to demonstrate compliance with RCW 19.34.210 (1)(a), (b), and (2);

(c) All notices of suspension of certificates pursuant to RCW 19.34.210(4), together with such other documents as required to demonstrate compliance with RCW 19.34.210;

(d) Such records as are necessary to demonstrate compliance with RCW 19.34.250(1);

(e) Such records as are necessary to demonstrate compliance with RCW 19.34.260 (1), (2), (3), (4), and (5); and

(f) Such records as are necessary to demonstrate compliance with RCW 19.34.290(1).

(2) Every licensed certification authority shall maintain a data base file which shall contain records of the identity of the subscriber named in each certificate issued by the certification authority, which identity is to include all the facts represented in the certificate, the date of issuance of the certificate, and number of the certificate.

(3) Every licensed certification authority shall maintain a date base file of every time-stamp issued by the certification authority, to include sufficient information so that the identity of the subscriber and the item being time stamped can be identified.

(4) Every licensed certification authority shall retain in a trustworthy fashion the following records for the following periods:

(a) All records identified in subsections (2) and (3) of this section for a period of at least ten years after the date a certificate is revoked or expired, or after a time-stamp is affixed; and

(b) All other records required to be retained under this section shall be retained for at least five years.

(5) Records may be kept in the form of paper-based documents, retrievable computer-based documents, or any form of reproduction approved by the state archivist for essential records pursuant to chapter 40.10 RCW. Such records shall be indexed, stored, preserved and reproduced so as to be accurate, complete, and accessible to an auditor. Certificate extension data, referenced in X.509 section 4.2, is not required to be part of any publicly accessible record.

NEW SECTION

WAC 434-200-320 Certification authority disclosure records. (1) The secretary shall compile and maintain certification authority disclosure records for each certification authority that has been issued a current and valid Washington certification authority license. The secretary shall publish them in the secretary's repository and any other recognized repository the secretary deems appropriate. Each certification authority disclosure record shall include, at a minimum, the following:

(a) The information specified in WAC 434-200-210 (1), (2), (3), and (4);

(b) The name, mailing address, telephone number, and electronic mail address of the issuer or surety of the certification authority's suitable guaranty;

(c) A copy of the certification practice statement filed with the secretary pursuant to WAC 434-200-330;

(d) A copy of the most recent audit report, or summary thereof, filed with the secretary pursuant to WAC 434-200-240;

(e) Information as to the current status of the certification authority's Washington license, including disclosure of

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any license revocation or suspension. If a suspension or revocation is currently subject to a pending administrative or judicial review, the record shall so note;

(f) Whether the certification authority operates a recognized repository, and, information sufficient to locate or identify any repository it either operates or utilizes;

(g) A list of all judgments filed with the secretary pursuant to WAC 434-200-275, within the previous five years; and

(h) Any other information specified by statute.

(2) The secretary shall update a certification authority disclosure record upon becoming aware that any item of information contained within it has changed or is not accurate.

(3) In compiling and maintaining certification authority disclosure records, the secretary shall utilize the records of the secretary's office, and is not obligated to conduct any affirmative investigation or review beyond the face of those records.

NEW SECTION

WAC 434-200-330 Certification practice statements.

Each licensed certification authority must file with the secretary a certification practice statement. This statement must declare the practices the certification authority uses in issuing, suspending, and revoking certificates. Additionally, it must set forth the following:

(1) If certificates are issued by class, the necessary criteria for each class of certificate, including the methods of subscriber identification applicable to each class;

(2) Disclosure of any warnings, liability limitations, warranty disclaimers, and indemnity and hold harmless provisions, if any, upon which the certification authority intends to rely;

(3) Disclosure of any and all disclaimers and limitations on obligations, losses, or damages, if any, to be asserted by the certification authority;

(4) A written description of all representations required by the certification authority of the subscriber for the subscriber's responsibility to protect the private key; and

(5) Disclosure of any mandatory dispute resolution process, if any, to include choice of forum and choice of law provisions.

NEW SECTION

WAC 434-200-340 Suspension or revocation of a certificate by the secretary. (1) The secretary may order a licensed certification authority to suspend or revoke a certificate that the certification authority issued, if, after giving any required notice and opportunity for the certification authority and the subscriber to be heard in accordance with chapter 34.05 RCW, the secretary determines that:

(a) The certificate was issued without substantial compliance with RCW 19.34.210; and

(b) The noncompliance poses a significant risk to persons reasonably relying on the certificate.

(2) The secretary may issue an order, pursuant to RCW 19.34.210(5), suspending a certificate for a period not to exceed ninety-six hours upon determining that an emergency requires an immediate remedy. The secretary shall issue an order including such a finding, and mail it to the licensed

certification authority at the mailing address listed in its application.

(3) The secretary may issue an order, pursuant to RCW 19.34.250(2), suspending a certificate for a period not to exceed ninety-six hours, unless the certificate provides otherwise or the certificate is a transactional certificate, under circumstances described by RCW 19.34.250 (2)(a) and (b). If, upon request by the secretary, the person requesting suspension fails to provide a statement under oath or affirmation regarding his or her identity or authorization to request suspension, the secretary shall not issue an order suspending the certificate unless he or she is satisfied that discretion to enter the order should be exercised because the circumstances provide a sufficient basis for confidence of the person's identity and authority.

NEW SECTION

WAC 434-200-350 Regional services for certificate suspension. The secretary may enter into an agreement, pursuant to RCW 19.35.250(7) and chapter 39.34 RCW, authorizing a state or local agency to perform any of the functions of the secretary under RCW 19.34.250 or WAC 434-200-350 (2) or (3) upon a regional basis. The terms and conditions of such an agreement shall include, at a minimum:

(1) The identity of contracting parties;

(2) The region of the state for which the contract is effective;

(3) The duration of the agreement;

(4) The method by which the contracting agency shall inform the secretary of all actions taken pursuant to the agreement;

(5) The method by which any suspension pursuant to the agreement shall be made effective;

(6) The method by which the secretary shall reimburse the agency for its costs of performance under the agreement;

(7) A provision under which each party agrees to indemnify the other, to the extent permitted by law;

(8) The method by which the contract may be terminated prior to expiration, which shall include the right of either party to terminate the agreement immediately in the event of a loss or withdrawal of funding; and

(9) A method of resolving disputes under the agreement.

NEW SECTION

WAC 434-200-360 Trustworthy system. A system shall be regarded as trustworthy if it materially satisfies the most current adopted version of Common Criteria (CC) Protection Profile (PP) for Commercial Security 2 (CS2), (CCPPCS), developed by the National Institute of Standards and Technology (NIST). The determination whether a departure from CCPPCS is material shall be governed by WAC 434-200-240(2). For purposes of this chapter, CCPPCS shall be interpreted in a manner that is reasonable in the context in which a system is used and is consistent with other state and federal laws. Until such time as the referenced standard is adopted by NIST, the standard applicable for purposes of this chapter shall be the draft of CCPPCS dated May 23, 1997.

NEW SECTION

WAC 434-200-370 Procedure upon discontinuance of business. A licensed certification authority that discontinues providing certification authority services without making other arrangements for preservation of the certification authority's records shall either:

- (1) Revoke all valid certificates and return all records concerning them to the appropriate subscriber; or
- (2) Submit such records to another licensed certification authority or authorities designated by the secretary.

**PART 4
RECOGNITION OF REPOSITORIES**

NEW SECTION

WAC 434-200-400 Recognition of repositories. The secretary shall recognize a repository upon determining that it satisfies all requirements set forth in RCW 19.34.400, and upon payment of the required fee and upon receipt and review of a completed form, provided by the secretary, containing the following:

- (1) The name of the licensed certification authority, or applicant for licensure as a certification authority, requesting recognition of a repository;
- (2) The applicant's uniform business identifier number;
- (3) The mailing address of the applicant, and a physical address if different;
- (4) The telephone number of the applicant;
- (5) The electronic mail address of the applicant; and
- (6) A description of the data base and system architecture demonstrating that it satisfies the requirements of RCW 19.34.400(1) and WAC 434-200-420.

NEW SECTION

WAC 434-200-410 Revocation of recognition of a repository. (1) This rule describes the secretary's procedure for revoking the recognition of a repository, without also revoking the license of the certification authority that operates the repository. Because a valid license as a certification authority is a statutory requirement for recognition of a repository, the secretary shall automatically revoke the recognition of any repository operated by a certification authority whose license is revoked, expired, or otherwise inoperative.

(2) The secretary may revoke recognition of a repository, pursuant to chapter 34.05 RCW, for failure to comply with any requirement of RCW 19.34.400 or this chapter, or for failure to comply with a lawful order of the secretary.

(3) The secretary shall inform a licensed certification authority that operates a recognized repository by written order, by mail directed to the mailing address listed on the licensee's application, of a decision to revoke recognition of the repository. The notification shall state when the revocation shall be effective, which shall not be less than thirty days following the issuance of the order.

(4) If the certification authority files an application for an adjudicative hearing, pursuant to WAC 434-200-500, prior to the effective date of revocation, the revocation shall not take effect until so ordered by the presiding officer.

NEW SECTION

WAC 434-200-420 Trustworthy system for recognized repositories. A system shall be regarded as trustworthy for purposes of operating a recognized repository if it satisfies the requirements of WAC 434-200-360, and additionally it:

- (1) Provides on-line access to the repository upon a continuous basis, with reasonable allowance for scheduled maintenance;
- (2) Possesses the capacity to process transactions in a manner reasonably adequate for anticipated volume; and
- (3) Provides for the periodic storage of data at a location other than the principal system utilized for the repository.

NEW SECTION

WAC 434-200-430 Contract for secretary of state repository publication. The secretary may either directly operate, or contract for the operation of, a repository described in WAC 434-200-440. If the secretary contracts for the operation of the repository, the contractor must be a licensed certification authority and must agree to operate the repository according to all requirements of chapter 19.34 RCW, including RCW 19.34.400. The contract may be rescinded for any reason that would form a basis for revoking recognition of a repository or for failure to meet the requirements of WAC 434-200-440.

NEW SECTION

WAC 434-200-440 Publication in the secretary of state repository. The secretary shall maintain, either directly or under contract, a repository for the purpose of publishing any information required by chapter 19.34 RCW. Information published in the secretary's repository shall include:

- (1) The certification authority disclosure record for each certification authority licensed in Washington;
- (2) A list of all judgments filed with the secretary within the previous five years pursuant to RCW 19.34.290;
- (3) Any advisory statements published by the secretary regarding the activities of a licensed or unlicensed certification authority, together with any protest filed by the certification authority named in the statement and any final decision of the secretary regarding the issues raised in the statement, all as provided by RCW 19.34.130(2);
- (4) Any information published in the secretary's repository pursuant to WAC 434-200-450; and
- (5) Any other information necessary or appropriate for publication in the secretary's repository pursuant to chapter 19.34 RCW or this chapter.

NEW SECTION

WAC 434-200-450 Procedure upon discontinuance of business as repository. A licensed certification authority that discontinues providing services as a recognized repository shall republish the records published in the repository in another recognized repository. If no other repository is available or willing to republish that information, the certification authority shall publish it in the secretary's repository.

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PART 5
PROCEEDINGS BEFORE THE SECRETARY

NEW SECTION

WAC 434-200-500 Application for adjudicative proceedings. Decisions and actions of the secretary pursuant to chapter 19.34 RCW and this chapter may be reviewed by filing an application of an adjudicative proceeding. An adjudicative proceeding shall be commenced when required by chapter 34.05 RCW, and may be commenced in the secretary's discretion upon such other occasions as may be permitted by statute. An application for an adjudicative proceeding may be on a form provided by the secretary for that purpose or in another paper or electronic writing signed by the applicant or the applicant's representative. The application for an adjudicative proceeding should specify the issue to be adjudicated in the proceeding.

NEW SECTION

WAC 434-200-510 Appointment of administrative law judge—Designation of procedural rules. (1) The secretary hereby appoints the office of administrative hearings and the administrative law judges employed by that office to preside at all hearings that result from the commencement of adjudicative proceedings unless the secretary, by his or her own order, declares his or her intent to preside at a specific proceeding or the proceeding is an appeal of an initial order issued by an administrative law judge.

(2) All hearings shall be conducted in compliance with these rules, and with chapter 34.05 RCW. The secretary adopts chapter 10-08 WAC as the applicable rules of procedure, except where this chapter provides different, additional or conflicting procedures.

NEW SECTION

WAC 434-200-520 Pleadings in digital form. (1) Unless the presiding officer directs otherwise, any party may file any pleading or other document in an adjudicative proceeding under this chapter in electronic form. If a pleading or document filed electronically requires a signature, that pleading or document shall be signed digitally, pursuant to a valid certificate issued by a licensed certification authority. The certification authority that issued the certificate shall not be a party to the adjudicative proceeding.

(2) Service of electronic pleadings or documents by electronic transmission is effective upon receipt, except that if sent after 5:00 p.m. on a business day or at any time on a weekend or state holiday, service is effective as of 8:00 a.m. on the following business day.

NEW SECTION

WAC 434-200-530 Service of process on the secretary. Service of pleadings or documents upon the secretary or the presiding officer does not constitute service upon the attorney general as counsel to the secretary.

NEW SECTION

WAC 434-200-540 Stay of summary suspension. (1) Upon summary suspension of a license by the secretary pursuant to this chapter and chapter 19.34 RCW, an affected certification authority may petition the secretary for a stay of suspension pursuant to RCW 34.05.467 and 34.05.550(1). Such petition must be received by the secretary within the time specified in RCW 34.05.467.

(2) Within seven days of receipt of a petition for stay, a hearing shall be held before an administrative law judge, or if an administrative law judge is not available during this period, before an individual designated by the secretary. The hearing shall be limited to consideration of whether a stay should be granted, or whether the terms of the suspension may be modified to allow the conduct of limited activities under current licenses.

(3) Any hearing conducted pursuant to subsection (2) of this section shall be conducted under RCW 34.05.485, brief adjudicative proceedings. The agency record for the hearing shall consist of the information upon which the summary suspension was based and may be supplemented by any information obtained by the secretary subsequent to the date of the suspension order. The certification authority shall have the burden of demonstrating by a preponderance of the evidence that:

(a) The certification authority is likely to prevail upon the merits at hearing;

(b) Without relief, the certification authority will suffer irreparable injury. For purposes of this section, elimination of income from licensed activities shall not be deemed irreparable injury;

(c) The grant of relief will not substantially harm other parties to the proceedings; and

(d) The threat to the public safety or welfare is not sufficiently serious to justify continuation of the suspension, or that modification of the terms of the suspension will adequately protect the public interest.

(4) The initial order granting or denying a stay shall be effective immediately upon service unless another date is specified in the order.

NEW SECTION

WAC 434-200-550 Review of orders regarding stay. (1) Any party may petition the secretary for review of an initial order granting or denying a motion for a stay of suspension. A petition for review must be in writing and received by the secretary within twenty-one days of service of the initial order. If neither party has requested review within twenty-one days of service, the initial order shall be deemed the final order of the secretary for purposes of RCW 34.05.467.

(2) If the secretary receives a timely petition for review, he or she shall consider the petition promptly. Consideration on review shall be limited to the record of the hearing on stay.

(3) The secretary's order on the petition for review shall be effective upon service unless another date is specified in the order and is final pursuant to RCW 34.05.467. Final disposition of the petition for stay shall not affect subsequent administrative proceedings for suspension or revocation of a license.

NEW SECTION

WAC 434-200-560 Adjudicative proceedings—Appearance and practice before the secretary—Who may appear. No person may appear in a representative capacity before the secretary or the designated administrative law judge other than the following:

- (1) Attorneys at law duly qualified and entitled to practice before the supreme court of the state of Washington.
- (2) A bona fide officer, authorized manager, partner, or full-time employee of a firm, association, partnership, or corporation who appears for such firm, association, partnership or corporation.
- (3) An individual appearing pro se.
- (4) Such interpreters for persons with a limited understanding of the English language or hearing impaired persons as provided for in WAC 10-08-150.
- (5) Such other persons as may be permitted by the secretary upon a showing by a party to the hearing of such a necessity or such a hardship as would make it unduly burdensome upon him to have a representative as set forth under subsections (1) and (2) of this section.

NEW SECTION

WAC 434-200-590 Brief adjudicative proceeding regarding certificate suspension. (1) Pursuant to RCW 34.05.482, the secretary may use brief adjudicative proceedings where not violative of law, where in the judgment of the secretary protection of the public interest does not require the secretary to give notice and an opportunity to participate to persons other than the parties, and the issue and interests involved in the controversy do not warrant the use of the procedures of RCW 34.05.413 through 34.05.479.

(2) The secretary finds that prompt review of the suspension of a certificate pursuant to RCW 19.34.210(5), 19.34.250(2), or WAC 434-200-350 by the secretary or a state or local agency under contract with the secretary is appropriate for a brief adjudicative proceeding. The secretary adopts the provisions of RCW 34.05.482 through 34.05.494 for purposes of this category of proceedings.

(3) If any person affected by the suspension requests administrative review, the secretary shall immediately notify, by the most rapid means reasonably calculated to inform the recipient of the proceeding, the subscriber, the certification authority, and any other affected party who has requested notification or has requested the review, of the intent to conduct a proceeding pursuant to this section. Conduct of that review shall be in accordance with RCW 34.05.485 through 34.05.494.

(4) The suspension of a certificate by order of the secretary pursuant to RCW 19.34.210(5) and 19.34.250(2) shall lapse ninety-six hours after the suspension.

(5) The secretary may, in his or her discretion, conduct a full adjudicative proceeding if any affected party requests a full review of the suspension of a certificate pursuant to RCW 19.34.250(2). If a full adjudicative proceeding is held, the suspension lapses ninety-six hours after the suspension, but the review need not be completed within that time.

(6) If, by final order, the secretary determines that the suspension was in error, the certificate shall be deemed valid retroactively to the time of suspension.

**WSR 97-20-152
PROPOSED RULES
DEPARTMENT OF AGRICULTURE**

[Filed October 1, 1997, 11:38 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-15-124.

Title of Rule: Rules relating to apiaries.

Purpose: Establishment of a bee broker registration fee penalty matrix relative to requirements of the apiary statute.

Statutory Authority for Adoption: RCW 15.60.025, 15.60.050(2), and 15.60.170(2).

Statute Being Implemented: Chapter 15.60 RCW.

Summary: Establishes a bee broker registration fee and a penalty matrix as authorized by statute.

Reasons Supporting Proposal: An equitable and uniform penalty process is necessary to ensure progress toward the program goal of full voluntary compliance. A progressive penalty structure is preferable to exercising the full extent of monetary penalties (up to \$1,000 per violation) authorized by statute. Rule making would also achieve fairness between bee brokers and beekeepers relative to registration fees.

Name of Agency Personnel Responsible for Drafting: Mary Toohey, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-1907; Implementation and Enforcement: Diane Dolstad, 1111 Washington Street, Olympia, WA 98504-2560, (360) 902-2071.

Name of Proponent: Washington State Beekeepers Association, Bob Zahler, President, private, and Washington State Department of Agriculture, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The establishment of a penalty matrix relative to requirements of the apiary statute will permit an orderly and predictable civil penalty process, a step in achieving the program goal of full voluntary compliance with the requirements of the statute. Prior to this, there has been no established penalty matrix, the civil penalty authority in statute has not been exercised, and the level of voluntary compliance has not been found acceptable.

Establishing a bee broker registration fee will achieve greater equity throughout the apiary industry in financial support of the program. Previously only beekeepers were assessed registration fees. If an individual is both a beekeeper and a bee broker, only one registration fee (the greater of the two) will be assessed.

Proposal does not change existing rules.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

The Washington State Department of Agriculture (WDSA) is proposing a penalty matrix relative to violations of the apiary statute, chapter 15.60 RCW. In addition, the proposed rules will establish a fee for bee broker registration.

The civil penalty matrix being proposed graduates upward upon repeat offenses of the apiary statute when an individual or company is found in violation rather than applying a strict \$1,000.00 per violation.

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WSDA has the authority to add a broker registration fee, and does so in the rule proposal. The fee affects apiary brokers which equates to approximately 4% of the entire apiary industry.

Originally, WSDA proposed two fees upon brokers: (1) The requirement to register and pay as an "apiarist" and (2) an additional fee if an apiarist is also a "broker."

The Washington State Department of Agriculture mitigated the impact on brokers by imposing one registration fee for an apiarist who also conducts business as a broker.

A copy of the statement may be obtained by writing to Mary Toohey, Assistant Director, Washington State Department of Agriculture, Laboratory Services Division, P.O. Box 42560, Olympia, WA 98504-2560, phone (360) 902-1907, or FAX (360) 902-2094.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption.

Hearing Location: Washington State Department of Agriculture, 2015 South 1st Street, Conference Room A, Yakima, WA 98903, on November 17, 1997, at 1:00 p.m. to 4:00 p.m.

Assistance for Persons with Disabilities: Contact Cathy Jensen by November 10, 1997, TDD (360) 902-1996, or (360) 902-1976.

Submit Written Comments to: Mary Toohey, FAX (360) 902-2094, by November 17, 1997.

Date of Intended Adoption: December 2, 1997.

October 1, 1997
Mary A. Martin Toohey
Assistant Director

NEW SECTION

WAC 16-602-026 Broker registration fees. In accordance with RCW 15.60.050, there is assessed an annual broker registration fee of \$100 due and payable to the department on April 1 of each year. If a person registers as both a broker and an apiarist, only one of the registration fees shall be owed. The lesser of the two registration fees shall be waived.

NEW SECTION

WAC 16-602-045 Civil penalty authority and application. (1) The statutory authority for the assessment of civil penalties for violations of the Apiaries act is located in RCW 15.60.170.

(2) The assessment of civil penalties will be in accordance with Chapter 43.05 RCW, Technical Assistance Programs, and Chapter 34.05, the Administrative Procedure Act, and Chapter 15.60 RCW, Apiaries.

NEW SECTION

WAC 16-602-050 Types of offenses and level of civil penalty assessment. (1) Violations of the Apiaries act include, but are not limited to:

- (a) Failure to register as a resident or non-resident apiarist (reference WAC 16-602-025 and RCW 15.60.050);
- (b) Failure to register as a broker (reference WAC 16-602-026 and RCW 15.60.050);
- (c) Failure to remit apiary registration fees (reference WAC 16-602-025 and RCW 15.60.050);

(d) Failure to remit broker registration fees (reference WAC 16-602-026 and RCW 15.60.050);

(e) Failure to remit pollination service fees (reference WAC 16-602-027 and RCW 15.60.040);

(f) Failure to mark apiaries in accordance with WAC 16-602-040 (reference RCW 15.60.020);

(g) Altering an official certificate or other official inspection document or misrepresenting a document, as described in RCW 15.60.150(2).

(2) The level of civil penalty assessed for each individual violation shall be as follows:

First violation	\$100
Second violation	\$500
Third and each subsequent violation	\$1,000

**WSR 97-20-153
WITHDRAWAL OF PROPOSED RULES
DEPARTMENT OF HEALTH**

[Filed October 1, 1997, 11:39 a.m.]

This is a request to withdraw WAC 246-810-150 and 246-810-152 which was filed June 18, 1997, and published in WSR 97-13-099. Because there are questions regarding the effectiveness of mandating continuing education (CE) the Department of Health is not forwarding these two rules.

Individuals requiring information on WAC 246-810-150 and 246-810-152 should contact Karen Burgess or Tonya Stauffer at (360) 586-8584.

Bruce Miyahara
Secretary

**WSR 97-20-161
PROPOSED RULES
DEPARTMENT OF HEALTH**

[Filed October 1, 1997, 11:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-15-002.

Title of Rule: Sexual misconduct, WAC 246-840-985.

Purpose: This would create a new WAC to assist the nurses and the public in understanding the concept and actions which can be taken in disciplinary cases coming before the commission and to ensure that the commission's disciplinary actions are enforceable and therefore more fully protect the public.

Other Identifying Information: This rule will amend WAC 246-840-010 Definitions, to add two definitions and change one to go along with the new WAC 246-840-985.

Statutory Authority for Adoption: RCW 18.130.-180(24).

Statute Being Implemented: Chapter 18.79 RCW.

Summary: This rule would make it easier for nurses and the public to understand that there are professional boundaries and standards of practice which need to be adhered to.

Reasons Supporting Proposal: Protection of the public is the commission's primary goal when the profession of nursing is practiced. This WAC would allow the commis-

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sion to successfully prosecute sexual misconduct cases reported to the commission. It would also educate the care givers and the public that sexual misconduct is not an acceptable standard of practice.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Angela Ringel, 1300 S.E. Quince Street, Olympia, WA 98504, (360) 664-4219.

Name of Proponent: Washington State, Department of Health, Nursing Care Quality Assurance Commission, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Since 1993 the commission has had sexual misconduct guidelines in place. This served as a method of articulating the Nursing Commission's standards for the nursing profession when complaints involving sexual relations with patients and/or former patients were received. While the guidelines were helpful, moving them into rule would provide enforceability of commission actions. The rule would be available to all applicants, licensees, facilities and the public via the law book and would set the standard for nursing which would be beneficial to everyone.

Having this rule in place would protect the public because it provides notice to all. It will put facilities, nurses and schools on notice, it will make the patients aware of their rights. Commission action would be enforceable. The action could remove a licensee from the practice of nursing, order therapy, remedial education, or limit the setting a nurse could practice in, or other action deemed appropriate to provide protection to the public.

Proposal Changes the Following Existing Rules: It will amend WAC 246-840-010 Definitions, to add two new definitions and change an existing one to go along with the new WAC 246-840-985.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Introduction: RCW 18.79.110 Commission—Duties and powers—Rules—Successor to boards. This statute states in part ... "The commission shall adopt such rules under chapter 34.05 RCW as are necessary to fulfill the purposes of this chapter." In 1996 the Nursing Commission identified the need to convert the sexual misconduct guideline into a rule that is enforceable, is available to all applicants and licensees and is clear that it is the standard for all nursing professions.

The sexual misconduct guideline has been in place since 1994. This served as a method of articulating the Nursing Commission's standards for the nursing profession related to sexual relations with patients and former patients. While the guidelines were helpful, they were not enforceable should a practitioner choose to have sexual relations with a patient or former patient. The Nursing Commission decided that this guideline should be placed into a rule. The majority of other regulated health care professions have had sexual misconduct guidelines in rule for several years.

Necessity of Sexual Misconduct Guideline Rule: In 1997 there were 623 complaints received against nurses. (365 for registered nurses, 15 for advanced registered nurses and 243 for licensed practical nurses). Of those 623

complaints, approximately 20 complaints were received that were sexual in nature. With only guidelines in place, regardless of the evidence, the Nursing Care Quality Assurance Commission was unable to take any action regarding these complaints because it is not possible to prosecute a violation of a guideline.

These 20 complaints were reviewed and/or investigated to determine if there were other violations that could or should be prosecuted. Without a sexual misconduct rule, these 20 complaints would need to be closed if no other violations were evident. This creates a potential harm for the public, the facility and the licensee. The public is not served when a violation is known and the disciplinary authority can take no action. The facility is not served by having employees who are committing sexual misconduct violations against patients. The licensee is not served because the existing sexual misconduct guideline was distributed in 1994 but has not been redistributed since then. Many licensees and applicants are not aware that guidelines exist today.

If the sexual misconduct guidelines were placed in rule, all licensees would receive a copy of the rule via the law book. All students, future applicants, school administrators and facilities would be placed on notice regarding the rule via the law book which is distributed to all interested persons. The rule would be readily accessible to interested persons through the Code Reviser's Office and the World Wide Web.

Magnitude of New Sexual Misconduct Guidelines Adopted by Rule: If the sexual misconduct guideline were adopted into rule this would impact the licensee and the facility because it would become an enforceable violation. Should a licensee or applicant violate the sexual misconduct guideline after adoption, the licensee or applicant may be subject to the following sanctions:

- Additional course work
- Fines
- Suspension
- Revocation
- Monitoring

The impact to the Department of Health would result in the increased cost to prosecute sexual misconduct complaints. There would be no increased cost for review, analysis and investigation of these complaints as this is already occurring. There would however be an increase in the amount of staff attorney and assistant attorney general time spent to prosecute complaints. It is estimated that of the 20 complaints per year, at least one of those cases would involve prosecution. It is also estimated that this one case could be settled without the need for a formal hearing, but would require a little more investigation than the average case. Following is the estimated costs:

Staff Attorney	\$ 2,000
Investigator	\$ 2,000
Assistant Attorney General	\$ 4,000
Travel	\$ 500
Total	<u>\$ 8,500</u>

Impact to Licensees: There would not be a fiscal impact to licensees through their renewal fees because this anticipated increase will be covered under the regular fees. However, there is a potential for impact to the licensee

because of the perceived need for an attorney to represent the licensee or applicant should sexual misconduct charges be levied. This cannot be quantified because not all licensees or applicants choose to have an attorney represent them. The cost would further vary depending on whether other charges were present in addition to sexual misconduct. Another variance would be whether or not the settlement negotiations were short or protracted.

The licensee or applicant would be positively impacted by knowing up front that sexual relations in any manner with a current or former patient would be a violation of law. The licensee or applicant could choose their behavior accordingly. The licensee or applicant who have no knowledge of how sexual relations with a patient or former patient may negatively impact them, could choose to seek knowledge in this area and avoid any legal repercussion.

Summary: Having sexual misconduct guidelines in place by rule would be of benefit to the public, licensees, applicants and facilities. This rule would be published and available to all interested persons. All applicable parties would be put on notice of the standards expected of nurses dealing with sexual issues related to current and former patients. Adoption of this rule will allow the Nursing Care Quality Assurance Commission to take necessary action should any licensee or applicant in the future violate these standards.

Small Business Economic Impact Statement: In preparing this small business economic impact statement (SBEIS), the department used SIC code 809 Miscellaneous Health & Allied Services, Not Elsewhere Classified which has a minor impact threshold of \$53.00. The estimated cost to health care practitioners for implementing a sexual misconduct rule is zero.

Therefore, there is no disproportionate cost for small businesses.

A copy of the statement may be obtained by writing to Department of Health, Nursing Care Quality Assurance Commission, ATTN: Angela Ringel, P.O. Box 47864, Olympia, WA 98504-7864, phone (360) 664-4219, or FAX (360) 586-2165.

Section 201, chapter 403, Laws of 1995, applies to this rule adoption. These rules are significant under section 201, chapter 403, Laws of 1995, because they adopt substantive provisions which subject the violator to penalty or sanction and establish, alter or revoke qualification or standard for the issuance, suspension or revocation of a license or permit.

Hearing Location: La Quinta Motor Inn, 1425 East 27th Street, Tacoma, WA 98421, on December 12, 1997, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Angela Ringel by December 5, 1997, TDD (360) 664-0064, or FAX (360) 586-2165.

Submit Written Comments to: Angela Ringel, Department of Health, P.O. Box 47864, Olympia, WA 98504-7864, FAX (360) 586-2165, by December 5, 1997.

Date of Intended Adoption: December 12, 1997.

August 27, 1997

Patty Hayes
Executive Director

NEW SECTION

WAC 246-840-985 Sexual misconduct. The protection of the public is the primary goal in cases of sexual misconduct by nurses. Sexual misconduct is a serious form of professional misconduct as it undermines the nurse/client relationship and public confidence in nursing services, and interferes with safe practices in the nursing profession. "Sexual misconduct" can mean the use of power, influence, and/or knowledge inherent in the nurse's profession to obtain sexual gratification, romantic partners, and/or sexually deviant outlets.

(1) Nurses shall never engage, or attempt to engage in sexual contact, sexual activity, or romantic relationships with clients currently under their care or former clients who are reasonably anticipated to be under their care. Any behavior directed to a client by a nurse that is sexual or romantic in nature shall be viewed as sexual misconduct.

(a) Romantic relationships do not necessarily involve sexual relations or intercourse.

(b) A nurse shall not use his or her position to solicit a sexual or romantic relationship.

(2) It is the nurse's responsibility to:

(a) Avoid boundary violations of the nurse/client relationship by not engaging in any type of sexual behavior with clients, including any suggestion of romantic interest or interest in sexualizing the nurse/client relationship; and

(b) Understand that there are serious detrimental consequences to themselves, their clients, and the nursing profession when the professional boundary is violated.

(3) If it is reasonably anticipated that the client will not require future care from the nurse, the nurse may engage in a sexual or romantic relationship with a former client only if the relationship does not involve the abuse of the nurse/client relationship. Factors which the commission may consider in evaluating whether the nurse/client relationship has been abused include, but are not limited to:

(a) The amount of time that has passed since the nurse/client relationship terminated;

(b) The nature and duration of the nurse/client relationship;

(c) The circumstances of the cessation or termination of the nurse/client relationship;

(d) The former client's personal history;

(e) The former client's current or past mental status;

(f) The likelihood of an adverse impact on the former client and others; and

(g) Any statements or actions made by the nurse during the course of treatment suggesting or inviting the possibility of a sexual or romantic relationship with the former client.

(4) Nurses engaging in behavioral nursing shall not have a relationship with a former client for at least two years after nursing care is terminated and only if the client will not require future care from the nurse. Due to the sensitive and personal nature of behavioral nursing, and due to the vulnerable condition of many behaviorally disturbed clients, the relationship may still be considered misconduct after two years if abuse of the nurse/client relationship is evident. Factors which the commission may consider in evaluating if the nurse/client relationship has been abused include, but are not limited to:

- (a) The amount of time that has passed since the nurse/client relationship terminated;
- (b) The nature and duration of the nurse/client relationship;
- (c) The circumstances of the cessation or termination of the nurse/client relationship;
- (d) The former client's personal history;
- (e) The former client's current or past mental status;
- (f) The likelihood of an adverse impact on the former client and others; and
- (g) Any statements or actions made by the nurse during the course of treatment suggesting or inviting the possibility of a post termination sexual or romantic relationship with the former client.

(5) Nurses shall not solicit or engage in sexual or romantic behaviors with a client's immediate family members who may be vulnerable to being induced into such a relationship due to the condition or treatment of the client or the overall circumstances of the care given.

(6) Consent, initiation of or participation by the client, former client, or family member to engage in a sexual or romantic relationship or behaviors shall not be a defense against an allegation of sexual misconduct by the nurse.

(7) Nurses shall not engage in sexually harassing or demeaning behavior with current or former clients or members of the client's family.

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-010 Definitions. (1) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illnesses as defined by the commission of health by rule.

(2) "Auxiliary services" are all nursing services provided to patients by persons other than the licensed practical nurse, the registered nurse and the nursing student.

(3) "Beginning practitioner" means a newly licensed nurse beginning to function in the nurse role.

(4) "Behavioral objectives" means the measurable outcomes of specific content.

(5) "Boundary" means the limits of the professional nurse/client relationship that allows for a safe therapeutic association between the nurse and the client. Boundaries protect the space between the nurse's power as a caregiver and the client's vulnerability.

(6) "Boundary violation" means a situation where the nurse inserts his or her personal, romantic, or sexual needs into the nurse/client relationship.

(7) "Client" means ~~(the)~~ a person who receives the services of ~~(the practical) a~~ nurse ~~((or registered nurse))~~ who is performing direct or indirect nursing duties. A nurse does not need to be "assigned" to the client in order for the nurse/client relationship to exist.

~~((6))~~ (8) "Client advocate" means a supporter of client rights and choices.

~~((7))~~ (9) "Commission" means the Washington state nursing care quality assurance commission.

~~((8))~~ (10) "Competencies" means the tasks necessary to perform the standards.

~~((9))~~ (11) "Conceptual framework" means the theoretical base around which the curriculum is developed.

~~((10))~~ (12) "Conditional approval" of a school of nursing is the approval given a school of nursing that has failed to meet the requirements of the law and the rules and regulations of the commission, and it specifies conditions that must be met within a designated time to rectify the failure.

~~((11))~~ (13) "Delegation" means the licensed practical nurse or registered nurse transfers the performance of selected nursing tasks to competent individuals in selected situations. The licensed practical nurse or registered nurse delegating the task retains the responsibility and accountability for the nursing care of the client. The licensed practical nurse or registered nurse delegating the task supervises the performance of the unlicensed person;

(a) Nursing acts delegated by the licensed practical nurse or registered nurse shall:

(i) Be within the area of responsibility of the licensed practical nurse or registered nurse delegating the act;

(ii) Be such that, in the opinion of the licensed practical nurse or registered nurse, it can be properly and safely performed by the person without jeopardizing the patient welfare;

(iii) Be acts that a reasonable and prudent licensed practical nurse or registered nurse would find are within the scope of sound nursing judgment.

(b) Nursing acts delegated by the licensed practical nurse or registered nurse shall not require the unlicensed person to exercise nursing judgment nor perform acts which must only be performed by a licensed practical nurse or registered nurse, except in an emergency situation (RCW 18.79.240 (1)(b) and (2)(b)).

(c) When delegating a nursing act to an unlicensed person it is the registered nurse who shall:

(i) Make an assessment of the patient's nursing care need before delegating the task;

(ii) Instruct the unlicensed person in the delegated task or verify competency to perform or be assured that the person is competent to perform the nursing task as a result of the systems in place by the health care agency;

(iii) Recognize that some nursing interventions require nursing knowledge, judgment, and skill and therefore may not lawfully be delegated to unlicensed persons.

~~((12))~~ (14) Direction and Supervision:

(a) "Supervision" of licensed or unlicensed nursing personnel means the provision of guidance and evaluation for the accomplishment of a nursing task or activity with the initial direction of the task or activity; periodic inspection of the actual act of accomplishing the task or activity; and the authority to require corrective action.

(b) "Consulting capacity" shall mean the recommendations to a professional entity, employed at that facility, which may be accepted, rejected, or modified. These recommendations shall not be held out as providing nursing services by the consulting nurse to the patient or public.

(c) "Direct supervision" shall mean the licensed registered nurse is on the premises, is quickly and easily available and the patient has been assessed by the licensed registered nurse prior to the delegation of the duties to any caregiver.

(d) "Immediate supervision" shall mean the registered nurse is on the premises and is within audible and visual range of the patient and the patient has been assessed by the

registered nurse prior to the delegation of duties to any caregiver.

(e) "Indirect supervision" shall mean the registered nurse is not on the premises but has given either written or oral instructions for the care and treatment of the patient and the patient has been assessed by the registered nurse prior to the delegation of duties to any caregiver.

~~((13))~~ (15) "Extended learning sites" refers to any area external to the parent organization selected by faculty for student learning experiences.

~~((14))~~ (16) "Faculty" means persons who are responsible for the educational program of the school of nursing and who hold faculty appointment in the school.

~~((15))~~ (17) "Full approval" of a school of nursing is the approval given a school of nursing that meets the requirements of the law and the rules and regulations of the commission.

~~((16))~~ (18) "Minor nursing services." The techniques and procedures used by the nursing profession are extremely difficult to categorize as major or minor nursing services. The important factor with which this law is concerned is the determination of which nursing person and at what level of preparation that person may perform said technique or procedure in relation to the condition of a given patient, and this kind of determination rests with the registered nurse.

~~((17))~~ (19) "Minimum standards of competency" means the functions that are expected of the beginning level nurse.

~~((18))~~ (20) "Nurse administrator" is an individual who meets the qualifications contained in WAC 246-840-555 and who has been designated as the person primarily responsible for the direction of the program in nursing. Titles for this position may include, among others, dean, director, coordinator or chairperson.

~~((19))~~ (21) The phrase "nursing aide" used in RCW 18.79.240 (1)(c) shall mean a "nursing technician." "Nursing technician" is a nursing student currently enrolled in a commission or state board of nursing approved nursing education program and employed for the purpose of giving help, assistance and support in the performance of those services which constitute the practice of registered nursing. The nursing student shall use the title "nursing technician" while employed.

~~((20))~~ (22) "Nursing student" is a person currently enrolled in an approved school of nursing.

~~((21))~~ (23) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in chapter 70.24 RCW.

~~((22))~~ (24) "Philosophy" means the beliefs and principles upon which the curriculum is based.

~~((23))~~ (25) "Program" means a division or department within a state supported educational institution, or other institution of higher learning charged with the responsibility of preparing persons to qualify for the licensing examination.

~~((24))~~ (26) "Provisional approval" of schools of nursing is the approval given a new school of nursing based on its proposed program prior to the admission of its first class.

~~((25))~~ (27) "Registered nurse" as used in these rules shall mean a nurse as defined by RCW 18.79.030(1).

~~((26))~~ (28) "School" means an educational unit charged with the responsibility of preparing persons to practice as practical nurses or registered nurses. Three types of basic schools of nursing are distinguished by the certificate awarded to the graduate. Schools of nursing within colleges and universities award the associate degree or baccalaureate degree. Schools of nursing sponsored by a hospital award a diploma.

~~((27))~~ (29) "Standards" means the overall behavior which is the desired outcome.

~~((28))~~ (30) "Terminal objectives" means the statements of goals which reflect the philosophy and are the measurable outcomes of the total curriculum.

~~((29))~~ (31) An "unapproved school of nursing" is a school of nursing that has been removed from the list of approved schools for failure to meet the requirements of the law and the rules and regulations of the commission or a school that has never been approved by the commission.

WSR 97-20-162
PROPOSED RULES
DEPARTMENT OF HEALTH
[Filed October 1, 1997, 11:51 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 34.05.310(4).

Title of Rule: WAC 246-840-990 Fees, this rule describes fees for practical nurses, registered nurses and advanced registered nurses.

Purpose: The proposed amendment of WAC 246-840-990 is to combine the three fee categories into one listing of fees that cover all three professions (RN, LPN and advanced registered nurse practitioners). In addition, some of the fees will be raised and some fees will be lowered according to an updated fee study. The fee study takes into account current workload, an existing \$300,000 deficit and anticipated workload and expenses for the upcoming biennium in setting fees.

Statutory Authority for Adoption: Chapter 18.79 RCW.
Statute Being Implemented: Chapter 18.79 RCW.

Summary: This would create only one set of fees that covers all of the nursing professions. This would decrease confusion and allow nurses referencing the law book to only refer to one section instead of three. The new fees would lower and raise fees according to current workload data.

Reasons Supporting Proposal: This would finalize the merging of the two sets of WACs into one set that covers both registered nurses and practical nurses.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Terry J. West, 1300 S.E. Quince Street, Olympia, WA 98504, (360) 664-4207.

Name of Proponent: Washington State Nursing Care Quality Assurance [Commission], governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: When the legislature decided in 1994 that the Registered Nursing Board and the Practical Nursing Board should be combined to create the new Nursing Commission,

the commission decided that the WACs should be combined. The combining of WACs will make it easier for staff and the public to understand the rules that apply to all nursing professions. The rules were combined in 1997 except for the fees. This last rule needs to be amended to combine the fee categories and adopt new fees that reflect the current workload, anticipated expenses and existing \$300,000 deficit.

A comprehensive fee study has been prepared which reflects the current workload, addresses anticipated expenses for the upcoming biennium and addresses the \$300,000 deficit which occurred because the existing fees do not adequately cover the expenses.

Since all health care professions must be self-sufficient in raising adequate revenue to cover the cost of expenses, some of the fees must be raised to cover expenses.

Proposal Changes the Following Existing Rules: Three separate lists of fees will be combined into one listing of fees. Some of the fees will be reduced and some of the fees will be increased according to the current fee study.

A small business economic impact statement has been prepared under chapter 19.85 RCW.

Small Business Economic Impact Statement

Introduction: In 1994 the legislature combined the Registered Nursing Board and the Practical Nursing Board and created the Nursing Care Quality Assurance Commission. From 1995 to 1997 the nursing program has worked on combining all of the rules into one set of rules so that it will be easier for the staff, the practitioner and the public to understand the requirements for the nursing professions. The fees rule is the last remaining rule that has not been combined. The fee rule currently has three separate listings to detail fees for registered nurses, practical nurses and advanced registered nurse practitioners. In 1997 the legislature authorized the Nursing Program to exceed I-601 to raise fees sufficiently to cover expenses.

This rule amendment would combine the three separate lists into one set of fees to cover all three categories. In addition, the fees would either be increased or decreased according to an updated fee study of the current workload, the current \$345,000 deficit and the anticipated expenses. Fees being charged currently have not been updated for LPNs since 1995 and since 1993 for RNs and no longer cover the increased cost of doing business since all health care professions must be self-sufficient.

Necessity of the Proposed Fee Increases: The proposed fee increases are necessary to meet the increased costs of operating the nursing programs. Fees are based upon the cost of regulatory activity which includes salaries and benefits; goods and services such as rent, telephone and mail, printing, training, attorney general support; travel and equipment; and indirect costs.

Increased costs can also be attributed to increased program activities. Some of these activities include:

- An increase in requests for advisory opinions and technical assistance by nurses, employers and others.
- An increase in complaints against nurses.
- New legislation which requires resources for implementation. This includes the new nurse delegation protocol, participation in the monitoring and study of this protocol, the regulatory reform legislation passed in 1995,

whistleblower protection legislation and evaluation of all current rules for simplification.

- Establishing standardization of disciplinary and licensing processes within the Department of Health.
- Implementing avenues for nurses to access information from the Nursing Commission through programs, interactive television forums and consultation.
- 3% cost-of-living increase in salaries, effective July 1, 1997.

Magnitude of the Proposed Fee Increase: The fees for some fee categories will be reduced and the fees for other categories will increase. Following is a table indicating the amount proposed to increase or decrease for each fee category.

PROPOSED

PROPOSED

FEE CATEGORY	PROPOSED FEE	REGISTERED NURSES	PRACTICAL NURSES	ADVANCED REGISTERED NURSE PRACTITIONER
Application	\$65	\$40 (↑ 63%)	\$69 (↓ 6%)	See below
Endorsement	\$65	\$40 (↑ 63%)	\$69 (↓ 6%)	N/A
Renewal	\$50	\$35 (↑ 43%)	\$37 + \$4 Assessment (↑ 22%)	See below
Late Renewal	\$50	\$100 (↓ 50%)	\$37 (↑ 35%)	\$100 (↓ 50%)
Inactive Renewal	\$20	\$10 (↑ 100%)	\$21 (↓ 5%)	N/A
Inactive Late Renewal	\$10	\$5 (↑ 100%)	\$21 (↓ 52%)	N/A
Duplicate License	\$20	\$20 (0)	\$21 (↓ 5%)	See RN
Verification	\$25	\$25 (0)	\$42 (↓ 40%)	See RN
ARNP Application No prescriptive authority	\$65	N/A	N/A	\$25 (↑ 160%)
ARNP application with prescriptive authority	\$65	N/A	N/A	\$45 (↑ 44%)
ARNP Renewal without prescriptive authority	\$50	N/A	N/A	\$30 (↑ 66%)
ARNP Renewal with prescriptive authority	\$50	N/A	N/A	\$50 (0%)

Attachment A indicates the current \$345,000 deficit, the anticipated expenses for the 1997-1999 biennium, the indirect costs, the current fees and proposed fees, anticipated revenue and cost recovery.

Impact to Licensees: The fees contained in WAC 246-840-990 cover a wide variety of fee categories and cover registered nurses, practical nurses and advanced registered nurse practitioners. Therefore, the rule's economic impact to a given licensee varies depending on the type of license and whether one is a licensee or applicant.

New Reporting Requirements: None.

Imposes New Compliance Requirement: Licensees and applicants must comply with new fees. This rule amendment proposes no other compliance requirements.

Loss of Sales or Revenue to Business: There is no loss of sales to licensees because of the proposed rule amendments. There is loss or gain of revenue to licensee due to the increase or decrease of fees and whether or not one is a licensee or applicant. However, licensees will not be losing any business and this will not affect sales.

Disproportionate Impact: There is no disproportionate impact to small businesses since all licensees are small businesses.

Reduce Costs: A comprehensive fee study analysis was prepared which demonstrates the amount of deficit, the anticipated spending for the next biennium and the revenue that would be charged at the proposed fees. Previously, three separate lists of fees were published. Each profession must be self-sufficient. A smaller profession would have larger fees because they have fewer licensees to spread the fees between. This proposal would combine the three different fee lists into one list. Therefore, some nurses will experience an increase and some a decrease. Instead of three professions (registered nurse, licensed practical nurse and advanced registered nurse practitioners) there will be only one fee listing to cover all three since these professions were combined by the legislature in 1994. The fees which are being proposed to be raised, are being raised only to the degree necessary to cover the deficit and anticipated expenses.

Notices to the Public: An article in the nursing newsletter will be distributed to all licensees, applicants and schools. This article will include all of the proposed fees and a description of where a person can send comments or attend the public hearing. A notice is being filed with the Code Reviser's Office to publish the text, date and location of the public hearing. A notice will be sent to all 700 people on the interested persons list for nursing. This interested persons list includes licensees, schools, attorneys, associations, and students.

List of Industries Required to Comply: There are no large businesses or industries that are required to comply with these proposed nursing fees. However, individual licensees or applicants are required to comply with these fees if they wish to become licensed or maintain their license. There are 128,000 licensed nurses.

Summary: All health care professions must be self-sufficient, no general fund money is available to operate the program. The fees charged for services are designed to create sufficient revenue to cover anticipated expenses. These proposed fees will eliminate the deficit and provide sufficient funds to cover the anticipated expenses.

Small Business Economic Impact Statement: In preparing this small business economic impact statement (SBEIS), the department used SIC code 809 Miscellaneous Health & Allied Services, Not Elsewhere Classified which has a minor impact threshold of \$53.00. The estimated cost to health care practitioners for each fee category does not exceed a \$53 increase for any individual fee category.

Therefore, there is no disproportionate cost for small businesses and a small business economic impact statement is not required.

PROPOSED

PROPOSED

	TOTAL COSTS AND WORKLOAD	LPN LICENSE APPLICATION	LPN ENDORSMENT	LPN ACTIVE LIC RENEWAL	LPN INACTIVE LIC RENEWAL	LPN LATE RENEWAL	LPN INACTIVE ATE RENEWAL	LPN DUPL LICENSE	LPN VERIFIC	RN LICENSE APPLICATION
BUDGETARY DATA										
DIRECT COSTS										
DISCIPLINE LICENSING	\$4,664,800	\$116,620	\$23,324	\$1,020,192	\$2,332	\$2,332	\$466	\$466	\$466	\$349,860
EXAMINATIONS	\$1,166,200	\$102,043	\$7,347	\$154,522	\$14,578	\$4,315	\$117	\$117	\$7,347	\$174,930
	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUBTOTAL DIRECT COSTS	\$5,831,000	\$218,663	\$30,671	\$1,174,714	\$16,910	\$6,647	\$583	\$583	\$7,813	\$524,790
OVERHEAD										
AGENCY	\$693,889	\$26,021	\$3,650	\$139,791	\$2,012	\$791	\$69	\$69	\$930	\$62,450
ASS'T. SECRETARY	\$116,620	\$4,373	\$613	\$23,494	\$338	\$133	\$12	\$12	\$156	\$10,496
DIRECTOR	\$355,691	\$13,338	\$1,871	\$71,658	\$1,032	\$405	\$36	\$36	\$477	\$32,012
SUBTOTAL OVERHEAD COSTS	\$1,166,200	\$43,732	\$6,134	\$234,943	\$3,382	\$1,329	\$117	\$117	\$1,563	\$104,958
TOTAL FEE STUDY BUDGET	\$6,997,200	\$262,395	\$36,805	\$1,409,657	\$20,292	\$7,976	\$700	\$700	\$9,376	\$629,748
BEGINNING FISCAL YEAR BALANCE	(\$345,000)	(\$12,938)	(\$1,815)	(\$69,504)	(\$1,001)	(\$393)	(\$35)	(\$35)	(\$462)	(\$31,050)
TOTAL COST TO BE RECOVERED	\$7,342,200	\$275,333	\$38,620	\$1,479,161	\$21,293	\$8,369	\$735	\$735	\$9,838	\$660,798
ALLOCATION STATISTICS										
DISCIPLINE LICENSING		2.50%	0.50%	21.87%	0.05%	0.05%	0.01%	0.01%	0.01%	7.50%
EXAMINATIONS		8.75%	0.63%	13.25%	1.25%	0.37%	0.01%	0.01%	0.63%	15.00%
AGENCY OVERHEAD		0.0375	0.00526	0.2014601	0.0029	0.00114	1E-04	1E-04	0.00134	0.09
ASS'T SECRETARY OVERHEAD		0.0375	0.00526	0.2014601	0.0029	0.00114	1E-04	1E-04	0.00134	0.09
DIRECTOR OVERHEAD		0.0375	0.00526	0.2014601	0.0029	0.00114	1E-04	1E-04	0.00134	0.09
PROJECTED WORKLOAD										
Estimated Biennial Transactions		1,600	400	28,000	1,000	200	10	150	600	2,500
PROJECTIONS ON CURRENT FEES										
Current Fees		\$69.00	\$69.00	\$41.00	\$21.00	\$37.00	\$21.00	\$21.00	\$42.00	\$40.00
Projections using Current Fees										
Variance to Needed Fund Re	(\$1,600,793)	(\$164,933)	(\$11,020)	(\$331,161)	(\$293)	(\$969)	(\$525)	\$2,415	\$15,362	(\$560,798)
Variance to Budget Only	(\$1,255,790)	(\$151,995)	(\$9,205)	(\$261,657)	\$708	(\$576)	(\$490)	\$2,450	\$15,824	(\$529,748)
Derived Fee (Full Recovery of Needed Funds)		\$172.08	\$96.55	\$52.83	\$21.29	\$41.85	\$73.50	\$4.90	\$16.40	\$264.32
MANAGEMENT PROPOSALS										
Management's Proposed New Fees		\$65.00	\$65.00	\$50.00	\$20.00	\$50.00	\$10.00	\$20.00	\$25.00	\$65.00
Effects of Using the New Fee all Biennium:										
Biennium Revenue Produced by New Fee	\$7,918,500	\$104,000	\$26,000	\$1,400,000	\$20,000	\$10,000	\$100	\$3,000	\$15,000	\$162,500
Variance to Needed Fund Recover	\$576,300									
Variance to Budget Only	\$921,300									
Allow for going into Effect after Biennium Starts										
Nbr of Months Until New Fee is Effective	7									
Revenue from Planned Phase-in	\$7,283,515	\$105,867	\$26,467	\$1,326,500	\$20,292	\$9,242	\$132	\$3,044	\$17,975	\$144,271
Variance to Needed Fund Recover	(\$58,685)									
Variance to Budget Only	\$286,315									

PROPOSED

	RN ENDORSMT	RN ACTIVE LIC RENEWAL	RN INACTIVE LIC RENWL	RN LATE RENEWAL	RN INACT ATE RENW	RN DUPL LICENSE	RN VERIFICAT	ARNP APPL	ARNP RENEWAL	ARNP LATE RNWL
BUDGETARY DATA										
DIRECT COSTS										
DISCIPLINE LICENSING EXAMINATIONS	\$419,832	\$2,546,981	\$34,986	\$1,399	\$466	\$1,399	\$1,399	\$933	\$139,944	\$1,399
	\$122,451	\$428,229	\$8,747	\$4,082	\$117	\$4,082	\$34,986	\$45,482	\$52,479	\$233
	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
SUBTOTAL DIRECT COSTS	\$542,283	\$2,975,210	\$43,733	\$5,481	\$583	\$5,481	\$36,385	\$46,415	\$192,423	\$1,632
OVERHEAD										
AGENCY ASST. SECRETARY DIRECTOR	\$64,532	\$354,050	\$5,204	\$652	\$69	\$652	\$4,330	\$5,523	\$22,898	\$194
	\$10,846	\$59,504	\$875	\$110	\$12	\$110	\$728	\$928	\$3,848	\$33
	\$33,079	\$181,488	\$2,668	\$334	\$36	\$334	\$2,219	\$2,831	\$11,738	\$100
SUBTOTAL OVERHEAD COSTS	\$108,457	\$595,042	\$8,747	\$1,096	\$117	\$1,096	\$7,277	\$9,282	\$38,484	\$327
TOTAL FEE STUDY BUDGET	\$650,740	\$3,570,252	\$52,480	\$6,577	\$700	\$6,577	\$43,662	\$55,697	\$230,907	\$1,959
BEGINNING FISCAL YEAR BALA	(\$32,085)	(\$176,033)	(\$2,588)	(\$324)	(\$35)	(\$324)	(\$2,153)	(\$2,746)	(\$11,385)	(\$97)
TOTAL COST TO BE RECOVERED	\$682,825	\$3,746,285	\$55,068	\$6,901	\$735	\$6,901	\$45,815	\$58,443	\$242,292	\$2,056
ALLOCATION STATISTICS										
DISCIPLINE LICENSING EXAMINATIONS	9.00%	54.60%	0.75%	0.03%	0.01%	0.03%	0.03%	0.02%	3.00%	0.03%
AGENCY OVERHEAD	10.50%	36.72%	0.75%	0.35%	0.01%	0.35%	3.00%	3.90%	4.50%	0.02%
ASS'T SECRETARY OVERHEAD	0.093	0.5102401	0.0075	0.00094	1E-04	0.00094	0.00624	0.00796	0.033	0.00028
DIRECTOR OVERHEAD	0.093	0.5102401	0.0075	0.00094	1E-04	0.00094	0.00624	0.00796	0.033	0.00028
PROJECTED WORKLOAD										
Estimated Biennial Transactions	3,600	110,000	1,500	400	10	300	3,000	720	5,200	120
PROJECTIONS ON CURRENT FEES										
Current Fees	\$40.00	\$35.00	\$10.00	\$100.00	\$5.00	\$20.00	\$25.00	\$45.00	\$25.00	\$50.00
Projections using Current Fees										
Variance to Needed Fund Revenue	(\$538,825)	\$103,715	(\$40,068)	\$33,099	(\$685)	(\$901)	\$29,185	(\$26,043)	(\$112,292)	\$3,944
Variance to Budget Only	(\$506,740)	\$279,748	(\$37,480)	\$33,423	(\$650)	(\$577)	\$31,338	(\$23,297)	(\$100,907)	\$4,041
Derived Fee (Full Recovery of Need)	\$189.67	\$34.06	\$36.71	\$17.25	\$73.50	\$23.00	\$15.27	\$81.17	\$46.59	\$17.13
MANAGEMENT PROPOSALS										
Management's Proposed New Fee	\$65.00	\$50.00	\$20.00	\$50.00	\$10.00	\$20.00	\$25.00	\$65.00	\$50.00	\$50.00
Effects of Using the New Fee all Biennium Revenue Produced by New Fee	\$234,000	\$5,500,000	\$30,000	\$20,000	\$100	\$6,000	\$75,000	\$46,800	\$260,000	\$6,000
Variance to Needed Fund Revenue										
Variance to Budget Only										
Allow for going into Effect after Biennium Revenue Produced by New Fee	\$207,750	\$5,018,750	\$25,625	\$25,833	\$85	\$6,000	\$75,000	\$42,600	\$222,083	\$6,000
Variance to Needed Fund Revenue										
Variance to Budget Only										

A copy of the statement may be obtained by writing to Kris McLaughlin, Department of Health, P.O. Box 47864, Olympia, WA 98504-7864 [98504-7864], phone (360) 664-1355, or FAX (360) 586-5935.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule does not subject a person to a penalty or sanction; does not establish, alter or revoke a qualification or standard for nursing licensure; and does not make an amendment to a policy or regulatory program. This rule will combine the three existing fee category lists into one fee category list and raise and lower fees according to the new fee study based on current data.

Hearing Location: Department of Health, 1102 S.E. Quince Street, on November 6, 1997, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Nursing Commission by October 30, 1997, TDD 1-800-833-6388, or FAX (360) 586-2165.

Submit Written Comments to: Kris McLaughlin, Department of Health, P.O. Box 47864, Olympia, WA 98504-7864, FAX (360) 586-5935, by October 30, 1997.

Date of Intended Adoption: November 6, 1997.

September 29, 1997

Bruce Miyahara
Secretary

AMENDATORY SECTION (Amending WSR 95-12-021, filed 5/31/95, effective 7/1/95)

WAC 246-840-990 Fees. The following fees shall be charged by the health professions quality assurance (~~commission~~) division of the department of health. Persons who hold an RN and an LPN license shall be charged separate fees for each license. Persons who are licensed as an advanced registered nurse practitioner in more than one specialty shall be charged a fee for each specialty:

~~((1) Practical nurse))~~ RN/LPN fees:

Title of Fee	Fee
<u>Application ((examination and reexamination) initial or endorsement)</u>	(\$69.00) <u>\$65.00</u>
License renewal	(37.00) <u>50.00</u>
((Impaired practical nurse assessment	4.00)
Late renewal penalty	(37.00) <u>50.00</u>
Inactive renewal	(21.00) <u>20.00</u>
Inactive late renewal penalty	(21.00) <u>10.00</u>
((Endorsement reciprocity	69.00)
Duplicate license	(21.00) <u>20.00</u>
Verification of licensure/education (written)	(42.00) <u>25.00</u>

~~((2) Registered nurse fees:~~

Title of Fee	Fee
Application (examination)	\$40.00
License renewal	35.00
Late renewal penalty	100.00
Inactive renewal	10.00
Inactive late renewal penalty	5.00
Endorsement reciprocity	40.00
Duplicate license	20.00
Examination retake	40.00
Verification of licensure/education (written)	25.00

~~(3))~~ Advanced registered nurse fees:

Title of Fee	Fee
<u>ARNP application with or without prescriptive authority (per specialty)</u>	(\$25.00) <u>\$65.00</u>
<u>ARNP renewal with or without prescriptive authority (per specialty)</u>	(30.00) <u>50.00</u>
<u>ARNP late renewal penalty (per specialty)</u>	(100.00) <u>50.00</u>
<u>ARNP ((with prescriptive authorization application) duplicate license (per specialty)</u>	(45.00) <u>20.00</u>
<u>ARNP ((with prescriptive authorization renewal) written verification of license (per specialty)</u>	(50.00) <u>25.00</u>
((ARNP with prescriptive late renewal penalty	100.00)

PROPOSED

WSR 97-20-060
EXPEDITED ADOPTION
STATE INVESTMENT BOARD
 [Filed September 25, 1997, 2:25 p.m.]

Purpose: The current State Investment Board rules of conduct are being amended to replace existing recusal language with model recusal language as set forth by the Executive Ethics Board. As well as including the new recusal language, the current State Investment Board WAC section covering the rules of conduct (WAC 287-04-031) is being restructured into seven distinct WAC sections under chapter 287-04 WAC, Conflict of interest, in order to improve clarity and readability.

Statutory Authority for Adoption: RCW 43.33A.110 and 42.52.200.

Statute Being Implemented: RCW 43.33A.110 and chapter 42.52 RCW.

Summary: This proposal replaces current recusal language in the State Investment Board rules of conduct with language based on model recusal language recently promulgated by the Executive Ethics Board for use by state boards and commissions whose members are appointed from identifiable groups or interests. This language sets forth the specific conditions under which recusal is appropriate, and sets forth specific procedures for board members and staff to use in recusing themselves from board discussions or actions. This proposal also restructures WAC 287-04-031 Rules of conduct, into seven distinct sections, each covering one topic, in order to enhance clarity and readability. This restructuring does not alter the language of the current rule.

Reasons Supporting Proposal: The Executive Ethics Board has specifically promulgated model recusal rule language for use by boards and commissions like the State Investment Board. This rule follows the model developed by the Executive Ethics Board. The rule sets forth the specific conditions under which recusal is appropriate, and details a procedure for members and staff to use to disclose financial or other interests in contracts and other transactions, and recuse themselves from discussing and voting on those matters.

The restructuring of WAC 287-04-031 Rules of conduct, currently a very long WAC section covering several topics, into seven distinct sections, each covering a separate topic, significantly enhances the readability and clarity of the rule.

Name of Agency Personnel Responsible for Drafting: Scott Huntley, 2424 Heritage Court S.W., Olympia, WA, (360) 664-8268; **Implementation:** Helen Small, 2424 Heritage Court S.W., Olympia, WA, (360) 664-8288; and **Enforcement:** James F. Parker, 2424 Heritage Court S.W., Olympia, WA, (360) 664-8264.

Name of Proponent: State Investment Board, public and governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Under this proposal, the State Investment Board will be adopting the model recusal rule language promulgated by the Executive Ethics Board specifically for use by boards and commissions like the State Investment Board. This rule only impacts the internal operations of the State Investment Board, and the only individuals (or entities) to

whom the rule applies are State Investment Board members and staff.

Under this proposal, board members and staff are required to recuse themselves from board votes and discussions on specific investment decisions or other transactions when: (1) They have a beneficial interest (directly or indirectly) in the decision; (2) they either own a beneficial interest in, or are an agent or employee of, an entity engaged in a transaction involving the board; (3) they accept (directly or indirectly) any compensation or reward from any other person that is beneficially interested in the decision; and (4) their participation in the board's discussion or vote is motivated by something other than the best interests of the board, its members and beneficiaries, in violation of that person's duty of loyalty.

Members and employees are also to refrain from attempting to influence any other board member or staff in discussions or votes when these circumstances (above) apply. Members and staff are required to disclose to the public the reasons for their recusal at or prior to the time the recusal occurs. Board staff are to record each recusal and the basis for the recusal.

All language changes in this proposal, other than the addition of the model recusal language, are for the sole purpose of restructuring the current WAC section covering rules of conduct, to enhance clarity and readability.

Proposal Changes the Following Existing Rules: As previously set forth, current WAC language governing recusal by State Investment Board members and staff is replaced by the model recusal language promulgated for this purpose by the Executive Ethics Board. Additionally, the current WAC section covering rules of conduct is restructured into seven distinct sections, each section covering a single topic. Other than the replacement of current recusal language with the new model recusal language, this restructuring results in no substantive changes in the language of the current rule.

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Helen Small, Deputy Director for Operations, State Investment Board, 2424 Heritage Court S.W., P.O. Box 40916, Olympia, WA 98504-0916, AND RECEIVED BY December 1, 1997.

September 25, 1997

Helen Small

Deputy Director for Operations

NEW SECTION

WAC 287-04-029 Rules of conduct. WAC 287-04-031 through 287-04-039 are promulgated pursuant to RCW 43.33A.110 and 42.52.200 to ensure compliance with chapter 42.52 RCW (Ethics in public service) and the code of

conduct, as adopted by the board. All employees of the board and board members must comply with the code of conduct.

AMENDATORY SECTION (Amending WSR 95-15-081, filed 7/18/95, effective 8/18/95)

~~WAC 287-04-031 ((Rules of conduct.)) Gifts. ((This section is promulgated pursuant to RCW 43.33A.110 to ensure compliance with chapter [42.52] RCW and the code of conduct, as adopted by the board. All employees of the board and board members must comply with the code of conduct.))~~

(1) "Gifts" and "thing of economic value"

(a) No employee of the board or member of the board shall receive, accept, seek or solicit, directly or indirectly, any gift as defined in RCW 42.52.010(18) if such employee or member of the board has reason to believe that it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the officer or employee, or be considered as part of a reward for action or inaction.

(b) No employee of the board or member of the board shall accept gifts, except those specified in RCW 42.52.150 (2) and (5), with an aggregate value in excess of fifty dollars from a single source in a calendar year or a single gift from multiple sources.

(c) Notwithstanding the above exception found in RCW 42.52.150 (2) and (5), a board member or an employee of the board who participates in the acquisition of goods and services cannot accept things of economic value from a person who seeks to provide goods or services to the board, except for those items specifically listed in RCW 42.52.-150(4).

(2) No employee of the board or board member may accept honorarium under the circumstances set forth in RCW 42.52.130. An employee or board member may accept honorarium if all of the following are met:

(a) The employee or board member will not be carrying out their agency duties nor engaging in activity which focuses specifically on the board's responsibilities, policies or programs;

(b) The honorarium is not being offered because of the employee's or board member's official position in the board;

(c) The topic is such that it does not appear that the employee or board member could have used information acquired in the course of employment or membership on the board;

(d) The honorarium is not being offered by a person or entity which does business with or can reasonably be expected to seek business with the board; and

(e) No use of government time or resources was used by the employee or board member to produce the materials or prepare for the article, appearance, or item for which the honorarium is being given.

~~(((3) Personal investments.~~

~~(a) "Permissible investment" means any mutual fund or deposit account, certificate of deposit or money market fund maintained with a bank, broker, or other financial institution, any security publicly traded in an organized market if the interest in the security at acquisition is ten thousand dollars~~

~~or less or an interest in real estate unless such interest involves a related party transaction.~~

~~(b) "Other investment" means any investment not defined as a permissible investment in (a) of this subsection.~~

~~(c) "Immediate family" includes the spouse, dependent children, other dependent relatives if living in the household and any other household member, whether or not related.~~

~~(d) Board members and employees may purchase "permissible investments" without prior approval.~~

~~(e) No employee of the board shall or shall permit any member of his or her immediate family to, purchase any "other investment," without the written prior approval of the executive director or his or her designee. The executive director shall not purchase or permit any member of his or her immediate family to purchase any "other investment," without the prior written approval of the chair or his or her designee who shall report to the board any approval granted or denied. No member of the board shall or shall permit any member of his or her immediate family to purchase any "other investment," without the prior written approval of the executive director or his or her designee, who shall report to the board any approval granted or denied.~~

~~(f) No employee of the board or board member shall participate in an LBO or venture capitol IPO of which the board has an interest until such shares are available to the general public.~~

~~(4) No board member or employee shall participate in any discussion or shall vote in a matter before the board which involves a business, contract, property, or other substantial investment directly or indirectly held by such person if it is reasonably foreseeable that board action on the matter would confer a benefit to such person by or through the business, contract, property, or investment.~~

~~(5) No board member or employee shall participate in any discussion or shall vote in a matter before the board if such participation is motivated by something other than the best interests of the board, its members and beneficiaries, in violation of that person's duty of loyalty.~~

~~(6) No board member or employee shall borrow from investment managers, outside service providers, professional advisors or consultants, banks, or other financial institutions with which the board has a business relationship, except and unless such entities are normally engaged in such lending in the usual course of their business, and then only on terms offered to others under similar circumstances.~~

~~(7) Confidential information shall be used solely for the board's purposes and under no circumstances revealed to unauthorized persons, except as may be otherwise required to be disclosed as a public record pursuant to the requirements of chapter 42.17 RCW. If a document is subject to disclosure pursuant to chapter 42.17 RCW, there is an affirmative duty to properly release the document upon request.~~

~~(8) No board member or employee shall divulge state agency or board information or proprietary information in the board's possession, whether labeled confidential or not, to any unauthorized person or in advance of the time prescribed for its authorized issuance, or otherwise making use of, or permitting others to make use of, information not available to the general public.~~

~~(9) No board member or employee shall use his or her position or employment with the board, or use board~~

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facilities, equipment, or supplies, to obtain or attempt to obtain private gain or advantage, either for themselves or for other persons.

~~(10) No board member or employee shall use his or her position or employment with the board, or use board facilities, equipment, or supplies, to assist another in a transaction involving the board, or use his or her influence over the board to obtain or attempt to obtain gain or advantage for the person or entity seeking to transact business with the board.~~

~~(11) No member of the board or its staff shall accept employment or engage in business or professional activity which he or she might reasonably expect would require or induce him or her to disclose confidential information acquired by him or her by reason of his or her official position.~~

~~(12) A board member or employee who is found by the board to have violated this code of conduct may be subject to official reprimand by vote of the board. In the event that the board determines a violation of the code to be so egregious or apparent as to constitute malfeasance, misfeasance, inefficiency, neglect of duty, incapacity, or unfitness to perform his or her fiduciary duties and responsibilities in the exclusive interest of the board and its beneficiaries, and if the offending person is:~~

~~(a) A voting board member: The board, in its sole discretion, may refer the matter to the proper appointing authority or the attorney general, as deemed appropriate; or if~~

~~(b) A nonvoting board member: The board, in its sole discretion, may take the appropriate steps necessary to and remove the offending member from the board; or if~~

~~(c) The executive director: The board, in its sole discretion, may take the appropriate steps to remove the director in compliance with RCW 43.33A.100; or if~~

~~(d) An employee of the board governed by the Merit Systems Rules: The executive director may take such disciplinary action as authorized under Title 356 WAC up to and including termination of employment; or if~~

~~(e) An exempt employee of the board: The executive director may take whatever disciplinary action deemed appropriate, up to and including termination of employment.~~

~~(13) The board may refer the alleged violation to the executive ethics board for further investigation as provided under RCW 42.52.360.)~~

NEW SECTION

WAC 287-04-032 Personal investments. (1) The following definitions apply to this section:

(a) "Permissible investment" means any mutual fund or deposit account, certificate of deposit or money market fund maintained with a bank, broker, or other financial institution, any security publicly traded in an organized market if the interest in the security at acquisition is ten thousand dollars or less or an interest in real estate unless such interest involves a related party transaction.

(b) "Other investment" means any investment not defined as a permissible investment in (a) of this subsection.

(c) "Immediate family" includes the spouse, dependent children, other dependent relatives if living in the household and any other household member, whether or not related.

(2) Board members and employees may purchase "permissible investments" without prior approval.

(3) No employee of the board shall or shall permit any member of his or her immediate family to, purchase any "other investment," without the written prior approval of the executive director or his or her designee. The executive director shall not purchase or permit any member of his or her immediate family to purchase any "other investment," without the prior written approval of the chair or his or her designee who shall report to the board any approval granted or denied. No member of the board shall or shall permit any member of his or her immediate family to purchase any "other investment," without the prior written approval of the executive director or his or her designee, who shall report to the board any approval granted or denied.

(4) No employee of the board or board member shall participate in an LBO or venture capital IPO of which the board has an interest until such shares are available to the general public.

NEW SECTION

WAC 287-04-033 Additional prohibitions. (1) No board member or employee shall borrow from investment managers, outside service providers, professional advisors or consultants, banks, or other financial institutions with which the board has a business relationship, except and unless such entities are normally engaged in such lending in the usual course of their business, and then only on terms offered to others under similar circumstances.

(2) Confidential information shall be used solely for the board's purposes and under no circumstances revealed to unauthorized persons, except as may be otherwise required to be disclosed as a public record pursuant to the requirements of chapter 42.17 RCW. If a document is subject to disclosure pursuant to chapter 42.17 RCW, there is an affirmative duty to properly release the document upon request.

(3) No board member or employee shall divulge state agency or board information or proprietary information in the board's possession, whether labeled confidential or not, to any unauthorized person or in advance of the time prescribed for its authorized issuance, or otherwise making use of, or permitting others to make use of, information not available to the general public.

(4) No board member or employee shall use his or her position or employment with the board, or use board facilities, equipment, or supplies, to obtain or attempt to obtain private gain or advantage, either for themselves or for other persons.

(5) No board member or employee shall use his or her position or employment with the board, or use board facilities, equipment, or supplies, to assist another in a transaction involving the board, or use his or her influence over the board to obtain or attempt to obtain gain or advantage for the person or entity seeking to transact business with the board.

(6) No member of the board or its staff shall accept employment or engage in business or professional activity which he or she might reasonably expect would require or induce him or her to disclose confidential information

acquired by him or her by reason of his or her official position.

NEW SECTION

WAC 287-04-034 Recusal. (1) A member or employee of the state investment board shall comply with subsection (2) of this section when the following circumstances apply or it is reasonably foreseeable that they will apply:

(a) The member or employee is beneficially interested, directly or indirectly, in an investment decision, investment agreement, contract, sale, lease, purchase, or any other acquisition or disposal of an asset, goods or services made by, through, or under the supervision of the board, in whole or in part; or

(b) The member or employee either owns a beneficial interest in, or is an officer, agent, employee or member of, an entity which is engaged in a transaction involving the board; or

(c) A member or employee accepts, directly or indirectly, any compensation, gratuity or reward from any other person beneficially interested in such investment decision, investment agreement, contract, sale, lease, purchase, or any other acquisition or disposal of assets, goods or services; or

(d) A member or employee's participation in a board discussion or vote is motivated by something other than the best interests of the board, its members and beneficiaries, in violation of that person's duty of loyalty.

(2)(a) If required by subsection (1) of this section, the member or employee shall:

(i) Recuse him or herself from discussions by the board, or any committee of the board, regarding the specific investment decision or other transaction; and

(ii) Recuse him or herself from any vote by the board, or any committee of the board, upon the specific investment decision or other transaction; and

(iii) Refrain from attempting to influence any other board member or employee in any discussion or vote regarding the specific investment decision or transaction.

(b) If recusal by a member or employee occurs pursuant to this subsection, the member or employee shall disclose to the public the reasons for his or her recusal from any board discussion or action at or prior to the time recusal occurs. The board staff shall record each such recusal and basis for the recusal.

(c) The prohibitions contained in this subsection do not prohibit the member or employee from using his or her general expertise to educate and provide general information on the subject area to other members or employees.

NEW SECTION

WAC 287-04-038 Definitions. The following definitions apply to this chapter:

(1) "Transaction involving the board" means a proceeding, application, investment decision, investment agreement, contract, sale, lease, purchase or any other acquisition or disposal of any asset, goods or services, request for a ruling or other determination, claim, case or similar matter that the member or employee in question believes, or has reason to believe:

(a) Is, or will be the subject of board action; or

(b) Is one to which the board is or will be a party; or

(c) Is one in which the board has a direct and substantial proprietary interest.

"Transaction involving the board" does not include the following: Preparation, consideration or enactment of legislation, including appropriation of moneys in a budget, or the performance of legislative duties by a member or employee; or a claim, case, lawsuit, or similar matter if the member or employee did not participate in the underlying transaction involving the board that is the basis for the claim, case or lawsuit. Rule making is not a "transaction involving the board."

(2) "Board action" means any action on the part of the board including, but not limited to:

(a) A decision, determination, finding, ruling, or board order; and

(b) An investment decision or approval of an investment decision, an investment contract or approval of an investment contract, any other contract or approval of such contract, or any other transaction or approval of such transaction, sanction, denial of a transaction or request, or failure to act with respect to a decision, determination, finding, ruling or order.

NEW SECTION

WAC 287-04-039 Violation of code. (1) A board member or employee who is found by the board to have violated the code of conduct set forth in WAC 287-04-031 through 287-04-034 may be subject to official reprimand by vote of the board. In the event that the board determines a violation of the code to be so egregious or apparent as to constitute malfeasance, misfeasance, inefficiency, neglect of duty, incapacity, or unfitness to perform his or her fiduciary duties and responsibilities in the exclusive interest of the board and its beneficiaries, and if the offending person is:

(a) A voting board member: The board, in its sole discretion, may refer the matter to the proper appointing authority or the attorney general, as deemed appropriate; or if

(b) A nonvoting board member: The board, in its sole discretion, may take the appropriate steps necessary to and remove the offending member from the board; or if

(c) The executive director: The board, in its sole discretion, may take the appropriate steps to remove the director in compliance with RCW 43.33A.100; or if

(d) An employee of the board governed by the merit systems rules: The executive director may take such disciplinary action as authorized under Title 356 WAC up to and including termination of employment; or if

(e) An exempt employee of the board: The executive director may take whatever disciplinary action deemed appropriate, up to and including termination of employment.

(2) The board may refer the alleged violation to the executive ethics board for further investigation as provided under RCW 42.52.360.

WSR 97-20-127
EXPEDITED ADOPTION
DEPARTMENT OF AGRICULTURE

[Filed October 1, 1997, 10:03 a.m.]

Title of Rule: National type evaluation program.

Purpose: To correct the adopted national type evaluation program rule by adding the dates to WAC 16-664-040 (3), (4), (5), (6), and (7).

Statutory Authority for Adoption: RCW 19.94.190 and [19.94.]195.

Statute Being Implemented: Chapter 19.94 RCW.

Reasons Supporting Proposal: At the hearing conducted to adopt rules for the national type evaluation program, it was anticipated that the date contained in WAC 16-664-040 (3), (4), (5), (6), and (7) would be the same date as the effective date of the rule, which is July 5, 1997.

Name of Agency Personnel Responsible for Drafting and Implementation: Bob Arrington, P.O. Box 42560, Olympia, WA 98504-2560, (360) 902-2011; and Enforcement: Jerry Bundel, P.O. Box 42560, Olympia, WA 98504-2560, (360) 902-1856.

Name of Proponent: Scale Manufacturers Assn., Gasoline Pump Manufacturers Assn., Meter Manufacturers Assn., private.

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

Explanation of Rule, its Purpose, and Anticipated Effects: When the Department of Agriculture prepared the final paperwork to adopt the national type evaluation program rule it inadvertently overlooked putting the anticipated effective date in WAC 16-664-040 (3), (4), (5), (6), and (7). The date, as communicated by the department, was to be July 5, 1997. This proposal corrects and clarifies the date.

Proposal Changes the Following Existing Rules: It corrects the previous rule adopted by adding in the date under WAC 16-664-040 (3), (4), (5), (6), and (7).

NOTICE

THIS RULE IS BEING PROPOSED TO BE ADOPTED USING AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS RULE BEING ADOPTED USING THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Dannie McQueen, Administrative Regulations Manager, Washington State Department of Agriculture, P.O. Box 42560, 1111 Washington Street S.E., Olympia, WA 98504-2560, AND RECEIVED BY December 1, 1997.

October 1, 1997
 Julie Sandberg
 Assistant Director

AMENDATORY SECTION (Amending WSR 97-12-076, filed 6/4/97, effective 7/5/97)

WAC 16-664-040 Commercial and law enforcement equipment—Certificate of Conformance—Requirements—Exemptions—One-of-kind device—Repaired device—Remanufactured device—Device copy—Components. (1) Except for a device exempted under subsection (6) of this section, no person shall sell a device, within the state of Washington, unless it is traceable to a Certificate of Conformance. Certificate of Conformance documentation must be provided as part of the sales transaction.

(2) No person shall use a device within the state of Washington, unless it is traceable to a Certificate of Conformance, except when the device is exempted by subsection (3), (4), or (5) of this section. Certificate of Conformance documentation must be maintained at the device location.

(3) A device in service in Washington prior to (~~(....., 19--)~~) July 5, 1997, that meets the specifications, tolerances, and other technical requirements of National Institute of Standards and Technology Handbook 44, is not required to be traceable to a Certificate of Conformance.

(4) A device in service in Washington prior to (~~(....., 19--)~~) July 5, 1997, removed from service by the owner or on which the department has issued a removal order after (~~(....., 19--)~~) July 5, 1997, and returned to service at a later date shall be modified to meet all specifications, tolerances, and other technical requirements of National Institute of Standards and Technology Handbook 44 effective on the date of the return to service. Such a device is not required to be traceable to a Certificate of Conformance.

(5) A device in service in Washington prior to (~~(....., 19--)~~) July 5, 1997, which is repaired after such date shall meet the specifications, tolerances, and other technical requirements of National Institute of Standards and Technology Handbook 44 is not required to be traceable to a Certificate of Conformance.

(6) A device in service in Washington prior to (~~(....., 19--)~~) July 5, 1997, and sold after such date shall be modified by the seller to meet the specifications, tolerances, and other technical requirements of National Institute of Standards and Technology Handbook 44 on or before the date sold, unless the buyer and seller agree by written contract to exchange the modification responsibility in which case modification must be completed before further commercial application. Such commercial weighing or measuring device is not required to be traceable to a Certificate of Conformance.

(7) A device in service in another state prior to (~~(....., 19--)~~) July 5, 1997, may be installed in Washington; however, the device shall meet the specifications, tolerances, and technical requirement for weighing and measuring devices in National Institute of Standards and Technology Handbook 44 and be traceable to a Certificate of Conformance.

(8) One-of-a-kind device — A "one-of-a-kind" device is not required to be traceable to a Certificate of Conformance. However, if the manufacturer decides to make an additional device or devices, the device will no longer be considered to be "one-of-a-kind" and it shall be

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traceable to a Certificate of Conformance. For scales, the load cells and electronic indicators must be traceable to a Certificate of Conformance.

(9) Repaired device — If a person makes changes to a device to the extent that the metrological characteristics are changed, that specific device is no longer traceable to the Certificate of Conformance.

(10) Remanufactured device — If a person repairs or remanufactures a device, they are obligated to repair or remanufacture it consistent with the manufacturer's original design; otherwise, that specific device is no longer traceable to a Certificate of Conformance.

(11) Copy of a device — The manufacturer who copies the design of a device that is traceable to a Certificate of Conformance, but which is made by another company, must obtain a separate Certificate of Conformance for the device. The Certificate of Conformance for the original device shall not apply to the copy.

(12) Device components — If a person buys a load cell(s) and an indicating element that are traceable to Certificates of Conformance and then manufactures a device from the parts, that person shall obtain a Certificate of Conformance for the device.

WSR 97-20-002
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Order 97-05—Filed September 17, 1997, 3:45 p.m.]

Date of Adoption: September 17, 1997.

Purpose: To accommodate University of Washington policy change allowing students to use the summer quarter in lieu of fall, winter, or spring quarter to complete a year of education.

Citation of Existing Rules Affected by this Order: Amending WAC 392-120-025, 392-120-030, 392-120-055, and 392-120-065.

Statutory Authority for Adoption: RCW 28A.185.040. Adopted under notice filed as WSR 97-15-072 on July 16, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, amended 4, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 2, amended 4, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 17, 1997

Dr. Terry Bergeson
 Superintendent of
 Public Instruction

AMENDATORY SECTION (Amending Order 90-04, filed 4/12/90, effective 5/13/90)

WAC 392-120-025 Definition—Full-time equivalent ((eligible)) student. As used in this chapter, "full-time equivalent ((eligible)) student" means ((a)) an eligible student enrolled in and attending all courses required for continued enrollment in the transition school, and also means ((a)) an eligible student who is enrolled in the early entrance program ((and maintaining)) for 12 college credits or more per quarter.

NEW SECTION

WAC 392-120-027 Definition—Count date. As used in this chapter "count date" means the first day of transition school or first early entrance program day during the month on which eligible students are counted and their full-time equivalency is determined. Count dates occur in the months of October through June. Eligible students counted during the summer are counted during the months of June through August.

NEW SECTION

WAC 392-120-028 Definition—Annual average full-time equivalent student. As used in this chapter, an "annual average full-time equivalent student" means an eligible student who is a full-time equivalent student on each of the count dates in October through June: *Provided*, That a student electing to attend the summer quarter in lieu of attending the autumn, winter, or spring quarter will be counted during the summer months of June through August. No individual student shall be counted as more than one full-time equivalent student on any count date or more than one annual average full-time equivalent student in any September 1 through August 31 period for the purposes of claiming and allocating state and federal kindergarten through twelfth grade moneys to school districts and to the University of Washington.

AMENDATORY SECTION (Amending Order 90-04, filed 4/12/90, effective 5/13/90)

WAC 392-120-030 Definition—School year. As used in this chapter, "school year" means the beginning of autumn quarter through the end of ((spring)) summer quarter((as defined in WAC 478-132-030)).

AMENDATORY SECTION (Amending Order 90-04, filed 4/12/90, effective 5/13/90)

WAC 392-120-055 Responsibilities—University of Washington. The allocation of moneys pursuant to this chapter are conditioned on the University of Washington transition school and early entrance program performing the following:

(1) Reporting for each ((month)) count date for each eligible student of their:

- (a) ((Hours of enrollment)) Full-time equivalency; and
- (b) Resident school district.

(2) Expending the moneys allocated pursuant to this chapter on allowable activities.

(3) Providing health screening as agreed to by contract with the superintendent of public instruction; enforcing chapter 180-140 WAC and all applicable federal laws relating to student discipline and rights for students enrolled in the transition school or early entrance program who have not yet registered or enrolled in college level courses; and enforcing Title 478 WAC and all applicable federal laws relating to student conduct, discipline, records and rights, for students who have registered and enrolled in one or more college level courses.

(4) Reporting for the October count date of each year to the resident school district of the enrollment of each student in the University of Washington transition school and early entrance program.

(5) Reporting annually to the superintendent of public instruction the actual expenditures on allowable activities.

AMENDATORY SECTION (Amending Order 90-04, filed 4/12/90, effective 5/13/90)

WAC 392-120-065 Calculation of quarterly allocation. The superintendent of public instruction shall calculate the quarterly allocation of moneys to the University of Washington transition school and early entrance program

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using information available at the time the calculation is made as follows:

(1) Sum the following for each eligible student:

(a) Determine the revenue per eligible annual average full-time equivalent student; and

(b) Multiply the result obtained in (a) of this subsection by the annual average full-time ((equivalent)) equivalency of the eligible student.

(2) Adjust the result obtained in subsection (1) of this section by any over or under payments resulting from prior quarterly allocations.

**WSR 97-20-003
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Order 97-04—Filed September 17, 1997, 3:47 p.m.]

Date of Adoption: September 17, 1997.

Purpose: To make clarification as needed and delete rules determined to be unnecessary.

Citation of Existing Rules Affected by this Order: Repealing WAC 392-137-220; and amending WAC 392-137-160 and 396-137-195.

Statutory Authority for Adoption: RCW 28A.150.290.

Adopted under notice filed as WSR 97-15-075 on July 16, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 2, repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 2, repealed 1; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
September 17, 1997

Dr. Terry Bergeson
Superintendent of
Public Instruction

AMENDATORY SECTION (Amending Order 26, filed 9/17/90, effective 10/18/90)

WAC 392-137-160 Admission by nonresident district—Released students. A nonresident district may admit ~~((, subject to the annual transfer fee provision in WAC 392-137-220,))~~ all nonresident students who are released by a resident district, the superintendent of public instruction, or a court of law. The provisions of RCW 28A.225.240 shall apply for apportionment and other purposes.

AMENDATORY SECTION (Amending Order 26, filed 9/17/90, effective 10/18/90)

WAC 392-137-195 Filing of notices of appeal. There is no prescribed method for transmitting appeals to the superintendent of public instruction but receipt of such written appeals by the superintendent of public instruction is a condition precedent to jurisdiction. The material may be hand-delivered or mailed to the following address:

Legal Services
Office of the Superintendent of
Public Instruction
~~((Old Capitol Building FG-11))~~
P.O. Box 47200
Olympia, Washington 98504-7200

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 392-137-220 Annual transfer fee.

**WSR 97-20-009
PERMANENT RULES
PUGET SOUND AIR
POLLUTION CONTROL AGENCY**

[Filed September 18, 1997 10:37 a.m., effective November 1, 1997]

Date of Adoption: September 11, 1997.

Purpose: To establish general regulatory order fees; adjust maximum civil penalty amount for inflation; adjust registration, notice of construction, and operating permit fees to cover program costs; update delegation for NSPS (New Source Performance Standards) and NESHAPs (National Emission Standards for Hazardous Air Pollutants).

Citation of Existing Rules Affected by this Order: Amending Reg. I - 3.03, 3.11, 5.05, 5.07, 6.04, 6.10, 6.11, 7.07, 7.09; Reg. III - 2.02.

Statutory Authority for Adoption: Chapter 70.94 RCW. Adopted under notice filed as WSR 97-15-125 on July 23, 1997.

Changes Other than Editing from Proposed to Adopted Version: In Regulation I, Section 5.07 (b)(5) "toxic air contaminant (TAC)" was changed to "hazardous air pollutant (HAP)."

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 1, 1997.
September 17, 1997
James L. Nolan
Director - Compliance

Reviser's note: The material contained in this filing exceeded the page-count limitations of WAC 1-21-040 for appearance in this issue of the Register. It will appear in the 97-21 issue of the Register.

WSR 97-20-010
PERMANENT RULES
COLUMBIA RIVER
GORGE COMMISSION

[Filed September 18, 1997, 10:40 a.m., effective November 3, 1997]

Date of Adoption: September 9, 1997.

Purpose: To amend 350-80, Land Use Ordinance, to implement amendments made to the Management Plan for the Columbia River Gorge National Scenic Area.

Citation of Existing Rules Affected by this Order:
Amending 350-80-160 and 350-80-340.

Statutory Authority for Adoption: RCW 43.97.015.

Other Authority: ORS 196.150; 16 U.S.C. 544 et seq.
Adopted under notice filed as WSR 97-15-019 on July 7, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 3, 1997 (or upon concurrence by Secretary of Agriculture if after November 3, 1997).

September 16, 1997
Jan Brending
Rules Coordinator

AMENDATORY SECTION (Amending WSR 95-02-021, filed 12/27/94, effective 2/1/95)

350-80-160. Signs. (1) Signs may be allowed in all land use designations in the General Management Area pursuant to the following provisions:

(a) Except for signs along public highways necessary for public safety, traffic control or road construction which are consistent with the *Manual for Uniform Traffic Control Devices*, the following signs are prohibited:

(A) Luminous signs or those with intermittent or flashing lights. These include neon signs, fluorescent signs, light displays and other signs which are internally illuminated, exclusive of seasonal holiday light displays.

(B) New billboards.

(C) Signs with moving elements.

(D) Portable or wheeled signs, or signs on parked vehicles where the sign is the primary use of the vehicle.

(b) Any sign which does not conform with a provision of 350-80-160 and has existed prior to adoption of the Management Plan, shall be considered non-conforming and subject to the following:

(A) Alteration of existing non-conforming signs shall comply with Commission Rule 350-80-160.

(B) Any non-conforming sign used by a business must be brought into conformance concurrent with any expansion or change in use which requires a development permit.

(c) The following may be permitted without review, subject to consistency with Commission Rule 350-80-160 (1)(a):

(A) Ordinary repair and maintenance of signs.

(B) Election signs (~~which are not displayed for more than 60 days~~). Removal shall be accomplished within 30 days of election day.

(C) "For Sale" signs not greater than 12 square feet. Removal shall be accomplished within 30 days of close of sale.

(D) Temporary construction site identification, public service company, safety or information signs not greater than 32 square feet. Exceptions may be granted for public highway signs necessary for public safety and consistent with the *Manual for Uniform Traffic Control Devices*. Removal shall be accomplished within 30 days of project completion.

(E) Signs posted on private property warning the public against trespassing, danger from animals, the private nature of a road, driveway or premise, or signs prohibiting or otherwise controlling fishing or hunting, provided such signs are not greater than 6 square feet.

(F) Temporary signs advertising civil, social, or political gatherings and activities not exceeding 12 square feet. Removal shall be accomplished within 30 days of the close of the event.

(G) Signs posted by governmental jurisdictions giving notice to the public. Such signs shall be no larger than that required to convey the message intended.

(H) Signs associated with the use of a building or buildings, if placed flat on the outside walls of buildings, not on roofs or marquees.

(d) All signs shall meet the following guidelines unless they conflict with the *Manual for Uniform Traffic Control Devices* for public safety, traffic control or highway construction signs. In such cases, the standards in the *Manual for Uniform Traffic Control Devices* shall supersede these guidelines.

(A) The support structure shall be unobtrusive and have low visual impact.

(B) Lettering colors with sufficient contrast to provide clear message communication shall be allowed. Colors of signs shall blend with their setting to the maximum extent practicable.

(C) Backs of all signs shall be unobtrusive, non-reflective, and blend in with the setting.

(D) Spot lighting of signs may be allowed where needed for night visibility. Backlighting is not permitted for signs.

(e) Business identification or facility entry signs located on the premises may be allowed, subject to Commission Rule 350-80-160 (1)(d).

(f) Other signs not addressed or expressly prohibited by this rule may be permitted without review.

(2) Signs in the Special Management Area shall be allowed pursuant to the following provisions:

(a) Prohibited Signs

(A) Advertising billboards.

(B) Signs that move or give the appearance of moving, except signs used for highway construction, warning or safety.

(C) Portable or wheeled signs, or signs on parked vehicles where the sign is the primary use of the vehicle, except for signs used for highway construction, warning or safety.

(b) Pre-existing signs are allowed to continue provided no changes occur in size, structure, color, or message.

(c) Temporary signs shall be permitted without review when in compliance with subsection (f) below and the following:

(A) One political sign per parcel road frontage. The sign shall be no greater than 12 square feet in area (~~and displayed for no more than 60 calendar days~~). Removal shall be accomplished within 30 days of election day.

(B) "For Sale" signs not greater than 12 square feet, removal shall be accomplished within 30 days of close of sale.

(C) One temporary construction site identification sign which is not greater than 32 square feet. Removal shall be accomplished within 30 days of project completion.

(D) Signs providing direction to and announcement of temporary garage/yard sales provided placement duration does not exceed three days and the signs are not greater than two square feet in area.

(E) Temporary signs, not exceeding 12 square feet and placed no longer than 10 days in advance of the event, advertising civil, social, or political gatherings and activities. Removal must be accomplished within 30 days of the close of the event.

(F) Temporary signs of public service companies indicating danger and/or service and safety information. Removal must be accomplished upon project completion.

(d) New signs shall be allowed as specified in the applicable land use designation.

(e) No sign shall be erected or placed in such a manner that it may interfere with, be confused with, or obstruct the view of any traffic sign, signal, or device.

(f) All new signs shall meet the following guidelines, and be consistent with the *Manual for Uniform Traffic Control Devices*:

(A) Signs shall be maintained in a neat, clean and attractive condition.

(B) The character and composition of sign materials shall be harmonious with the landscape and/or related to and compatible with the main structure upon which the sign is attached.

(C) Signs shall be placed flat on the outside walls of buildings, not on roofs or marquees.

(D) Signs shall be unobtrusive and have low contrast with the setting.

(E) The visual impact of the support structure shall be minimized.

(F) Outdoor sign lighting shall be used for purposes of illumination only, and shall not be designed for, or used as, an advertising display, except for road safety signs.

(G) Backs of all signs shall be visually unobtrusive, nonreflective, and blend in with the setting.

(H) Sign internal illumination or backlighting shall not be permitted except for highway construction, warning or safety.

(g) Public signs shall meet the following guidelines in addition to subsections (b) through (f) above:

(A) The Graphic Signing System provides design guidelines for public signs in and adjacent to public road rights-of-way. All new and replacement public signs shall conform to the guidelines in this system. Types of signs addressed include recreation site entry, route marker, interpretive, guide, directional, and urban area entry.

(B) Signs located outside public road rights-of-way are encouraged to be designed in such a way as to be consistent with similar purpose signs described in the Graphic Signing System.

(C) Signs posted by governmental jurisdictions giving notice to the public shall be no larger than that required to convey the intended message.

(h) Signs for public and commercial recreation facilities, home occupations, cottage industries, and commercial uses shall meet the following guidelines in addition to subsections (b) through (f):

(A) Signs posted on private property warning the public against trespassing, danger from animals, the private nature of a road, driveway or premise, or signs prohibiting or otherwise controlling fishing or hunting, provided such signs are not greater than two square feet.

(B) Any sign advertising or relating to a business which is discontinued for a period of 30 consecutive days shall be presumed to be abandoned and shall be removed within 30 days thereafter, unless permitted otherwise by the jurisdictional authority.

(C) Any signs relating to, or advertising, a business shall be brought into conformance with these sign guidelines prior to any expansion or change in use which is subject to review.

(D) Off-site and on-site directional signs on approach roads to recreational facilities may be permitted. Name and interpretive signs may be permitted on-site, but should be kept to the minimum required to achieve the purpose(s) of the facilities.

(E) Commercial recreation businesses approved in conjunction with a recreational facility may have a name sign not exceeding 16 square feet.

(F) Recreation developments may have one on-premise name sign at each principal entrance. Such signs are encouraged to be of a low profile, monument type, and shall conform to the Graphic Signing System.

(i) Sign clutter and other negative visual effects from excessive signs along all roads and highways, and at parking lots and recreation facilities, shall be reduced.

(j) Directional and safety signs are allowed to the extent necessary to satisfy requirements for smooth traffic flow and public safety. All parties and jurisdictions placing such signs must do so in accordance with the Graphic Signing System,

consistent with the standards in the *Manual on Uniform Traffic Control Devices*.

(k) Interstate 84 shall not have interpretive signing, except for signs permitted for services. Regulatory, warning, service, and other signs as provided for in the Graphic Signing System are allowed.

AMENDATORY SECTION (Amending WSR 95-02-021, filed 12/27/94, effective 2/1/95)

350-80-340. Review Uses — Open Space. (1) The following uses may be allowed on all lands designated GMA-Open Space subject to compliance with the appropriate scenic, cultural, natural, and recreation resources guidelines (Commission Rule 350-80-520 through 350-80-620):

(a) Low intensity recreation, subject to Commission Rule 350-80-610(2).

(b) Land divisions to facilitate efforts to protect and enhance scenic, cultural, natural or recreation resources.

(c) Non-emergency repair and maintenance of existing structures, trails, roads, railroads, utility facilities, and hydroelectric facilities that involve new ground disturbing activities or those which differ in depth and extent from past ground disturbance.

(d) Improvement of existing structures, trails, roads, railroads, utility facilities, and hydroelectric facilities.

(e) Placement of structures for public safety.

(2) The following uses may be allowed on land designated GMA-Open Space in the Gorge Walls, Canyonlands and Wildlands landscape setting:

(a) All uses listed in Commission Rule 350-80-340(1).

(b) Livestock grazing.

(c) Fish and wildlife management uses conducted by federal, state or tribal resource agencies.

(d) Soil, water or vegetation uses performed in accordance with a conservation plan approved by a county conservation district.

(e) Harvesting of wild crops.

(f) Educational or scientific research.

(g) Continued operation of existing quarries if they are determined to be consistent with guidelines to protect scenic, cultural, natural and recreation resources (Commission Rule 350-80-520 through 350-80-620).

(3) The following uses may be allowed on lands designated GMA-Open Space within the Mosley Lakes Natural Area:

(a) All those uses allowed in Commission Rule 350-80-340(1).

(b) Fish and wildlife management uses conducted by federal, state, or tribal resource agencies, after consultation with the Washington Natural Heritage Program.

(c) Educational or scientific research, after consultation with the Washington Natural Heritage Program.

(d) Commercial trapping.

(4) The following uses may be allowed on land designated GMA-Open Space within the Chenoweth Table Natural Area:

(a) All those uses allowed in Commission Rule 350-80-340(1).

(b) Low-intensity recreation, subject to the guidelines for recreation intensity classes 350-80-610(2), after consultation with the Oregon Natural Heritage Program.

(c) Wildlife management uses conducted by federal, state, or tribal resource agencies, after consultation with the Oregon Natural Heritage Program.

(d) Educational or scientific research, after consultation with the Oregon Natural Heritage Program.

(5) The following uses may be allowed on land designated GMA-Open Space within the Squally Point Natural Area:

(a) Except as limited by guideline (5)(b) below, all those uses allowed in Commission Rule 350-80-340(1).

(b) Except in the upland dunes south of the railroad tracks, low-intensity recreation, subject to the guidelines for recreation intensity classes 350-80-610(2), after consultation with the Oregon Natural Heritage Program.

(c) Repair and maintenance of railroads, except measures to stabilize dunes, after consultation with the Oregon Natural Heritage Program.

(6) The following uses may be allowed on land designated GMA-Open Space within the Klickitat River Wildlife and Natural Area:

(a) All those uses allowed in Commission Rule 350-80-340(1).

(b) Low-intensity recreation, subject to the guidelines for recreation intensity classes 350-80-610(2), after consultation with the Washington Natural Heritage Program and Washington Department of Wildlife.

(c) Wildlife management uses conducted by federal, state, or tribal resource agencies, after consultation with the Washington Natural Heritage Program.

(d) Educational or scientific research, after consultation with the Washington Natural Heritage Program.

(7) The following uses are allowed on land designated GMA-Open Space within the Balch Lake Wetland Area:

(a) All those uses allowed in Commission Rule 350-80-340(1).

(b) Livestock grazing, subject to a range conservation plan, after consultation with the Washington Department of Wildlife.

(c) Fish and wildlife management uses conducted by federal, state, or tribal resource agencies.

(d) Educational and scientific research, after consultation with the Washington Department of Wildlife.

(e) Low-intensity recreation, subject to the guidelines for recreation intensity classes 350-80-610(2), after consultation with the Washington Department of Wildlife.

(8) The following uses may be allowed on lands designated GMA-Open Space within the mouth of the Wind River Wildlife Area:

(a) All those uses allowed in Commission Rule 350-80-340(1).

(b) Fish and wildlife management uses conducted by federal, state, or tribal resource agencies.

(c) Soil, water, or vegetation uses performed in accordance with a conservation plan approved by a local conservation district.

(d) Harvesting of wild crops.

(e) Educational or scientific research, after consultation with the Washington Department of Wildlife or Fisheries.

(f) Commercial fishing and trapping.

(g) Low-intensity recreation, subject to the guidelines for recreation intensity classes 350-80-610(2), after consultation with the Washington Department of Wildlife.

(9) The following uses may be allowed on lands designated GMA-Open Space within state parks:

(a) All uses listed in Commission Rule 350-80-340(1).

(b) Fish and wildlife management uses conducted by federal, state or tribal resource agencies.

(c) Soil, water or vegetation uses performed in accordance with a conservation plan approved by a local conservation district.

(d) Harvesting of wild crops.

(e) Educational or scientific research.

(10) On land designated SMA-Open Space, the maintenance, repair, and operation of existing dwellings, structures, trails, roads, railroads, and utility facilities may occur without review.

(11) The following uses may be allowed on lands designated SMA-Open Space, subject to compliance with the appropriate scenic, cultural, natural and recreation resources guidelines (Commission Rule 350-80-520 through 350-80-620) and when consistent with an open space plan approved by the U.S. Forest Service pursuant to guideline (12) below:

(a) Changes in existing uses including reconstruction, replacement, and expansion of existing structures and transportation facilities, except for commercial forest practices.

(b) Structures or vegetation management activities, including scientific research, related to scenic, cultural, recreational, and natural resource enhancement projects.

(c) Low intensity recreation uses, including educational and interpretive facilities, consistent with Commission Rule 350-80-620.

(d) Utility facilities for public service upon a showing that:

(A) There is no alternative location with less adverse effect on Open Space land.

(B) The size is the minimum necessary to provide the service.

(e) New signs, pursuant to Commission Rule 350-80-160.

(12) An Open Space plan shall be completed by the primary managing agency or landowner prior to any new land uses or development, and shall be reviewed by the Forest Service. The Open Space plan shall include the following:

(a) Direction for resource protection, enhancement, and management.

(b) Review of existing uses to determine compatibility with Open Space values.

(c) Consultation with members of the public and with agency and resource specialists.

(13) Treatment of noxious weeds on lands designated SMA-Open Space shall be permitted, subject to review, without completion of an SMA Open Space plan when the following criteria have been met:

(a) Noxious weed infestation is new and eradication is still viable.

(b) Delayed or deferred treatment could have wide-spread or major adverse impacts to one or more of the following resources:

(A) Displacement of native and traditionally gathered plants;

(B) Degradation of wildlife habitat and forage;

(C) Degradation or loss of agricultural uses of land, such as cropland or livestock forage;

(D) Limitation of recreational uses.

(c) For federal lands, treatment effects have been thoroughly evaluated in an environmental assessment.

WSR 97-20-019

PERMANENT RULES

WASHINGTON STATE UNIVERSITY

[Filed September 19, 1997, 3:20 p.m., effective September 19, 1997]

Date of Adoption: September 5, 1997.

Purpose: To amend safety rules for spectator events.

Citation of Existing Rules Affected by this Order:
Amending WAC 504-36-030.

Statutory Authority for Adoption: RCW 28B.30.125, [28B.30.]150(1).

Adopted under notice filed as WSR 97-16 on August 20, 1997 [WSR 97-16-072 on August 4, 1997].

Changes Other than Editing from Proposed to Adopted Version: This description is provided pursuant to RCW 34.05.340, and lists minor changes made to the amendments to WAC 504-36-030, relating to safety rules for public events at Washington State University, from the amendments as originally proposed and published. This proposed amended rule was originally published as WSR 97-10-086. The variances between the rule as published and as adopted do not render the adopted rule substantially different from the rule as proposed, address the same subjects as those set forth in the originally proposed rule, and have few if any different effects from those set forth in the originally proposed rule.

Following submission of the proposed rule, internal discussion among university officials arose over the precise scope of the several regulations on what should or should not be allowed into WSU event sites. Those discussions resulted in a variety of minor alterations to the rules, most with the intent of making its provisions clearer and more succinct. No written comments were received from the public during the public comment period, nor was any commentary presented at the public hearing held on these proposed amendments of June 12, 1997.

The variations, in order, are as follows:

1. The citation to WAC 504-20-010 at the end of subsection (2)(a) is no longer appropriate, as that rule has been repealed. It is accordingly deleted.

2. Several minor editing changes were made to subsection (3). The original rule's inclusion of plastic containers among the prohibited items was deleted. The exception for canteens and other such containers, located in the following sentence of the section, was rewritten to make it clearer, as was the proviso regarding soft-sided carrying cases for such containers. The next sentence, dealing with visual inspections, was also given a minor editorial rewrite. A section of the prior rule noting that approved vendors at event sites were not subject to this section's provisions, which was deleted under the original version of the rule, was reinstated.

3. In subsection (2)(d), the original rule's restrictive language limiting the rule's applicability to bags "used for carrying blankets or extra clothing into the event site" was deleted, to make the rule applicable to all bags brought to

the event site regardless of purpose or character. This change subsumed material deleted from the previous section as originally published, and made the rule's overall applicability clearer.

4. In subsection [(2)](f), the prohibition against noisemaking devices was altered to read "(such as airhorns)" instead of "(such as airhorns or similar devices)."

5. Subsection (2)(i) to the original proposed rule (subsection [(2)](f) of the rule prior to these proposed amendments) was deleted from the adopted version of the rule. This is to prevent excessive "saving" of seats from causing disruptions among spectators.

6. New subsections (2)(i) and (j) were added to the rule as adopted. Subsection (i) prohibits videotaping of events held in event sites without university consent, and subsection (j) prohibits spectators from opening umbrellas in event sites. These additions are intended to protect the university's potentially valuable interest in reproduction or broadcast rights of such events, and to ensure spectators have an unimpaired view of the event.

7. In subsection (4), the rule as adopted contains further updating of titles of university officials designated with authority to interpret and enforce event safety rules. The titles contained in the rule as originally proposed included a number that was obsolete.

These changes do not substantially alter the scope or subject matter of the rule from its original proposed form. They address the same spectator safety and regulation issues as the original proposal. They impose few if any new restrictions beyond those originally proposed. WSU accordingly believes that these changes are permissible pursuant to RCW 34.05.340(3).

Given the approach of the university's new academic year and the start of many events, including most notably athletic contests, the rule has been adopted pursuant to RCW 34.05.380(3), to take effect immediately upon filing with the code reviser.

**BOARD OF REGENTS
Washington State University**

Resolution #970905-13

WHEREAS, the Board of Regents of Washington State University has power, pursuant to RCW 28B.30.095 and .150 to manage the affairs of the University; and

WHEREAS, the University has determined that certain amendments to Section 504-36-030 of the Washington Administrative Code, "Spectator Events - Safety Rules", are necessary to properly ensure the health and safety of persons attending athletic events at WSU,

RESOLVED, That the Board of Regents of WSU hereby adopt the attached amendment to section 504-36-030; and

RESOLVED FURTHER, that this Board finds that immediate adoption of this amendment is necessary to prevent imminent peril to public health, safety and general welfare, in that major athletic events are slated to occur within the thirty day period that would otherwise pass before the effective date of this amendment. Having this amendment in effect immediately will better allow the University to take steps to protect the safety of persons attending University athletic events. Accordingly, this Board resolves

that this amendment shall become effective immediately upon its filing with the Code Reviser of the State of Washington, in accordance with RCW 34.05.380(3).

Dated this fifth day of September, 1997

Richard R. Albrecht
President of the Board of Regents

Samuel H. Smith
Secretary of the Board of Regents

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 16, 1997
Richard L. Hutchinson
Assistant to the Vice-President
Business Affairs

AMENDATORY SECTION (Amending Order 80-2, Resolution 6/80-15, filed 6/11/80)

WAC 504-36-030 Spectator events—Safety rules (1) Protection of the safety and general welfare of students, faculty and staff, performers and officials, and members of the general public attending or participating in spectator events on the campus is a primary concern of Washington State University.

(2) The following rules of conduct are applicable to all public events of Washington State University, including specifically, but not limited to, Martin Stadium and the Performing Arts Coliseum and to all public areas of the facility wherein the event is held (hereafter the "event site").

(a) Behavior which in the judgment of designated university officials constitutes a disruption of the event or safety hazard for other spectators or participants is prohibited (~~WAC 504-20-010~~).

(b) Possession and/or consumption of alcoholic beverages or illegal drugs is prohibited. Any such ~~beverages~~ materials found shall be ~~removed by the possessor or~~ delivered to the custody of designated university officials or their representatives upon request. In addition, violators of this rule may be subject to university disciplinary action (if applicable) and/or legal proceedings, and to removal from the event site.

(c) Possession of ~~any~~ glass or metal beverage containers, ~~or any cooler, basket, knapsack, or other devices~~ used for carrying ~~such glass or metal~~ beverage containers, is prohibited: *Provided*, That this rule shall not apply to personal canteens or thermos bottles one liter or less in size,

PERMANENT

~~containing beverages not in violation of this rule, or containers made for the purpose of carrying coffee, tea, hot chocolate, or similar hot drinks. And provided further, that this rule shall not apply to small soft-sided articles used to carry such permitted containers, as more fully described in subpart (d) of this rule below. All such items shall be subject to a visual inspection upon entry to the event site. That this rule shall not apply to approved vendors. Any such containers or devices prohibited by this rule shall be removed by the possessor or delivered to the custody of designated university officials or their representatives upon request. Designated officials may provide, but shall not be obligated to provide, a checking service for this purpose. Any checked items may be reclaimed by the owner within 30 minutes following the conclusion of the event. Any unclaimed items will be disposed of in accordance with state laws. This rule shall not apply to approved vendors.~~

(d) Knapsacks, duffel bags, backpacks, bags used to transport permitted beverage containers or other soft sided bags shall be small enough to fit completely under one seat, and shall be so kept at all times to maintain clear aisles, walkways and stairs. All such items are subject to a visual inspection upon entry into the event site. No hard sided bags, suitcases, coolers or other similar items shall be permitted into the event site.

(e) Aisles, walkways and stairs shall be kept clear of hazards and obstacles (including but not limited to those items discussed in subparts (c) and (d) of this rule) at all times, to ensure safe and easy passage for persons attending the event, university and security officials, and others at the event site.

(f) Possession of any fireworks, weapons, explosive devices or artificial noisemaking devices (such as airhorns) is prohibited in the event site. Any such items shall be surrendered to designated university officials upon request. In addition, possession of such items may subject violators of this rule to university disciplinary action (if applicable) and/or legal proceedings, and to removal from the event site.

~~(g)~~ (g) Smoking is prohibited in areas designated as "no smoking."

~~(h)~~ (h) An individual is entitled to occupy only the seat for which he or she has the proper ticket.

~~(i) In nonreserved seating sections, blocks of seats will be preempted or saved.~~

(i) Video taping equipment is not permitted into the event site without written permission from the WSU Athletic Department.

(j) Umbrellas may not be opened or raised in seating areas of any event site, in order to ensure that all persons attending the event have as clear and unobstructed a view of the event as possible. Personal sized umbrellas may be brought into the event site and stored as described in subparts (d) and (e) of this rule.

(3) Where there is reasonable cause to believe that persons are, or are attempting to, violate the requirements identified in WAC 504-36-030(2), such person or persons will be denied license or privilege to enter or remain in or upon the premises, and designated officials may take necessary action to deny entry or to remove such persons from the premises.

Failure to vacate the premises upon request of designated university officials may result in subsequent legal process under the laws of the state of Washington.

(4) For purposes of WAC 504-36-030 (1) and (2) designated officials include the president of the university, the executive vice president for business affairs, and the following officials:

(a) Director of athletics for athletic events;

(b) Director of the coliseum for coliseum events;

(c) Director of the Compton Union Building student activities for events in the Compton Union Building;

(d) Director of the School of Music and Theatre Arts Chairman, department of speech, for events sponsored by that School the department of speech;

(e) Chairman, department of music, for events sponsored by the department of music;

(f) The WSU Director of Public Safety Director of the WSR safety division and the chief of the WSU police department;

(g) Officers of the WSU police department when (1) acting at the request of any of the above-named officials to enforce university regulations, or (2) enforcing state laws or local ordinances.

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

Reviser's note: RCW 34.05.395 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.

WSR 97-20-020

PERMANENT RULES

WASHINGTON STATE UNIVERSITY

[Filed September 19, 1997, 3:22 p.m.]

Date of Adoption: September 5, 1997.

Purpose: To remove no longer useful or germane material from the university's regulations.

Citation of Existing Rules Affected by this Order:

Repealing chapter 504-12 WAC.

Statutory Authority for Adoption: RCW 28B.30.125, [28B.30.]150(1).

Adopted under preproposal statement of inquiry filed as WSR 97-14 on July 16, 1997 [WSR 97-14-038 on June 26, 1997].

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 1.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making:

New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 16, 1997

Richard L. Hutchinson
Assistant to the Vice-President
Business Affairs

WSR 97-20-026
PERMANENT RULES
GAMBLING COMMISSION

[Filed September 22, 1997, 2:45 p.m., effective January 1, 1998]

Date of Adoption: September 12, 1997.

Purpose: These rules limit promotional gifts, protect consumer from the effects of undue influence in the distribution of gambling equipment, and set parameters regarding the terms by which gambling equipment can be purchased and sold.

Citation of Existing Rules Affected by this Order: Repealing WAC 230-12-200 and 230-30-200; and amending [new sections] WAC 230-12-320, 230-12-330, 230-12-340, and 230-12-350.

Statutory Authority for Adoption: RCW 9.46.070 (14) and (20).

Adopted under notice filed as WSR 97-11-017 and 97-11-018 on May 13, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 4, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 4, repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 4, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: January 1, 1998.

September 22, 1997

Soojin Kim

Rules and Policy Coordinator

NEW SECTION

WAC 230-12-320 Manufacture and distribution of gambling equipment and services—Prohibited practices—Gifts, promotional activities, and loans—Exceptions. Manufacturers and distributors shall not seek to control the distribution of gambling equipment, devices, related supplies or paraphernalia, or services by any means other than those authorized by this title. The following restrictions and procedures apply to the distribution of gambling equipment, devices, related supplies or paraphernalia, and services:

Can licensees offer gifts or similar items to other licensees?

(1) Other than promotional activities as authorized by this section, or trade account terms authorized by WAC 230-12-340, no licensee or employee thereof selling or offering to sell gambling products or services shall directly or indirectly provide or offer any gift, free merchandise or service, credit or loan of money, premium, or rebate to any person or employee thereof who is licensed to purchase or operate such.

Can licensees solicit gifts or similar items from other licensees?

(2) No licensed operator or distributor, or employee thereof, shall directly or indirectly solicit any gift, free merchandise or service, credit or loan of money, premium, or rebate from any licensed manufacturer or distributor, or employee thereof.

What types of activities are allowed for manufacturers to promote their goods or services with operators?

(3) Manufacturers may provide promotional merchandise of nominal value, such as tee shirts, caps, cups, pens, calendars, etc., to licensed operators, and operators shall be allowed to accept such, under the following guidelines:

(a) The cost of such promotions shall not exceed fifteen dollars in value per item. Each manufacturer is responsible for establishing the value of each type of promotional merchandise and shall maintain records supporting such:

(b) Each item shall promote the manufacturer or a specific product or line of products made by the manufacturer;

(c) Such promotions shall not be based on past sales or a level of business; and

(d) Such promotions may not be contingent on the purchase of more than one case of a specific product.

What types of activities are allowed for manufacturers to promote their goods or services with distributors?

(4) Manufacturers may provide promotional merchandise, entertainment, or travel to distributors, and distributors shall be allowed to accept such, under the following guidelines:

(a) Promotional merchandise and services, such as tee shirts, caps, pens, calendars, etc., may be provided to distributors if:

(i) The value is limited to twenty-five dollars for each individual item; and

(ii) The total amount of promotional merchandise and services offered to a distributor and employees thereof shall not exceed a collective value of one thousand dollars during any calendar year;

(b) Entertainment such as meals, recreational or sporting events, etc., may be provided to distributors, or employees thereof, if:

(i) The distributor is accompanied by a licensed manufacturer's representative, owner, partner, officer, or substantial interest holder of a corporate licensee;

(ii) The total amount of entertainment to a distributor and employees thereof shall not exceed a collective value of one thousand dollars during any calendar year;

(iii) The entertainment is provided within the state of Washington; and

(iv) Written documentation of the business purpose of the entertainment is maintained;

(c) Trips to the factory location of a manufacturer, including transportation, meals, and lodging may be provided to distributors and/or their licensed representatives once each calendar year.

What additional requirements apply to authorized "promotional activities"?

(5) The following restrictions and procedures apply to promotional activities between manufacturers and distributors:

(a) All "promotional activities" shall be directly related to promotion of the manufacturer's products and in no way related to past sales;

(b) Promotional activities shall not include the direct or indirect transfer of cash, negotiable instruments, or cancellation or remittance of debts to a licensee or employee thereof. All costs related to "promotional activities" shall be initially paid for by the manufacturer rather than providing reimbursement to the distributor;

(c) Manufacturers shall be responsible for maintaining detailed records for all "promotional activities" and making such records available to the commission upon request. These records shall include at least the following:

(i) The product or service being promoted;

(ii) The name of the licensed distributor and the name of any person directly or indirectly benefiting from a "promotional activity";

(iii) The value of any gift or service provided. The value shall be based on the cost to the manufacturer to provide such;

(iv) The date a "promotional activity" was provided;

(v) The place the "promotional activity" occurred, if applicable; and

(vi) The name of the owner, partner, officer, or other representative of the manufacturer who authorized the "promotional activity."

Can a manufacturer or distributor loan equipment to a distributor or operator?

(6) A manufacturer or distributor may loan gambling equipment to licensed distributors or operators subject to the following restrictions:

(a) Equipment loans may be made for the following reasons:

(i) To a distributor for displaying the manufacturer's products, limited to one such loan, per product, per calendar year;

(ii) To a licensed distributor or operator for training of employees, limited to one such loan, per calendar year; or

(iii) For use as a replacement by a licensed operator while awaiting delivery of a product that has been purchased, leased, or removed for repair;

(b) Equipment loans shall be limited to ninety days per loan.

(7) This section shall not apply to transactions conducted with tribal governments operating class III casinos under tribal/state compacts or with management companies operating such casinos on the behalf of tribal governments.

NEW SECTION

WAC 230-12-330 Availability of gambling equipment and related products and services—Prices—Contracts—Discounts—Restrictions—Exceptions. Manufacturers and distributors shall make their products and services available to all licensees without discrimination. Except as authorized by this section, gambling equipment, devices, related paraphernalia or supplies, and services shall be offered to any licensee wishing to purchase such, for the same price and terms. The following restrictions, procedures, and exceptions apply to prices and terms related to sales of gambling-related products or services:

What are the restrictions on prices of gambling products and services?

(1) Discriminatory prices are prohibited. Prices are considered discriminatory when identical or similar items or services are offered to different persons for a different price or under different terms or conditions: *Provided*, That prices set under the following criteria shall not be considered discriminatory:

(a) Prices that are established in advance and available for review by the commission and customers prior to accepting a sales order utilizing such. For purposes of this section, prices are deemed to be established and available when they have been mailed or transmitted by facsimile to the commission at least forty-eight hours prior to completing sales transactions or accepting orders for products or services;

(b) Separate and different price schedules established by manufacturers or distributors for transactions conducted with licensees at different marketing levels when such prices are progressively lower at each marketing level above the operator level;

(c) Prices that are based upon the delivery location of an item or service. If the price of an item or service is based upon "free on board" (FOB) terms at a specific location, such price may be varied based upon delivery at a different location, if such is justified by objective evidence. The burden of proof regarding such price differentiation is borne by the seller. Such prices are subject to all other requirements of this section; and

(d) Short-term price reductions or "sales" by manufacturers or distributors are authorized when every licensee is afforded an opportunity to participate. For purposes of this section licensees will be deemed to have been afforded an opportunity to participate when:

(i) All prices and terms are clearly posted at all sales outlets for the benefit of operators and provided to all customers serviced by mobile sales representatives;

(ii) Manufacturers provide full details of the sale to all licensed distributors, including prices and terms, at least forty-eight hours prior to accepting orders for products or services being offered at a sale price. Such notice shall be by mail or telephone facsimile; and

(iii) Any limitations or conditions of the sale are clearly stated in advertisements or notices for such sale.

Can licensees enter into contracts that either require or restrict use of gambling-related products or services?

(2) Except as set forth in WAC 230-12-230, licensees shall not enter into contracts that directly or indirectly restrict the distribution or use of gambling equipment, devices, paraphernalia, supplies, or services: *Provided*, That holders of proprietary rights to products or services that have been gained through patents, copyrights, trademarks, or other similar rights bestowed by state or federal law or by courts shall be allowed to enter into license agreements with manufacturers that restrict the ability to manufacture or distribute products or services if all other requirements of this section are met. The following transactions are prohibited:

(a) An operator or distributor shall not agree to deal in, purchase, sell, lease, or operate any particular brand or brands of gambling device or equipment to the exclusion of any other brand of gambling device or equipment;

(b) A manufacturer or distributor, or licensed representative or employee thereof, shall not sell or offer to sell, lease, or loan any gambling-related product, service, or merchandise if such is contingent upon the purchase or order of another product, service, or merchandise: *Provided*, That a manufacturer may offer for sale in the state of Washington, pull tab dispensing devices that are designed to use specifically developed pull tab series if the manufacturer has a patent or other exclusive right to protect its distribution; and

(c) Except as set forth in this subsection, no person shall enter into any agreement, express or implied, that prohibits a person from selling or providing any gambling-related product or service within a particular geographic area: *Provided*, That -

(i) Licensed manufacturers, distributors, and service suppliers may enter into such agreements with its licensed representative; and

(ii) An operator may enter into an agreement with a licensed service supplier that is supplying only management or consulting services when such agreement only restricts the service supplier from supplying the same or similar services to other operators within a specified geographic area.

Are discounts allowed?

(3) Manufacturers and distributors may offer discounts of base prices that are authorized by this section when such discounts are nondiscriminatory. For purposes of this title, discounts will be deemed to be nondiscriminatory when:

(a) Offered to all licensees on the same terms;

(b) The scheme upon which the discount is based is in writing and submitted to the commission at least forty-eight hours prior to being offered;

(c) The discount applies only to a single sales transaction and does not relate to a level of sales made over a period of time; and

(d) The level of a discount is based only upon any of the following criteria:

(i) The amount of product sold or the dollar value of the sale;

(ii) Whether the purchaser makes full payment in cash at time of sale;

(iii) Whether the purchaser makes final payment for a transaction within a predetermined time period for sales made under "trade account" terms; and

(iv) Any other structure or terms, subject to preapproval by the director. The manufacturer shall pay for the approval

process and any additional requirements necessary to assure compliance with this section.

Can manufacturers or distributors elect to limit their sales to a specific market level?

(4) A licensed manufacturer or distributor may elect to limit sales of products and services to licensees at any marketing level. For purposes of this section, marketing levels are defined as manufacturer, distributor, and operator. If a manufacturer or distributor elects to make sales to any licensee at a marketing level, sales must be made to all licensees at the same level: *Provided*, That transactions between a manufacturer and distributor, when both are owned and operated by the same persons, are considered internal to that business. For purposes of this section, internal transactions are not considered sales at a different marketing level. All other restrictions of this section apply to such sales. For example:

(a) A licensed manufacturer may elect to sell or provide products and services only to distributors; or

(b) A licensed distributor may elect to sell or provide products and services only to operators.

Can manufacturers or distributors establish minimum purchase requirements?

(5) Manufacturers or distributors shall not set minimum purchase requirements for any product or service, except as authorized below:

(a) Minimum purchase requirements are not allowed for purchases made under prepaid or cash on delivery (COD) terms: *Provided*, That manufacturers may establish and charge a reasonable fee for services to handle an order for products or services below a specified level, if such policy is in writing and provided to distributors prior to accepting orders;

(b) Minimum purchase restrictions may be set for transactions between manufacturers and distributors that are conducted using trade account terms, as authorized by WAC 230-12-340;

(c) Discounts may be set based upon a minimum purchase amount as authorized by subsection (3) of this section; and

(d) Minimum purchase restrictions may be placed on products being offered for a bargain or "sale" price if a bargain or "sale" price is established for any and all levels of purchases under such terms.

Are there restrictions on the sale of nongambling products or services sold to licensees by manufacturers or distributors?

(6) A manufacturer or distributor shall not grant licensees, nor shall such licensees accept, more favorable prices, credit terms, or other arrangements than those extended to nonlicensed persons purchasing identical or similar nongambling goods or services. The price of nongambling goods or services sold to licensees shall be in conformity with the open market price in the locality where sold. The terms of such sales shall not exceed those normally granted in accordance with the customary business practice of the particular trade in the locality where such sales are made.

Do the restrictions set forth in this section apply to class III transactions?

(7) This section shall not apply to transactions conducted with tribal governments operating class III casinos under tribal/state compacts or with management companies operating such casinos on the behalf of tribal governments.

NEW SECTION

WAC 230-12-340 Sale of gambling equipment, devices, supplies, paraphernalia, and related services—Credit prohibited—Exceptions. The use of credit in the sale of gambling equipment, devices, related supplies or paraphernalia, and services is prohibited. Except as authorized by this section, all sales of such shall be transacted on a cash basis. The following definitions, restrictions, and procedures apply to this section:

What definitions apply to this section?

(1) For purposes of this section, the following definitions apply:

(a) A "cash basis" means full payment is received by the seller on or before actual delivery of the product or service to the purchaser;

(b) A "trade account" is a payment system that allows distributors to place orders for inventory or services from manufacturers or distributors and to make payment for such within a specific period of time after shipment of the product or completion of the service;

(c) "Prescribed time period" is the maximum period of time a distributor has to pay for purchases of goods or services made under trade account terms prior to being restricted to cash basis terms. The time period begins when a product is shipped or service completed and ends on the date payment is actually delivered to the manufacturer or distributor, or if delivered by the U.S. mail, the postmark date of the envelope containing the payment. For purposes of this section, prescribed time period means no later than sixty days after shipment of the products or completion of the services for all sales made on or after January 1, 1998.

What transactions are exempt from the requirements of this section?

(2) For purposes of this WAC title, the following transactions are authorized and shall not be deemed as credit or loans of money when applicable requirements are met:

(a) Purchases of goods and services from manufacturers or distributors when paid for by checks that meet the requirements of WAC 230-12-350;

(b) Purchases of goods or services by distributors from manufacturers or other distributors when utilizing trade account terms and the requirements of subsection (3) of this section are followed;

(c) Promissory notes between manufacturers and distributors for payment of debts incurred prior to the effective date of this section when such notes are issued under the conditions set forth in this section;

(d) Purchases made under capital lease agreements when the requirements of this section are followed;

(e) All transactions between manufacturers or distributors and tribal governments or companies certified to manage

class III gambling activities operated under a tribal/state compact are exempt from all provisions of this section; and

(f) The sales of nongambling equipment, fixtures, supplies, or commodities to licensees are exempt from all provisions of this section when the requirements of WAC 230-12-330 are met.

Can distributors purchase gambling-related inventory or services on other than a cash basis?

(3) Manufacturers and distributors may allow distributors to establish "trade accounts" to purchase gambling-related inventory or services without making immediate payment under the following conditions:

What restrictions apply to trade accounts?

(a) Trade account terms, if offered to any distributor, shall be made available to all distributors without discrimination: *Provided*, That trade accounts may be restricted to distributors that:

(i) Meet objective credit criterion established by a manufacturer or distributor. Such criterion must be in writing, available to the commission for review, and provided to any distributor upon request. A manufacturer or distributor may include a distributor's payment history as a part of the trade account approval criterion;

(ii) Meet minimum purchase requirements established by the manufacturer: *Provided*, That the minimum purchase requirement shall not be greater than five hundred dollars per transaction;

(b) Trade account terms shall not allow a manufacturer or distributor to gain any ownership or financial interest in a licensee. This section is not intended to prohibit or restrict a manufacturer or distributor from gaining a security interest in inventory sold for credit, as authorized by the Uniform Commercial Code: *Provided*, That this section shall not allow a manufacturer to obtain an interest in inventory sold by any other manufacturer under trade account terms;

(c) A distributor shall make full payment for all goods or services purchased under trade account terms within the prescribed time period. Failure to pay within the prescribed time period may be deemed solicitation of credit by the distributor.

What must a manufacturer or distributor do when a distributor fails to make payments for trade account purchases within the prescribed time period?

(4) When a distributor fails to pay for goods or services purchased under trade account terms within the prescribed time period, the creditor manufacturer or distributor shall comply with the procedures set forth below. Failure to comply with these procedures may result in the manufacturer or distributor being deemed to have extended credit to the distributor. The following procedures must be followed when a distributor fails to make required payments:

(a) Notify the delinquent distributor and the commission of failure to pay by telephone no later than the end of the next business day;

(b) Restrict sales of all goods and services to the delinquent distributor no later than the end of the third business day after the default: *Provided*, That sales may be made to a delinquent distributor on a cash basis only;

(c) Notify the commission in writing no later than the end of the fifth business day after default. Written notification shall include at least the following:

- (i) The distributor's name;
- (ii) The invoice or shipping order numbers involved in the transaction;
- (iii) The dollar amount of the delinquent account;
- (iv) The date the item was shipped or service was provided;
- (v) A statement of whether the distributor has filed a complaint regarding billings and whether the amount owed is in dispute;
- (vi) Any agreements between the parties to clear the debt, including terms, payment schedule, and any third party guarantors of the debt;
- (vii) The interest rate or service charge, if such is charged;
- (viii) Whether a security interest in the inventory or any other assets of the licensed distributor or individual owners of the distributor has been obtained or is in effect; and
- (ix) Any other information requested by the commission.

What action will the commission take after being notified in writing that a distributor has failed to make timely payment on a trade account?

(5) If the director does not receive notice that the debtor distributor has corrected the conditions which caused the default prior to the end of the seventh business day after initial notice was received, all licensed manufacturers and distributors will be notified that such distributor has been restricted to cash basis terms. Initial notification shall be by telephone or facsimile on the next business day, followed by written notification within ten days. The manufacturer or distributor shall immediately notify the commission by telephone or facsimile upon receipt of payment. If notified prior to the end of the seventh business day after initially notifying the commission, the director will stop all proceedings and allow the reporting manufacturer or distributor to continue trade account terms without taking further action.

What action shall manufacturers and distributors take after notification by the director that a distributor has been restricted?

(6) Upon receipt of notification from the commission that a distributor has been restricted, manufacturers and distributors shall immediately cease sales, shipments of products, and providing of services to the delinquent distributor on other than a cash basis.

How long will the restrictions last?

(7) Any distributor that has been restricted by the director under this section shall remain restricted until all delinquent accounts with any reporting manufacturer or distributor are current and the director has been notified of such. The director shall utilize the following guidelines and procedures for removing trade account sales restrictions:

(a) First delinquent payment within a calendar year - The director shall notify all manufacturers by telephone or facsimile no later than the next business day after receiving notification that a delinquent distributor is current and that trade account sales may continue. Written notification shall be made within ten days; or

(b) Second and subsequent violations within a calendar year - The director may restrict a distributor to a cash basis for a period not to exceed sixty days beginning on the date of notification that a delinquent distributor is current. In this event, the director shall notify the delinquent distributor and all manufacturers and distributors in writing of the date when trade account terms may be continued.

What are the procedures and restrictions for gambling-related purchases occurring prior to January 1, 1998?

(8) Gambling-related products or services purchased by distributors prior to January 1, 1998, shall be paid in full no later than March 31, 1998. Any distributor failing to comply with this requirement shall be restricted to making purchases on a cash basis until all such accounts are paid in full. The director shall utilize the procedures set forth in subsections (5), (6), and (7) of this section to impose or remove restrictions imposed under this subsection: *Provided*, That creditor manufacturers and distributors may convert amounts owed by distributors at January 1, 1998, into a promissory note utilizing the procedures and restrictions set forth in this section.

What are the procedures and restrictions for conversion of trade debt outstanding at the effective date of this section to a promissory note?

(9) Manufacturers and distributors who elect to convert amounts owed from distributors at the effective date of this section to a promissory note shall utilize the following procedures and restrictions:

(a) Written notification of conversion to a promissory note, including a copy of such note, must be received by the commission no later than March 31, 1998;

(b) The promissory note shall not grant the manufacturer the ability to influence the management of the distributor's business: *Provided*, That in the case of legal bankruptcy, the terms and conditions of a bankruptcy order shall govern;

(c) The promissory note shall amortize the balance owed over a certain period that does not exceed sixty months;

(d) Manufacturers or distributors electing to grant promissory notes authorized by this section shall make such provisions available to all distributors with outstanding balances at the effective date of this section under the same conditions and terms;

(e) Terms of the promissory note shall require the following:

(i) Minimum monthly payment of the principal;

(ii) Interest rate, if any is imposed;

(iii) Full description of all collateral; and

(iv) Adequate details of the procedures to be followed for late payments and/or default;

(f) A creditor manufacturer or distributor shall immediately notify the commission if a distributor fails to abide by the terms of the note and the process being pursued to correct the situation. The director may, depending upon circumstances, impose restrictions set forth in subsections (5), (6), and (7) of this section on purchases under trade account terms for the delinquent distributor.

What are the restrictions and procedures governing the use of capital lease agreements?

(10) Licensed manufacturers and distributors may sell gambling equipment such as dispensers, bingo blowers, roulette wheels, etc., and gambling-related support equipment through capital lease agreements or other financing arrangements to operators subject to the following conditions and requirements:

(a) The cost of a single item, or group of similar and related items included in the sale, exceeds one thousand dollars;

(b) The term of the contract does not exceed forty-eight months;

(c) All terms of the contract are in writing and copies of such agreements are provided to the commission within thirty days of execution;

(d) The manufacturer or distributor retains only a security interest in the item sold and cannot obtain any ownership interest in the licensee, or exercise any control over the use of the item in the licensed activity;

(e) The amount of payments is not based on the size or level of gambling activity and is determined by use of a standard amortization schedule for the term and stated interest rate;

(f) The interest rate charged by the contract is set at the time of sale and does not vary during the term of the contract; and

(g) The contract does not require the purchaser to directly or indirectly purchase any other products or services from the seller.

NEW SECTION

WAC 230-12-350 Use of checks to purchase gambling equipment, products, and services—Restrictions. Checks may be used by licensed operators and distributors to purchase gambling equipment, devices, related supplies or paraphernalia, and services in lieu of cash under the following conditions:

What are the restrictions on checks utilized for payment of gambling products or services?

(1) Checks must be drawn on the licensee's business account: *Provided*, That personal checks drawn on the account of an owner, partner, or officer or substantial interest holder of a corporate licensee may be accepted.

(2) Checks received by distributors from operators must be negotiable and dated on or before the delivery date of the product or service. Checks shall not be postdated.

When must a check be deposited?

(3) Checks shall not be held and must be presented for payment at the manufacturer's or distributor's bank within the prescribed time frames. Failure to present checks within the prescribed time period shall be prima facie evidence of extension of credit to the drawer licensee by the manufacturer or distributor. Prescribed time frames are as follows:

(a) Checks received from operators shall be deposited within ten calendar days after the date the product or service was delivered; and

(b) Checks received from distributors shall be deposited within ten days of the date received or, if delivered by mail, thirteen days from the postmark of the envelope containing the payment.

What are the procedures for handling a dishonored check presented to a distributor by an operator?

(4) Checks from licensed operators that are initially returned by a bank for lack of sufficient funds may be deposited again if within five banking days after return by the bank. If dishonored by the bank a second time, the distributor shall:

(a) Deliver dishonored checks to an owner, manager, or officer of the licensee within seven banking days after return from the bank and demand payment in cash. If unable to deliver such checks to an owner, manager, or officer of the licensee within seven days, the distributor shall notify the commission; and

(b) Upon being presented with a check returned by the bank, licensees shall immediately replace such check with cash or a cash equivalent such as a money order, certified check, or other guaranteed negotiable instrument; or

(c) Failure of an operator to replace a check returned by a distributor with cash or a cash equivalent shall be prima facie evidence of solicitation of credit and must be reported to the commission by the distributor within seven days.

What are the procedures for handling a dishonored check presented to a manufacturer or distributor by a distributor?

(5) Checks from distributors that are initially returned by a bank for lack of sufficient funds shall be processed by manufacturers or distributors using the following procedures:

(a) Checks received for payment for a prepaid or COD transaction may be deposited again if within five banking days after return by the bank. If dishonored by the bank a second time, the manufacturer or distributor shall:

(i) Contact an owner, manager, or officer of the distributor within seven banking days by telephone or facsimile and demand payment by a certified check, postal money order, or other cash equivalent. If unable to contact an owner, manager, or officer within seven days, the manufacturer shall notify the commission;

(ii) Upon receipt of a cash equivalent to replace the dishonored check, the manufacturer or distributor shall return the check to the distributor by mail;

(iii) If a distributor that is presented a dishonored check does not immediately replace such check, the manufacturer or distributor shall cease all sales to the distributor and notify the commission within seven days. Failure to replace a dishonored check with cash or cash equivalent shall be prima facie evidence of solicitation of credit by the distributor.

(b) If payment is for a transaction completed with trade account terms, the manufacturer:

(i) May deposit the check again if the prescribed time period for payment has not passed; or

(ii) May contact an owner, manager, or officer of the distributor by telephone or facsimile and demand payment by a cash equivalent such as a certified check or postal money order;

(iii) If the bank clears the check or payment is otherwise received prior to the prescribed time period for payment, no further action is required; and

(iv) If the prescribed time period for payment has passed and the dishonored check is not replaced prior to such, the manufacturer shall comply with the procedures set

forth in WAC 230-12-340 for failure to make timely payment under trade account terms.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-12-200 Prohibited practices—Contracts—Gifts—Rebates, etc.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 230-30-200 Punchboard and pull tab business restrictions.

NEW SECTION

WAC 131-16-067 Medical expense plans—Definitions. For purposes of establishing medical expense plans authorized under WAC 131-16-068, the following terms are defined:

- (1) "Eligible employees" means any of the following groups of community and technical college system employees:
 - (a) Academic employees as defined in RCW 28B.52.-020;
 - (b) Classified employees of technical colleges whose employment is governed under chapter 41.56 RCW;
 - (c) Professional, paraprofessional, and administrative employees exempt from chapter 41.06 RCW; and
 - (d) Employees of the state board for community and technical colleges who are exempt from chapter 41.06 RCW.
- (2) "Covered eligible employee" means an eligible employee who is in a group for which a college board or the state board for community and technical colleges has established a medical expense plan.

NEW SECTION

WAC 131-16-068 Medical expense plans authorized.

- (1) In lieu of remuneration for unused sick leave at retirement, a college board (or the state board for community and technical colleges for employees under its jurisdiction) may provide with equivalent funds a medical expense plan for eligible employees.
- (2) A medical expense plan provided under this section shall require, as a condition of participation, that each covered eligible employee sign an agreement to hold the employer harmless if the employee or employer is later found to be indebted to the United States as a result of:
 - (a) The employee not paying income taxes on amounts contributed to the plan; or
 - (b) The employer not withholding or deducting a tax, assessment, or other payment on funds contributed to the plan as required by federal law.
 Such agreement shall also include a provision requiring each covered eligible employee to forfeit remuneration for accrued sick leave at retirement if he/she is covered by a medical expense plan and the employee refuses to sign the required agreement.
- (3) In providing a medical expense plan authorized under this section, a college board or the state board may only provide such plan covering all employees in one or more of the groups defined in WAC 131-16-067.
- (4) In providing a medical expense plan for a group of eligible employees whose conditions of employment are governed by chapter 28B.52 or 41.56 RCW, a college board may only provide such plan by agreement applicable to all of the members of a bargaining unit.
- (5) A medical expense plan established under this section shall be applicable to all retirements of covered eligible employees within a calendar year. Such a medical expense plan may be discontinued in any future year, but once discontinued it may not be reinstated for the same group of eligible employees within the same calendar year as it was discontinued.

**WSR 97-20-030
PERMANENT RULES**

**STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES**

[Filed September 23, 1997, 10:15 a.m.]

Date of Adoption: September 18, 1997.

Purpose: To allow authorized college boards (and the state board for its own employees) to provide tax-free medical expense plans. Funding for each eligible employee's medical expense account is from sick-leave buyout. Implements SHB 2090 during the 1997 session.

Citation of Existing Rules Affected by this Order: Adds two new sections WAC 131-16-067 and 131-16-068.

Statutory Authority for Adoption: Chapter 28B.50 RCW.

Other Authority: Implements SHB 2090 passed during the 1997 legislative session.

Adopted under notice filed as WSR 97-16-089 on August 5, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 2, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 2, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 23, 1997

Claire C. Krueger

Executive Assistant

Agency Rules Coordinator

PERMANENT

WSR 97-20-051
PERMANENT RULES
LOTTERY COMMISSION
 [Filed September 24, 1997, 11:57 a.m.]

Date of Adoption: September 12, 1997.

Purpose: Repeals rules for instant games no longer needed because the games governed by those sections have been closed and the time period for redeeming prizes has expired. Repeals on-line game rules and "paper scratch games" (aka "scratch tabs") which are no longer offered or have been replaced by another chapter.

Citation of Existing Rules Affected by this Order:
 Repealing WAC 315-11-600 Definitions for Instant Game Number 60 ("Double Feature"), 315-11-601 Criteria for Instant Game Number 60, 315-11-602 Ticket validation requirements for Instant Game Number 60, 315-11-610 Definitions for Instant Game Number 61 ("Triple Play"), 315-11-611 Criteria for Instant Game Number 61, 315-11-612 Ticket validation requirements for Instant Game Number 61, 315-11-620 Definitions for Instant Game Number 62 ("Roulette"), 315-11-621 Criteria for Instant Game Number 62, 315-11-622 Ticket validation requirements for Instant Game Number 62, 315-11-630 Definitions for Instant Game Number 63 ("Lucky 7's"), 315-11-631 Criteria for Instant Game Number 63, 315-11-632 Ticket validation requirements for Instant Game Number 63, 315-11-640 Definitions for Instant Game Number 64 ("Play Days"), 315-11-641 Criteria for Instant Game Number 64, 315-11-642 Ticket validation requirements for Instant Game Number 64, 315-11-650 Definitions for Instant Game Number 65 ("Touch-down"), 315-11-651 Criteria for Instant Game Number 65, 315-11-652 Ticket validation requirements for Instant Game Number 65, 315-11-660 Definitions for Instant Game Number 66 ("Tumbling Dice"), 315-11-661 Criteria for Instant Game Number 66, 315-11-662 Ticket validation requirements for Instant Game Number 66, 315-11-670 Definitions for Instant Game Number 67 ("21"), 315-11-671 Criteria for Instant Game Number 67, 315-11-672 Ticket validation requirements for Instant Game Number 67, 315-11-680 Definitions for Instant Game Number 68 ("Mistledough"), 315-11-681 Criteria for Instant Game Number 68, 315-11-682 Ticket validation requirements for Instant Game Number 68, 315-11-690 Definitions for Instant Game Number 69 ("Gold Rush"), 315-11-691 Criteria for Instant Game Number 69, 315-11-692 Ticket validation requirements for Instant Game Number 69, 315-11-703 Definitions for Instant Game Number 70 ("Winning Spirit"), 315-11-704 Criteria for Instant Game Number 70, 315-11-705 Ticket validation requirements for Instant Game Number 70, 315-11-710 Definitions for Instant Game Number 71 ("Lucky 7's II"), 315-11-711 Criteria for Instant Game Number 71, 315-11-712 Ticket validation requirements for Instant Game Number 71, 315-11-720 Definitions for Instant Game Number 72 ("Moolah Moolah"), 315-11-721 Criteria for Instant Game Number 72, 315-11-722 Ticket validation requirements for Instant Game Number 72, 315-11-730 Definitions for Instant Game Number 73 ("Whirlwin"), 315-11-731 Criteria for Instant Game Number 73, 315-11-732 Ticket validation requirements for Instant Game Number 73, 315-11-740 Definitions for Instant Game Number 74 ("Grand Slam II"), 315-11-741 Criteria for Instant Game Number 74, 315-11-742 Ticket validation requirements for Instant Game

Number 74, 315-11-753 Definitions for Instant Game Number 75 ("Wildcard"), 315-11-754 Criteria for Instant Game Number 75, 315-11-755 Ticket validation requirements for Instant Game Number 75, 315-11-760 Definitions for Instant Game Number 76 ("Gold & Glory"), 315-11-761 Criteria for Instant Game Number 76, 315-11-762 Ticket validation requirements for Instant Game Number 76, 315-11-770 Definitions for Instant Game Number 77 ("Three Cards Up"), 315-11-771 Criteria for Instant Game Number 77, 315-11-772 Ticket validation requirements for Instant Game Number 77, 315-11-780 Definitions for Instant Game Number 78 ("Applebucks"), 315-11-781 Criteria for Instant Game Number 78, 315-11-782 Ticket validation requirements for Instant Game Number 78, 315-11-790 Definitions for Instant Game Number 79 ("Movie Money"), 315-11-791 Criteria for Instant Game Number 79, 315-11-792 Ticket validation requirements for Instant Game Number 79, 315-11-800 Definitions for Instant Game Number 80 ("Bowling for Bucks"), 315-11-801 Criteria for Instant Game Number 80, 315-11-802 Ticket validation requirements for Instant Game Number 80, 315-11-810 Definitions for Instant Game Number 81 ("Joker Poker"), 315-11-811 Criteria for Instant Game Number 81, 315-11-812 Ticket validation requirements for Instant Game Number 81, 315-11-820 Definitions for Instant Game Number 82 ("10th Anniversary Game"), 315-11-821 Criteria for Instant Game Number 82, 315-11-822 Ticket validation requirements for Instant Game Number 82, 315-11-830 Definitions for Instant Game Number 83 ("Surprise Package"), 315-11-831 Criteria for Instant Game Number 83, 315-11-832 Ticket validation requirements for Instant Game Number 83, 315-11-840 Definitions for Instant Game Number 84 ("Fat Cat"), 315-11-841 Criteria for Instant Game Number 84, 315-11-842 Ticket validation requirements for Instant Game Number 84, 315-11-850 Definitions for Instant Game Number 85 ("7-11-21"), 315-11-851 Criteria for Instant Game Number 85, 315-11-852 Ticket validation requirements for Instant Game Number 85, 315-11-860 Definitions for Instant Game Number 86 ("Black Jack"), 315-11-861 Criteria for Instant Game Number 86, 315-11-862 Ticket validation requirements for Instant Game Number 86, 315-11-870 Definitions for Instant Game Number 87 ("Double Dribble"), 315-11-871 Criteria for Instant Game Number 87, 315-11-872 Ticket validation requirements for Instant Game Number 87, 315-11-880 Definitions for Instant Game Number 88 ("Money Tree"), 315-11-881 Criteria for Instant Game Number 88, 315-11-882 Ticket validation requirements for Instant Game Number 88, 315-11-890 Definitions for Instant Game Number 89 ("Lucky 8's"), 315-11-891 Criteria for Instant Game Number 89, 315-11-892 Ticket validation requirements for Instant Game Number 89, 315-11-900 Definitions for Instant Game Number 90 ("Jackpot"), 315-11-901 Criteria for Instant Game Number 90, 315-11-902 Ticket validation requirements for Instant Game Number 90, 315-11-910 Definitions for Instant Game Number 91 ("Walla Walla Walla"), 315-11-911 Criteria for Instant Game Number 91, 315-11-912 Ticket validation requirements for Instant Game Number 91, 315-11-920 Definitions for Instant Game Number 92 ("Triple Play"), 315-11-921 Criteria for Instant Game Number 92, 315-11-922 Ticket validation requirements for Instant Game Number 92, 315-11-930 Definitions for Instant Game Number 93 ("Hog Mania"), 315-11-931

Criteria for Instant Game Number 93, 315-11-932 Ticket validation requirements for Instant Game Number 93, 315-11-940 Definitions for Instant Game Number 94 ("Applebucks II"), 315-11-941 Criteria for Instant Game Number 94, 315-11-942 Ticket validation requirements for Instant Game Number 94, 315-11-950 Definitions for Instant Game Number 95 ("High Roller"), 315-11-951 Criteria for Instant Game Number 95, 315-11-952 Ticket validation requirements for Instant Game Number 95, 315-11-960 Definitions for Instant Game Number 96 ("Tic-Tac-Dough"), 315-11-961 Criteria for Instant Game Number 96, 315-11-962 Ticket validation requirements for Instant Game Number 96, 315-11-970 Definitions for Instant Game Number 97 ("Lucky Charm"), 315-11-971 Criteria for Instant Game Number 97, 315-11-972 Ticket validation requirements for Instant Game Number 97, 315-11-980 Definitions for Instant Game Number 98 ("Ace in the Hole"), 315-11-981 Criteria for Instant Game Number 98, 315-11-982 Ticket validation requirements for Instant Game Number 98, 315-11-990 Definitions for Instant Game Number 99 ("Megamoney"), 315-11-991 Criteria for Instant Game Number 99, 315-11-992 Ticket validation requirements for Instant Game Number 99, 315-11A-100 Instant Game Number 100 ("Top Banana"), 315-11A-101 Instant Game Number 101 ("Top Banana"), 315-11A-102 Instant Game Number 102 ("Mistledough"), 315-11A-103 Instant Game Number 103 ("Lucky Duck"), 315-11A-104 Instant Game Number 104 ("Money Match"), 315-11A-105 Instant Game Number 105 ("Cash Cards"), 315-11A-106 Instant Game Number 106 ("Cash Explosion"), 315-11A-107 Instant Game Number 107 ("Break the Bank"), 315-11A-108 Instant Game Number 108 ("Money Bags"), 315-11A-109 Instant Game Number 109 ("Black Jacks"), 315-11A-110 Instant Game Number 110 ("Instant Cash"), 315-11A-111 Instant Game Number 111 ("Monopoly"), 315-11A-112 Instant Game Number 112 ("Cash Cow"), 315-11A-113 Instant Game Number 113 ("Tumbling Dice"), 315-11A-114 Instant Game Number 114 ("Wildcard"), 315-11A-115 Instant Game Number 115 ("Cash Roulette"), 315-11A-116 Instant Game Number 116 ("Fortune"), 315-11A-117 Instant Game Number 117 ("Cash Crop"), 315-11A-118 Instant Game Number 118 ("Aces Wild"), 315-11A-119 Instant Game Number 119 ("Lots of Bucks"), 315-11A-120 Instant Game Number 120 ("Lucky Deal"), 315-11A-121 Instant Game Number 121 ("Hog Mania"), 315-11A-122 Instant Game Number 122 ("High Card"), 315-11A-123 Instant Game Number 123 ("Holiday Cash"), 315-11A-124 Instant Game Number 124 ("Queen of Hearts"), 315-11A-125 Instant Game Number 125 ("Windfall"), 315-11A-126 Instant Game Number 126 ("Megamoney II"), 315-11A-127 Instant Game Number 127 ("7-11-21"), 315-11A-128 Instant Game Number 128 ("\$2 Big Kahuna"), 315-11A-129 Instant Game Number 129 ("Beat the Dealer"), 315-11A-130 Instant Game Number 130 ("Moolah Moolah"), 315-11A-131 Instant Game Number 131 ("Spin 'n Win"), 315-11A-132 Instant Game Number 132 ("Treasure Chest"), 315-11A-133 Instant Game Number 133 ("Pocket Cash"), 315-11A-134 Instant Game Number 134 ("7 Cards Up"), 315-11A-135 Instant Game Number 135 ("Bingo"), 315-11A-136 Instant Game Number 136 ("Ace in the Hole"), chapter 315-32 WAC, Lotto rules, chapter 315-33 WAC, Quinto rules, chapter 315-33B WAC, "Beat the State" rules, chapter 315-40 WAC, Paper scratch game

general rules, and chapter 315-41 WAC, Paper scratch game—Specific rules.

Statutory Authority for Adoption: RCW 67.70.040.

Adopted under Preproposal Statement of Inquiry filed as WSR 97-14-016 on June 20, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 60.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 17, 1997

Merritt D. Long

Director

WSR 97-20-052

PERMANENT RULES

LOTTERY COMMISSION

[Filed September 24, 1997, 12:01 p.m.]

Date of Adoption: September 12, 1997.

Purpose: Establishes game play rules and criteria for determining winners of Instant Game Nos. 204, 205, 206, and 207; amends WAC 315-06-120 to allow Lotto jackpot winners to assign all or part of their prize to a third party; and amends WAC 315-06-123 to allow the lottery to recover administrative costs associated with processing prizes assigned to a third party.

Citation of Existing Rules Affected by this Order: Amending WAC 315-06-120 and 315-06-123.

Statutory Authority for Adoption: RCW 67.70.040.

Adopted under notice filed as WSR 97-15-123 on July 23, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 4, amended 2, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 16, 1997
Merritt D. Long
Director

AMENDATORY SECTION (Amending WSR 96-19-071,
filed 9/17/96, effective 10/18/96)

NEW SECTION

WAC 315-11A-204 Instant Game Number 204. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 204, on file at the lottery headquarters office.

(2) **Price per ticket:** One dollar.

(3) **Prizes available:** \$1, \$2, \$3, \$4, \$5, \$10, \$20, \$50, \$100, \$200, \$300, \$500, and \$1,000. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** Match "Your Score" to the "Winning Bullseye Score." Uncover a dart symbol to double the corresponding prize.

NEW SECTION

WAC 315-11A-205 Instant Game Number 205. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 205, on file at the lottery headquarters office.

(2) **Price per ticket:** One dollar.

(3) **Prizes available:** \$1, \$2, \$3, \$4, \$5, \$6, \$10, \$25, \$50, \$100, \$200, \$500, \$1,000, \$2,000, and \$3,000. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** Match any of the "Your Symbols" to the "Winning Symbol."

NEW SECTION

WAC 315-11A-206 Instant Game Number 206. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 206, on file at the lottery headquarters office.

(2) **Price per ticket:** Two dollars.

(3) **Prizes available:** \$2, \$4, \$8, \$20, \$50, \$100, \$500, and \$10,000. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** Uncover three like cards within one hand to win the amount shown on the legend on the front of the ticket.

NEW SECTION

WAC 315-11A-207 Instant Game Number 207. (1) **Essential game elements** shall appear as set forth in the executed working papers for Instant Game Number 207, on file at the lottery headquarters office.

(2) **Price per ticket:** Three dollars.

(3) **Prizes available:** \$1, \$2, \$3, \$5, \$6, \$10, \$15, \$20, \$25, \$30, \$50, \$500, \$1,500, \$3,000, and \$10,000. Players may win more than one prize per ticket.

(4) **Manner of selecting winning tickets:** The sum of the yards within a game totals 10 or more. Uncover the word "Touchdown" in the Bonus Play to win \$25 instantly.

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 one claimant, which shall be either a natural person, association, corporation, general or limited partnership, club, trust, estate, society, company, joint stock company, receiver, trustee, or another acting in a fiduciary or representative capacity whether appointed by a court or otherwise. 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 claimant: *Provided*, That if the address label or stamp contains the name of more than one claimant, the prize payment will be made to the one who has signed the ticket and/or claim form or, if there is no signature or two signatures, to the first claimant listed on the address label or stamp. The claimant must submit his or her Social Security number (SSN) or the federal employer's identification number (FEIN) when claiming any prize exceeding six hundred dollars.

(3) A claim may be entered in the name of a claimant other than a natural person only if the claimant is a legal entity and possesses a federal employer's identification number (FEIN) as issued by the Internal Revenue Service, such number is shown on the claim form and the entity's terms comply with subsection (4) of this section. 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 natural person or one legal entity in whose name the claim is to be entered.

(4) The terms governing a claimant other than a natural person, i.e., articles of incorporation, trust terms, etc., shall be submitted to the director for approval. Terms not in compliance with lottery statutes or rules shall not be approved. Payment shall not be made to a claimant other than a natural person until the director has approved the terms.

All claimants other than natural persons shall have governing terms which:

(a) Prohibit deletion, amendment, or addition of terms without the director's approval;

(b) State the names of all natural persons who have a direct or indirect right or interest in the claimant, each of their percentage interests and their Social Security numbers;

(c) Acknowledge that the debt collection process mandated by RCW 67.70.255 and WAC 315-06-125 shall be applied to the natural persons who hold interests in the claimant through their Social Security numbers; and

(d) Provide that in the event the claimant ceases to exist prior to the full payout of the prize, the lottery will not make further payment without court order.

(5) The lottery shall not make payment to a claimant other than a natural person unless the terms governing the claimant include those enumerated in subsection (4) of this section.

(6) 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 and, upon written permission, photograph for publicity purposes by the lottery.

(7) 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.

(8) 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.

(9) No natural person or legal entity entitled to a prize may assign the right to payment, except under the following limited circumstances:

(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; and

(b) When payment of all or part of the ((entire)) remainder of an annuity and the right to receive future annual prize payments has been voluntarily assigned to another person, pursuant to an appropriate judicial order that meets the requirements of RCW 67.70.100(2). ~~((No voluntary assignment is effective unless and until the national office of the Federal Internal Revenue Service provides a ruling that the voluntary assignment of prizes will not affect the federal income tax treatment of prize winners who do not assign their prizes.))~~

(10) 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.

(11) 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.

(12) 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, except that when a drawing occurs during the last week of the calendar year and it is impossible to claim the prize in the calendar year of the drawing solely due to weekend or extraordinary closure of the lottery's offices, installment payments shall be made weekly, monthly, or annually, in accordance with the type of prize awarded, from the date prize is claimed; 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.

(13) 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.

(14) If any prize is payable for the life of the winner, only a natural person may claim such a prize. Such "win for life" type prizes shall cease upon the death of the winner or the end of a guaranteed payment period (if any), whichever is later. Win for life prizes may be assigned; and the following conditions apply to such assignments:

(a) The original winner's actual life shall determine when prize payments cease; and

(b) The assignee shall be responsible for notifying the lottery of the original winner's death.

(15) 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.

(16) 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.

(17) 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 WSR 96-15-124, filed 7/24/96, effective 8/24/96)

WAC 315-06-123 Voluntary assignment of prize pursuant to an appropriate judicial order. (1) In the case of a voluntary assignment of a right to a prize pursuant to an appropriate judicial order, the director shall make payment to the person designated by a certified copy of the order

which has been served upon the director personally or by certified mail provided that the order contains, in addition to the requirements set forth in RCW 67.70.100(2), the following provisions:

(a) The assignor's name. For an initial assignment, the winner's name as it appears on the prize claim form;

(b) The assignee's name;

(c) The citizenship or resident alien number of the assignee (if a natural person).

(2) The certified copy of the order must be served on the director at least twelve working days prior to the annual payment date to allow for a change in the payee. The director shall not be liable for failure to pay an annual payment to an assignee if service of the order and presentation of the required information for tax withholding purposes described in subsection (3) of this section is not timely made.

(3) Payment shall be made payable to the name of the assignee designated in the judicial order and to no other name and federal income tax withholding shall be deducted from each payment and reported to the Internal Revenue Service. The assignee shall provide its Social Security number, if a natural person, or tax identification number, if a legal entity, to the director at the time the judicial order is served for the purpose of reporting tax withholding to the Internal Revenue Service and for the purpose of applying the debt collection process as described in subsection (5) of this section.

(4) RCW 67.70.100 authorizes the director (~~shall~~) to charge actual costs for each assignment and deduct such costs (~~shall be deducted~~) from the initial annuity payment made to the assignee. In determining actual costs the director (~~shall consider~~) has considered the (~~following expenses: (a)~~) staff time required to determine the sufficiency of the judicial order and to process the initial payment; (~~(b)~~) telegraphic and long distance telephone communications, photocopying, (~~at the rate of ten cents per page,~~) postage, and private delivery service; (~~(c)~~) and legal services directly related to determining the sufficiency of the judicial order and processing of the initial payment, including legal services and costs associated with any legal proceeding in which the agency is represented by the office of the attorney general. The director has determined the following costs shall be deducted from the initial annuity payment made to each assignee:

(a) Assignment of whole annuity payments (one or more years) resulting in payment only to the assignee during each year of the assignment: \$250; or

(b) Assignment of a portion/percentage of annuity payments resulting in annual payments to one or more assignees and/or the original prize winner: \$300 for the first year of the assignment, plus \$75 for each year thereafter.

The director shall review these costs at least biennially from December 1, 1997, and shall recommend adjustments, if necessary, for commission consideration and approval.

(5) The debt collection process mandated by RCW 67.70.255 and WAC 315-06-125 shall be applied to all payments made to any person pursuant to a voluntary assignment. The term person shall have the same meaning as the definition set forth in WAC 315-02-180.

WSR 97-20-056
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Public Assistance)

[Filed September 24, 1997, 2:10 p.m.]

Date of Adoption: September 24, 1997.

Purpose: To comply with the federal requirement in Public Law 104-193 and state legislation, EHB 3901 (1997), which (1) denies temporary assistance for needy families (TANF) benefits to families that include an adult who has received TANF for sixty months beginning August 1, 1997, and (2) repeals Washington state's success through employment program (STEP) waiver.

Citation of Existing Rules Affected by this Order: Repealing chapter 388-201 WAC, Success through employment program (STEP); and amending WAC 388-215-1010 Five year lifetime time limit.

Statutory Authority for Adoption: RCW 74.04.050 and 74.04.055.

Other Authority: Public Law 104-193, Section 103 (a)(1), EHB 3901, sections 103 and 105 (1997).

Adopted under notice filed as WSR 97-15-031 on July 9, 1997.

Changes Other than Editing from Proposed to Adopted Version: The term "Indian country" was substituted for "Indian reservation," and the 1,000-person minimum population requirement for reservations and Alaskan Native villages has been eliminated per recent federal legislation. A statement was also added to clarify that an adult who has received the maximum of sixty months of TANF cannot be excluded from the assistance unit. A definition of minor child head of household has been added.

Number of Sections Adopted in Order to Comply with Federal Statute: New 1, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 1.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 34, 1997

Merry A. Kogut, Manager
Rules and Policies Assistance Unit

NEW SECTION

WAC 388-215-1010 Five year lifetime time limits.

(1) The department shall deny TANF to any family that includes an adult who has received TANF for sixty months after August 1, 1997.

(2) An adult, who may be excluded from the family assistance unit for factors not related to need as specified in WAC 388-215-1620, cannot be excluded solely for having received TANF for sixty months.

(3) In calculating the number of months an adult family member has received TANF for the purposes of subsection (1) of this section, the department shall disregard any month in which the adult received TANF:

(a) As a minor child who was not the head of a household or married to the head of a household. For the purposes of this subsection, a minor child is not the head of a household when residing with a parent, legal guardian, or other adult relative, or living in a department-approved living arrangement under the supervision of a non-related adult; or

(b) While living in Indian country or an Alaskan Native village, if during the month the individual received TANF at least fifty percent of the adults living on the reservation or in the village were unemployed.

(4) After an individual has received fifty-two months of TANF, the department may exempt that person from the requirements of subsection (1) of this section for reasons of hardship or family violence, provided the total number of exempted TANF cases does not exceed twenty percent of the average monthly number of cases statewide during a fiscal year.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

388-201 Success through employment program (STEP).

WSR 97-20-066
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Filed September 25, 1997, 3:24 p.m., effective October 1, 1997]

Date of Adoption: September 25, 1997.

Purpose: To comply with legislated budget reductions. This revision will amend WAC 388-15-202(45) to include children age seventeen years and younger living with natural, step, or adoptive parents in the definition of "shared living arrangement." This will limit the entitlement to Medicaid personal care to the "shared living" rate.

Citation of Existing Rules Affected by this Order: Amending WAC 388-15-202(45).

Statutory Authority for Adoption: RCW 74.09.520.

Adopted under notice filed as WSR 97-17-091 on August 19, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 1, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: This rule must be effective on October 1, 1997, in order to comply with RCW 74.09.520 which requires the department to provide personal services benefits to the extent funding is available.

Effective Date of Rule: October 1, 1997.

September 25, 1997

Merry A. Kogut, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 96-20-093, filed 10/1/96, effective 11/1/96)

WAC 388-15-202 Long-term care services—
Definitions. The department shall use the definition in subsections (1) through (50) of this section for long-term care services. "Long-term care services" means the services administered directly or through contract by the aging and adult services administration of the department, including but not limited to nursing facility care and home and community services.

(1) "Aged person" means a person sixty-five years of age or older.

(2) "Agency provider" means a licensed home care agency or a licensed home health agency having a contract to provide long-term care personal care services to a client in the client's own home.

(3) "Application" means a written request for medical assistance or long-term care services submitted to the department by the applicant, the applicant's authorized representative, or, if the applicant is incompetent or incapacitated, someone acting responsibly for the applicant. The applicant shall submit the request on a form prescribed by the department.

(4) "Assessment" means an inventory and evaluation of abilities and needs.

(5) "Attendant care" means the chore personal care service provided to a grandfathered client needing full-time care due to the client's need for:

(a) Assistance with personal care; or

(b) Protective supervision due to confusion, forgetfulness, or lack of judgment. Protective supervision does not include responsibilities a legal guardian should assume such as management of property and financial affairs.

(6) "Authorization" means an official approval of a departmental action, for example, a determination of client eligibility for service or payment for a client's long-term care services.

(7) "Available resources" is a term to describe a chore personal care client's assets accessible for use and conversion into money or its equivalent without significant depreciation in the property value.

(8) "Blind person" means a person determined blind as described under WAC 388-511-1105 by the division of

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disability determination services of the medical assistance administration.

(9) "Categorically needy" means the financial status of a person as defined under WAC 388-503-0310.

(10) "Client" means an applicant for service or a person currently receiving services.

(11) "Community residence" means:

(a) The client's "own home" as defined in this section;

(b) Licensed adult family home under department contract;

(c) Licensed boarding home under department contract;

(d) Licensed children's foster home;

(e) Licensed group care facility, as defined in WAC 388-73-014(8); or

(f) Shared living arrangement as defined in this section.

(12) "Community spouse" means a person as described under WAC 388-513-1365 (1)(b).

(13) "Companionship" means the activity of a person in a client's own home to prevent the client's loneliness or to accompany the client outside the home for other than personal care services.

(14) "Contracted program" means services provided by a licensed and contracted home care agency or home health agency.

(15) "COPES" means community options program entry system.

(16) "Department" means the state department of social and health services.

(17) "Direct personal care services" means verbal or physical assistance with tasks involving direct client care which are directly related to the client's handicapping condition. Such assistance is limited to allowable help with the tasks of ambulation, bathing, body care, dressing, eating, personal hygiene, positioning, self-medication, toileting, transfer, as defined under WAC 388-15-202 (38)(a) through (e), (j) through (l), (n), and (o).

(18) "Disabled" means a person determined disabled as described under WAC 388-511-1105 by the division of disability determination services of the medical assistance administration.

(19) "Disabling condition" means a condition which prevents a person from self-performance of personal care tasks without assistance.

(20) "Estate recovery" means the department's activity in recouping funds after the client's death which were expended for long-term care services provided to the client during the client's lifetime per WAC 388-15-192.

(21) "Grandfathered client" means a chore personal care services client approved for either:

(a) Attendant care services provided under the chore personal care program when these services began before April 1, 1988; and

(b) Family care services provided under the chore personal care program when these services began before December 14, 1987; and

(c) The client was receiving the same services as of June 30, 1989.

(22) "Home health agency" means a licensed:

(a) Agency or organization certified under Medicare to provide comprehensive health care on a part-time or intermittent basis to a patient in the patient's place of residence

and reimbursed through the use of the client's medical identification card; or

(b) Home health agency, certified or not certified under Medicare, contracted and authorized to provide:

(i) Private duty nursing; or

(ii) Skilled nursing services under an approved Medicaid waiver program.

(23) "Household assistance" means assistance with incidental household tasks provided as an integral, but subordinate part of the personal care furnished directly to a client by and through the long-term care programs as described in this chapter. Household assistance is considered an integral part of personal care when such assistance is directly related to the client's medical or mental health condition, is reflected in the client's service plan, and is provided only when a client is assessed as needing personal care assistance with one or more direct personal care tasks. Household assistance tasks include travel to medical services, essential shopping, meal preparation, laundry, housework, and wood supply.

(24) "Income" means "income" as defined under WAC 388-500-0005.

(25) "Individual provider" means a person employed by a community options program entry system (COPES) or Medicaid personal care client when the person:

(a) Meets or exceeds the qualifications as defined under WAC 388-15-196;

(b) Has signed an agreement to provide personal care services to a client; and

(c) Has been authorized payment for the services provided in accordance with the client's service plan.

(26) "Individual provider program (IPP)" means a method of chore personal care service delivery where the client employs and supervises the chore personal care service provider.

(27) "Institution" means an establishment which furnishes food, shelter, medically-related services, and medical care to four or more persons unrelated to the proprietor. "Institution" includes medical facilities, nursing facilities, and institutions for the mentally retarded, but does not include correctional institutions.

(28) "Institutional eligible client" means a person whose eligibility is determined under WAC 388-513-1315. "Institutionalized client" means the same as defined in WAC 388-513-1365(f).

(29) "Institutional spouse" means a person described under WAC 388-513-1365 (1)(e).

(30) "Medicaid" means the federal aid Title XIX program under which medical care is provided to:

(a) Categorically needy as defined under WAC 388-503-0310; and

(b) Medically needy as defined under WAC 388-503-0320.

(31) "Medical assistance" means the federal aid Title XIX program under which medical care is provided to the categorically needy as defined under WAC 388-503-0310 and 388-503-1105.

(32) "Medical institution" means an institution defined under WAC 388-500-0005.

(33) "Medically necessary" and "medical necessity" mean the same as defined under WAC 388-500-0005.

(34) "Medically oriented tasks" means direct personal care services and household assistance provided as an integral but subordinate part of the personal care and supervision furnished directly to a client.

(35) "Mental health professional" means a person defined under WAC 275-57-020(25).

(36) "Own home" means the client's present or intended place of residence:

(a) In a building the client rents and the rental is not contingent upon the purchase of personal care services as defined in this section; or

(b) In a building the client owns; or

(c) In a relative's established residence; or

(d) In the home of another where rent is not charged and residence is not contingent upon the purchase of personal care services as defined in this section.

(37) "Personal care aide" means a person meeting the department's qualification and training requirements and providing direct Medicaid personal care services to a client. The personal care aide may be an employee of a contracted agency provider or may be an individual provider employed by the Medicaid personal care client.

(38) "Personal care services" means both physical assistance and/or prompting and supervising the performance of direct personal care tasks and household tasks, as listed in subdivisions (a) through (q) of this subsection. Such services may be provided for clients who are functionally unable to perform all or part of such tasks or who are incapable of performing the tasks without specific instructions. Personal care services do not include assistance with tasks performed by a licensed health professional.

(a) "Ambulation" means assisting the client to move around. Ambulation includes supervising the client when walking alone or with the help of a mechanical device such as a walker if guided, assisting with difficult parts of walking such as climbing stairs, supervising the client if client is able to propel a wheelchair if guided, pushing of the wheelchair, and providing constant or standby physical assistance to the client if totally unable to walk alone or with a mechanical device.

(b) "Bathing" means assisting a client to wash. Bathing includes supervising the client able to bathe when guided, assisting the client with difficult tasks such as getting in or out of the tub or washing back, and completely bathing the client if totally unable to wash self.

(c) "Body care" means assisting the client with exercises, skin care including the application of nonprescribed ointments or lotions, changing dry bandages or dressings when professional judgment is not required and pedicure to trim toenails and apply lotion to feet. In adult family homes or in licensed boarding homes contracting with DSHS to provide assisted living services, dressing changes using clean technique and topical ointments must be delegated by a registered nurse in accordance with chapter 246-840 WAC. "Body care" excludes:

(i) Foot care for clients who are diabetic or have poor circulation; or

(ii) Changing bandages or dressings when sterile procedures are required.

(d) "Dressing" means assistance with dressing and undressing. Dressing includes supervising and guiding client when client is dressing and undressing, assisting with

difficult tasks such as tying shoes and buttoning, and completely dressing or undressing client when unable to participate in dressing or undressing self.

(e) "Eating" means assistance with eating. Eating includes supervising client when able to feed self if guided, assisting with difficult tasks such as cutting food or buttering bread, and feeding the client when unable to feed self.

(f) "Essential shopping" means assistance with shopping to meet the client's health care or nutritional needs. Limited to brief, occasional trips in the local area to shop for food, medical necessities, and household items required specifically for the health, maintenance, and well-being of the client. Essential shopping includes assisting when the client can participate in shopping and doing the shopping when the client is unable to participate.

(g) "Housework" means performing or helping the client perform those periodic tasks required to maintain the client in a safe and healthy environment. Activities performed include such things as cleaning the kitchen and bathroom, sweeping, vacuuming, mopping, cleaning the oven, and defrosting the freezer, shoveling snow. Washing inside windows and walls is allowed, but is limited to twice a year. Assistance with housework is limited to those areas of the home which are actually used by the client. This task is not a maid service and does not include yard care.

(h) "Laundry" means washing, drying, ironing, and mending clothes and linens used by the client or helping the client perform these tasks.

(i) "Meal preparation" means assistance with preparing meals. Meal preparation includes planning meals including special diets, assisting clients able to participate in meal preparation, preparing meals for clients unable to participate, and cleaning up after meals. This task may not be authorized to just plan meals or clean up after meals. The client must need assistance with actual meal preparation.

(j) "Personal hygiene" means assistance with care of hair, teeth, dentures, shaving, filing of nails, and other basic personal hygiene and grooming needs. Personal hygiene includes supervising the client when performing the tasks, assisting the client to care for the client's own appearance, and performing grooming tasks for the client when the client is unable to care for own appearance.

(k) "Positioning" means assisting the client to assume a desired position, assistance in turning and positioning to prevent secondary disabilities, such as contractures and balance deficits or exercises to maintain the highest level of functioning which has already been attained and/or to prevent the decline in physical functional level. (Range of motion ordered as part of a physical therapy treatment is not included.)

(l) "Self-medication" means assisting the client to self-administer medications prescribed by attending physician. Self-medication includes reminding the client of when it is time to take prescribed medication, handing the medication container to the client, and opening a container.

(m) "Supervision" means being available to:

(i) Help the client with personal care tasks that cannot be scheduled, such as toileting, ambulation, transfer, positioning, some medication assistance; and

(ii) Provide protective supervision to a client who cannot be left alone because of impaired judgment.

(n) "Toileting" means assistance with bladder or bowel functions. Toileting includes guidance when the client is able to care for own toileting needs, helping client to and from the bathroom, assisting with bedpan routines, using incontinent briefs on client, and lifting client on and off the toilet. Toileting may include performing routine perineal care, colostomy care, or catheter care for the client when client is able to supervise the activities. In adult family homes or in licensed boarding homes contracting with DSHS to provide assisted living services colostomy care and catheterization using clean technique must be delegated by a registered nurse in accordance with chapter 246-840 WAC.

(o) "Transfer" means assistance with getting in and out of a bed or wheelchair or on and off the toilet or in and out of the bathtub. Transfer includes supervising the client when able to transfer if guided, providing steadying, and helping the client when client assists in own transfer. Lifting the client when client is unable to assist in their own transfer requires specialized training.

(p) "Travel to medical services" means accompanying or transporting the client to a physician's office or clinic in the local area to obtain medical diagnosis or treatment.

(q) "Wood supply" means splitting, stacking, or carrying wood for the client when the client uses wood as the sole source of fuel for heating and/or cooking. This task is limited to splitting, stacking, or carrying wood the client has at own home. The department shall not allow payment for a provider to use a chain saw or to fell trees.

(39) "Physician" means a doctor of medicine, osteopathy, or podiatry, as defined under WAC 388-500-0005.

(40) "Plan of care" means a "service plan" as described under WAC 388-15-205.

(41) "Property owned" means any real and personal property and other assets over which the client has any legal title or interest.

(42) "Provider" or "provider of service" means an institution, agency, or person:

(a) Having a signed department agreement to furnish long-term care client services; and

(b) Qualified and eligible to receive department payment.

(43) "Relative" means:

(a) For chore personal care service, a client's spouse, father, mother, son, or daughter;

(b) For Medicaid personal care service:

(i) "Legally responsible relative" means a spouse caring for a spouse or a biological, adoptive, or stepparent caring for a minor child.

(ii) "Nonresponsible relative" means a parent caring for an adult child and an adult child caring for a parent.

(44) "Service plan" means a plan for long-term care service delivery as described under WAC 388-15-205.

(45) "Shared living arrangement" for purposes of Medicaid personal care means an arrangement where:

(a) A nonresponsible relative as defined in (43)(b)(ii) above is the personal care provider and resides in the same residence with common facilities, such as living, cooking, and eating areas; or

(b) A minor child age seventeen or younger lives in the home of a legally responsible relative as defined in (43)(b)(i) above.

(46) "SSI-related" means a person who is aged, blind, or disabled.

(47) "Supervision" means a person available to a long-term care client as defined under WAC 388-15-202 (36)(m).

(48) "Supplemental Security Income (SSI)" means the federal program as described under WAC 388-500-0005.

(49) "Title XIX" is the portion of the federal Social Security Act which authorizes federal funding for medical assistance programs, e.g., nursing facility care, COPEs, and Medicaid personal care home and community-based services.

(50) "Transfer of resources" means the same as defined under WAC 388-513-1365 (1)(g).

(51) "Unscheduled tasks" means ambulation, toileting, transfer, positioning, and unscheduled medication assistance as described in this chapter.

**WSR 97-20-071
PERMANENT RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 97-202—Filed September 25, 1997, 4:55 p.m.]

Date of Adoption: September 23, 1997.

Purpose: Amend recreational fishing rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-57-165, 220-57-450, and 220-57-455;
and new section WAC 220-57-187.

Statutory Authority for Adoption: RCW 75.08.080.

Adopted under notice filed as WSR 97-17-105 on
August 20, 1997.

Number of Sections Adopted in Order to Comply with
Federal Statute: New 0, amended 0, repealed 0; Federal
Rules or Standards: New 0, amended 0, repealed 0; or
Recently Enacted State Statutes: New 0, amended 0,
repealed 0.

Number of Sections Adopted at Request of a Nongov-
ernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own
Initiative: New 0, amended 4, repealed 0.

Number of Sections Adopted in Order to Clarify,
Streamline, or Reform Agency Procedures: New 0, amended
0, repealed 0.

Number of Sections Adopted using Negotiated Rule
Making: New 0, amended 0, repealed 0; Pilot Rule Making:
New 0, amended 0, repealed 0; or Other Alternative Rule
Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 25, 1997

Bern Shanks

Director

AMENDATORY SECTION (Amending Order 95-46, filed
5/31/95, effective 7/1/95)

WAC 220-57-165 Copalis River. ((Daily Limit A—
July 1 through January 31: Downstream from the Carlisle
Bridge.)) Closed to salmon angling the entire year.

NEW SECTION

WAC 220-57-187 Deep River (Wahkiakum County). Deep River (Wahkiakum County) - Daily Limit A - August 1 through December 31: Upstream from mouth to town bridge.

AMENDATORY SECTION (Amending Order 96-44, filed 5/13/96, effective 6/13/96)

WAC 220-57-450 Snohomish River. (1) Special daily limit of two salmon except release chinook salmon and pink salmon - September 1 through December 31: Downstream from confluence of Skykomish and Snoqualmie rivers.

(2) During even-numbered years it is unlawful to retain pink salmon.

AMENDATORY SECTION (Amending Order 96-44, filed 5/13/96, effective 6/13/96)

WAC 220-57-455 Snoqualmie River. (1) Special daily limit of two salmon except release chinook salmon and pink salmon - September 1 through December 31: Downstream from Snoqualmie Falls.

(2) During even-numbered years it is unlawful to retain pink salmon.

WSR 97-20-081**PERMANENT RULES****BATES TECHNICAL COLLEGE**

[Filed September 29, 1997, 9:30 a.m.]

Date of Adoption: May 21, 1997.

Purpose: To implement state statute prohibiting hazing by a student, organization or living group.

Statutory Authority for Adoption: RCW 28B.10.902(3), 28B.50.140(13).

Adopted under notice filed as WSR 97-07-003 on March 7, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 26, 1997

Jon G. Thorpe
Senior Vice-President

NEW SECTION

WAC 495A-120-041 Hazing. (1) Hazing, as defined by state law and this policy, is prohibited at Bates Technical College.

(2) Consistent with state law, RCW 28B.10.900, hazing at Bates Technical College means any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause bodily danger or physical harm, or serious mental or emotional harm, to any student or person attending a public or private institution of higher education or other postsecondary educational institution in this state. "Hazing" does not include customary athletic events or other similar contests or competitions. For example, athletic activity such as playing soccer or baseball is not considered hazing. However, team initiation rituals could involve hazing and are prohibited.

(3) At Bates Technical College a student organization includes a student association or educational program. Examples of prohibited activities regardless of the location, include, but are not limited to: forced consumption of alcohol or drugs, excessive exercise, activities which may threaten the health of the individual or compelling individuals to engage in activities which violate the Bates Technical College *Student Code of Rights and Responsibilities*.

(4) No student at Bates Technical College may conspire to engage in hazing. Conspire means to plan for or otherwise engage in hazing.

NEW SECTION

WAC 495A-120-042 Penalties for hazing. (1) Any organization, association or student group that knowingly permits hazing shall, according to RCW 28B.10.901,

(a) Be liable for harm caused to persons or property resulting from hazing and

(b) Be denied recognition by Bates Technical College as an official organization, association or student group on this campus. If the organization, association or student group is a corporation, whether for profit or nonprofit, the individual directors of the corporation may be held individually liable for damages.

(2) A person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships or awards for a period of at least one full quarter.

(3) Forfeiture of state-funded grants, scholarships or awards to recipients engaged in hazing activities or impermissible conduct not amounting to hazing may continue for additional quarters, up to and including permanent forfeiture, based upon the seriousness of the violations.

(4) Violation of the state hazing law is punishable in a court of law. Hazing violations are misdemeanors punishable under state criminal law according to RCW 9A.20.021. The maximum sentence for a misdemeanor is imprisonment in the county jail for ninety days or a \$1000 fine or both.

(5) Violations of the hazing policy are also enforced through the *Student Code of Rights and Responsibilities - Grievance and Appeals Process*. Hazing incidents should be reported to the Vice President for Student Services.

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NEW SECTION

WAC 495A-120-043 Sanctions for impermissible conduct not amounting to hazing. (1) Impermissible conduct which may not be defined as hazing includes, but is not limited to conduct which causes embarrassment, sleep deprivation or personal humiliation, or may include ridicule or unprotected speech amounting to verbal abuse.

(2) Impermissible conduct associated with initiation into a student organization, association, program, or any pastime or amusement engaged in, with respect to the organization association or program will not be tolerated at Bates Technical College.

(3) Impermissible conduct not amounting to hazing is subject to sanctions available under the *Student Code of Conduct*, depending upon the seriousness of the violation.

WSR 97-20-086**PERMANENT RULES****HOUSING FINANCE COMMISSION**

[Filed September 29, 1997, 9:38 a.m.]

Date of Adoption: September 25, 1997.

Purpose: Provide procedures pursuant to which the commission will allocate or award tax credits.

Statutory Authority for Adoption: RCW 43.180.040(3).

Adopted under notice filed as WSR 97-17-078 on September 3 [August 19], 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.
September 25, 1997

Paul Fitzgerald, Director
Tax Credit Division

NEW SECTION

WAC 262-01-130 Tax credit program. (1) Applicants for tax credit shall submit a completed application in the form prescribed by the commission and the required application fee by the deadline set by the commission each year. The commission will not accept additional information or material changes to an application except as allowed during a prescribed correction period.

(2) As part of its application, each applicant shall submit, among other things:

(a) Its federal identification number or, if the applicant is an individual, its Social Security number;

(b) Evidence that it has control of all land necessary for completion of the project;

(c) If applicable, a relocation plan for residents approved by the appropriate governmental authority;

(d) Evidence that the project is consistent with the applicable state or local consolidated plan;

(e) A written commitment to notify the relevant local public housing authority of the availability of units in the project;

(f) Evidence of the financial capacity and experience of the development team; and

(g) Evidence of the experience of the property management team.

(3)(a) The commission will rank projects proposed by tax credit applicants based upon the degree to which they meet the criteria set forth by the commission in subsection (5) of this section. The commission may decline to consider a project that fails to meet minimum standards established by the commission for such an evaluation.

(b) Notwithstanding applicant characterization, the commission may determine the scope of or otherwise define a "project" or "projects" for purposes of ranking applications and reserving and allocating tax credit.

(4) In order to qualify to receive tax credit, a project shall meet the requirements of the code. At a minimum, a project shall:

(a) Be rent restricted;

(b) Have:

(i) Twenty percent of the units set aside for individuals whose income is fifty percent or less of area median gross income; or

(ii) Forty percent of the units set aside for individuals whose income is sixty percent or less of area median gross income;

(c) Be constructed for use by the general public;

(d) Be used on other than a transient basis; and

(e) Include separate and complete facilities for living, sleeping, eating, cooking and sanitation.

(5) For the purposes of ranking projects and allocating credit dollar amounts, the commission will give preference to projects serving the lowest income tenants and to projects obligated to serve low-income tenants for the longest periods. In determining housing priorities, the commission will give weight to those projects which, among other things:

(a) Are located in areas of special need as demonstrated by location, population, income levels, availability of affordable housing and public housing waiting lists;

(b) Set aside units for special needs populations, such as large households, the elderly, the homeless and/or the disabled;

(c) Preserve federally assisted projects as low-income housing units;

(d) Rehabilitate buildings for residential use;

(e) Are smaller projects;

(f) Have received written authorization to proceed as a United States Department of Agriculture - Rural Housing Service multifamily new construction project approved by the commission;

(g) Are historic properties;

(h) Are sponsored by local nonprofit organizations;

(i) Are located in targeted areas;

(j) Leverage public resources;

(k) Maximize the use of credits; and

(l) Demonstrate a readiness to proceed.

(6)(a) The commission will reserve at least ten percent of the state housing credit ceiling for a calendar year for projects in which qualified nonprofit organizations have an ownership interest and materially participate in the development and operation of the projects throughout the compliance period, all as described in the code. A qualified nonprofit organization is an organization described in section 501 (c)(3) or (4) of the code, which is determined by the commission not to be affiliated with or controlled by a for-profit organization and one of whose exempt purposes includes the fostering of low-income housing.

(b) The commission may also reserve a portion or portions of its state housing credit ceiling for other types of projects or sponsors.

(7) The commission will determine the amount of tax credit necessary for the project's financial feasibility and viability as a qualified low-income housing project. The commission will not allocate or award to a project more than the minimum amount of tax credit required to ensure a project's financial feasibility and viability.

(8) The commission may:

(a) Restrict the maximum amount of development costs on a per unit basis;

(b) Limit the maximum rehabilitation contingency and the maximum construction contingency;

(c) Restrict the maximum annual amount of tax credit for each low-income housing unit;

(d) Prohibit funding project reserves with equity derived from tax credit;

(e) Establish a maximum amount of credit an applicant may receive;

(f) Establish a maximum amount of tax credit a project may receive;

(g) Establish maximum developer fees and consultant fees; and

(h) Limit the amount of contractor's profit and overhead.

The commission may also limit the amount of credit received or establish other limits for other reasons.

(9)(a) As a condition of receiving tax credit, an applicant shall enter into agreements with the commission, in forms acceptable to the commission, which contain the terms under which the commission reserves credit for a project and, if applicable, provides a carryover allocation for a project.

(b) As a condition to receiving tax credit, an owner shall enter into an extended use agreement with the commission, in a form acceptable to the commission, which restricts the use of the project for a minimum of thirty years and which describes the applicable commitments and covenants made by the owner. The extended use agreement shall be recorded in a first lien position as a restrictive covenant running with the land.

(10) In order to qualify for a carryover allocation, an applicant shall demonstrate, among other things, that:

(a) The applicant has either acquired the land or has a long term lease on the land;

(b) The applicant's basis in the project (as of the close of the calendar year of the tax credit allocation) is more than

ten percent of the applicant's reasonably expected basis in the project; and

(c) The applicant has received a conditional commitment for financing.

(11) An applicant that has received a carryover allocation of tax credit shall demonstrate to the commission's satisfaction that the applicant has made substantial progress towards completion of the project.

(12) An applicant shall demonstrate to the commission's satisfaction substantial compliance with all contractual obligations to the commission before the commission issues an Internal Revenue Service low-income housing credit certificate.

(13) Unless the commission makes an exception, a transfer of an interest in a project shall require the prior approval of the commission. A transfer or assignment without the commission's prior approval may result in a cancellation of tax credit for a project.

(14) To participate in the tax credit program, an applicant shall pay all required commission fees and comply with all applicable requirements and deadlines. Failure to do so may result in disqualification or cancellation of the project, application or tax credit reservation, allocation or award.

(15) For purposes of awarding tax credit, certain rules in this section do not apply to tax credit projects financed with tax-exempt bonds.

(16)(a) The commission may perform on-site inspections of projects, interview residents, review residents' applications and financial information, and review an applicant's or an owner's books and records. The applicant or owner shall provide the commission with all requested documentation, including periodic reports and certificates; shall provide the commission access to the project; and shall retain records as required by the code and the extended use agreement.

(b) The commission will monitor compliance of the projects receiving credit with the code and with contractual commitments to the commission. The commission will notify the Internal Revenue Service when instances of noncompliance come to its attention.

WSR 97-20-094
PERMANENT RULES
POLLUTION LIABILITY
INSURANCE AGENCY

[Filed September 29, 1997, 12:39 p.m.]

Date of Adoption: September 29, 1997.

Purpose: To establish a program for providing informal advice and assistance to owners of heating oil tanks.

Statutory Authority for Adoption: Chapter 70.149 RCW.

Adopted under notice filed as WSR 97-15-111 on July 22, 1997.

Changes Other than Editing from Proposed to Adopted Version: WAC 374-80-040(1), added the phrase, "as resources permit," in the event that requests for assistance exceed or overwhelm the limited resources of the agency.

WAC 374-80-040(4), for clarification, changed "terms of the program" to "procedures and reimbursement requirements of the program." Deleted reference to a fee schedule. The fee has been established in WAC 374-80-050. For

clarification, added specific services for which suggested service provider fee limits will be provided.

WAC 374-80-040(6), deleted requirement for heating oil tank owner to provide the Pollution Liability Insurance Agency a copy of the agreement with the service provider.

WAC 374-80-040(9), added clarification as to the content of the report of the results of review and assessment of data the Pollution Liability Insurance Agency will provide the heating oil tank owner.

WAC 374-80-050, added clarification of costs incurred which will be reimbursed under the program. Deleted reference to a fee schedule for services under the program. Established the fee for advice and assistance as \$350.00.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 6, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 6, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 6, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 6, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 29, 1997

James M. Sims

Director

NEW SECTION

WAC 374-80-010 Authority and purpose. The purpose of this chapter is to establish a program for providing informal advice and technical assistance to the owners and operators of active or abandoned heating oil tanks if contamination resulting from a release from a heating oil tank is suspected.

NEW SECTION

WAC 374-80-020 Definitions. Unless the context requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) "Abandoned heating oil tank" means a consumptive use heating oil tank system that has been abandoned or decommissioned and is no longer in service or use.

(2) "Active heating oil tank" means a consumptive use heating oil tank that is in use.

(3) "Agency" means the Washington state pollution liability insurance agency (PLIA).

(4) "Corrective action" means those actions reasonably required to be under-taken by an owner or operator to remove, treat, neutralize, contain, or clean up an accidental release in order to comply with a statute, ordinance, rule, regulation, directive, order or similar legal requirement, at the time of an accidental release, of the United States, the state of Washington, or a political subdivision of the United States or the state of Washington.

(5) "Director" means the director of the Washington state pollution liability insurance agency.

(6) "Heating oil" means any petroleum product used for space heating in oil-fired furnaces, heaters and boilers, including stove oil, diesel fuel, or kerosene. "Heating oil" does not include petroleum products used as fuel in motor vehicles, marine vessels, trains, buses, aircraft, or any off-highway equipment not used for space heating, or for industrial processing or the generation of electrical energy.

(7) "Owner" means the person, or his or her authorized representative, legally responsible for an active or abandoned heating oil tank, its contents, and the premises upon which the heating oil tank is located.

(8) "Owner or operator" means a person in control of, or having the responsibility for, the daily operation of a heating oil tank.

(9) "Release" means any intentional or unintentional entry of heating oil into the environment.

(10) "Service provider" means an independent contractor responsible for site assessment, testing or analysis of the results of testing.

(11) "Site Assessment" means an investigation of a heating oil tank site to determine if a release of heating oil has occurred.

(12) "Sampling and testing" means an approved and recognized technique(s) or procedure(s) for measuring or determining the presence and extent of hydrocarbons in soil and/or water.

NEW SECTION

WAC 374-80-030 Communications. All communications with the agency shall be addressed to:

Director

Pollution Liability Insurance Agency

1015 10th Avenue SE

PO Box 40930

Olympia, WA. 98504-0930

Telephone: (360) 586-5997 or (800) 822-3905

[NEW SECTION]

AMENDATORY SECTION (Amending WSR 97-15-111, filed 7/22/97)

WAC 374-80-040 Procedures. (1) The agency will provide, as resources permit, informal advice and technical assistance to the owners and operators of active or abandoned heating oil tanks if contamination resulting from a release from an active or abandoned heating oil tank is suspected. Advice and assistance regarding administrative and technical requirements may include observation of testing, site assessment, as well as review of the results of reports and other appropriate review activities approved by the director.

(2) Such advice and assistance will be provided only upon request by the owner of a heating oil tank. If the operator of a heating oil tank is not the owner, the operator must provide the agency with specific written authorization of the owner before advice and assistance is provided, or before a site is visited by a representative of the agency.

(3) To receive informal advice and assistance under this program, the owner or operator of an active or abandoned

heating oil tank must submit an application, provided by the agency, requesting advice and assistance, and agreeing to the terms of the program.

(4) Upon receipt of a request for advice and assistance, the agency will provide the tank owner or operator:

- (a) Information regarding procedures for the program;
- (b) An application requesting advice and assistance;
- (c) An agreement between the tank owner and the

agency regarding the ~~((terms))~~ procedures and reimbursement requirements of the program;

~~((4) A fee schedule for costs incurred for services under the program;))~~

(d) ~~((5))~~ Sampling, testing and assessment protocol approved by the director; and

(e) Suggested service provider fee limits for labor, equipment and materials, and for sampling and testing.

(5) ~~((4))~~ Advice and assistance provided under the program may include:

(a) Observation of sampling and testing, site assessment or other appropriate assessments scheduled by the tank owner;

(b) Interpretation of the results of testing and/or assessment(s);

(c) A report from PLIA to the heating oil tank owner of the results of testing and/or assessment(s); and

(d) Other appropriate activities approved by the director.

(6) ~~((4))~~ The heating oil tank owner or operator will select a service provider to perform sampling and testing, site assessment or other appropriate assessments. The tank owner or operator will enter into an agreement with the service provider regarding scope or extent of work and fees for services. ~~((, and provide a copy of that agreement to PLIA.))~~

(7) ~~((4))~~ Advice and assistance will be provided only if sampling and testing as well as site assessment are performed in accordance with sampling, testing and assessment protocol approved by the director.

(8) ~~((4))~~ Advice and assistance will be provided only if a representative of the agency is present during any and all testing and site assessment activity to ensure that tests are properly conducted, samples properly taken and assessment activities correctly conducted. The original copy of the results of all testing and site assessment activities must be forwarded to the agency for review and evaluation.

(9) ~~((4))~~ Upon completion of review and evaluation, the agency will, in writing, inform the heating oil tank owner of the results of review and assessment of data. The agency report will note whether it appears there is or is not contamination present at the site. If contamination is discovered, the report will note whether or not the contamination appears to be a threat to human health and the environment. If the contamination does appear to be a threat to human health and the environment, the heating oil tank owner will be advised of the requirement for corrective action. The determination as to whether or not the contamination appears to be a threat to human health and the environment will be made in accordance with the terms and requirements of the Model Toxics Control Act (Chapter 70.105D RCW) and its regulations (Chapter 173-340 WAC).

Reviser's note: The above section was filed as an amendatory section; however, it is actually a new section, as there has been no

permanent text previously filed to make it an amendatory section. Pursuant to the requirements of RCW 34.08.040 it is published in the same form as filed by the agency.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

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

[NEW SECTION]

AMENDATORY SECTION (Amending WSR 97-15-111, filed 7/22/97)

WAC 374-80-050 Reimbursement. (1) The agency shall collect, from the heating oil tank owner or operator requesting advice and assistance, the costs incurred in providing such advice and assistance.

(2) Funds received by the agency from cost reimbursement must be deposited in the heating oil pollution liability trust account.

(3) Costs incurred that shall be covered in reimbursement may include travel costs and expenses associated with monitoring site assessment, review of reports and analyses and preparation of written opinions and conclusions. ~~((The director shall establish a fee schedule for costs incurred for services under the program.))~~ The fee for such advice and assistance will be \$350.00.

(4) The fee ~~((Fees))~~ must be paid prior to the agency issuing its report of review and assessment of data.

Reviser's note: The above section was filed as an amendatory section; however, it is actually a new section, as there has been no permanent text previously filed to make it an amendatory section. Pursuant to the requirements of RCW 34.08.040 it is published in the same form as filed by the agency.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

NEW SECTION

WAC 374-80-060 Liability. (1) The state of Washington and/or the pollution liability insurance agency accepts no liability, nor portion of liability, from the heating oil tank owner or operator.

(2) The state of Washington, the pollution liability insurance agency, and its officers and employees are immune from all liability, and no cause of action arises from any act or omission in providing, or failing to provide, advice, opinion, conclusion, or assistance under this program.

WSR 97-20-095

PERMANENT RULES

UTILITIES AND TRANSPORTATION COMMISSION

[General Order No. R-443, Docket No. UT-960942—Filed September 29, 1997, 1:31 p.m.]

In the matter of adopting WAC 480-120-139 and amending WAC 480-120-042 relating to changes in local exchange and intrastate toll services and directory services.

PERMANENT

The Washington Utilities and Transportation Commission acting under Notice No. WSR 97-11-072, filed with the code reviser on August 29, 1997, its order amending and adopting rules. The commission has discovered an error in the text filed with that rule-making order and enters this order to correct the earlier order and the accompanying text. Only the elements of the prior filing that are addressed in this order are changed; in all other respects, the prior order is adopted and reaffirmed in this order.

When commission staff conformed the working draft of new WAC 480-120-139 Changes in local exchange and intrastate toll services, to be consistent with decisions made at the public hearing and adoption meeting, it inadvertently omitted two words in subsection (5). The discussion draft would have prevented each telecommunications company from using customer proprietary number identification for company marketing purposes, consistent with provisions of the federal rule. The limitation of the prohibition to marketing purposes was omitted, so that the rule if read literally would prevent companies from using the information for all purposes, including the billing and other necessary purposes for which the information is designed.

The omission was not intended; it changed the meaning of the text substantially; and if literally applied it could critically hamper operations of nearly all telecommunications companies. The commission therefore amends the order of adoption and amends the accompanying text to restore the term, consistent with its decision at the commission meeting of August 1, 1997.

STATEMENT OF ACTION; STATEMENT OF EFFECTIVE DATE: In reviewing the entire record, the commission determines that its prior order must be corrected and that in doing so, the commission adopts WAC 480-120-139 as set forth in Appendix A, as a rule of the Washington Utilities and Transportation Commission, to take effect pursuant to RCW 34.05.380(2) on the thirty-first day after filing with the code reviser.

ORDER

THE COMMISSION ORDERS;

1. Corrected WAC 480-120-139 is adopted to read as set forth in Appendix A, as a rule of the Washington Utilities and Transportation Commission, to take effect on the thirty-first day after the date of filing with the code reviser pursuant to RCW 34.05.380(2).

2. This order and the rule set out below, after being recorded in the register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapters 80.01 and 34.05 RCW and chapter 1-21 WAC.

3. In all respects other than those specifically set out herein, the commission's prior order of adoption remains in full force and effect. Insofar as the provisions of that order apply to the corrected rule adopted herein, those provisions are incorporated in to this order by this reference as though set forth herein.

DATED at Olympia, Washington, this 24th day of September 1997.

Washington Utilities and Transportation Commission
Richard Hemstad, Commissioner
William R. Gillis, Commissioner

AMENDATORY SECTION (Amending Order R-242, Cause No. U-85-56, filed 11/7/85)

WAC 480-120-042 Directory service. (1) A telephone directory shall be regularly published for each exchange, listing the name, address (unless omission is requested), and telephone number of the subscribers who can be called in that exchange, except those subscribers who have a nonlisted or nonpublished telephone number.

(2) Any subscriber to residential service may request a dual name primary directory listing which contains, in addition to the subscriber's surname, the given names or initials (or combination thereof) of the subscriber and (1) one other person with the same surname who resides at the same address; or (2) a second name, other than surname, by which the subscriber is also known, including the married name of a woman whose husband is deceased. Any additional directory listing requested by a subscriber pursuant to tariff provision shall also reflect said dual name listing if requested by the subscriber. ~~((Each subscriber to residential service as of the effective date of this rule shall be entitled for a six month period to request on a one time basis at no cost a change in the manner of listing the subscriber's name to the dual name listing provided for above, so long as there has been no other change requested and made in the subscriber's directory listing since the effective date.))~~

(3) Each local exchange company shall furnish a copy of any required directory ((shall be furnished)) to each of its subscribers in each exchange. If that directory does not also contain such listings for all subscribers who can be called toll free from that exchange (excluding WATS), a copy of the directory or directories required for that coverage shall be furnished each subscriber upon request and without charge. If anyone requests a directory other than the one(s) provided for above, the company may apply a charge equal to, but not to exceed, its actual cost for the directory, plus freight, postage, and \$0.50.

(4) Each local exchange company that is providing service in an area covered by a directory published pursuant to this rule may, upon request, have an informational listing of its name and telephone number placed in each such directory. Each directory publisher may impose reasonable requirements on the timing and format of informational listings, provided that these requirements do not discriminate between local exchange carriers.

(5) Normally, telephone directories shall be revised annually; otherwise they shall be revised at least once every fifteen months, except when it is known that impending service changes require rescheduling of directory revision dates. The revision of directories may at times be required more often than specified to keep the directory correct and up to date. Exemptions from these requirements may be allowed by the commission upon application if it can be shown that it is unnecessary to revise the directory within the specified time limit for good cause and/or due to a relatively small number of changes resulting from new listings or changed numbers and if the exchange is equipped for adequate intercept in the case of dial exchanges.

(6) In the event of an error in the listed number of any subscriber, the ~~((telecommunications))~~ subscriber's local exchange company shall, until a new directory is published, intercept all calls to the incorrectly listed number to give the

calling party the correct number of the called party, providing that this is permitted by existing central office equipment and the incorrectly listed number is not a number presently assigned to another subscriber. In the event of an error or omission in the name listing of a subscriber, such subscriber's correct name and telephone number shall be maintained in the files of the directory assistance operator, and the correct number shall be furnished the calling party upon request.

(7) Whenever a subscriber's telephone number is changed for any reason after a directory is published, the ~~(utility)~~ local exchange company shall intercept all calls to the former number, if existing office equipment will permit, for a minimum period of thirty days or until a new directory is published, and give the calling party the new number for that subscriber unless the subscriber has requested that such referral not be made.

(8) When additions or changes to plant or records are scheduled which will necessitate a large group of number changes, a minimum of six months notice shall be given to all subscribers then of record and so affected even though the additions or changes may be coincidental with the issuance of a new directory.

NEW SECTION

WAC 480-120-139 Changes in local exchange and intrastate toll services. (1) Verification of orders. A local exchange or intrastate toll carrier to whom service is being changed ("new telecommunications company") may not submit a change order for local exchange or intrastate toll service until the order is confirmed in accordance with one of the following procedures:

(a) The telecommunications company has obtained the customer's written authorization to submit the order which includes the following information from the customer:

(i) The customer billing name, billing telephone number and billing address and each telephone number to be covered by the change order;

(ii) The decision to change; and

(iii) The customer's understanding of the change fee.

(b) The new telecommunications company has obtained the customer's authorization, as described in (a) of this subsection, electronically.

Telecommunications companies electing to confirm sales electronically shall establish one or more toll free telephone numbers exclusively for that purpose.

Calls to the number(s) shall connect a customer to a voice response unit, or similar, that records the required information regarding the change, including automatically recording the originating automatic number identification (ANI).

(c) An appropriately qualified and independent third party operating in a location physically separate from the telemarketing representative has obtained the customer's oral authorization to submit the change order that confirms and includes appropriate verification data in (a) of this subsection.

(2) Implementing order changes.

(a) Telemarketing orders. Within three business days of any telemarketing order for a change, the new telecommunications company must send each new customer an informa-

tion package by first class mail containing at least the following information concerning the requested change:

(i) The information is being sent to confirm a telemarketing order placed by the customer.

(ii) The name of the customer's current telecommunications company.

(iii) A description of any terms, conditions or charges that will be incurred.

(iv) The name of the newly requested telecommunications company.

(v) The name of the person ordering the change.

(vi) The name, address and telephone number of both the customer and the soliciting telecommunications company.

(vii) A postpaid postcard which the customer can use to deny, cancel or confirm a service order.

(viii) A clear statement that if the customer does not return the postcard, the customer's service will be switched fourteen days after the date the information package was mailed. If customers have cancelled their orders during the waiting period, the new telecommunications company cannot submit the customer's order.

(ix) The name, address and telephone number of a contact point at the commission for consumer complaints.

(x) The requirements in (a)(vii) and (viii) of this subsection do not apply if authorization is obtained pursuant to subsection (1) of this section.

(b) The documentation of the order shall be retained by the new telecommunications company, at a minimum, for twelve months to serve as verification of the customer's authorization to change telecommunications company. The documentation will be made available to the customer and to the commission upon request.

(3) Customer initiated orders. The new telecommunications company receiving the customer initiated request for a change of local exchange and/or intrastate toll shall keep an internal memorandum or record generated at the time of the request. Such internal record shall be maintained by the telecommunications company for a minimum of twelve months to serve as verification of the customer's authorization to change telecommunications company. The internal record will be made available to the customer and to the commission upon request. Within three business days of the order, the telecommunications company must send each new customer an information package by first class mail containing at least the following information concerning the request to change as defined in subsection (2)(a)(ii), (iii), (iv), (v) of this section.

(4) Remedies. In addition to any other penalties provided by law, a telecommunications company initiating an unauthorized change order shall receive no payment for service provided as a result of the unauthorized change and shall promptly refund any amounts collected as a result of the unauthorized change. The subscriber may be charged, after receipt of the refund, for such service at a rate no greater than what would have been charged by its authorized telecommunications company, and any such payment shall be remitted to the customer's authorized telecommunications company.

(5) Use of customer information.

(a) A telecommunications company marketing services may not use its customer proprietary network information or

the customer proprietary network information of another telecommunications company.

(b) Except to provide its own billing, collection, network operations, and as authorized by law, a telecommunications company may not disclose customer proprietary network information.

(c) A telecommunications company may not make telephone solicitation or telemarketing calls using its list of customers with nonpublished or unlisted numbers unless it has notified each such customer at least once in the past year that the company makes such calls to its customers with nonpublished or unlisted numbers and that the customer has a right to request that the company make no such calls.

WSR 97-20-100
PERMANENT RULES
STATE BOARD OF HEALTH
[Filed September 29, 1997, 4:25 p.m.]

Date of Adoption: September 16, 1997.

Purpose: Repeals the rules identified below because they are no longer necessary due to changed circumstances, they are redundant under other chapters, or because the statute on which the rule was created has been repealed.

WAC 246-203-080, this section is duplicative of Department of Ecology rules and authority, chapter 173-200 WAC.

WAC 246-203-090, this section is duplicative of Department of Ecology rules and authority, chapters 173-201A and 173-226 WAC.

WAC 246-203-110, this section is duplicative with the sewage code, chapter 246-272 WAC.

WAC 246-203-140, conflicts or redundant with Department of Ecology/state wetlands policy, chapter 183-22 [173-22] WAC.

WAC 246-203-150, duplicative with chapter 246-215 WAC, Food safety; chapter 246-290 WAC, Drinking water; chapter 246-282 WAC, Sewage; and chapter 173-304 WAC, Solid waste.

WAC 246-203-170, these rules are redundant with rules that already address zoning, air quality, wastewater, and other Department of Labor and Industries/Department of Ecology regulations.

WAC 246-271-070 and 246-271-080, these sections are duplicative with chapter 90.48 RCW regarding water quality.

WAC 246-280-040, this concept is covered adequately in WAC 246-280-030(1) Water quality criteria and standards.

WAC 246-280-050, meat sampling is not being done. Low priority parameter for assessing risk. Concept of chemical toxicity is covered adequately in WAC 246-280-020(2) Recreational shellfish beach classification.

WAC 246-280-080, this type of information is no longer needed because of changed circumstances. This type of information is more appropriate for placement in guidelines, not regulation.

WAC 246-290-680, contains requirements that are redundant to other parts of WAC 246-290-676.

WAC 246-360-060, this rule directs licensees to comply with chapter 70.90 RCW and chapter 246-260 WAC, Water recreation facilities. Other Department of Health rules,

chapter 246-260 WAC, Water recreation facilities, govern the same activity, making this rule redundant.

WAC 246-360-170, directs licensees to comply with chapters 296-150A and 296-150B WAC, making the section duplicative.

WAC 246-360-210, this rule is restating the RCW, making this rule redundant. The inclusion of the separability clause in the rule is found in other facilities and services licensing rules, but it has been determined that this practice is unnecessary and redundant.

WAC 246-374-050, this regulation is duplicative of provisions in chapter 246-290 WAC, Public water supplies.

WAC 246-374-060, this regulation is duplicative of chapter 246-272 WAC.

WAC 246-374-080, this rule is duplicative of chapter 173-304 WAC.

WAC 246-374-100, this rule is duplicative of chapter 246-215 WAC, Food service and chapter 246-217 WAC, Food worker permits.

WAC 246-374-130, this rule is duplicative of WAC 246-260-180 Bathing beaches.

WAC 246-376-050, this section is duplicative with chapter 246-290 WAC, Public water supplies.

WAC 246-376-080, this section is duplicative with chapter 246-272 WAC.

WAC 246-376-100, this section is duplicative with chapter 246-215 WAC, Food service.

WAC 246-376-110, this section is duplicative with chapter 246-260 WAC, Water recreation facilities.

WAC 246-710-040, this section is not needed because the program is not an entitlement program, and by its very nature has ceilings placed upon it through the budget development process.

WAC 246-762-060, this section is redundant with RCW 28A.210.220.

WAC 246-762-070, this section is unnecessary because it reiterates and refers the reader back to RCW 28A.210.240 and 28A.210.230. RCW 28A.210.230 was repealed in 1991.

Citation of Existing Rules Affected by this Order: Chapter 246-203 WAC, General sanitation, this chapter addresses a wide range of sanitation issues, necessary to control the spread of communicable diseases. The sections selected for expedited repeal are WAC 246-203-080 Pollution of ground water prohibited, 246-203-090 Stream pollution, 246-203-110 Kitchen and laundry water, 246-203-140 Stagnant water, 246-203-150 Highway sanitation, and 246-203-170 Objectionable establishments and industrial wastes.

Chapter 246-271 WAC, Public sewage, provides the department the authority to regulate the planning, layout and operation of municipal wastewater systems. Provides the Department of Health with investigative powers to determine if a public water supply of public health may be impacted from a wastewater system and the authority to issue orders to correct the situation. The sections selected for expedited repeal are WAC 246-271-070 Operation of sewage treatment plants—Efficiency and 246-271-080 Operation of sewage treatment plants—Freedom from sand and silt.

Chapter 246-280 WAC, Recreational shellfish beaches, this chapter establishes procedures for evaluating the sanitary quality of recreational shellfish beaches. The sections selected for expedited repeal are WAC 246-280-040 Marine

water quality testing, 246-280-050 Shellfish meat quality standards and testing, and 246-280-080 Public information and notification.

Chapter 246-290 WAC, Public water supplies, establishes fundamental requirements for public water systems, defined in accordance with the federal Safe Drinking Water Act, for facilities construction, system operation source and distribution monitoring, and recordkeeping; establishes water quality criteria for public health protection; delineates basic planning requirements for continued water system operation and reliability. The section selected for expedited repeal is WAC 246-290-680 Operating criteria for new water treatment facilities.

Chapter 246-360 WAC, Transient accommodations, this chapter regulates facilities offering three or more lodging units to guests for periods of less than one month; sets licensure and sanitation standards. The sections selected for expedited repeal are WAC 246-360-060 Swimming pools, spas, hot tubs, wading pools, bathing beaches, 246-360-170 Travel trailers and mobile homes, and 246-360-210 Separability.

Chapter 246-374 WAC, Outdoor music festivals, sets minimum sanitation standards for outdoor music festivals. The provisions for regulating food safety, sewage, and drinking water are covered under other existing rules. Local jurisdictions may enact ordinances to address specific music festival issues, including the administrative provision in this rule. The sections selected for expedited repeal are WAC 246-374-050 Water supply, 246-374-060 Sewage disposal, 246-374-080 Solid waste, 246-374-100 Food service, and 246-374-130 Water recreation standards.

Chapter 246-376 WAC, Camps, this rule sets minimum sanitation requirements for recreation, vacation and religious camps. It was developed before there were local zoning, subdivision or land use codes to cover the creation and operation of camps, parks and recreational vehicle sites. Sections of this rule are no longer needed because all counties must have a process in place to deal with subdivisions and land use, which include camps and parks. The sanitation elements of these activities are addressed in existing rules. Local jurisdictions may enact ordinances to address specific recreational camp issues. The sections selected for expedited repeal are WAC 246-376-050 Water supply, 246-376-080 Sewage and liquid waste disposal, 246-376-100 Food handling, and 246-376-110 Swimming pools, wading pools and bathing beaches.

Chapter 246-710 WAC, Coordinated children's services, this chapter establishes the State Board of Health role in implementing regulations to carry out the crippled children's services program administered by the Department of Social and Health Services. The section selected for expedited repeal is WAC 246-710-040 Funding ceilings for neuromuscular program and neuromuscular centers.

Chapter 246-762 WAC, Scoliosis screening—School districts, this chapter creates the examination process and requirements for the screening of scoliosis in school-age children. The sections selected for expedited repeal are WAC 246-762-060 Distribution of rules and procedures and 246-762-070 Exemptions from examinations—Screening waivers.

Statutory Authority for Adoption: RCW 43.20.050.

Adopted under preproposal statement of inquiry filed as WSR 97-14-057 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 27.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 22, 1997

Sylvia Beck

Executive Director

WSR 97-20-101
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed September 29, 1997, 4:28 p.m.]

Date of Adoption: September 16, 1997.

Purpose: Repeals the rules identified below because they are no longer necessary due to changed circumstances, they are redundant under other chapters, or because the statute on which the rule was created has been repealed. Chapter 246-171 WAC, WAC 246-220-130, 246-224-040 and 246-224-080, these rules are no longer necessary due to changed circumstances.

WAC 246-225-99910, there is no statutory authority for this rule.

WAC 246-227-010, this section is duplicative of WAC 246-228-001.

WAC 246-229-010 and 246-229-040, these sections are duplicative of chapter 246-244 WAC.

WAC 246-293-310, this section is redundant to WAC 246-293-690.

WAC 246-310-060, 246-310-135 and 246-310-630, these rules are duplicative of chapter 70.38 RCW, and are no longer necessary due to changed circumstances.

WAC 246-316-001, this section is duplicative of chapter 18.20 RCW.

WAC 246-318-018, this rule is no longer necessary due to changed circumstances.

WAC 246-318-050 through 246-318-140, 246-318-340, 246-318-360 and 246-318-410, these sections are duplicative with hospital construction standards within chapter 246-318 WAC.

WAC 246-318-430 and 246-318-435, these sections are duplicative of other sections within chapter 246-318 WAC.

WAC 246-318-501, this rule is duplicative of RCW 70.41.030.

WAC 246-322-001, 246-324-001, 246-325-001, 246-326-001 and 246-327-001, these sections are no longer

PERMANENT

necessary because they are duplicative of RCW, and circumstances have changed.

WAC 246-328-150, rule is duplicative of WAC 246-01-100.

WAC 246-329-001, 246-331-001 and 246-336-001, these sections are no longer necessary because they are duplicative of RCW, and circumstances have changed.

Chapter 246-510 WAC, this chapter is no longer necessary because it duplicates chapter 182-20 WAC.

WAC 246-560-015 through 246-560-030, 246-560-080 through 246-560-120, circumstances have changed and these sections are no longer necessary.

WAC 246-822-100, 246-822-140, 246-830-220 to 246-830-280 and 246-830-690, circumstances have changed due to passage of chapter 191, Laws of 1996.

WAC 246-834-350, rule is duplicative with RCW 18.130.180(8) and policy D06.04.

WAC 246-836-070, circumstances have changed due to passage of chapter 191, Laws of 1996.

WAC 246-836-190, the rule is no longer necessary because statute on which the rule was based has been repealed.

WAC 246-836-400, circumstances have changed due to passage of chapter 191, Laws of 1996.

WAC 246-841-710, nursing assistants fall under the Uniform Disciplinary Act (chapter 18.130 RCW) so rule is duplicative.

WAC 246-841-730, the rule is not enforceable because of no jurisdiction over courts.

WAC 246-841-740, jurisdiction for agency reporting as referred in WAC resides within other agencies pursuant to statute.

WAC 246-841-750, the Uniform Disciplinary Act (chapter 18.130 RCW) provided for cooperation with an investigation and chapter 246-10 WAC already provides uniform procedural rules.

WAC 246-843-158, the rule is duplicative of WAC 246-01-100.

WAC 246-933-170, 246-933-980, 246-935-125 and 246-937-100, circumstances have changed due to passage of chapter 191, Laws of 1996.

WAC 246-976-090 and 246-976-115, the RCW on which this rule was based has been amended, and circumstances have changed, therefore this rule is no longer necessary.

Citation of Existing Rules Affected by this Order: Chapter 246-171 WAC, Tuberculosis financial responsibility, 246-220-130 Radiation protection—General provisions: Appendix C—The international system of units (SI), 246-224-040 Radiation protection—Machine assembly and registration: Expiration of registration, 246-224-080 Radiation protection—Machine assembly and registration: Approval not implied, 246-225-99910 Radiation protection—X-rays in the healing arts: Appendix I—Good practice, 246-227-010 Radiation protection—Industrial x-ray—Scope, 246-229-010 Radiation protection—Particle accelerators—Registration requirements, 246-229-040 Radiation protection—Particle accelerators—General provisions, 246-293-310 Water System Coordination Act—Severability, 246-310-060 Certificate of need—Sanctions for violations, 246-310-135 Ethnic minority nursing home bed pool—Procedures, 246-310-630 Public access to records, 246-316-001 Boarding

homes—Purpose and scope, 246-318-018 Hospitals—Hospital license to cover attached nursing home building—When permissible, 246-318-050 through 246-318-140, 246-318-340, 246-318-360 and 246-318-410, acute care hospitals, 246-318-430 and 246-318-435 Hospitals—Intravenous preparation and intravenous administration, 246-318-501 Hospitals—Legal authority of the department, 246-322-001 Private psych hospitals—Purpose and scope, 246-324-001 Private alcohol and chemical dependency hospitals—Purpose and scope, 246-325-001 Adult residential rehab centers and private adult treatment homes—Purpose and scope, 246-326-001 Alcoholism treatment facilities—Purpose, 246-327-001 Home health agencies—Scope and purpose, 246-328-i50 Responsibility for maintaining mailing address on file with department, 246-329-001 Childbirth centers—Purpose, 246-331-001 Hospice agencies—Scope and purpose, 246-336-001 Home care agencies—Scope and purpose, chapter 246-510 WAC, Standards for community health clinics, 246-560-015 through 246-560-030, 246-560-080 through 246-560-120, Rural health system project—Guidelines for grant applications, 246-822-100 Cooperation with investigation, 246-822-140 Certification renewal, 246-830-220 to 246-830-280 Massage—Examination, 246-830-690 Cooperation with investigation, 246-834-350 Cooperation with investigation, 246-836-070 License renewal, 246-836-190 Postgraduate hours in study of mechanotherapy, 246-836-400 Cooperation with investigation, 246-841-710, 246-841-730, 246-841-740, 246-841-750 Disciplinary procedures—General provisions; Courts; State and federal agencies; and Cooperation with investigation, 246-843-158 Responsibility for maintaining mailing address on file with department, 246-933-170 and 246-933-980 Veterinarian—Cooperation with investigation, Veterinarian—License renewal, 246-935-125 Veterinarian—Animal technicians—License renewal, 246-937-100 Veterinarian—Medical clerks—License renewal, 246-976-090 and 246-976-115 EMS personnel—Continuing medical education—Units of learning; EMS training—Course coordinator—Responsibilities.

Statutory Authority for Adoption: RCW 43.70.040.

Adopted under preproposal statement of inquiry filed as WSR 97-14-056 and 97-14-061 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 88.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 22, 1997

Bruce Miyahara
Secretary

WSR 97-20-102
PERMANENT RULES
DEPARTMENT OF HEALTH

[Filed September 29, 1997, 4:31 p.m.]

Date of Adoption: August 18, 1997.

Purpose: 1996 legislation replaced the trainee program with an apprenticeship program. These two sections are no longer applicable.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-828-060 and 246-828-065.

Statutory Authority for Adoption: RCW 18.35.161.

Adopted under preproposal statement of inquiry filed as WSR 97-14-059 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 2.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 10, 1997

Delores E. Spice
 Executive Director

WSR 97-20-103
PERMANENT RULES
DEPARTMENT OF HEALTH

(Board of Physical Therapy)

[Filed September 29, 1997, 4:32 p.m.]

Date of Adoption: August 18, 1997.

Purpose: To repeal WAC 246-915-080 and 246-915-090. 1996 legislation (HB 2151) established secretary authority to adopt rules establishing procedures for administrative tasks such as license renewal and change of address or name.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-915-080 and 246-915-090.

Statutory Authority for Adoption: RCW 43.70.280.

Adopted under preproposal statement of inquiry filed as WSR 97-14-067 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 2.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 2.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 16, 1997

Gail L. Zimmerman
 Executive Director

WSR 97-20-104
PERMANENT RULES
DEPARTMENT OF HEALTH

[Filed September 29, 1997, 4:35 p.m.]

Date of Adoption: August 18, 1997.

Purpose: Temporary practice permits are not allowed by chapter 18.35 RCW. The department does not issue temporary practice permits. The rules regarding temporary practice permits are not necessary.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-828-400, 246-828-410, 246-828-420, and 246-828-430.

Statutory Authority for Adoption: RCW 18.35.161.

Adopted under preproposal statement of inquiry filed as WSR 97-14-060 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 4.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 11, 1997

Delores E. Spice
 Executive Director

WSR 97-20-109
PERMANENT RULES
BOARD OF BOILER RULES

[Filed September 30, 1997, 10:45 a.m.]

Date of Adoption: September 30, 1997.

Purpose: To comply with actions taken by the Board of Boiler Rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 296-104-400, 296-104-410 and 296-104-415; and amending WAC 296-104-200, 296-104-215, 296-

104-265, 296-104-270, 296-104-300, 296-104-305, 296-104-310, 296-104-320, 296-104-325, 296-104-330, and 296-104-405.

Statutory Authority for Adoption: RCW 70.79.030 and 70.79.040.

Adopted under notice filed as WSR 97-15-138 on July 23, 1997.

Changes Other than Editing from Proposed to Adopted Version: Changes are editorial only for clarification.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 12, repealed 3.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 12, repealed 3.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 12, repealed 3.

Effective Date of Rule: Thirty-one days after filing,
September 30, 1997

Charles Butros
Chairman

NEW SECTION

WAC 296-104-107 Inspection—Which unfired pressure vessels in places of public assembly are subject to these rules? All unfired pressure vessels in places of public assembly are subject to these rules except those:

- (1) Less than 1 1/2 cubic feet (11.25 gallon) in volume with a safety valve setting of 150 psi, or less; or
- (2) Less than 6 inches in diameter, and less than 5 cubic feet (37.5 gallon) in volume with a safety valve set at any pressure.

AMENDATORY SECTION (Amending WSR 96-21-081, filed 10/16/96, effective 11/16/96)

WAC 296-104-200 Construction—Standards for new construction. The standards for new construction are the ASME Boiler and Pressure Vessel Code, Sections I, III, IV, VIII, ~~((and))~~ X, and CSD-1 (for boilers with fuel input ratings less than 12,500,000 BTU/hr) 1995 edition, ~~((with addenda))~~ and the ASME/ANSI PVHO-1 (Standard for Pressure Vessels for Human Occupancy), 1987 edition. These codes and standards may be used on or after the date of issue and become mandatory twelve months after adoption by the board as specified in RCW 70.79.050(2). The board recognizes that the ASME Code states that new editions of the code become mandatory on issue and that subsequent addenda become mandatory six months after the date of issue. ~~((Also, in circumstances such as))~~ For nuclear systems, components and parts the time period for addenda becoming mandatory is defined in the Code of Federal Regulations.

AMENDATORY SECTION (Amending WSR 96-21-081, filed 10/16/96, effective 11/16/96)

WAC 296-104-215 Construction—Nonstandard boilers and unfired pressure vessels. Nonstandard boilers and unfired pressure vessels constructed prior to January 1, 1952, may be used provided they have not been moved from their original setting since January 1, 1952~~((or ownership has not changed since January 1, 1952))~~.

AMENDATORY SECTION (Amending Order 87-25, filed 12/17/87)

WAC 296-104-265 ~~((Inspection of systems))~~ Installation—Control and limit devices. All automatically fired steam, vapor, or hot water boilers ~~((excepting))~~ except boilers having a constant attendant who has no other duties while the boiler is in operation, shall be equipped with an automatic low-water fuel cut-off and an automatic water feeding device. These may be incorporated in one body or may be separate devices. Designs embodying a float and float bowl shall have a vertical straight-away valve drain pipe at lowest point in the water equalizing pipe connection by which the bowl and equalizing pipe can be flushed and the device tested. Immersion units shall be designed so that they may be readily tested at frequent intervals. All boilers ~~((newly))~~ installed after June 1989 that are automatically fired low pressure steam heating boilers, small power boilers, and power steam boilers without a constant attendant who has no other duties shall be equipped with two high steam pressure limit controls, one of which shall be provided with a manual reset on the control with the highest setting, and two low-water fuel cut-offs, one of which shall be provided with a manual reset device and independent of the feed water controller. Coil type flash steam boilers may use two high-temperature limit controls, one of which shall be manually reset in the hot water coil section of the boiler instead of the low-water fuel cut-off. Control and limit devices shall be independently connected and electrically wired in series.

All automatically fired hot water supply, low-pressure hot water heating boilers, and power hot water boilers shall be equipped with two high-temperature limit controls, one of which shall be provided with a manual reset on the control with the highest setting, and one low-water fuel cut-off with a manual reset and independent of the feed water controller. For coil type hot water boilers a low-water flow limit control installed in the circulating water line may be used instead of a low-water fuel cut-off. Control and limit devices shall be independently connected and electrically wired in series. All boilers installed or refitted after 1998, with fuel input ratings of less than 12,500,000 BTU/hr which are fired by gas, oil, or a combination of gas or oil shall comply with any additional fuel train requirements defined in ASME CSD-1 where applicable, as adopted in WAC 296-104-200.

AMENDATORY SECTION (Amending Part IV, filed 3/23/60)

WAC 296-104-270 ~~((Inspection of systems))~~ Installation—What are the requirements for an explosion door~~((s))~~? ~~((Explosion doors, if used and if located in setting walls within seven feet of the firing floor or operating~~

~~platform shall be provided with substantial deflectors to divert the blast.) Provide substantial deflectors to divert the blast when explosion doors are located within seven feet of the firing floor or an operating platform.~~

AMENDATORY SECTION (Amending Part V, filed 3/23/60)

WAC 296-104-300 ((New)) Installation((s))—~~((Ladders and runways.))~~ When do I need to provide platforms around boilers? Provide platforms allowing safe access to each boiler, when the boiler controls, valves, manholes, or casing openings are over ten feet ~~((from))~~ above the ~~((fireroom))~~ floor ~~((, a fireproof runway or platform shall be provided, with handrails, at a convenient level for the purpose of affording safe access to the boiler. When runway or platform is more than twelve feet in extent, at least two means of exit shall be provided, each exit to be remotely located from the other. The provisions of this paragraph are mandatory for power boilers and are recommended for low pressure boilers)).~~

AMENDATORY SECTION (Amending Part V, filed 3/23/60)

WAC 296-104-305 ((New)) Installation((s))—~~((Exits from boiler rooms.))~~ How many exits are required in boiler rooms? (1) For boiler rooms containing a boiler or a combination of boilers of over 2,000 square feet of heating surface ~~((shall have)), provide at least two ((means of))~~ exits ~~((, each remotely located from the other))~~ on opposite sides of the boiler(s).

(2) Each floor elevation ~~((shall))~~ change of 10 feet or more must have ~~((at least two means of egress, each remotely located from the other. At least one means of exit, in case of a difference in elevation, shall be by ramp or stairway of standard design))~~ two exits from that elevation.

(3) All exits shall meet Washington state building codes or local building codes as applicable.

AMENDATORY SECTION (Amending Part V, filed 3/23/60)

WAC 296-104-310 ((New)) Installation((s))—Where should the discharge from safety valves, blow offs and drains((+)) be directed? Direct the discharge from safety valves, blow offs and drains ~~((shall be located))~~ to prevent injury to personnel or property. Run the discharge line outside the building from single or multiple safety valves on boilers with a capacity of 5,000 pounds of steam per hour ~~((capacity of single or multiple units shall be extended outside of building))~~ or more.

AMENDATORY SECTION (Amending Part V, filed 3/23/60)

WAC 296-104-320 ((New)) Installation((s))—What are the requirements for underground installations((+))? Where necessary to install a pressure vessel underground ~~((+))~~:

(1) It shall be enclosed in a concrete or masonry pit ~~((with))~~.

~~(2) If covered the cover shall be removable ((cover so that inspection of the entire shell and heads of the vessel can be made)).~~

(3) A minimum clearance of 18 inches shall be provided between the pressure vessel proper and the ceiling, adjacent walls, or other structures.

(4) All manhole openings shall have a minimum of 5 feet of clearance from any wall, ceiling, or piping that could prevent a person from entering the pit or vessel.

AMENDATORY SECTION (Amending Part V, filed 3/23/60)

WAC 296-104-325 ((New)) Installation((s))—~~((Supports.))~~ What are the requirements for boiler and pressure vessel supports? Each boiler or unfired pressure vessel shall be supported by masonry or structural supports of sufficient strength and rigidity to safely support the vessel and its contents. There shall be no excessive vibration in either the vessel or its connecting piping.

AMENDATORY SECTION (Amending Part V, filed 3/23/60)

WAC 296-104-330 ((New)) Installation((s))—What are the relief or safety valve requirements when pressure reducing valves((+)) are used? (1) Where pressure reducing valves are used, one or more relief or safety valve(s) and pressure gauge(s) shall be provided on the low pressure side of the reducing valve ~~((in case the piping or equipment on the low pressure side does not meet the requirement for the full initial pressure)).~~ The relief or safety valve(s) shall be located ~~((adjoining to or))~~ as close as possible to the reducing valve. ~~((Proper protection shall be provided to prevent injury or damage caused by the escaping steam from the discharge of relief or safety valves if vented to the atmosphere.))~~ The combined discharge capacity of the relief valves shall be such that the pressure rating of the lower pressure piping or equipment shall not be exceeded in case the reducing valve sticks open. Discharge lines shall comply with WAC 296-104-310.

(2) The use of hand-controlled bypasses around reducing valves is permissible. The bypass ~~((if used around a reducing valve))~~ shall not be greater in capacity than the reducing valve unless the piping or equipment is adequately protected by a relief valve(s) or meets the requirements of the high pressure system. ~~((It is mandatory that a pressure gauge as well as a relief valve be installed on the low pressure side of a reducing valve.))~~

AMENDATORY SECTION (Amending Part VI, filed 3/23/60)

WAC 296-104-405 Existing installation((s))—~~((Existing))~~ How can the maximum allowable working pressure be established for nonstandard boilers or unfired pressure vessels((+))? The maximum allowable working pressure MAWP shall be ~~((determined by the following formula))~~ established as follows:

(1) For nonstandard steel low pressure steam heating boilers the MAWP shall be computed from the formula in subsection (5) of this section not exceeding 15 psi steam.

(2) For nonstandard steel low pressure water heating boilers the MAWP shall be computed from the formula in subsection (5) of this section not exceeding 160 psi.

(3) For nonstandard cast iron low pressure steam heating boilers the MAWP shall not exceed 15 psi steam.

(4) For nonstandard cast iron low pressure water heating boilers the MAWP shall not exceed 30 psi.

(5) For boilers and unfired pressure vessels not listed above, where the original code of construction is unknown, the following formula will be used.

$$\frac{TS \times t \times E}{R \times FS} = MAWP$$

TS = Tensile Strength in psi as given in ASME Code, when material cannot be identified use 55,000 for steel and 45,000 for wrought iron.

t = thickness in inches of the thinnest part determined by actual measurement.

E = efficiency of longitudinal joint or ligament, whichever is the least, determined by the rules and formula in the ASME Code. When construction methods are not known welded joint efficiency will be 70%.

R = radius of largest course in inches.

FS = ~~((the minimum for boilers shall be 5; for reinstalled or second hand boilers, 6; for boilers with longitudinal lap seams, 8 (age limit for such boilers 30 years, may then be used at 15 psi provided they can otherwise pass inspection);))~~ Factor of Safety, for boilers shall be a minimum of 5. For boilers with a longitudinal lap seam it shall be a minimum 8. Boilers with a longitudinal lap seam, unless granted a special permit, may only be used at a maximum of 15 psi provided they have passed inspection. The minimum for unfired pressure vessels shall be 4 when less than 20 years old, 4 1/2 when over 20 years old.

~~((The minimum for unfired pressure vessels shall be 4 when less than 20 years old, 4 1/2 when over 20 years old.))~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 296-104-400 Existing installations—Stamping of existing boilers and unfired pressure vessels.
- WAC 296-104-410 Existing installations—Noncode steel heating boilers.
- WAC 296-104-415 Existing installations—Noncode cast iron boilers.

**WSR 97-20-124
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Public Assistance)**

[Filed October 1, 1997, 9:53 a.m., effective November 1, 1997]

Date of Adoption: September 30, 1997.

Purpose: To adopt new Department of Social and Health Services rules to implement changes in welfare reform law at the state and federal level.

1. Adopted to establish a diversion assistance program to prevent some families from developing dependency on the

temporary assistance for needy families (TANF): WAC 388-222-001, 388-222-010, and 388-222-020.

2. Adopted to establish a program to provide state funded TANF to certain legal immigrants: WAC 388-220-0001 and 388-220-0030.

3. Adopted to establish a food assistance program for certain legal immigrants: WAC 388-45-010.

4. Adopted to establish a program of individual development accounts for TANF participants: WAC 388-216-3000.

5. Adopted to combine multiple TANF assistance units living with a single caretaker relative or relative married couple into one consolidated assistance unit: WAC 388-215-1603 and 388-215-1670.

6. Adopted to establish different grant standards for household members who have resided in Washington less than twelve consecutive months prior to applying for assistance: WAC 388-250-1225.

7. Adopted to establish a gross earned income level for determining financial eligibility for employed TANF applicants: WAC 388-218-1735 and 388-250-1310.

8. Adopted to implement the Wellstone/Murray family violence amendment at Public Law 104-193, § 408 (a)(7)(c)(iii) and EHB § 103: WAC 388-61-001.

Statutory Authority for Adoption: For WAC 388-222-001, 388-222-010 and 388-222-020 is RCW 74.04.050, 74.08.090; for WAC 388-220-0001 and 388-220-0030 is RCW 74.08.090, chapter 57, Laws of 1997; for WAC 388-45-010 is RCW 74.04.050, 74.04.057, 74.08.090; for WAC 388-216-3000 is RCW 74.08.090, section 307, chapter 58, Laws of 1997; for WAC 388-215-1630 is RCW 74.04.050, 74.04.055, 74.08.090; for WAC 388-250-1225 is RCW 74.04.050, 74.04.057, 74.08.090; for WAC 388-218-1735 and 388-250-1310 is RCW 74.08.090; for WAC 388-215-1670 is RCW 74.08.090; and for WAC 388-61-001 is RCW 74.04.050, 74.08.090, 74.04.057.

Adopted under notice filed as WSR 97-17-068 and 97-17-069 on August 18, 1997; WSR 97-17-088, 97-17-089 and 97-17-090 on August 19, 1997; and WSR 97-17-098, 97-17-099, 97-17-101 and 97-17-103 on August 20, 1997.

Changes Other than Editing from Proposed to Adopted Version: As a result of a regulatory improvement review, the department has streamlined and simplified these rules to make them consistent with Governor Locke's and Secretary Quasim's executive orders on regulatory improvement. These rules are easier to understand, do not restate federal or state law, and the intent of the rule is more clear.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 13, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

PERMANENT

Effective Date of Rule: November 1, 1997.

September 30, 1997
 Jerry W. Friedman
 Assistant Secretary
 Economic Services Administration

**Chapter 388-61 WAC
 FAMILY VIOLENCE**

NEW SECTION

WAC 388-61-001 What does the Family Violence Amendment mean for TANF recipients? The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), also known as the Welfare Reform Act, gave every state the option to have a program to address issues of family violence for temporary assistance for needy families (TANF) recipients.

(1) For TANF, it is family violence when a recipient, or family member or household member has been subjected by another family member or household member as defined in RCW 26.50.010 (1) to one of the following:

- (a) Physical acts that resulted in, or threatened to result in, physical injury;
 - (b) Sexual abuse;
 - (c) Sexual activity involving a dependent child;
 - (d) Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;
 - (e) Threats of or attempts at, physical sexual abuse;
 - (f) Mental abuse;
 - (g) Neglect or deprivation of medical care, or
 - (h) Stalking.
- (2) DSHS shall:

(a) Screen and identify TANF recipients for a history of family violence;

(b) Notify TANF recipients about the Family Violence Amendment both verbally and in writing;

(c) Maintain confidentiality as stated in RCW 74.04.060;

(d) Refer individuals needing counseling to supportive services;

(e) Waive WorkFirst requirements in cases where the requirements would make it more difficult to escape family violence, unfairly penalize victims of family violence or place victims at further risk of family violence. Requirements to be waived may include:

(i) Time limits for TANF recipients, for as long as necessary (after fifty-two months of receiving TANF);

(ii) Cooperation with the division of child support.

(f) Develop specialized work activities for clients meeting the definition of family violence in instances where participation in work activities would place the recipients at further risk of family violence.

**Chapter 388-45 WAC
 THE STATE-FUNDED FOOD ASSISTANCE PROGRAM FOR LEGAL IMMIGRANTS**

NEW SECTION

WAC 388-45-010 The state-funded food assistance program for legal immigrants. (1) Legal immigrants are eligible for the state-funded federal food stamp program for legal immigrants if they:

(a) Meet the alien status requirements of the Food Stamp Act in effect prior to August 22, 1996; and

(b) Are ineligible for federal food stamps due to the immigrant provisions of P.L. 104-193, as amended.

(2) The state program provides the same amount of benefits as the federal food stamp program. Some households may receive both state and federal food stamp. The total benefits for any household cannot exceed the federal food stamp amount for that household size.

NEW SECTION

WAC 388-215-1630 Assistance units—Consolidation.

(1) Assistance units include mandatory members as required under WAC 388-215-1600 and persons for whom assistance is requested at the option of the caretaker relative. All children included under WAC 388-215-1600 and 388-215-1610 and who live with the same caretaker relative or relative married couple are included in a single assistance unit.

(2) Children do not have to be full, half, or adopted brothers or sisters to be included in the same assistance unit.

(3) When a change of circumstances occurs which makes one or more assistance unit members ineligible for cash benefits, assistance is continued for all assistance unit members who remain eligible.

NEW SECTION

WAC 388-250-1225 TANF payment standards for recent arrivals to Washington state. (1) Eligibility and benefit levels for TANF recipients are determined according to length of residency and payment standard requirements established under RCW 74.08.025 (amended in section 101, chapter 58, Laws of 1997).

(2) The length of residency requirement does not apply to a dependent child who lives with a caretaker relative if the relative has resided in Washington for twelve or more consecutive months prior to applying for TANF benefits for the child.

NEW SECTION

WAC 388-218-1735 The maximum amount a TANF family can earn. (1) "Family members" includes everyone in the TANF assistance unit, and:

(a) Adults or children who would otherwise be included in the assistance unit under WAC 388-215-1600 but who do not meet TANF eligibility requirements;

(b) The unborn child of a woman in her third trimester of pregnancy; and

(c) When residing together, the husband of a woman in her third trimester of pregnancy.

(2) Gross earned income does not include exempt or disregarded income.

(3) Deduct from the gross earned income:

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- (a) Court or administratively ordered support paid to meet the needs of legal dependents, up to:
 - (i) The amount actually paid; or
 - (ii) A one-person need standard for each legal dependent.
- (b) Authorized ongoing additional requirement payment as defined in chapter 388-225 WAC, Special payments.

NEW SECTION

WAC 388-250-1310 Maximum earned income levels.

(1) Effective November 1, 1997, the department will use the following maximum earned income levels for temporary assistance for needy families (TANF) clients:

Number of Family Members	Maximum Earned Income Levels
1	\$ 698
2	880
3	1,092
4	1,284
5	1,480
6	1,682
7	1,942
8	2,150
9	2,360
10 or more	2,566

(2) To calculate a family's gross earned income apply rules defined in WAC 388-218-1735.

**Chapter 388-220 WAC
STATE FAMILY ASSISTANCE**

NEW SECTION

WAC 388-220-0001 Purpose of program. As authorized by state law under ESB 6098 (1997); chapter 57, Laws of 1997, the state family assistance (SFA) program is a state-funded program providing for the needs of legal immigrants with dependent children who are ineligible for the temporary assistance for needy families (TANF) program because of their immigration status.

NEW SECTION

WAC 388-220-0030 State family assistance eligibility. (1) To qualify for state family assistance (SFA), individuals must:

- (a) Be lawfully admitted for permanent residence or otherwise reside permanently in the United States under color of law; and
 - (b) Meet all TANF requirements except for immigrant status eligibility rules specified in U.S.C. Title 8, Sections 1611, 1612, 1613, and 1641.
- (2) The department will deny SFA to any assistance unit that includes an adult who has received SFA, TANF, or a combination of SFA and TANF for a total of sixty months since August 1, 1997.

(3) In calculating the number of months an adult family member has received SFA or TANF, the department will disregard any month in which the individual who received SFA or TANF was:

- (a) A minor child who was not the head of a household or married to the head of a household; or
- (b) Living in Indian country or in an Alaskan Native village, if during the month the individual received TANF, at least fifty percent of the adults living in Indian country or in the village were unemployed.
- (4) For an assistance unit which includes both SFA and TANF recipients, the assistance unit's combined SFA and TANF grant payment cannot exceed the TANF grant payment level for their household size.

**Chapter 388-222 WAC
DIVERSION ASSISTANCE**

NEW SECTION

WAC 388-222-001 Definitions. "Adult." Any person age eighteen or older.

"Bona fide need." An actual, established need a family has for living expenses.

"Crisis." A family situation that the family can take care of if they receive help with one or more bona fide needs as defined in this chapter.

"DCA benefit begin date/month." The date/month of application or the date/month in which TANF or SFA eligibility exists if the applicant is not TANF or SFA eligible in the application month.

"Diversion assistance." The array of government and community services and resources, including diversion cash assistance (DCA), that is available to help some low income families so that the family does not have to go on temporary assistance for needy families (TANF) or state family assistance (SFA).

"Diversion cash assistance." A state-funded program that can provide up to fifteen hundred dollars of brief emergency money to TANF or SFA eligible families who are in crisis and have a bona fide need(s).

"Family." At least one TANF or SFA eligible adult(s), any other people who must be included with that adult(s) in one TANF or SFA assistance unit, and any caretaker adult(s) who would be included in the TANF or SFA assistance unit but is ineligible because of TANF disqualification, citizenship status or any other reason.

"Unsubsidized job." A job in which the government does not give the employer any money to help pay the wage or salary of the person who has the job.

NEW SECTION

WAC 388-222-010 Diversion cash assistance (DCA). To get DCA, the family has to:

(1) Meet all the eligibility rules for TANF or SFA that are in chapters 388-215, 388-216, 388-217, and 388-218 WAC except:

- (a) The family does not have to meet the TANF or SFA work requirements that are in chapter 388-310 WAC; and
- (b) The family does not have to meet the child support rules, including cooperating with division of child support, that are in WAC 388-215-1400 through 388-215-1490; and
- (c) TANF or SFA recipients who are terminated and who apply for DCA within thirty days of termination are treated as applicants; and

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(d) After the family is determined eligible for DCA their countable income and resources will not be used to decide how much DCA the family can receive.

(2) Meet all the other eligibility requirements of DCA including:

(a) The family must be in crisis as defined in this chapter;

(b) The family must have a bona fide need. Bona fide needs include, but are not limited to:

(i) Child care bills;

(ii) Rent payments;

(iii) Transportation costs;

(iv) Food costs, unless an adult member of the family has been disqualified for food stamps;

(v) Medical costs, unless an adult member is not eligible because of noncooperation with third party liability (TPL) requirements; or

(vi) Money needed to get or keep an unsubsidized job.

(c) The family must provide proof that the bona fide needs exist;

(d) The amount of DCA the family receives can not be more than the cost of the bona fide need(s) and must keep the family from going on TANF;

(e) The family has to have, or be likely to get, enough income or other resources that a reasonable person could expect the family to support themselves for at least twelve months.

(3) All money, except TANF and SFA, and all services which the federal government pays for, that can be used to meet the family's crisis, should be used before DCA is used.

(4) An family cannot get DCA if:

(a) Any adult member of the family is ineligible for TANF or SFA due to disqualification, drug conviction, lump sum income rule, or any other reason, except receipt of Supplemental Security Income (SSI);

(b) All adult family members are ineligible for TANF or SFA due to receipt of SSI; or

(c) Any adult member has received TANF/SFA in the current DCA benefit month or has received DCA within the past twelve months.

NEW SECTION

WAC 388-222-020 Diversion cash assistance payments. (1) When all other DCA eligibility requirements are met, an assistance unit can get DCA payment for bona fide needs that occur prior to or during the thirty-day period following the benefit begin date.

(2) DCA will be paid directly to vendor(s) whenever possible.

(3) If a DCA adult recipient reapplies for TANF or SFA:

(a) Eligibility is determined without regard to the DCA payment if twelve months or more have gone by since the DCA benefit month.

(b) A DCA loan is established if fewer than twelve months have gone by since the DCA benefit month. The DCA loan is one-twelfth of the DCA received multiplied by the number of months that are left before the twelve months have gone by.

(4) The DCA loan has to be repaid having five percent of the TANF or SFA grant taken out of the TANF or SFA check each month.

(5) DSHS collects back the DCA loan solely by grant deduction.

(6) If the adult(s) who has to pay the loan goes off TANF or SFA before the loan is repaid, collection of the loan is suspended unless the adult(s) goes back on TANF or SFA. If the family goes back on TANF or SFA collection of the loan is resumed.

NEW SECTION

WAC 388-216-3000 Individual development account.

(1) The department will not use funds from an individual development account established under section 307, chapter 58, Laws of 1997 when determining TANF eligibility.

(2) If funds are withdrawn from an individual development account for a purpose other than those defined in section 307, chapter 58, Laws of 1997, the department will use the funds to determine eligibility according to WAC 388-216-2000, Resources—Eligibility.

NEW SECTION

WAC 388-215-1670 Unmarried pregnant or parenting teens under age eighteen—Required school attendance.

(1) In order to receive assistance, an unmarried pregnant or parenting teen under age eighteen who has not completed a high school education or General Equivalency Diploma (GED) must participate in educational activities leading to the attainment of a high school diploma or GED.

(2) A teen parent with a child under twelve weeks old is exempt from this rule.

(3) The school or program in which the unmarried pregnant or parenting teen is enrolled will set standards for satisfactory attendance that the teen has to meet.

(4) If an unmarried pregnant or parenting teen is disqualified because of this rule:

(a) No one else in the assistance unit is disqualified; and

(b) If the teen parent has income, the department will use it to figure the amount of the child's grant according to WAC 388-218-1640.

**WSR 97-20-125
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Public Assistance)**

[Filed October 1, 1997, 9:57 a.m., effective November 1, 1997]

Date of Adoption: September 30, 1997.

Purpose: To repeal existing rules no longer needed due to the implementation of: State welfare reform legislation, temporary assistance for needy families (TANF); federal welfare reform legislation, Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; and Executive Order 97-02.

Citation of Existing Rules Affected by this Order:
Repealing WAC 388-215-1200 and 388-230-0040.

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Statutory Authority for Adoption: RCW 74.08.090 and 74.04.0052.

Adopted under notice filed as WSR 97-17-087 on August 19, 1997; and 97-17-102 on August 20, 1997.

Changes Other than Editing from Proposed to Adopted Version: As a result of welfare reform and a regulatory improvement review, the Department of Social and Health Services has repealed this rule rather than amend it because it repeats existing law.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 2.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 2.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 1, 1997.

September 30, 1997

Jerry W. Friedman

Assistant Secretary

Economic Services Administration

Other Authority: EHB 3901 1997 part III and federal legislation under Public Law 104-193, Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Adopted under notice filed as WSR 97-16-054 on July 31, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 39.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 1, 1997.

September 30, 1997

Jerry W. Friedman

Assistant Secretary

Economic Services Administration

REPEALER

The following chapter of the Washington Administrative Code is repealed:

388-300 Job opportunities and basic skills training (JOBS) program.

WSR 97-20-128

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Public Assistance)

[Filed October 1, 1997, 10:07 a.m., effective November 1, 1997]

Date of Adoption: September 30, 1997.

Purpose: To amend existing Department of Social and Health Services rules to make them conform to changes in welfare reform law at the state and federal level.

1. Amended WAC 388-215-1000 to implement new citizenship criteria for TANF.

2. Amended one rule, WAC 388-235-2000, concerning individual development accounts.

3. Amended WAC 388-265-1275 to establish requirements for protective payees for parenting and/or pregnant minors.

4. Amended WAC 388-55-030 to set requirements for treatment of income and resources for the refuge cash assistance program.

5. Amended three rules to set TANF requirements for unmarried pregnant or parenting teens: WAC 388-215-1620, 388-215-1650, and 388-215-1660.

6. Amended two rules to change the provision for basic eligibility to require pregnant and parenting teens to live in

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REPEALER

The following section of the Washington Administrative Code is repealed:

388-215-1200 Citizenship and alienage.

REPEALER

The following section of the Washington Administrative Code is repealed:

388-230-0040 Summary of eligibility conditions.

WSR 97-20-126

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Public Assistance)

[Filed October 1, 1997, 10:00 a.m., effective November 1, 1997]

Date of Adoption: September 30, 1997.

Purpose: Repeal of existing chapter 388-300 WAC, Job opportunities and basic skills training (JOBS) program.

Citation of Existing Rules Affected by this Order: Repealing chapter 388-300 WAC, Job opportunities and basic skills training (JOBS) program.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.

an appropriate living situation: WAC 388-230-0010 and 388-230-0060.

Citation of Existing Rules Affected by this Order: WAC 388-215-1000, 388-265-1275, 388-55-030, 388-215-1620, 388-215-1650, 388-215-1660, 388-230-0010, 388-230-0060, and 388-235-2000.

Statutory Authority for Adoption: For WAC 388-215-1000 is RCW 74.08.090; for WAC 388-265-1275 is RCW 74.08.090, 74.04.057; for WAC 388-55-030 is RCW 74.04.050, 74.08.090; for WAC 388-215-1620, 388-215-1650, and 388-215-1660 is RCW 74.08.090, 74.12.255; for WAC 388-230-0010 and 388-230-0060 is RCW 74.08.090, 74.04.0052; and for WAC 388-235-2000 is RCW 74.08.090, § 307, chapter 58, Laws of 1997.

Adopted under notice filed as WSR 97-17-039 on August 14, 1997; WSR 97-17-069 on August 18, 1997; WSR 97-17-087 and 97-17-090 on August 19, 1997; and WSR 97-17-097 and 97-17-102 on August 20, 1997.

Changes Other than Editing from Proposed to Adopted Version: As a result of a regulatory improvement review, the department has streamlined and simplified these rules to make them consistent with Governor Locke's and Secretary Quasim's executive orders on regulatory improvement. These rules are easier to understand, do not restate federal or state law, and the intent of the rule is more clear.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 9, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 1, 1997.

September 30, 1997

Jerry W. Friedman

Assistant Secretary

Economic Services Administration

AMENDATORY SECTION (Amending WSR 93-16-059, filed 7/29/93, effective 8/29/93)

WAC 388-230-0010 Purpose of program. (1) General assistance for pregnant women (GA-S) is a state-funded grant assistance program providing for the needs of:

- (a) A pregnant woman; or
- (b) A woman who has relinquished her newborn for adoption if the woman was receiving:

- (i) GA-S at the time of the birth of the child; or
- (ii) TANF at the time of the birth of the child and subsequently loses TANF eligibility because an eligible child does not reside in the household.

(2) ~~((GA-S is used only when federally funded grant assistance programs are not available))~~ Assistance granted

under subsection (1)(b) of this section shall be limited to the end of the month containing the last day of the six-week period following the day the child is born.

(3) Refer to RCW 74.04.005 (6)(a) and (g).

AMENDATORY SECTION (Amending WSR 93-16-059, filed 7/29/93, effective 8/29/93)

WAC 388-230-0060 Eligibility conditions—Program criteria. For GA-S, the department shall apply the ~~((general assistance-unemployable (GAU)))~~ temporary assistance for needy families (TANF) program criteria applicable to:

- (1) Citizenship or alien status;
- (2) Social Security number; ~~((and))~~
- (3) Residency; and
- (4) Minor teen living arrangements, as defined by the TANF program.

AMENDATORY SECTION (Amending Order 3759, filed 7/27/94, effective 9/1/94)

WAC 388-235-2000 Resources. The department shall ~~((treat))~~ determine eligibility for general assistance using the resource(s) and transfer of property ((for GAU the same as for AFDC as required under)) rules in chapters 388-216 and 388-217 WAC, except for funds in an individual development account established under WAC 388-216-3000.

AMENDATORY SECTION (Amending WSR 94-20-040, filed 9/28/94, effective 10/29/94)

WAC 388-265-1275 Protective payment—~~((AFDC))~~ TANF or GA parenting or pregnant minor. ~~((+))~~ The department may use protective payment for cases in which the client is:

- (a) Seventeen years of age or younger; and
- (b) Unmarried; and
- (c) Either pregnant or has a dependent child.

(2) The department shall establish a protective payment plan based on a determination made by the department that the client is not living in an appropriate living situation. Appropriate living situations include:

- (a) Place of residence maintained by the client's parent, legal guardian, or other adult relative as their own home; or
- (b) As determined by the department, other appropriate supportive living arrangement supervised by an adult which is maintained as a family setting.

(3) Notwithstanding subsection (2) of this section, if the client is not living in an appropriate living situation, as determined by the department, the department may waive the establishment of a protective payment plan if the client demonstrates the ability to manage funds adequately.

(4) The department shall select a protective payee following the criteria under WAC 388-265-1150.

(5) The department shall provide the client with written notice of protective payment as described under WAC 388-265-1550)) Refer to RCW 74.04.0052.

AMENDATORY SECTION (Amending Order 3799, filed 10/26/94, effective 11/26/94)

WAC 388-215-1620 Assistance unit—Excluded persons ~~((excluded due to factors not related to need)).~~ The department shall ~~((exclude from the assistance unit those~~

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persons)) not count people ineligible due to ((factors not related to)) program requirements other than need when deciding how many people are in an assistance unit. Exclusions include, but are not limited to:

- (1) A recipient of SSI benefits;
- (2) ~~((A child))~~ Children under eighteen who ((is) are not deprived of parental support or care as defined under WAC 388-215-1300 through 388-215-1390;
- (3) ~~((An))~~ Aliens who do not meet((ing)) the citizenship and alienage requirements (see WAC 388-215-1200);
- (4) Adopted children receiving Title IV-E, state or local adoption assistance ~~((if inclusion of such children and their income))~~ when including them will result in a decrease in benefits to the assistance unit;
- (5) Children who receive Title IV-E, state and local foster care maintenance payments except as provided for under WAC 388-215-1100 and 388-215-1120;
- (6) ~~((A person under sanction for noncooperation with: (a) The job opportunities and basic skills training (JOBS) program (see WAC 388-215-1520); or (b) The department's division of child support (see WAC 388-215-1400). (7))~~ A child who does not live with a relative of specified degree as defined under WAC 388-215-1060 and 388-215-1080;
 - (7) An adult parent in a two-parent household when:
 - (a) The other parent is unmarried and under the age of eighteen; and
 - (b) The department determines the living arrangement is not appropriate under WAC 388-215-1660.

Reviser's note: RCW 34.05.395 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 WSR 97-06-076, filed 2/28/97, effective 3/31/97)

WAC 388-215-1650 Assistance to a minor ((child)).

- (1) ~~((A minor is a person seventeen years of age and younger.~~
 - (2) ~~Under state law, (chapter 74.13 RCW, Child welfare services), the department shall protect and care for homeless, dependent, or neglected children or children in danger of becoming delinquent.~~
 - (3) ~~If a minor applies for assistance for himself or herself, the department shall determine eligibility for AFDC as required under this chapter. If an unmarried pregnant minor is requesting an abortion, parental consent is not required. The decision to proceed with an abortion rests solely with the minor. Involvement and/or consultation with parents in reaching this decision should be a matter of individual case judgment.~~
 - (4) ~~Prior to authorizing assistance for a minor, the department shall determine the parent's ability to financially support and willingness to contribute. See WAC 388-506-0610 (1) and (2) for responsibility for medical care. Parental contact is not required when the minor applicant))~~ Minors may apply for TANF from the department.
 - (2) The department will inform a minor applicant that it will contact the minor's parent or guardian to ask whether

they are willing to contribute to the support of the minor before authorizing assistance, unless the minor:

- (a) Is married; or
 - (b) ~~((Is))~~ In the military ((service)); or
 - (c) ~~((Has been declared))~~ Is emancipated by a court ((of competent jurisdiction prior to the application for assistance)); or
 - (d) Is applying for medical assistance related to pregnancy.
- ~~((5))~~ The minor's emancipation status is not an eligibility factor. The identification of emancipation status is necessary to determine if there is parental responsibility for support.
- (6) ~~The department shall inform the minor applicant that there will be communication with the minor's parents during the eligibility determination process in order to determine the parents' willingness to contribute to the support of the minor.~~
- (7) ~~If a minor parent and his or her child live with such minor's parent or parents, the department shall establish the assistance unit of the minor according to WAC 388-215-1600 through 388-215-1610. If the minor parent's parent is not included in the assistance unit of the minor parent, the department shall consider the income of such parent available to meet the needs of the minor parent as specified under WAC 388-218-1660 and 388-218-1680.~~

(8) ~~If a minor parent's))~~ (3) When the legal guardian has a court-ordered responsibility ((for the)) to support ((of such)) a minor parent, the department ((shall treat such legal)) will use the guardian's income((-with respect to determining the availability of such income to meet the needs of the minor parent, the same as the income of a minor parent's parent as specified in subsection (7) of this section.

(9) ~~The department shall require an unmarried minor parent who has not completed a high school education (or its equivalent), and whose youngest child is at least twelve weeks old, to participate in educational activities leading to the attainment of a high school diploma or its equivalent, or participate in an alternative educational or training program that has been approved by the department. The following conditions apply:~~

- (a) ~~"Participate" means maintaining satisfactory attendance as required by the school or program in which the minor parent is enrolled.~~
- (b) ~~No TANF benefits will be issued for a minor parent who is not participating as required above. The eligibility of the minor parent's child is not affected by this rule.~~
- (c) ~~The income of a minor parent who is disqualified under this section shall be allocated under WAC 388-218-1640 as if the minor parent were ineligible due to sanction or noncooperation))~~ to figure the amount of the grant according to WAC 388-218-1670.

AMENDATORY SECTION (Amending WSR 97-09-029, filed 4/10/97, effective 5/11/97)

WAC 388-215-1660 Unmarried ((minor parents)) pregnant or parenting teens under age eighteen—Required ((to live with adult relative or legal guardian)) living arrangement. (1) ~~((The department shall deny))~~ To be eligible for cash assistance ((to)), an unmarried ((minor parent, by excluding the needs of that individual in determin-

~~ing the need and payment amount of the assistance unit, if that individual and that individual's child do not reside in one of the living situations described in subsection (2) of this section)) pregnant or parenting teen under age eighteen and the teen parent's child must:~~

- ~~(a) Live in a home approved by the department; and~~
- ~~(b) Have a protective payee as required by WAC 388-265-1275.~~

~~(2) ((An unmarried minor parent and the minor parent's child must live in either:~~

~~(a)) The department will approve the home of a parent, legal guardian, or other adult relative ((of the minor parent; of~~

~~(b)), as defined under RCW 74.15.020(4), of the pregnant or parenting teen, unless:~~

~~(a) The pregnant or parenting teen has no living parent, legal guardian, or other adult relative that can be located, or if the parent, legal guardian, or other adult relative does not meet applicable state criteria to act as the individual's legal guardian or otherwise does not want the pregnant or parenting teen to reside with them; or~~

~~(b) The pregnant or parenting teen or teen parent's child is being or has been subjected to serious physical, emotional or sexual harm, abuse or exploitation in the home of the parent, legal guardian, or other adult relative; or~~

~~(c) Substantial evidence exists of an act or failure to act by the parent, legal guardian, or other adult relative that presents an imminent or serious harm to the pregnant or parenting teen or teen parent's child if they resided there; or~~

~~(d) The department determines that it is in the best interest of the teen parent's child or the pregnant teen to waive the requirement of living in the home of a parent, legal guardian, or other adult relative.~~

~~(3) If the home of a parent, legal guardian, or other adult relative is not available or suitable, the department will approve:~~

~~(a) A facility or home licensed under ((RCW)) chapter 74.15 RCW that provides a supportive and supervised living arrangement requiring residents to learn parenting skills((;)); or~~

~~(b) A maternity home((;)); or~~

~~(c) Other ((appropriate)) adult-supervised living arrangement((;)); or~~

~~(d) The client's current or proposed living arrangement if the department determines it is appropriate((; if~~

~~(i) The minor parent has no living parent, legal guardian, or other adult relative that can be located, or if the parent, legal guardian, or other adult relative does not meet applicable state criteria to act as the individual's legal guardian or otherwise does not want the minor parent to reside with them; or~~

~~(ii) The minor parent or minor parent's child is being or has been subjected to serious physical, emotional or sexual harm, abuse or exploitation in the home of the parent, legal guardian, or other adult relative; or~~

~~(iii) Substantial evidence exists of an act or failure to act by the parent, legal guardian, or other adult relative that presents an imminent or serious harm to the minor parent or minor parent's child if they resided there; or~~

~~(iv) The department determines that it is in the best interest of the minor child to waive the requirement in subsection (2)(a) of this section.~~

~~(3) For the purposes of this section, an unmarried minor parent's living arrangement is not appropriate if, at the time of the minor parent's eligibility determination, the other natural parent of the minor parent's child:~~

~~(a) Resides in the home;~~

~~(b) Is at least eighteen years of age; and~~

~~(c) The minor parent and the adult parent meet the age criteria for the offenses of rape of a child in the first, second or third degree as set forth in RCW 9A.44.073, 9A.44.076 and 9A.44.079.~~

~~(4) The income of a minor parent who is denied benefits under this section shall be allocated under WAC 388-218-1640 as if the minor parent were ineligible due to sanction or noncooperation)).~~

~~(4) The department will never approve a home that includes the other natural parent of the teen's child or unborn when:~~

~~(a) The unmarried pregnant or parenting teen is under age sixteen; and~~

~~(b) The other parent is eighteen or older and meets the age criteria for the offenses of rape of a child in the first, second, or third degree as set forth in RCW 9A.44.073, 9A.44.076 and 9A.44.079.~~

~~(5) If an unmarried pregnant or parenting teen is disqualified because of this rule:~~

~~(a) No child in the assistance unit will be disqualified; and~~

~~(b) If the teen parent has income, the department will use it to figure the amount of the child's grant according to WAC 388-218-1640.~~

AMENDATORY SECTION (Amending WSR 97-07-024, filed 3/12/97, effective 4/12/97)

WAC 388-215-1000 Summary of eligibility conditions. (1) The department shall grant ((AFDC)) TANF on behalf of a child who:

(a) Meets the age requirements under WAC 388-215-1025; and

(b) ~~((Is living))~~ Lives in the home of a relative ~~((of specified degree including a parent or another relative))~~ as defined under WAC 388-215-1050 through 388-215-1080. For temporary absences, see WAC 388-215-1100 through ~~((388-215-1140))~~ 388-215-1115; and

(c) Is a citizen or an eligible alien ~~((lawfully admitted for permanent residence or otherwise permanently residing in the United States (see WAC 388-215-1200)))~~ whose immigration status meets the criteria of a qualified alien as specified in federal law at U.S.C. Title 8, Sections 1611, 1612, 1613, 1641, and 1645; and

(d) Is a resident of the state of Washington, or resides with a parent or other relative who is a resident of the state of Washington (see WAC 388-215-1225); and

(e) Is in financial need (see chapters 388-216 through 388-219 WAC); and

(f) Is deprived of parental support or care because of the death (see WAC 388-215-1300), continued absence (see WAC 388-215-1320 through 388-215-1335), incapacity (see WAC 388-215-1340 through 388-215-1360), or unemployment (see WAC 388-215-1370 through 388-215-1385) of a parent. A parent is a person meeting the criteria in WAC 388-215-1060; and

(g) Lives with a parent who has not already received the maximum lifetime limit of sixty months of TANF (see WAC 388-215-1010).

(2) ~~((Each client of AFDC))~~ To be eligible, a TANF applicant or recipient shall:

(a) Be a United States citizen or national; or

(b) Meet federal immigrant status eligibility requirements as specified in U.S.C. Title 8, Sections 1611, 1612, 1613, 1641, and 1645; and

(c) Assign to the division of child support any rights to support ~~((in his or her own behalf or in behalf of the other assistance unit members))~~ as required under WAC 388-215-1400; ~~((and~~

~~(b))~~ (d) Cooperate with the division of child support as required under WAC 388-215-1400 through 388-215-1490~~((~~

~~(3) The department shall require each applicant for, or recipient of assistance to);~~

(e) Furnish a Social Security number as specified in WAC 388-215-1500~~((~~

(4) The department shall require adult AFDC recipients or payees to);

(f) Cooperate in a review of eligibility ~~((as part of a quality control review))~~ as specified in WAC 388-215-1510~~((~~

(5) All AFDC applicants and recipients shall be subject to job opportunities and basic skills program (JOBS) participation requirements as specified under WAC 388-215-1520.

(6) All AFDC clients are subject to the rules regarding participation in strikes as specified under WAC 388-215-1540.

~~(7) Certain AFDC recipients shall return a completed monthly report to the department as required under WAC 388-215-1560.~~

(8) The department shall establish assistance units of children and caretaker relatives eligible for AFDC as specified under WAC 388-215-1600 through 388-215-1620.

~~(9) The department shall determine eligibility for a minor child applying for oneself as required under WAC 388-215-1650.~~

~~(10) The department shall deny temporary assistance to needy families (TANF) to fugitive felons and probation and parole violators as specified under WAC 388-215-1550.~~

~~(11) Under TANF, the department shall require unmarried minor parents who have not completed a high school education to participate in educational activities leading to the attainment of a high school diploma or equivalent as specified in WAC 388-215-1650);~~

(g) Participate in the WorkFirst program as specified in chapter 388-310 WAC;

(h) Abide by the rules regarding participation in strikes as specified under WAC 388-215-1540; and

(i) Return a completed monthly report to the department when required under WAC 388-215-1560.

(3) The department shall establish assistance units of children and caretaker relatives eligible for TANF under WAC 388-215-1600 through 388-215-1630.

(4) The department shall determine eligibility for a minor child applying for oneself as required under WAC 388-215-1650.

(5) The department shall deny TANF to the following individuals:

(a) Fugitive felons and probation and parole violators as specified under WAC 388-215-1550;

(b) Persons convicted of unlawful practices in obtaining TANF as specified under 388-46-110;

(c) Persons convicted of making fraudulent statements or representation of their place of residence in order to receive federally-funded public assistance as specified under WAC 388-46-120; and

(d) Persons convicted of drug-related felonies as specified under WAC 388-215-1570.

(6) Unmarried pregnant or parenting teens under age eighteen must:

(a) Meet the school attendance requirement under WAC 388-215-1670; and

(b) Live with an adult relative, legal guardian, or in a department-approved living arrangement as specified under WAC 388-215-1660.

AMENDATORY SECTION (Amending Order 3944, filed 2/9/96, effective 3/11/96)

WAC 388-55-030 Treatment of income and resources. (1) ~~The ~~((department shall treat the))~~ income and resources of ~~((an applicant or recipient of))~~ RCA/RMA ~~((in accordance with provisions))~~ clients shall be treated according to the rules in chapters 388-216 WAC ~~((AFDC resources;))~~ and ~~((chapter))~~ 388-218 WAC, ~~((AFDC income))~~ except that RCA/RMA clients do not qualify for:~~

(a) The fifty percent gross earned income disregard allowed under WAC 388-218-1440. Instead, the first ninety dollars of an RCA/RMA client's monthly gross earned income shall be disregarded;

(b) The three thousand dollar savings account exemption allowed to recipients under WAC 388-216-2650;

(c) The exemption for a motor vehicle used to transport a physically disabled household member under WAC 388-216-2500; and

(d) The five thousand dollar vehicle equity value exemption under WAC 388-216-2650. Instead, the equity value exemption for a used and useful vehicle owned by an RCA/RMA client is one thousand five hundred dollars.

(2) ~~((With the exception of the thirty dollar and one-third earned income disregard, adult refugee recipients shall be eligible for earned income exemptions as specified in WAC 388-218-1420, regardless of assistance unit composition.~~

~~(3))~~ The department shall not consider resources which are unavailable, including property remaining in other countries, in determining eligibility for RCA/RMA.

~~((4))~~ (3) The income of a refugee dependent child shall be treated as specified in WAC 388-218-1410.

**WSR 97-20-129
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Public Assistance)**

[Filed October 1, 1997, 10:09 a.m., effective November 1, 1997]

Date of Adoption: September 30, 1997.

PERMANENT

Purpose: EHB 3901 (1997) and federal legislation under Public Law 104-193, Personal Responsibility and Work Opportunity Act of 1996 repealed the job opportunities and basic skills training program and replaced it with the Washington WorkFirst program. Chapter 388-310 WAC adopts the following rules for the implementation of WorkFirst: WAC 388-310-100, 388-310-200, 388-310-300, 388-310-400, 388-310-500, 388-310-600, 388-310-700, 388-310-800, 388-310-900, 388-310-1000, 388-310-1100, 388-310-1200, 388-310-1400, 388-310-1500, 388-310-1600, 388-310-1700, 388-310-1800, and 388-310-1900.

Statutory Authority for Adoption: RCW 74.08.090 and 74.04.050.

Adopted under notice filed as WSR 97-17-070 on August 18, 1997.

Changes Other than Editing from Proposed to Adopted Version: As a result of a regulatory improvement review, the Department of Social and Health Services has streamlined and simplified these rules to make them consistent with Governor Locke's and Secretary Quasim's executive orders. These rules are easier to understand, do not restate federal or state law, and the intent of the rule is more clear.

PERMANENT

Attachment 1

WAC	Comment	Incorporated into final filing?	Reason
388-310	Restore basic education and work activities to total 20 hours per week, not new language which requires 20 hours per week of work activity in addition to basic education.	No	This change is a clarification and is consistent with the prior declarations that work is the priority and basic education for those 20 years of age and older does not increase their ability to find or keep an entry level job .
388-310	Allow education as a work activity for those who lack basic skills	No	Basic education for minors is a requirement. Basic education for adults is encouraged after meeting WorkFirst requirements of work or work-related activities.
388-310	Add language regarding post-employment	Yes	
388-310-0500	Maximums for Job Search will be determined by the local labor market and agreed upon by DSHS and Employment Security Department. These maximums will not exceed 12 weeks.	Yes	
388-310-1000	Add "licensed" and "private vocational" to definition of vocational education	Yes	
388-310-1000	Vocational education: restore language allowing for arrangement of hours around self-initiated education	No	WAC is not the appropriate venue for this, though it is the position of the department that we will work with clients to arrange hours around their WorkFirst activities.
388-310-1300	Withdraw wage subsidy rule	Yes	This program is not developed enough to implement. This issue will be incorporated in the next version of WAC 388-310.
388-310-1400	All non-parental caretaker relatives should be included in 1400 (2)(b)	Yes	
388-310-1600	Sanctions: Determination of reasons for nonparticipation- List of reasons is too limited and in the case of child care for under 6, should be increased to older children as well as the state law prohibits leaving children under 12 alone.	Yes	
388-310-1700	Sanctions: Adequate reasons too prescriptive. Will we change to allow for judgement?	Yes	

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 18, amended 0, repealed 0.

PERMANENT

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 1, 1997.

September 30, 1997

Jerry W. Friedman

Assistant Secretary

Economic Services Administration

Chapter 388-310 WAC WorkFirst

NEW SECTION

WAC 388-310-0100 WorkFirst—Authority and purpose. (1) The WorkFirst program is established under Title 74 RCW.

(2) The goals of WorkFirst are to:

(a) Reduce poverty by helping those receiving temporary assistance for needy families (TANF) and state family assistance (SFA) get and keep jobs;

(b) Sustain the independence of those who become employed by helping them keep jobs; and

(c) Protect children and other vulnerable residents.

NEW SECTION

WAC 388-310-0200 WorkFirst—Components.

Except as otherwise specified, the terms used in this chapter, 388-310 WAC, shall have the same meaning as applied to the TANF program, and terms defined under chapter 388-22 WAC.

WorkFirst components are:

(1) **Paid employment**, either:

(a) Unsubsidized, including self-employment; or

(b) Subsidized and includes on-the-job training, work-study, and wage subsidy programs.

(2) **Work experience**;

(3) **Community service**;

(4) **Job search**;

(5) **Vocational educational training**;

(6) **Basic education activities**;

(7) **Post-employment services** which include employment retention and career development services.

NEW SECTION

WAC 388-310-0300 WorkFirst—Participation exemptions. (1) All TANF and state family assistance (SFA) recipients who are sixteen years of age and older and all custodial parents are required to participate in WorkFirst unless exempted under subsection (2)(a) of this section.

(2) A person is exempt from WorkFirst participation requirements if:

(a) The person is needed in the home to personally provide care for a child under twelve months of age.

(b) The person may use this exempt status for a total of twelve months during the person's sixty-month lifetime limit for assistance.

(3) Persons who are exempt may volunteer to participate and will not be subject to sanction for subsequent refusal to participate if still eligible for the exemption.

NEW SECTION

WAC 388-310-0400 WorkFirst—Participation requirements. (1) Participants are required to participate in job search as the first WorkFirst activity unless temporarily deferred. The department may defer a participant from immediate job search if the participant is:

(a) Working twenty or more hours a week;

(b) Under the age of eighteen and has not completed high school or GED, or is under the age of twenty and is currently attending high school, or its equivalent full-time; or

(c) Experiencing personal or family circumstances which prevent the person's immediate participation in job search.

(2) Participants who are temporarily deferred must participate as part of their individual responsibility plan in an evaluation of their employability from the department.

(3) The department may sanction a person who is nonexempt and who refuses to participate in the employability evaluation under WAC 388-310-0600.

(4) Persons approved by the department or a tribal JOBS or tribal native employment works (NEW) program for post-secondary education or training program prior to the effective date of this chapter will be permitted to continue in the program under WorkFirst until June 30, 1998.

NEW SECTION

WAC 388-310-0500 WorkFirst—Job search. (1) The purpose of job search is to provide the participant with the opportunity to learn and use skills and abilities needed to find and keep employment. Job search activities include:

(a) Classroom instruction on job finding techniques and employer expectations;

(b) Structured, consistent, and monitored efforts of the person to discover job openings and apply for available or potentially available employment; and

(c) Self-directed efforts of the person to find and obtain employment.

(2) A participant must meet the published standards of job search participation established in each region or community service office or tribal work program.

(3) A person's participation in job search must be of a quality and frequency that would clearly indicate that the individual is making sincere efforts to immediately obtain any employment.

(4) Participants may participate in pre-employment training as an activity equivalent to seeking employment. Pre-employment training is job skills training which has a prior commitment from an employer to hire the trainee immediately upon completion of the training, at an hourly wage greater than the local entry level wage.

(5) The department may not require a participant to participate in job search for more than twelve weeks without

evaluating the person's employability under WAC 388-310-0600.

NEW SECTION

WAC 388-310-0600 WorkFirst—Evaluation of employability. (1) A participant's employability will be evaluated by the department when:

- (a) The person has not obtained paid, unsubsidized employment at the conclusion of job search; or
 - (b) The person was not referred for immediate job search.
- (2) The purpose of the employability evaluation process is to determine:
- (a) The reasons why a person is unable to find work in the local labor market; and
 - (b) Which WorkFirst components, support services, or child care services are needed by the participant to become employed in the shortest time possible.
- (3) The evaluation will be focused on factors related to the person's ability to find and retain employment in the local labor market.
- (4) Information gathered in the evaluation will be the basis for modifying the participant's individual responsibility plan.

NEW SECTION

WAC 388-310-0700 WorkFirst—Individual responsibility plan. (1) The purpose of the individual responsibility plan is to set forth:

- (a) The participant's responsibility to participate in the WorkFirst components as required;
 - (b) The services the department will provide to the person to enable the person to participate.
- (2) The department and the participant will work together in the development and decision-making process for component assignment. If needed, the department may assign the component which will provide the person with the job search, work experience, job skills, substance abuse assessment and treatment, family counseling, or family violence counseling or housing search, acquisition, and stabilization assistance as necessary to be employed in the shortest possible time.
- (3) The plan includes the following:
- (a) The WorkFirst component, in which participation is required, for what period of time and for how many hours a week;
 - (b) Any specific requirements relating to participation in the component;
 - (c) The services the department has determined are necessary for the person to participate in the component which may include provision of direct component cost funding, support services and child care subsidies.
 - (d) The participant's acknowledgement of their obligations to become and remain employed as quickly as possible.
- (4) The department will review the elements in a participant's individual responsibility plan as necessary to ensure the plan continues to meet the person's employability needs.
- (5) The participant will sign and receive a copy of their individual responsibility plan at the time the plan is developed and whenever the plan is modified.

NEW SECTION

WAC 388-310-0800 WorkFirst—Support service and direct component cost funding. (1) The purpose of support service and direct component cost funding is to provide participants access to necessary goods or services which cannot be paid for by another funding source.

- (2) The department or its agent will fund support services when:
- (a) Determined necessary by the department or its agent;
 - (b) Denial would prevent participation in the required component; and
 - (c) It is within available funds.
- (3) Support services which may be funded include:
- (a) Employment related needs such as work clothing or uniforms, tools, equipment, relocation expenses, or fees;
 - (b) Transportation costs such as mileage reimbursement, public transportation vouchers, and car repair;
 - (c) Professional services such as certification or diagnostic testing, counseling or medical examinations or services;
 - (d) Personal needs such as clothing appropriate for job search or other component activities; and
 - (e) Special needs such as accommodations for employment.

(4) The department will provide support services and direct component cost funding to support components approved prior to the effective date of this chapter until June 30, 1998 if the participant is making satisfactory progress toward completion of the activity.

- (5) WorkFirst participants are eligible for child care subsidy payments under chapter 388-290 WAC.
- (6) No funds available to carry out the WorkFirst program may be used to assist, promote, or deter religious activity.

(7) The department may establish maximum funding limits for support services.

(8) The department may provide funding for direct component costs for vocational education activities when the participant:

- (a) Is in an approved component as stated on the individual responsibility plan; and
- (b) Does not qualify for sufficient student financial aid to meet the cost.

(9) Support services may be identified and provided in order to address specific needs American Indians may have due to location or employment needs.

(10) If the person is not participating as required they will lose eligibility for direct component costs and support services.

NEW SECTION

WAC 388-310-0900 WorkFirst—Basic education. (1) Basic education is high school completion and classes to prepare for and testing to acquire GED certification. It may include adult basic education (ABE) or English as a second language (ESL) training if:

- (a) The ABE or ESL is needed by the person to meet the current standards of the local labor market; and
- (b) The activity is combined with paid or unpaid employment or job search.

(2) The department may require a nonexempt custodial parent eighteen and nineteen years of age who lacks a high

school diploma or GED certification to participate in basic education if such education is needed by the person to meet the current standards of the local labor market.

(3) Nonexempt participants twenty years of age and older may participate in basic education activities but must also participate in paid or unpaid employment or job search for a minimum of twenty hours a week in addition to the basic education.

(4) The department may require sixteen and seventeen year old TANF and SFA recipients to be in high school or GED certification programs.

NEW SECTION

WAC 388-310-1000 WorkFirst—Vocational education. (1) Vocational education is training in a specific occupation provided by a private college, technical school or community college licensed, authorized or certified by the state, or provided by a certified tribal college. It may not exceed twelve months in length with respect to any individual. It also includes job skills training in specific skills directly related to employment, and entrepreneurial training, offered through community-based organizations, businesses and tribal governments.

(2) The department may include vocational education in the individual responsibility plan when the person:

(a) Is employed twenty or more hours a week in subsidized or unsubsidized employment; or

(b) Lacks job skills presently in demand for entry level jobs in the local labor market and vocational education can provide such skills; and

(c) Would not be able to acquire the skills needed to obtain employment though available openings in:

(i) Work experience under WAC 388-310-1100; or

(ii) On-the-job training under WAC 388-300-1200.

(3) A nonexempt TANF/SFA recipient may participate in vocational education or other post-secondary education or training activities not included on their individual responsibility plan on their own if the person is meeting WorkFirst hourly participation requirements.

NEW SECTION

WAC 388-310-1100 WorkFirst—Work experience.

(1) Work experience (WEX) is unpaid work with a private nonprofit organization, federal, state, local or tribal government or district. Entities providing WEX unpaid employment positions to WorkFirst participants must be in compliance with all applicable state and federal health and safety standards.

(2) The purpose of WEX is to provide the participant with instruction in essential work practices and to practice or expand work skills.

(3) Participant may be required to conduct a self-directed job search.

(4) Participants must accept offered paid employment while participating in WEX.

(5) A person's assignment to a specific WEX activity in excess of six months requires a department review. The review will determine if the person requires more time to gain the skills and abilities established as the desired outcome of the WEX assignment.

NEW SECTION

WAC 388-310-1200 WorkFirst—On-the-job training. (1) On-the-job training (OJT) is skills training provided by an employer at the employer's place of business. It may include some classroom training release time.

(2) A participant may be eligible for OJT employment if:

(a) The person lacks skills which are in demand in the local labor market; and

(b) There are employers in the area able to provide the training.

(3) An employer providing OJT may be reimbursed for up to fifty percent of the total gross wages for regular hours of work and pre-approved release time for training.

NEW SECTION

WAC 388-310-1400 WorkFirst—Community service program. (1) Community service is:

(a) Unpaid work performed for a charitable nonprofit organization, federal, state, local, or tribal government or district such as the work performed by volunteer workers; or

(b) An activity approved by the department which benefits the person, the person's family, or the person's community or tribe. These activities may include traditional activities that perpetuate tribal culture and customs.

(2) Activities which may be approved by the department under subsection (1)(b) of this section as part of the individual responsibility plan include:

(a) Caring for a disabled family member;

(b) Nonparental caretaker relative over age fifty caring for a child;

(c) Provision of child care for a WorkFirst participant by a WorkFirst participant;

(d) Active participation in a drug or alcohol assessment or treatment program certified or contracted through chapter 70.96A RCW;

(e) Specialized services as required by the participant to become employable or retain employment such as family violence counseling or active participation in a drug or alcohol assessment or treatment program certified or contracted through chapter 70.96A RCW.

NEW SECTION

WAC 388-310-1500 WorkFirst—Employment conditions. (1) Participants will not be required to accept paid or unpaid employment or engage in an activity in which an employer-employee relationship exists which:

(a) Is not covered by industrial insurance under Title 51 RCW, unless the employee is employed by a tribal government or a tribal private, for-profit business;

(b) Is available because of a labor dispute;

(c) Has working hours or other conditions which interfere with the participant's bona fide religious beliefs or observations;

(d) Involves conditions which are in violation of federal, state or tribal health and safety standards;

(e) Has unreasonable work demands or conditions, such as working without getting paid on schedule with regard to paid work; or

(f) Participants will not be required to participate in unpaid work components for more hours than would equal the family's TANF/SFA grant divided by state or federal minimum wage, whichever is higher. For two-parent families in which both parents are nonexempt, the combined hours of required participation in unpaid work may not exceed the family's TANF/SFA grant divided by the higher of the state or federal minimum wage.

(2) Participants will not be required to accept paid employment when the conditions of employment or the employer:

(a) Pays less than the federal, state, or tribe minimum wage, whichever is higher;

(b) Does not provide unemployment compensation coverage under Title 50 RCW, unless the employee is employed by a tribal government, tribal private for-profit business or the employee is exempt under section 7873 of the Internal Revenue Code because the person is a treaty fishing rights related worker;

(c) Requires the person to resign from or refrain from joining a legitimate labor organization; or

(d) Does not provide benefits to participants equal to those provided to other similarly employed workers.

(3) Nothing contained herein shall be in violation of federal or tribal employment laws.

NEW SECTION

WAC 388-310-1600 WorkFirst—Determination of reasons for nonparticipation. (1) The following actions will be considered failure to participate in WorkFirst requirements:

(a) Refusal of a bona fide offer of employment;

(b) Failure to fulfill participation requirements of any components on the person's individual responsibility plan including not participating in:

(i) Drug and/or alcohol assessment;

(ii) Drug and/or alcohol treatment programs when assessed and determined as drug and/or alcohol dependent by a program certified and contracted through chapter 70.96A RCW;

(c) Failure to provide information requested by the department necessary for the development of the individual responsibility plan; or

(d) Not appearing for one or more appointments scheduled by the department or its agent.

(2) When a participant fails to participate in WorkFirst:

(a) The participants will have the opportunity to explain their nonparticipation; and

(b) The department will determine the adequacy of the reasons for nonparticipation. The department may make a determination based on available information if the participant does not provide information as requested.

(3) The department will determine that failure to participate is refusal, unless the participant provides evidence the nonparticipation is based on an inability to participate such as:

(a) Urgent personal or family circumstances interfering with participation which include but are not limited to:

(i) Threatened or actual family violence issues;

(ii) Eviction or immediate legal problems;

(iii) Injury or illness of the participant or of a family member which requires the presence of the participant; or

(iv) Death of a significant person in the participant's life.

(b) Breakdown in support services necessary for the person to participate and the person had no readily available alternative;

(c) The participant is unable to locate formal or informal child care for a child under the age of twelve years of whom they personally provide care and the department fails to provide such care;

(d) The participant is unable to locate other care services for an incapacitated individual living in the same home as a dependent child and the department fails to provide such care;

(e) Determination by a licensed health professional that a physical, mental, or emotional condition is interfering with the required participation; or

(f) The person did not receive a notice of appointment or program requirement.

NEW SECTION

WAC 388-310-1700 WorkFirst—Sanctions. (1) Refusal to participate will result in sanction. (2) Sanction for refusing to participate will affect the family's TANF/SFA grant as follows:

(a) For the first month a person is sanctioned the family's TANF/SFA grant amount (less any income deductions) will be reduced by the participant's share.

(b) For second and subsequent months of continuous sanction status a protective payee will be established for reduced grant amount established under subsection (2)(a) of this section.

(c) For the third and subsequent months of continuous sanctions status the family's grant (less any income deductions) will be reduced by the amount established under subsection (2)(a) of this section or by forty percent whichever is higher. The protective payee will continue.

(3) The department will restore the full TANF/SFA grant amount retroactive to the day the participant begins or resumes participation in the component specified on the person's individual responsibility plan when the person meets participation requirements for the component for a minimum of two weeks.

NEW SECTION

WAC 388-310-1800 WorkFirst—Displacement of regular employees. (1) A person is not required to participate in subsidized employment or unpaid work activities which:

(a) Result in the displacement of any currently employed worker including partial displacement, such as reduction in hours of overtime or nonovertime work, reduction in wages, or employment benefits;

(b) Impair existing contracts for services or collective bargaining agreements;

(c) Result in the employment or assignment of a participant or the filling of a position when:

(i) Any other person is on layoff from the same or a substantially equivalent job within the same organizational unit; or

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(ii) An employer has created a vacancy for the purpose of hiring a WorkFirst participant by terminating any regular employee or otherwise reduced its workforce.

(d) Infringe on promotional opportunities of any currently employed person.

(2) The department will terminate wage subsidy program or OJT payments to an employer if the employer's worksite or operation becomes involved in a strike, lockout, or bona fide labor dispute.

(3) When a wage subsidy program or OJT agreement has been terminated and payment to the employer discontinued due to displacement of a regular employee, the WorkFirst participant's continued employment with that employer is at the sole discretion of the person and the employer.

(4) A regular employee (or the employee's representative) of an employer which has hired a WorkFirst participant into a subsidized or unpaid work activity who believes the participant's work activity violates any of the provisions under this section has the right to:

(a) A grievance procedure under WAC 388-200-1100; and

(b) A fair hearing under chapter 388-08 WAC.

NEW SECTION

WAC 388-310-1900 WorkFirst—Services for American Indian tribal members and other American Indians. (1) The department will refer American Indian TANF applicants and recipients to the person's tribe, according to populations and service area(s) specified by a tribal government for comparable WorkFirst services when:

(a) The tribal government operates a federally-approved Tribal TANF program; and

(b) The person is included in the population and service area identified by the tribal government in the plan.

(2) All other American Indian TANF recipients have equitable access to WorkFirst program components and services under this chapter.

**WSR 97-20-130
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Public Assistance)**

[Filed October 1, 1997, 10:12 a.m., effective November 1, 1997]

Date of Adoption: September 30, 1997.

Purpose: To change chapter 388-290 WAC to implement a subsidized child care program needed by low-income families with dependent children to become employed or maintain employment. These rules will implement the mandate that all income and other eligible temporary assistance for needy families (TANF) and non-TANF clients be eligible for the Department of Social and Health Services child care subsidies with a copayment. New rules WAC 388-290-025, 388-290-030, 388-290-035, 388-290-050, 388-290-055, 388-290-060, 388-290-070, 388-290-080, 388-290-090, and 388-290-105.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-290-040, 388-290-110, 388-290-115, 388-290-120, 388-290-123, 388-290-130, 388-290-135, 388-290-140, 388-290-155, 388-290-160, 388-290-170, 388-290-180, 388-290-210, 388-290-250, and 388-290-260; and amending WAC 388-290-010 and 388-290-020.

Statutory Authority for Adoption: RCW 74.04.050.

Other Authority: EHB 3901, §§ 401-404, chapter 58, Laws of 1997.

Adopted under notice filed as WSR 97-17-104 on August 20, 1997.

Changes Other than Editing from Proposed to Adopted Version: As a result of a regulatory improvement review, the Department of Social and Health Services has streamlined and simplified these rules to make them consistent with Governor Locke's and Secretary Quasim's executive orders. These rules are easier to understand, do not restate federal or state law and are more clear. Chapter 388-290 WAC also allows subsidized child care for noncitizen families.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 10, amended 2, repealed 15.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 10, amended 2, repealed 15.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: November 1, 1997.

September 30, 1997

Jerry W. Friedman

Assistant Secretary

Economic Services Administration

**Chapter 388-290 WAC
SUBSIDIZED CHILD CARE**

AMENDATORY SECTION (Amending Order 3916, filed 11/8/95, effective 12/9/95)

WAC 388-290-010 Subsidized child care (~~and other work-related supportive services~~)—**Purpose.** The purpose of this program is to provide child care (~~and other support~~) services necessary to assist families with dependent children to become (~~self-sufficient~~) or remain employed.

AMENDATORY SECTION (Amending Order 3916, filed 11/8/95, effective 12/9/95)

WAC 388-290-020 Subsidized child care—**Definitions.** Except as specified in this chapter, terms used under chapter 388-290 WAC shall have the same meaning (~~as applied to the AFDC~~) as in the WorkFirst and TANF program (~~as terms defined under chapters 388-22 and 388-250 WAC, and to the JOBS program under chapter 388-47 WAC~~)s.

PERMANENT

~~((1))~~ **"Able"** means an adult physically ((and) or mentally capable of caring for a child in a responsible manner.

~~((2))~~ **"Applicable standards"** means standards and practices related to child care under chapter 388-73 WAC or, in the case of a tribal JOBS program, tribal law.

~~(3)~~ **"Child care overpayment"** means any child care payment received by or for an assistance unit for a month which exceeds the amount the unit was eligible to receive.

~~(4)~~ **"Co payment"** means the computed amount which the parent pays toward the child's cost of care.

~~(5)~~ **"JOBS"** means the job opportunities and basic skills training program for eligible AFDC families which assists obtaining education, training, and employment needed to avoid long term welfare dependence.

~~(6)~~ **"Support services"** means child care, and other services provided for under federal law, that may be required, enabling an AFDC applicant or recipient to pursue employment, education, and training under chapter 388-47 WAC JOBS training program.)

"Adjusted earned income" means the gross earned income minus the average payroll and income tax paid at that income level.

"Available" means an adult able to provide care due to not participating in an approved WorkFirst activity and/or employment during the time child care is needed.

"Consumer" for the purposes of this chapter, means a parent or guardian who applies for, or receives subsidized child care services funded by the department.

"In-home/relative provider" means an unlicensed child care provider who is:

(1) One of the following adult relatives providing care in either the child's or relative's home:

(a) An adult sibling living outside the child's home; or

(b) A grandparent, aunt, uncle, first cousin, or great-grandparent, great-aunt, or great-uncle; and

(c) Not the child's biological, adoptive, or stepmother or stepfather.

(2) An adult friend or neighbor providing care in the child's own home; or

(3) An adult extended tribal family member as defined under chapter 74.15 RCW (Care of children, expectant mothers, developmentally disabled) who is providing care.

"Parent" for the purposes of this chapter, means a parent by blood, marriage, or adoption, or a legal guardian).

"Subsidy Unit" for the purposes of this chapter, means child care assistance unit.

"Total income" for the purposes of this chapter, means the sum of adjusted earned income, self-employment income, and unearned income.

NEW SECTION

WAC 388-290-025 Subsidy units and copayments.

(1) Only individuals residing in the same household can be included in subsidy unit size.

(2) The minimum copayment is assessed for minor parents who are:

- (a) Receiving TANF and living independently;
- (b) The TANF head of household;
- (c) Part of another TANF grant.

(3) The department can assess copayments above the minimum for:

(a) Related adults, other than spouses, and their respective child(ren). These are each separate subsidy units.

(b) Unmarried parents with a mutual child(ren). This is a single subsidy unit.

(c) Married or unmarried parents and their mutual and nonmutual children, if there is at least one mutual child. This is a single subsidy unit.

(d) Unmarried adults without a mutual child(ren). These are each separate subsidy units.

(e) A non-TANF minor parent living independently. This is a single subsidy unit.

(f) A child or minor parent living with a nonresponsible caretaker. This is a separate subsidy unit.

(4) Eligibility for subsidized child care ends when the consumer fails to pay, or arrange payment for, required copayment fees.

(5) The department reinstates the subsidy unit's eligibility for subsidized child care when back copayment fees are paid or satisfactory arrangements are made to make full payments.

NEW SECTION

WAC 388-290-030 Responsibilities for the department, the consumer, and the provider under the subsidized child care program. (1) The department provides a program of subsidized child care for income-eligible consumers as follows:

(a) Only authorize payment to child care providers who allow parents or guardians access to their children whenever the children are in care;

(b) Take the child's needs into account when the department authorizes child care;

(c) Assure the parent's choice of child care facility or provider is protected;

(d) Only authorize payment when no adult in the subsidy unit is able and available to care for the children;

(e) Respond to requests for subsidized child care within ten days;

(f) Inform consumers of the child care options for which the department can make payment;

(g) Inform consumers of community resources which can help them select child care, if needed;

(h) Inform consumers of their rights and responsibilities in relation to child care; and

(i) Provide prompt child care payments to the provider.

(2) Consumers will:

(a) Be responsible to choose the provider and make the child care arrangements, including backup care arrangements;

(b) Notify the department of any change in providers within ten days;

(c) Pay the in-home/relative provider after the department pays the consumer for in-home/relative care;

(d) Be responsible to pay, or make arrangements to pay, any required copayment directly to the child care provider;

(e) Supply the department with necessary information to allow payment to the authorized provider;

(f) Notify the provider within ten days when the department discontinues or changes the child care authorization;

(g) Provide notice to the department within ten days of any change in household size or income level; and

(h) Assure the in-home/relative provider furnishes a valid social security number to the department, if the consumer chooses this kind of provider.

NEW SECTION

WAC 388-290-035 Providers eligible for payment under the subsidized child care program. (1) A licensed child care provider must be licensed as required by chapter 74.15 RCW and chapters 388-73, 388-155 (Minimum licensing requirements for family child day care homes), and 388-150 WAC (Minimum licensing requirements for child day care centers).

(2) Child care providers exempt from licensing but who must be certified by the department include:

(a) Tribal child care facilities meeting the requirements of tribal law;

(b) Child care facilities on a military installation;

(c) Child care facilities operated on public school property by a school district.

(3) In-home/relative providers are exempt from licensing and certification, but must be registered with the department and meet the requirements of WAC 388-15-170.

NEW SECTION

WAC 388-290-050 Eligible children and consumers under the subsidized child care program. (1) To be eligible for subsidized child care, the consumer must:

(a) Be a caretaker of one or more children; and

(b) Not care for their own child(ren) during the time child care is authorized, if the consumer is an employee of the child care facility to which the department has authorized payment.

(2) The department may authorize subsidized child care for a child between thirteen and nineteen years old if the child is:

(a) Under court supervision;

(b) Physically, mentally or emotionally incapable of self-care. This must be verified by a licensed medical practitioner or masters-level or above mental health professional.

(3) TANF consumers in sanction are not eligible for subsidized child care unless child care is necessary to:

(a) Obtain or maintain employment;

(b) Enroll in, or maintain enrollment in, an approved WorkFirst activity; or

(c) Remove the sanction.

(4) The child(ren) for whom the consumer applies must be a citizen or legally residing in the country.

NEW SECTION

WAC 388-290-055 Payment for subsidized child care. (1) The department pays for child care for:

(a) A consumer's hours of participation in an approved WorkFirst activity and/or hours of employment;

(b) Transportation time between the place of employment or approved WorkFirst activity and the location of child care, if needed;

(c) Self-employment under WAC 388-290-070.

(2) The department may authorize child care payments for up to two weeks for a TANF consumer waiting to enter an approved WorkFirst activity.

(3) The department may authorize child care payments for up to four weeks for a consumer who experiences a gap in employment, or approved WorkFirst activity, if all the following conditions are met:

(a) The gap is for reasons out of the consumer's control;

(b) Employment, or the approved WorkFirst activity, will resume within that period;

(c) The consumer received subsidized child care immediately before the gap in employment, or approved WorkFirst activity; and

(d) Child care arrangements would otherwise be lost.

(4) The department pays initial and ongoing annual registration/equipment fees only if the fees are:

(a) Required of all parents whose (child(ren) are in care with that provider; and

(b) Needed to maintain a child care arrangement.

(5) The department may pay ongoing activity fees to the child care provider if the conditions in subsection (4)(a) and (b) of this section are met.

(6) The department may establish a protective payee due to mismanagement of funds for consumers who fail to pay the in-home/relative child care provider, when:

(a) The department issued a child care warrant to the correct address and twelve or more working days have passed since the issuance date; and

(b) The consumer has not reported the warrant lost, stolen, or destroyed.

NEW SECTION

WAC 388-290-060 Adequate notice requirements and effective dates. (1) The department authorizes subsidized child care payments effective the following dates:

(a) For TANF consumers, the date an approved WorkFirst activity begins, or the date of request for TANF assistance, whichever is later.

(b) For non-TANF consumers, the date employment begins, or the date of request for child care, whichever is later.

(2) The department provides advance and adequate notice to consumers for changes in payment when the change results in a discontinuation, suspension, reduction, termination, or forces a change in child care arrangements.

(3) Advance and adequate notice requirements do not apply for other changes in the manner of payment.

NEW SECTION

WAC 388-290-070 Self-employment and subsidized child care. (1) To be and remain eligible for subsidized child care, a self-employed person must maintain and make available to the department a record which clearly documents all claimed business expenses and income.

(2) For the first twelve months of self-employment starting from the date the consumer first became eligible for

child care for self-employment, the consumer's required hours of child care are based on the greater of the following:

(a) Written documentation of the number of hours needed based on hours worked, as approved by the department; or

(b) The number of hours calculated by dividing the consumer's monthly self-employment income by the federal minimum wage.

(3) After the first twelve months, the consumer's necessary hours of child care are based on the lesser amount in subsection (2)(a) or (b) of this section.

NEW SECTION

WAC 388-290-080 Subsidized child care—Fair hearings. (1) Consumers may request fair hearings under chapter 388-08 WAC (Practice and procedure—Fair hearing) on any action affecting child care benefits except for changes resulting from a change in policy or law.

(2) Consumers of subsidized child care may be eligible for continued child care benefits pending the outcome of a fair hearing if the consumer requests the fair hearing on or before the effective date of the action or within ten days of the notice of adverse action.

(3) The department shall consider any child care benefits the consumer receives pending a fair hearing or hearing decision to be an overpayment if the fair hearing decision subsequently finds against the consumer.

NEW SECTION

WAC 388-290-090 Income eligibility and copayments. (1) The department determines income eligibility for subsidized child care by using the best available documentation of the subsidy unit's current and expected income.

(2) All consumers contribute to the subsidized child care cost by making monthly copayments, as follows:

(a) Ten dollars for subsidy units with total income at or below seventy-four percent of the Federal Poverty Level (FPL);

(b) Twenty dollars for subsidy unit with total income above seventy-four percent and up to one hundred percent of the FPL;

(c) Subsidy units with total income over one hundred percent of the FPL pay the greater of:

(i) Twenty dollars; or

(ii) Forty-seven percent of total income exceeding one hundred percent of the FPL.

(3) The department shall calculate copayments:

(a) At the time of the initial eligibility determination or authorization;

(b) At least every six months, starting from the first month of eligibility;

(c) When monthly income increases one hundred dollars or more;

(d) When monthly income decreases; or

(e) When subsidy unit size increases or decreases.

(4) The department authorizes subsidized child care for up to six months at a time.

(5) The military family's housing and food allowance is counted as unearned income for the purposes of subsidized child care.

NEW SECTION

WAC 388-290-105 Subsidized child care—Overpayments. (1) In areas not covered by this section, child care consumers are subject to chapter 388-270 WAC (Incorrect payments).

(2) When establishing an overpayment, the department reduces child care overpayment by the amount of a child care underpayment when applicable.

(3) When a provider receives payment for child care services not provided, the department establishes the overpayment in the provider's name.

(4) The department recovers overpayments in cases:

(a) Of fraud;

(b) Involving current or past consumers; and

(c) Where cost of recovery does not exceed the overpayment amount.

(5) The department may recover child care overpayments from current TANF or non-TANF consumers from their child care benefits. Recovery may not interfere with child care arrangements.

(6) The department may recover child care overpayments from TANF benefits on voluntary request of the TANF recipient.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-290-040	Assurances and responsibilities under JOBS, income assistance, and transitional child care.
WAC 388-290-110	JOBS, income assistance, and transitional child care programs.
WAC 388-290-115	JOBS, income assistance, and transitional child care programs—Eligible children and recipients.
WAC 388-290-120	JOBS, income assistance, and transitional child care program—Payment.
WAC 388-290-123	JOBS, income assistance, and transitional child care programs—Effective dates.
WAC 388-290-130	Income assistance and transitional child care programs—Effect on eligibility and payments.
WAC 388-290-135	JOBS, income assistance, and transitional child care—Hearings.
WAC 388-290-140	Income assistance child care program—Conversion.
WAC 388-290-155	Transitional child care—Purpose and initial eligibility.
WAC 388-290-160	Transitional child care—Copayment.
WAC 388-290-170	Transitional child care—Ongoing eligibility.
WAC 388-290-180	Child care overpayments.
WAC 388-290-210	Other supportive services.

- WAC 388-290-250 Transitional supportive services.
- WAC 388-290-260 Supportive services overpayments.

WSR 97-20-163
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed October 1, 1997, 11:53 a.m.]

Date of Adoption: August 21, 1997.

Purpose: These rules are no longer necessary because of changed circumstances.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-808-410 Disparaging other practitioners, 246-808-525 Health food store ownership, 246-808-530 Vitamins, minerals and food supplements, and 246-808-710 Professional standards review organizations.

Statutory Authority for Adoption: Chapter 18.25 RCW.

Adopted under preproposal statement of inquiry filed as WSR 97-14-058 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 4.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 4.

Effective Date of Rule: Thirty-one days after filing.

September 22, 1997

Gail Zimmerman
 Executive Director

WSR 97-20-164
PERMANENT RULES
DEPARTMENT OF HEALTH
 (Board of Pharmacy)
 [Filed October 1, 1997, 11:55 a.m.]

Date of Adoption: August 18, 1997.

Purpose: Repeal duplicate rules. WAC 246-861-030 is an exact duplication of WAC 246-861-055.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-861-030.

Statutory Authority for Adoption: RCW 18.64.005.

Adopted under preproposal statement of inquiry filed as WSR 97-14-062 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or

Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 1.

Effective Date of Rule: Thirty-one days after filing.

September 17, 1997

D. H. Williams
 for Arthur E. Yeoman
 Board Chair

WSR 97-20-165
PERMANENT RULES
DEPARTMENT OF HEALTH
 (Board of Pharmacy)
 [Filed October 1, 1997, 11:56 a.m.]

Date of Adoption: August 18, 1997.

Purpose: Rules is not necessary. Rule was adopted in anticipation of the Food and Drug Administration (FDA) approving a "third class" of drugs. The FDA does not anticipate such a class of drugs.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-869-260.

Statutory Authority for Adoption: RCW 18.64.005.

Adopted under preproposal statement of inquiry filed as WSR 97-14-069 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Thirty-one days after filing.

September 26, 1997

Arthur Yeoman
 Board Chair

WSR 97-20-166
PERMANENT RULES
DEPARTMENT OF HEALTH

(Board of Pharmacy)

[Filed October 1, 1997, 11:57 a.m.]

Date of Adoption: August 18, 1997.

Purpose: Repeal redundant rules. The Food and Drug Administration has adopted substantially similar rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-877-030.

Statutory Authority for Adoption: RCW 18.64.005.

Adopted under preproposal statement of inquiry filed as WSR 97-14-064 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 1.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 1.

Effective Date of Rule: Thirty-one days after filing.

September 17, 1997

D. H. Williams
 for Arthur E. Yeoman
 Board Chair

WSR 97-20-167
PERMANENT RULES
DEPARTMENT OF HEALTH

(Board of Pharmacy)

[Filed October 1, 1997, 11:58 a.m.]

Date of Adoption: August 18, 1997.

Purpose: Repeal rules. The rule was required when the Board of Pharmacy was an independent agency. The board is now under the jurisdiction of the Department of Health. The department has adopted rules to comply with chapter 42.17 RCW.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-893-001 through 246-893-998.

Statutory Authority for Adoption: RCW 18.64.005.

Adopted under preproposal statement of inquiry filed as WSR 97-14-065 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 16.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 16.

Effective Date of Rule: Thirty-one days after filing.

September 17, 1997

D. H. Williams
 for Arthur E. Yeoman
 Board Chair

WSR 97-20-168
PERMANENT RULES
DEPARTMENT OF HEALTH

(Board of Pharmacy)

[Filed October 1, 1997, 11:59 a.m.]

Date of Adoption: August 18, 1997.

Purpose: Repeal redundant rules. Licensing, manufacturing and labeling requirements are covered in chapter 246-895 WAC.

Citation of Existing Rules Affected by this Order: Repealing WAC 246-897-030, 246-897-040, 246-897-050, 246-897-120, 246-897-130, 246-897-140, 246-897-150, 246-897-160, 246-897-170, 246-897-180, and 246-897-190.

Statutory Authority for Adoption: RCW 18.64.005.

Adopted under preproposal statement of inquiry filed as WSR 97-14-066 on June 30, 1997.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 11.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 11.

Effective Date of Rule: Thirty-one days after filing.

September 17, 1997

D. H. Williams
 for Arthur E. Yeoman
 Board Chair

WSR 97-20-004
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
 (Fisheries)

[Order 97-192—Filed September 17, 1997, 4:53 p.m.]

Date of Adoption: September 17, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-57-12700A; and amending WAC 220-57-127.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The Big Soos Creek Hatchery already has more chinook than is needed for spawning purposes. These rules allow for the take and retention of surplus hatchery salmon currently arriving at the Soos Creek Hatchery. These fish are harvestable and removal will reduce the need to discard salmon carcasses. There is insufficient time to promulgate permanent rules as the run will be largely over by early October.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 17, 1997

Dirk Brazil
 for Bern Shanks
 Director

NEW SECTION

WAC 220-57-12700B Big Soos Creek (King County)

Effective immediately until further notice it is lawful to fish for and possess salmon in those waters from the mouth of Big Soos Creek approximately one half mile upstream to the concrete bridge near the Washington State Department of Fish and Wildlife hatchery residence. Fishing allowed only within the hours 7:00 a.m. to 7:00 p.m. each day. Special daily limit of two salmon. No more than one single-pointed hook allowed.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-57-12700A Big Soos Creek (King County) (97-177)

WSR 97-20-005
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
 (Fisheries)

[Order 97-193—Filed September 17, 1997, 4:55 p.m.]

Date of Adoption: September 17, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-56-12400C and 220-56-19100Y; and amending WAC 220-56-124.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The Hoodspport Hatchery has met its chinook egg take goal for 1997. These rules allow for the take and retention of surplus hatchery chinook salmon currently arriving at the Hoodspport Hatchery. These fish are harvestable and removal will reduce the need to discard salmon carcasses. There is insufficient time to promulgate permanent rules as the run will be largely over by mid-October.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 17, 1997

Dirk Brazil
 for Bern Shanks
 Director

NEW SECTION

WAC 220-56-12400C Hoodsport Hatchery chinook opening Notwithstanding the provisions of WAC 220-56-124 effective immediately and through October 15, 1997, it is unlawful to take, fish for, or possess salmon for personal use in those waters of Catch Record Card Area 12 within a 2000 foot arc seaward of yellow buoys at the mouth of Finch Creek at the Hoodsport Salmon Hatchery except as provided for in this section:

(1) These waters are open to salmon angling regardless of the status of the surrounding waters of Area 12.

(2) Special daily limit of 4 salmon only two of which may be Chinook. Chum salmon may not be retained.

(3) It is unlawful to fish for salmon between the hours, 8:00 p.m. to 6:00 a.m. each day during the period October 1, 1997 through October 15, 1997.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. October 15, 1997.

WAC 220-56-12400C Hoodsport Hatchery chinook opening.

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. September 30, 1997.

WAC 220-56-19100Y Puget Sound salmon—
Seasons and daily limits.
(97-183)

WSR 97-20-011
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Wildlife)

[Order 97-194—Filed September 18, 1997, 4:55 p.m., effective September 20, 1997, 12:01 a.m.]

Date of Adoption: September 18, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.040.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: On August 11, 1997, NMFS announced that steelhead originating within the Upper Columbia Evolutionary Significant Unit (ESU) will be listed as endangered. The date when this takes effect is October 17, 1997. With an endangered listing, ESA mandates closures on fishing activities that target on the species and stocks of concern. The boundaries to the Upper Columbia start immediately upstream of the mouth of the Yakima River up to Chief Joseph Dam, and incorporating all tributaries within this region.

On the mainstem within this reach, both steelhead and trout will be closed since there is no resident trout population and trout are not planted in these waters. For the tributaries, trout fishing was left open since resident fish do occur in these waters. However, minimum and maximum size limits were imposed along with selective fishery regulations to minimize impacts on steelhead while fishing for trout.

Changes in these regulations take effect September 20, 1997, in an effort to take a conservative approach and to minimize impact during the 1997 season.

Game fish closures in the East Fork Lewis River is necessary to protect very low numbers of wild summer steelhead. Very few hatchery fish are present in the closed area to justify continued fishing for hatchery steelhead. Wild escapement is projected to be less than 20% of the escapement goal. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 20, 1997, 12:01 a.m.

September 18, 1997

Dirk Brazil

for Bern Shanks

Director

NEW SECTION

WAC 232-28-61900R 1997-1998 Washington game fish seasons and catch limits—Columbia River from Highway 395 at Pasco to Chief Joseph Dam, Wenatchee River, Icicle River (Creek), Chiwawa River, Nason Creek, Little Wenatchee River, White River, Entiat River, Methow River, Chewuch (Chewack) River, Twisp River, Okanogan River, Similkameen River, Lewis River (East Fork), Kalama River. Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. September 20, 1997, the following regulations apply:

Columbia River — From Highway 395 at Pasco to Chief Joseph Dam:

Closed to the fishing for trout and steelhead, 12:01 a.m. September 20, 1997 until further notice.

Wenatchee River — From the mouth to Icicle River Road Bridge at Leavenworth:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 until further notice.

2) Selective Fishery Regulations, 12:01 a.m. December 1, 1997 through 11:59 p.m. December 31, 1997.

Wenatchee River — From the Icicle River Road Bridge at Leavenworth to Lake Wenatchee:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 until further notice.

Icicle River (Creek) — From the mouth to Leavenworth National Fish Hatchery Rack:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 until further notice.

2) Selective Fishery Regulations, 12:01 a.m. September 20, 1997 through 11:59 p.m. December 31, 1997.

Chiwawa River — From the mouth to Buck Creek:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 through 11:59 p.m. October 31, 1997.

Nason Creek — From the mouth to Stevens Creek:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 through 11:59 p.m. October 31, 1997.

Little Wenatchee River — From Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 through 11:59 p.m. October 31, 1997.

White River — From Lake Wenatchee to White River Falls:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 through 11:59 p.m. October 31, 1997.

Entiat River — From the mouth (Hwy. 97 Bridge) to Fox Creek:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 until further notice.

2) Selective Fishery Regulations, 12:01 a.m. December 1, 1997 through 11:59 p.m. December 31, 1997.

Methow River — From the mouth (Hwy. 97 Bridge) to Lost River:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 until further notice.

2) Selective Fishery Regulations, 12:01 a.m. September 20, 1997 through 11:59 p.m. December 31, 1997.

Chewuch (Chewack) River — From the mouth to Lake Creek:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 through 11:59 p.m. October 31, 1997.

Twisp River — From the mouth to War Creek:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 through 11:59 p.m. October 31, 1997.

Okanogan River — From the mouth to Osoyoos Lake:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 until further notice.

2) Selective Fishery Regulations, 12:01 a.m. September 20, 1997 through 11:59 p.m. December 31, 1997.

Similkameen River — From the mouth to Enloe Dam:

1) Closed to the fishing for steelhead, 12:01 a.m. September 20, 1997 until further notice.

2) Selective Fishery Regulations, 12:01 a.m. December 1, 1997 through 11:59 p.m. December 31, 1997.

Lewis River (East Fork) — From 100 feet above Sunset Falls upstream.

Closed to the fishing for gamefish 12:01 a.m. September 20, 1997 until further notice.

Kalama River — From 1,000 feet above fishway at upper Salmon Hatchery to Summers Creek, selective fishery regulations are in effect for all species.

WSR 97-20-012
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)

[Order 97-195—Filed September 18, 1997, 4:57 p.m., effective September 20, 1997, 12:01 a.m.]

Date of Adoption: September 18, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-57-310.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Selective fishery regulations are necessary for the Kalama River to protect very low numbers of wild summer steelhead, while maintaining some harvest of hatchery steelhead. Wild escapement is projected to be less than 20% of the goal. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 20, 1997, 12:01 a.m.

September 18, 1997

Dirk Brazil
for Bern Shanks
Director

NEW SECTION

WAC 220-57-31000W Kalama River. Notwithstanding the provisions of WAC 220-57-310, effective 12:01 a.m. until further notice, in those waters of the Kalama River from 1000 feet above the Kalama Falls (upper) Salmon Hatchery upstream to Summers Creek, gear is limited to one single point barbless hook and bait is prohibited.

**WSR 97-20-013
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Wildlife)**

[Order 97-196—Filed September 18, 1997, 4:59 p.m., effective September 21, 1997, 12:01 a.m.]

Date of Adoption: September 18, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 232-28-61900S; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.040.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Recent snorkel surveys in the Tolt River system reveal the number of adult summer steelhead seen are only a small fraction of the fish normally counted in recent years. Because of the low numbers of fish seen, it is believed the run is in need of additional protection. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 21, 1997, 12:01 a.m.
September 18, 1997

Dirk Brazil
for Bern Shanks
Director

NEW SECTION

WAC 232-28-61900S 1997 Washington game fish seasons and catch limits—Regional regulation exceptions - Tolt River. Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. September 21, 1997, the following regulation applies:

Tolt River — From its mouth to the USGS trolley cable near the confluence of the North and South Forks: Closed to the fishing for all game fish, 12:01 September 21, 1997 through 11:59 p.m. November 30, 1997.

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. November 30, 1997.

WAC 232-28-61900S 1997 Washington game fish seasons and catch limits - Regional regulation exceptions - Tolt River.

**WSR 97-20-015
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Public Assistance)**

[Filed September 19, 1997, 12:45 p.m., effective October 1, 1997]

Date of Adoption: September 19, 1997.

Purpose: Updates gross and net monthly income standards used to determine food stamp program eligibility.

Citation of Existing Rules Affected by this Order:
Amending WAC 388-49-510.

Statutory Authority for Adoption: RCW 74.04.510.

Other Authority: 7 CFR 273.9(a).

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

Reasons for this Finding: 7 CFR 273.9(a) requires the state adjust the gross and net monthly income standards each federal fiscal year.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 1, 1997.

September 19, 1997
Merry A. Kogut, Manager
Rules and Policies Assistance Unit

EMERGENCY

AMENDATORY SECTION (Amending WSR 96-22-104, filed 11/6/96, effective 12/7/96)

WAC 388-49-510 Income eligibility standards. (1) ~~((Categorically eligible))~~ In accordance with the Code of Federal Regulations at 7 CFR 273.9(a), ~~some households (as described in WAC 388-49-180,))~~ are not subject to the ~~((provisions))~~ rules of this section.

(2) ~~((The department shall determine eligibility on the basis of gross income and net food stamp income except for households in subsection (3) of this section.~~

(3) ~~The department shall determine eligibility on the basis of net food stamp income for households containing an elderly or disabled member.~~

(4) The ~~((gross and net monthly maximum))~~ following income amounts or standards ~~((as)),~~ established by the ~~((department of agriculture are as follows))~~ federal government, are the highest amounts households can have and still be eligible for food stamps:

Gross Monthly Income Standard

Household Size	Maximum Standard
1	\$(839)) <u>855</u>
2	((1,123)) <u>1,150</u>
3	((1,407)) <u>1,445</u>
4	((1,690)) <u>1,739</u>
5	((1,974)) <u>2,034</u>
6	((2,258)) <u>2,329</u>
7	((2,542)) <u>2,623</u>
8	((2,826)) <u>2,918</u>
9	((3,110)) <u>3,213</u>
10	((3,394)) <u>3,508</u>
Each additional person	+((284)) <u>295</u>

Net Monthly Income Standard

Household Size	Maximum Standard
1	\$(645)) <u>658</u>
2	((864)) <u>885</u>
3	((1,082)) <u>1,111</u>
4	((1,300)) <u>1,338</u>
5	((1,519)) <u>1,565</u>
6	((1,737)) <u>1,791</u>
7	((1,955)) <u>2,018</u>
8	((2,174)) <u>2,245</u>
9	((2,393)) <u>2,472</u>
10	((2,612)) <u>2,699</u>
Each additional person	+((219)) <u>227</u>

WSR 97-20-022
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
 (Fisheries)

[Order 97-197—Filed September 19, 1997, 4:59 p.m., effective September 21, 1997, 12:01 a.m.]

Date of Adoption: September 19, 1997.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-816.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Purse seine and gillnet opening in Area 7A provides opportunity to harvest the nontreaty allocation of sockeye and pink salmon relative to Pacific Salmon Commission recommendation of a run size of 13 million Fraser River origin pink salmon. Purse seine release of coho and chinook salmon necessary to reduce nontreaty fishery impacts on weak stocks.

Reef net opening in Areas 7 and 7A provides opportunity to harvest the nontreaty allocation of pink and coho salmon relative to agreements reached during the Pacific Marine Fisheries Council/North of Falcon preseason planning process, per preseason schedule. Requirement for reef net release of chinook salmon necessary due to higher than anticipated chinook incidental harvests in this area and to protect weak chinook stocks.

Opening in Area 7B provides opportunity to harvest the nontreaty allocation of coho salmon returning to the Nooksack-Samish region of origin, per preseason schedule. The gillnet mesh size restriction, area restriction, and purse seine release requirement in Area 7B is necessary to reduce nontreaty chinook catches relative to the nontreaty chinook allocation, relative to an in-season run size assessment of 30,000 chinook which is 22% below preseason forecast.

Openings in Area 8D provide opportunity to harvest the nontreaty allocation of coho returning to the Tulalip Hatchery, per preseason schedule.

Openings in Area 9A provide opportunity to harvest the nontreaty allocation of Hood Canal Hatchery-origin coho salmon, per preseason schedule. The opening in Area 12A provides opportunity to selectively harvest the nontreaty allocation of coho salmon destined for the Quilcene National Fish Hatchery while reducing impacts to summer chum. Beach seine gear specifications are defined in WAC 220-47-427(6).

These openings and restrictions are consistent with agreements reached during the Pacific Fisheries Management Council - North of Falcon preseason process, and reflect the schedule adopted by the Washington Fish and Wildlife Commission.

All other Puget Sound areas are closed to prevent overharvest of local salmon stocks.

Atlantic salmon have recently escaped from commercial net pen operations in the Puget Sound region, and removal of this nonnative species is required to reduce any possibility of adverse impacts on indigenous fishes.

An emergency exists in that there is insufficient time to promulgate permanent rules before the fish have moved from the fishing grounds.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

EMERGENCY

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 21, 1997, 12:01 a.m.
September 19, 1997
Dirk Brazil
for Bern Shanks
Director

NEW SECTION

WAC 220-47-817 Puget Sound all-citizen commercial salmon fishery. Notwithstanding the provisions of Chapter 220-47 WAC, effective 12:01 a.m. Sunday September 21, 1997 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 open periods and mesh and area restrictions:

- * **AREA 7** - Reef nets may fish from 7:00 a.m. to 7:00 p.m. daily, Monday September 22, 1997 through Friday September 26, 1997. Reef nets may not retain chinook salmon.
- * **AREA 7A** - Reef nets may fish from 7:00 a.m. to 7:00 p.m. daily, Monday September 22, 1997 through Friday September 26, 1997. Reef nets may not retain chinook salmon. Gillnets using 5-inch minimum, 6-inch maximum mesh may fish from 8:30 a.m. to 11:59 p.m. Monday September 22, 1997. Purse seines may fish from 8:00 a.m. to 8:00 p.m. Monday September 22, 1997. Purse seines may not retain coho or chinook salmon.
- * **AREA 7B** - Gillnets using 5-inch minimum, 5 1/2-inch maximum mesh and purse seines using the 5-inch strip may fish from 6:00 a.m. Sunday September 21 to 4:00 p.m. Saturday November 1, 1997. In addition to the exclusion zones described in WAC 220-47-307, Area 7B is closed south of a line projected from Governors Point to the most northerly point of Vendovi Island. Purse seines may not retain chinook salmon.
- * **AREA 8D** - Purse seines using the 5-inch strip may fish from 7:00 a.m. to 7:00 p.m. daily, Monday September 22, 1997 through Thursday September 25, 1997. Gillnets using 5-inch minimum mesh may fish from 6:00 p.m. to 8:00 a.m. nightly, beginning Monday September 22, 1997, Tuesday September 23, 1997, Wednesday September 24, 1997 and Thursday September 25, 1997.
- * **AREA 9A** - Gillnets using 5-inch minimum mesh may fish until 4:00 p.m. Saturday November 1, 1997.
- * **AREA 12A** - Holders of Quilcene Bay salmon beach seine Experimental Fishery Permits may fish 7:00 a.m. to 7:00 p.m. daily:
Monday September 22, 1997 through Friday September 26, 1997

Monday September 29, 1997 through Friday October 3, 1997

Monday October 6, 1997 through Friday October 10, 1997

Monday October 13, 1997 through Friday October 17, 1997

All provisions of WAC 220-47-427 apply.

- * Areas 4B, 5, 6, 6A, 6B, 6C, 6D, 7C, 7D, 7E, 8, 8A, 9, 10, 10A, 10C, 10D, 10E, 10F, 10G, 11, 11A, 12, 12B, 12C, 12D, 13, 13A, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K, all freshwater areas, and exclusion zones provided for in WAC 220-47-307 - Closed.
- * Atlantic salmon may be retained during openings listed in this section.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. Sunday September 21, 1997:

WAC 220-47-816 Puget Sound all-citizen commercial salmon fishery. (97-189)

**WSR 97-20-034
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 97-200—Filed September 23, 1997, 4:41 p.m., effective September 24, 1997, 6:00 p.m.]

Date of Adoption: September 23, 1997.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-36-02300W; and amending WAC 220-36-023.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: There are sufficient numbers of harvestable fish remaining in Grays Harbor Salmon Management and Catch Reporting Area 2C to allow for a one day fishery. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

EMERGENCY

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 24, 1997, 6:00 p.m.
September 23, 1997
Dirk Brazil
for Bern Shanks
Director

NEW SECTION

WAC 220-36-02300W Grays Harbor salmon—Fall fishery. Notwithstanding the provisions of WAC 220-36-023, it is unlawful to fish for or possess salmon taken from Grays Harbor for commercial purposes except as provided for in this section:

Fishing period

(1) Gill net gear may be used to fish for salmon from 6:00 p.m. September 24 to 6:00 p.m. September 25, 1997, in Salmon Management and Catch Reporting Area 2C.

(2) Gill net gear shall be used as provided for in WAC 220-36-015, except that it shall not contain mesh smaller than 8 inches.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. September 25, 1997:

WAC 220-36-02300W Grays Harbor salmon—
Fall fishery.

**WSR 97-20-035
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 97-199—Filed September 23, 1997, 4:44 p.m., effective September 24, 1997, 8:00 a.m.]

Date of Adoption: September 23, 1997.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-33-01000R; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation provides access to a portion of the commercial sturgeon allocation. There are 8,400 sturgeon remaining on the commercial guideline for 1997. It provides access to early stock coho which are projected to have harvestable surplus available while providing a 48 hour chinook fishery which allow access to the non-Indian share of harvestable upriver fish. It allows fishers in the Tongue Point area fishery to have gill net gear on their boats in excess of the gear requirements of

the fishery so they can move more readily between different select areas. This rule is consistent with the 1996-98 Management Agreement and the Endangered Species Act. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 24, 1997, 8:00 a.m.
September 23, 1997
Dirk Brazil
for Bern Shanks
Director

NEW SECTION

WAC 220-33-01000S Columbia River gillnet seasons below Bonneville. Notwithstanding the provisions of WAC 220-33-010, WAC 220-33-020, and WAC 220-33-030, it is unlawful for a person to take or possess salmon, shad, and sturgeon taken for commercial purposes from Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E except during the times and conditions listed:

1) **Area:** SMCRA 1A, 1B, 1C, 1D, 1E, except closed from Longview Bridge to I-5 Bridge.

Season: 8:00 a.m. to 3:00 p.m. Wednesday September 24, 1997.

Mesh Size: 8 inch minimum mesh restriction above I-5 Bridge

No mesh restriction below Longview Bridge.

Allowable Sale: Salmon and sturgeon

2) **Area:** SMCRA 1A, 1B, 1C, 1D, 1E, except closed from Longview Bridge to I-5 Bridge.

Season: 7:00 a.m. to 7:00 p.m. Thursday, September 25, 1997

7:00 a.m. to 7:00 p.m. Friday, September 26, 1997.

Mesh Size: 6 inch maximum mesh below Longview Bridge

8 inch minimum mesh above I-5 Bridge

Allowable Sale: Salmon and Sturgeon

3) **Area:** SMCRA 1A, 1B, 1C, 1D, 1E, except closed from Longview Bridge to I-5 Bridge.

Season: 12:00 noon Monday, September 29 to 12:00 noon Wednesday, October 1, 1997.

Mesh Size: 8 inch minimum mesh restriction above I-5 Bridge

No mesh restriction below Longview Bridge

Allowable Sale: Salmon

EMERGENCY

4) **Area:** SMCRA 1A, 1B, 1C, 1D, 1E, except closed from Longview Bridge to I-5 Bridge.

Season: 7:00 a.m. to 7:00 p.m. Thursday, October 2, 1997

7:00 a.m. to 7:00 p.m. Friday, October 3, 1997

Mesh Size: 6 inch maximum mesh below Longview Bridge

8 inch minimum mesh above I-5 Bridge.

Allowable Sale: Salmon and Sturgeon

5) **Sanctuaries:** During the seasons provided for in subsection 1-4 the following sanctuaries as defined in WAC 220-33-005, are closed to fishing:

Grays River	Sandy River
Elokomin - A	Washougal River

6) It is unlawful to gaff sturgeon.

White sturgeon less than 48 inches or greater than 60 inches or green sturgeon less than 48 inches or greater than 66 inches may not be retained for commercial purposes and shall be returned immediately to the water. The length of a sturgeon is the shortest distance between the tip of the nose and the extreme tip of the tail measures while the fish is lying on its side on a flat surface with its tail in a normal position.

Sturgeon must be delivered to wholesale dealer or fish buyers undressed (in the round)

It is unlawful for a wholesale dealer or fish buyer to possess a sturgeon from which the head and/or tail have been removed if the remaining carcass is less than 28 inches in length. A carcass length of less than 28 inches is prima facie evidence that the total length of the whole sturgeon was less than 48 inches.

It is unlawful to sell unprocessed eggs from lower Columbia sturgeon.

7) **Area:** Blind Slough Terminal Fishery

Description: In Blind Slough, from the railroad bridge downstream to markers at the mouth of Blind Slough and for Oregon license holders upstream to markers at the mouth of Gnat Creek.

Season: 6:00 p.m. Sunday to 8:00 a.m. Monday;

6:00 p.m. Monday to 8:00 a.m. Tuesday;

6:00 p.m. Tuesday to 8:00 a.m. Wednesday;

of each week beginning September 28 through October 21, 1997.

Gear: Nets restricted to 50 fathoms in length.

No weight restriction on lead line.

No mesh restriction.

Allowable sale: Salmon

8) **Area:** Tongue Point Terminal Fishery

Description: Tongue Point basin is open to fishing in all waters bounded by a line from the red light at Tongue Point to the flashing green light at the rock jetty on the northwesterly tip of Mott Island, a line from a marker at the south end of Mott Island easterly to a marker on the north-west bank on Lois Island, and a line from a marker on the southwest end of Lois Island due westerly to a marker on the opposite bank.

Season: 7:00 p.m. Wednesdays to 7:00 a.m. Thursdays;

7:00 p.m. Thursdays to 7:00 a.m. Fridays

of each week beginning September 3 through September 25, 1997

6:00 p.m. Wednesdays to 8:00 a.m. Thursday;

6:00 p.m. Thursdays to 8:00 a.m. Fridays

of each week beginning October 1 through October 23, 1997.

Gear: Nets restricted to maximum length of 250 fathoms.

Weight on lead line not to exceed 2 pounds on any one fathom.

No mesh restriction.

Special Rule: Fishers participating in the Tongue Point fishery may have on their boats gill nets with lead line in excess of two pounds per fathom.

Allowable sale: Salmon

9) **Area:** Deep River Terminal Fishery

Description: In Deep River, from the town of Deep River to the mouth of Deep River defined by a marker at Miller Point westerly to a marker on the opposite bank. Area from town of Deep River downstream to Highway 4 Bridge open only to Washington license holders.

Season: 6:00 p.m. Sundays to 8:00 a.m. Mondays;

6:00 p.m. Mondays to 8:00 a.m. Tuesdays;

6:00 p.m. Tuesdays to 8:00 a.m. Wednesdays;

of each week beginning September 28 through October 21, 1997.

Gear: Nets restricted to 100 fathoms in length.

No weight restriction on lead line.

No mesh restrictions.

Allowable Sale: Salmon

Additional Rule: For all areas listed above it is unlawful to transport fish outside of the fishing area when the adjacent mainstem Columbia River is closed unless by licensed buyer, or if the catch has been "sampled" by a representative of the Washington Department of Fish and Wildlife. "Sampled" means the catch was examined and a permit was issued.

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

REPEALER

The following section of the Washington Administrative Code is repealed effective 8:00 a.m. September 24, 1997:

WAC 220-33-01000R Columbia River gillnet seasons below Bonneville. (97-170)

WSR 97-20-049

EMERGENCY RULES

DEPARTMENT OF ECOLOGY

[Order 97-32—Filed September 24, 1997, 11:36 a.m.]

Date of Adoption: September 23, 1997.

Purpose: To extend original emergency rule filed as WSR 97-12-022 on May 28, 1997. To provide definitions of "public health need" and "substantial environmental degradation" (as used in 1997 amendments to RCW 70.146.070) and to outline a process of documenting their existence.

Statutory Authority for Adoption: RCW 70.146.070.

Other Authority: RCW 36.70A.040.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is

necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest; and that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: (a) The bill [that] made this rule necessary specifically addresses public health; and (b) state law was passed making this rule necessary to process time-sensitive funding offers to local governments.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 5, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: Immediately.

September 23, 1997

Daniel J. Silver
for Tom Fitzsimmons
Director

**Chapter 173-95A WAC
USES AND LIMITATIONS
OF CENTENNIAL CLEAN WATER FUNDS**

- WAC 173-95A-010 Purpose and scope.**
- WAC 173-95A-020 Definitions.**
- WAC 173-95A-030 Documenting a public health need.**
- WAC 173-95A-040 Documenting a substantial environmental degradation.**
- WAC 173-95A-050 Awarding grant and loan funds.**

NEW SECTION

WAC 173-95A-010 Purpose and scope. This chapter is intended to address critical or emergent public health needs or environmental problems in jurisdictions that are not in compliance with the Growth Management Act. It implements an exception to the prohibition of counties, cities, and towns that are not in compliance with the Growth Management Act (chapter 36.70A RCW) from receiving grant or loan funds for water pollution control facilities. The exception is provided in limited circumstances, where necessary to address a public health need or substantial environmental degradation.

NEW SECTION

WAC 173-95A-020 Definitions. (1) "Compliance with the Growth Management Act" means that (a) a county, city, or town that is required or chooses to plan under RCW 36.70A.040 has adopted a comprehensive plan and development regulations in conformance with the requirements of chapter 36.70A RCW, after it is required that the comprehensive plan and development regulations be adopted; and (b) the county, city, or town has not been found out of compliance by a growth management hearings board; or (c) a growth management hearings board has found a county, city, or town in compliance with the requirements of chapter 36.70A RCW, after previously finding the county, city, or town was not in compliance.

(2) "Department" means the department of ecology.

(3) "Public health need" means that a situation exists where (a) there is a documented potential for: (i) Contaminating a source of drinking water; or (ii) failure of existing wastewater system or systems resulting in contamination being present on the surface of the ground in such quantities and locations as to create a potential for public contact; or (iii) contamination of a commercial or recreational shellfish bed as to create a critical public health risk associated with consumption of the shellfish; or (iv) contamination of surface water so as to create a critical public health risk associated with recreational use; and (b) the problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and (c) the problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(4) "Substantial environmental degradation" means that (a) there is a situation causing real, documented, critical environmental contamination that (i) contributes to violations of the state's water quality standards; or (ii) interferes with beneficial uses of the waters of the state; and (b) the problem generally involves a serviceable area including, but not limited to, a subdivision, town, city, or county, or an area serviced by on-site sewage disposal systems; and (c) the problem cannot be corrected through more efficient operation and maintenance of an existing wastewater disposal system or systems.

(5) "Water pollution control facility" or "facilities" means any facilities or systems for the control, collection, storage, treatment, disposal, or recycling of wastewater, including but not limited to sanitary sewage, storm water, residential, commercial, industrial, and agricultural wastes, which are causing water quality degradation due to concentrations of conventional, nonconventional, or toxic pollutants. Water pollution control facilities include all equipment, utilities, structures, real property, and interests in and improvements on real property necessary for or incidental to such purpose. Water pollution control facilities also include such facilities, equipment, and collection systems as are necessary to protect federally designated sole source aquifers.

EMERGENCY

NEW SECTION

WAC 173-95A-030 Documenting a public health need. For the purposes of this chapter, a public health need related to a grant or loan must be documented by a letter signed by the secretary of the Washington state department of health or his or her designee and addressed to the public official who signed the grant or loan application.

NEW SECTION

WAC 173-95A-040 Documenting a substantial environmental degradation. For the purposes of this chapter, a substantial environmental degradation related to a grant or loan must be documented by a letter signed by the director of the Department or his or her designee and addressed to the public official who signed the grant or loan application.

NEW SECTION

WAC 173-95A-050 Awarding grant and loan funds. A county, city or town that has been offered a grant or loan for a water pollution control facility project may not receive grant or loan funds while the county, city, or town is not in compliance with the Growth Management Act unless:

(1) Documentation showing that a public health need has been provided by the Washington state department of health; or documentation showing that a substantial environmental degradation exists has been provided by the Department; and

(2) The county, city or town has provided documentation to the Department that actions or measures are being implemented to address the public health need or substantial environmental degradation; and

(3) The Department has determined that the project is designed to address only the public health need or substantial environmental degradation described in the documentation, and does not address unrelated needs including but not limited to provisions for additional growth.

**WSR 97-20-067
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Wildlife)**

[Order 97-198—Filed September 25, 1997, 4:47 p.m., effective October 1, 1997, 12:01 a.m.]

Date of Adoption: September 24, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900M; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.040.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: These lakes are scheduled for rehabilitation. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 1, 1997, 12:01 a.m.

September 24, 1997

Bern Shanks

Director

NEW SECTION

WAC 232-28-61900T Regional exception to permanent game fish rules. Notwithstanding the provisions of WAC 232-12-619 and WAC 232-28-619:

(1) Effective immediately through 12:00 midnight, October 31, 1997 the following waters are closed:

- (a) No. North Windmill Lake (Grant Co.)
- (b) North Windmill Lake (Grant Co.)
- (c) Windmill Lake (Grant Co.)
- (d) Canal Lake (Grant Co.)
- (e) Heart Lake (Grant Co.)
- (f) Pit Lake (Grant Co.)

(2) Effective 12:01 a.m. October 1, 1997 through 12:00 midnight, October 31, 1997 the following waters are closed:

- (a) Heritage Lake (Stevens Co.)
- (b) Thomas Lake (Stevens Co.)
- (c) Gillette Lake (Stevens Co.)
- (d) Sherry Lake (Stevens Co.)
- (e) Leo Lake (Stevens/Pend Oreille Cos.)
- (f) Halfmoon Lake (Pend Oreille Co.)
- (g) Corral Lake (Grant Co.)
- (h) Blythe Lake (Grant Co.)
- (i) Chukar Lake (Grant Co.)
- (j) Scaup Lake (Grant Co.)
- (k) Aztec Lake (Grant Co.)
- (l) Desert Lake (Grant Co.)
- (m) Dune Lake (Grant Co.)
- (n) Lizard Lake (Grant Co.)
- (o) Meadowlark Lake (Grant Co.)
- (p) Sedge Lake (Grant Co.)
- (q) Tern Lake (Grant Co.)
- (r) North Desert Lake (Grant Co.)
- (s) Aeneas Lake (Okanogan Co.)
- (t) June Lake (Grant Co.)

EMERGENCY

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. October 1, 1997:

WAC 232-28-61900M Washington game fish—
Exceptions to state-wide
rules. (97-140)

WSR 97-20-068
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)

[Order 97-201—Filed September 25, 1997, 4:48 p.m., effective October 1, 1997, 12:01 a.m.]

Date of Adoption: September 25, 1997.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:
Amending WAC 220-52-040 and 220-52-046.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The closures in this emergency rule are necessitated by federal court order. The state may not authorize commercial shellfish harvests absent agreed planning or compliance with a process. Agreed plans with applicable tribes have been entered as required by the court order. Such plans have the effect of a federal court order. 898 F. Supp 1453, 1466, 3.1. Pursuant to RCW 34.04.350 [34.05.350], the need to comply with such federal court orders in the form of allocative management plans constitutes an emergency that requires bypassing the time periods inherent in permanent rule making. Failure to comply with such plans may result in contempt of federal court or failure of all commercial crab fishing in a given region addressed by a plan. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 2, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 1, 1997, 12:01 a.m.

September 25, 1997

Bern Shanks

Director

NEW SECTION

WAC 220-52-04600V Crab fishery—Seasons, areas and gear restrictions. Notwithstanding the provisions of WAC 220-52-046, it is unlawful to fish for Dungeness crab for commercial purposes in Puget Sound except during the times and in the areas provided for in this section.

(1) All Puget Sound Marine Fish/Shellfish Management and Catch Reporting Areas are open beginning 8:00 a.m. October 1, 1997 until further notice, and after October 1, one-half hour before sunrise to one-half hour after sunset, except Areas 25C, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D and the closures provided for in this section.

(2) The following areas are closed to non-Indian commercial crab fishing.

(a) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 20A in Lummi Bay east of a line projected from the entrance buoy at Sandy Point to Gooseberry Point.

(b) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 21A in Bellingham Bay west of a line projected from the exposed boulder at Point Frances to the pilings at Stevie's Point.

(c) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 24A east of lines projected north from the most westerly tip of Skagit Island and south to the most westerly tip of Hope Island thence southeast to Seal Rocks, thence southeast to the green can buoy at the mouth of Swinomish Channel, thence easterly to the west side of Goat Island.

(d) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 24B inside a line projected from Priest Point to the five-meter tower between Gedney Island and Priest Point, thence northwesterly on a line between the five-meter tower and Barnum Point to the intersection with a line projected true west from Kayak Point, thence east to shore.

(e) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 24B north of a line projected true west from Kayak Point and south and west of a line from Kayak Point to Barnum Point.

(f) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 25A west of a line from the new Dungeness Light to the mouth of Cooper Creek.

(g) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 25D within a line from the Point Hudson Marina entrance to the northern tip of Indian Island, thence to Kala Point, thence following the shoreline to the point of origin.

(3) The following areas are closed to commercial crab fishing during the periods indicated:

(a) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 24C inshore of the 400 foot depth contour within an area bounded by parallel lines projected northeasterly from Sandy Point and the entrance to the marina at Langley are closed from October 1 through October 31, 1997.

EMERGENCY

(b) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 26A in Useless Bay north and east of a line from Indian Point to a point on shore 1.5 miles northeast of Double Bluff are closed from October 1 through October 31, 1997.

(c) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 21B inside lines from Oyster Creek to the fisheries monument on Samish Island and from Oyster Creek to Point Williams are closed shoreward of the ten fathom contour from October 1 through October 31, 1997.

(d) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22B in Fidalgo Bay south of a line projected from the red number 4 entrance buoy at Cap Sante Marina to the northern end of the eastern most oil dock are closed from October 1 through October 31, 1997.

(4) The following areas are closed to commercial crab fishing until further notice:

(a) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 24A within a line northeast from Rocky Point, to the red number 2 buoy, thence to Brown Point.

(b) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 24D south of a line from Dines Point to the point just north of Beverly Beach.

(c) Those waters of Marine Fish/Shellfish Management and Catch Reporting Areas 26A south and east of a line projected from the 3A buoy at the Snohomish River mouth to the outermost tip of the ferry dock at Mukilteo.

(d) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 26A within a line from the green number 1 buoy at Scatchet Head to the green number 1 buoy at Possession Point thence following the 200 foot contour to a point due east from the Glendale Dock.

(e) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 21B in Samish Bay south of a line from Oyster Creek to the fisheries management monument on Samish Island.

(f) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Westcott and Garrison Bays east of a line projected due south from Point White to San Juan Island.

(g) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 20A in Birch Bay east of a line projected from the boat ramp at the western boundary of Birch Bay State Park to the western point of the entrance to the Birch Bay Marina.

(h) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 21A shoreward of the ten-fathom (MLLW) contour in Chuckanut Bay.

(i) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Blind Bay south of a line projected due west from Point Hudson to Shaw Island.

(j) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Deer Harbor north of a line projected from Steep Point to Pole Pass.

(k) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Fisherman Bay south of a line projected east-west through the red number 4 entrance buoy.

(l) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22A in Mud Bay south of a line

projected from Lopez Island through Crab and Fortress Islands to Lopez Island.

(m) Those waters of Marine Fish/Shellfish Management and Catch Reporting Area 22B in Padilla Bay within a line projected from the northern end of the eastern most oil dock to the red number 2 buoy, thence southeasterly to the red number 8 buoy, thence west to shore.

(n) All waters in the San Juan Islands Marine Preserve Area.

(5) In all open areas as provided for in this section, it is unlawful to pull or set commercial crab gear from one-half hour after sunset to one-half hour before sunrise.

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

NEW SECTION

WAC 220-52-04000E Crab fishery—Lawful and unlawful. Notwithstanding the provisions of WAC 220-20-010 and WAC 220-52-040, effective immediately until further notice:

(1) It is unlawful for any person to take or fish for Dungeness crabs for commercial purposes in the Puget Sound licensing district with more than 20 pots per groundline, and it shall be unlawful to use or operate a groundline unless such gear meets the following requirements:

(a) A buoy, staff, flag and radar reflector must be attached at each end of the groundline;

(b) Flags attached at each end of the groundline must be orange in color;

(c) Buoys attached at each end of the groundline must be marked in a visible and legible manner with the Department of Fish and Wildlife approved and registered buoy brand issued to the license;

(d) Buoys attached at each end of the groundline must be marked with the number of pots attached to the groundline;

(e) Staffs with attached flags at each end of the groundline must be at least four feet above the water surface.

(2) Notwithstanding the provisions of RCW 75.28.048(4) the following Marine Fish/Shellfish Management and Catch Reporting Areas are restricted in the number of pots fished from a vessel.

(a) It is unlawful for any person to take or fish for Dungeness crabs for commercial purposes using more than eighty pots in the combined waters of Marine Fish Shellfish Management and Catch Reporting Areas 23A, 23B, 23C, 23D, 25A, 25E and 29.

(b) It is unlawful for any person to take or fish for Dungeness crabs for commercial purposes using more than 10 pots in Marine Fish Shellfish Management and Catch Reporting area 25E.

(c) It is unlawful for any person to take or fish for Dungeness crabs for commercial purposes using more than 10 pots in all waters of Marine Fish Shellfish Management and Catch Reporting Area 25A south of a line projected true west from Travis Spit on Miller Peninsula.

(3) Current Puget Sound crab/pot buoy brand certificate is not required to fish for Dungeness crab in Puget Sound.

**WSR 97-20-069
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 97-204—Filed September 25, 1997, 4:50 p.m., effective September 28, 1997, 12:01 a.m.]

Date of Adoption: September 25, 1997.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-817; and amending WAC 220-47-401.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Restrictions on retention of chinook in the reef net fishery remain necessary to reduce nontreaty impacts on stocks of concern.

Restrictions in the Area 7B coho-directed fishery to reduce nontreaty chinook impacts are no longer necessary because chinook escapement needs to the Samish hatchery appear to be attained.

Repealer of WAC 220-47-817 provides for fisheries openings relative to agreements reached during the Pacific Marine Fisheries Council/North of Falcon preseason planning process, per preseason regulations adopted by the Washington Fish and Wildlife Commission as permanent rule 97-124, chapter 220-47 WAC.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 28, 1997, 12:01 a.m.
September 25, 1997

Larry Peck
for Bern Shanks
Director

NEW SECTION

WAC 220-47-40100A Reef net open periods.

Notwithstanding the provisions of Section 220-47-401 WAC, effective 12:01 a.m. Sunday September 28, 1997 until further notice, it is unlawful to retain chinook salmon taken with reef net gear.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. Sunday September 28, 1997:

WAC 220-47-817 Puget Sound all-citizen commercial salmon fishery. (97-197)

**WSR 97-20-070
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)**

[Order 97-205—Filed September 25, 1997, 4:52 p.m., effective September 26, 1997, 12:01 a.m.]

Date of Adoption: September 25, 1997.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-19100Y and 220-56-19100Z; and amending WAC 220-56-191.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: The coho run to Dungeness Bay is managed to meet spawning escapement needs for the Dungeness Hatchery stock. Presently, the hatchery has already received enough fish to meet its coho escapement needs, and more are expected because it is still early in the run. The Jamestown S'Klallam Tribe is expanding the treaty fishery in the bay to seven days a week. Since the hatchery escapement has already been assured, opening the recreational fishery in the bay at this time, rather than waiting for the planned season start on October 1, will increase angling opportunity without jeopardizing the resource.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: September 26, 1997, 12:01 a.m.
September 25, 1997

Larry Peck
for Bern Shanks
Director

EMERGENCY

NEW SECTION

WAC 220-56-19100Z Puget Sound salmon — Seasons and daily limits. Notwithstanding the provisions of WAC 220-56-191 and WAC 220-56-195, effective 12:01 a.m. September 26, 1997 through October 31, 1997, waters of Dungeness Bay lying westerly of a line from Dungeness Spit Light to the number 2 red buoy, and then to the Port Williams boat ramp are open to salmon angling; special daily limit of two coho salmon.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. September 26, 1997:

WAC 220-56-19100Y Puget Sound salmon—
Saltwater seasons and daily limits. (97-183)

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. October 31, 1997:

WAC 220-56-19100Z Puget Sound salmon—
Saltwater seasons and daily limits. (97-205)

**WSR 97-20-112
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Public Assistance)**

[Filed September 30, 1997, 3:23 p.m., effective October 1, 1997]

Date of Adoption: September 30, 1997.

Purpose: Follows requirements of federal law, changing nature of assignment made by public assistance recipient as of October 1, 1997; follows requirements of federal law regarding distribution of child support payments.

Citation of Existing Rules Affected by this Order: Amending WAC 388-14-200 and 388-14-270.

Statutory Authority for Adoption: RCW 74.20A.310, Public Law 104-193, Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

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

Reasons for this Finding: Federal and state law require a change in the effect of the assignment made by a public assistance recipient, and a change in the distribution of child support payments, both to be effective October 1, 1997. The Washington state child support program must be brought in to conformance with statutory requirements, or the state IV-D plan will be in violation of federal standards for financial participation.

Number of Sections Adopted in Order to Comply with Federal Statute: New 2, amended 2, repealed 0; Federal Rules or Standards: New 2, amended 2, repealed 0; or Recently Enacted State Statutes: New 2, amended 2, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 2, amended 2, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 1, 1997.

September 30, 1997

Jerry W. Friedman

Assistant Secretary

Economic Services Administration

AMENDATORY SECTION (Amending WSR 92-13-026, filed 6/9/92, effective 7/10/92)

~~WAC 388-14-200 ((Eligibility—AFDC and FIP—))
Accepting public assistance requires an assignment of support rights((—Cooperation with office of support enforcement—Effect of noncooperation)). ((This section establishes the initial and continuing requirements of eligibility for aid to families with dependent children and for family independence program services.))~~

~~(1) ((Beginning August 1, 1975, as a condition of eligibility for assistance, each applicant/recipient shall make assignment to the office of support enforcement of any and all right, title, and interest in any support obligation the applicant/recipient may have. This includes support rights of any other family member for whom the applicant/recipient is applying for or receiving financial assistance. It also includes rights to support which have accrued at the time such assignment is executed. Through this assignment, the applicant/recipient authorizes the office of support enforcement to provide support enforcement services for the family, and to continue to provide services after the family stops receiving assistance, under the same conditions regarding the physical custodian's obligation to cooperate with OSE, as are in effect at the time assistance terminates, until services are terminated under this chapter.)) For purposes of this rule, "family" means "assistance unit."~~

~~(2) ((When the)) By accepting cash assistance under temporary assistance for needy families (TANF), an applicant/recipient ((satisfies subsection (1) of this section, the department may require further cooperation by the applicant/recipient as a continuing condition of eligibility for assistance unless the department determines)) assigns to the state the right to collect and keep child support owing to the applicant/recipient ((has good cause not to cooperate under WAC 388-24-111. The)) or to anyone in the applicant/recipient's ((cooperation includes, but is not limited to, assisting the office of support enforcement in or by doing the following:~~

~~(a) Identifying and locating absent parents by providing:~~

EMERGENCY

~~(i) Relevant information known to, possessed by, or reasonably obtainable by the applicant/recipient about the absent parent, such as the absent parent's:~~

- ~~(A) Name and known aliases;~~
- ~~(B) Address;~~
- ~~(C) Telephone number or numbers;~~
- ~~(D) Social Security Number;~~
- ~~(E) Employment history; and~~
- ~~(F) Physical description.~~

~~(ii) Data regarding the date and place of marriage, separation, divorce, or dissolution, and copies of any documents, reasonably obtainable without fee, including any court orders establishing paternity and/or support obligations;~~

~~(iii) Information establishing the support debt amount accrued before the application. Applicants shall give information at the time of application and/or at a later time, if requested by the office of support enforcement, to supplement existing information.~~

~~(b) Notifying the office of support enforcement when there are changes in information concerning the absent parent;~~

~~(c) Establishing the paternity of a child the applicant shall:~~

~~(i) Take reasonable action requested by the office, the prosecuting attorneys, the attorney general, private attorneys compensated under RCW 74.20.350, courts, or other agencies in:~~

- ~~(A) Administrative hearings;~~
- ~~(B) Actions to establish paternity; or~~
- ~~(C) Investigations preparatory or supplementary to such hearings or actions.~~

~~(ii) Assist in the development of medical and anthropological evidence relating to the alleged father's paternity based on tests performed by experts on the mother and the child.~~

~~(d) Establishing and collecting support and/or obtaining support payments or other payments or property due the applicant/recipient or a dependent child. The applicant shall take reasonable action requested by the office of support enforcement, the prosecuting attorney, the attorney general, the private attorney compensated under RCW 74.20.350, courts or other agencies in:~~

- ~~(i) Administrative hearings; or~~
- ~~(ii) Actions to establish or collect support obligations;~~

~~or~~

~~(iii) Investigations preparatory or supplementary to such hearings or actions.~~

~~(e) Remitting support payments the applicant/recipient receives, from any person or agency, to the office of support enforcement within eight days of receipt of said payments;~~

~~(f) Executing a repayment agreement and repaying retained support moneys under the agreement)) family.~~

~~(3) By accepting cash assistance, an applicant/recipient ((may attest to the lack of information, under penalty of perjury, if the applicant/recipient:~~

- ~~(a) Submits to an interview:~~

~~(i) Conducted by the office of support enforcement, a prosecuting attorney, the attorney general, or a private attorney compensated under RCW 74.20.350; and~~

~~(ii) Answers questions intended to obtain relevant information.~~

~~(b) Does not know, or possess, or cannot reasonably obtain the department's requested information)) authorizes the IV-D agency to provide support enforcement services for the family during the assistance period and after assistance terminates, under the same conditions until the support enforcement case is closed.~~

~~(4) ((The department shall consider an)) Conditions of the assignment depend on the date the applicant/recipient ((who attests to the lack of information to be cooperating, as required under this section, unless the:)) applies for cash assistance under TANF.~~

~~(a) For applications prior to October 1, 1997, the applicant/recipient ((fails or refuses to submit to an interview and answer questions;)) permanently assigns preassistance arrears and amounts that accrue while the family is receiving assistance.~~

~~(b) ((Department produces credible evidence which shows that the applicant/recipient's attestation is false; or)) For applications between October 1, 1997 and September 30, 2000:~~

~~(i) The applicant/recipient permanently assigns rights to support that accrues during the assistance period;~~

~~(ii) The applicant/recipient permanently assigns rights to preassistance support arrears, if such amounts can be collected by federal income tax offset; and~~

~~(iii) The applicant/recipient temporarily assigns preassistance support rights which cannot be collected by federal income tax offset until the later of October 1, 2000 or the date the family stops receiving assistance.~~

~~(c) For applications on or after October 1, 2000:~~

~~(i) The applicant/recipient ((previously gave inconsistent information for which the applicant/recipient has no reasonable explanation)) permanently assigns rights to support that accrues during the assistance period;~~

~~(ii) The applicant/recipient permanently assigns rights to preassistance support arrears, if such amounts can be collected by federal income tax offset; and~~

~~(iii) The applicant/recipient temporarily assigns preassistance support rights which cannot be collected by federal income tax offset until date the family stops receiving assistance.~~

~~(5) ((The department may not:~~

~~(a) Refuse to allow the applicant/recipient to sign an attestation; or~~

~~(b) Sanction the applicant/recipient for failure to cooperate merely because previous attempts to identify an absent parent resulted in blood test results excluding the person identified.~~

~~However, the applicant/recipient, must cooperate with any necessary retesting.~~

~~(6) If the office, the prosecuting attorney, the attorney general, or a private attorney compensated under RCW 74.20.350, believes the applicant/recipient is not cooperating, they shall send notice of the alleged noncooperation to the community services office and the applicant/recipient. The notice shall be evidence of noncooperation and shall include a statement:~~

~~(a) Explaining how the applicant/recipient failed to cooperate with that office, including what actions were required;~~

~~(b) Of the action that the office believes the applicant/recipient must take to resume cooperation;~~

(e) Informing the applicant/recipient that the:

(i) Same evidence is furnished to the community services office;

(ii) Applicant/recipient may contact the community services office immediately if the applicant/recipient disagrees with the evidence, needs assistance in order to cooperate, or believes the action required is unreasonable; and

(iii) Applicant/recipient's grant may be reduced or terminated if the IV-A agency determines, after a review of all of the evidence, that the applicant/recipient failed to cooperate.

(7) The department shall include in the notice of planned action either a:

(a) Copy of the evidence of noncooperation; or

(b) Statement of the evidence of noncooperation.

(8) If the applicant/recipient fails to cooperate by missing an interview without reasonable excuse, cooperation resumes when the applicant/recipient appears for a rescheduled interview and either provides information or attests to the lack of information. The office of support enforcement, prosecuting attorney, attorney general, or private attorney shall reschedule the interview within seven business days from the date the applicant/recipient contacts them to reschedule an interview.

(9) Cooperation resumes when the applicant/recipient performs the required action. The department shall reinstate the grant effective on the date cooperation resumes.

(10) If the applicant/recipient does not remit support moneys within eight days of receipt as required under WAC 388-14-200 (2)(c) and the applicant/recipient is currently receiving an AFDC grant, or cash benefits under the family independence program, the office of support enforcement shall:

(a) Document that the applicant/recipient has, in fact, received and retained support money and the amount of said money;

(b) Issue a notice of debt as provided under WAC 388-13-020 to the applicant/recipient to recover the payments; and the department shall include in such notice the following information:

(i) An explanation of the applicant/recipient's responsibility to cooperate by turning over the support money as a condition of eligibility for public assistance, and the sanction for failure to cooperate;

(ii) A list of the support money retained, including the dates and amounts as well as copies of any documentary evidence, such as copies of checks, front and back, the office possesses;

(iii) A proposed repayment agreement that may include a provision for a voluntary grant deduction;

(iv) An explanation that repaying retained support money according to a repayment agreement is a condition of cooperation;

(v) A statement that the recipient may request an informal meeting with the office, within twenty days of the date of service of the notice of debt, to:

(A) Clarify the recipient's responsibilities for cooperation; and

(B) Resolve differences regarding the existence or amount of the claim for unremitted support money and/or the proposed repayment agreement.

(vi) A statement that the recipient has the right to request a hearing under WAC 388-13-060 to contest the:

(A) Department's claim of ownership of the support money identified in the notice; and

(B) Reasonableness of the proposed repayment agreement.

(vii) A statement that the office will notify the community services office that the recipient failed to cooperate unless the recipient, within twenty days of the date of service of the notice of debt, executes the proposed repayment agreement, requests an informal meeting, or requests an adjudicative proceeding.

(11) The department shall base the repayment agreement on the:

(a) Applicant/recipient's total income and resources including the AFDC grant or cash benefits under the family independence program; and

(b) Total amount of retained support money.

(12) The monthly amount of the repayment shall not exceed ten percent of the:

(a) Grant payment standard during any month the applicant/recipient remains in public assistance status, or

(b) Cash benefits paid under the family independence program.

(13) When an applicant/recipient retains support money but is no longer an active recipient of public assistance money, the office of support enforcement, or the office of financial recovery, shall proceed under RCW 74.20A.270 and chapter 388-13 WAC, without reference to the procedural requirements of WAC 388-14-200(10).

(14) The office of support enforcement, or the office of financial recovery, shall notify the community services office when the recipient fails to cooperate if the recipient:

(a) Fails to sign a repayment agreement for the amount of retained support money claimed by the office in the notice of debt or as determined by an administrative law judge if a hearing is requested under WAC 388-13-060;

(b) Enters into a repayment agreement but subsequently fails to make a payment under the terms of the agreement, or fails to comply with the decision of the administrative law judge.

(15) The office of support enforcement, or the office of financial recovery, shall promptly notify the community services office when a recipient who has:

(a) Failed to enter into a repayment agreement, consents to do so and signs a repayment agreement; or

(b) Defaulted on an agreement or an administrative decision, makes a regularly scheduled payment according to the agreement or decision.

(16) Nothing in WAC 388-14-200 allows the department to make an otherwise eligible child ineligible for public assistance because of the applicant/recipient's failure to cooperate as defined in this section.) Amounts assigned may not exceed the lesser of the total amount of assistance provided to the family or the total amount of assigned support obligation.

NEW SECTION

WAC 388-14-201 Cooperation with IV-D agency is a condition of eligibility for TANF. (1) After an applicant/recipient assigns to the IV-D agency rights to collect and distribute support monies, the applicant/recipient has to cooperate with the IV-D agency to remain eligible for assistance, unless the department determines there is good cause not to cooperate under WAC 388-215-1400 through 388-215-1490.

(2) Cooperation includes providing information and assistance to the IV-D agency. There may be penalties, called sanctions, for not providing information and assistance when required.

(3) In some cases, the applicant/recipient may not be sanctioned for not providing information, if the applicant/recipient attests to the lack of information. To avoid a sanction, an applicant/recipient must swear under penalty of perjury that he or she does not have the information, and must submit to an interview by the IV-D agency, a prosecuting attorney, the attorney general, or a private attorney compensated under RCW 74.20.350. At the interview, the applicant/recipient must answer all questions truthfully.

(4) An applicant/recipient will be sanctioned by the department if:

(a) The applicant/recipient fails to submit to the interview and answer questions;

(b) The department provides credible evidence showing that the applicant/recipient could have provided the information; or

(c) The applicant/recipient has previously given inconsistent or false information without a reasonable explanation.

(5) The department may not:

(a) Refuse an applicant/recipient the opportunity to swear he or she does not have the information; or

(b) Sanction an applicant/recipient just because previous attempts to identify an absent parent based on the applicant/recipient's information resulted in genetic testing which excluded the person identified. The applicant/recipient must cooperate in any retesting.

(6) Cooperation includes providing information and assistance to the IV-D agency as follows:

(a) Providing relevant information needed to identify and locate the absent parent, if known to, possessed by, or reasonably attainable by the applicant/recipient, including:

(i) Name and known aliases;

(ii) Address;

(iii) Telephone number or numbers;

(iv) Social security number;

(v) Employment history;

(vi) Physical description;

(vii) Data regarding the date and place of marriage, separation, divorce, or dissolution, and copies of any documents, reasonably obtainable without fee, including any court orders establishing paternity and/or support obligations; and

(viii) Information establishing the support debt amount accrued before the application.

(b) Notifying the IV-D agency when there are changes in information concerning the absent parent;

(c) Assisting in establishing the paternity of a child, or establishing and collecting support and/or obtaining support

payments or property due the applicant/recipient or a dependent child, including taking reasonable action requested by the IV-D agency, the prosecuting attorney, the attorney general, private attorneys compensated under RCW 74.20.350, courts or other agencies during:

(i) Administrative hearings;

(ii) Action to establish paternity;

(iii) Action to establish or collect support obligations;

(iv) Investigations preparatory or supplementary to hearings or actions; and

(v) The development of medical and anthropological evidence relating to the alleged father's paternity based on tests performed by experts on the mother and the child.

(d) Remitting support payments the applicant/recipient receives, from any person or agency to the IV-D agency within eight days of receipt; and

(e) Executing a repayment agreement and repaying retained support monies under the agreement.

NEW SECTION

WAC 388-14-202 Effects of noncooperation. (1) When the IV-D agency, the prosecuting attorney, the attorney general, or a private attorney compensated under RCW 74.20.350, believe an applicant/recipient is not cooperating, a notice of the alleged noncooperation must be sent to the applicant/recipient and to the community service office. Either a notice of noncooperation or a notice of planned action may serve as the basis for a sanction.

(a) A notice of noncooperation must include a statement:

(i) Explaining how the applicant/recipient failed to cooperate with that office, including what actions were required;

(ii) Of the action that the IV-D agency believes the applicant/recipient must take to resume cooperation;

(iii) Informing the applicant/recipient that the:

(A) Same evidence is furnished to the community service office;

(B) Applicant/recipient may contact the community services office immediately if the applicant/recipient disagrees with the evidence, needs assistance in order to cooperate, or believes the action required is unreasonable; and

(C) Applicant/recipient's grant may be reduced or terminated if the IV-A agency determines, after a review of all of the evidence, that the applicant/recipient failed to cooperate.

(b) A notice of planned action will include either:

(i) A copy of the evidence of noncooperation; or

(ii) A statement of the evidence of noncooperation.

(2) If the applicant/recipient fails to cooperate by missing an interview without reasonable excuse, cooperation resumes when the applicant/recipient appears for a rescheduled interview and either provides information or attests to the lack of information. The IV-D agency, prosecuting attorney, attorney general or private attorney must reschedule the interview within seven business days from the date the applicant/recipient contacts them to reschedule an interview.

(3) If the applicant/recipient fails to perform a required action, cooperation resumes when the applicant/recipient

performs the required action. The department must reinstate the grant effective on the date cooperation resumes.

(4) If the applicant/recipient does not remit support monies within eight days of receipt as required under WAC 388-14-201(6)(d) and the applicant/recipient is currently receiving cash assistance, the IV-D agency shall:

(a) Document that the applicant/recipient has, in fact, received and retained support money and the amount of support money that was retained;

(b) Issue a notice of debt as provided under WAC 388-13-020 to the applicant/recipient to recover the payments.

(5) The department shall include the following information in the notice of debt:

(a) An explanation of the applicant/recipient's responsibility to cooperate by turning over the support money as a condition of eligibility for public assistance, and the sanction for failure to cooperate;

(b) A list of the support money retained, including the dates and amounts as well as copies of any documentary evidence the office possesses, such as copies of checks, front and back;

(c) A proposed repayment agreement that may include a provision for a voluntary grant deduction;

(d) An explanation that repaying retained support money according to a repayment agreement is a condition of cooperation;

(e) A statement that the recipient may request an informal meeting with the IV-D agency, within twenty days of the date of service of the notice of debt, to:

(i) Clarify the recipient's responsibilities for cooperation; and

(ii) Resolve differences regarding the existence or amount of the claim for unremitted support money and/or the proposed repayment agreement.

(f) A statement that the recipient has the right to request a hearing under WAC 388-13-060 to contest the:

(i) Department's claim of ownership of the support money identified in the notice; and

(ii) Reasonableness of the proposed repayment agreement.

(g) A statement that the IV-D agency will notify the community services office that the recipient failed to cooperate unless the recipient, within twenty days of the date of service of the notice of debt, executes the proposed repayment agreement, requests and informal meeting, or requests a hearing.

(6) The department will base the repayment agreement on the:

Applicant/recipient's total income and resources including the cash assistance benefits; and

(a) Total amount of retained support money.

(b) The monthly amount of the repayment must not exceed ten percent of the cash benefits paid under the TANF program.

(7) When an applicant/recipient retains support money but is no longer an active recipient of cash assistance, the IV-D agency, or the office of financial recovery, will proceed under RCW 74.20A.270 and chapter 388-13 WAC without reference to the procedural requirements of subsection (4) of this section.

(8) The IV-D agency, or the office of financial recovery, must notify the community services office when the recipient fails to cooperate if the recipient:

(a) Fails to sign a repayment agreement for the amount of retained support claimed by the IV-D agency in the notice of debt or as determined by the presiding officer if a hearing is requested under WAC 388-13-060; or

(b) Enters into a repayment agreement but subsequently fails to make a payment under the terms of the agreement, or fails to comply with the decision of the presiding officer.

(9) The IV-D agency, or the office of financial recovery, must promptly notify the community services office when:

(a) A recipient who has failed to enter into a repayment agreement, consents to do so and signs a repayment agreement; or

(b) A recipient who has defaulted on an agreement or an administrative decision, makes a regularly scheduled payment according to the agreement or decision.

AMENDATORY SECTION (Amending WSR 97-13-092, filed 6/18/97, effective 7/19/97)

WAC 388-14-270 Distribution of support payments.

(1) Under state and federal law, the IV-D agency ~~((shall))~~ may distribute support money it collects or receives ~~((in accordance with state and federal law and the provisions of this section.))~~ to the:

(a) Department when the department provides or has provided public assistance payments for the support of the family unit, household, or a member of the family unit or household;

(b) Payee under the order, or to the physical custodian of the child according to WAC 388-14-271;

(c) Child support enforcement agency in another state or foreign country which submitted a request for support enforcement services;

(d) Indian tribe which has a TANF program and/or a cooperative agreement regarding the delivery of child support services; or

(e) Person or entity making the payment when the IV-D agency is unable to identify the person to whom the support money is payable after making reasonable efforts to obtain identification information.

(2) If the IV-D agency is unable to distribute support money because the location of the family or person is unknown, it shall exercise reasonable efforts to locate the family or person. When the family or person cannot be located, the IV-D agency ~~((does not locate the family or person, it))~~ shall handle the money in accordance with chapter 458-65 WAC, the uniform unclaimed property act rules.

(3) When distributing support money, the IV-D agency shall ~~((apply))~~ do the following ~~((rules when distributing support money))~~:

(a) Record payments in exact amounts without rounding;

(b) Distribute support money within eight days of the date the IV-D agency receives the money, unless it is unable to distribute the payment for one or more of the following reasons:

(i) The location of the payee is unknown;

(ii) The IV-D agency does not have sufficient information to identify the accounts against which or to which it should apply the money;

(iii) An action is pending before a court or agency which has jurisdiction over the issue to determine whether support money is owed or how the IV-D agency should distribute the money.

(iv) The IV-D agency receives prepaid support money which it is holding for distribution in future months under subsection ~~((4))~~ (5) of this section;

(v) The IV-D agency mails a notice of intent to distribute support money to the physical custodian under WAC 388-14-271; or

(vi) Other circumstances exist which make a proper and timely distribution of the money impossible through no fault or lack of diligence of the IV-D agency.

(c) Distribute support money based on the date ~~((of collection, except as provided under subsection (3)(f) of this section and WAC 388-14-275. The date of collection is the earliest of the following dates:~~

~~((i) The date))~~ the IV-D agency ~~((or a political subdivision actually making the collection))~~ receives the money, except as provided under subsection (3)(g) of this section;

~~((ii) The date the support enforcement agency or other legal entity of another state or political subdivision, actually making the collection, receives the money; or~~

~~((iii) The date income, earnings, wages, labor and industries benefits, or employment security benefits were withheld.))~~

(d) ~~((Except as provided in subsection (3)(f) of this section, when the responsible parent has more than one case under Title IV-D or Title IV-E, the IV-D agency shall distribute))~~ Apply support money within each Title IV-D non-TANF case:

(i) First, to satisfy the current support obligation ~~((on each Title))~~ for the month the IV-D ~~((or foster care case, in proportion to the amount of the current support order on each case; and))~~ agency received the money;

(ii) Second, to the ~~((total of the support debts whether owed to the family or to the department for the reimbursement of public assistance on each Title IV-D or foster care case, in proportion to the amount of support debt owed by the))~~ responsible ~~((parent on each case; and))~~ parent's support debts owed to the family;

(iii) Third, ~~((after distribution under subsection (3)(d)(ii) of this section, within each Title IV-D or foster care case according to))~~ to prepaid support as provided for under subsection ~~((3)(e))~~ (5) of this section.

(e) Apply support money within each Title IV-D TANF case:

(i) First, to satisfy the current support obligation for the month the IV-D agency ~~((or the support enforcement agency or other legal entity of another state or political subdivision, collected))~~ received the money;

(ii) Second, to the responsible parent's support debts ~~((owed to the family))~~ which are permanently assigned to the department to reimburse public assistance payments;

(iii) Third, to the responsible parent's support debts which are temporarily assigned to the department to reimburse public assistance payments;

(iv) Fourth, to prepaid support as provided for under subsection ~~((4))~~ (5) of this section.

(f) Apply ~~((intercepted federal income tax refunds in accordance with 45 CFR 303.72(h), as follows))~~ support money within each Title IV-D former-TANF case:

(i) First, ~~((under federal law to the responsible parent's))~~ to satisfy the current support ~~((debts assigned to the department to reimburse public assistance payments; and))~~ obligation for the month the IV-D agency received the money;

(ii) Second, to ~~((support debts that are not assigned to the department; and~~

~~((iii) To support debts only, not to current and future support obligations. The IV-D agency shall refund any excess to the responsible parent))~~ the responsible parent's support debts which accrued after the family's most recent period of TANF;

(iii) Third, to the responsible parent's support debts which are permanently assigned to the department to reimburse public assistance payments;

(iv) Fourth, to the responsible parent's support debts which are temporarily assigned to the department to reimburse public assistance payments;

(v) Fifth, to the responsible parent's support debts which exceed the cumulative amount of unreimbursed assistance paid to the family;

(vi) Sixth, to prepaid support as provided for under subsection (5) of this section.

(g) Apply intercepted federal income tax refunds in accordance with 42 U.S.C. Sec. 657, as follows:

(i) First, to the responsible parent's support debts which are permanently assigned to the department to reimburse public assistance payments; and

(ii) Second, to the responsible parent's support debts which are temporarily assigned to the department to reimburse public assistance payments; and

(iii) Third, to support debts that are not assigned to the department; and

(iv) To support debts only, not to current and future support obligations. The IV-D agency shall refund any excess to the responsible parent.

(h) Apply amounts to a support debt owed for one family or household and distribute the amounts accordingly, rather than make a proportionate distribution between support debts owed to different families, when:

(i) Proportionate distribution is administratively inefficient; or

(ii) The collection resulted from the sale or disposition of a specific piece of property against which a court awarded the physical custodian a judgment lien for child support; or

(iii) The collection resulted from a contempt order in a particular case.

~~((h))~~ (i) Report amounts distributed to a family, receiving public assistance, to the community services office. This requirement shall not relieve the recipient of the duty to report receipt of support money ~~((; and~~

~~((i) Pay a family, receiving cash assistance under the aid to families with dependent children program, up to the first fifty dollars of each child support payment as provided under WAC 388-14-275)).~~

(4) Except as provided in subsection (3)(g) of this section, when the responsible parent has more than one case under Title IV-D or Title IV-E, the IV-D agency shall distribute support money:

(a) First, to the current support obligation on each Title IV-D or foster care case, in proportion to the amount of the current support order on each case; and

(b) Second, to the total of the support debts whether owed to the family or to the department for the reimbursement of public assistance on each Title IV-D or foster care case, in proportion to the amount of support debt owed by the responsible parent on each case; and

(c) Third, after distribution under subsection (3)(d)(ii) of this section, within each Title IV-D or foster care case according to subsection (3)(e) of this section.

(5) If the IV-D agency receives or collects support money representing payment on the required support obligation for future months, it shall:

(a) Apply the support money to future months when the support debt is paid in full;

(b) Distribute the support money on a monthly basis when payments become due in the future; and

(c) Mail a notice to the last known address of the person entitled to receive support money. The notice shall inform the person that:

(i) The IV-D agency received prepaid support money;

(ii) The IV-D agency will distribute the prepaid money as support payments become due in the future; and

(iii) ~~((If the support order is a court order, the person may petition the court that entered the support order for an order requiring the immediate distribution of the prepaid support money; or~~

~~(iv) If the support order is an administrative order,))~~ The person may request a conference board under WAC 388-14-385 to determine if the prepaid support money should be immediately distributed.

(d) The IV-D agency shall not mail the notice referred to in ~~((4))~~ (5)(c) of this section if the prepaid support is equal to or less than one month's support obligation.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 1, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 3; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, amended 0, repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 1, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 1, 1997.

September 30, 1997

Jerry W. Friedman

Assistant Secretary

Economic Services Administration

AMENDATORY SECTION (Amending WSR 96-23-024, filed 11/12/96, effective 1/1/97)

WAC 388-49-550 Monthly allotments. (1) ~~((The department shall determine the value of the allotment a household receives))~~ Amounts are figured per 7 CFR 273.10 and the thrifty food plan (TFP).

(2) ~~The ((monthly allotment shall equal the thrifty food plan (-))TFP((-) for the household size reduced by thirty percent of the household's net income. The department shall use the monthly allotment standards as established by the food and nutrition service))~~ is.

Household Size	Thrifty Food Plan
1	\$(120) 122
2	((220)) 224
3	((315)) 321
4	((400)) 408
5	((475)) 485
6	((570)) 582
7	((630)) 643
8	((720)) 735
9	((810)) 827
10	((900)) 919
Each additional member	+ ((90)) 92

(3) ~~((The department shall issue to households, except for households as specified in subsection (4) of this section, a prorated coupon allotment for the number of days remaining from the date of application to the end of the initial month of eligibility.~~

(a) ~~The department shall base the allotment on a thirty-day month.~~

(b) ~~The department shall not issue an allotment for less than ten dollars.~~

(4) ~~The department shall issue a full month allotment to eligible migrant and seasonal farmworker households applying within one calendar month after a prior certification ends.~~

(5) ~~The department shall determine the value of the monthly allotment a household receives by:~~

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WSR 97-20-113
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Public Assistance)

[Filed September 30, 1997, 3:25 p.m., effective October 1, 1997]

Date of Adoption: September 30, 1997.

Purpose: To implement a change in the federal thrifty food plan for the food stamp program. Also to repeal several WAC sections referencing, instead, the Code of Federal Regulations in one remaining section.

Citation of Existing Rules Affected by this Order: Repealing WAC 388-49-560, 388-49-570 and 388-49-580; and amending WAC 388-49-550.

Statutory Authority for Adoption: RCW 74.04.510.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: The thrifty food plan is integral to computing food stamp benefits. A delay in adoption may delay increased benefits for some households.

~~(a) Multiplying the household's net monthly income by thirty percent;~~

~~(b) Rounding the product up to the next whole dollar if it ends with one through ninety-nine cents; and~~

~~(c) Subtracting the result from the thrifty food plan for the appropriate household size.~~

~~(6) One and two person households shall receive a minimum monthly allotment of ten dollars except in the initial benefit month when the department shall not issue an allotment for less than ten dollars.~~

~~(7) The department shall issue an identification card to each certified household))~~ Amounts are issued per 7 CFR 274.2 and 7 CFR 274.3.

(4) Amounts are replaced per 7 CFR 274.6.

(5) Amounts are restored per 7 CFR 273.17.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- 388-49-560 Issuance.
- 388-49-570 Replacement allotments.
- 388-49-580 Restoration of lost benefits.

WSR 97-20-116
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE
(Fisheries)

[Order 97-203—Filed September 30, 1997, 4:45 p.m., effective October 1, 1997, 12:01 a.m.]

Date of Adoption: September 29, 1997.

Purpose: Commercial fishing regulations.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-44-05000H; and amending WAC 220-44-050.

Statutory Authority for Adoption: RCW 75.08.080.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This regulation is necessary to achieve conservation goals and to maintain consistency between state and federal regulations. There is insufficient time to promulgate permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, amended 0, repealed 0; Federal Rules or Standards: New 0, amended 0, repealed 0; or Recently Enacted State Statutes: New 0, amended 0, repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, amended 0, repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, amended 0, repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, amended 0, repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, amended 0, repealed 0; Pilot Rule Making: New 0, amended 0, repealed 0; or Other Alternative Rule Making: New 0, amended 0, repealed 0.

Effective Date of Rule: October 1, 1997, 12:01 a.m.

September 29, 1997

Bern Shanks

Director

NEW SECTION

WAC 220-44-05000I Coastal bottomfish catch limits.

Notwithstanding the provisions of WAC 220-44-050, effective 12:01 AM October 1, 1997 until further notice it is unlawful to possess, transport through the waters of the state or land in any Washington State port bottomfish taken from Marine Fish-Shellfish Management and Catch Reporting Areas 29, 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes shown below for the following species:

1. The following definitions apply to this section:

a. Cumulative limit - A cumulative limit is the maximum amount of fish that may be taken and retained, possessed or landed per vessel per calendar month, without a limit on the number of landings or trips. For B-platoon vessels (see section 1.b.) A calendar month shall be the 16th of the month through the 15th of the following month. The cumulative limit includes all fish harvested by a vessel during the month, whether taken in limited entry or open access fisheries. Once a cumulative limit has been achieved, an operator may begin fishing on the next cumulative limit so long as the fish are not landed until after the beginning of the next cumulative limit.

b. Two-month cumulative limit is the maximum amount of fish that may be taken and retained, possessed or landed per vessel per two, fixed calendar months, without a limit on the number of landings or trips. The fixed two-month periods are September-October and November-December, except for vessels that have elected to be endorsed in the "B-platoon" on their trawl federal limited entry permit. Two-month cumulative limits for B-platoon vessels begin on the 16th of the calendar month. These periods are: September 16-November 15, November 16-December 31. No more than sixty percent of any two-month cumulative limit may be taken and retained, possessed or landed per vessel in either calendar month of the fixed, two-month period, except for vessels in the B-platoon during the final period of the calendar year. The cumulative 2-month limit for this shortened period (November 16-December 31) may be taken in any number of trips during the period with no sixty percent per month restriction. For one-month cumulative limits, B-platoon vessels may take the final 2 cumulative limits during the shortened period (November 16-December 31) with no restriction on the amount of the total which can be harvested in either calendar month. The first calendar month for purposes of the 60 percent restriction for B-platoon vessels in other periods shall be defined as the period beginning on the 16th of the month in which the trip limit begins through the 15th of the following month. The second calendar month period shall be defined as beginning on the 16th of the second month in the period through the end of the cumulative period. The two-month cumulative

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limit includes all fish harvested by a vessel during the two-month period, whether taken in limited entry or open access fisheries. Once a two-month cumulative limit has been achieved, an operator may begin fishing on the next two-month cumulative limit so long as the fish are not landed until after the beginning of the next two-month cumulative period.

c. **Daily trip limit** - The maximum amount of fish that may be taken and retained, possessed or landed per vessel from a single fishing trip in 24 consecutive hours, starting at 0001 hours.

d. **Groundfish limited entry fishery** - Fishing activity by a trawl, setline or bottomfish pot equipped vessel that has received a federal limited entry permit issued by the National Marine Fisheries Service endorsed for the qualifying gear type.

e. **Groundfish open access fishery** - Fishing activity by a vessel equipped with setline or bottomfish pot gear that has not received a federal limited entry permit, or a vessel using gear other than trawl, setline or bottomfish pot gear.

f. **Vessel trip** - A vessel trip is defined as having occurred upon the initiation of transfer of catch from a fishing vessel.

g. **Vessel trip limit** - The amount of fish that may not be exceeded per vessel trip. All fish aboard a fishing vessel upon the initiation of transfer of catch are to be counted towards the vessel trip limit.

h. **Dressed length** - The dressed length of a fish is the distance from the anterior insertion of the first dorsal fin to the tip of the tail.

2. **Groundfish limited entry fishery limits.** The following limits apply to the groundfish limited entry fishery in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, and 63, and apply to all listed bottomfish species and species complexes taken in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29 (notwithstanding the provisions of WAC 220-44-030):

a. **Pacific ocean perch** - Two-month cumulative limit of 8,000 pounds. No minimum size.

b. **Widow rockfish** - Two-month cumulative limit of 60,000 pounds.

c. **Shortbelly rockfish** - No minimum size. No maximum poundage.

d. **Black rockfish** - The vessel trip limit for black rockfish for commercial fishing vessels using hook-and-line gear between the U.S. Canada border and Cape Alava (48°09'30" N. latitude) and between Destruction Island (47°40'00" N. latitude) and Leadbetter Point (46°38'10" N. latitude), is 100 pounds (round weight) or 30 percent by weight of all fish on board including salmon, whichever is greater, per vessel trip.

e. **Sebastes complex** - All species of rockfish except Pacific ocean perch, widow, shortbelly, and thornyhead (*Sebastes* spp.) Cumulative limit of 20,000 pounds, of which no more than 5,000 pounds may be yellowtail rockfish and no more than 10,000 pounds may be canary rockfish.

f. **DTS Complex - (Sablefish, Dover sole and thornyhead rockfish)** - Cumulative limit of 11,000 pounds, of which not more than 1,500 pounds may be Dover sole; not more than 2,000 pounds may be sablefish for trawl vessels and not more than 1,500 pounds may be sablefish for

non-trawl vessels; and not more than 7,500 pounds may be thornyhead rockfish. Of the thornyhead rockfish, not more than 1,500 pounds may be shortspine thornyhead.

g. **Sablefish** -

(1) **Trawl vessels** - Not more than 500 pounds (round weight) of sablefish per trip may be smaller than 22 inches. Sablefish total length of 22 inches is equivalent to dressed length of 15.5 inches. To convert sablefish from dressed weight to round weight, multiply the dressed weight by 1.6.

(2) **Non-trawl vessels** - Daily trip limit of 300 pounds (round weight) not to exceed 1,500 pounds in any calendar month. No minimum size. Effective noon, October 1, through noon, October 15, cumulative limit of 8,500 pounds (round weight) may be landed by fishers possessing a federal groundfish limited entry permit WITH a sablefish endorsement. Not more than 1,500 pounds (round weight) may be sablefish less than 22 inches (15.5 inches dressed, head off). During this period, the non-trawl sablefish fishery remains closed for limited entry fishers with no sablefish endorsement. Effective noon, October 15, daily trip limit of 300 pounds (round weight) not to exceed 1,500 pounds in any calendar month. Once a vessel has landed its 8,500 lb cumulative limit, no more sablefish may be landed by that vessel until the daily trip limit resumes at noon on October 15.

h. **Pacific Whiting** - 10,000 pound vessel trip limit. No minimum size.

i. **Lingcod** - Two-month cumulative limit of 30,000 pounds. Total length minimum size limit of 22 inches. Lingcod total length of 22 inches is equivalent to dressed length of 18 inches. To convert lingcod from dressed weight to round weight, multiply the dressed weight by 1.5. To convert lingcod from dressed, head on (gutted only), weight, multiply the dressed weight by 1.1.

(1) It shall be lawful to land up to 100 pounds of lingcod under 22 inches taken in the trawl fishery only.

3. **Groundfish open access fishery limits.** The following limits apply to the groundfish open access fishery in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 58B, 59A, 59B, 60A, 61, 62, and 63, and apply to all listed species and species complexes taken in Puget Sound Marine Fish-Shellfish Management and Catch Reporting Area 29 (notwithstanding the provisions of WAC 220-44-030). Notwithstanding the provisions of this subsection, no groundfish open access fishery limit may exceed a groundfish limited entry fishery daily, vessel or cumulative limit:

(a) **Sablefish** - Daily trip limit of 300 pounds (round weight) not to exceed 1,500 pounds in any calendar month. No minimum size.

(b) **Rockfish** - Vessel trip limit of 10,000 pounds. Cumulative limit of 40,000 pounds.

(c) **Black rockfish** - The vessel trip limit for black rockfish for commercial fishing vessels using hook-and-line gear between the U.S. Canada border and Cape Alava (48°09'30" N. latitude) and between Destruction Island (47°40'00" N. latitude) and Leadbetter Point (46°38'10" N. latitude), is 100 pounds (round weight) or 30 percent by weight of all fish on board including salmon, whichever is greater, per vessel trip.

(d) **Lingcod** - cumulative limit of 15,000 pounds. Total length minimum size limit of 22 inches. Lingcod total length

of 22 inches is equivalent to dressed length of 18 inches. To convert lingcod from dressed weight to round weight, multiply the dressed weight by 1.5. To convert lingcod from dressed, head on (gutted only), weight, multiply the dressed weight by 1.1.

(e) **Thornyhead rockfish** - Illegal to take, possess, transport or land thornyhead rockfish.

(f) Setline gear in Area 29.

It is lawful to use setline gear in Area 29, except that it is unlawful to retain rockfish and lingcod with a cumulative weight greater than thirty percent of all fish on board not to exceed 100 pounds. Maximum one vessel trip per day.

4. It is unlawful during the unloading of the catch and prior to its being weighed or leaving the unloading facility to intermix with any other species or category of bottomfish having a cumulative limit, vessel trip limit or daily trip limit.

5. The fisher's copy of all fish receiving tickets showing landings of species provided for in this section shall be retained aboard the landing vessel for 90 days after landing.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register 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. October 1, 1997:

WAC 220-44-05000H Coastal bottomfish catch limits. (97-173)

EMERGENCY



OFFICE OF THE CODE REVISER
Quarterly Rule Making Report
Covering Registers 97-13 through 97-18

AGRICULTURE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	10	42
Number of Rules Adopted as Emergency Rules	0	6	0
Number of Rules Proposed for Permanent Adoption	1	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	5	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	4	42
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	8	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

BOILER RULES, BOARD OF

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	11	3

BUILDING CODE COUNCIL

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	232	65	255

CLARK COLLEGE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	19	0	9
Number of Rules Proposed for Permanent Adoption	9	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	19	0	9
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	19	0	9
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

CODE REVISER'S OFFICE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	5	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	5	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	5	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Rules Proposed for Permanent Adoption	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	0	0

MISC.

Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	0	0
Number of Sections Adopted on the Agency's own Initiative	2	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	5	5

COUNTY ROAD ADMINISTRATION BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	11	0

ECOLOGY, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	46
Number of Rules Adopted as Emergency Rules	9	2	0
Number of Rules Proposed for Permanent Adoption	9	54	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	46
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	5	2	0
Number of Sections Adopted using Negotiated Rule Making	0	2	0
Number of Sections Adopted using Other Alternative Rule Making	5	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

EDUCATION, STATE BOARD OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	35
Number of Rules Proposed for Permanent Adoption	0	5	35
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	35
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	35
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	35
Number of Sections Adopted using Pilot Rule Making	0	0	0

EMPLOYMENT SECURITY DEPARTMENT

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	5	8	4
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MISC.

EVERGREEN STATE COLLEGE, THE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	8	13
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	7	13
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FAMILY AND CHILDREN'S OMBUDSMAN, OFFICE OF

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	6	0	0
Number of Rules Proposed for Permanent Adoption	6	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FINANCIAL INSTITUTIONS, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	5	0
Number of Rules Proposed for Permanent Adoption	1	5	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	1	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	2	4	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	5	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FINANCIAL MANAGEMENT, OFFICE OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FISH AND WILDLIFE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	20	65	6
Number of Rules Adopted as Emergency Rules	168	0	168
Number of Rules Proposed for Permanent Adoption	12	53	8
Number of Rules Withdrawn	2	4	0
Number of Sections Adopted at Request of a Nongovernmental Entity	1	0	1

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Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	11	2	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	128	67	112
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	15	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

FOREST PRACTICES BOARD

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	11	0
Number of Rules Adopted as Emergency Rules	0	2	0
Number of Rules Proposed for Permanent Adoption	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	2	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	3	11	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	3	11	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

GAMBLING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	24	11
Number of Rules Proposed for Permanent Adoption	7	9	3
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	3	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	3	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

HEALTH CARE AUTHORITY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	5	0
Number of Rules Adopted as Emergency Rules	0	6	0
Number of Rules Proposed for Permanent Adoption	1	21	18
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	11	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	11	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	5	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

HEALTH, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	79	73	119
Number of Rules Adopted as Emergency Rules	7	0	0
Number of Rules Proposed for Permanent Adoption	32	37	40
Number of Sections Adopted at Request of a Nongovernmental Entity	1	27	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	86	51	120

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Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	10	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	5	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	5	2
Number of Sections Adopted on the Agency's own Initiative	88	32	120
Number of Sections Adopted using Negotiated Rule Making	61	13	79
Number of Sections Adopted using Other Alternative Rule Making	25	36	41
Number of Sections Adopted using Pilot Rule Making	0	0	0

HORSE RACING COMMISSION

Type of Activity	New	Amended	Repealed
Number of Rules Withdrawn	21	0	49

HOUSING FINANCE COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	9	3	0
Number of Rules Proposed for Permanent Adoption	1	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	9	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

INSURANCE COMMISSIONER'S OFFICE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	0	0
Number of Rules Proposed for Permanent Adoption	1	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	1	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

JUDICIAL CONDUCT, COMMISSION ON

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	2	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

LABOR AND INDUSTRIES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	57	27	62
Number of Rules Proposed for Permanent Adoption	96	50	85
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	11	0	13
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	4	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0

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Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	53	25	13
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	57	25	13
Number of Sections Adopted using Pilot Rule Making	0	0	0

LICENSING, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	6	44	19
Number of Rules Proposed for Permanent Adoption	10	39	1
Number of Rules Withdrawn	1	22	8
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	6	38	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	1	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	2	0
Number of Sections Adopted on the Agency's own Initiative	6	43	19
Number of Sections Adopted using Negotiated Rule Making	6	30	0
Number of Sections Adopted using Other Alternative Rule Making	0	12	19
Number of Sections Adopted using Pilot Rule Making	0	0	0

LOTTERY COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	8	1	0
Number of Rules Proposed for Permanent Adoption	4	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	8	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Rules Proposed for Permanent Adoption	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

NATURAL RESOURCES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Rules Adopted as Emergency Rules	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

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OUTDOOR RECREATION, INTERAGENCY COMMITTEE FOR

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	3	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	3	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	3	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

PARKS AND RECREATION COMMISSION

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	5	0

PERSONNEL RESOURCES BOARD/PERSONNEL, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	6	1
Number of Rules Proposed for Permanent Adoption	0	6	0
Number of Rules Withdrawn	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	5	1
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	5	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	5	1
Number of Sections Adopted using Pilot Rule Making	0	0	0

PILOTAGE COMMISSIONERS, BOARD OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	1	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	2	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

POLLUTION CONTROL HEARINGS BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	3	0

POLLUTION LIABILITY INSURANCE AGENCY

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	6	0	0

PUBLIC INSTRUCTION, SUPERINTENDENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Rules Adopted as Emergency Rules	33	0	0
Number of Rules Proposed for Permanent Adoption	4	54	42
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0

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Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

RETIREMENT SYSTEMS, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	2	0	0
Number of Rules Proposed for Permanent Adoption	2	0	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	2	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	0	0
Number of Sections Adopted on the Agency's own Initiative	2	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

REVENUE, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

SECRETARY OF STATE, OFFICE OF THE

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	3	7	0
Number of Rules Adopted as Emergency Rules	2	3	1
Number of Rules Proposed for Permanent Adoption	15	179	33
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	3	7	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	5	10	1
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

SHORELINES HEARINGS BOARD

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	0	3	0

SOCIAL AND HEALTH SERVICES, DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	22	87	26
Number of Rules Adopted as Emergency Rules	15	45	18
Number of Rules Proposed for Permanent Adoption	66	83	129
Number of Sections Adopted at Request of a Nongovernmental Entity	3	12	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	22	55	16

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Number of Sections Adopted in Order to Comply with Federal Rules or Standards	1	9	0
Number of Sections Adopted in Order to Comply with Federal Statute	5	19	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	15	54	12
Number of Sections Adopted on the Agency's own Initiative	18	48	17
Number of Sections Adopted using Negotiated Rule Making	0	4	0
Number of Sections Adopted using Other Alternative Rule Making	10	18	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

TRANSPORTATION, COMMISSION AND DEPARTMENT OF

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	9	33
Number of Rules Adopted as Emergency Rules	1	0	2
Number of Rules Proposed for Permanent Adoption	0	3	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	9	2
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	2	4	0
Number of Sections Adopted on the Agency's own Initiative	0	2	32
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	3	0
Number of Sections Adopted using Pilot Rule Making	0	6	0

UNIVERSITY OF WASHINGTON

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	61	35	57
Number of Rules Proposed for Permanent Adoption	0	6	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	61	35	57
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	1	0
Number of Sections Adopted on the Agency's own Initiative	61	35	57
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	61	35	57
Number of Sections Adopted using Pilot Rule Making	0	0	0

UTILITIES AND TRANSPORTATION COMMISSION

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	1	1	0
Number of Rules Adopted as Emergency Rules	1	2	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	1	2	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

VOLUNTEER FIREFIGHTERS, BOARD FOR

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	1
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	0	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	0	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0

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Number of Sections Adopted using Other Alternative Rule Making	0	0	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

WASHINGTON STATE PATROL

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	0	10
Number of Rules Adopted as Emergency Rules	18	2	14
Number of Rules Proposed for Permanent Adoption	9	1	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	7	1	11
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	1
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	7	1	9
Number of Sections Adopted on the Agency's own Initiative	7	1	11
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	7	1	9
Number of Sections Adopted using Pilot Rule Making	0	0	0

WESTERN WASHINGTON UNIVERSITY

Type of Activity	New	Amended	Repealed
Number of Permanent Rules Adopted	0	7	0
Number of Sections Adopted at Request of a Nongovernmental Entity	0	0	0
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	0	1	0
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	0	0	0
Number of Sections Adopted in Order to Comply with Federal Statute	0	0	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	0	0	0
Number of Sections Adopted on the Agency's own Initiative	0	1	0
Number of Sections Adopted using Negotiated Rule Making	0	0	0
Number of Sections Adopted using Other Alternative Rule Making	0	1	0
Number of Sections Adopted using Pilot Rule Making	0	0	0

YAKIMA VALLEY COMMUNITY COLLEGE

Type of Activity	New	Amended	Repealed
Number of Rules Proposed for Permanent Adoption	1	24	2

Type of Activity	New	Amended	Repealed
TOTALS FOR THE QUARTER:			
Number of Permanent Rules Adopted	301	443	490
Number of Rules Adopted as Emergency Rules	269	76	207
Number of Rules Proposed for Permanent Adoption	528	742	660
Number of Rules Withdrawn	24	32	57
Number of Sections Adopted at Request of a Nongovernmental Entity	5	49	1
Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures	234	240	367
Number of Sections Adopted in Order to Comply with Federal Rules or Standards	5	19	1
Number of Sections Adopted in Order to Comply with Federal Statute	5	25	0
Number of Sections Adopted in Order to Comply with Recently Enacted State Statutes	32	76	23
Number of Sections Adopted on the Agency's own Initiative	417	313	427
Number of Sections Adopted using Negotiated Rule Making	67	52	79
Number of Sections Adopted using Other Alternative Rule Making	175	192	175
Number of Sections Adopted using Pilot Rule Making	0	6	0

WSR 97-19-042
RULES REVIEW PLAN
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed September 10, 1997, 2:40 p.m.]

LABOR AND INDUSTRIES
RULE REVIEW PLAN
Executive Summary

The Washington State Department of Labor and Industries intends to use this plan to guide its efforts for regulatory improvement through the year 2001 and beyond. The plan was developed in response to Governor Gary Locke's Executive Order 97-02. That order requires all state agencies to review regulations to ensure they meet standards of

Reviser's note: The following Rules Review Plan has been electronically generated directly from the agency and has not been through the usual editing and proofing processes.

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need, effectiveness and efficiency, clarity, intent and statutory authority, coordination, cost and fairness.

Labor and Industries as an agency has made regulatory improvement one of its four major priorities. In order to implement our regulatory improvement priority, the agency has set goals that are based on a common sense approach. L&I will revise and develop rules that:

- Focus on concerns of customers.
- Are developed in partnership with both business and labor.
- Are written in plain language and easy to understand.

Labor and Industries' responsibilities include worker health and safety, industrial insurance, crime victim compensation, inspection duties, building trades and other work-related and consumer protection activities. Because of this wide variety of responsibilities, the agency has many constituencies who are interested in our activities.

In developing this plan, Labor and Industries staff undertook an extensive effort to contact and obtain input from stakeholders. Methods of contact included personal visits, meetings, telephone calls and letters. In all, 1,286 individuals and organizations were asked to identify rules, policies and procedures that should be reviewed. Stakeholders also were encouraged to use Governor Locke's Executive Order criteria as categories to explain why a rule should be reviewed.

Some 2,291 rule sections and policies will be reviewed over the next four years. (See Appendix A for the schedule of rules to be reviewed)

This plan emphasizes consulting with affected organizations and the public at the beginning of the rules review process. The public's input will be sought very early in the process of reviewing a rule, before a proposal has been developed. Several methods will be used to involve external customers. This will include making use of existing advisory committees and forming new committees to review specific rules. L&I also will involve the public through workshops, public meetings, direct mailings, news coverage and articles in association newsletters.

This plan will be flexible and subject to change to reflect new information and changing technology. L&I will look at methods customers can use to file reports and forms via the Internet and other electronic pathways. The agency also will explore ways companies can pay fees and premiums electronically.

Progress in our regulatory improvement efforts will be measured by the number of rules and policies reviewed each year and by how many are repealed or revised. L&I also will document time savings and cost savings to the public, workers and the regulated community. The percentage of rules reviewed by the dates set in this plan also will be regularly reported. In addition, feedback from external customers and the public and examples of streamlining of the regulatory process will be collected. Ultimately, success will be determined by whether or not the agency can achieve its worker safety goals through an increase in voluntary compliance with our regulations.

Although this plan only covers a four-year period, regulatory improvement activities will be a regular part of L&I's processes beyond the year 2001. The Executive Order's seven criteria will be part of the examination of any new rule and existing rules. Labor and Industries embraces the concept of continuous improvement. Existing rules will be regularly reviewed to be sure they continue to be necessary, clearly written and up-to-date. All our rules will be reviewed. None will be exempted from review under the executive order.

This plan is available for the public on L&I's Internet home page and at L&I offices around the state. It also will be published in the State Register in September, 1997.

LABOR AND INDUSTRIES RULE REVIEW PLAN

Introduction

This rule review plan is intended to guide the Washington State Department of Labor and Industries' efforts in regulatory improvement. It was developed in response to Executive Order 97-02, issued by Governor Gary Locke on March 25, 1997.

The executive order requires all agencies to review their regulations to ensure the regulations meet standards of:

- Need
- Effectiveness and efficiency
- Clarity
- Consistency with legislative intent and statutory authority
- Coordination
- Cost
- Fairness

The executive order called for each state agency to develop a plan to review its rules and submit that plan to the Governor no later than September 1, 1997. Agencies were required to consult with stakeholders in developing the plan.

Each agency's plan was mandated to contain these elements:

- (a) **A schedule** for when the rules would be reviewed.
- (b) **Methods** used to determine if the rules meet the executive order criteria.
- (c) Means for **public participation** in the rules review process.
- (d) **Resources** necessary for amending significant rules.
- (e) **Exceptions** to the rule review process.
- (f) **A longer-term rules review process** after the initial four-year review.

In addition to the rule review plan, agencies will submit yearly reports through the year 2000, beginning Oct. 15, 1997, on progress in implementing their rule review plans.

This plan is a "working" document. It will be changed to reflect new information furnished by the regulated community and the public. Other changes may occur if rules become outdated by changing technology or external mandates such as federal rule changes.

LABOR AND INDUSTRIES RULE REVIEW PLAN

Background

MISC.

The Washington State Department of Labor and Industries' mission is:

"To promote a safe and healthful environment in which to work and live. In partnership with our customers, we strive to prevent injury, occupational illness and disability, and to limit economic hardship."

The agency delivers a diverse array of services to its customers – Washington's 5.5 million citizens, 157,000 employers and 2.8 million workers. Responsibilities include:

- Providing workers with **insurance benefits** for on-the-job accidents and occupational diseases.
- Providing financial and medical support to eligible **victims of violent crime**.
- Assisting employers and employees in understanding and complying with **worker-protection laws**.
- Enforcing state laws regarding **workplace safety and health**.
- Enforcing state laws governing **child labor, family leave, wage-and-hour requirements, construction compliance, prevailing wage on public work projects and other labor requirements**.
- **Registering contractors** and licensing electrical contractors, electrical administrators, journeymen and trainees and plumber journeymen and trainees.
- Coordinating the state's **apprenticeship job training program**.
- Conducting electrical, elevator, boiler, manufactured homes and factory-assembled structures **inspections**.

The agency has 2,600 employees located in six regions and 22 service locations and a central office in Tumwater. It is divided into five major divisions:

- **WISHA Services**, which handles worker safety and health matters.
- **Specialty Compliance Services**, which enforces state laws governing child labor, family leave, wage-and-hour requirements and other labor requirements and registers contractors and conducts electrical and other inspections.
- **Insurance Services**, which provides workers' compensation benefits and assistance to crime victims.
- **Administrative Services**, which provides management services to the agency and program support to WISHA Services and Insurance Services.
- **Information Services**, which provides computer, telecommunications and technological support to each program.

L&I's structure also includes a **Planning and Research Services** division and operations regarding **Communications, Quality and Human Resources**.

Labor and Industries had a number of regulatory improvement activities under way at the time the executive order was issued. Twenty-four staff positions were added in 1995 under the omnibus regulatory reform act (ESHB 1010). Eighteen of those positions are located throughout the state in technical assistance assignments. Assignments include conducting workshops and consulting with individual businesses and industries on methods and requirements to reduce worker injury and health problems.

The agency also has been training staff in clear rule writing. Rules are being rewritten using a "clear writing" question-and-answer format. Five rules were rewritten in 1996 governing commercial coaches, factory assembled structures, manufactured homes, recreational vehicles/park trailers and agricultural practices. Labor and Industries also adopted two rules jointly with other agencies. Pesticide rules were adopted in conjunction with the Department of Agriculture and drug-free workplace rules were adopted jointly with the Department of Social and Health Services.

An example of regulatory improvement involved the drywall installation and finishing industry. Some drywall contractors told L&I that other contractors were underreporting hours worked by employees and thus paying less for workers compensation insurance. In turn, this allowed them to charge less for their services. Contractors who honestly reported hours worked were at a competitive disadvantage. Labor and Industries staff worked closely with industry representatives. After an extensive rule-making process, the basis for determining workers' compensation premiums for the drywall industry was changed from hours worked to materials installed. This new method provides greater fairness to all.

When Governor Locke issued Executive Order 97-02, Labor and Industries staff stepped up efforts to review regulations for possible revision or repeal. The director set up a top management committee to review progress on a weekly basis. Mary Pat Frederick, Assistant Director for Administrative Services, was appointed to head regulatory improvement efforts. Staff members from each division began work on a number of fronts, including:

- Compiling a list of possible rule changes.
- Developing lists of outside groups and individuals to be contacted. A list of stakeholders is available be contacting L&I offices.
- Discussing ramifications of possible rule changes with the attorney general's office.
- Preparing lists of petitions filed regarding rules over the past two years.

LABOR AND INDUSTRIES RULE REVIEW PLAN

Major Stakeholders

Labor and Industries activities affect the lives of virtually every person living in Washington. L&I staff ensure that the places where people work are safe, provide health and wage benefits when workers are injured on the job or fall ill because of work-related diseases as well as performing many other functions. The agency has many organizations and individuals interested in portions of our responsibilities. Other stakeholders are involved in all L&I's work.

Key Agency-wide Groups

Associated General Contractors of Washington
 Association of Washington Business
 Association of Washington Cities
 Board of Industrial Insurance Appeals
 Building Industry Association of Washington
 Independent Business Association
 International Brotherhood of Electrical Workers

National Federation of Independent Business
 Retro Advisory Council
 United Association of Plumbers and Pipefitters
 U.S. Department of Labor, Occupational Safety and Health
 Administration
 Washington Federation of State Employees
 Washington Self Insurers Association
 Washington State Association of Counties
 Washington State Building and Construction Trades Council
 Washington State Labor Council
 Washington State Legislature
 Washington State Medical Association
 Washington State Trial Lawyers Association

Contacts in Developing This Plan

Labor and Industries staff undertook an extensive effort to contact and obtain input from individuals and organizations. Contacts included personal visits, meetings with groups, telephone calls and letters. Stakeholders were asked to identify rules, policies or procedures that should be reviewed and to explain which of the Executive Order's seven criteria applied. In all, 1,286 persons and groups were contacted and asked to provide input into this plan.

The **WISHA Services** Division mailed letters to organizations and individuals in May outlining the process, interactions and requirements of the Executive Order and requested input. Division staff met with several organizations to explain the Executive Order and get their comments. In early July a letter was faxed to both business and labor entities requesting input for formulation of the plan. The division also held workshops around the state to obtain an internal staff perspective. Follow-up meetings were conducted with associations to further review their proposals. The draft plan was then reviewed with interested business and labor entities.

The **Specialty Compliance Services** Division staff sent letters to external groups in early July soliciting comments. Labor and Industries staff also provided comments. This was followed up with phone calls requesting feedback. A copy of draft recommendations was sent to individuals and organizations for review and comment.

The **Insurance Services** Division used personal visits, public meetings, telephone conversations and mailings to invite comments and participation in reviews of department rules. An ongoing list of responses will be maintained to ensure that concerns are recognized and incorporated into the department's rule review process.

A complete list of stakeholders contacted in preparing this plan is available by contacting Jerry Gilliland at (360) 902-5411.

Petitions Filed under RCW 34:05.330

The agency also reviewed and considered petitions filed regarding rules over the past two years. In all, eight petitions have been filed since 1995. Four of the petitions were denied, three were accepted and one is under review. Four of the petitions concerned WISHA job safety issues, three concerned industrial insurance issues and one concerned employment standards.

LABOR AND INDUSTRIES RULE REVIEW PLAN

Regulatory Improvement Goals

The Department of Labor and Industries makes regulatory improvement one of its top four priorities.

The priority says:

"Regulatory Improvement: Creating Rules That Make Sense and Work Well. We develop rules that are necessary, fair, understandable, and consistent."

L&I's regulatory improvement goals are to revise and develop rules that:

- Focus on priorities of concern to customers
- Are developed in partnership with both business and labor
- Are written in plain language and easy to understand

L&I wants to be sure rules are based on good sense, that there are good reasons for having the rule, and that it is necessary for successfully carrying out the agency's mission and legislative intent.

The agency also wants to be sure that the public is involved in the formative stages of developing proposals to change rules or writing new rules. Involving stakeholders and the public at the front end of the process provides valuable information at an early stage and a better product.

Regulatory improvement will be an integral part of achieving the other three L&I priorities: providing safe workplaces, providing better workers' compensation service to employers and employees, and delivering customer service in a professional and courteous manner.

LABOR AND INDUSTRIES RULE REVIEW PLAN

Methods for Reviewing Rules, Policies and Procedures

Because Labor and Industries has many responsibilities, the review of rules, policies and procedures will need to be tailored to each particular rule. An overlapping theme of the review, however, will be common sense. In looking at each rule L&I will be asking the questions:

- Why is this being done?
- Is this rule really necessary?
- How will success be measured?

Methods to be used to review rules, policies and procedures include:

- Focusing on rules that are of greatest concern to the public and the regulated community.
- Approaching rule revision as a partnership with the business community and labor organizations.
- Keeping in mind the need for clarity and plain language in our rules.

A major goal will be to ensure that the public and the regulated community are involved at the beginning of the rules review process, before a proposal has been developed. L&I divisions plan several methods of involvement, including making use of current advisory committees and forming ad hoc groups to review specific rules.

Labor and Industries will use a variety of methods to **involve the public** in the agency's rule review process. This will include:

- Developing mailing lists for notification of rule changes.
- Making extensive use of public workshops
- Conducting public meetings and public hearings.
- Issuing news releases and other informational materials.
- Submitting articles for association newsletters.
- Using the agency's Internet home page to distribute information.

The seven criteria in the governor's Executive Order (need, effectiveness and efficiency, clarity, intent and statutory authority, coordination, cost and fairness) are serving as the standards L&I is using to review rules. In addition to public input using the criteria, Labor and Industries staff are now using the criteria in their work looking at both new and existing rules.

Division Methods

The **WISHA Services** Division will actively solicit comments for each review item, using standing labor and business committees along with internal e-mail requests. WISHA currently uses the Electrical Utilities Safety Advisory Committee (EUSAC), Construction Advisory Committee (CAC), Telecommunications Advisory Committee, Logging Advisory Committee and the First Aid Advisory Committee to provide comments to standards. For each of the division's vertical standards, stakeholders will be asked to comment and serve on advisory committees. The division used this process for agriculture, fire fighting and law enforcement and fall protection recently to amend rules and directives. Several major entities, such as the Association of Washington Business and the Washington State Labor Council, will be asked to assist in all reviews.

Rules: WISHA developed a comment collection sheet based on the criteria listed in the Executive Order. Division staff then developed a spreadsheet used to collect input and pertinent data. The technical staff at Labor and Industries discussed each issue raised by the stakeholder input in light of the criteria. After thorough discussion, a tentative ranking of the rules was developed. Staff then went back to organizations and individuals for clarification and further discussion. The senior WISHA staff then made decisions on the priority listing based on the data collected and discussions with technical staff and stakeholders.

Some rule sections contain more than one topic and/or issue. A few of the sections are being reviewed to address only specific issues as raised by stakeholders. For a more detailed description of the topics/issues proposed for review, please contact the department.

Policy and interpretive documents: Since late 1995, the department's major Washington Industrial Safety and Health Act (WISHA) policy emphasis has anticipated the direction given in Executive Order 97-02. The department gathered previous WISHA policies, reviewed all such policies to determine whether they were needed and accurate, and developed a consistent process and structure to provide policy guidance on other issues as identified by staff and by external stakeholders. As part of this effort, the department

replaced all informal policies with numbered, indexed policies officially adopted by the department.

The program reviewed more than 300 policy documents. Many policy documents were obsolete or out of date, none was clearly indexed, and nearly two-thirds could not be tracked with confidence. The policy documents have been replaced with a total of 119 WISHA Interim Memorandums (WIMs), new WISHA Regional Directives (WRDs), and WRDs held over on a temporary basis. These documents accurately reflect current policy, only include obligations for employers or others already found in statute or administrative code, and can be readily identified by WISHA staff and many other interested parties.

A few policies have been identified which may include provisions requiring rulemaking. They have been included in the division's list of rules to be reviewed.

Non-Rulemaking Initiative: In discussions with the business community and others, the WISHA Services Division has recognized that many concerns can be addressed by several immediate initiatives that do not require rulemaking. In particular, division staff heard about the need to provide guidance regarding similar requirements that are located in more than one WISHA standard. The agency believes this need can be addressed through technical assistance documents and other mechanisms much more rapidly than will be possible through rulemaking. Other areas of recurring concern included enforcement of the Accident Prevention Plan requirements and the need for collaborative implementation plans related to significant new rulemaking. The agency believes these subjects can also be addressed before rulemaking.

WISHA Rule Implementation Plan: The department plans to implement a collaborative rule implementation planning process, relying primarily on the WISHA Advisory Committee and other available resources. Although 1997's Substitute House Bill 1992, which proposed to address this subject, was not acted upon by the Legislature, the department is prepared to implement its substance on its own initiative. Before new WISHA standards take effect, the department will meet with stakeholders regarding the rule's implementation and any appropriate employer outreach efforts.

The Specialty Compliance Services Division will be establishing ad hoc committees and board subcommittees that include external customers and agency staff. In addition, the division staff will attend meetings of stakeholder organizations and discuss regulatory improvement status and ask for comments. The division also will mail general information to major customer groups to keep them informed of program activities.

Utilizing the Executive Order review criteria, the division will continue to use advisory boards, ad hoc committees, and stakeholder comments to review proposed rules and interpretive documents. Prior to publishing new or revised rules or interpretive documents, stakeholders will be contacted and rules reviewed to ensure they are in compliance with the executive order guidelines.

For example, the division will be looking at several very controversial rules, such as child labor requirements and work uniforms.

The **Insurance Services** Division has concentrated its rule review process efforts by focusing on the laws and/or rules creating customer concerns. Groups and individuals have been invited to assist with the rule reviews, either by providing comments or serving on existing or new advisory committees. The division will keep them informed as the review process continues. The division's in-depth review will incorporate the seven Executive Order criteria points. Stakeholders will be asked to comment on whether changes have had positive results. The division expects to review all its rules within the four-year period.

For example, the division will be looking at rules regarding medical providers to better clarify the roles within the medical profession such as chiropractors, physician assistants and paraprofessionals.

The **Administrative Services** Division will contact external customers by telephone and mail to encourage their participation in the rules review process.

The division will apply the seven Executive Order criteria to each rule. If all criteria are not answered with a yes, then the rule will be reviewed and amended to meet the criteria.

Resources Required

The amount of resources needed to amend significant legislative rules depends on the complexity of each rule. Complexity is determined by: the number of sections involved, technical input requirements, public interest in a section, advisory committee requirements, federal requirements, and the number of impacted employers and employees. Many of the rules being reviewed during the next four years are extremely complex and will require significant expenditure of resources.

Electronic Commerce

The agency also intends to look at ways for more extensive use of "electronic commerce." This would mean seeking ways for reports and forms to be filed with the agency via the Internet and other electronic means. L&I also is exploring additional ways for companies to pay fees and premiums electronically.

Measuring Success

The success of L&I's regulatory improvement efforts will be measured in several ways:

- The number of regulations, policies and orders reviewed each year.
- The number of regulations, policies and orders repealed or revised each year.
- Documented time savings and cost savings to the public, workers and the regulated community.
- Examples of streamlining of the regulatory process.
- The percentage of rule reviews completed by the dates set in this plan.
- Feedback from the regulated community and others the regulations were designed to protect.
- The number of rules rewritten to improve clarity, using the agency's clear rule writing program.

- Whether there is increased voluntary compliance with revised regulations.

LABOR AND INDUSTRIES RULE REVIEW PLAN

Longer Term Plans for Rule Review

This rule review plan covers a four-year period ending in the year 2001. L&I expects that regulatory improvement activities will become a regular part of agency business during the next four years. The Executive Order's seven criteria will be a part of the examination of any new rule and in reviewing existing rules.

Some of L&I's divisions use many rules, policies and procedures to carry out their responsibilities. Agency staff will be looking first at those rules customers identify as a top priority. Other, less controversial rules may not be reviewed during the first four years, but they all are part of the department's long-range plan to review all agency rules, policies and procedures.

Some rules will be looked at annually. Others may be reviewed every several years. Labor and Industries embraces the concept of continuous process improvement. The agency will never be done looking at existing rules. Rules that are acceptable today may not be adequate four years from now, or they may no longer be needed.

After the initial four-year plan, the **WISHA Services** Division intends to continue streamlining its rulemaking. The division will apply quality principles and continuous process improvement. L&I has been delegated authority for enforcing federal worker safety standards. Adoption of any new federal Occupational Safety and Health Administration rules or substantive amendments would heavily impact schedules for WISHA rule review.

Within the next four years, the **Specialty Compliance Services** Division will review all its rules, policies and interpretive documents. The division will continue to monitor and review rules that are impacted by future legislative changes. All review processes will begin within 30 days after legislation is signed and draft recommendations developed within 120 days. Existing rules also will be reviewed periodically to determine if they are in compliance with the Executive Order criteria.

The **Insurance Services** Division has a periodic rule review process in place. Generally, rules are reviewed annually or every few years. From now on, the review process will use the Executive Order criteria.

The **Administrative Services** Division is setting up an ongoing review of its rules every four years using the Executive Order criteria.

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APPENDIX A

Schedule of rules to be reviewed over the next four years.

RULE REVIEW PRIORITY
WISHA SERVICES

WAC Chapter or document	Section numbers or other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Abrasive Blasting						
296-24		General Safety & Health Standards	R	RCW 49.17	December 1997	No
	Part II-2	Abrasive Blasting Operations & Ventilation				
	67501, 67503, 67505, 67507, 67509, 67511, 67513, 67515, 67517, 67519, 67520, 67521, 677, 67701					
Scaffolding						
296-155		Safety Standards for Construction	R	RCW 49.17	Jan 98	No
	Part J-1	Scaffolding				
	481, 482, 483, 484, 485, 48503, 48504, 48505, 48506, 48507, 48508, 48509, 48510, 48511, 48512, 48513, 48514, 48515, 48516, 48517, 48518, 48519, 48523, 48525, 48527, 48529, 48531, 48533, 48536, 487, 488, 489, 490, 493, 494, 496, 497, 498, 528, 605, 615, 683, 688, 689, 700, 730					

WAC Chapter or document	Section numbers or other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Right to Know						
296-63		Right to Know (RTK) Exemptions	R	RCW 49.70	Feb 98	No
	009					
Abrasive Operations						
WRD 6.69		Abrasive Ops, Cutoff Wheels & Masonry Saws	R	RCW 49.17	Feb 98	No
Sputum Cytology						
WIM 97-2-C		Sputum Cytology & Chest X-Rays for Arsenic & Coke Oven	R	RCW 49.17	Feb 98	No
First Aid						
296-24		General Safety & Health Standards	R	RCW 49.17	Feb 98	No
	Part A-1	General, Educational, Medical & First Aid Requirements				
	055, 060, 065, 067, 070, 073	First Aid Requirements				
Emergency Response						
296-62		General Occupational Health Standards	R	RCW 49.17	Mar 98	No
	Part P	Hazardous Waste Operations and Emergency Response				
	3110, 3112, 3120, 3130, 3138, 3140, 3152, 3160, 3170, 3180, 3190, 3195					

MISC.

WAC Chapter or document	Section numbers or other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Ladders						
296-24		General Safety & Health Standards	R	RCW 49.17	Mar 98	No
	Part J-1	Working Surfaces, Guarding Floors & Wall Openings, Ladders, Scaffolds				
	780, 78003, 78005, 78007	Ladders				
Rotary Mowers						
296-24		General Safety & Health Standards	R	RCW 49.17	Mar 98	No
	Part II-1	Hand & Portable Powered Tools & Other Hand-Held Equipment				
	66505, 66507, 66509	Walk-Behind & Riding Rotary Mowers				
Power Transmission						
296-24		General Safety & Health Standards	R	RCW 49.17	Mar 98	No
	Part C	Machinery & Machine Guarding				
	205, 20501, 20503, 20505, 20507, 20509, 20511, 20513, 20515, 2017, 20519, 20521, 20523, 20525, 20527, 20529, 20531, 20533	Mechanical Power Transmission				

WAC Chapter or document	Section numbers or other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Mines						
296-61		Metal & Nonmetallic Mines, Quarries, Pits & Crushing Operations	R	RCW 49.17	Mar 98	No
	010, 020, 030, 040, 050, 060, 070, 080, 090, 100, 110, 120, 130, 140, 150, 160, 170, 180, 190, 200, 210, 220, 230, 240, 250, 260, 270, 280, 290, 300, 310, 320					
Accident Prevention Programs						
296-24		General Safety & Health Standards	R	RCW 49.17	Mar 98	No
	020, 040, 045, 10203					
296-155		Construction	R	RCW 49.17		No
	100,					
296-56		Longshore Operations	R	RCW 49.17		No
	60009					
296-78		Sawmills	R	RCW 49.17		No
	515, 525, 530					
296-305		Firefighters	R	RCW 49.17		No
	01505, 01509, 05009					
296-307		Agriculture	R	RCW 49.17		No
	030, 08018					

MISC.

WAC Chapter or document	Section numbers or other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Pulp & Paper						
296-79		Pulp, Paper & Paperboard Mills & Converters	R	RCW 49.17	Apr 98	No
	32001, 010, 020, 030, 070, 080, 090, 140, 150, 160, 170, 180, 190, 220, 230, 240, 250, 260, 27001, 27003, 280, 29001, 29003, 29007, 29021, 29029, 29033, 29037, 300, 31001, 31003, 31009, 320, 040, 050, 060, 100, 110, 120, 130, 210, 255, 270, 290, 29019, 29025, 310, 31005, 31007, 31011, 31013					
Electrical						
296-44		Electrical Construction Code	R	RCW 49.17	May 98	No
	All Sections					

WAC Chapter or document	Section numbers or other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-45		Electrical Workers	R	RCW 49.17	May 1998	No
	60013, 650, 65003, 65005, 65009, 65011, 65013, 65015, 65017, 65019, 65021, 65023, 65026, 65027, 65029, 65031, 65033, 65035, 65037, 65038, 65039, 65041, 65043, 65045, 65047, 660, 66001, 66003, 66005, 66007, 66009, 66011, 675, 67503, 67505, 67507, 67509, 67511, 67513, 67515, 67517, 67519, 67521, 67523, 67525, 67527, 67529, 67531, 67533, 67535, 67537, 67539, 67541, 67543, 67545, 680, 690, 695, 700					
Reassumptions						
296-350		Reassumption of Jurisdiction Pursuant to RCW 49.17.140	R	RCW 49.17	Jul 98	No
	010, 020, 030, 040, 050, 060, 070, 080, 090, 095, 200, 210, 230, 240, 250, 255, 260, 270, 280, 350, 35010, 35015, 35020, 35025, 35030, 35035, 35040, 35045, 35050, 35055, 35060, 400, 450, 460, 470, 500, 990					

MISC.

WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Bakery						
296-302		Bakery	R	RCW 49.17	Sep 98	No
	010, 015, 020, 025, 02501, 02503, 02507, 02509, 02511, 02513, 02515, 02517, 02519, 03001, 03003, 035, 040, 045, 050, 05501, 05503, 060, 065, 06501, 06503, 06505, 06507, 06509, 06511, 06513, 06515, 06517, 06519, 06521, 06523, 06525, 06527, 06529, 06531					
Egress						
296-24		General Safety & Health Standards	R	RCW 49.17	Sep 98	No
		Means of Egress				
	550, 55001, 55003, 55005, 55007, 55009, 565, 56501, 56503, 56505, 56507, 56509, 56511, 56513, 56515, 56517, 56519, 56521, 56523, 56525, 56527, 56529, 56531, 567, 56701					
Eye Wash						
296-62		General Occupational Health Standards	R	RCW 49.17	Sep 98	No
	130	Emergency Eye Wash				

WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Scaffolds						
296-24		General Safety & health Standards	R	RCW 49.17	Sep 98	No
	825, 82501, 82503, 82505, 82507, 82509, 82511, 82513, 82515, 82517, 82519, 82521, 82523, 82525, 82527, 82829, 82531, 82533, 82535, 82537, 82539, 82541, 82543, 82545, 840, 84001, 84003, 84005, 84007, 84009, 84011, 84013					
Logging						
296-54		Safety Standards for Logging Operations	R	RCW 49.17	Dec 98	No
	501, 503, 505, 509, 511, 513, 515, 517, 519, 521, 523, 525, 527, 529, 531, 533, 535, 537, 541, 543, 545, 547, 549, 551, 553, 555, 557, 559, 561, 563, 565, 567, 571, 573, 575, 579, 581, 583, 585, 587, 589, 591, 593, 595, 597, 599, 601, 603, 605, 607, 99002, 99003, 99004, 99007, 99008, 99009, 99010					
Longshore Marine						
296-56		Longshore Marine	R	RCW 49.17	Dec 98	No
	Unknown	Subject to OSHA schedule				

MISC.

WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Miscellaneous OSHA Regulatory Reform Items						
296-24		General Safety & Health Standards	R	RCW 49.17	Dec 98	No
	14001, 19517, 21713, 59205, 60205, 63499					
296-32	280	Telecommunications	R	RCW 49.17		No
296-62		General Occupational Health	R	RCW 49.17		No
	073, 07302, 07304, 07308, 07310, 07312, 11021, 130					
296-99	060, 080, 085,	Grain Handling	R	RCW 49.17		No
296-155	365	Construction	R	RCW 49.17		No
296-307	08009, 085	Agriculture	R	RCW 49.17		No
Electronic Signatures						
296-24		General Safety & Health Standards	R	RCW 49.17	Dec 98	No
	19517, 20720, 23519, 23525, 24007, 24013, 24513, 51009, 66319, 66321, 87001, 87009, 87017					
296-27	16003, 16011	Record Keeping & Reporting	R	RCW 49.17		No

WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-32	250, 320	Telecommunications	R	RCW 49.17		No
296-36	100, 125, 210	Compressed Air Work	R	RCW 49.17		No
296-52	425, 433, 489	Explosives	R	RCW 49.17		No
296-54	513, 583, 605	Logging	R	RCW 49.17		No
296-61	130	Metal / Nonmetal Mines	R	RCW 49.17		No
296-62	05205, 07423, 07725, 08001, 14511, 20017, 20023	General Occupational Health Standards	R	RCW 49.17		No
296-78	71503	Sawmills	R	RCW 49.17		No
296-155	17359, 174, 24507, 24510, 36319, 36321, 48531, 525, 730	Construction	R	RCW 49.17		No
296-304	14001, 15001, 15005, 20025	Ship Repair, Ship Building & Ship-Breaking	R	RCW 49.17		No
296-305	01009, 01501	Firefighters	R	RCW 49.17		No
296-350	040, 280	Reassumptions	R	RCW 49.17		No
Maintenance						
296-155	005, 245	Construction Purpose & Scope "Maintenance" Scope	R	RCW 49.17	Mar 99	No

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WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I=Interpretive R=Rule O=Other	Statutory Authority	Estimated review completion date	Business Report required?
HazWop						
296-62		General Occupational Health Standards	R	RCW 49.17	Mar 99	No
	Part P	Hazardous Waste Operations				
	300, 3010, 3020, 3030, 3040, 3050, 3060, 3070, 3080, 3090, 3100					
Cholinesterase						
296-307		Agriculture	R	RCW 49.17	Mar 99	No
	14520	Cholinesterase Monitoring				
Rigging						
296-24		Construction	R	RCW 49.17	Jun 99	No
	Part D	Materials, Handling & Storage				
	294, 29401, 29403, 29405, 29407, 29409, 29411, 29413, 29415, 29417, 29419, 29421, 29423, 29425, 29427, 29429, 29431	Rigging				

WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I=Interpretive R=Rule O=Other	Statutory Authority	Estimated review completion date	Business Report required?
Machine Guarding						
296-24		General Safety & Health Standards	R	RCW 49.17	Jun 99	No
	Part C	Machinery & Machine Guarding				
	150, 15001, 15003, 15005, 15007, 15009, 165, 16501, 16503, 16505, 16507, 16509, 16511, 16513, 16515, 16517, 16519, 16521, 16523, 16525, 16527, 16529, 16531, 16533, 16535, 16539, 180, 18001, 18003, 18005, 18007, 18009, 190, 19001, 19003, 19005, 19007, 19009, 19011, 19013, 19015, 195, 19501, 19503, 19505, 19507, 19509, 19511, 19513, 19517, 197, 200, 20001, 20003, 20005, 20007, 20009, 20011, 20013, 20015, 20017, 20019, 20021, 205, 20501, 20503, 20505, 20507, 20509, 20511, 20513, 20515, 20517, 20519, 20521, 20523, 20525, 20527, 20529, 20531, 20533, 20699, 20700, 20710, 20720, 20730					

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WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
HazCom						
296-62		General Occupational Health Standards	R	RCW 49.17	Sep 99	No
	Part C	Hazardous Communication				
	054, 05403, 05405, 05407, 05409, 05411, 05413, 05415, 05417, 05419, 05421, 05423, 05425, 05427, 05429					
Spray Finishing						
296-24		General Safety & Health Standards	R	RCW 49.17	Sep 99	No
		Spray Finishing				
	370, 37001, 37003, 37005, 37007, 37009, 37011, 37013, 37015, 37017, 37019, 37021, 37023, 37025, 37027					
Salamanders						
296-155		Construction	R	RCW 49.17	Sep 99	No
		Fire Protection				
	250, 260, 265, 270, 275, 280					

WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Ship Repair						
296-304		Ship Repair, Ship Building & Ship-Breaking	R	RCW 49.17	Mar 00	No
	010, 01001, 01003, 01005, 020, 02001, 02005, 02005, 02007, 02009, 02011, 02013, 02015, 030, 03001, 03003, 03005, 03007, 03009, 040, 04001, 04005, 04007, 04009, 04011, 04013, 050, 05001, 05003, 05005, 05007, 05009, 05011, 05013, 060, 06001, 06003, 06005, 06007, 06009, 06011, 0613, 06015, 070, 07001, 07003, 07005, 07007, 07009, 07011, 07013, 080, 08001, 08003, 08005, 08007, 08009, 08011, 090, 09001, 09003, 09005, 09007, 100, 10001, 10003, 10005, 10007, 110, 11001, 11003, 120, 130, 13001, 13003, 140, 14001, 14003, 14005, 14007, 14009, 14011, 14013, 150, 15001, 15003, 15005, 160, 16001, 16003, 16005, 16009, 16011, 16013, 16015, 16017, 16019, 16021, 16023, 16025, 170, 17001, 17003, 17005, 17007, 17009, 17011, 17013, 17015, 17017, 17019, 17021, 17023, 180, 18001, 18003, 190, 200, 20001, 20003, 20005, 20007, 20009, 20011, 20013, 20015, 20017, 20019, 20021, 20023, 20025					

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WAC Chapter or document	Section numbers or Other unique Identifier	WISHA Chapter Title	Document type I=Interpretive R=Rule O=Other	Statutory Authority	Estimated review completion date	Business Report required?
Medical Records						
296-62		General Occupational Health Standards	R	RCW 49.17	Sep 00	No
		Access to Records				
	052, 05201, 05203, 05205, 05207, 05209, 05211, 05213, 05215, 05217, 05219, 05221, 05223					
Personal Protective Equipment						
296-24		General Safety & Health Standards	R	RCW 49.17	Sep 00	No
		Personal Protective Equipment (PPE)				
	075, 07501, 078, 07801, 084, 086, 088, 090, 092, 094, 096, 098					
Anhydrous Ammonia						
296-24		General Safety & Health Standards	R	RCW 49.17	Sep 00	No
		Anhydrous Ammonia				
	510, 51001, 51003, 51005, 51007, 51009, 51011, 51013, 51017, 51019, 51021, 51099					

WAC Chapter or document	Section numbers or Other unique Identifier	WISHA Chapter Title	Document type I=Interpretive R=Rule O=Other	Statutory Authority	Estimated review completion date	Business Report required?
Occupational Health						
296-155		Construction	R	RCW 49.17	Sep 00	No
	Part B-1	Occupational Health & Environmental Control				
	100, 105, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 173, 17301, 17303, 17305, 17307, 17309, 17311, 17313, 17315, 17317, 17319, 17321, 17323, 17325, 17327, 17329, 17331, 17333, 17335, 17337, 17339, 17341, 17343, 17345, 17347, 17349, 17351, 17353, 17355, 17357, 17359, 174, 176, 17603, 17605, 17607, 17609, 17611, 17613, 17615, 17617, 17619, 17621, 17623, 17625, 17627, 17629, 17631, 17635, 17650, 17652, 17654, 17656,					
Color Coding						
296-24		General Safety & Health Standard	R	RCW 49.17	Mar 01	No
	Part B	Safety Color Coding, Accident Prevention Signs & Tags				
	135, 13501, 13503, 140, 14001, 14003, 14005, 14007, 14009, 14011					

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WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I=Interpretive R=Rule O=Other	Statutory Authority	Estimated review completion date	Business Report required?
Electrical 24						
296-24		General Safety & Health Standards	R	RCW 49.17	Mar 01	No
		Electrical				
	956, 95601, 95603, 95605, 95607, 95609, 95611, 95613, 95615, 95617, 95699, 960, 965, 970, 975, 980, 985					
Powered Industrial Truck						
296-24		General Safety & Health Standards	R	RCW 49.17	Sep 01	No
	Part D	Powered Industrial Truck				
	23001, 23003, 23005, 23007, 23009, 23011, 23013, 23015, 23017, 23019, 23021, 23023, 23025, 23027, 23029, 23031, 23033, 23035					

WAC Chapter or document	Section numbers or Other unique identifier	WISHA Chapter Title	Document type I=Interpretive R=Rule O=Other	Statutory Authority	Estimated review completion date	Business Report required?
Projected OSHA Projects						
Respiratory Protection						
296-62		General Occupational Health Standards	R	RCW 49.17	Unknown	No
	Part E 07113	Respiratory Protection				
		<i>Subject to OSHA schedule</i>				
Walking / Working						
296-155		Construction	R	RCW 49.17	Unknown	No
		Walking / Working Surfaces				
	Unknown	<i>Subject to OSHA schedule</i>				
Records						
296-27		Record Keeping & Reporting	R	RCW 49.17	Unknown	No
	Unknown	<i>Subject to OSHA schedule</i>				

**RULE REVIEW PRIORITY
SPECIALITY COMPLIANCE SERVICES**

WAC Chapter or document	Section numbers or other unique identifier	APPRENTICESHIP Chapter Title	Document type I=Interpretive R=Rule O=Other	Statutory Authority	Estimated review completion date	Business Report required?
296-04 (repealer)	All	Requirements and Standards for Approved Apprenticeship	R	RCW 49.04	October 97	No
296-04A	All sections have been redrafted	Note: will clarify the procedures and requirements; establish procedures to resolve complaints arising out of conduct of approved training agents; implement measures to comply with 8/8/96 WA State Supreme Court decision; make grammatical changes to reflect gender neutrality and apply principles of clear rule writing.	R	RCW 49.04	October 97	No

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WAC Chapter or document	Section numbers or other unique identifier	BOILER SECTION		Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
		Chapter Title					
296-104		Boilers & Unfired Pressure Vessel Laws		R	RCW 70.79 030, 040, 050		
296-104	265 - 415	Standards for new construction Construction, Nonstandard Installations				September 1997	No
296-104	502 - 805	Repairs Inspection, Certificate fees & Expenses Civil Penalties Nuclear				September 1998	No
296-104	001 - 060	Definitions Administration Inspection of Systems				September 1999	No
296-104	065 - 260	Inspection of Systems Places of Public Assembly Existing Installations				September 2000	No

WAC Chapter or document	Section numbers or other unique identifier	CONTRACTOR COMPLIANCE		Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
		Chapter Title					
Policy	0002	Infraction Voiding Policy Discontinue policy of "Voiding" contractor infractions as a result of statute changes to RCW 18.27.		O	None	July 1997 Completed	No
296-200	340	Right to contested hearing. Delete requirement for appeal bond. Statutory authority does not exist for this requirement.		R	None	December 1997 Completed	No
296-200		Contractor Certificate of Registration Renewals - Security - Insurance		R	RCW 18.27		
296-200	015 (10)	Contractor Certificate of Registration. Renewals - Security - Insurance. Definition of "Chief Construction Compliance Inspector". Amend to reflect current department organization structure.		R		January 1998	No
296-200	400 - Fines	Contractor Certificate of Registration. Renewals - Security - Insurance. Amend rule to include user friendly schedule of penalties		R		January 1998	No

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WAC Chapter or document	Section numbers or other unique identifier	CONTRACTOR COMPLIANCE Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Compliance Inspector Operations Manual	All Policies	Review and amend those policies where recent statutory changes have impact on validity of policy.	I	RCW 18.27	July 1998	No
Compliance Inspector Operations Manual	All Policies	Remove and discontinue enforcement of those policies that are no longer valid.	I	RCW 18.27	July 1998	No
RCW 18.27	.010	An Act Relating to Contractors and Specialty Contractors. Submit department request legislation to amend the definition of contractor. Remove language that is superseded by case law.	O	RCW 18.27	July 1998 (leg. session)	No

WAC Chapter or document	Section numbers or other unique identifier	ELECTRICAL Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Policy 95-06	Continuing Non-compliance	External/Internal Definition of Statutory Term	Policy	Interpretive statement for 19.28 defining basis for license revocation.	Done. Changed to rule. Effective December 1997.	No
296-401-020 to 180	.020 to .180 Rewrite entire chapter in clear rule writing techniques.	Certification of Competency for Journeyman Electricians	Rule	RCW 19.28.510 through 19.28.911	September 1997	
296-46-090	.090 Foreword. Formally adopt the National Electrical Safety Code as a recognized standards only for installations specifically designated by the department.	Safety Standards - Installing Electric Wires	Rule	RCW 19.28.010.	September 1997 Change to rule.	No
296-46-910	.910 Inspection Fees. Create a separate fee to inspect installations for concerts and trade shows. Include a minimum weekend fee for inspections.	Safety Standards - Installing Electric Wires	Rule	RCW 19.28.210 (6)	September 1997	No
296-46-910	.910 Inspection Fees. Subsection (5)(n)(i) Recalculate plan review fees to cover actual costs.	Safety Standards - Installing Electric Wires	Rule	RCW 19.28.210 (6)	September 1997	No
296-46-920	.920 Civil Penalty. Increase the penalties for employing an uncertified electrician and working uncertified.	Safety Standards - Installing Electric Wires	Rule	RCW 19.28.350 and RCW 19.28.620	September 1997	No
Policy 85-07R2	Residential Sewage Wet Well Pump/Ejectors	External Electrical Inspection Policy	Policy	Interpretive Statement for RCW 19.28 and NEC.	September 1997 Revise policy for interim and change to Rule	No

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WAC Chapter or document	Section numbers or other unique identifier	ELECTRICAL Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Policy 87-06R	Maintenance of Electrical Lighting Fixtures	External Electrical Licensing Policy	Policy	None. Interpretive Statement for 19.28.	September 1997 Change to rule.	No
Policy 90-02R	Definition of Maintenance	External Electrical Licensing Policy	Policy	Questionable statutory authority. Interpretive statement for 19.28 licensing laws.	September 1997 Delete. Change to rule.	No
Policy 95-02	Fee Due and Penalty Fees	Internal Procedure to Assess Fees and Penalties	Policy	Yes. Procedure to enforce fees and penalties.	September 1997 Delete policy. Develop administrative guidelines for Ops manual.	No
Policy 95-03	Wiring Covered Prior to Inspections	Internal Procedure.	Policy	Yes. Procedure to handle installations covered prior to inspections.	September 1997 Delete policy. Develop administrative guidelines for Ops manual.	No
Policy 95-04	No Inspection Requested	Internal Procedure	Policy	Yes. Procedure to enforce failure to call for inspection.	September 1997 Delete policy. Develop administrative guidelines for Ops manual.	No

WAC Chapter or document	Section numbers or other unique identifier	ELECTRICAL Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Policy 96-04	Manufacturers Performing Work on Their Own Equipment	External definition of scope of work manufacturers may perform.	Policy	Questionable authority. Interpretive statement for 19.28 licensing requirement.	September 1997 Delete. Change to rule.	
Policy 85-03R	Inspection of equipment which is not listed or labeled.	External Electrical Inspection Policy	Policy	Interpretive Statement for RCW 19.28.010	December 1997 Recommend Deletion of Entire Policy	No
Policy 86-03R	Amusement Ride or Structure	External Electrical Inspection Policy	Policy	Interpretive Statement for RCW 67.42	December 1997 Delete. Already changed to WAC 296-403.	No
Policy 86-12R	Bathroom Area per NEC 210-8	External Electrical Inspection Policy	Policy	Interpretive Statement for 19.28 and NEC.	December 1997 Delete. Covered by NEC.	No
Policy 87-03	Ceiling Support Wires	External Electrical Inspection Policy	Policy	Interpretive Statement for 19.28 and NEC.	December 1997 Delete. Covered by NEC.	No
Policy 89-03R	Flexible Cord Wiring of Fixtures	External Electrical Inspection Policy	Policy	Interpretation for 19.28 and NEC	December 1997 Delete. Covered by NEC.	No
Policy 85-08R2	Electrical Sign Installations	External Electrical Inspection Policy	Policy	Interpretive Statement for RCW 19.28.120 & .510 and .010	January 1998 Delete Entire Policy	No

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WAC Chapter or document	Section numbers or Other unique identifier	ELECTRICAL Chapter Title	Document type	Statutory Authority	Estimated review completion date	Business Report required?
			I-Interpretable Rule R-Rule O-Other			
296-46-910	.910 Inspection Fees. Subsection (2)(a) Calculate transformer primary circuits as feeders.	Safety Standards - Installing Electric Wires	Rule	RCW 19.28.210 (6)	July 1998	No
296-46-930	.930 Electrical Contractor License Subsection (2) Need to specify scope of work for specialty contractors	Safety Standards -Installing Electric Wires	Rule	RCW 19.28.120 (1) (h)	July 1998	No
296-46-935	.935 Exemptions. Rewrite the exemptions for utilities to comply with statute.	Safety Standards -Installing Electric Wires	Rule	RCW 19.28.200.	July 1998	No
296-46-670	Definitions/Industrial Control Panels	Safety Standards - Installing Electric Wires	Rule	Contradicts RCW 19.28.010	July 1998	No
Policy 86-08	Sign Awnings	External Electrical Inspection Policy	Policy	Interpretive Statement for 19.28 and NEC	July 1998 Change to rule.	No
Policy 87-01R	Exterior Lighting Maint.	External Electrical Inspection Policy	Policy	Interpretive Statement for 19.28.510.	July 1998 Change to rule.	No
Policy 88-03R	Field Assembled Control Panels	External Electrical Inspection Policy	Policy	Questionable statutory authority. Interpretive statement for 19.28.010	July 1998 Change to rule.	No
Policy 89-01R	Resistance of Grounding Electrodes	External Electrical Inspection Policy	Policy	Interpretive Statement for 19.28 and NEC.	July 1998 Change to rule.	
Policy 95-01	Rating of Generators	Internal/External Inspection Policy	Policy	Interpretation for 19.28 and NEC.	July 1998 Change to rule.	No

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WAC Chapter or document	Section numbers or other unique identifier	ELECTRICAL Chapter Title	Document type Policy Interpretive Statement Rule Other	Statutory Authority	Estimated review completion date	Business Report required?
Policy (2)	Electrical and Contractor Licensing and Registration Requirements	Internal Electrical and Contractor Reg. Policy	Policy	Questionable statutory authority. Interpretive statement for 19.28 and 18.27.	July 1998 Change to rule.	No
Policy 96-02	Plan Review	External Plan Review Process.	Policy	Interpretive statement for WAC 96-02.	July 1998 Change to rule.	No
Policy 97-01	Traffic Signals	External Electrical Policy	Policy	Change policy into WAC. Agreement on what standards dept. will recognize.	July 1998 Change to rule.	
296-46-910	.910 Inspection Fees. Entire Section needs to be revised for clarity.	Safety Standards -Installing Electric Wires	Rule	RCW 19.28.210(6)	July 1998	No
296-46-910	.910 Inspection Fees. Subsection (5)(h)(i) Carnival Inspection Fees (Ten rides are charged the same as one ride - revise)	Safety Standards -Installing Electric Wires	Rule	RCW 19.28.210(6)	July 1998	No
296-46-140	.140 Plan Review for Educational, Institutional or health care facilities... Require cities to perform plan review in their own jurisdiction. REVIEW ALL SECTIONS	Safety Standards -Installing Electric Wires	Rule	RCW 19.28.210 and RCW 19.28.010(3) and RCW 19.28.360(1)	July 1998	No

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WAC Chapter or document	Section numbers or other unique identifier	ELECTRICAL Chapter Title	Document type I=Interpretive R=Rule O=Other	Statutory Authority	Estimated review completion date	Business Report required?
296-46-130	.130 Plan Review..... Review entire section to state which facilities require plan review.	Safety Standards -Installing Electric Wires	Rule	RCW 19.28.210	July 1998	No
296-46-950	.950 Administrators Certificate. Clearly define what a "supervisory employee" is and what "available during working hours" means.	Safety Standards -Installing Electric Wires	Rule	RCW 19.28.125	July 1998	No
296-401-060	.060 Specialty Certificates. Clearly define the scope of work each specialty electricians can perform.	Certification of Competency for Journeyman Electricians	Rule	RCW 19.28.510 through 19.28.550	July 1998	No
296-401-160	.160 Enforcement. Subsections (3) and (4). Clearly define when the department can issue a cease and desist order.	Certification of Competency for Journeyman Electricians	Rule	RCW 19.28.600	July 1998	No
Policy 86-05R	EMT in Existing Installations	External Electrical Inspection Policy	Policy	Interpretive Statement for 19.28 and NEC	July 1998 Change to rule or possible deletion.	No
Policy 86-06R	Bonding Hot and Cold Water Lines	External Electrical Inspection Policy	Policy	Interpretive Statement for 19.28 and NEC.	July 1998 Change to rule.	No
Policy 90-01R	Mobile Home Services	External Electrical Inspection Policy	Policy	Interpretive statement of HUD statute.	July 1998 Change to rule.	No
296-13	All Sections. Review rules governing actions of the electrical board	Electrical Board	Rule	RCW 19.28.065	December 1998	No
296-402	All Sections. Review rules for accreditation of electrical testing labs.	Testing Laboratories	Rule	RCW 19.28.010	December 1998	No

WAC Chapter or document	Section numbers or other unique identifier	ELECTRICAL Chapter Title	Document type I=Interpretive R=Rule O=Other	Statutory Authority	Estimated review completion date	Business Report required?
296-403	All Sections. Review rules for Amusement Rides.	Amusement Rides	Rule	RCW 67.42.	December 1998	No
Policy 85-04R2	Low Voltage Wiring Exemptions	External Electrical Licensing Policy	Policy	None	January 1999 Possible Legislation.	No
Policy 89-02R	Listing of Electrical Equipment	External Electrical Inspection Policy	Policy	Questionable statutory authority. Interpretive statement for 19.28.010.	January 1999 Delete policy. Revise statute. Create new rule.	No
Policy 92-01	Automatic Door Openers	External Electrical Licensing Policy	Policy	None. Interpretive Statement for 19.28.	January 1999 Delete policy. Revise statute.	No
Policy 96-01	Utility Exemptions	External Licensing and Inspection Procedure and definitions.	Policy	Interpretive statement for 19.28. Confusing, inaccurate interpretation.	January 1999 Delete. Change to rule. Possible legislation.	No

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WAC Chapter or document	Section numbers or other unique identifier	ELEVATOR Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-93	All (Repeal)	Material lifts	R	RCW 70.87.034	November 1997	No
296-93A	010, 020, 030, 040, 050., 070, 170, 240, 330	Material lifts	R	RCW 70.87.034	November 1997	No
296-81	005, 006, 007, 008, 009, 200, 240, 275, 277, 280, 306, 310, 315, 320, 330, 360, 370, 990, 991	Safety Rules governing elevators, dumbwaiters, escalators and other lifting devices	R	RCW 70.87 .030, .034	May 1998	No
296-86	010, 020, 030, 040, 050, 060, 070, 075, 080,	Regulations and fees for freight and passenger elevators	R	RCW 70.87 .030, .034	May 1998	Yes
296-81	990	Safety Rules governing elevators, dumbwaiters, escalators and other lifting devices: Elevator Advisory Board may not have statutory authority. Will verify with AAG on 7/23/97	R	RCW 70.87 .030, .034	May 1998	No
296-84	010	Hand-powered manlifts, Scope and Application, repeal reference to RCW 49.16.120 Statute was repealed	R	RCW 70.87 .030, .034	November 1998	No
296-84	015, 060	Hand-powered manlifts	R	RCW 70.87 .030, .034	November 1998	No
296-84	015	Hand-powered manlifts, Waiver and Variance. Repetitive language, variances and waivers are covered under RCW 70.87.110	R	RCW 70.87 .030, .034, .110	November 1998	No

WAC Chapter or document	Section numbers or other unique identifier	ELEVATOR Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-94	010, 040, 050, 060, 070, 080, 090, 100, 110, 120, 130, 140, 160, 170, 180, 190, 200, 210, 230	Safety Rules governing the construction, operation, maintenance and inspection in inclined passenger lifts for private use.	R	RCW 70.87 .034	November 1998	No
296-89	010, 040, 050, 060, 070, 080	Safety requirements for boat launching elevators.	R	RCW 70.87 .034	May 1999	No
296-95	113, 131, 158, 221, 272, 274, 323, 334, 610, 710	Electric elevators – direct plunger and roped hydraulic elevators, escalators used to transport passengers – electric and hand powered dumbwaiters and hand-powered elevators.	R	RCW 70.87 .030, .034	May 1999	No
296-87	120	Safety requirements for workman's construction elevator.	R	RCW 70.87 .034	May 1999	No
296-100	060	Safety requirements for material hoists.	R	RCW 70.87 .034	November 2000	No
296-91	090	Safety regulations for casket lifts mortuaries.	R	RCW 70.87 .034	May 2000	No

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WAC Chapter or document	Section numbers or other unique identifier	EMPLOYMENT STANDARDS Chapter Title	Document type I-Interprets R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-129	Repealed	Individual Welfare Comm Appeals Procedure	R	49.12	Repealed July 1997	No
296-124	All	Theatrical Enterprises	R	49.12	October 1997	Yes
296-125	All	Child Labor	R, I	43.22, 49.12	January 1998	Yes
296-126	All	Standards of Labor	R, I	49.12	January 1998	No
296-310	All	Farm Labor Contractor	R	19.30, 86.01	August 1998	Yes
296-130	All	Family Care	R, I	49.12	October 1998	No
296-127	All	Prevailing Wage	R	39.12	December 1998	Yes
296-128	011, 012, 400, 510 thru 560	Minimum Wage	R, I	49.46	May 1999	Yes
296-131	All	Agricultural Labor Standards	R, I	49.30	May 1999	Yes

WAC Chapter or document	Section numbers or other unique identifier	FACTORY ASSEMBLED STRUCTURES Chapter Title	Document type I-Interprets R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-150R	0040 - Manufacturer Information	Title should have the word "information" added and read, will you keep my manufacturing information confidential?	R	RCW 43.22.310	December 1997 Change to Rule.	No
296-150M	0310 - No Alteration Permit		R	NO	December 1997 Change to Rule.	No
296-150C	0980 - Wall coverings for commercial coaches.	This rule is repeated word in WAC 296-150C-1100.	R	RCW 43.22.440	December 1997 Delete section.	No
296-150C	0410 (5) - Design plan expiration	Remove "as this period has expired".	R	RCW 43.22.340	December 1997 Omit rule	No
296-150F	0020 - Definitions	Remove "temporary insignia" from rule.	R	RCW 43.22.455	December 1997	No
296-150C 296-150F	0460 - Plan reviews by design professional.	Add language indicating the department must approve electrical for those structures identified in WAC 296-46-130 and 140.	R	RCW 43.22	December 1997	No
296-150 F&C	0600 - Codes for factory built and commercial coaches.	Incorporate procedural bulletin relating to wind loads and plumbing expansion tanks into rule.	R	RCW 43.22.480	December 1997 Add to rule.	No
296-150M	0310 & 3000 - Alteration permit.	Add language to double fee if work commences prior to taking out a permit	R	RCW 43.22.350	December 1997 Add to rule.	No
296-150M	0640 - Manufactured home installation permit	Add the words "owner or agent" .	R	RCW 43.22.455	December 1997 Change to rule.	No
296-150C	0200 - Commercial coach insignia.	Statute needs to be removed.	O	RCW 43.22.380	June 1998 Remove statute.	No
296-150C	0800-1830 - Commercial coach code.	Need to update RCW 42.22.380 to a current standard.	O	RCW 43.22.340	June 1998 Update code.	No

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WAC Chapter or document	Section numbers or other unique identifier	FACTORY ASSEMBLED STRUCTURES Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-150C	0560 - Notice of alteration non-conformance.	Need to add "Or used" whenever a unit has been red tagged.	R	RCW 43.22.360	June 1998	No
296-150C	0200 & 0300	Rule exceeds what is in statute (RCW 43.22.340). "Used" has been added to rule and needs to be added to RCW.	O	RCW 43.22.340	June 1998	No
296-150C	1580, 1730, 1740, 1790 - Vendor unit codes.	Reduce requirements for codes of vendor units.	O	RCW 43.22.340	June 1998	Yes
296-150C	1750 - Gas systems for vendor units.	Address LPG installations in vendor conversions.	R	RCW 43.22.340	June 1998 New section	No
296-150C	1580-1830 - Vendor unit conversion codes.	A new statute needs to be drafted to allow these structures to be converted.	O	RCW 43.22.340	June 1998 New statute	
296-150M	0660 - Manufactured housing additions.	Incorporate policy in operations manual relating to additions.	I	RCW 43.22.360	June 1998 Change to rule.	No
296-150M	0660 - Manufactured housing jurisdiction.	Incorporate policy relating to "areas of jurisdiction" into rule.	I	RCW 43.22.360	June 1998 Change to rule.	No
296-150M	0020 - Definitions	Incorporate policy relating to water treatment equipment as an "alteration"	I	RCW 43.22.360	June 1998 Change to rule.	No
296-150M	0020 - Definitions	Incorporate policy relating to mix and match air conditioning/heat pump acceptance into rule.	I	RCW 43.22.360	June 1998 Change to rule.	No
296-150 F&C	0600 - Codes that apply to factory built and commercial coaches.	Incorporate Policy on toilet facilities in adjacent buildings into rule	I	RCW 43.22.460	June 1998 Change to rule.	No
296-150 F&C	0600	Incorporate Policy on snow loads into rule	I	RCW 43.22.460	June 1998 Change to rule.	No

WAC Chapter or document	Section numbers or other unique identifier	FACTORY ASSEMBLED STRUCTURES Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-150F	0500 - Codes that apply to factory built.	Incorporate policy on inspection of panelized wall, floor and roof components into rule.	I	RCW 43.22.460	June 1998 Change to rule.	No
296-150 F&C	0500, 0070, 0080 - Inspections	Incorporate policy that allows only a final inspection at a staging area into rule.	I	RCW 43.22.434	June 1998 Change to rule.	No
296-150 F&C	0500 (4) - Inspections	Change policy allowing inspections without approved plans to a procedure.	I	RCW 43.22.434	June 1998 Change to rule.	No
296-150F	0020 - Definitions	Need a clear definition of "commercial" as applies to this chapter.	O	RCW 43.22.450	June 1998 Clarify rule	No
296-150F	0020 - Definitions	RCW 43.22.455 is not clear on when the dept's authority ends.		RCW 43.22.455	June 1998 Amend RCW or clarify in rule.	No
296-150C, F,M,R&P	3000 - Fees	Add a charge for printing and distribution of publications.	R	RCW 43.22	December 1998	No
296-150M	0020 - Definitions	Policy relating to acceptance of pellet stoves.	O & I	RCW 43.22.432	June 1999 Change to rule.	No

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WAC Chapter or document	Section numbers or other unique identifier	PLUMBER CERTIFICATION Chapter/Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
Operations Manual	All Policies	Review and amend those policies where statutory changes have occurred and impact policies.	I	RCW 18.106	December 1997 Review	No
Operations Manual	All Policies	Remove and discontinue departmental enforcement of all policies which are no longer valid	I	RCW 18.106	December 1997 Review	No

**RULE REVIEW PRIORITY
INSURANCE SERVICES**

WAC Chapter or document	Section Numbers or other unique identifier	CLAIMS ADMINISTRATION Chapter/Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-14		Industrial Insurance	R	51.04, .08, .12, .24, .28, .32, .36		
296-14	010	(transfer to Employer Services)			August 1997	No
	015	(Transfer to LTD)			August 1997	No
	900, 910, 920, 930, 940	(transfer to third party)			August 1997	No
	100				July 1998	No
	150	(combine with WAC 296-18A)			July 1998	No
	400				July 1998	Yes
	410				July 1998	No
	420	(combine with WAC 296-14-400)			July 1998	No
	350				July 1999	No
	200, 300				July 2000	No
	600, 970				July 2000	No
296-18A		Rehabilitation Review	R			
296-18A	420, 440, 460, 490, 520				July 1998	No
	450, 470, 480				July 1999	No
	445				July 2000	Yes
	500, 510, 515				July 2000	No

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WAC Chapter or document	Section Numbers or other unique identifier	EMPLOYER SERVICES Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-17	All	Manual of Rules, Classifications, Rates, and Rating System for WA. Workers' Compensation Insurance	R	51.16.035	March 1998	Yes, No
296-16	010	Employer-Worker Reemployment Incentives	R	51.16.120(3)	March 1998	Yes

WAC Chapter or document	Section Numbers or other unique identifier	CRIME VICTIM COMPENSATION Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-30	All	Rules for the Administration of the Crime Victim Compensation Program	R	7.68 51.04.030	June 1998	No
296-31		Crime Victim Compensation Mental Health Treatment Rules and Fees	R			
296-31	040, 069				Dec. 1997	No
296-31	010, 020, 030, 050, 060, 065, 070, 071, 072, 073, 075, 080, 090, 100				June 1998	No

WAC Chapter or document	Section numbers or other unique identifier	OFFICE OF THE MEDICAL DIRECTOR & HEALTH SERVICES ANALYSIS Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-20		General Rules	R	51.04. .08, .28, .32, .36		
	03002	Treatment not authorized	R		July 2000	No
	030	Treatment not requiring authorization for accepted conditions	R		July 2001	No
	03001	Treatment not requiring authorization	R		July 2001	No
	03003	Drugs and Medication	R		July 2001	No
	01002	Definitions	R		July 2001	No
296-20 296-21 296-23		Reporting Requirements	R		July 2000	Yes
296-20 296-21 296-23		Treatment Limits	R		July 2001	No
		Medical Policies				
		Medical coverage policies	I		July 1999	No
		Payment policies	I		July 1999	No

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WAC Chapter or document	Section Numbers or other unique identifier	RETROSPECTIVE RATING - GROUP INSURANCE Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-17		Manual of Rules, Classifications, Rates, and Rating System for Washington Workers' Compensation Insurance	R	51.16.035	January 1998	
296-17	911, 913, 917					Yes
296-17	904, 905, 907, 910, 912, 914, 915, 916, 91601, 918, 919, 91901, 91902, 91903, 91904, 91905					No
Policy	4.41(4)	Time Loss Rates	I		January 1998	No
RCW 51.28	.010	Notice of Accident - Notification of worker's rights	R.C.W.		January 1998	Yes
	.055	Time limitation for filing claim for occupational disease - Notice	R.C.W.		January 1998	Yes

WAC Chapter or document	Section numbers or other unique identifier	SELF INSURANCE Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-15		Worker's Compensation Self-Insurance Rules and Regulations	R	51.14.010		
296-15	02606, 070, 072, 100, 160	Rules relating to claims processes and procedures, and PPD updates.			December 1998	Yes
	180, 190, 21002, 250	Rules relating to claims processes and procedures, and PPD updates.			December 1998	No
296-15	020, 022, 025, 026, 02601, 02602, 02605, 030, 050, 080, 110, 135, 145, 170, 215, 220	Rules relating to applications, surety, annual/quarterly reporting, assessments, and group self-insurance.			December 1998	Yes
	010, 023, 02603, 02604, 045, 060, 065, 130	Rules relating to applications, surety, annual/quarterly reporting, assessments, and group self-insurance.			December 1999	No
296-15	090, 120, 200, 210, 230, 240	Remainder of S.I. rules			December 2000	Yes
	140, 150, 255, 260, 265				December 2000	No
296-15A	010, 020	Industrial Insurance Discrimination			December 2000	Yes

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**RULE REVIEW PRIORITY
ADMINISTRATIVE SERVICES**

WAC Chapter or document	Section numbers or other unique identifier	ADMINISTRATIVE SERVICES Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
	All Policies	Review all policies in the division: - Third Party - Public Disclosure - VDRO - Investigations - Claims Consultants	Policy		December 1998	

WAC Chapter or document	Section numbers or other unique identifier	THIRD PARTY Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-14		Third Party - Special Assistant Attorneys General	R	51.04, .24, .120	December 1998	
	900, 910, 920, 930, 940					No

WAC Chapter or document	Section numbers or other unique identifier	Legal Services Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-08	All	Practice and Procedure	R	51.04.020	December 1999	No

**RULE REVIEW PRIORITY
ADMINISTRATIVE SERVICES**

WAC Chapter or document	Section numbers or other unique identifier	Public Disclosure Chapter Title	Document type I-Interpretive R-Rule O-Other	Statutory Authority	Estimated review completion date	Business Report required?
296-06	All	Public Records	R	42.17.250	December 1999	No

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APPENDIX B
Lists of Agency Stakeholders

WISHA Services
External Stakeholder List

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
WASHINGTON SELF INSURERS		711 CAPITOL WAY #608 OLYMPIA WA 98501	360-352-8172		2, 3B DONE
NFIB	CAROLYN LOGUE		360-943-2456	360-786-8675	2, 3B DONE
WASHINGTON STATE COUNCIL OF SERVICE EMPLOYEES		PO BOX 19360 SEATTLE WA 98509	206-441-5120		3B
INTERNATIONAL UNION OF ELEVATOR CONSTRUCTORS LOCAL 19	JIM BENDER	2112 THORNDYKE AVE W SEATTLE WA 98199		206-441-6815	LETTER
STATE LABOR COUNCIL	RICK BENDER	314 FIRST AVE W SEATTLE WA 98119			1
PEDERSENS FRYER FARMS INC	DEANNE EDWARDS	2901 E 72ND ST TACOMA WA 98404			LETTER
WASHINGTON STATE LABOR COUNCIL	JEFF JOHNSON	906 S COLUMBIA ST #330 OLYMPIA WA 98501	360-754-3574		1, 2, 3B DONE
RED LION INNS & HOTELS	JOHN SWEITZER	4001 MAIN ST VANCOUVER WA 98663			LETTER
BAUGH ENTERPRISES		POB 14135 SEATTLE WA 98144		206-726-3762	3
COLT CONSTRUCTION		POB 5246 BELLINGHAM WA 98227-5248	360-671-2973	360-676-4805	3
HOWARD S WRIGHT CO		POB 3764 SEATTLE WA 98124			3
IRON WORKERS LOCAL 114		412 S 13TH ST TACOMA WA 98402			3
IVY HI LIFT - PORTLAND		7626 NE KILLINGSWORTH PORTLAND OR 97218		206-872-6860	3
NUPRECON		14540 NE 91ST REDMOND WA 98052	206-881-5935	206-881-0623	3
WA CONF MASON CONTRACTORS		3101 NORTHUP WY STE 105 BELLEVUE WA 98004	206-803-0667	206-803-0637	3
40' RENTAL	WALLY ADAMS	29805 PACIFIC HWY S FEDERAL WAY WA 98003	206-946-3053	206-839-6700	1, 3

1= Face to Face contact
2= Phone contact
3= Letter

WISHA Services External Stakeholder List

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
WESTERN WA OPERATING ENGRS	JAMES AGNEW	18701 120TH AVE NE STE 101 BOTHELL WA 98011-9501	206-486-0931	206-486-2273	3
WA ST BUILDING & TRADES ASSOC	BILL ANDERSON	2800 FIRST AVE #324 SEATTLE WA 98121	206-448-6478	206-441-5554	3
KMB DESIGN DEV	STEVE ANDERSON	828 7TH AVE SE OLYMPIA WA 98501			3
PACIFIC NW IRON WORKERS	M ASPER	4550 S 134TH PL STE 101 TUKWILA WA 98168	206-244-3043	206-244-2993	3
NW LABORERS TRAINING	HAROLD AVERY	POB 479 KINGSTON WA 98346			3
WASHINGTON STATE LABOR COUNCIL	CHUCK BAILEY	906 S COLUMBIA STE 330 OLYMPIA WA 98501	360-754-3574	360-943-0608	1, 3
AWB SAFETY COMMITTEE	AMBER BALCH	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1, 2, 3
UA LOCAL 598	GARY BARCUM	1328 ROAD 28 PASCO WA 99301	509-547-2139		3B
AWPPW	CHUCK BARRETT	121 RANDU RD LONGVIEW WA 98632		360-423-8330	1
ROOFERS LOCAL 189	PAT BAUER	E 102 BOONE AVE SPOKANE WA 98202			3
BICKMORE CONSTRUCTION	DAVID BICKMORE	221 W WYNOCHEE MONTESANO WA 98563			3
CITY OF EVERETT	BRETT BIGGER	3200 CEDAR ST EVERETT WA 98201	206-259-8882	206-259-8800	3
LABORERS DIST COUNCIL	LARRY BINDNER	534 WESTLAKE AVE N SEATTLE WA 98109		206-223-5281	1, 3
WA ST TRANSIT INSURANCE POOL	DOUG BIRD	2639 PARKMONT LN SW OLYMPIA WA 98502		360-588-1800	3
C/O AWB SAFETY COMMITTEE - FLUKE CORP	GEORGE BISSONNETTE	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1
ROOFERS & WATERPROOFERS	PAUL BLASKI	2800 1ST AVE RM 320 SEATTLE WA 98121	360-448-3362	360-728-7654	3

1= Face to Face contact
2= Phone contact

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**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
BLAYDEN DESIGN BUILD	BOB BLAYDEN	9933 143RD AVE SE RENTON WA 98059	206-271-2274	206-271-8018	3
ROOFING CONTRACTORS ASSOC	BETTY BOERNER	STE 196 20611 E BOTHELL- EVERETT HWY BOTHELL WA 98102			3
SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 120	ANTONIA BOHAN	2812 LOMBOARD VERETT WA 98201		206-258-2555	3
BOSNICK ROOFING	MIKE BOSNICK	2915 68TH AVE W TACOMA WA 98466	206-565-1659	206-565-4500	3
UFCW LOCAL 1001	JANET BOYD	12838 SE 40TH PL 201 BELLEVUE WA 98006	425-644-4927	425-649-7572	3B
WIRE ROPE INDUSTRIES INC	RICK BRACKEN	POB 81012 SEATTLE WA 98108			3
SG TAYLOR CONSTRUCTION	DAVID BROWN	1751 DEXTER AVE N SEATTLE WA 98109		206-288-1615	3
KIRTLEY COLE ASSOCIATES	LINDA BROWNING	POB 1179 SNOHOMISH WA 98291		360-568-0406	3
CONST SAFETY CONSULTANT	LARRY BRUMBAUGH	4722 80TH ST NE MARYSVILLE WA 98270			3
CITY OF SEATTLE	BILL BUDD	DEXTOR HORTON BLDG 12TH FLOOR 710 2ND AVE SEATTLE WA 98104	206-615-0202	206-684-7944	3
WASHINGTON WATER & POWER	MIKE BULISH	POB 3727 SPOKANE WA 99220		509-482-4566	3
HENDERSON HOMES	ELAIN BURDON	POB 3866 BELLEVUE WA 98009	206-648-5907		3B
	CHARLES BURDON	PO BOX 1223 ELMA WA 98541	360-482-5970		3B
US DEPARTMENT OF LABOR - OSHA	DALE CAVANAUGH	1111 - 3RD AVENUE #715 SEATTLE WA		206-553-5930	1
BOARD OF INDUSTRIAL INSURANCE APPEALS	RON CHANDLER	PO BOX 42401 OLYMPIA WA 98506	360-588-5611		3B
WA ST FARM BUREAU	BURTON CHESTNUT	2050 - 10TH ST NE EAST WENATCHEE WA 98802	509-888-0669	509-884-9614	3

1= Face to Face contact
2= Phone contact
3= Letter

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**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
LABORERS LOCAL 440	GARY CLUNE	565 - 13TH AVE SEATTLE WA 98122		206-329-1540	3
C/O AWB SAFETY COMMITTEE - BOEING	ANN COCKRILL	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1
COMPASS CONSULTING	BILL CORRIGAN	700 S 31ST ST RENTON WA 98055		206-277-8341	3
UFCW GOV AFFAIRS	JOE DANIELS	3408 LONG LK DR SE LACEY WA 98503	425-644-4927		3B
SELLEN CONSTRUCTION CO	DENNIS DICKERT	PO BOX 9970 SEATTLE WA 98109	206-623-5206		3B
WA STATE BUILDING & TRADES	BOB DILGER	1063 S CAPITOL WY RM 208 OLYMPIA WA 98501		360-357-6778	3
SWEDISH HEALTH SVCS	LARRY DITTMAN	PO BOX 14999 SEATTLE WA 98114	206-386-6138		3B
BRUNDAGE BONE CONCRETE	MIKE DRAPER	1055 4TH AVE N KENT WA 98032	206-859-4400	206-859-4444	1, 3
WEYERHAUSER	MARY DUNBAR	POB 188 LONGVIEW WA 98623	360-636-6580	360-425-2150 EXT. 7143	3
INTERSTATE COATINGS	KEITH DYER	POB 68888 SEATTLE WA 98168-0888	206-762-5692	206-762-1320	3
SEATTLE ENGINEERING DEPT	BRUCE EDINGTON	660 DEXTER HORTON BLDG SEATTLE WA 98052		206-386-9146	3
WEYERHAEUSER CO	EDWARD	33663 WEYERHAEUSER WAY S FEDERAL WAY WA 98003	206-924-2323	206-924-2839	3
LONGVIEW FIBER	DICK FABBRO	POB 639 LONGVIEW WA 98632		360-425-1550 EXT. 2617	3
BOARD OF INDUSTRIAL INSURANCE APPEALS	FRED FELLER	2430 CHANDLER CT SW OLYMPIA WA 98504	360-664-9444		3B
BIIA	FRANK FENNERTH				1
ASSOC OF WA BUSINESSES	CLIF FINCH	PO BOX 658 OLYMPIA WA 98507	360-943-5811		1, 2, 3
IBPAT 1789	MICHAEL FITZSIMMONS				1
SUNSET AIR INC	PETER FLUETSCH	5210 LACEY BLVD LACEY WA 98503			3

1= Face to Face contact
2= Phone contact

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**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
INTERNATIONAL LONGSHORE & WAREHOUSEMANS UNION LOCAL 51	MICHAEL FORBES	PO BOX 1756 POULSBO WA 98370		360-297-2176	3
WA STATE BUILDING & TRADES	FRANK FOREST	5605 N MARKET ST SPOKANE WA 99207			3
JH KELLEY INC	RON FOUTY	200 GRAND BLVD VANCOUVER WA 98661		360-737-8790	3
POE CONSTRUCTION	KENT GAMBLE	1519 W VALLEY HWY AUBURN WA 98001		206-833-2400	3
COLUMBIA LEGAL SERVICES	LUPE GAMBOA	817 FRANKLIN AVENUE SUNNYSIDE WA 98944			3
MECHANICAL CONTRACTORS ASSN OF WESTERN WA	BRIAN GARVEY	83 S KING ST #219 SEATTLE WA 98104	206-442-8364		3B
AGC OF WASHINGTON	MARK GAUYER	1200 WESTLAKE AVE N STE 301 SEATTLE WA 98109-3528	206-285-4546	206-284-0061	1, 3
G & G PUBLIC AFFAIRS	JANICE GEE	12215 INTERLAAKEN DRIVE SW TACOMA WA 98488	360-754-8823		1
MAX J KUNEY COMPANY	MONTE GEIGER	PO BOX 4008 SPOKANE WA 99202	509-534-8828	509-535-0651	3
WASHINGTON GROWERS LEAGUE	MIKE GEMPLER	PO BOX 1622 YAKIMA WA 98907		509-575-6315	3
HOP GROWERS OF WA	STEVE GEORGE	504 N NACHES AVE #11 YAKIMA WA 98901	509-457-8561		3B
TEXACO REFINERY	DANIEL GIBBONEY	600 S TEXAS RD ANACORTES WA 98221		360-293-1566	3
RCA OF ROOFING WASHINGTON	TOM GILNER	KENT WA 98032		206-852-4974	1
US DEPARTMENT OF LABOR OSHA	LINDA GLASPEY	1111 - 3RD AVENUE #715 SEATTLE WA 98101	206-553-5930	206-553-5930	3
FLETSCHER RIGHT	KEN GOLDBLATT	POB 3764 SEATTLE WA 98124-2264			3

1= Face to Face contact
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3= Letter

**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
C/O AWB SAFETY COMMITTEE - BOEING	CLAUDE GOLDEN	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1
FERGUSON CONSTRUCTION	TIM GOTTBORG	7433 5TH AVE S SEATTLE WA 98108		206-767-3810	3
HERE	L R J GRANNIH				1
AGC OF WASHINGTON	MARVIN GREEN	POB 8 AUBURN WA 98071-0008			3
ASSOC OF WESTERN PULP & PAPER	GENE HAIN	PO BOX 4568 PORTLAND OR 97208	503-228-1346		3B
HAINES ROOFING & CCHBA	SHERRY HAINES	8415 NE CALEF RD VANCOUVER WA 98665	360-573-9488	360-573-9488	3
INDUSTRIAL FORESTRY ASSN	BOBBI HANNA	135 NISQUALLY CUTOFF RD OLYMPIA WA 98513	360-456-5941		3B
BENTON CO PUD	DAVID HANSON	PO BOX 6270 KENNEWICK WA 99336	509-586-6876		3B
C/O AWB SAFETY COMMITTEE - PACIFIC CORE	STEVE HARKINS	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1
BEKINS NORTHWEST	JOSEPH HAWKINS	PO BOX 30728 SEATTLE WA 98109	206-526-9291		3B
WA RESTAURANT ASSN	KIT HAWKINS	2405 EVERGREEN PK DR SW #A OLYMPIA WA 98502	360-357-9232		3B
	JOY HAWLEY	1025 PALO VERDE AVE #36 LONG BEACH CA 90815			3
DW CLOSE CO	JOSEPH HAYES	POB 24246 SEATTLE WA 98124		206-623-8960	3
BERG SCAFFOLDING	DON HEDDEN	2130 E "D" ST TACOMA WA 98421	206-383-1105	206-383-2035	3
ASSOCIATION OF WESTERN PULP	JIM HEDGLIN	652 RAGLAND RD LONGVIEW WA 98632	360-636-6580	360-577-6088	1, 3
CONST SAFETY CONSULTANT	HERB HEINOLD	8530 HAVILAND AVE SW TACOMA WA 98498		206-926-1847	1, 3
IBEW	MICHAEL HENDRIX	2700 1ST AVE SEATTLE WA 98121			3

1= Face to Face contact

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**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
DIST COUNCIL OF CARPENTERS	WAYNE HERRINGTON	23003 56TH AVE W MT LK TERRACE WA 98043-4713		206-823-8060	1, 3
HITE CRANE & RIGGING INC	GARY HITE	E 43323 BROADWAY SPOKANE WA 99212	509-535-7730	509-535-7738	3
WESTERN WA UNIVERSITY	ROBERT HOLLINGSWORTH	1877 ACADEMY RD BELLINGHAM WA 98228	360-650-4847		3
C/O AWB SAFETY COMMITTEE - WWP	BARB HUBERSON	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1
HYTOPZ INC	ROBERT HYSLOP	POB 1332 SPOKANE WA 99213			3
JOHNSON CONSTRUCTION	MIKE JOHNSON	4527 ORCHARD ST S TACOMA WA 98466-6621			3
	ART JOHNSTON	3725 N JASON STE 2 PASCO WA 99301			3
SAFEWAY SCAFFOLDING	MIKE KAY	POB 3925 SEATTLE WA 98124			3
KING BROTHERS CONSTRUCTION	BILL KING	21305 NE 6TH PL REDMOND WA 98053			3
AMERICAN SOCIETY OF SAFETY ENGINEERS	GERALD KIRKWOOD	N 1812 HIGHWOOD CT SPOKANE WA 99218		509-466-8066	3
SWEDISH MEDICAL CNTR	MARIANNE KLASS	747 BROADWAY SEATTLE WA 98122	360-388-6138	206-388-2549	3
WASHINGTON SIGN COUNCIL	BILL KLINE	3220 NE 160TH LAKE FOREST WA 98155			3
IRON WORKERS LOCAL 86	GEORGE KOONTZ	4550 S 134TH PL TUKWILA WA 98168		206-248-4246	1, 3
INTL ASSOC OF MACHINISTS & AEROSPACE WORKERS LODGE 160	ED KUEHN	5631 TACOMA MALL BLVD 4 TACOMA WA 98409	206-472-9694	206-472-9692	3
TEAMSTERS LOCAL UNION 387	OWEN LINCH	119-1/2 N CAPITOL WAY OLYMPIA WA 98501	360-754-7844	360-943-1950	3
INTL OIL CHEMICAL ATOMIC WORKERS LOCAL 1-591	TOM LIND	PO BOX 483 ANACORTES WA 98221	360-299-0814	360-293-6541	3
EVERGREEN SAFETY COUNCIL	MONTY LISH	401 PONTIUS AVE N SEATTLE WA 98109			3

1= Face to Face contact
2= Phone contact
3= Letter

**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
THE BOEING CO	LESTER LUTHER	PO BOX 3707 MS 7A-WU SEATTLE WA 98124	206-863-6596	206-865-6863	3
LONG PAINTING CO	MARK MADISON	POB 81435 SEATTLE WA 98108	206-767-4076	206-763-8050	3
DIST COUNCIL OF CARPENTERS	GERRY MARSH	231 BURNETT AVE RENTON WA 98055	206-228-7963	206-255-3255	1, 3
HOTEL & RESTAURANT EMPLOYEES LOCAL 8	JOSEPH MASSIMINO	2800 - 1ST AVENUE #3 SEATTLE WA 98121	206-728-9772		3B
SHEA CONSTRUCTION INC	TOM MAUER	POB 11954 SPOKANE WA 99211	509-534-9735	509-534-1030	1, 3
CITY OF TACOMA	ED MCCOURY	POB 11007 TACOMA WA 98411-0007		206-502-8393	3
MCCULLY TECHNICAL SERVICES	ANNETTE MCCULLY	14351 109TH AVE NE KIRKLAND WA 98034	206-485-9232	206-488-3480	3
COAST CRANE OF WASHINGTON	DENNIS MCLEOD	1531 UTAH AVE S SEATTLE WA 98134			3
LABORERS LOCAL 242	RAY MECKLE	2800 1ST AVE RM 250 SEATTLE WA 98121			3.
PIERCE CTY BLD & TRADES COUNC	JOHN MEIER	3049 38TH ST RM 206 TACOMA WA 98409	206-475-7372	206-475-7441	3
NW WALL & CEILING CONTRACTORS ASSN	RICHARD METTLER	1032-A NE 6TH STREET SEATTLE WA 98115	206-524-4136		3B
MEYER BROTHERS ROOFING	PAT MEYER	7777 DETROIT AVE SW SEATTLE WA 98108	206-762-3272	206-762-9418	3
AGC OF WASHINGTON	JAY MEYERS	POB 3266 SPOKANE WA 99220- 3266	509-535-3706	509-535-0391	1, 3
UNITED FOOD & COMMERCIAL WORKERS #1439	JAMES MILLSOP	PO BOX 5298 SPOKANE WA 98205	509-326-2208		3B
BUILDING I INDUSTRY ASSN OF WASHINGTON	BRIAN MINNICK	PO BOX 1909 OLYMPIA WA 98507	360-352-7801		3B
INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS #751	LARRY MONGER	9124 - 15TH PLACE S SEATTLE WA 98108		206-763-1300	3
	BETTY SUE MORRIS	12633 NW 19TH LP VANCOUVER WA 98685			3

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**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
BERKLEY ADMINISTRATORS	JANET MORRIS	POB 88842 SEATTLE WA 98138-2842			3
PUGET SOUND ENERGY	JOE MURPHY	839 - 11TH ST BREMERTON WA 98337		360-478-7677	3
WCIW LOCAL 3099	JIM NEELEY				1
IBEW 46 GUEST	DICK NELSON				1
NESS CRANE CO	LAWRENCE NESS	POB 70545 SEATTLE WA 98107			3
SHEET METAL WORKERS LOCAL 66	JAMES NOVEL	13513 NE 126TH PL #A1 KIRKLAND WA 98034	206-820-9464	800-658-5882	3
C/O AWB SAFETY COMMITTEE - WEYERHAEUSER	DAWN OLSEN	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1
LAKESIDE INDUSTRIES	MICHAEL ONEIL	PO BOX 7016 ISSAQUAH WA 98027	206-313-2606	206-313-2600	3
WSCCCE 2 AFSCME	DENNY ONEIL				1
BMC WEST	BILL PACE	POB 7015 ISSAQUAH WA 98027			3
NEIL F LAMPSON INC	PAUL PARISH	POB 6510 KENNEWICK WA 99338-0502	509-588-0825	509-588-0411	3
PACIFIC MARITIME ASSOCIATION	TONY PEDERO	PO BOX 8348 SEATTLE WA 98109	206-288-3469	206-288-3434	3
LAKESIDE INDUSTRIES	TOM PENTIN	POB 1379 BELLEVUE WA 98009			3
INLAND NW SMACNA	PHIL PETERSON	E 3810 BOONE AVE STE 202 SPOKANE WA 99202			3
BOEING COMPANY	LARRY PIERCE	MS 7E-HJ SEATTLE WA 98124-2207			3
IRONWORKERS #114	RON PIKSA	412 S 13TH TACOMA WA 98402		253-627-7088	1
IVY HI LIFT - KENT	STEVE POWELL	8810 S 208TH ST KENT WA 98031		206-872-4175	1, 3
BIAW	DONOVAN QUEBEDEAUX	POB 1909 OLYMPIA WA 98507			1, 3
JOINT COUNCIL OF TEAMSTERS #28	JOHN RABINE	553 JOHN STREET SEATTLE WA 98109	206-441-3153		3B

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**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
SDL	BILL RICHESON	POB 1685 BELLEVUE WA 98009	206-649-5050	206-649-9000	3
WOODWORKERS W38	PAULA ROSS	PO BOX 98 SHELTON WA 98584	360-427-4472	360-428-3032	1, 3
CLAYTON ENVIRONMENTAL CONSULTANTS	VENETIA RUNNION	4638 E MARGINAL WAY S #215 SEATTLE WA 98134	206-763-4189	206-763-7364	3
SCAFFOLD INDUSTRY ASSOC	D SALEEBY	14039 SHERMAN WY VAN NUYS CA 91405			3
C/O AWB SAFETY COMMITTEE - JOHNSTON & CULBERTSON	DOUG SANDERS	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1
OPERATING ENGINEERS 302	BRIAN SATRAN	18701 120TH AVE NE BOTHELL WA 98011-9514	206-808-0030	206-806-0302	3
WALTER & SCI CONSTRUCTION	DALE SCHARNHORST	POB 2844 POULSBO WA 98507		206-251-5332	3
ASSN OF GENERAL CONTRACTORS	DUKE SCHAUB	410 - 11TH AVE SE #303 OLYMPIA WA 98501	360-352-4411		3B
U OF W - DEPT OF ENVIRONMENTAL HEALTH	JAN SCHWERT	ROOM 100 - 4225 ROOSEVELT WAY NE SEATTLE WA 98105	206-685-3872	206-543-8068	3
WA RETAIL ASSN	RUTH SCOTT	PO BOX 2227 OLYMPIA WA 98507	360-943-1032		3B
SEDGWICK	LUCUS SHELLI	13021 127TH DR NE STE G202 KIRKLAND WA 98034	206-821-5716	206-823-1197	3
C/O AWB SAFETY COMMITTEE - WWSA	BEVERLY SIMMONS	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1
C/O AWB SAFETY COMMITTEE - ASSOCIATION OF GENERAL CONTRACTORS	RICK SLUNAKER	PO BOX 658 OLYMPIA WA 98507	360-943-5811	360-943-1600	1
WSLC	VICKY SMITH				1
FRANK GATES SERVICE CO	CRAIG SMITH	ONE UNION SQUARE SEATTLE WA 98101			3
INDEPENDENT BUSINESS ASSOCIATION	GARY SMITH	400 - 108TH AVENUE NE #810 BELLEVUE WA 98004	206-458-1153		1, 3

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**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
WG CLARK CONSTRUCTION	MIKE SOTELO	410 AURORA AVE N SEATTLE WA 98109	206-285-1693	800-626-0846	3
CRANE SAFETY SPECIALIST	BOB SPLAINE	13540 SE 163RD ST RENTON WA 98058	SAME - CALL 1ST	206-277-5073	3
MOBILE CRANE CO INC	E.R. STEINMETZER	POB 3767 SEATTLE WA 98124-3767			3
OPERATING ENGINEERS 370	JERRY STEPHENSON	POB 3386 SPOKANE WA 99220		509-624-5365	3
WSLC	ROBBY STERN				1
MCA OF WASHINGTON	LARRY STEVENS	711 CAPITOL WAY S #201 99220 OLYMPIA WA 98501	360-943-9368		3B
TIMBER OPERATOR'S COUNCIL	ROB SUMNER	6825 SW SANDBERG ST TIGARD OR 97223	503-620-3935		3B
TENHULZEN REMODELING INC	JACK TENHULZEN	POB 987 REDMOND WA 98073			3
US DEPARTMENT OF LABOR - OSHA	RICHARD TERRILL	1111 - 3RD AVENUE #715 SEATTLE WA 98101	206-553-6499		3
WA ST FOOD DEALERS ASSOCIATION	LISA THATCHER	522 NORTH E STREET TACOMA WA 98403			3B
LAMB WESTON INC	JAY THOMAS	PO BOX 368 QUINCEY WA 98848		509-787-3567 X300	3
THORNTON INDUSTRIES INC	STACY THORNTON	419 N 6TH TUMWATER WA 98512		360-357-6060	3
CITY OF TACOMA	DAVE TULLIS	POB 11007 TACOMA WA 98411	206-502-8380	206-502-8339	3
SELLEN CONSTRUCTION CO	FRANK TURMAN	POB 9970 SEATTLE WA 98109		206-682-7770	3
LAW OFFC OF TYLER JOHNSON	JOHNSON TYLER	400 112TH AVE ST NE BELLEVUE WA 98004-5517	206-688-8041	206-688-8122	3
CWLC	PAUL UDDINGS				1
PACIFIC NW DIST COUNCIL CARP	PAT UNDERHILL	1322 S FAWCETT AVE #23 TACOMA WA 98402			3

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**WISHA Services
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
TRI STATE CONS INC	RICHARD VAN CAMP	POB 3688 BELLEVUE WA 98009-3688	206-633-5838	206-455-2570	3
INTL BROTHERHOOD OF ELECTRICAL WORKERS 77	RICHARD VAUGHN	PO BOX 12129 SEATTLE WA 98102	206-386-9195	206-233-7847	3
VAUGHN & ASSOCIATES	DAWN VAUGHN	POB 1395 BELLEVUE WA 98009-1395	206-828-4314	206-999-7765	3
TILE TECH ROOFING CO INC	DOUG VIESELMAYER	11315 AQUEDUCT DR TACOMA WA 98445			3
PATENT SCAFFOLDING CO	LEN WELBORN	8111 1ST AVE S SEATTLE WA 98108		206-767-0210	3
WADE PERROW CONSTRUCTION	BARB WENTLANDT	POB 1728 GIG HARBOR WA 98335			3
SEATTLE MASTER BUILDERS	JIM WILLIAMS	2155 112TH AVE NE STE 100 BELLEVUE WA 98004			3
IAM LL 289	DENNIS WOLFF				1
PARKER SMITH & FECK	MIKE WOLTERS DORF	999 3RD AVE STE 1700 SEATTLE WA 98104			3
CWA LU 7818	ED WOOD				1
BOEING COMPANY	WILL WOOD	POB 3707 MS 63-01 SEATTLE WA 98124-2207		206-237-4911	3
HOTEL & RESTAURANT EMPLOYEES UNION LOCAL 8	JOHN WORKLAND	1727 N ATLANTIC SPOKANE WA 99205	509-326-2208	509-326-4499	3
UFCW LOCAL 1105	ROGER YOCKY				1
UNITED FOOD & COMMERCIAL WORKERS 367	FINDLEY YOUNG	9500 FRONT STREET S #100 TACOMA WA 98409	206-586-1512		3B

1= Face to Face contact

External Stakeholder List

Company	Name of Contact	Address	Fax Number	phone number	How Contacted
Washington State Labor Council	Rick Bender	314 First Ave. W. Seattle WA 98119	(360) 943-0608	(206) 281-8901	Phone, Letter
Washington State Labor Council	Jeff Johnson	906 South Columbia St. # 330 Olympia WA 98501	(360) 754-3574	(360)943-0608	Fax, Phone
Teamsters Local 378	Owen Linch	1191 1/2 N. Capitol Way Olympia WA 98501	(360) 754-7844	(360)943-1950	Fax
Seattle Attorney General	Linda Dunn	TB14	(206) 587-4280		Fax
G & G Public Affairs	Janice L. Gee	12215 Interlaaken Dr SW Tacoma WA 98498	(360) 754-8823	(206) 589-3503	Fax
Joint Council of Teamsters #28	Jon Rabine	553 John Street Seattle WA 98109	(206)441-0783		Fax
Association of Washington Business	Clif Finch	Post Office Box 658 Olympia WA 98507	(360) 943-5811	(360) 943-1600	Phone, letter
Washington Retail Association	Ruth Scott	Post Office Box 2227 Olympia WA 98507	(360) 943-1032	(360)943-9188	Fax
UFCW Local 1105	Steve Whipple	1010 South Bailey Street Seattle WA 98108		(206)763-1105	Fax
UFCW Local 1001	Janel Boyd	12838 SE 40th Place, Suite 201 Bellevue WA 98006		(206)649-7572	Fax
United Food & Commercial Workers Local 367	Findley Young	8500 Front Street South #100 Tacoma WA 98409	(206) 589-1512	(206)589-0367	Fax
United Food & Commercial Workers Local 1439	James Millsop	Post Office Box 5298 Spokane WA 99205	(509) 326-2208	(509)328-6090	Fax
Hotel & Restaurants Employees Local 8	Joseph Massimino	2800 - 1st Avenue #3 Seattle WA 98121	(206) 728-9772	(206)728-2326	Fax
Washington State Council of Service Employees	Governmental Affairs	Post Office Box 18360 Seattle WA 98109	(206) 441-5120		Fax
Washington Restaurant Association	Kil Hawkins	2405 Evergreen Park Dr. SW, Bldg A Olympia WA 98502	(360) 357-9232	(360)956-7279	Fax
UFCW Governmental Affairs	Joe Daniels	3408 Long Lake Drive SE Lacey WA 98503		(360)438-0997	Fax
Washington State Food Dealers Association	Lisa Thatcher	1013 10th Ave SE Olympia WA 98501		(360)753-5177	Fax
Boilers Advisory Board	Charles Butros	Post Office Box 1223 Elma WA 98541	(360) 482-5970	(360)482-4428	Fax, Phone
Boilers Advisory Board	Daryl Hoffman	Post Office Box 96007 Bellevue WA 98009	(206) 637-2399	(206)454-3931	Fax, Phone
Boilers Advisory Board	Frank Sanchez	Post Office Box 8 Ferndale WA 98248	(360) 384-8344	(360)384-8388	Fax, Phone
Boilers Advisory Board	Jerry Takeuchi	15805 NE 32nd Street Vancouver WA 98662	(360) 693-1017	(360)896-0851	Fax, Phone

MISC.

**Specialty Compliance Services
External Stakeholder List**

Company	Name of Contact	Address	Fax Number	phone number	How Contacted
Boilers Advisory Board	Thomas Tall	2221 East 5th Avenue Port Angeles WA 98362	(360) 452-3359	(360)457-7691	Fax, Phone
Mechanical Contractors Assn of Western Washington	Brian Garvey	83 South King Street, Suite 219 Seattle WA 98104	(206) 442-9364	(206)442-9029	Fax
MCA of Washington	Larry Stevens	711 Capitol Way South #201 Olympia WA 98501	(360) 943-9368	(360) 357-6697	Fax
U.A. Local 32	Al Gilmore	595 Monster Road Renton WA 98055	(206) 277-7370	(206)277-6680	Fax
U.A. Local 44	Scott Smith	West 10 Second Avenue Spokane WA 99204	(509) 624-0349	(509)624-5101	Fax
U.A. Local 265	Phil Wells	5205 Second Everett WA 98203	(206) 259-8064	(206)252-3262	Fax
U.A. Local 631	Warren Watson	Post Office Box 464 Bremerton WA 98310	(360) 377-1118	(360)373-3722	Fax
U.A. Local 598	Gary Barcum	1328 Road 28 Pasco WA 99301	(509) 547-2139	(509)545-1446	Fax
U.A. Local 82	Larry Overly	2725 Pacific Avenue Tacoma WA 98402	(206) 572-1474	(206)572-1474	Fax
U.A. Local 40	Art George	1264 Mt. Baker Hwy Bellingham WA 98226	(360) 733-1688	(360)733-3241	Fax
Washington Association of Building Officials	Blair Patrick	Post Office Box 7310 Olympia WA 98507	(360) 588-5538	(360)754-0825	Fax
Washington Association of Cities	Jim Justin	1076 S. Franklin st. Olympia Wa 98501		(360)753-4137	Fax, Phone
Washington Association of Counties	Mr. Parker	206 10th AV SE. Olympia WA. 98501		(360) 753-1886	Fax, Phone
Independent Business Association	Gary Smith	400 - 108th Avenue NE, Suite 610 Bellevue WA 98004	(206) 453-1158	(206)453-8621	Fax, Phone
Wash. State Bldg & Construction Trades Council	Robert Dilger	1063 South Capitol Way, Room 211 Olympia WA 98501	(360) 357-6783	(360)357-6778	Fax, Phone
Wa. Assn of Plumbing/Heating/Cooling Contractors	Gary Jensen	1825 Franklin Street Bellingham WA 98225	(360) 647-9561		Fax
Association of General Contractors	Duke Schaub	410 -11th Avenue SE, Suite 303 Olympia WA 98501	(360)352-4411	(360)352-5000	Fax
Building Industry Association of Washington	Brian Minnick	Post Office Box 1909 Olympia WA 98507	(360)352-7801	(360)352-7800	Fax
Favinger Plumbing Inc.	Art Favinger	2220 Queen Street Unit 16 Bellingham WA 98226	(360) 733-0776		Fax
Evergreen Modular Homes	Ross May	10720 - 26th Avenue South Tacoma, WA 98444	(206) 984-6885	(206)582-3423	Fax

External Stakeholder List

Company	Name of Contact	Address	Fax Number	phone number	How Contacted
Manufactured Housing Communities of America	Lois Gaddy	1424 Jasper Street Walla Walla, WA 99362	(509) 525-4163	(509)529-4890	Fax
Manufactured Housing Communities of America	Ray Munson	1121 - 224th SW #25 Bellevue, WA 98021		(206)487-2680	Fax
Northhome, Inc	Jerry Walden	4503 - 20th Street East Tacoma, WA 98424	(206) 922-1325	(206)922-2791	Fax
Champion NW	Max McCaslin	5016 Lacey Blvd SE Lacey, WA 98503	(360)748-0632	(360)491-1130	Fax
Elevator Advisory Board	William Cole	2815 - 183rd Avenue NE Redmond, WA 98052	(206) 623-9000	(206)515-0630	Fax, Phone
Elevator Advisory Board	Carla Humrich	1904 NE 120th Street Seattle, WA 98125	(206)783-6885	(206)783-8582	Fax, Phone
City of Seattle	Bill Watson	710 - 2nd Avenue #.00 Seattle, WA 98104	(206) 684-8113	(206)684-8453	Fax, Phone
Sound Elevator Company	Don Habben	Post Office Box 2699 Kirkland, WA 98083	(206) 828-4126	(206)828-3110	Fax, Phone
Sellen Construction Company	Dennis Dickert	Post Office 9970 Seattle, WA 98109	(206) 623-5208	(206)682-7770	Fax, Phone
International Union of Elevator Constructors Local	Jim Bender	2700 First Avenue Room 200 Seattle, WA 98121	(206) 282-3970	(206)282-4885	Fax, Phone
Allstate Elevator Company	Rex Jacobsen	414 Puyallup Avenue Tacoma WA 98421	(206)572-9575	(206)572-9191	Fax, Phone
American Elevator Company	Marc Vandelli	2910 - 1st Avenue South Seattle, WA 98134	(206) 623-8066	(206)823-2400	Fax, Phone
International Union of Elevator Constructors Local 19	Jim Bender	2112 Thornadyke Avenue West Seattle, WA 98199	(206)282-3970	(206)282-4885	Fax, Phone
Montgomery KONE, Inc	Rod Grant	1207 Westlake Avenue North Seattle, WA 98109	(206) 281-4189	(206)285-1313	Fax, Phone
Millar Elevator Service Company	John Albrecht	Post Office 70191 Seattle, WA 98107	(206)784-0492	(206)783-4480	Fax, Phone
Otis Elevator Company	Robert L. McNeil	13035 Gateway Drive, Suite 157 Seattle, WA 98168	(206) 248-6401	(206)243-8100	Fax
Schindler Elevator Corporation	Tony Weiss	4626 - 150th Avenue NE Redmond, WA 98052	(206) 556-3156	(206)867-0600	Fax
Sound Elevator Company	Tom Goodrum	Post Office Box 2699 Kirkland, WA 98083	(206) 828-4126	(206)828-3110	Fax
Fujitec America, Inc	Kevin M. Evans	1225 4th Ave. S. Suite C Seattle, WA 98134	(206) 624-5688	(206)622-5565	Fax
Sound Elevator Company	Chuck Preston	Post Office Box 3826 Kirkland, WA 98083	(206) 828-4126	(206)828-3110	Fax
Thyssen Elevator Corp	Ed Thomason	2920 NE Blackley Street Seattle, WA 98105	(206) 524-0085	(206)524-3216	Fax

**Specialty Compliance Services
External Stakeholder List**

Company	Name of Contact	Address	Fax Number	phone number	How Contacted
Vertical Transportation Services, Inc	Len Winslow	815 West Ewing Street Seattle, WA 98119	(206) 285-0250	(206)285-2285	Fax
Sound Elevator Company	Buzz Dana	Post Office Box 2699 Kirkland, WA 98083	(206) 828-4128	(206)828-3110	Fax
Thyssen Elevator Corp	Glen Minter	917 Pacific Avenue #103 Tacoma, WA 98402	(206) 627-8566	(206)272-3797	Fax
Electrical Board					In-person
Dutton Electric Company	Earl E. Dutton	615 - 80th St SW Everett WA 98201	(206) 355-1610	(206)347-7600	Fax, Phone
Benton County PUD	David Hanson	PO. Box 6270 Kennewick WA 99336	(509) 586-6876	(509)582-1231	Fax, Phone
Square D. Co.	Frank Lane	7525 SE 24th St #320 Mercer Island WA 98040	(206) 236-1905	(206)232-9702	Fax, Phone
Monaco Enterprises, Inc.	Vincent Monaco	PO. Box 14129 Spokane WA 99214	(509) 924-4980	(509)926-6277	Fax, Phone
Madsen Electric	Joe Devish	1929 Tacoma Ave S. Tacoma WA 98402	(206) 591-7079	(206)383-4546	Fax, Phone
Boeing Company	Charles Treanor	PO. Box 3707 Seattle WA 98124	(206) 931-2747	(206)282-8864	Fax, Phone
Local 191, IBEW	Charlene Clark	1505 Erie Rd Anacortes WA 98221	(206) 339-9188	(206)259-3195	Fax, Phone
Local 191, IBEW	Millon Foster	2810 Lombard Everett WA 98201	(206) 339-9188	(206)259-3195	Fax, Phone
Local 46, IBEW		7337 32nd Ave SW Seattle WA 98128	(206) 728-2528	(206)441-4600	Fax, Phone
Attorney General's Office	Amanda Goss,AAG	900 4th Ave #2000 Seattle,WA98164	(206) 587-4290	(206)464-7723	Fax, Phone
Attorney General's Office	Robert Battles, AAG	PO. Box 40212 Lacey WA 98504	(360) 438-7485	(360)493-2702	Fax, Phone
Bureau of Apprenticeship and Training	Ron Johnson	Renton Plaza Suite 100 1400 Talbot Road South Renton, WA 98055	(206) 277-5181	(206)277-5214	Fax, Phone
Apprenticeship & Training Council	Frank Forrest	N. 5605 Market St Spokane WA 99207	(509) 482-2761	(509)891-1677	Fax, Phone
Apprenticeship & Training Council	Alan Link	314 1st Ave W Spokane WA 99207	(206) 285-5805	(206)281-8901	Fax, Phone
Apprenticeship & Training Council	Jesse Lill	P.O.box 5305/NCS Spokane WA 99205	(509)328-4277	(509)328-2218	Fax, Phone
Apprenticeship & Training Council	Melinda Nichols	700 5th Ave #3100 Seattle WA 98104	(206) 233-2760	(206)684-3116	Fax, Phone
Apprenticeship & Training Council	LaFrank Newell	PO. Box 3707 Seattle WA 98124	(206) 655-1042	(253)931-9545	Fax, Phone

External Stakeholder List

Company	Name of Contact	Address	Fax Number	phone number	How Contacted
Apprenticeship & Training Counc.	Bruce Brennan	13701 Banner Rd Olalla WA 98359	(206) 857-9241	(206)857-9241	Fax, Phone
Apprenticeship & Training Counc.	Karen Carter	1710 Anderson Road Mt Vernon, WA 98273	(360) 428-3374	(360)428-5080	Fax, Phone
Association of Building Officials	Blair Patrick	P.O. Box 7310 Olympia WA 98507	(360) 586-5538	(360)754-0825	Fax, Phone
Independent Business Assn.	Gary Smith	400 108th Ave NE #610 Bellevue WA 98004	(206) 458-1153	(206)453-8621	Fax
Plumbing/Heating/Cooling Conlr.	Gary Jensen	1825 Franklin St. Bellingham WA 98225	(360) 647-9561		Fax
Inland Empire AGC	Ken Dunham	P.O. Box 3266 Spokane WA 99220	(509) 535-3706	(509)535-0391	Fax
Building Industry Assn of Wash.	Tom McCabe	P.O. Box 1909 Olympia WA 98507	(360) 352-7801	(360)352-7800	Fax
Eastern Wash. Subcontractor Assn.	John Case	S. 5415 Regal Spokane WA 99223	(509) 448-3197	(509)448-1515	Fax
Contractors Bonding & Ins. Co.	Larry Stevens	711 Capitol Way S #201 Olympia WA 98501	(360) 943-6058	(360)357-6697	Fax
Northwest Electric League	Julie Becker	555 116th Ave NE #101 Bellevue WA 98004	(206)644-2010	(206)455-0490	Fax
Inchcape Testing Services	Jim Pierce	3003 SW 153rd Dr. 212 Beaverton OR 97006	(503) 626-7328	(503)626-6694	Fax
Natl Electrical Contractors Assoc.	Tom Knox	8815 S. Tacoma Ave 102 Tacoma WA 98499	(206) 584-6894	(206)584-4095	Fax
Electro-Test	Chuck Mello	4099 SE Ininal'V Wy 201 Milwaukie OR 97222	(503) 659-9733	(503)653-6781	Fax
IBEW Local 76	Michael Zenk	3049 S 36th St #101 Tacoma WA 98409	(206) 475-0844	(206)475-1192	Fax
Wa St Elec Contractors Assoc	Kathleen Garrity	1756 114th Ave SE 210 Bellevue WA 98004	(206) 455-5701	(206)646-8000	Fax
Underwriters Laboratories, Inc.	Wes Christensen	144 Railroad Ave 211 Edmonds WA 98020	(206) 775-0688	(206)778-2710	Fax
Washington Rural Electric Cooperative	Erin Jones	509 12th AV. SE. Olympia WA 98501		(360) 357-6048	Fax

Insurance Services (Claims)
External Stakeholder List

ASSOCIATION OR GROUP	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
ASSOC GEN'L CONTRACTORS OF WASHINGTON		410 11th ave ste 203 OLYMPIA WA 98501	360 352 44112	360 352 5000	LETTER
WA. STATE CHIROPRACTIC ASSOC	LES DOLEZEL, D.C.	2520 WARNER AVE WEST ENUMCLAW WA 98022	360 825 7604	360 825 5593	LETTER
GOV. AFFAIRS DIRECTOR ASSOC OF WA BUSINESS	CLIF FINCH	PO BOX 658 OLYMPIA WA 98507-0658	360 943 5811	360 943 1600	LETTER
	ROBBY STERN	314 FIRST AVE WEST SEATTLE WA 98119	360 285 5805	360 285 5805	LETTER
RETRO GROUP COORD HOP GROWERS OF WA	STEVE GEORGE	504 N NACHES AVE STE 11 YAKIMA WA 98901	509 457 8561	509 453 4749	LETTER
WASHINGTON SELF INSURERS ASSOC	PAM TELLEVIK	711 CAPITAOL WAY S, #207 OLYMPIA WA 98501	360 352 8172	360 754 6416	LETTER
JOINT COUNCIL OF TEAMSTERS LCL28	CINDY ZEHNDER	553 JOHN ST SEATTLE WA 98109	206 442 3157	206 441 7470	LETTER
WASHINGTON STATE TRIAL LAWYERS ASSOC	MICHAEL TEMPLE	1511 STATE AVE NE OLYMPIA WA 98506	360 786 9103	360 786 9100	LETTER
KENNETH L GIPSON & ASSOC	KENNETH L GIPSON	5317 NORPOINT WAY NE TACOMA WA 98422	253 952 6185	253 952 8025	LETTER
UNIVERSITY OF WASHINGTON	SCOTT BARNHART, M.D	325 9TH AVE SEATTLE WA 98104-2499	506 731 3005	206 731 3388	LETTER
UNITED ASSOC OF PLMBRS & PIPE LCL 32	ALFRED C GILMORE	595 MONSTER RD SW #273 RENTON WA 98055-2946	425 277 7370	425 277 6680	LETTER
RETRO ADVISORY CNCL DEPT OF L&I	KATHY WILLIS	PO BOX 44180 OLYMPIA WA 98504-4180	360 902 4258	360 902 4835	LETTER
WASHINGTON GROWERS CLEARING	LEO SAX	PO BOX 2207 WENATCHEE WA 98807-2207	509 662 6181	509 662 6181	LETTER
INDEPENDENT BUSINESS ASSOC	GARY SMITH	400 108TH NE #160 BELLEVUE WA 98004-5508	425 453 1158	425 453 8621	LETTER
NARPPS	TOM BRISTOW	447 BOISFORT RD CURTIS WA 98538		509 925 2893	LETTER
TIMBER OPERATORS COUNCIL	JOANNE COLLIER	2625 B PARKMOUNT, STE A OLYMPIA WA 65502	360 754 0231	360 754 1669	LETTER
G & G PUBLIC AFFAIRS	JANICE L GEE	12215 INTERLAAKEN DR SW TACOMA WA 98498	253 589 3509	253 589 3503	LETTER
CRIME VICTIMS ADVISORY COMMITTEE	STEVE ECKSTROM	PO BOX 48300 OLYMPIA WA 98504-8300	360 586 0873	360 753 1152	LETTER

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**Insurance Services (Claims)
External Stakeholder List**

ASSOCIATION OR GROUP	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
WA STATE APPRENTICE-SHIP COORD ASSOC	GREG FOX	2819 FIRST AVE, ROOM 310 SEATTLE WA 98121	206 271 4985	206 271 5900	LETTER
	TOM NIVISON, ATTN	PO BOX 7915 TACOMA WA 98407-7915	253 756 9641	253 756 9656	LETTER
WA HOSPITAL SERVICES	BEVERLY SIMMONS	PO BOX 19557 SEATTLE WA 98109	206 283 6122	206 281 7211	LETTER
WA RETAIL ASSOC	JEFF COX	PO BOX 2227 OLYMPIA WA 98507-2227	360 943 1032	360 743 8188	LETTER
ASSOCIATED INDUSTRIES	JIM GURNEA	PO BOX 2125 SPOMANE WA 99210-2125	509 323 2679	509 326 6885	LETTER
WA STATE MEDICAL ASSOC	BOB PERNA	2033 SIXTH AVE, STE 1100 SEATTLE WA 98121	206 441 5863	206 441 9762	LETTER
W R GIBBENS INC	VICKY MAST	PO BOX 2288 OLYMPIA WA 98507-2288	360 754 0872	360 754 7400	LETTER
PERKINS-COLE LAW FIRM	NANCY THYGESEN- DAY	1201 THIRD AVE, 40TH FLR SEATTLE WA 98101-3099	206 583 8500	2098 583 8888	LETTER
WELCH & CONDON	DAVID B CONDON	PO BOX 1318 TACOMA WA 98401-1318	253 572 8957	253 383 3427	LETTER
WORKERS COMP ADJUD SEATTLE PUB SCHOOLS	PAT STUBBS	PO BOX 19116 SEATTLE WA 98109-1116	206 298 7701	206 298 7709	LETTER
GRANT & ASSOC	KENDALL GRANT	2415 D EVERGREEN PARK DR SW OLYMPIA WA 98502	360 352 6285	360 754 0701 EXT 13	LETTER
RTW CONSULTING SERVICES	FAYE DINNIS	4301 PINE ST, STE 455 TACOMA WA 98409-7207		206 831 0438	LETTER
CORVEL CORP	NEIL BENNETT	200 WEST MERCER STE 209 SEATTLE WA 98466	206 284 3845	206 282 8585	LETTER
NOVA REHAB COUNSELING INC	KATHY VISSER	6632 191ST PL STE E-104 KENT WA 98032	206 251 0842	206 251 9595	LETTER
REHAB & EVAL SVCS INC	VICKIE BATCHELL	3015 BRIDGEPORT WAY W TACOMA WA 98466	206 565 9678	206 565 9579	LETTER
VISTA CONSULTING SERVICES	DAN MC KINNEY	607 GOVERNMENT WAY SPOKANE WA 99204-1860	509 456 7371	509 468 8680	LETTER
VOCATIONAL ALTERNATIVES INC	LEE OLSON	317 S 11TH AVE YAKIMA WA 98902-2313	509 575 1938	509 575 1151	LETTER
	120 DEPT OF L&I INTERNAL	STATEWIDE DEPT MAIL STOPS			

**Insurance Services (Crime Victims)
External Stakeholder List**

BOARD MEMBER	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
SNOHOMISH COUNTY COURTHOUSE	CRAIG DONALDSON	3000 ROCKEFELLER ROOM 109 EVERETT WA 98201		206 388 3456	PERSONAL CONTACT, LETTER
LUMMI VICTIMS OF CRIME	DAN KAMKOFF	2616 KWINA RD BELLINGHAM WA 98226		360 384 2285	PERSONAL CONTACT, LETTER
WA STATE HOUSE OF REPRESENTATIVES	REP. KELLI LINVILLE	2737 ELDRIDGE AVE BELLINGHAM WA 98225		360 738 6177	PERSONAL CONTACT, LETTER
FAMILIES & FRIENDS OF VIOLENT CRIME VICTIM	BOBBI COSTA	PO BOX 27528 SEATTLE WA 98125		206 362 1081	PERSONAL CONTACT, LETTER
US ATTORNEYS OFFICE	SUE PERALTA-WEST	800 FIFTH AVE STE 3600 SEATTLE WA 98104		206 553 2908	PERSONAL CONTACT, LETTER
NATL ORGANIZATION OF WOMEN	LONNIE JOHNS-BROWN	4705 38TH NE SEATTLE WA 98105		206 523 1412	PERSONAL CONTACT, LETTER
	RALYN BAIRD	3130 E MADISON STE 203B SEATTLE WA 98112		206 328 44052	PERSONAL CONTACT, LETTER
	TERRY SULLIVAN	1420 NW GILMAN BLVD STE 2151 ISSAQUAH WA 98027		425 391 1800	PERSONAL CONTACT, LETTER
FBI VICTIM/WITNESS COORDINATOR	SANDY WORRELLS	915 SECOND AVE ROOM 710 SEATTLE WA 98174		206 667 0187	PERSONAL CONTACT, LETTER
TENNIS SHOE BRIGADE	HELEN HARLOW	PO BOX 111425 TACOMA WA 98411		253 537 5742	PERSONAL CONTACT, LETTER
VICTIM WITNESS COORDINATOR	EILEEN O'BRIEN	946 COUNTY CITY BLDG TACOMA WA 98402		253 598 6725	PERSONAL CONTACT, LETTER
DSHS	TOM KEARNS	PO BOX 45530 OLYMPIA WA 98504-5530		360 664 8135	PERSONAL CONTACT, LETTER
WA ASSN OF PROSECUTING ATTNYS	TOM MC BRIDE	208 10TH AVE SE OLYMPIA WA 98504		360 753 2175	PERSONAL CONTACT, LETTER
VICTIM/WITNESS COORDINATOR	MARILYN HALL	1011 HARNEY ST VANCOUVER WA 98660		360 689 2008	PERSONAL CONTACT, LETTER

**Insurance Services (Crime Victims)
External Stakeholder List**

BOARD MEMBER	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
DIV OF CHILDREN & FAMILY SERVICES	ORLANDO C MANAOIS	PO BOX 45710 OLYMPIA WA 98504-5710		360 902 7996	PERSONAL CONTACT, LETTER
EXEC DIR WCSAP	DEBBIE RUGGLES	10 EAST 5TH OLYMPIA WA 98501		360 754 7583	PERSONAL CONTACT, LETTER
DIRECTOR, DOMESTIC VIOLENCE COAL	MARY PANTEROLA	2102 4TH AVE E STE 103 OLYMPIA WA 98506-6512		360 352 4029	PERSONAL CONTACT, LETTER
DIRECTOR, OFFICE OF CRIME VICTIMS ADVO	BEV EMERY	PO BOX 48300 OLYMPIA WA 98504-8300		360 753 1123	PERSONAL CONTACT, LETTER
OFFICE OF CRIME VICTIMS ADVOCACY	STEVE ECKSTROM	PO BOX 48300 OLYMPIA WA 98504-8300		360 753 1152	PERSONAL CONTACT, LETTER
BUDGET ASST TO THE GOVERNOR	KIM HOANG	OFM PO BOX 43113 OLYMPIA WA 98504-3113		360 902 0579	PERSONAL CONTACT, LETTER
	JERALITA, COSTA THE HONORABLE	PO BOX 40600 OLYMPIA WA 98504-0600		360 786 7864	PERSONAL CONTACT, LETTER
ATTORNEY GENERAL'S OFFICE	NANCY KELLOGG	MS 0121 OLYMPIA WA 98504-0121		360 438 7293	PERSONAL CONTACT, LETTER
PROG MGR, DIV OF PROG & POL, DSHS, CHILDRENS	SUSAN HANNIBAL	PO BOX 45710 OLYMPIA WA 98504-5710		360 753 7002	PERSONAL CONTACT, LETTER
	SHIRLEY FISCHER	603 S CHESTNUT ST ELLENSBURG WA 98926		509 962 9841	PERSONAL CONTACT, LETTER
YAKIMA INDIAN NATION	SHANNON HOWARD	PO BOX 151 TOPPENISH WA 98948		509 865 5121 EXT 573 OR 574	PERSONAL CONTACT, LETTER
WMHCA	MURIEL TEMPLETON M.S.W.	710B GEO. WA. WAY RICHLAND WA 99352		509 943 5969	PERSONAL CONTACT, LETTER
US ATTORNEY'S OFFICE	JACK PINTLER	WEST 920 RIVERSIDE PO BOX 2494-RM 300 SPOKANE WA 99210		509 353 2767	PERSONAL CONTACT, LETTER

**Insurance Services (Employer Services)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
INDEPENDENT BUSINESS ASSOCIATION	GARY SMITH	400 108TH NE #160 BELLEVUE WA 98004-5508	425 453 1158	425 453 8621	LETTER
NAT'L FEDERATION OF INDEPENDENT BUSINESS	CAROLYN LOGUE	509 E 12TH AVE STE B OLYMPIA WA 98501-7519	360 943 2456	360 786 8672	LETTER
GOV. AFFAIRS DIRECTOR ASSOC OF WA BUSINESS	CLIFF FINCH	PO BOX 658 OLYMPIA WA 98507-0658	360 943 5811	360 943 1600	LETTER

**Insurance Services (HSA & OMD)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
WA STATE MEDICAL ASSOC		2033 SIXTH AVE, STE SEATTLE WA 98121	206 441 5863	206 441 9762	PERSONAL CONTACT
CHIROPRACTIC ADVISORY COMMITTEE					LETTER
NW ASOC OF OCC & ENVIRO MEDICINE					LETTER
WA OSTEOPATHIC MEDICAL ASSOC					LETTER
WA STATE HOSPITAL ASSOC					LETTER
WA STATE NURSES ASSOC					LETTER
WA STATE OCCU THERAPISTS ASSOC					LETTER
WA STATE PHARMACISTS ASSOC					LETTER
WA STATE PHYSICAL THERAPY ASSOC					LETTER

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**Insurance Services (HSA & OMD)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
ASSOC OF WA BUSINESS		PO BOX 658 OLYMPIA WA 98507-0658	360 943 5811	360 943 1600	LETTER
WA STATE SELF INSURERS		711 CAPITOL WAY S OLYMPIA WA 98501	360 352 8172	360 754 6416	LETTER
BLDG & CONSTRUCTION TRADES COUNCIL					LETTER
TEAMSTERS					LETTER
WA STATE LABOR COUNCIL		314 FIRST AVE WEST SEATTLE WA 98119	206 285 5805	206 281 8901	LETTER
ASSOC OF WESTERN PULP & PAPER WORKS					LETTER
WA GROWERS LEAGUE					LETTER
INDUSTRIAL FORESTRY ASSOC					LETTER
BOARD OF INDUSTRIAL INSURANCE APPEALS					LETTER
WA STATE TRIAL LAWYERS ASSOC		1511 STATE AVE NE OLYMPIA WA 98506	360 786 9103	360 786 9100	LETTER

**Insurance Services (Retrospective Rating)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
ASSOC.INDUSTRIES OF THE INLAND NW	NIKKI DEMARCE	PO Box 2125 Spokane WA 99210-2125	509 323 2679	509 324 2735	LETTER
PEDERSON'S FRYER FARMS INC	DEANNE EDWARDS	2901 E 72ND ST TACOMA WA 98404-4141	206 539 2313	206 537 0243	LETTER
HOP GROWERS OF WA.	STEVE GEORGE	504 N NACHES AVE,STE 11 YAKIMA WA 98901-2457	509 457 8561	509 453 4749	LETTER
BEKINS NORTHWEST	JOSEPH HAWKINS	PO BOX 30728 SEATTLE WA 98109-0728	206 526 9291	206 527 1705 EXT 115	LETTER
BUILDING INDUSTRY ASSOC. OF WA.	TOM KWIECIAK	PO BOX 1909 OLYMPIA WA 98507-1909	360 352 7801	360 943 6966	LETTER
NW WALL & CEILING CONTRACTORS ASSOC.	RICHARD METTLER	1302-A NE 65TH ST SEATTLE WA 98115-6609	206 524 4136	206 524 4779	LETTER
TIMBER OPERATOR'S COUNCIL	ROB SUMNER	6825 SW SANDBURG ST TIGARD OR 97223-8009	503 620 3935	503 620 1710	LETTER
RED LION INNS & HOTELS	JOHN SWEITZER	4001 MAIN ST VANCOUVER WA 98663-1896	360 750 4201	360 750 4243	LETTER
WA. RESTAURANT ASSOC.	GENE VOSBERG	2405 EVERGREEN PK SW, STE A2 OLYMPIA WA 98502-6062	360 357 9232	360 956 7279	LETTER
AGIC INS AGENCY	BETTY REHBERG	3301 S NORFOLK PO BOX 3763 SEATTLE WA 98124-2263	206 767 8876	206 767 8851	LETTER
ASSOC IND OF THE INLAND NW (METAL)	W JAMES GURNEA	920 N WASHINGTON SPOKANE WA 99210-2125	509 328 6832	509 326 6885	LETTER
ASSOC BLDRS & CNTR OF WESTERN WA	KATHLEEN GARRITY	1756 114TH AVE SE STE 210 BELLEVUE WA 98004-6931	425 455 5701	425 646 8000	LETTER
ASSOC BLDRS & CNTR INLAND PACIFIC CHPTR	STEVE FOSTER	PO BOX 3787 SPOKANE WA 99220-3787	509 535 9867	509 534 0828	LETTER
ASSOC GENERAL CNTRS	GENE LA SHELL	711 S CAPITAL WAY STE 207 OLYMPIA WA 98109	360 352 2940	360 352 1632	LETTER
ASSOC OF WA BUSINESS	DEBRA MATTHEWS	1414 S CHERRY PO BOX 658 OLYMPIA WA 98507-0658	360 943 5811	360 943 1600	LETTER

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**Insurance Services (Retrospective Rating)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
ASSOC OF WA BUSINESS (SERVICE)	DEBRA MATTHEWS	PO BOX 658 OLYMPIA WA 98507-0658	360 943 5600	360 943 1600	LETTER
AUTOBODY CRAFTSMAN ASSOC	HAROLD MC MILLIAN	1124 INDUSTRY DR TUKWILA WA 98188-4803	206 575 8894	206 575 8893	LETTER
AUTOMOTIVE SERVICE ASSOC OF WA	PETE HUNT	7403 LAKEWOOD DR W STE 3 TACOMA WA 98467-3245	253 473 8940	253 473 8970	LETTER
AUTOMOTIVE UNITED TRADES ORGANIZATION	TIM HAMILTON	317 E 4TH STE 120 OLYMPIA WA 98501-1191	360 352 1105	360 943 6695	LETTER
BUILDING IND ASSOC OF WA	TOM KWIECIAK	606 COLUMBIA ST STE 211 PO BOX 1909 OLYMPIA WA 98504-1909	360 352 7801	360 943 9966	LETTER
CITIES INS ASSOC OF WA	ERIC HOMER	1519 BASIN ST SW EPHRATA WA 98823-2135	509 754 3408	509 754 2027	LETTER
CONTRACTOR'S ALLIANCE	BRENT KOHLER	3435 MARTIN WAY E STE 1 PO BOX 3340 OLYMPIA WA 98509-3340	360 458 0783	360 438 0880	LETTER
FAR WEST FERTILIZER & AGRICHEM ASSOC	STEVE HARRIS	905 W RIVERSIDE STE 810 PO BOX 1462 SPOKANE WA 99210-1462	509 838 6885	509 838 6653	LETTER
GREATER SEATTLE CHAMBER OF COMM	STEVE LEAHY	1301 5TH AVE STE 2400 SEATTLE WA 98101-2603	206 389 7288	206 389 7226	LETTER
HOME CARE ASSOC OF WA	DONNA CAMERON	23607 HWY 99 STE 2C PO BOX 2016 EDMONDS WA 98020-2016	360 428 5411	360 866 4636	LETTER
HOP GROWERS OF WA	STEVE GEORGE	504 NACHES AVE STE 11 YAKIMA WA 98901-2457	509 457 8561	509 453 4749	LETTER
NAT'L FED OF IND BUSINESS	CAROLYN LOGUE	509 E 12TH AVE STE B OLYMPIA WA 98501-7519	360 943 2456	360 786 8672	LETTER
NAT'L ELECTRIC CNTRCTRS ASSOC	STEVE WASHBURN	1200 WESTLAKE AVE N STE 810 SEATTLE WA 98109-3529	206 284 2159	206 284 2150	LETTER
NORTHWEST AGENCIES TRUST	GERALD HECKER	1501 PACIFIC AVE STE 310 B TACOMA WA 98402-3301	253 827 6014	800 558 9518	LETTER

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**Insurance Services (Retrospective Rating)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
NW WALL & CEILING CNTRCTRS ASSOC	DICK METTLE	1032A NE 65TH SEATTLE WA 98115-6609	206 524 4136	206 524 4779	LETTER
PACIFIC INLAND TARIFF BUREAU	DONALD BOHLIN	1444 SE HAWTHORNE BLVD PORTLAND OR 97214-3684	503 273 4256	800 547 8023	LETTER
PACIFIC NW HDWR & IMPLEMENT ASSOC	RONALD MOORE	3885 WOLVERINE NE PO BOX 17819 SALEM OR 97301-7819	503 375 7980	503 375 9024	LETTER
PROPERTY MGMT/MNTN PARTS DIV. SML BUSI	WILL SULLIVAN	PO BOX 3077 SEATTLE WA 98114-3077	360 428 5411	800 311 5268	LETTER
REHAB ENTR OF WA	ROBERT ALSPAUGH	490 TYEE DR STE 104 TUMWATER WA 98502-7312	360 943 7680	360 943 7654	LETTER
SAFETY MGMT ADVOCACY RESOURCE	MARK HENDRICKS	1319 DEXTER AVE N STE 220 SEATTLE WA 98109-3541	206 285 1693	206 628 0846	LETTER
SHEET MTL & AIR COND CNTRS OF W WA	BARON W DERR	1200 WESTLAKE AVE N STE 501 SEATTLE WA 98109-3529	206 283 6580	206 285 4144	LETTER
STATE OF WA	BETTY REED	2420 BRISTOL CT SW PO BOX 41027 OLYMPIA WA 98504-1027	360 586 1789	360 902 7303	LETTER
TIMBER OPERATOR'S COUNCIL	BRUCE SCHAREN	6825 SW SANDBURG ST TIGARD OR 97223-8083	503 620 3935	360 620 1710	LETTER
TRANSPORTATION PARTNERS	WILL SULLIVAN	PO BOX 3077 SEATTLE WA 98114-3077	360 428 5411	800 311 5268	LETTER
TRI-CITY CONST COUNCIL INC	JAMIE LENNICK	340 BISTA WAY PO BOX 6025 KENNEWICK WA 9936-0025		509 582 7424	LETTER
UNITED GROCERS	D SCOTT ESQUEDA	6566 SE LAKE RD PO BOX 22148 MILWAUKIE OR 97269-2148	503 833 1699	503 833 1644	LETTER
WA ASSOC OF HOMES FOR THE AGING	KAREN TYNES	16000 CHRISTENSEN RD STE 303 SEATTLE WA 98103-3418	206 241 2595	206 248 7434	LETTER
WA AUTOMOTIVE WHLRSRS ASSOC	THOMAS V JANSSEN	17921 BOTHELL-EVERETT PO BOX 12690 MILL CREEK WA 98082-0690	425 402 9291	425 402 9292	LETTER
WA CONTRACT LOGGERS ASSOC	BILL PICKELL	PO BOX 2168 OLYMPIA WA 98507-2168	360 943 8544	360 352 5033	LETTER

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**Insurance Services (Retrospective Rating)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
WA EMPLOYERS INC	JAMES E NUNN	2940 FAIRVIEW AVE E PO BOX 12068 SEATTLE WA 98102-0068	206 329 2689	208 329 1120	LETTER
WA HEALTH CARE ASSOC	DONNA GANDERS	2120 STATE AVE NE STE 102 OLYMPIA WA 98507-4782	360 754 2412	360 352 3304	LETTER
WA MANUFACTURERS COUNCIL	BRENT KOHLER	3435 MARTIN WAY E STE I PO BOX 3340 OLYMPIA WA 98509-3340	360 458 0783	360 438 0880	LETTER
WA MOTOR CARRIER'S SAFETY COUNCIL	MERRILLYN FEET	930 S 336TH ST STE B FEDERAL WAY WA 98003-7361	253 838 1715	253 838 1650	LETTER
WA REFUSE & RECYCLING ASSOC	JOHN PAUL III JONES	711 S CAPITOL WAY ST 704 PO BOX 1488 OLYMPIA WA 98507-1488	360 357 6958	360 943 8859	LETTER
WA RETAIL ASSOC	PAM EATON	PO BOX 2227 OLYMPIA WA 98507-2227	360 943 1032	360 943 9198	LETTER
WA ST CONF OF MASON CONTRACTORS	TOM DAVIES	3101 NORTHUP WAY STE 105 BELLEVUE WA 98004-1449	425 803 0687	425 803 0637	LETTER
WA ST COUNCIL OF FARMER COOPS	DAN COYNE	9103 CHESTNUT HILL LN SE OLYMPIA WA 98513-8927	360 786 9170	360 786 8180	LETTER
WA ST ASSOC OF COUNTIES	GARY LOWE	208 10TH AVE SE STE A OLYMPIA WA 98501-1385	360 583 7447	360 753 1888	LETTER
WA STATE AUTO DEALERS ASOC	JANET RAMBLE	19032 66TH AVE S BLDG C PO BOX 58170 SEATTLE WA 98138-1170	425 251 9485	425 251 9483	LETTER
WA STATE COURIER ASSOC	DIANE R NELSON	2001 WESTERN AVE ST103 MARKET PLACE ONE SEATTLE WA 98121-2114	206 443 4655	206 448 7316	LETTER
WA STATE DRYCLNRS ASSOC	DEBORAH RECHNITZ	3425 VERNHARDSON ST GIG HARBOR WA 98332-2799	253 858 2013	253 851 6327	LETTER
WA STATE FARM BUREAU	J PATRICK BATTS	1011 10TH AVE SE PO BOX 2009 OLYMPIA WA 98507-2009	360 357 9939	360 357 9975	LETTER
WA STATE FOOD DLRS ASSOC	DOUG HENKEN	1013 10TH AVE SE OLYMPIA WA 98501-1588	360 753 4885	360 753 5177	LETTER
WA STATE LICENSED BEVERAGE ASSOC	VITO CHIECHI	1501 S CAPITOL WAY, 201 OLYMPIA WA 98501-2201	360 754 3989	360 754 8141	LETTER

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**Insurance Services (Retrospective Rating)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
WA STATE PHARMACISTS ASSOC	BECKY CLYDE	1501 TAYLOR AVE SW RENTON WA 98055-3139	425 277 3897	425 228 7171	LETTER
WA STATE TRANSIT ASSOC	DAN SNOW	PO BOX 2377 OLYMPIA WA 98507-2377	360 786 9740	360 786 9734	LETTER
WA RESTAURANT ASSOC	GENE VOSBERG	2405 EVERGREEN PK DR SW STE A2 OLYMPIA WA 98502-6062	360 357 9232	360 956 7279	LETTER
WATER & SEWER INS POOL	DOUGLAS HICKS	515 116TH AVE NE STE285 BELLEVUE WA 98004-5204	425 452 9740	425 452 9750	LETTER
WESTERN BUILDING MATERIAL ASSOC	MARY MURPHY	909 LAKERIDGE DR PO BOX 1899 OLYMPIA WA 98507-1699	360 943 1219	360 943 3054	LETTER
WESTERN WA BURGER KING OPERATORS	GREG PICK	PO BOX 927 SILVERDALE WA 98383-0927	360 698 6557	360 698 8488	LETTER
WESTERN WA OPERATORS ASSOC	JIM CAMPBELL	4120 MERIDIAN STE 230 BELLINGHAM WA 98226-5575		360 733 8830	LETTER
YAKIMA VALLEY GROWERS/SHIPPERS	DAVID A REED	404 W CHESTNUT ST PO BOX 1688 YAKIMA WA 98907-1688	425 452 8754	425 452 8555	LETTER
APPROACH MGMT SRVCS	MIKE SOTELO	410 AURORA AVE N SEATTLE WA 98109-4609	206 285 1693	206 628 0846	LETTER
ASSOC IND OF THE INLAND NORTHWEST	NIKKI DE MARCE	PO BOX 2125 SPOKANE WA 99210-2125	509 328 6832	509 324 2735	LETTER
BERKLEY ADMINISTRATORS	JANET MORRIS	PO BOX 88842 SEATTLE WA 98138-2842		206 575 2303	LETTER
C3HRM	DAVE SEAGO	PO BOX 3077 SEATTLE WA 98114-3077	206 764 1946	206 764 1945	LETTER
CAMPBELL GALT & NEWLANDS INC	JAMIE OPATRYNY	708 SW 3RD AVE STE 400 PORTLAND OR 97204-2495	503 224 8319	503 295 8313	LETTER
CCRS (COST CONTROL & REPORT SRVCS)	TIM REID	4109 BRIDGEPORT WAY W PO BOX 64270 TACOMA WA 98464-0270	253 564 5477	253 564 5479	LETTER
CHARM	HAL DAVIS	11004 E NIXON AVE SPOKANE WA 99208-7219		509 928 6292	LETTER
CLAIMS SERVICES (TOC)	JOANNE COLLIER	2625B PARKMOUNT LN SW STE A OLYMPIA WA 98502-5751		360 754 1669	LETTER
COMPREHENSIVE		1420 5TH AVE STE 1200 SEATTLE WA 98101-4030		206 749 4812	LETTER

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**Insurance Services (Retrospective Rating)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
COMPREHENSIVE RISK MANAGEMENT	TERRY PETERSON	1520 BROADWAY PO BOX 7127 EVERETT WA 98201-0127	425 252 2164	425 252 7823	LETTER
CROUCHER CONSULTING	SCOTT CROUCHER	PO BOX 5049 VANCOUVER WA 98668-5049	425 750 8734	425 750 7822	LETTER
CSL RESOURCES	STEVE SEYER	PO BOX 1884 ANACORTES WA 98221-6884	360 757 3963	360 757 2373	LETTER
EMPLOYEE HEALTH SYSTEMS INC	RUTH A MILLER	2001 MAIN ST VANCOUVER WA 98660-2673			LETTER
EMPLOYERS UNITY		PO BOX 782 WESTMINSTER CO 80030-0782			LETTER
FRANK GATES SERVICE CO		600 UNIVERSITY ST STE 315 SEATTLE WA 98101-1170	206 682 8539	206 682 4808	LETTER
GALLAGHER BASSETT SERVICES INC		16040 CHRISTENSEN RD STE 217 SEATTLE WA 98188-2939	206 243 5934	206 243 5520	LETTER
GATES MCDONALD BEAVERTON		8905 SW NIMBUS AVE STE 125 BEAVERTON OR 97008-7100			LETTER
GATES MCDONALD OHIO		3455 MILL RUN DR HILLIARD OH 43028-9079	614 777 3265	614 777 3318	LETTER
GATES MCDONALD LACEY	MICHAEL FRASIER	1603 RUDELL RD SE LACEY WA 98503-2757	360 459 1143	360 459 1128	LETTER
GILLETTE CO	MARTI FITZGERALD	733 SW 2ND AVE STE 212 PORTLAND OR 97204-3118			LETTER
INTTEGRATED CLAIMS MANAGEMENT	RICHARD WEEKS	6300 LINDERSON WAY PO BOX 4008 TUMWATER WA 98501-4008	360 956 3563	360 788 1378	LETTER
J A S CONSULTING INC	RISÉ GLAZE	PO BOX 2137 AUBURN WA 98071-2137	253 804 0211	253 804 0164	LETTER
J B L AND K INS	GRACE TEIGEN	220 NW 2ND AVE STE 800 PORTLAND OR 97209-4899			LETTER
JAMES L GROVES CO BEAVERTON	MIKE KINNAMAN	12655 SW CENTER ST BEAVERTON OR 97005-1601		503 643 3859	LETTER
JAMES L GROVES CO EVERETT	JAMES GROVES	1216 50TH ST PO BOX 4281 EVERETT WA 98203-9281	425 259 6615	425 259 3300	LETTER

**Insurance Services (Retrospective Rating)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
JOHNSON AND HIGGINS		1401 I ST NW WASHINGTON DC 20005-2227			LETTER
JOHNSTON & CULBERSON SEATTLE	BETH SECORD	601 UNION ST STE 3525 SEATTLE WA 98161-2357	206 821 9749	206 622 2141	LETTER
JOHNSTON & CULBERSON SPOKANE	JOE BROWN	408 N MULLAN RD STE 104 SPOKANE WA 99206-3860	509 921 6881	509 922 2675	LETTER
LIBERTY MANAGEMENT SERVICE	BRANDON PARKS	14711 NE 29TH PL STE 101 BELLEVUE WA 98007-7690	425 861 5632	425 867 3341	LETTER
MARSH & MC LENNAN	CATHERINE POLIC	720 OLIVE WAY SEATTLE WA 98101-1853	206 224 0637	206 224 0608	LETTER
PENSER INTERNATIONAL	VERN PARKS	4448 84TH AVE SE OLYMPIA WA 98503-8310	425 458 5231	360 491 2872	LETTER
RALEIGH SCHWARZ & POWELL		1201 PACIFIC AVE STE 1000 TACOMA WA 98402-4321	253 591 8744	253 572 8222	LETTER
RISK FINANCE & INVESTMENT CORP	DARREN HOLMES	3435 MARTIN WAY E STE I PO BOX 3340 OLYMPIA WA 98509-3340	360 456 0763	360 438 0880	LETTER
RONALD E PUGH		100 HARBORVIEW PLAZE PO BOX 459 LA CROSSE WI			LETTER
SEDGEWICK JAMES OF OR		111 SW COLUMBIA PORTLAND OR 97201-5897	503 248 8157	503 248 6400	LETTER
SEDGWICK JAMES OF WA		2101 4TH AVE STE 1700 SEATTLE WA 98121-2317	206 448 9237	206 441 5900	LETTER
SELF INSURED MGMT SRV		PO BOX 5651 EVERETT WA 98206-5651	425 355 0719	425 347 2220	LETTER
SUMMIT PERSPECTIVES RISK MGMT INC	YVETTE DE LUCIA	2500 VENTURE OAKS WAY STE 320 SACRAMENTO CA 95833-3287			LETTER
W R GIBBENS		PO BOX 2288 OLYMPIA WA 98507-2288	360 754 0872	360 754 7400	LETTER
WILLIS CORROON CORP OF SEATTLE	MIKE MESSENGER	701 5TH AVE STE 4200 SEATTLE WA 98104-7000			LETTER

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**Insurance Services (Self-Insurance)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
ATTORNEY	NED ANNAN				LETTER
INDIVIDUAL	LEN BARRETT				LETTER
MEDALIA AT ST JOSEPH	HELGA CORONA				LETTER
WA STATE LABOR COUNCIL	RICK BENDER	314 FIRST AVE WEST SEATTLE WA 98119	206 285 5805	206 281 8901	LETTER
SIMS	CHIP BARTEL				LETTER
JOHNSTON & CULBERSON	FRED CULBERSON				LETTER
ATTORNEY	CALHOUN DICKINSON				LETTER
WA STATE BLDG & CONSTR TRADES	ROBERT DILGER				LETTER
IBEW LOCAL 48	KEITH EDWARDS				LETTER
ASSOC OF WA BUSINESS	CLIF FINCH	PO BOX 658 OLYMPIA WA 98507-0658	360 943 5811	360 943 1600	LETTER
ATTORNEY	JOE GORDON JR				LETTER
THE JAMES L GROVES CO	JAMES L GROVES	PO BOX 4281 EVERETT WA 98203-9281	425 259 6615	425 259 3300	LETTER
ASSOC OF WA PULP & PAPER WORKERS	GENE HAIN				LETTER
JEFFERSON SMURFIT CORP	N L JARRELL				LETTER
WA STATE LABOR COUNCIL	JEFF JOHNSON	314 FIRST AVE WEST SEATTLE WA 98119	206 285 5805		LETTER
ATTORNEY	GARY KEEHN				LETTER
ATTORNEY	WAYNE LIEB				LETTER
WA STATE HOSPITAL ASSOC	LINDA MAW				LETTER
INJURED WORKER	KAREN MC DONNEL				LETTER
REYNOLDS METALS CO	BOB MC INTIRE				LETTER
ATTORNEY	STANLEY MOORE				LETTER
PACIFIC POWER & LIGHT	RON NEWBRY				LETTER
CORPORATE SYSTEMS LTD	JUDITH PAWOSKI				LETTER

**Insurance Services (Self-Insurance)
External Stakeholder List**

BUSINESS	NAME OF CONTACT	ADDRESS	FAX NUMBER	PHONE NUMBER	HOW CONTACTED
SCOTT WETZEL SRVCS	JEFF STROMBERG				LETTER
WA STATE TRIAL LAWYERS ASSOC	MICHAEL TEMPLE	1511 STATE AVE NE OLYMPIA WA 98506	360 786 9103		LETTER
EBERLE VIVIAN	LISA VIVIAN				LETTER
WA SELF INSURERS ASSOC	MARGIE WEINBERG	711 CAPITAOL WAY S, #207 OLYMPIA WA 98501	360 352 8172		LETTER
	ALL WA STATE SELF INSURED BUSINESSES	APPROXIMATELY 400 STATEWIDE ADDRESSES			LETTER

Appendix C

**LABOR AND INDUSTRIES
RULE REVIEW PLAN**

**Regulatory Improvement Contacts
in the Department of Labor and Industries**

Most Labor and Industries employees are involved in regulatory reform activities in some capacity, either in the review of rules or in implementing reform measures. This is a list of persons who have major responsibilities for regulatory improvement efforts at Labor and Industries.

Chief Agency Coordinator: Mary Pat Frederick, assistant director for administrative services, (360) 902-6698.

Agency Contact: Dave Pratt, special assistant to the director, (360) 902-6697.

Public Information: Jerry Gilliland, public information officer, (360) 902-5411.

Rules Coordination: Marie Myerchin-Redifer, rules coordinator, (360) 902-4206.

Economic Analysis: Mike Ratko, economic analyst, (360) 902-6805

Insurance Services: Ken Woehl, (360) 902-4775.

WISHA Compliance Services: Gail Hughes, (360) 902-5439.

Specialty Compliance Services: Peter Schmidt (360) 902-5571

Appendix D
LABOR AND INDUSTRIES
RULE REVIEW PLAN

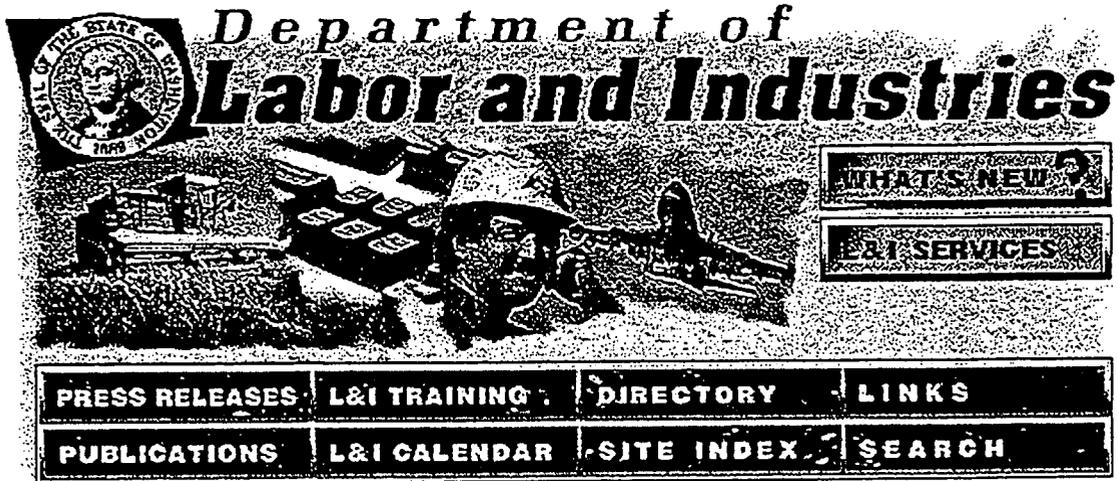
Department of Labor and Industries Internet Home Page

The Department of Labor and Industries maintains a home page on the Internet. A variety of information is provided

regarding agency programs and training opportunities. Information includes descriptions of services, press releases, publications, events, training schedules and a directory of contacts. The Rule Review Plan is included on L&I's home page.

The home page address is:

<http://www.wa.gov/lni>



Appendix E
LABOR AND INDUSTRIES
RULE REVIEW PLAN

State Register Publication

This plan was scheduled to be published in Washington State Register in September, 1997. It also was sent to interested parties and is available on Labor and Industries Internet web site (see Appendix D) and at L&I regional offices. Copies of the plan can be obtained by calling your local Labor and Industries office listed below.

- Aberdeen** — 415 West Wishkah, Suite 1B (360) 533-9300
- Bellevue** — 616 120th Avenue NE, Suite C201 (206) 990-1400
- Bellingham** — 1720 Ellis Street, Suite 200 (360) 647-7300
- Bremerton** — 500 Pacific Avenue, Suite 400 (360) 415-4000
- Colville** — 298 South Main, Suite 203 (509) 684-7417
- East Wenatchee** — 519 Grant Road (509) 866-6500
- Everett** — Evergreen Way Business Center 8625 Evergreen Way, Suite 250 (425) 290-1300
- Kennewick** — 500 N Morain, Suite 1110 (509) 735-0100
- Longview** — 900 Ocean Beach Hwy (360) 577-2200
- Moses Lake** — 3001 W. Broadway (509) 764-6900
- Mount Vernon** — 525 E College Way, Suite H (360) 416-3000
- Okanogan** — 1234 2nd Avenue S (509) 826-7345
- Port Angeles** — 1605 East Front Street, Suite C (360) 417-2700
- Pullman** — 1250 Bishop Blvd SE, Suite G (509) 334-5296
- Seattle** — 300 W Harrison Street (206) 281-5400

- Spokane** — 901 N Monroe Street, Suite 100 (509) 324-2600
- Tacoma** — 1305 Tacoma Avenue S, Suite 305 (253) 596-3800
- Tukwila** — 12806 Gateway Drive (206) 248-8240
- Tumwater** — 7273 Linderson Way SW (360) 902-5799
- Vancouver** — 312 SE Stonemill Dr, Suite 120 (360) 896-2300
- Walla Walla** — 1815 Portland Avenue, Suite 2 (509) 527-4437
- Yakima** — 15 W. Yakima Avenue (509) 454-3700

Reviser's note: The typographical error in the above material occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 97-20-001
INSURANCE COMMISSIONER'S OFFICE

[Filed September 17, 1997, 2:35 p.m.]

State of Washington
Insurance Commissioner
Olympia

TABLE FOR DETERMINING THE VALUATION OR PRESENT WORTH OF LIFE AND TERM ESTATES OR ANNUITIES AND REMAINDERS OR REVERSIONARY INTERESTS, COMPUTED AT SEVERAL INTEREST RATES, FOR THE USE OF THE COURTS AND APPRAISERS OF WASHINGTON

Section .02.16 of Chapter seventy-nine (79) of the Laws of 1947 (RCW 48.02.160) provides:

"* * * The Commissioner shall: Obtain and publish for the use of courts and appraisers throughout the state, tables

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showing the average expectancy of life and values of annuities and of life and term estates."

Pursuant to the foregoing provisions, the following tables for determining the present worth of life estates or annuities and remainders or reversionary interests, are hereby published and promulgated for the use of the courts and appraisers of the state, computed on the basis of 1990 United States population mortality and at the respective rates of three and one-half, four, four and one-half, five, five and one-half, and six percent annual interest.

Tables I.A through I.F give the basis for valuing life estates or annuities, the proceeds of which the beneficiary enjoys during his or her life. These tables are applicable only where continuation of the annuity is dependent upon a single life. Where two or more lives are involved a special calculation will be required, using supplementary factors derived from 1990 United States population mortality.

Tables II.A through II.F relate to term estates or annuities-certain, which are payable irrespective of continuation of life but terminable at the end of a certain period definitely stated in the provisions of the instrument creating the estate.

Deborah Senn
Insurance Commissioner

TABLE I.A. Single-life, 3½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
0	0.10984	25.4336	71.84	0.08446	26.1586	78.77
1	0.10427	25.5927	71.59	0.07976	26.2930	78.42
2	0.10723	25.5082	70.64	0.08203	26.2282	77.46
3	0.11048	25.4152	69.68	0.08450	26.1576	76.49
4	0.11398	25.3153	68.71	0.08714	26.0822	75.52
5	0.11766	25.2101	67.73	0.08993	26.0025	74.54
6	0.12151	25.1001	66.75	0.09286	25.9186	73.56
7	0.12552	24.9857	65.77	0.09593	25.8310	72.57
8	0.12967	24.8671	64.79	0.09912	25.7398	71.58
9	0.13401	24.7432	63.80	0.10244	25.6449	70.60
10	0.13853	24.6140	62.82	0.10589	25.5464	69.61
11	0.14325	24.4793	61.82	0.10947	25.4442	68.62
12	0.14813	24.3398	60.83	0.11317	25.3386	67.63
13	0.15312	24.1971	59.85	0.11697	25.2301	66.64
14	0.15814	24.0538	58.87	0.12086	25.1187	65.65
15	0.16314	23.9111	57.91	0.12483	25.0053	64.67
16	0.16809	23.7695	56.96	0.12888	24.8896	63.70
17	0.17301	23.6290	56.02	0.13300	24.7721	62.72
18	0.17795	23.4879	55.10	0.13721	24.6517	61.76
19	0.18296	23.3448	54.18	0.14157	24.5273	60.79
20	0.18811	23.1976	53.26	0.14608	24.3984	59.82
21	0.19341	23.0462	52.34	0.15076	24.2648	58.85
22	0.19885	22.8910	51.43	0.15560	24.1263	57.88
23	0.20445	22.7309	50.51	0.16061	23.9832	56.91
24	0.21022	22.5659	49.60	0.16579	23.8353	55.93
25	0.21619	22.3956	48.68	0.17113	23.6828	54.97
26	0.22236	22.2194	47.77	0.17663	23.5257	54.00
27	0.22872	22.0376	46.85	0.18231	23.3634	53.03
28	0.23529	21.8498	45.94	0.18817	23.1960	52.06
29	0.24206	21.6564	45.02	0.19420	23.0236	51.10

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TABLE I.A. Single-life, 3½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\ddot{A}_x	\dot{a}_x	e_x	\ddot{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
30	0.24903	21.4574	44.11	0.20043	22.8458	50.13
31	0.25618	21.2530	43.20	0.20684	22.6625	49.17
32	0.26354	21.0427	42.29	0.21344	22.4741	48.21
33	0.27110	20.8268	41.38	0.22023	22.2800	47.25
34	0.27887	20.6051	40.48	0.22724	22.0799	46.29
35	0.28684	20.3774	39.58	0.23445	21.8740	45.33
36	0.29501	20.1438	38.68	0.24187	21.6619	44.38
37	0.30339	19.9043	37.78	0.24950	21.4440	43.43
38	0.31201	19.6582	36.89	0.25735	21.2197	42.48
39	0.32088	19.4047	36.00	0.26544	20.9886	41.53
40	0.33003	19.1434	35.11	0.27377	20.7506	40.58
41	0.33947	18.8738	34.21	0.28233	20.5061	39.64
42	0.34919	18.5961	33.32	0.29113	20.2547	38.69
43	0.35917	18.3108	32.43	0.30016	19.9966	37.76
44	0.36941	18.0184	31.55	0.30942	19.7323	36.82
45	0.37988	17.7193	30.67	0.31888	19.4620	35.89
46	0.39058	17.4138	29.80	0.32854	19.1859	34.97
47	0.40149	17.1021	28.93	0.33841	18.9040	34.05
48	0.41261	16.7844	28.07	0.34848	18.6162	33.14
49	0.42393	16.4611	27.21	0.35876	18.3228	32.24
50	0.43544	16.1321	26.37	0.36923	18.0237	31.34
51	0.44713	15.7982	25.53	0.37989	17.7191	30.45
52	0.45898	15.4596	24.70	0.39074	17.4091	29.57
53	0.47098	15.1170	23.88	0.40177	17.0939	28.69
54	0.48308	14.7711	23.07	0.41300	16.7733	27.83
55	0.49529	14.4225	22.28	0.42440	16.4476	26.97
56	0.50757	14.0716	21.50	0.43598	16.1168	26.12
57	0.51993	13.7185	20.73	0.44773	15.7809	25.28
58	0.53234	13.3641	19.97	0.45965	15.4405	24.44
59	0.54476	13.0091	19.23	0.47170	15.0963	23.62

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TABLE I.A. Single-life, 3½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
60	0.55718	12.6543	18.51	0.48387	14.7485	22.81
61	0.56959	12.2998	17.80	0.49616	14.3977	22.01
62	0.58198	11.9460	17.10	0.50854	14.0438	21.23
63	0.59435	11.5925	16.42	0.52106	13.6863	20.45
64	0.60674	11.2387	15.75	0.53371	13.3249	19.68
65	0.61915	10.8842	15.10	0.54652	12.9590	18.92
66	0.63158	10.5290	14.46	0.55948	12.5886	18.18
67	0.64404	10.1731	13.83	0.57259	12.2142	17.44
68	0.65648	9.8178	13.21	0.58582	11.8364	16.71
69	0.66885	9.4644	12.61	0.59913	11.4561	15.99
70	0.68110	9.1144	12.03	0.61250	11.0741	15.29
71	0.69320	8.7686	11.46	0.62592	10.6906	14.60
72	0.70518	8.4264	10.91	0.63939	10.3059	13.92
73	0.71703	8.0880	10.37	0.65289	9.9204	13.25
74	0.72872	7.7540	9.85	0.66641	9.5341	12.60
75	0.74025	7.4246	9.35	0.67994	9.1474	11.96
76	0.75159	7.1008	8.86	0.69349	8.7603	11.34
77	0.76275	6.7820	8.39	0.70702	8.3738	10.73
78	0.77371	6.4688	7.94	0.72052	7.9882	10.13
79	0.78447	6.1614	7.50	0.73396	7.6043	9.55
80	0.79501	5.8602	7.08	0.74731	7.2229	8.98
81	0.80527	5.5671	6.67	0.76048	6.8467	8.43
82	0.81527	5.2816	6.28	0.77347	6.4756	7.90
83	0.82496	5.0046	5.91	0.78620	6.1119	7.39
84	0.83433	4.7370	5.55	0.79859	5.7581	6.90
85	0.84332	4.4803	5.22	0.81048	5.4184	6.44
86	0.85144	4.2483	4.91	0.82126	5.1105	6.03
87	0.85921	4.0261	4.63	0.83161	4.8146	5.64
88	0.86665	3.8138	4.36	0.84153	4.5313	5.27
89	0.87373	3.6115	4.10	0.85098	4.2613	4.92

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TABLE I.A. Single-life, 3½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\ddot{A}_x	\dot{a}_x	e_x	\ddot{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
90	0.88046	3.4191	3.86	0.85996	4.0049	4.59
91	0.88684	3.2368	3.64	0.86844	3.7626	4.29
92	0.89287	3.0646	3.43	0.87642	3.5347	4.00
93	0.89855	2.9025	3.23	0.88387	3.3217	3.74
94	0.90385	2.7510	3.05	0.89079	3.1242	3.50
95	0.90877	2.6105	2.88	0.89712	2.9432	3.28
96	0.91333	2.4802	2.73	0.90292	2.7775	3.08
97	0.91757	2.3591	2.58	0.90825	2.6255	2.90
98	0.92153	2.2460	2.45	0.91316	2.4852	2.73
99	0.92527	2.1391	2.33	0.91776	2.3537	2.57
100	0.92890	2.0355	2.21	0.92220	2.2269	2.43
101	0.93240	1.9354	2.09	0.92648	2.1045	2.28
102	0.93579	1.8385	1.98	0.93061	1.9867	2.15
103	0.93907	1.7449	1.87	0.93458	1.8732	2.02
104	0.94224	1.6545	1.77	0.93840	1.7640	1.89
105	0.94529	1.5671	1.67	0.94208	1.6589	1.77
106	0.94824	1.4829	1.58	0.94561	1.5580	1.66
107	0.95109	1.4015	1.49	0.94900	1.4612	1.55
108	0.95383	1.3231	1.40	0.95226	1.3682	1.45
109	0.95648	1.2475	1.31	0.95537	1.2792	1.35
110	0.95903	1.1747	1.23	0.95835	1.1942	1.26
111	0.96149	1.1046	1.16	0.96117	1.1135	1.17
112	0.96385	1.0371	1.08	0.96381	1.0383	1.09
113	0.96612	0.9722	1.01	0.96612	0.9722	1.01
114	0.96830	0.9098	0.95	0.96830	0.9098	0.95
115	0.97041	0.8496	0.88	0.97041	0.8496	0.88
116	0.97246	0.7910	0.82	0.97246	0.7910	0.82
117	0.97453	0.7318	0.75	0.97453	0.7318	0.75
118	0.97706	0.6595	0.68	0.97706	0.6595	0.68
119	0.98295	0.4915	0.50	0.98295	0.4915	0.50

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TABLE I.B. Single-life, 4 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
0	0.08546	22.8640	71.84	0.06341	23.4150	78.77
1	0.07918	23.0210	71.59	0.05809	23.5480	78.42
2	0.08163	22.9596	70.64	0.05988	23.5034	77.46
3	0.08438	22.8909	69.68	0.06186	23.4538	76.49
4	0.08737	22.8161	68.71	0.06401	23.4001	75.52
5	0.09055	22.7366	67.73	0.06630	23.3427	74.54
6	0.09390	22.6530	66.75	0.06874	23.2819	73.56
7	0.09739	22.5656	65.77	0.07130	23.2179	72.57
8	0.10104	22.4744	64.79	0.07398	23.1509	71.58
9	0.10487	22.3787	63.80	0.07679	23.0807	70.60
10	0.10890	22.2781	62.82	0.07972	23.0075	69.61
11	0.11312	22.1727	61.82	0.08277	22.9310	68.62
12	0.11750	22.0630	60.83	0.08595	22.8518	67.63
13	0.12201	21.9504	59.85	0.08922	22.7700	66.64
14	0.12653	21.8374	58.87	0.09258	22.6859	65.65
15	0.13103	21.7249	57.91	0.09602	22.6001	64.67
16	0.13549	21.6135	56.96	0.09953	22.5124	63.70
17	0.13990	21.5031	56.02	0.10309	22.4232	62.72
18	0.14433	21.3924	55.10	0.10676	22.3315	61.76
19	0.14884	21.2798	54.18	0.11057	22.2364	60.79
20	0.15348	21.1637	53.26	0.11453	22.1373	59.82
21	0.15828	21.0439	52.34	0.11866	22.0341	58.85
22	0.16321	20.9205	51.43	0.12296	21.9267	57.88
23	0.16832	20.7929	50.51	0.12742	21.8151	56.91
24	0.17360	20.6608	49.60	0.13206	21.6993	55.93
25	0.17908	20.5238	48.68	0.13685	21.5794	54.97
26	0.18478	20.3815	47.77	0.14182	21.4553	54.00
27	0.19068	20.2340	46.85	0.14697	21.3266	53.03
28	0.19680	20.0810	45.94	0.15230	21.1933	52.06
29	0.20313	19.9228	45.02	0.15781	21.0555	51.10

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TABLE I.B. Single-life, 4 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\ddot{A}_x	\dot{a}_x	e_x	\ddot{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
30	0.20966	19.7594	44.11	0.16353	20.9127	50.13
31	0.21640	19.5910	43.20	0.16944	20.7649	49.17
32	0.22336	19.4170	42.29	0.17554	20.6124	48.21
33	0.23054	19.2377	41.38	0.18185	20.4547	47.25
34	0.23793	19.0529	40.48	0.18838	20.2914	46.29
35	0.24555	18.8625	39.58	0.19513	20.1226	45.33
36	0.25339	18.6664	38.68	0.20211	19.9481	44.38
37	0.26147	18.4646	37.78	0.20931	19.7682	43.43
38	0.26980	18.2564	36.89	0.21676	19.5822	42.48
39	0.27841	18.0412	36.00	0.22446	19.3897	41.53
40	0.28732	17.8183	35.11	0.23242	19.1907	40.58
41	0.29656	17.5874	34.21	0.24063	18.9854	39.64
42	0.30612	17.3485	33.32	0.24911	18.7735	38.69
43	0.31597	17.1023	32.43	0.25785	18.5551	37.76
44	0.32611	16.8488	31.55	0.26683	18.3306	36.82
45	0.33652	16.5887	30.67	0.27604	18.1003	35.89
46	0.34719	16.3220	29.80	0.28549	17.8641	34.97
47	0.35811	16.0490	28.93	0.29517	17.6221	34.05
48	0.36928	15.7698	28.07	0.30508	17.3744	33.14
49	0.38069	15.4846	27.21	0.31523	17.1208	32.24
50	0.39233	15.1936	26.37	0.32560	16.8615	31.34
51	0.40419	14.8972	25.53	0.33620	16.5966	30.45
52	0.41626	14.5956	24.70	0.34703	16.3260	29.57
53	0.42850	14.2896	23.88	0.35807	16.0500	28.69
54	0.44090	13.9797	23.07	0.36933	15.7685	27.83
55	0.45343	13.6664	22.28	0.38082	15.4814	26.97
56	0.46608	13.3502	21.50	0.39252	15.1890	26.12
57	0.47885	13.0312	20.73	0.40443	14.8911	25.28
58	0.49169	12.7101	19.97	0.41655	14.5883	24.44
59	0.50460	12.3875	19.23	0.42884	14.2811	23.62

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TABLE I.B. Single-life, 4 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\ddot{A}_x	\dot{a}_x	e_x	\ddot{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
60	0.51753	12.0643	18.51	0.44129	13.9699	22.81
61	0.53048	11.7406	17.80	0.45389	13.6550	22.01
62	0.54343	11.4169	17.10	0.46663	13.3364	21.23
63	0.55641	11.0924	16.42	0.47955	13.0137	20.45
64	0.56944	10.7669	15.75	0.49264	12.6864	19.68
65	0.58252	10.4398	15.10	0.50594	12.3541	18.92
66	0.59567	10.1112	14.46	0.51944	12.0166	18.18
67	0.60887	9.7811	13.83	0.53313	11.6743	17.44
68	0.62210	9.4506	13.21	0.54699	11.3279	16.71
69	0.63528	9.1212	12.61	0.56098	10.9783	15.99
70	0.64836	8.7941	12.03	0.57507	10.6260	15.29
71	0.66132	8.4702	11.46	0.58926	10.2714	14.60
72	0.67417	8.1490	10.91	0.60353	9.9146	13.92
73	0.68691	7.8306	10.37	0.61788	9.5560	13.25
74	0.69951	7.5156	9.85	0.63230	9.1957	12.60
75	0.71197	7.2042	9.35	0.64677	8.8340	11.96
76	0.72424	6.8975	8.86	0.66129	8.4710	11.34
77	0.73635	6.5948	8.39	0.67584	8.1074	10.73
78	0.74827	6.2969	7.94	0.69039	7.7438	10.13
79	0.76000	6.0038	7.50	0.70491	7.3806	9.55
80	0.77151	5.7161	7.08	0.71938	7.0189	8.98
81	0.78273	5.4356	6.67	0.73369	6.6612	8.43
82	0.79369	5.1617	6.28	0.74784	6.3075	7.90
83	0.80434	4.8955	5.91	0.76175	5.9599	7.39
84	0.81464	4.6379	5.55	0.77531	5.6211	6.90
85	0.82455	4.3902	5.22	0.78835	5.2950	6.44
86	0.83351	4.1664	4.91	0.80019	4.9992	6.03
87	0.84210	3.9516	4.63	0.81159	4.7143	5.64
88	0.85032	3.7461	4.36	0.82251	4.4412	5.27
89	0.85817	3.5500	4.10	0.83295	4.1803	4.92

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TABLE I.B. Single-life, 4 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x Age nearest birthday	Male			Female		
	\bar{A}_x Reversion or present value of one dollar due immediately upon death of a person of specified age	\dot{a}_x Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	e_x Expectation of life	\bar{A}_x Reversion or present value of one dollar due immediately upon death of a person of specified age	\dot{a}_x Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	e_x Expectation of life
①	②	③	④	⑤	⑥	⑦
90	0.86564	3.3633	3.86	0.84288	3.9322	4.59
91	0.87273	3.1861	3.64	0.85228	3.6973	4.29
92	0.87943	3.0185	3.43	0.86113	3.4761	4.00
93	0.88575	2.8606	3.23	0.86941	3.2691	3.74
94	0.89166	2.7128	3.05	0.87710	3.0769	3.50
95	0.89715	2.5757	2.88	0.88415	2.9006	3.28
96	0.90224	2.4484	2.73	0.89062	2.7389	3.08
97	0.90698	2.3301	2.58	0.89655	2.5906	2.90
98	0.91140	2.2194	2.45	0.90203	2.4536	2.73
99	0.91559	2.1148	2.33	0.90717	2.3251	2.57
100	0.91965	2.0133	2.21	0.91214	2.2010	2.43
101	0.92358	1.9151	2.09	0.91693	2.0812	2.28
102	0.92738	1.8201	1.98	0.92156	1.9656	2.15
103	0.93106	1.7282	1.87	0.92601	1.8543	2.02
104	0.93461	1.6393	1.77	0.93030	1.7470	1.89
105	0.93805	1.5534	1.67	0.93443	1.6438	1.77
106	0.94137	1.4704	1.58	0.93840	1.5445	1.66
107	0.94457	1.3903	1.49	0.94222	1.4492	1.55
108	0.94766	1.3131	1.40	0.94588	1.3576	1.45
109	0.95065	1.2385	1.31	0.94939	1.2699	1.35
110	0.95352	1.1667	1.23	0.95275	1.1860	1.26
111	0.95629	1.0974	1.16	0.95594	1.1063	1.17
112	0.95896	1.0307	1.08	0.95891	1.0319	1.09
113	0.96152	0.9666	1.01	0.96152	0.9666	1.01
114	0.96399	0.9049	0.95	0.96399	0.9049	0.95
115	0.96638	0.8453	0.88	0.96638	0.8453	0.88
116	0.96870	0.7873	0.82	0.96870	0.7873	0.82
117	0.97104	0.7287	0.75	0.97104	0.7287	0.75
118	0.97391	0.6571	0.68	0.97391	0.6571	0.68
119	0.98058	0.4903	0.50	0.98058	0.4903	0.50

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TABLE I.C. Single-life, 4½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
0	0.06783	20.7153	71.84	0.04873	21.1397	78.77
1	0.06097	20.8677	71.59	0.04292	21.2687	78.42
2	0.06298	20.8230	70.64	0.04430	21.2380	77.46
3	0.06529	20.7717	69.68	0.04588	21.2030	76.49
4	0.06784	20.7151	68.71	0.04761	21.1645	75.52
5	0.07057	20.6545	67.73	0.04948	21.1229	74.54
6	0.07346	20.5902	66.75	0.05148	21.0784	73.56
7	0.07650	20.5227	65.77	0.05361	21.0313	72.57
8	0.07969	20.4519	64.79	0.05584	20.9815	71.59
9	0.08306	20.3770	63.80	0.05820	20.9291	70.60
10	0.08662	20.2979	62.82	0.06068	20.8741	69.61
11	0.09037	20.2144	61.82	0.06327	20.8165	68.62
12	0.09430	20.1272	60.83	0.06598	20.7564	67.63
13	0.09834	20.0374	59.85	0.06878	20.6942	66.64
14	0.10240	19.9473	58.87	0.07166	20.6301	65.65
15	0.10643	19.8577	57.91	0.07461	20.5646	64.67
16	0.11041	19.7693	56.96	0.07763	20.4976	63.70
17	0.11434	19.6820	56.02	0.08070	20.4294	62.72
18	0.11828	19.5944	55.10	0.08386	20.3591	61.76
19	0.12229	19.5053	54.18	0.08716	20.2859	60.79
20	0.12644	19.4131	53.26	0.09060	20.2093	59.82
21	0.13074	19.3176	52.34	0.09422	20.1290	58.85
22	0.13518	19.2190	51.43	0.09800	20.0451	57.88
23	0.13979	19.1166	50.51	0.10194	19.9575	56.91
24	0.14458	19.0102	49.60	0.10605	19.8662	55.93
25	0.14957	18.8994	48.68	0.11032	19.7713	54.97
26	0.15477	18.7837	47.77	0.11476	19.6727	54.00
27	0.16018	18.6635	46.85	0.11938	19.5700	53.03
28	0.16582	18.5382	45.94	0.12418	19.4633	52.06
29	0.17168	18.4081	45.02	0.12917	19.3524	51.10

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TABLE I.C. Single-life, 4½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\ddot{A}_x	\dot{a}_x	e_x	\ddot{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
30	0.17775	18.2732	44.11	0.13437	19.2371	50.13
31	0.18403	18.1337	43.20	0.13976	19.1172	49.17
32	0.19054	17.9891	42.29	0.14535	18.9931	48.21
33	0.19727	17.8395	41.38	0.15115	18.8643	47.25
34	0.20424	17.6848	40.48	0.15718	18.7302	46.29
35	0.21144	17.5247	39.58	0.16343	18.5912	45.33
36	0.21888	17.3594	38.68	0.16993	18.4470	44.38
37	0.22657	17.1886	37.78	0.17665	18.2976	43.43
38	0.23453	17.0118	36.89	0.18363	18.1426	42.48
39	0.24279	16.8283	36.00	0.19088	17.9815	41.53
40	0.25138	16.6374	35.11	0.19841	17.8143	40.58
41	0.26031	16.4389	34.21	0.20620	17.6411	39.64
42	0.26960	16.2327	33.32	0.21428	17.4617	38.69
43	0.27920	16.0193	32.43	0.22263	17.2761	37.76
44	0.28913	15.7988	31.55	0.23125	17.0846	36.82
45	0.29935	15.5717	30.67	0.24012	16.8875	35.89
46	0.30986	15.3381	29.80	0.24925	16.6847	34.97
47	0.32066	15.0982	28.93	0.25863	16.4762	34.05
48	0.33174	14.8520	28.07	0.26827	16.2621	33.14
49	0.34310	14.5997	27.21	0.27817	16.0421	32.24
50	0.35473	14.3414	26.37	0.28833	15.8165	31.34
51	0.36660	14.0775	25.53	0.29873	15.5853	30.45
52	0.37872	13.8082	24.70	0.30940	15.3484	29.57
53	0.39106	13.5340	23.88	0.32031	15.1060	28.69
54	0.40360	13.2556	23.07	0.33148	14.8579	27.83
55	0.41630	12.9734	22.28	0.34289	14.6042	26.97
56	0.42915	12.6878	21.50	0.35456	14.3450	26.12
57	0.44216	12.3989	20.73	0.36649	14.0801	25.28
58	0.45529	12.1072	19.97	0.37865	13.8099	24.44
59	0.46851	11.8136	19.23	0.39102	13.5351	23.62

TABLE I.C. Single-life, 4½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\ddot{A}_x	\dot{a}_x	e_x	\ddot{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
60	0.48178	11.5186	18.51	0.40358	13.2560	22.81
61	0.49511	11.2224	17.80	0.41633	12.9727	22.01
62	0.50848	10.9255	17.10	0.42927	12.6853	21.23
63	0.52191	10.6272	16.42	0.44241	12.3933	20.45
64	0.53541	10.3272	15.75	0.45578	12.0964	19.68
65	0.54902	10.0249	15.10	0.46939	11.7939	18.92
66	0.56272	9.7204	14.46	0.48326	11.4858	18.18
67	0.57652	9.4138	13.83	0.49736	11.1725	17.44
68	0.59038	9.1060	13.21	0.51168	10.8543	16.71
69	0.60422	8.7984	12.61	0.52618	10.5323	15.99
70	0.61800	8.4924	12.03	0.54082	10.2069	15.29
71	0.63167	8.1887	11.46	0.55560	9.8786	14.60
72	0.64526	7.8867	10.91	0.57052	9.5472	13.92
73	0.65876	7.5868	10.37	0.58555	9.2133	13.25
74	0.67214	7.2894	9.85	0.60069	8.8768	12.60
75	0.68540	6.9948	9.35	0.61594	8.5382	11.96
76	0.69849	6.7040	8.86	0.63128	8.1973	11.34
77	0.71144	6.4165	8.39	0.64669	7.8550	10.73
78	0.72420	6.1328	7.94	0.66214	7.5116	10.13
79	0.73679	5.8532	7.50	0.67761	7.1679	9.55
80	0.74917	5.5781	7.08	0.69307	6.8246	8.98
81	0.76127	5.3094	6.67	0.70838	6.4843	8.43
82	0.77310	5.0466	6.28	0.72357	6.1469	7.90
83	0.78462	4.7906	5.91	0.73853	5.8145	7.39
84	0.79579	4.5424	5.55	0.75315	5.4897	6.90
85	0.80654	4.3035	5.22	0.76725	5.1765	6.44
86	0.81628	4.0873	4.91	0.78005	4.8921	6.03
87	0.82562	3.8796	4.63	0.79240	4.6178	5.64
88	0.83458	3.6806	4.36	0.80426	4.3542	5.27
89	0.84314	3.4904	4.10	0.81561	4.1020	4.92

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TABLE I.C. Single-life, 4½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\ddot{A}_x	\dot{a}_x	e_x	\ddot{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
90	0.85130	3.3091	3.86	0.82642	3.8618	4.59
91	0.85906	3.1368	3.64	0.83667	3.6341	4.29
92	0.86640	2.9737	3.43	0.84634	3.4193	4.00
93	0.87332	2.8198	3.23	0.85540	3.2180	3.74
94	0.87981	2.6757	3.05	0.86382	3.0309	3.50
95	0.88584	2.5418	2.88	0.87156	2.8591	3.28
96	0.89144	2.4174	2.73	0.87865	2.7014	3.08
97	0.89664	2.3017	2.58	0.88517	2.5566	2.90
98	0.90152	2.1935	2.45	0.89120	2.4228	2.73
99	0.90613	2.0910	2.33	0.89685	2.2972	2.57
100	0.91060	1.9916	2.21	0.90232	2.1757	2.43
101	0.91494	1.8953	2.09	0.90760	2.0583	2.28
102	0.91914	1.8020	1.98	0.91270	1.9450	2.15
103	0.92320	1.7117	1.87	0.91762	1.8357	2.02
104	0.92713	1.6244	1.77	0.92236	1.7304	1.89
105	0.93094	1.5399	1.67	0.92693	1.6289	1.77
106	0.93461	1.4582	1.58	0.93132	1.5313	1.66
107	0.93816	1.3793	1.49	0.93555	1.4374	1.55
108	0.94159	1.3032	1.40	0.93961	1.3472	1.45
109	0.94490	1.2297	1.31	0.94351	1.2606	1.35
110	0.94809	1.1587	1.23	0.94723	1.1778	1.26
111	0.95117	1.0904	1.16	0.95077	1.0991	1.17
112	0.95413	1.0245	1.08	0.95408	1.0257	1.09
113	0.95699	0.9611	1.01	0.95699	0.9611	1.01
114	0.95974	0.9000	0.95	0.95974	0.9000	0.95
115	0.96239	0.8411	0.88	0.96239	0.8411	0.88
116	0.96497	0.7837	0.82	0.96497	0.7837	0.82
117	0.96758	0.7257	0.75	0.96758	0.7257	0.75
118	0.97078	0.6547	0.68	0.97078	0.6547	0.68
119	0.97823	0.4891	0.50	0.97823	0.4891	0.50

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TABLE I.D. Single-life, 5 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
0	0.05496	18.9012	71.84	0.03839	19.2324	78.77
1	0.04763	19.0476	71.59	0.03221	19.3561	78.42
2	0.04927	19.0148	70.64	0.03326	19.3350	77.46
3	0.05120	18.9763	69.68	0.03450	19.3103	76.49
4	0.05336	18.9330	68.71	0.03589	19.2825	75.52
5	0.05570	18.8863	67.73	0.03740	19.2521	74.54
6	0.05820	18.8364	66.75	0.03905	19.2193	73.56
7	0.06084	18.7836	65.77	0.04080	19.1842	72.57
8	0.06362	18.7280	64.79	0.04267	19.1469	71.59
9	0.06658	18.6688	63.80	0.04464	19.1074	70.60
10	0.06973	18.6058	62.82	0.04673	19.0657	69.61
11	0.07307	18.5390	61.82	0.04893	19.0217	68.62
12	0.07658	18.4688	60.83	0.05123	18.9757	67.63
13	0.08021	18.3964	59.85	0.05362	18.9280	66.64
14	0.08384	18.3237	58.87	0.05608	18.8787	65.65
15	0.08744	18.2517	57.91	0.05861	18.8282	64.67
16	0.09098	18.1809	56.96	0.06119	18.7766	63.70
17	0.09447	18.1112	56.02	0.06382	18.7240	62.72
18	0.09796	18.0414	55.10	0.06653	18.6698	61.76
19	0.10151	17.9704	54.18	0.06937	18.6131	60.79
20	0.10520	17.8967	53.26	0.07235	18.5534	59.82
21	0.10903	17.8201	52.34	0.07549	18.4906	58.85
22	0.11300	17.7408	51.43	0.07880	18.4246	57.88
23	0.11713	17.6581	50.51	0.08226	18.3554	56.91
24	0.12144	17.5719	49.60	0.08588	18.2829	55.93
25	0.12595	17.4818	48.68	0.08966	18.2074	54.97
26	0.13067	17.3873	47.77	0.09360	18.1285	54.00
27	0.13561	17.2887	46.85	0.09773	18.0461	53.03
28	0.14077	17.1855	45.94	0.10203	17.9600	52.06
29	0.14615	17.0779	45.02	0.10652	17.8703	51.10

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TABLE I.D. Single-life, 5 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
30	0.15174	16.9660	44.11	0.11120	17.7766	50.13
31	0.15755	16.8499	43.20	0.11609	17.6789	49.17
32	0.16360	16.7290	42.29	0.12117	17.5773	48.21
33	0.16987	16.6036	41.38	0.12647	17.4714	47.25
34	0.17638	16.4735	40.48	0.13200	17.3608	46.29
35	0.18314	16.3384	39.58	0.13776	17.2457	45.33
36	0.19014	16.1983	38.68	0.14375	17.1258	44.38
37	0.19740	16.0532	37.78	0.14999	17.0012	43.43
38	0.20494	15.9025	36.89	0.15648	16.8714	42.48
39	0.21280	15.7453	36.00	0.16325	16.7359	41.53
40	0.22100	15.5813	35.11	0.17031	16.5948	40.58
41	0.22957	15.4099	34.21	0.17765	16.4480	39.64
42	0.23851	15.2312	33.32	0.18528	16.2955	38.69
43	0.24780	15.0456	32.43	0.19321	16.1370	37.76
44	0.25743	14.8531	31.55	0.20141	15.9730	36.82
45	0.26737	14.6542	30.67	0.20989	15.8036	35.89
46	0.27764	14.4489	29.80	0.21863	15.6287	34.97
47	0.28822	14.2373	28.93	0.22765	15.4484	34.05
48	0.29912	14.0195	28.07	0.23694	15.2625	33.14
49	0.31031	13.7956	27.21	0.24652	15.0711	32.24
50	0.32182	13.5656	26.37	0.25637	14.8741	31.34
51	0.33360	13.3300	25.53	0.26650	14.6717	30.45
52	0.34566	13.0888	24.70	0.27691	14.4635	29.57
53	0.35798	12.8426	23.88	0.28759	14.2499	28.69
54	0.37052	12.5918	23.07	0.29856	14.0307	27.83
55	0.38327	12.3369	22.28	0.30980	13.8058	26.97
56	0.39620	12.0783	21.50	0.32133	13.5753	26.12
57	0.40933	11.8160	20.73	0.33315	13.3391	25.28
58	0.42260	11.5505	19.97	0.34523	13.0975	24.44
59	0.43600	11.2826	19.23	0.35756	12.8510	23.62

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TABLE I.D. Single-life, 5 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\ddot{A}_x	\dot{a}_x	e_x	\ddot{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
60	0.44950	11.0128	18.51	0.37011	12.6000	22.81
61	0.46308	10.7413	17.80	0.38289	12.3446	22.01
62	0.47672	10.4684	17.10	0.39588	12.0848	21.23
63	0.49046	10.1937	16.42	0.40912	11.8201	20.45
64	0.50432	9.9167	15.75	0.42262	11.5501	19.68
65	0.51831	9.6369	15.10	0.43642	11.2743	18.92
66	0.53244	9.3544	14.46	0.45051	10.9926	18.18
67	0.54671	9.0691	13.83	0.46488	10.7052	17.44
68	0.56107	8.7821	13.21	0.47952	10.4125	16.71
69	0.57545	8.4946	12.61	0.49437	10.1155	15.99
70	0.58979	8.2078	12.03	0.50943	9.8146	15.29
71	0.60405	7.9227	11.46	0.52466	9.5101	14.60
72	0.61826	7.6386	10.91	0.54007	9.2019	13.92
73	0.63241	7.3557	10.37	0.55564	8.8906	13.25
74	0.64646	7.0747	9.85	0.57137	8.5760	12.60
75	0.66041	6.7957	9.35	0.58725	8.2585	11.96
76	0.67422	6.5197	8.86	0.60328	7.9381	11.34
77	0.68789	6.2463	8.39	0.61941	7.6155	10.73
78	0.70141	5.9760	7.94	0.63564	7.2911	10.13
79	0.71476	5.7091	7.50	0.65193	6.9654	9.55
80	0.72793	5.4459	7.08	0.66824	6.6393	8.98
81	0.74081	5.1883	6.67	0.68445	6.3152	8.43
82	0.75343	4.9359	6.28	0.70056	5.9931	7.90
83	0.76575	4.6896	5.91	0.71647	5.6750	7.39
84	0.77771	4.4505	5.55	0.73204	5.3636	6.90
85	0.78925	4.2197	5.22	0.74710	5.0626	6.44
86	0.79970	4.0109	4.91	0.76078	4.7890	6.03
87	0.80975	3.8099	4.63	0.77400	4.5246	5.64
88	0.81939	3.6171	4.36	0.78673	4.2702	5.27
89	0.82862	3.4326	4.10	0.79892	4.0264	4.92

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TABLE I.D. Single-life, 5 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
90	0.83743	3.2565	3.86	0.81056	3.7937	4.59
91	0.84581	3.0890	3.64	0.82161	3.5729	4.29
92	0.85376	2.9301	3.43	0.83204	3.3642	4.00
93	0.86125	2.7802	3.23	0.84183	3.1684	3.74
94	0.86829	2.6395	3.05	0.85095	2.9862	3.50
95	0.87483	2.5088	2.88	0.85933	2.8187	3.28
96	0.88091	2.3872	2.73	0.86702	2.6649	3.08
97	0.88657	2.2740	2.58	0.87409	2.5235	2.90
98	0.89187	2.1681	2.45	0.88063	2.3927	2.73
99	0.89689	2.0677	2.33	0.88678	2.2698	2.57
100	0.90176	1.9703	2.21	0.89273	2.1509	2.43
101	0.90648	1.8759	2.09	0.89848	2.0359	2.28
102	0.91106	1.7843	1.98	0.90403	1.9249	2.15
103	0.91550	1.6956	1.87	0.90940	1.8176	2.02
104	0.91979	1.6097	1.77	0.91457	1.7141	1.89
105	0.92395	1.5266	1.67	0.91956	1.6143	1.77
106	0.92797	1.4462	1.58	0.92437	1.5182	1.66
107	0.93186	1.3685	1.49	0.92899	1.4258	1.55
108	0.93561	1.2934	1.40	0.93344	1.3369	1.45
109	0.93924	1.2209	1.31	0.93771	1.2515	1.35
110	0.94274	1.1509	1.23	0.94180	1.1698	1.26
111	0.94612	1.0834	1.16	0.94568	1.0921	1.17
112	0.94937	1.0183	1.08	0.94932	1.0195	1.09
113	0.95251	0.9557	1.01	0.95251	0.9557	1.01
114	0.95553	0.8953	0.95	0.95553	0.8953	0.95
115	0.95845	0.8369	0.88	0.95845	0.8369	0.88
116	0.96129	0.7801	0.82	0.96129	0.7801	0.82
117	0.96416	0.7226	0.75	0.96416	0.7226	0.75
118	0.96768	0.6524	0.68	0.96768	0.6524	0.68
119	0.97590	0.4880	0.50	0.97590	0.4880	0.50

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TABLE I.E. Single-life, 5½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
0	0.04547	17.3554	71.84	0.03105	17.6174	78.77
1	0.03777	17.4953	71.59	0.02457	17.7352	78.42
2	0.03910	17.4712	70.64	0.02536	17.7209	77.46
3	0.04071	17.4420	69.68	0.02633	17.7033	76.49
4	0.04254	17.4086	68.71	0.02743	17.6832	75.52
5	0.04455	17.3721	67.73	0.02866	17.6609	74.54
6	0.04670	17.3330	66.75	0.03001	17.6364	73.56
7	0.04900	17.2912	65.77	0.03146	17.6100	72.57
8	0.05143	17.2471	64.79	0.03301	17.5818	71.58
9	0.05404	17.1997	63.80	0.03467	17.5517	70.60
10	0.05682	17.1490	62.82	0.03643	17.5197	69.61
11	0.05980	17.0949	61.82	0.03829	17.4858	68.62
12	0.06295	17.0377	60.83	0.04025	17.4502	67.63
13	0.06620	16.9786	59.85	0.04229	17.4132	66.64
14	0.06946	16.9194	58.87	0.04440	17.3749	65.65
15	0.07268	16.8609	57.91	0.04656	17.3357	64.67
16	0.07583	16.8037	56.96	0.04876	17.2955	63.70
17	0.07892	16.7475	56.02	0.05101	17.2548	62.72
18	0.08200	16.6915	55.10	0.05333	17.2126	61.76
19	0.08513	16.6345	54.18	0.05576	17.1683	60.79
20	0.08840	16.5752	53.26	0.05834	17.1216	59.82
21	0.09180	16.5133	52.34	0.06106	17.0720	58.85
22	0.09533	16.4492	51.43	0.06394	17.0197	57.88
23	0.09902	16.3820	50.51	0.06697	16.9647	56.91
24	0.10289	16.3118	49.60	0.07015	16.9068	55.93
25	0.10695	16.2380	48.68	0.07348	16.8462	54.97
26	0.11122	16.1604	47.77	0.07698	16.7828	54.00
27	0.11570	16.0790	46.85	0.08064	16.7162	53.03
28	0.12040	15.9936	45.94	0.08448	16.6463	52.06
29	0.12532	15.9042	45.02	0.08850	16.5733	51.10

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TABLE I.E. Single-life, 5½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
30	0.13045	15.8108	44.11	0.09271	16.4967	50.13
31	0.13580	15.7137	43.20	0.09712	16.4166	49.17
32	0.14138	15.6122	42.29	0.10173	16.3329	48.21
33	0.14720	15.5065	41.38	0.10654	16.2455	47.25
34	0.15325	15.3966	40.48	0.11158	16.1538	46.29
35	0.15955	15.2820	39.58	0.11686	16.0580	45.33
36	0.16610	15.1629	38.68	0.12237	15.9578	44.38
37	0.17291	15.0391	37.78	0.12812	15.8532	43.43
38	0.18002	14.9099	36.89	0.13413	15.7440	42.48
39	0.18745	14.7749	36.00	0.14042	15.6296	41.53
40	0.19524	14.6333	35.11	0.14701	15.5098	40.58
41	0.20341	14.4848	34.21	0.15388	15.3849	39.64
42	0.21196	14.3294	33.32	0.16106	15.2546	38.69
43	0.22088	14.1673	32.43	0.16853	15.1187	37.76
44	0.23016	13.9986	31.55	0.17630	14.9776	36.82
45	0.23978	13.8238	30.67	0.18434	14.8314	35.89
46	0.24974	13.6427	29.80	0.19267	14.6800	34.97
47	0.26004	13.4556	28.93	0.20128	14.5234	34.05
48	0.27067	13.2623	28.07	0.21019	14.3616	33.14
49	0.28164	13.0630	27.21	0.21939	14.1943	32.24
50	0.29294	12.8577	26.37	0.22889	14.0217	31.34
51	0.30455	12.6466	25.53	0.23868	13.8438	30.45
52	0.31646	12.4300	24.70	0.24877	13.6604	29.57
53	0.32867	12.2083	23.88	0.25916	13.4716	28.69
54	0.34112	11.9818	23.07	0.26985	13.2772	27.83
55	0.35382	11.7511	22.28	0.28085	13.0773	26.97
56	0.36674	11.5164	21.50	0.29216	12.8718	26.12
57	0.37987	11.2776	20.73	0.30378	12.6606	25.28
58	0.39319	11.0355	19.97	0.31570	12.4439	24.44
59	0.40667	10.7905	19.23	0.32789	12.2224	23.62

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TABLE I.E. Single-life, 5½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	\bar{A}_x	\dot{a}_x	e_x	\bar{A}_x	\dot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
60	0.42028	10.5432	18.51	0.34034	11.9961	22.81
61	0.43400	10.2939	17.80	0.35304	11.7653	22.01
62	0.44782	10.0427	17.10	0.36599	11.5299	21.23
63	0.46176	9.7893	16.42	0.37922	11.2895	20.45
64	0.47586	9.5331	15.75	0.39275	11.0436	19.68
65	0.49013	9.2737	15.10	0.40661	10.7916	18.92
66	0.50457	9.0111	14.46	0.42081	10.5335	18.18
67	0.51920	8.7454	13.83	0.43534	10.2694	17.44
68	0.53395	8.4773	13.21	0.45018	9.9998	16.71
69	0.54875	8.2082	12.61	0.46527	9.7255	15.99
70	0.56355	7.9392	12.03	0.48061	9.4467	15.29
71	0.57830	7.6711	11.46	0.49617	9.1639	14.60
72	0.59302	7.4035	10.91	0.51195	8.8770	13.92
73	0.60772	7.1365	10.37	0.52794	8.5864	13.25
74	0.62234	6.8707	9.85	0.54414	8.2919	12.60
75	0.63689	6.6063	9.35	0.56054	7.9940	11.96
76	0.65131	6.3441	8.86	0.57712	7.6925	11.34
77	0.66563	6.0839	8.39	0.59387	7.3882	10.73
78	0.67981	5.8261	7.94	0.61075	7.0813	10.13
79	0.69385	5.5711	7.50	0.62774	6.7725	9.55
80	0.70771	5.3191	7.08	0.64480	6.4625	8.98
81	0.72130	5.0721	6.67	0.66179	6.1536	8.43
82	0.73465	4.8295	6.28	0.67872	5.8459	7.90
83	0.74769	4.5924	5.91	0.69548	5.5414	7.39
84	0.76038	4.3618	5.55	0.71193	5.2425	6.90
85	0.77264	4.1389	5.22	0.72785	4.9530	6.44
86	0.78375	3.9370	4.91	0.74234	4.6898	6.03
87	0.79445	3.7425	4.63	0.75636	4.4348	5.64
88	0.80473	3.5557	4.36	0.76988	4.1891	5.27
89	0.81459	3.3766	4.10	0.78286	3.9532	4.92

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TABLE I.E. Single-life, 5½ Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x Age nearest birthday	Male			Female		
	\bar{A}_x Reversion or present value of one dollar due immediately upon death of a person of specified age	\dot{a}_x Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	e_x Expectation of life	\bar{A}_x Reversion or present value of one dollar due immediately upon death of a person of specified age	\dot{a}_x Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	e_x Expectation of life
①	②	③	④	⑤	⑥	⑦
90	0.82400	3.2054	3.86	0.79526	3.7278	4.59
91	0.83297	3.0425	3.64	0.80706	3.5135	4.29
92	0.84148	2.8877	3.43	0.81821	3.3107	4.00
93	0.84953	2.7415	3.23	0.82869	3.1203	3.74
94	0.85708	2.6043	3.05	0.83846	2.9428	3.50
95	0.86411	2.4765	2.88	0.84744	2.7794	3.28
96	0.87065	2.3577	2.73	0.85570	2.6293	3.08
97	0.87674	2.2470	2.58	0.86330	2.4912	2.90
98	0.88244	2.1433	2.45	0.87034	2.3633	2.73
99	0.88785	2.0450	2.33	0.87695	2.2432	2.57
100	0.89311	1.9495	2.21	0.88335	2.1267	2.43
101	0.89820	1.8568	2.09	0.88955	2.0141	2.28
102	0.90315	1.7669	1.98	0.89555	1.9051	2.15
103	0.90795	1.6798	1.87	0.90134	1.7998	2.02
104	0.91259	1.5953	1.77	0.90694	1.6981	1.89
105	0.91709	1.5136	1.67	0.91234	1.6000	1.77
106	0.92145	1.4344	1.58	0.91754	1.5054	1.66
107	0.92566	1.3579	1.49	0.92255	1.4144	1.55
108	0.92973	1.2839	1.40	0.92737	1.3267	1.45
109	0.93367	1.2123	1.31	0.93200	1.2426	1.35
110	0.93747	1.1432	1.23	0.93644	1.1619	1.26
111	0.94114	1.0766	1.16	0.94066	1.0852	1.17
112	0.94467	1.0122	1.08	0.94461	1.0134	1.09
113	0.94808	0.9503	1.01	0.94808	0.9503	1.01
114	0.95137	0.8905	0.95	0.95137	0.8905	0.95
115	0.95455	0.8328	0.88	0.95455	0.8328	0.88
116	0.95764	0.7766	0.82	0.95764	0.7766	0.82
117	0.96077	0.7196	0.75	0.96077	0.7196	0.75
118	0.96460	0.6500	0.68	0.96460	0.6500	0.68
119	0.97358	0.4868	0.50	0.97358	0.4868	0.50

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TABLE I.F. Single-life, 6 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	x	\ddot{a}_x	e_x	x	\ddot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
0	0.03840	16.0269	71.84	0.02579	16.2370	78.77
1	0.03041	16.1601	71.59	0.01908	16.3488	78.42
2	0.03147	16.1424	70.64	0.01966	16.3391	77.46
3	0.03281	16.1200	69.68	0.02041	16.3267	76.49
4	0.03437	16.0940	68.71	0.02129	16.3120	75.52
5	0.03610	16.0653	67.73	0.02228	16.2955	74.54
6	0.03797	16.0342	66.75	0.02339	16.2770	73.56
7	0.03997	16.0008	65.77	0.02459	16.2570	72.57
8	0.04210	15.9653	64.79	0.02588	16.2354	71.59
9	0.04440	15.9270	63.80	0.02728	16.2122	70.60
10	0.04687	15.8858	62.82	0.02876	16.1875	69.61
11	0.04954	15.8414	61.82	0.03035	16.1611	68.62
12	0.05237	15.7943	60.83	0.03202	16.1332	67.63
13	0.05529	15.7455	59.85	0.03376	16.1042	66.64
14	0.05822	15.6967	58.87	0.03557	16.0741	65.65
15	0.06111	15.6487	57.91	0.03742	16.0433	64.67
16	0.06391	15.6019	56.96	0.03931	16.0119	63.70
17	0.06665	15.5563	56.02	0.04122	15.9800	62.72
18	0.06937	15.5110	55.10	0.04320	15.9470	61.76
19	0.07214	15.4649	54.18	0.04529	15.9122	60.79
20	0.07502	15.4168	53.26	0.04751	15.8753	59.82
21	0.07804	15.3666	52.34	0.04987	15.8359	58.85
22	0.08118	15.3143	51.43	0.05237	15.7942	57.88
23	0.08447	15.2595	50.51	0.05501	15.7502	56.91
24	0.08793	15.2019	49.60	0.05781	15.7036	55.93
25	0.09157	15.1412	48.68	0.06075	15.6547	54.97
26	0.09542	15.0770	47.77	0.06383	15.6033	54.00
27	0.09947	15.0095	46.85	0.06708	15.5491	53.03
28	0.10375	14.9383	45.94	0.07050	15.4921	52.06
29	0.10823	14.8636	45.02	0.07409	15.4323	51.10

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TABLE I.F. Single-life, 6 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	x	\ddot{a}_x	\dot{e}_x	x	\ddot{a}_x	\dot{e}_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
30	0.11293	14.7854	44.11	0.07787	15.3694	50.13
31	0.11783	14.7036	43.20	0.08184	15.3032	49.17
32	0.12297	14.6180	42.29	0.08600	15.2340	48.21
33	0.12834	14.5286	41.38	0.09036	15.1613	47.25
34	0.13395	14.4352	40.48	0.09495	15.0849	46.29
35	0.13980	14.3376	39.58	0.09976	15.0047	45.33
36	0.14591	14.2359	38.68	0.10482	14.9205	44.38
37	0.15228	14.1298	37.78	0.11010	14.8324	43.43
38	0.15894	14.0188	36.89	0.11565	14.7400	42.48
39	0.16594	13.9022	36.00	0.12148	14.6429	41.53
40	0.17330	13.7795	35.11	0.12760	14.5408	40.58
41	0.18105	13.6504	34.21	0.13402	14.4340	39.64
42	0.18920	13.5147	33.32	0.14073	14.3221	38.69
43	0.19773	13.3727	32.43	0.14776	14.2051	37.76
44	0.20663	13.2244	31.55	0.15507	14.0832	36.82
45	0.21588	13.0702	30.67	0.16268	13.9565	35.89
46	0.22550	12.9100	29.80	0.17058	13.8250	34.97
47	0.23547	12.7438	28.93	0.17877	13.6885	34.05
48	0.24580	12.5718	28.07	0.18726	13.5470	33.14
49	0.25648	12.3938	27.21	0.19607	13.4003	32.24
50	0.26752	12.2100	26.37	0.20518	13.2486	31.34
51	0.27889	12.0205	25.53	0.21459	13.0917	30.45
52	0.29060	11.8254	24.70	0.22433	12.9295	29.57
53	0.30262	11.6252	23.88	0.23438	12.7621	28.69
54	0.31493	11.4202	23.07	0.24475	12.5893	27.83
55	0.32750	11.2108	22.28	0.25545	12.4111	26.97
56	0.34032	10.9972	21.50	0.26648	12.2273	26.12
57	0.35339	10.7795	20.73	0.27784	12.0379	25.28
58	0.36667	10.5581	19.97	0.28953	11.8432	24.44
59	0.38015	10.3336	19.23	0.30152	11.6435	23.62

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TABLE I.F. Single-life, 6 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	x	\ddot{a}_x	e_x	x	\ddot{a}_x	e_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
60	0.39378	10.1066	18.51	0.31379	11.4391	22.81
61	0.40755	9.8771	17.80	0.32634	11.2301	22.01
62	0.42145	9.6455	17.10	0.33917	11.0163	21.23
63	0.43551	9.4113	16.42	0.35230	10.7975	20.45
64	0.44976	9.1740	15.75	0.36578	10.5731	19.68
65	0.46421	8.9332	15.10	0.37962	10.3425	18.92
66	0.47888	8.6888	14.46	0.39384	10.1056	18.18
67	0.49377	8.4408	13.83	0.40842	9.8626	17.44
68	0.50882	8.1901	13.21	0.42336	9.6138	16.71
69	0.52395	7.9379	12.61	0.43860	9.3599	15.99
70	0.53912	7.6853	12.03	0.45412	9.1014	15.29
71	0.55426	7.4330	11.46	0.46990	8.8384	14.60
72	0.56941	7.1807	10.91	0.48596	8.5709	13.92
73	0.58455	6.9284	10.37	0.50226	8.2993	13.25
74	0.59966	6.6767	9.85	0.51882	8.0234	12.60
75	0.61472	6.4258	9.35	0.53562	7.7435	11.96
76	0.62968	6.1766	8.86	0.55267	7.4596	11.34
77	0.64456	5.9288	8.39	0.56992	7.1722	10.73
78	0.65932	5.6828	7.94	0.58735	6.8817	10.13
79	0.67396	5.4389	7.50	0.60495	6.5886	9.55
80	0.68845	5.1975	7.08	0.62265	6.2936	8.98
81	0.70268	4.9604	6.67	0.64033	5.9991	8.43
82	0.71668	4.7272	6.28	0.65799	5.7050	7.90
83	0.73039	4.4988	5.91	0.67551	5.4131	7.39
84	0.74375	4.2763	5.55	0.69274	5.1261	6.90
85	0.75668	4.0609	5.22	0.70945	4.8476	6.44
86	0.76840	3.8657	4.91	0.72467	4.5941	6.03
87	0.77970	3.6773	4.63	0.73943	4.3482	5.64
88	0.79058	3.4961	4.36	0.75368	4.1107	5.27
89	0.80102	3.3222	4.10	0.76739	3.8825	4.92

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TABLE I.F. Single-life, 6 Per Cent, Showing the Present Worth of a Reversionary Interest and of an Annuity, or Life Interest, on the Basis of 1990 United States Population Mortality

x	Male			Female		
	x	\dot{a}_x	\dot{e}_x	x	\dot{a}_x	\dot{e}_x
Age nearest birthday	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life	Reversion or present value of one dollar due immediately upon death of a person of specified age	Annuity or present value of \$1.00 per annum payable annually during the life of a person of specified age	Expectation of life
①	②	③	④	⑤	⑥	⑦
90	0.81100	3.1559	3.86	0.78050	3.6640	4.59
91	0.82052	2.9973	3.64	0.79299	3.4559	4.29
92	0.82957	2.8465	3.43	0.80482	3.2588	4.00
93	0.83813	2.7039	3.23	0.81595	3.0734	3.74
94	0.84618	2.5699	3.05	0.82633	2.9005	3.50
95	0.85367	2.4451	2.88	0.83590	2.7411	3.28
96	0.86064	2.3289	2.73	0.84469	2.5946	3.08
97	0.86714	2.2206	2.58	0.85279	2.4597	2.90
98	0.87324	2.1191	2.45	0.86030	2.3347	2.73
99	0.87902	2.0227	2.33	0.86735	2.2171	2.57
100	0.88464	1.9291	2.21	0.87420	2.1031	2.43
101	0.89010	1.8382	2.09	0.88083	1.9926	2.28
102	0.89540	1.7499	1.98	0.88725	1.8857	2.15
103	0.90054	1.6643	1.87	0.89345	1.7823	2.02
104	0.90552	1.5812	1.77	0.89945	1.6824	1.89
105	0.91035	1.5008	1.67	0.90524	1.5859	1.77
106	0.91503	1.4228	1.58	0.91083	1.4929	1.66
107	0.91956	1.3474	1.49	0.91621	1.4032	1.55
108	0.92394	1.2744	1.40	0.92140	1.3168	1.45
109	0.92817	1.2039	1.31	0.92638	1.2338	1.35
110	0.93227	1.1357	1.23	0.93116	1.1542	1.26
111	0.93622	1.0698	1.16	0.93571	1.0783	1.17
112	0.94004	1.0062	1.08	0.93997	1.0074	1.09
113	0.94371	0.9450	1.01	0.94371	0.9450	1.01
114	0.94726	0.8859	0.95	0.94726	0.8859	0.95
115	0.95069	0.8287	0.88	0.95069	0.8287	0.88
116	0.95403	0.7730	0.82	0.95403	0.7730	0.82
117	0.95742	0.7167	0.75	0.95742	0.7167	0.75
118	0.96156	0.6477	0.68	0.96156	0.6477	0.68
119	0.97129	0.4856	0.50	0.97129	0.4856	0.50

TABLE II.A. Present Value of Reversions and Annuities-Certain Upon a 3½ Per Cent Basis

n	v^n	a_n
Number of years	Present worth of one dollar payable at the end of a certain number of years	Present worth of an annuity of one dollar payable at the end of each year, for a certain number of years
①	②	③
	Reversion	Annuity
1	0.966184	0.9662
2	0.933511	1.8997
3	0.901943	2.8016
4	0.871442	3.6731
5	0.841973	4.5151
6	0.813501	5.3286
7	0.785991	6.1145
8	0.759412	6.8740
9	0.733731	7.6077
10	0.708919	8.3166
11	0.684946	9.0016
12	0.661783	9.6633
13	0.639404	10.3027
14	0.617782	10.9205
15	0.596891	11.5174
16	0.576706	12.0941
17	0.557204	12.6513
18	0.538361	13.1897
19	0.520156	13.7098
20	0.502566	14.2124
21	0.485571	14.6980
22	0.469151	15.1671
23	0.453286	15.6204
24	0.437957	16.0584
25	0.423147	16.4815
26	0.408838	16.8904
27	0.395012	17.2854
28	0.381654	17.6670
29	0.368748	18.0358
30	0.356278	18.3920

MISC.

TABLE II.B. Present Value of Reversions and Annuities-Certain Upon a 4 Per Cent Basis

n	v^n	a_n
Number of years	Present worth of one dollar payable at the end of a certain number of years	Present worth of an annuity of one dollar payable at the end of each year, for a certain number of years
①	②	③
	Reversion	Annuity
1	0.961538	0.9615
2	0.924556	1.8861
3	0.888996	2.7751
4	0.854804	3.6299
5	0.821927	4.4518
6	0.790315	5.2421
7	0.759918	6.0021
8	0.730690	6.7327
9	0.702587	7.4353
10	0.675564	8.1109
11	0.649581	8.7605
12	0.624597	9.3851
13	0.600574	9.9856
14	0.577475	10.5631
15	0.555265	11.1184
16	0.533908	11.6523
17	0.513373	12.1657
18	0.493628	12.6593
19	0.474642	13.1339
20	0.456387	13.5903
21	0.438834	14.0292
22	0.421955	14.4511
23	0.405726	14.8568
24	0.390121	15.2470
25	0.375117	15.6221
26	0.360689	15.9828
27	0.346817	16.3296
28	0.333477	16.6631
29	0.320651	16.9837
30	0.308319	17.2920

MISC.

TABLE II.C. Present Value of Reversions and Annuities-Certain Upon a 4½ Per Cent Basis

n	v^n	a_n
Number of years	Present worth of one dollar payable at the end of a certain number of years	Present worth of an annuity of one dollar payable at the end of each year, for a certain number of years
①	②	③
	Reversion	Annuity
1	0.956938	0.9569
2	0.915730	1.8727
3	0.876297	2.7490
4	0.838561	3.5875
5	0.802451	4.3900
6	0.767896	5.1579
7	0.734828	5.8927
8	0.703185	6.5959
9	0.672904	7.2688
10	0.643928	7.9127
11	0.616199	8.5289
12	0.589664	9.1186
13	0.564272	9.6829
14	0.539973	10.2228
15	0.516720	10.7395
16	0.494469	11.2340
17	0.473176	11.7072
18	0.452800	12.1600
19	0.433302	12.5933
20	0.414643	13.0079
21	0.396787	13.4047
22	0.379701	13.7844
23	0.363350	14.1478
24	0.347703	14.4955
25	0.332731	14.8282
26	0.318402	15.1466
27	0.304691	15.4513
28	0.291571	15.7429
29	0.279015	16.0219
30	0.267000	16.2889

MISC.

TABLE II.D. Present Value of Reversions and Annuities-Certain Upon a 5 Per Cent Basis

n	v^n	a_n
Number of years	Present worth of one dollar payable at the end of a certain number of years	Present worth of an annuity of one dollar payable at the end of each year, for a certain number of years
①	②	③
	Reversion	Annuity
1	0.952381	0.9524
2	0.907029	1.8594
3	0.863838	2.7232
4	0.822702	3.5460
5	0.783526	4.3295
6	0.746215	5.0757
7	0.710681	5.7864
8	0.676839	6.4632
9	0.644609	7.1078
10	0.613913	7.7217
11	0.584679	8.3064
12	0.556837	8.8633
13	0.530321	9.3936
14	0.505068	9.8986
15	0.481017	10.3797
16	0.458112	10.8378
17	0.436297	11.2741
18	0.415521	11.6896
19	0.395734	12.0853
20	0.376889	12.4622
21	0.358942	12.8212
22	0.341850	13.1630
23	0.325571	13.4886
24	0.310068	13.7986
25	0.295303	14.0939
26	0.281241	14.3752
27	0.267848	14.6430
28	0.255094	14.8981
29	0.242946	15.1411
30	0.231377	15.3725

MISC.

TABLE II.E. Present Value of Reversions and Annuities-Certain Upon a 5½ Per Cent Basis

n	v^n	a_n
Number of years	Present worth of one dollar payable at the end of a certain number of years	Present worth of an annuity of one dollar payable at the end of each year, for a certain number of years
①	②	③
	Reversion	Annuity
1	0.947867	0.9479
2	0.898452	1.8463
3	0.851614	2.6979
4	0.807217	3.5052
5	0.765134	4.2703
6	0.725246	4.9955
7	0.687437	5.6830
8	0.651599	6.3346
9	0.617629	6.9522
10	0.585431	7.5376
11	0.554911	8.0925
12	0.525982	8.6185
13	0.498561	9.1171
14	0.472569	9.5896
15	0.447933	10.0376
16	0.424581	10.4622
17	0.402447	10.8646
18	0.381466	11.2461
19	0.361579	11.6077
20	0.342729	11.9504
21	0.324862	12.2752
22	0.307926	12.5832
23	0.291873	12.8750
24	0.276657	13.1517
25	0.262234	13.4139
26	0.248563	13.6625
27	0.235605	13.8981
28	0.223322	14.1214
29	0.211679	14.3331
30	0.200644	14.5337

MISC.

TABLE II.F. Present Value of Reversions and Annuities-Certain Upon a 6 Per Cent Basis

n	v^n	a_n
Number of years	Present worth of one dollar payable at the end of a certain number of years	Present worth of an annuity of one dollar payable at the end of each year, for a certain number of years
①	②	③
	Reversion	Annuity
1	0.943396	0.9434
2	0.889996	1.8334
3	0.839619	2.6730
4	0.792094	3.4651
5	0.747258	4.2124
6	0.704961	4.9173
7	0.665057	5.5824
8	0.627412	6.2098
9	0.591898	6.8017
10	0.558395	7.3601
11	0.526788	7.8869
12	0.496969	8.3838
13	0.468839	8.8527
14	0.442301	9.2950
15	0.417265	9.7122
16	0.393646	10.1059
17	0.371364	10.4773
18	0.350344	10.8276
19	0.330513	11.1581
20	0.311805	11.4699
21	0.294155	11.7641
22	0.277505	12.0416
23	0.261797	12.3034
24	0.246979	12.5504
25	0.232999	12.7834
26	0.219810	13.0032
27	0.207368	13.2105
28	0.195630	13.4062
29	0.184557	13.5907
30	0.174110	13.7648

MISC.

EXPLANATORY NOTES—TABLES I.A THROUGH I.F

The first column shows the age of the person under consideration at his or her nearest birthday.

The second column shows the present worth of one dollar payable upon death.

The third column shows the present value of an annuity of \$1.00 per year payable at the end of each year, during the lifetime of a person of the specified age, with a final payment upon death of an amount proportionate to the time elapsed between the date of the preceding payment and the date of death.

The fourth column shows the complete expectation of life, which is the average number of years of future life for persons of the specified age.

ADJUSTMENTS FOR MONTHLY PAYMENTS, ETC.

If a life interest in an estate or income from property is payable in semi-annual, quarterly, monthly or weekly installments, Tables should be used *without adjustment*.

In the case of a *life annuity* or an *annuity-certain*, if payable at the end of semi-annual, quarterly, monthly or weekly periods, the annuity value should be multiplied by the appropriate adjustment factor:

Interest rate	3.5%	4.0%	4.5%	5.0%	5.5%	6.0%
Semi-annual	1.00867	1.00990	1.01113	1.01235	1.01357	1.01478
Quarterly	1.01303	1.01488	1.01672	1.01856	1.02039	1.02223
Monthly	1.01594	1.01820	1.02046	1.02271	1.02496	1.02721
Weekly	1.01706	1.01948	1.02190	1.02432	1.02673	1.02913

EXAMPLES WITH 5% INTEREST

Example 1. A decedent's will provides that his nephew, age 40 years, is to receive the sum of \$1,000 per year for life, payable in monthly installments. What is the present value of the bequest?

Reference to column (3) of Table I.D provides the factor for valuation of a life annuity at age 40, 15.5813. The monthly adjustment factor is 1.02271. The value required is $15.5813 \times 1.02271 \times \$1,000 = \$15,935$.

Example 2. A decedent leaves to his sister, age 50, a life interest in property the value of which is \$50,000, and provides that upon the sister's death, absolute title to the property will pass to other parties. What is the value of the sister's interest, and what is the value of the remainder interest of the other parties in the estate?

A net return of 5% per annum is assumed, and on that basis the sister's income from the estate will be $.05 \times \$50,000$ or \$2,500 per year. The value of her income (whether paid annually or otherwise) will be $\$2,500 \times 14.8741$ [see column (6) Table I.D, age 50] or \$37,185.

The remainder interest of the other parties is determined from column (5) of Table I.D, taking into account the age of the person receiving the life interest. The value of \$1.00 due upon the death of the sister is \$.25637. Hence, the reversion is valued at $.25637 \times \$50,000$, or \$12,819, for those who receive the remainder interest.

NOTE. It is to be noted that the value of a life estate plus the value of the reversionary or remainder interest equals the value of the whole property. Thus, as a practical

matter, only one of the values needs to be computed, and the second can then be arrived at by simply subtracting the value computed from the value of the whole property.

Example 3. Income from property valued at \$100,000 is payable to the decedent's niece for 20 years. The income is payable whether or not the niece survives. At the end of 20 years (whether or not the niece is then living) the property is to pass to the decedent's younger brother (or to the younger brother's estate if he is not then living).

Income at 5% on \$100,000 will be \$5,000 per year. Present worth of \$1.00 per year for 20 years, according to column (3) of Table II.D, is \$12.4622. The niece's interest, therefore, is $\$12.4622 \times \$5,000$ or \$62,311.

Present worth of \$1.00 due at the end of 20 years, from column (2) is \$.376889. The brother's interest is valued at $\$.376889 \times 100,000$ or \$37,689.

NOTE. It is to be noted that the value of a term estate plus the value of the reversionary or remainder interest equals the value of the whole property. Thus, as a practical matter, only one of the values needs to be computed, and the second can then be arrived at by simple subtracting the value computed from the value of the whole property.

Example 4. The decedent provides that a beneficiary is to receive \$100 per month for a fixed period of 10 years, and at the end of that period a final payment in the amount of \$10,000. What is the value of the bequest?

\$1.00 per year payable annually for 10 years is worth \$7.7217 [column (3), Table II.D]. For adjustment to a monthly basis, the correcting factor is 1.02271. The payments amount to \$1,200 per year and the value of the income is, thus, $\$7.7217 \times 1.02271 \times 1,200 = \$9,476$.

The value of \$10,000 due at the end of 10 years is \$.613913 $\times 10,000 = \$6,139$; the total value of the bequest is $\$9,476 + \$6,139 = \$15,615$.

**WSR 97-20-006
NOTICE OF PUBLIC MEETINGS
COMMUNITY COLLEGES
OF SPOKANE**

[Memorandum—September 15, 1997]

The September 23, 1997, regular meeting of the board of trustees of Community Colleges of Spokane (Washington State Community College District #17) has been canceled.

**WSR 97-20-007
NOTICE OF PUBLIC MEETINGS
WALLA WALLA
COMMUNITY COLLEGE**

[Memorandum—September 15, 1997]

The following changes are made to Walla Walla Community College's September board of trustees meeting schedule:

Changed from: September 17, 1997, 10:30 a.m., WWCC Main Campus

MISC.

Changed to: September 23, 1997, 10:00 a.m., WWCC Main Campus

WSR 97-20-008
NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE
 [Memorandum—September 12, 1997]

At their September 11, 1997, meeting, the board of trustees of Community College District 24 changed the date of their October meeting from Thursday, October 9 to Tuesday, October 7, 1997, and the date of their November meeting from Thursday, November 13, to Monday, November 17, 1997, to be held in the Boardroom of Building 25 on our campus.

WSR 97-20-016
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION
 (State Capitol Committee)
 [Memorandum—September 18, 1997]

Please record the following State Capitol Committee meeting date in the Washington State Register: Wednesday, October 15, 1997.

The meeting is being held in the Legislative Building, Governor's Conference Room, from 2:00 p.m. to 3:30 p.m.

WSR 97-20-017
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
GENERAL ADMINISTRATION
 (Capitol Campus Design Advisory Committee)
 [Memorandum—September 18, 1997]

Please record the following Capitol Campus Design Advisory Committee rescheduled meeting date in the Washington State Register: Friday, October 17, 1997.

The meeting will begin at 9:30 a.m. in the General Administration Building, Room 207.

Also, the September 25, 1997, Capitol Campus Design Advisory Committee meeting has been cancelled.

WSR 97-20-018
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY
 [Memorandum—September 19, 1997]

On June 25, we notified you that the Eastern Washington University board of trustees, at its June 24 meeting, approved a change to the current board meeting schedule. The change included moving the remainder of the 1997 board meetings to the Cheney campus, in the Pence Union Building, Room 263-67, effective with the July meeting. However,

the October 24 board meeting will remain in Spokane, as the Cheney campus location is unavailable on that date.

EASTERN WASHINGTON UNIVERSITY
 BOARD OF TRUSTEES

REVISED

1997 Meeting Schedule

- Friday, January 24, 9:00 a.m., Pence Union Building, Banquet Room 265
- Friday, February 28, 9:00 a.m., Spokane Center, Second Floor Mall
- Friday, April 4, 9:00 a.m., Pence Union Building, Banquet Room 265
- Friday, May 23, 9:00 a.m., Spokane Center, Second Floor Mall
- Tuesday, June 24, 9:00 a.m., Spokane Center, Second Floor Mall*

-
- Friday, July 25, 9:00 a.m., Pence Union Building, Banquet Room 265**
 - Friday, September 26, 9:00 a.m., Pence Union Building, Banquet Room 265**
 - Friday, October 24, 9:00 a.m., Spokane Center, Second Floor Mall***
 - Friday, December 5, 9:00 a.m., Pence Union Building, Banquet Room 265**

Board meetings are the fourth Friday of the month, with the exception of the combination of the March/April meeting and the November/December meeting; no meeting in August.

**Location change approved by board of trustees at the June 24, 1997, meeting (Motion #97-06-07).

***Location changed back to Spokane — PUB is unavailable for the October meeting.

WSR 97-20-023
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY
 [Memorandum—September 19, 1997]

Eastern Washington University
BOARD OF TRUSTEES
 September 26, 1997, 9:00 a.m.
 Cheney Campus
 Pence Union Building
 Room 263-65

Breakfast, which is open to the public, will be served to board members prior to the meeting at 8:00 a.m. in the PUB board room.

Please Note: Hearing on the athletic review will be held from 1:00 to 3:00 p.m. at the Pence Union Building, Room 263-65 (same room as the board meeting room).

Eastern Washington University strives to satisfy all requests for special access needs for persons with disabilities. Requests for such accommodation are welcome and may be made by calling President's Office (509) 359-2371.

MISC.

WSR 97-20-024
NOTICE OF PUBLIC MEETINGS
PIERCE COLLEGE
 [Memorandum—September 17, 1997]

The board of trustees of Community College District Number Eleven (Pierce College) would like to announce a special board meeting:

Meeting Date/Location	Time
Monday, October 6, 1997 The Tacoma Club 1201 Pacific Avenue #1601 Tacoma, WA 98402	5:00 p.m.

WSR 97-20-025
RULES REVIEW PLAN
UNIVERSITY OF WASHINGTON
 [Filed September 22, 1997, 1:34 p.m.]

Reviser's note: The following Rules Review Plan has been electronically generated directly from the agency and has not been through the usual editing and proofing processes.

University of Washington
Rule Review Plan
(Per EO 97-02)

1. Overview

The University of Washington's rules (Title 478 WAC) exist, in general, to codify the policies and procedures pertaining to the University of Washington's academic programs and services, the use of the University of Washington's facilities and grounds, and the conduct of its students and employees. More specifically, the University's rules are not considered significant legislative rules (per RCW 34.05.328) and do not have a significant effect on the state's businesses, labor, consumers, and environment. Additionally, the University of Washington has not been subject to any recent petition for the review of its rules (none during the past five years) which might indicate difficulty concerning its existing rules.

Moreover, during the past three years, the University's usual mode of rules review has resulted in 65% of all rule sections in Title 478 WAC having either received a review (with any subsequent rule making necessary) or are being reviewed at this time. Consequently, the University of Washington Rule Review Plan seeks to review those rules which:

- 1) Have not been reviewed during the past three years; or
- 2) Are not currently under review as part of rule-making activities.

This plan will review the other 35% of rule sections in Title 478 WAC regardless of the rule's subject matter. The University will begin this review with those rules which have gone the longest without rule-making activity. In this way, all of the University's rules will have undergone rule making (between the years 1994

through 2000) or have been reviewed upon completion of this plan on October 15, 2000.

2. Public Participation — Who Are the Principal Stakeholders and How Will They Participate in the Review Process?

The University's principal constituents or stakeholders are its students, employees (both faculty and staff), and the general public. At the beginning of each scheduled review of rules, these stakeholders will be notified of the rules review process by notices in *The Daily* and *University Week* campus newspapers, similar to notices mandated by RCW 34.05.320(4) for the rule-making process. These notices will announce the rules to be reviewed and the process by which the University community will be encouraged to participate. In addition, notices will also be provided to any person who has requested notification of agency rule making per RCW 34.05.320(3).

3. What Are the Procedures, Methods and Milestones Used to Meet the Review Criteria?

The University of Washington rules noted on the attached table (titled University of Washington Rule Review Plan — Schedule) will be reviewed by the University office responsible for the promulgation of the rule's subject matter, including the provost or vice president delegated by the President to act in such matters. The content of each rule noted on the attached schedule will also be reviewed by any pertinent University committee or board for that subject matter, which may include members of the faculty, staff, student body and the public. The offices of the University's vice presidents and provost and the pertinent University committees and boards will consult with the Attorney General and the University's rules coordinator as necessary during the review process. Additionally, all public comment generated by the notification of rules review in campus newspapers will be incorporated into the review process by the offices of the University's vice presidents and provost and the pertinent University committees and boards. These entities may also seek further public participation as necessary to complete the goals of their particular rule review. Finally, if the rule review results in rule making as required by chapter 34.05 RCW, the University's stakeholders will be included in that process as per statute.

In accordance with Executive Order 97-02, the criteria for the review of rules will include: need, effectiveness and efficiency, clarity, intent and statutory authority, coordination, cost, and fairness.

Milestones to be reported to the Office of the Governor (beginning with the October 15, 1997 report) will include summaries of all completed reviews and any subsequent rule making associated with that review.

4. How Will Policy and Interpretive Statements Be Included in This Review?

In 1996, the University of Washington consulted with the Attorney General in reviewing its policy and interpretive statements and similar documents. This year,

following the Attorney General review, the University administration is implementing a new set of procedures to comply with the review's results and the filing requirements of RCW 34.05.230(12). This revised process for identifying and reviewing all University policy and interpretive statements will be in place by year end (see item on the attached schedule).

Starting in 1998, the University's rules coordinator will provide the appropriate University personnel with annual reminders concerning the University's procedures for identifying, reviewing, and filing summaries of its policy and interpretive statements with the state. Subsequent reviews of University policy and interpretive statements will occur every other year thereafter (see item on the attached schedule) beginning in 1999.

5. How Will Rules Be Reviewed Following This Initial Review Period?

After completion of the review of rules noted in the attached schedule by October 15, 2000, the University of Washington will create an ongoing schedule of rules to be reviewed annually. This annual review will include all rules that have:

- 1) Not been the subject of rule making during the past ten years; or
- 2) Not been the subject of a rules review during the same ten-year period.

Moreover, University rules will continue to be reviewed by the criteria noted in Executive Order 97-02 or any subsequent criteria developed by legislation or executive order for this purpose.

6. What is the Schedule for the Review of the University of Washington's Rules and Policy and Interpretive Statements?

The attached table contains the University's schedule of review for rules and policy and interpretive statements through October 15, 2000.

University of Washington Rule Review Plan — Schedule
(Per EO 97-02)

Agency Name	WAC Chapters or Document	Section Numbers or Other Unique Identifier	Chapter Title	Document Type	Statutory Authority	Estimated Review Completion Date	Business Report Required
University of Washington	UW policy/interpretive statements	N/A	N/A	I/O	RCW 28B.20.130	Dec-97	N
University of Washington	478-132 WAC	478-132-010 to 478-132-030	Academic Calendar for the University of Washington	R	RCW 28B.20.130	Jan-98	N
University of Washington	478-210 WAC	478-210-010 to 478-210-020	Thomas Burke Memorial Washington State Museum	R	RCW 27.40.034	May-98	N
University of Washington	478-324 WAC	478-324-010 to 478-324-230	Rules and Regulations for the University of Washington Implementation of the State Environmental Policy Act	R	RCW 43.21C.120	Sep-98	N
University of Washington	478-108 WAC	478-108-010 to 478-108-140	Practice and Procedure	R	Chapter 34.05 RCW	Jan-99	N
University of Washington	478-124 WAC	478-124-010 to 478-124-100	General Conduct Code for the University of Washington	R	RCW 28B.10.900 through 28B.10.903 RCW 28B.20.130 RCW 69.41.030	May-99	N
University of Washington	478-04 WAC	478-04-010 to 478-04-030	Organization	R	RCW 28B.20.130 Chapter 34.05 RCW	Sep-99	N
University of Washington	UW policy/interpretive statements	N/A	N/A	I/O	RCW 28B.20.130	Dec-99	N
University of Washington	478-160 WAC	478-160-005 to 478-160-320	Admission and Registration Procedures for the University of Washington	R	RCW 28B.20.130 Chapter 34.05 RCW	Jan-00	N
University of Washington	478-138 WAC	478-138-010 to 478-138-060	Use of University Stadium Boat Moorage Facilities	R	RCW 28B.20.130	May-00	N
University of Washington	478-355 WAC	478-355-010 to 478-355-060	Small Works Roster	R	RCW 28B.10.355 RCW 28B.20.130	Sep-00	N

WSR 97-20-029
NOTICE OF PUBLIC MEETINGS
STATE BOARD FOR
COMMUNITY AND TECHNICAL COLLEGES
[Memorandum—September 23, 1997]

The state board has agreed upon the following dates and locations for 1998:

- January 21-22 State board office in Olympia
- March 4-5 South Puget Sound Community College
- April 22-23 Centralia College
- May 21 Board meeting by teleconference (if necessary)
- June 17-18 Yakima Valley College
- August 11, 12, 13 State board retreat in Leavenworth
- September 9-10 Bellevue Community College
- October 28-29 Columbia Basin College in Pasco
- December 2-3 Clover Park Technical College in Tacoma

WSR 97-20-031
NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
[Filed September 23, 1997, 1:21 p.m.]

NOTICE OF APPEAL
(RCW 34.205.330(3) [34.05.330(3)])

On September 15, 1997, the governor received an appeal pursuant to RCW 34.05.330(3) of the August 15, 1997, denial by the Washington State Gambling Commission of that certain PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE, dated May 22, 1997, filed by Mr. Dennis Zaborac of TotemTab Service, seeking amendment of WAC 230-30-106.

The governor shall issue his response on or before October 30, 1997.

Dated as of the 23rd day of September, 1997.

Everett H. Billingslea
General Counsel to the Governor

MISC.

WSR 97-20-032
NOTICE OF PUBLIC MEETINGS
OFFICE OF THE GOVERNOR
 (Clemency and Pardons Board)
 [Memorandum—September 23, 1997]

The December 5, 1997 meeting of the Clemency and Pardons Board has been changed to December 12, 1997. The meeting time remains the same at 10:00 a.m. in Senate Hearing Room 4, in the John A. Cherberg Building, Olympia, Washington.

WSR 97-20-033
POLICY AND INTERPRETIVE STATEMENTS
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Filed September 23, 1997, 2:05 p.m.]

Following is the list of Policy and Interpretive Statements issued during the months of July to August 1997.

POLICY AND INTERPRETIVE STATEMENT

Consultation and Compliance

WISHA Interim Operations Memorandum #97-7-A, "Orders of Immediate Restraint," provides clarification and guides WISHA staff in the appropriate use of orders of immediate restraint (and red tags).

Contact: Teri Neely
 Mailstop 4648
 (360) 902-5503

Michael Silverstein
 Assistant Director

WISHA Interim Operations Memorandum #97-7-B, "Handling WISHA Complaints by L&I Employees," provides a specific complaint handling process to address the unique situation presented by such complaints.

Contact: Teri Neely
 Mailstop 4648
 (360) 902-5503

Michael Silverstein
 Assistant Director

WISHA Interim Operations Memorandum #97-7-C, "Processing Requests for Variances," identifies basic responsibilities regarding variance requests.

Contact: Teri Neely
 Mailstop 4648
 (360) 902-5503

Michael Silverstein
 Assistant Director

WISHA Interim Operations Memorandum #97-7-D, "Coding the WISHA-1 Inspection Report Form (IMIS Compliance Instruction 97-1)," updates previous guidance to L&I WISHA staff regarding use of various inspection codes.

Contact: Teri Neely
 Mailstop 4648
 (360) 902-5503

Michael Silverstein
 Assistant Director

WISHA Interim Operations Memorandum #97-7-E, "Respiration Selection Specifications for Firefighters," clarifies that air-line respirators can be used in situations not involving structural firefighting.

Contact: Teri Neely
 Mailstop 4648
 (360) 902-5503

Michael Silverstein
 Assistant Director

WISHA Interim Operations Memorandum #97-7-F, "Identities of Witnesses and Interviewed Employees," provides guidance to WISHA staff in applying various statutes to the issue of employee interviews and statements pursuant to a WISHA inspection.

Contact: Teri Neely
 Mailstop 4648
 (360) 902-5503

Michael Silverstein
 Assistant Director

WISHA Interim Operations Memorandum #97-7-G, "Mechanical Removal of Asbestos-Containing Floor Tile," provides guidance to WISHA consultation and compliance staff regarding the appropriate application of the negative pressure enclosure requirements to operations that are essentially comparable to manual removal.

Contact: Teri Neely
 Mailstop 4648
 (360) 902-5503

Michael Silverstein
 Assistant Director

WISHA Interim Operations Memorandum #97-7-H, "Definition of Agriculture for WISHA Purposes," provides guidance to WISHA staff in the appropriate scope of the agricultural standard in light of recent legislation action.

Contact: Teri Neely
 Mailstop 4648
 (360) 902-5503

Michael Silverstein
 Assistant Director

Insurance Services

Time Loss Compensation #2.60, "Adjudicating the Finality of Time-Loss Compensation Orders," provides guidance to claim management staff when determining the finality of time-loss compensation orders.

Contact: Linda Norris
 Mailstop 4311
 (360) 902-5003

Doug Connell
 Assistant Director

Pension Benefits #15.60, "Pension Benefits and Time-Loss Compensation Rate," provides guidance to pension adjudication staff in determining the time-loss compensation rate when calculating pension benefits.

Contact: Linda Norris
 Mailstop 4311
 (360) 902-5003

MISC.

Doug Connell
Assistant Director

Ministerial Orders #17.91, "Issuing Ministerial Orders," provides guidance to claim management staff when issuing ministerial orders in response to orders from the Board of Industrial Insurance Appeals and the courts.

Contact: Linda Norris
Mailstop 4311
(360) 902-5003

Doug Connell
Assistant Director

Neuromuscular Electrical Stimulation Devices #40.04, "Authorizing Neuromuscular Electrical Stimulation Devices," provides guidance to the insurer when considering authorization of neuromuscular electrical stimulation devices (NMES).

Contact: Linda Norris
Mailstop 4311
(360) 902-5003

Doug Connell
Assistant Director

Employer Representation #60.02, "Authorizing Employer Representative Access to Department Information," provides guidance to department staff whenever an employer authorizes access to department information.

Contact: Linda Norris
Mailstop 4311
(360) 902-5003

Doug Connell
Assistant Director

Sole Proprietors #61.10, "Determining Industrial Insurance Coverage for Sole Proprietors," provides guidance to employer services staff when determining industrial insurance coverage for sole proprietors.

Contact: Linda Norris
Mailstop 4311
(360) 902-5003

Doug Connell
Assistant Director

Partners #61.11, "Determining Industrial Insurance Coverage for Partners," provides guidance to employer services staff when determining industrial insurance coverage for partners.

Contact: Linda Norris
Mailstop 4311
(360) 902-5003

Doug Connell
Assistant Director

Ownership Changes #63.02, "Setting Effective Date for Ownership Changes-Experience Rating," provides guidance to employer services staff for applying the experience factor resulting from ownership changes.

Contact: Linda Norris
Mailstop 4311
(360) 902-5003

Doug Connell
Assistant Director

WSR 97-20-044
INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF
FINANCIAL INSTITUTIONS

[Filed September 24, 1997, 9:41 a.m.]

Subjects: (1) Securities Act Policy Statement - 20; Internet Advertising by Broker-Dealers, Investment Advisers and Their Representatives (new).

To receive a copy of any of the interpretive and policy statements contact Sara Moriarty, Department of Financial Institutions, Securities Division, P.O. Box 9033, Olympia, WA 98507-9033, phone (360) 902-8760, FAX (360) 586-5068, e-mail smoriarty@dfi.wa.gov; or go to the Securities Division's web site at <http://www.wa.gov/dfi/securities/statutes.html>.

Deborah R. Bortner
Securities Administrator

WSR 97-20-045
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON

[Memorandum—September 22, 1997]

In accordance with RCW 42.30.075, the University of Washington is providing the following meeting schedule(s) for governing bodies of schools, colleges, departments and programs at the university that maintain regular meeting schedules at the UW Public Records Office.

October 1997 - December 1997
Women Studies Faculty

Meeting Dates	Location	Time
October 1	Padelford B110G	3:30 - 5
October 15	Padelford B110G	3:30 - 5
October 29	Padelford B110G	3:30 - 5
November 12	Padelford B110G	3:30 - 5
December 3	Padelford B110G	3:30 - 5

WSR 97-20-055
NOTICE OF PUBLIC MEETINGS
LOTTERY COMMISSION

[Memorandum—September 24, 1997]

WASHINGTON STATE LOTTERY COMMISSION
1998 COMMISSION MEETING SCHEDULE

Type	Date	Location
Regular	January 16	Olympia
Regular	March 20	Seattle
Regular	May 15	Seattle
Regular	July 17	Seattle
Regular	September 18	Spokane
Regular	November 20	Seattle

Adopted by the Washington State Lottery Commission
September 12, 1997.

MISC.

WSR 97-20-074
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON
 [Memorandum—September 24, 1997]

In accordance with RCW 42.30.075, the University of Washington is providing the following meeting schedule(s) for governing bodies of schools, colleges, departments and programs at the university that maintain regular meeting schedules at the UW Public Records Office.

JANUARY THROUGH DECEMBER 1997

GPSS Executive Committee
 Tina Kotek, President

Meeting Date	Location	Time
October 15, 1997	HUB 204M (BOC room)	9:00 a.m. to 11:00 a.m.

WSR 97-20-075
NOTICE OF PUBLIC MEETINGS
BATES TECHNICAL COLLEGE
 [Memorandum—September 23, 1997]

The board of trustees for Bates Technical College will be changing its regular meeting date from October 15, 1997, to October 22, 1997.

All meetings of the board are held at Bates Technical College, 1101 South Yakima Avenue, Tacoma, WA 98405, in the Clyde Hupp Board Room and commence at 3:00 p.m.

WSR 97-20-076
NOTICE OF PUBLIC MEETINGS
COMMUNITY ECONOMIC REVITALIZATION BOARD
 [Memorandum—September 25, 1997]

COMMUNITY ECONOMIC REVITALIZATION BOARD MEETING
 CHANGE OF LOCATION

Date Affected: November 20, 1997, 9:00 a.m.

NEW LOCATION: Wyndham Garden Hotel, SeaTac, Washington

WSR 97-20-082
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE CENTER
 [Memorandum—September 25, 1997]

The Washington State Convention and Trade Center's Design Committee will meet on Wednesday, October 1, 1997, from 10:00 a.m. - 12 noon at LMN Architects, Norton Building, 801 Second Avenue, Floor 3 Conference Room, Seattle.

If you have any questions regarding this meeting, please call 694-5000.

WSR 97-20-083
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
 [Memorandum—September 24, 1997]

The Seattle Community College District board of trustees will begin their regular meeting on October 7, 1997, with a work session, at 4:00 p.m., in the president's office. The regular meeting will begin at 6:00 p.m., in the president's board room.

The meeting will be held at North Seattle Community College, 9600 College Way North, Seattle, WA 98103.

WSR 97-20-087
NOTICE OF PUBLIC MEETINGS
PUBLIC EMPLOYEES BENEFITS BOARD
 [Memorandum—September 23, 1997]

We have polled all members of the Public Employees Benefits Board (PEBB) concerning agenda items of interest for the planning session on October 13 and there were no items identified. Recognizing the demanding schedules all members of the board face, we believe it is prudent to cancel the October 13 planning session.

The Health Care Authority has several items that we believe are worthwhile for board discussion; however, we are confident that time can be allotted during future regular board meetings to provide this dialogue.

We continue to believe that we get valuable information from the board members when involving them in strategic discussions. We will continue to provide these opportunities for us to work together on strategic issues either during regular meetings or other scheduled events over the coming year.

The next regularly scheduled board meeting will be held at 1:00 p.m. on November 4 at the Attorney General Conference Center in Lacey. If you have any questions, please feel free to contact me or Judy Lamm, Executive Assistant, at (360) 923-2828.

WSR 97-20-096
NOTICE OF PUBLIC MEETINGS
STATE BOARD FOR COMMUNITY AND TECHNICAL COLLEGES
 [Memorandum—September 26, 1997]

Revised Meeting Schedule for 1998

Following is the revised 1998 meeting schedule for the State Board for Community and Technical Colleges. The dates for the August board retreat in Leavenworth were not correct on the initial filing.

RESOLUTION 97-09-39

January 21-22	State board office in Olympia
March 4-5	South Puget Sound Community College
April 22-23	Centralia College
May 21	Board meeting by teleconference (if necessary)
June 17-18	Yakima Valley College

***August 9, 10, 11** State board retreat in Leavenworth
 September 9-10 Bellevue Community College
 October 28-29 Columbia Basin College in Pasco
 December 2-3 Clover Park Technical College
 in Tacoma

***Corrected dates.**

WSR 97-20-097
 NOTICE OF PUBLIC MEETINGS
TRAFFIC SAFETY COMMISSION
 [Memorandum—September 25, 1997]

QUARTERLY COMMISSION MEETING

The Washington Traffic Safety Commission meeting scheduled for Thursday, October 23 in Olympia has been rescheduled to Tuesday, October 28 in Yakima at the Yakima Indian Cultural Center at 1:30 p.m.

WSR 97-20-105
 NOTICE OF PUBLIC MEETINGS
PUBLIC DISCLOSURE COMMISSION
 [Memorandum—September 30, 1997]

The Public Disclosure Commission has changed the location of its regular meeting scheduled for Tuesday, October 28, 1997. The meeting will be held in Senate Hearing Room 2, John Cherberg Building, Capitol Campus, Olympia, Washington.

WSR 97-20-106
 RULES COORDINATOR
SKAGIT VALLEY COLLEGE
 [Filed September 30, 1997, 9:26 a.m.]

Skagit Valley College has recently named Dianna L. Larsen as the person to receive information regarding the WAC/RCW updates and changes, instructions on submission procedures and so forth.

Dianna L. Larsen
 Director of Admissions
 Registration and Registrar

WSR 97-20-115
 NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF HEALTH
 (Board of Hearing and Speech)
 [Memorandum—September 29, 1997]

The Board of Hearing and Speech has scheduled a telephone conference meeting for Monday, October 6, 1997, at 8 a.m. Currently the rest of the public board meetings for 1997 will remain the same.

WSR 97-20-122
 INTERPRETIVE OR POLICY STATEMENT
DEPARTMENT OF ECOLOGY
 [Filed October 1, 1997, 9:42 a.m.]

Purpose: In order to comply with RCW 34.05.230(4) of the Administrative Procedure Act, the Department of Ecology submits the following: Public Participation Grant Guidelines.

Document Title: Public Participation Grant Guidelines 1998-1999 by the Solid Waste and Financial Assistance Program of the Department of Ecology.

Subject: Guidance for public participation grants.

Document Description: These guidelines detail the funding allocations, eligibility requirements, application process and performance monitoring for ecology's public participation grants program, which helps local governments with their waste management responsibilities.

Effective Date: October 1997.

To receive a copy of guidelines contact Kathy Seel, Department of Ecology, Solid Waste and Financial Assistance Program, P.O. Box 47600, Olympia, WA 98504-7600, phone (360) 407-6061, FAX (360) 407-7157, TDD (360) 407-6006.

September 30, 1997
 James Pendowski, Program Manager
 Solid Waste and Financial Assistance

WSR 97-20-137
 NOTICE OF PUBLIC MEETINGS
NOXIOUS WEED CONTROL BOARD
 [Memorandum—September 30, 1997]

The Washington State Noxious Weed Control Board will be holding a special two-day meeting for strategic planning and regular business. The meeting will be:

November 17, 1997
 1:00 p.m. - 5:00 p.m.
 November 18, 1997
 8:30 a.m. - 5:00 p.m.
 Grant County PUD Auditorium
 312 West Third Avenue
 Moses Lake, WA

The public is welcome to attend all meetings. Contact Lisa Lantz, Executive Secretary, Washington State Noxious Weed Control Board, (253) 872-2972, if you have any questions.

WSR 97-20-147
 NOTICE OF APPEAL
OFFICE OF THE GOVERNOR
 [Filed October 1, 1997, 11:05 a.m.]

NOTICE OF APPEAL
 (RCW 34.05.330(3))

On September 29, 1997, the governor received an appeal pursuant to RCW 34.05.330(3) of the September 19, 1997, denial by the Washington State Department of Transportation of that certain petition for adoption, amendment, or repeal of a state administrative rule, dated July 24, 1997.

MISC.

Table of WAC Sections Affected

KEY TO TABLE

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.

Symbols:

- AMD = Amendment of existing section
- A/R = Amending and recodifying a section
- DECOD = Decodification of an existing section
- NEW = New section not previously codified
- OBJEC = Notice of objection by Joint Administrative Rules Review Committee
- PREP = Preproposal comments
- RE-AD = Readoption of existing section
- RECOD = Recodification of previously codified section
- REP = Repeal of existing section
- RESCIND = Rescind previous emergency rule
- REVIEW = Review of previously adopted rule

Suffixes:

- C = Continuance of previous proposal
 - E = Emergency action
 - P = Proposed action
 - S = Supplemental notice
 - W = Withdrawal of proposed action
 - XA = Expedited adoption
 - XR = Expedited repeal
- Note: These filings will appear in a special section of Issue 97-21
- No suffix means permanent action

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 identify the document within the issue.

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
1-21-010	AMD-P	97-12-068	16-101-800	NEW-P	97-15-115	16-324-375	AMD	97-11-028
1-21-010	AMD	97-15-035	16-101-800	NEW	97-19-045	16-324-380	REP-P	97-07-075
1-21-020	AMD-P	97-12-068	16-105-001	PREP-X	97-14-074	16-324-380	REP	97-11-028
1-21-020	AMD	97-15-035	16-105-001	REP	97-18-041	16-324-381	NEW-P	97-07-075
1-21-070	AMD-P	97-12-068	16-105-010	PREP-X	97-14-074	16-324-381	NEW	97-11-028
1-21-070	AMD	97-15-035	16-105-010	REP	97-18-041	16-324-382	NEW-P	97-07-075
1-21-170	AMD-P	97-12-068	16-105-020	PREP-X	97-14-074	16-324-382	NEW	97-11-028
1-21-170	AMD	97-15-035	16-105-020	REP	97-18-041	16-324-390	REP-P	97-07-075
1-21-180	AMD-P	97-12-068	16-105-030	PREP-X	97-14-074	16-324-390	REP	97-11-028
1-21-180	AMD	97-15-035	16-105-030	REP	97-18-041	16-324-391	NEW-P	97-07-075
6-08-031	AMD-P	97-08-086	16-156	PREP	97-16-066	16-324-391	NEW	97-11-028
16-08-031	AMD	97-14-050	16-156-060	AMD-P	97-20-077	16-324-392	NEW-P	97-07-075
16-08-141	AMD-P	97-08-086	16-158	PREP	97-15-028	16-324-392	NEW	97-11-028
16-08-141	AMD	97-14-050	16-162	PREP	97-04-065	16-324-393	NEW-P	97-07-075
16-08-171	AMD-P	97-08-086	16-162-010	AMD-P	97-20-078	16-324-393	NEW	97-11-028
16-08-171	AMD	97-14-050	16-162-025	AMD-P	97-20-078	16-324-394	NEW-P	97-07-075
16-34-001	PREP-X	97-14-048	16-162-030	AMD-P	97-20-078	16-324-394	NEW	97-11-028
16-34-001	REP	97-18-042	16-162-031	REP-P	97-20-078	16-324-395	NEW-P	97-07-075
16-34-010	PREP-X	97-14-048	16-162-032	REP-P	97-20-078	16-324-395	NEW	97-11-028
16-34-010	REP	97-18-042	16-162-033	REP-P	97-20-078	16-324-396	NEW-P	97-07-075
16-34-020	PREP-X	97-14-048	16-162-034	NEW-P	97-20-078	16-324-396	NEW	97-11-028
16-34-020	REP	97-18-042	16-162-036	NEW-P	97-20-078	16-324-397	NEW-P	97-07-075
16-34-030	PREP-X	97-14-048	16-162-037	NEW-P	97-20-078	16-324-397	NEW	97-11-028
16-34-030	REP	97-18-042	16-162-040	NEW-P	97-20-078	16-324-398	NEW-P	97-07-075
16-34-040	PREP-X	97-14-048	16-162-045	NEW-P	97-20-078	16-324-398	NEW	97-11-028
16-34-040	REP	97-18-042	16-162-050	AMD-P	97-20-078	16-324-400	REP-P	97-07-075
16-46-001	PREP-X	97-14-048	16-162-070	AMD-P	97-20-078	16-324-400	REP	97-11-028
16-46-001	REP	97-18-042	16-162-100	AMD-P	97-20-078	16-324-401	NEW-P	97-07-075
16-46-005	PREP-X	97-14-048	16-164	PREP	97-15-029	16-324-401	NEW	97-11-028
16-46-005	REP	97-18-042	16-168	PREP	97-16-009	16-324-402	NEW-P	97-07-075
16-46-020	PREP-X	97-14-048	16-218-02001	AMD	97-05-003	16-324-402	NEW	97-11-028
16-46-020	REP	97-18-042	16-230-835	AMD-P	97-02-094	16-324-409	NEW-P	97-07-075
16-46-030	PREP-X	97-14-048	16-230-835	AMD-W	97-06-003	16-324-409	NEW	97-11-028
16-46-030	REP	97-18-042	16-230-862	AMD-P	97-02-094	16-324-410	REP-P	97-07-075
16-46-035	PREP-X	97-14-048	16-230-862	AMD-W	97-06-003	16-324-410	REP	97-11-028
16-46-035	REP	97-18-042	16-316-474	AMD-P	97-11-050	16-324-420	AMD-P	97-07-075
16-46-040	PREP-X	97-14-048	16-316-474	AMD	97-16-026	16-324-420	AMD	97-11-028
16-46-040	REP	97-18-042	16-316-715	AMD-P	97-11-050	16-324-430	REP-P	97-07-075
16-46-045	PREP-X	97-14-048	16-316-715	AMD	97-16-026	16-324-430	REP	97-11-028
16-46-045	REP	97-18-042	16-316-724	AMD-P	97-11-050	16-324-431	NEW-P	97-07-075
16-46-070	PREP-X	97-14-048	16-316-724	AMD	97-16-026	16-324-431	NEW	97-11-028
16-46-070	REP	97-18-042	16-324-360	REP-P	97-07-075	16-324-435	REP-P	97-07-075
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16-50-001	REP	97-18-042	16-324-361	NEW-P	97-07-075	16-324-445	REP-P	97-07-075
16-50-010	PREP-X	97-14-048	16-324-361	NEW	97-11-028	16-324-445	REP	97-11-028
16-50-010	REP	97-18-042	16-324-370	AMD-P	97-07-075	16-324-446	NEW-P	97-07-075
16-50-020	PREP-X	97-14-048	16-324-370	AMD	97-11-028	16-324-446	NEW	97-11-028
16-50-020	REP	97-18-042	16-324-375	AMD-P	97-07-075	16-324-450	REP-P	97-07-075

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
16-324-450	REP	97-11-028	16-536-040	AMD-P	97-11-085	16-666-030	PREP-X	97-14-049
16-324-460	REP-P	97-07-075	16-536-040	AMD-C	97-15-151	16-666-030	REP	97-18-040
16-324-460	REP	97-11-028	16-573	NEW-C	97-17-063	16-666-040	PREP-X	97-14-049
16-324-470	REP-P	97-07-075	16-573-010	NEW-P	97-11-084	16-666-040	REP	97-18-040
16-324-470	REP	97-11-028	16-573-010	NEW-C	97-19-002	16-666-050	PREP-X	97-14-049
16-324-480	REP-P	97-07-075	16-573-020	NEW-P	97-11-084	16-666-050	REP	97-18-040
16-324-480	REP	97-11-028	16-573-020	NEW-C	97-19-002	16-666-060	PREP-X	97-14-049
16-324-490	REP-P	97-07-075	16-573-030	NEW-P	97-11-084	16-666-060	REP	97-18-040
16-324-490	REP	97-11-028	16-573-030	NEW-C	97-19-002	16-666-070	PREP-X	97-14-049
16-324-500	REP-P	97-07-075	16-573-040	NEW-P	97-11-084	16-666-070	REP	97-18-040
16-324-500	REP	97-11-028	16-573-040	NEW-C	97-19-002	16-666-080	PREP-X	97-14-049
16-324-510	REP-P	97-07-075	16-573-041	NEW-P	97-11-084	16-666-080	REP	97-18-040
16-324-510	REP	97-11-028	16-573-041	NEW-C	97-19-002	16-666-090	PREP-X	97-14-049
16-324-520	REP-P	97-07-075	16-573-050	NEW-P	97-11-084	16-666-090	REP	97-18-040
16-324-520	REP	97-11-028	16-573-050	NEW-C	97-19-002	16-666-100	PREP-X	97-14-049
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16-324-540	REP-P	97-07-075	16-573-070	NEW-P	97-11-084	16-666-110	REP	97-18-040
16-324-540	REP	97-11-028	16-573-070	NEW-C	97-19-002	16-666-120	PREP-X	97-14-049
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16-324-610	REP	97-11-028	16-580-040	AMD-P	97-14-102	16-670-010	PREP-X	97-14-049
16-324-620	REP-P	97-07-075	16-602-026	NEW-P	97-20-152	16-670-010	REP	97-18-040
16-324-620	REP	97-11-028	16-602-045	NEW-P	97-20-152	16-675-010	AMD-P	97-09-103
16-324-630	REP-P	97-07-075	16-602-050	NEW-P	97-20-152	16-675-010	AMD	97-12-024
16-324-630	REP	97-11-028	16-650-001	PREP-X	97-14-049	16-675-020	AMD-P	97-09-103
16-324-650	REP-P	97-07-075	16-650-001	REP	97-18-040	16-675-020	AMD	97-12-024
16-324-650	REP	97-11-028	16-654-030	PREP-X	97-14-049	16-675-030	AMD-P	97-09-103
16-324-660	REP-P	97-07-075	16-654-030	REP	97-18-040	16-675-030	AMD	97-12-024
16-324-660	REP	97-11-028	16-654-040	PREP-X	97-14-049	16-675-040	AMD-P	97-09-103
16-324-670	REP-P	97-07-075	16-654-040	REP	97-18-040	16-675-040	AMD	97-12-024
16-324-670	REP	97-11-028	16-654-050	PREP-X	97-14-049	16-695-005	NEW-E	97-04-020
16-324-680	REP-P	97-07-075	16-654-050	REP	97-18-040	16-695-005	NEW-P	97-20-086
16-324-680	REP	97-11-028	16-654-060	PREP-X	97-14-049	16-695-010	NEW-E	97-04-020
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16-409-020	AMD	97-05-054	16-660-001	PREP-X	97-14-049	16-695-015	NEW-E	97-04-020
16-459-010	AMD-E	97-03-063	16-660-001	REP	97-18-040	16-695-015	NEW-P	97-20-086
16-470-100	AMD-P	97-04-089	16-660-010	PREP-X	97-14-049	16-695-020	NEW-E	97-04-020
16-470-100	AMD	97-09-098	16-660-010	REP	97-18-040	16-695-020	NEW-P	97-20-086
16-473-001	NEW-P	97-04-090	16-662	AMD-P	97-09-080	16-695-025	NEW-E	97-04-020
16-473-001	NEW-W	97-05-058	16-662	AMD	97-12-075	16-695-025	NEW-P	97-20-086
16-473-001	NEW-P	97-05-059	16-662-070	REP-P	97-09-080	16-695-030	NEW-E	97-04-020
16-473-001	NEW	97-11-015	16-662-070	REP	97-12-075	16-695-030	NEW-P	97-20-086
16-473-010	NEW-P	97-04-090	16-662-071	REP-P	97-09-080	16-695-035	NEW-E	97-04-020
16-473-010	NEW-W	97-05-058	16-662-071	REP	97-12-075	16-695-035	NEW-P	97-20-086
16-473-010	NEW-P	97-05-059	16-662-100	NEW-P	97-09-080	16-695-040	NEW-E	97-04-020
16-473-010	NEW	97-11-015	16-662-100	NEW	97-12-075	16-695-040	NEW-P	97-20-086
16-473-015	NEW-P	97-04-090	16-662-105	NEW-P	97-09-080	16-695-045	NEW-E	97-04-020
16-473-015	NEW-W	97-05-058	16-662-105	NEW	97-12-075	16-695-045	NEW-P	97-20-086
16-473-015	NEW-P	97-05-059	16-662-110	NEW-P	97-09-080	16-695-050	NEW-E	97-04-020
16-473-015	NEW	97-11-015	16-662-110	NEW	97-12-075	16-695-050	NEW-P	97-20-086
16-473-020	NEW-P	97-04-090	16-662-115	NEW-P	97-09-080	16-695-055	NEW-E	97-04-020
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16-473-020	NEW-P	97-05-059	16-664-010	NEW-P	97-09-102	16-695-060	NEW-E	97-04-020
16-473-020	NEW	97-11-015	16-664-010	NEW	97-12-076	16-695-060	NEW-P	97-20-086
16-473-025	NEW-P	97-04-090	16-664-020	NEW-P	97-09-102	16-695-065	NEW-E	97-04-020
16-473-025	NEW-W	97-05-058	16-664-020	NEW	97-12-076	16-695-065	NEW-P	97-20-086
16-473-025	NEW-P	97-05-059	16-664-030	NEW-P	97-09-102	16-695-070	NEW-E	97-04-020
16-473-025	NEW	97-11-015	16-664-030	NEW	97-12-076	16-695-070	NEW-P	97-20-086
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16-532-010	AMD-P	97-09-095	16-664-040	AMD-XA	97-20-127	16-695-080	NEW-E	97-04-020
16-532-010	AMD	97-17-096	16-664-050	NEW-P	97-09-102	16-695-080	NEW-P	97-20-086
16-532-040	AMD-P	97-09-095	16-664-050	NEW	97-12-076	16-700-010	AMD	97-04-078
16-532-040	AMD	97-17-096	16-664-060	NEW-P	97-09-102	16-700-021	AMD-S	97-04-077
16-532-110	AMD-P	97-09-095	16-664-060	NEW	97-12-076	16-700-021	AMD	97-04-078
16-532-110	AMD	97-17-096	16-666-002	PREP-X	97-14-049	16-700-021	AMD-C	97-09-025
16-532-120	AMD-P	97-09-095	16-666-002	REP	97-18-040	16-700-021	AMD	97-12-028
16-532-120	AMD	97-17-096	16-666-003	PREP-X	97-14-049	16-700-040	AMD	97-04-078
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16-750	PREP	97-12-019	51-11-1322	AMD-P	97-16-110	51-30-0200	REP-P	97-16-111
16-750-003	AMD	97-06-108	51-11-1323	AMD-P	97-16-110	51-30-0204	REP-P	97-16-111
16-750-005	AMD-P	97-20-138	51-11-1331	AMD-P	97-16-110	51-30-0207	REP-P	97-16-111
16-750-011	AMD	97-06-108	51-11-1334	AMD-P	97-16-110	51-30-0217	REP-P	97-16-111
16-750-011	AMD-P	97-20-138	51-11-1411	AMD-P	97-16-110	51-30-0220	REP-P	97-16-111
16-750-015	AMD	97-06-108	51-11-1412	AMD-P	97-16-110	51-30-0300	REP-P	97-16-111
16-750-020	AMD	97-06-108	51-11-1414	AMD-P	97-16-110	51-30-0302	REP-P	97-16-111
16-750-130	AMD	97-06-108	51-11-1421	AMD-P	97-16-110	51-30-0304	REP-P	97-16-111
16-752-300	AMD-E	97-17-048	51-11-1422	AMD-P	97-16-110	51-30-0305	REP-P	97-16-111
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25-30-030	PREP-X	97-14-010	51-11-2007	AMD-P	97-16-110	51-30-0601	REP-P	97-16-111
25-30-030	REP	97-19-018	51-11-99903	AMD-P	97-16-110	51-30-0800	REP-P	97-16-111
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25-30-040	REP	97-19-018	51-13-106	AMD-P	97-16-112	51-30-0900	REP-P	97-16-111
25-30-050	PREP-X	97-14-010	51-13-402	AMD-P	97-16-112	51-30-0902	REP-P	97-16-111
25-30-050	REP	97-19-018	51-13-502	AMD-P	97-16-112	51-30-0904	REP-P	97-16-111
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51-04-015	AMD-P	97-16-093	51-26-001	REP-P	97-16-114	51-30-1001	REP-P	97-16-111
51-04-070	AMD-P	97-16-093	51-26-002	REP-P	97-16-114	51-30-1004	REP-P	97-16-111
51-06	PREP	97-14-112	51-26-003	REP-P	97-16-114	51-30-1005	REP-P	97-16-111
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51-06-120	AMD-P	97-16-094	51-26-008	REP-P	97-16-114	51-30-1007	REP-P	97-16-111
51-11-0101	AMD-P	97-16-110	51-26-0300	REP-P	97-16-114	51-30-1009	REP-P	97-16-111
51-11-0104	AMD-P	97-16-110	51-26-0310	REP-P	97-16-114	51-30-1014	REP-P	97-16-111
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51-11-0527	AMD-P	97-16-110	51-26-1004	REP-P	97-16-114	51-30-1105	REP-P	97-16-111
51-11-0530	AMD-P	97-16-110	51-26-1007	REP-P	97-16-114	51-30-1106	REP-P	97-16-111
51-11-0541	AMD-P	97-16-110	51-26-1009	REP-P	97-16-114	51-30-1107	REP-P	97-16-111
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51-11-0606	REP-P	97-16-110	51-26-1800	REP-P	97-16-114	51-30-1110	REP-P	97-16-111
51-11-0607	REP-P	97-16-110	51-26-1801	REP-P	97-16-114	51-30-1111	REP-P	97-16-111
51-11-0608	REP-P	97-16-110	51-26-1802	REP-P	97-16-114	51-30-1112	REP-P	97-16-111
51-11-0625	AMD-P	97-16-110	51-26-1803	REP-P	97-16-114	51-30-1113	REP-P	97-16-111
51-11-0626	AMD-P	97-16-110	51-26-1804	REP-P	97-16-114	51-30-1114	REP-P	97-16-111
51-11-0627	AMD-P	97-16-110	51-26-1810	REP-P	97-16-114	51-30-1120	REP-P	97-16-111
51-11-0628	AMD-P	97-16-110	51-26-1820	REP-P	97-16-114	51-30-1121	REP-P	97-16-111
51-11-0629	AMD-P	97-16-110	51-26-1830	REP-P	97-16-114	51-30-1122	REP-P	97-16-111
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51-11-0800	AMD-P	97-16-110	51-26-2200	REP-P	97-16-114	51-30-1125	REP-P	97-16-111
51-11-1002	AMD-P	97-16-110	51-26-2300	REP-P	97-16-114	51-30-1200	REP-P	97-16-111
51-11-1003	AMD-P	97-16-110	51-26-2301	REP-P	97-16-114	51-30-1203	REP-P	97-16-111
51-11-1004	AMD-P	97-16-110	51-27	PREP	97-06-107	51-30-1600	REP-P	97-16-111
51-11-1005	AMD-P	97-16-110	51-27-001	NEW-P	97-16-114	51-30-1614	REP-P	97-16-111
51-11-1006	AMD-P	97-16-110	51-27-002	NEW-P	97-16-114	51-30-1700	REP-P	97-16-111
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51-11-1008	AMD-P	97-16-110	51-27-004	NEW-P	97-16-114	51-30-1900	REP-P	97-16-111
51-11-1009	AMD-P	97-16-110	51-27-008	NEW-P	97-16-114	51-30-1909	REP-P	97-16-111
51-11-1010	REP-P	97-16-110	51-30-001	REP-P	97-16-111	51-30-2200	REP-P	97-16-111
51-11-1120	AMD-P	97-16-110	51-30-002	REP-P	97-16-111	51-30-2211	REP-P	97-16-111
51-11-1130	AMD-P	97-16-110	51-30-003	REP-P	97-16-111	51-30-2400	REP-P	97-16-111
51-11-1132	AMD-P	97-16-110	51-30-004	REP-P	97-16-111	51-30-2406	REP-P	97-16-111
51-11-1133	AMD-P	97-16-110	51-30-005	REP-P	97-16-111	51-30-2900	REP-P	97-16-111
51-11-1210	AMD	97-03-017	51-30-007	REP-P	97-16-111	51-30-2902	REP-P	97-16-111
51-11-1210	AMD-P	97-16-110	51-30-008	REP-P	97-16-111	51-30-2903	REP-P	97-16-111
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51-42-0600	NEW-P	97-16-115	51-46-0505	NEW-P	97-16-114	112-10-030	NEW-E	97-13-061
51-42-0601	NEW-P	97-16-115	51-46-0507	NEW-P	97-16-114	112-10-030	NEW-P	97-15-145
51-42-0605	NEW-P	97-16-115	51-46-0509	NEW-P	97-16-114	112-10-040	NEW-E	97-13-061
51-42-0901	NEW-P	97-16-115	51-46-0512	NEW-P	97-16-114	112-10-040	NEW-P	97-15-145
51-42-1000	NEW-P	97-16-115	51-46-0513	NEW-P	97-16-114	112-10-050	NEW-E	97-13-061
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51-42-1102	NEW-P	97-16-115	51-46-0519	NEW-P	97-16-114	131-16-010	AMD-E	97-07-006
51-42-1103	NEW-P	97-16-115	51-46-0520	NEW-P	97-16-114	131-16-010	AMD	97-10-069
51-42-1104	NEW-P	97-16-115	51-46-0521	NEW-P	97-16-114	131-16-011	AMD-E	97-07-006
51-42-1105	NEW-P	97-16-115	51-46-0522	NEW-P	97-16-114	131-16-011	AMD	97-10-069
51-42-1106	NEW-P	97-16-115	51-46-0523	NEW-P	97-16-114	131-16-021	AMD-E	97-07-006
51-42-1107	NEW-P	97-16-115	51-46-0524	NEW-P	97-16-114	131-16-021	AMD	97-10-069
51-42-1108	NEW-P	97-16-115	51-46-0525	NEW-P	97-16-114	131-16-050	AMD-E	97-07-006
51-42-1311	NEW-P	97-16-115	51-46-0600	NEW-P	97-16-114	131-16-050	AMD	97-10-069
51-42-1312	NEW-P	97-16-115	51-46-0603	NEW-P	97-16-114	131-16-060	AMD-E	97-07-006
51-44-001	NEW-P	97-16-113	51-46-0604	NEW-P	97-16-114	131-16-060	AMD	97-10-069
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51-44-0900	NEW-P	97-16-113	51-46-0710	NEW-P	97-16-114	132E-111-010	PREP	97-08-080
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51-44-10210	NEW-P	97-16-113	51-46-0793	NEW-P	97-16-114	132E-133-020	PREP	97-08-081
51-44-1109	NEW-P	97-16-113	51-46-0800	NEW-P	97-16-114	132E-133-020	AMD-P	97-11-069
51-44-2500	NEW-P	97-16-113	51-46-0810	NEW-P	97-16-114	132K-04	AMD-P	97-07-018
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51-44-6300	NEW-P	97-16-113	51-46-0900	NEW-P	97-16-114	132K-04-001	AMD	97-12-071
51-44-7404	NEW-P	97-16-113	51-46-0903	NEW-P	97-16-114	132K-04-010	AMD-P	97-07-018
51-44-7802	NEW-P	97-16-113	51-46-1000	NEW-P	97-16-114	132K-04-010	AMD	97-12-071
51-44-7900	NEW-P	97-16-113	51-46-1003	NEW-P	97-16-114	132K-04-020	AMD-P	97-07-018
51-44-8000	NEW-P	97-16-113	51-46-1012	NEW-P	97-16-114	132K-04-020	AMD	97-12-071
51-45-001	NEW-P	97-16-113	51-46-1300	NEW-P	97-16-114	132K-04-030	AMD-P	97-07-018
51-45-002	NEW-P	97-16-113	51-46-1301	NEW-P	97-16-114	132K-04-030	AMD	97-12-071
51-45-003	NEW-P	97-16-113	51-46-1302	NEW-P	97-16-114	132K-04-050	AMD-P	97-07-018
51-45-007	NEW-P	97-16-113	51-46-1303	NEW-P	97-16-114	132K-04-050	AMD	97-12-071
51-45-008	NEW-P	97-16-113	51-46-1304	NEW-P	97-16-114	132K-04-070	REP-P	97-07-018
51-45-80400	NEW-P	97-16-113	51-46-1301	NEW-P	97-16-114	132K-04-070	REP	97-12-071
51-46-001	NEW-P	97-16-114	51-46-1302	NEW-P	97-16-114	132K-04-080	AMD-P	97-07-018
51-46-002	NEW-P	97-16-114	51-46-1303	NEW-P	97-16-114	132K-04-080	AMD	97-12-071
51-46-003	NEW-P	97-16-114	51-46-1304	NEW-P	97-16-114	132K-04-110	AMD-P	97-07-018
51-46-007	NEW-P	97-16-114	51-46-1305	NEW-P	97-16-114	132K-04-110	AMD	97-12-071
51-46-008	NEW-P	97-16-114	51-46-1400	NEW-P	97-16-114	132K-04-130	AMD-P	97-07-018
51-46-0100	NEW-P	97-16-114	51-46-1401	NEW-P	97-16-114	132K-04-130	AMD	97-12-071
51-46-0101	NEW-P	97-16-114	51-46-1491	NEW-P	97-16-114	132K-08-010	REP-P	97-07-017
51-46-0102	NEW-P	97-16-114	51-46-97120	NEW-P	97-16-114	132K-08-010	REP	97-12-070
51-46-0103	NEW-P	97-16-114	51-46-97121	NEW-P	97-16-114	132N-20	PREP	97-06-008
51-46-0200	NEW-P	97-16-114	51-46-97122	NEW-P	97-16-114	132N-20-010	REP-P	97-10-018
51-46-0205	NEW-P	97-16-114	51-46-97123	NEW-P	97-16-114	132N-20-010	REP	97-17-013
51-46-0215	NEW-P	97-16-114	51-46-97124	NEW-P	97-16-114	132N-20-020	REP-P	97-10-018
51-46-0218	NEW-P	97-16-114	51-46-97125	NEW-P	97-16-114	132N-20-020	REP	97-17-013
51-46-0300	NEW-P	97-16-114	51-46-97126	NEW-P	97-16-114	132N-20-030	REP-P	97-10-018
51-46-0301	NEW-P	97-16-114	51-46-97127	NEW-P	97-16-114	132N-20-030	REP	97-17-013
51-46-0310	NEW-P	97-16-114	51-46-97128	NEW-P	97-16-114	132N-20-030	REP	97-10-018
51-46-0311	NEW-P	97-16-114	51-46-97129	NEW-P	97-16-114	132N-20-040	REP-P	97-10-018
51-46-0313	NEW-P	97-16-114	51-47-001	NEW-P	97-16-114	132N-20-040	REP	97-17-013
51-46-0314	NEW-P	97-16-114	51-47-002	NEW-P	97-16-114	132N-20-050	REP-P	97-10-018
51-46-0392	NEW-P	97-16-114	51-47-003	NEW-P	97-16-114	132N-20-050	REP	97-17-013
51-46-0316	NEW-P	97-16-114	51-47-007	NEW-P	97-16-114	132N-20-060	REP-P	97-10-018
51-46-0400	NEW-P	97-16-114	51-47-008	NEW-P	97-16-114	132N-20-060	REP	97-17-013
51-46-0402	NEW-P	97-16-114	82-50-021	AMD-P	97-10-079	132N-20-070	REP-P	97-10-018
51-46-0412	NEW-P	97-16-114	82-50-021	AMD	97-13-064	132N-20-070	REP	97-17-013
51-46-0413	NEW-P	97-16-114	98-70-010	AMD-P	97-20-058	132N-20-080	REP-P	97-10-018
51-46-0500	NEW-P	97-16-114	112-10-010	NEW-E	97-13-061	132N-20-080	REP	97-17-013
			112-10-010	NEW-P	97-15-145	132N-20-090	REP-P	97-10-018

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132N-108-010	NEW	97-19-078	132N-156-635	NEW-P	97-19-077	132V-12-012	REP	97-07-048
132N-108-020	NEW-P	97-15-078	132N-156-650	AMD-P	97-19-077	132V-12-015	REP-P	97-03-128
132N-108-020	NEW	97-19-078	132N-156-710	AMD-P	97-19-077	132V-12-015	REP	97-07-048
132N-108-030	NEW-P	97-15-078	132N-156-720	AMD-P	97-19-077	132V-12-018	REP-P	97-03-128
132N-108-030	NEW	97-19-078	132N-156-730	AMD-P	97-19-077	132V-12-018	REP	97-07-048
132N-108-040	NEW-P	97-15-078	132N-156-740	AMD-P	97-19-077	132V-12-021	REP-P	97-03-128
132N-108-040	NEW	97-19-078	132N-156-750	AMD-P	97-19-077	132V-12-021	REP	97-07-048
132N-108-050	NEW-P	97-15-078	132P-116	PREP	97-10-076	132V-12-024	REP-P	97-03-128
132N-108-050	NEW	97-19-078	132P-116-010	AMD-P	97-14-101	132V-12-024	REP	97-07-048
132N-108-060	NEW-P	97-15-078	132P-116-010	AMD	97-19-026	132V-12-027	REP-P	97-03-128
132N-108-060	NEW	97-19-078	132P-116-020	AMD-P	97-14-101	132V-12-027	REP	97-07-048
132N-108-070	NEW-P	97-15-078	132P-116-020	AMD	97-19-026	132V-12-030	REP-P	97-03-128
132N-108-070	NEW	97-19-078	132P-116-040	AMD-P	97-14-101	132V-12-030	REP	97-07-048
132N-108-080	NEW-P	97-15-078	132P-116-040	AMD	97-19-026	132V-12-033	REP-P	97-03-128
132N-108-080	NEW	97-19-078	132P-116-050	AMD-P	97-14-101	132V-12-033	REP	97-07-048
132N-108-090	NEW-P	97-15-078	132P-116-050	AMD	97-19-026	132V-12-036	REP-P	97-03-128
132N-108-090	NEW	97-19-078	132P-116-060	AMD-P	97-14-101	132V-12-036	REP	97-07-048
132N-120-010	NEW-P	97-10-018	132P-116-060	AMD	97-19-026	132V-12-039	REP-P	97-03-128
132N-120-010	NEW	97-17-013	132P-116-070	AMD-P	97-14-101	132V-12-039	REP	97-07-048
132N-120-020	NEW-P	97-10-018	132P-116-070	AMD	97-19-026	132V-12-042	REP-P	97-03-128
132N-120-020	NEW	97-17-013	132P-116-080	AMD-P	97-14-101	132V-12-042	REP	97-07-048
132N-120-030	NEW-P	97-10-018	132P-116-080	AMD	97-19-026	132V-12-045	REP-P	97-03-128
132N-120-030	NEW	97-17-013	132P-116-090	REP-P	97-14-101	132V-12-045	REP	97-07-048
132N-120-040	NEW-P	97-10-018	132P-116-090	REP	97-19-026	132V-12-048	REP-P	97-03-128
132N-120-040	NEW	97-17-013	132P-116-100	AMD-P	97-14-101	132V-12-048	REP	97-07-048
132N-120-050	NEW-P	97-10-018	132P-116-100	AMD	97-19-026	132V-12-051	REP-P	97-03-128
132N-120-050	NEW	97-17-013	132P-116-110	AMD-P	97-14-101	132V-12-051	REP	97-07-048
132N-120-060	NEW-P	97-10-018	132P-116-110	AMD	97-19-026	132V-12-054	REP-P	97-03-128
132N-120-060	NEW	97-17-013	132P-116-120	AMD-P	97-14-101	132V-12-054	REP	97-07-048
132N-120-065	NEW-P	97-10-018	132P-116-120	AMD	97-19-026	132V-12-057	REP-P	97-03-128
132N-120-065	NEW	97-17-013	132P-116-130	AMD-P	97-14-101	132V-12-057	REP	97-07-048
132N-120-070	NEW-P	97-10-018	132P-116-130	AMD	97-19-026	132V-12-060	REP-P	97-03-128
132N-120-070	NEW	97-17-013	132P-116-140	AMD-P	97-14-101	132V-12-060	REP	97-07-048
132N-120-080	NEW-P	97-10-018	132P-116-140	AMD	97-19-026	132V-12-063	REP-P	97-03-128
132N-120-080	NEW	97-17-013	132P-116-150	AMD-P	97-14-101	132V-12-063	REP	97-07-048
132N-120-090	NEW-P	97-10-018	132P-116-150	AMD	97-19-026	132V-12-066	REP-P	97-03-128
132N-120-090	NEW	97-17-013	132P-116-160	REP-P	97-14-101	132V-12-066	REP	97-07-048
132N-120-100	NEW-P	97-10-018	132P-116-160	REP	97-19-026	132V-12-069	REP-P	97-03-128
132N-120-100	NEW	97-17-013	132P-116-170	AMD-P	97-14-101	132V-12-069	REP	97-07-048
132N-120-110	NEW-P	97-10-018	132P-116-170	AMD	97-19-026	132V-12-072	REP-P	97-03-128
132N-120-110	NEW	97-17-013	132P-116-200	AMD-P	97-14-101	132V-12-072	REP	97-07-048
132N-120-120	NEW-P	97-10-018	132P-116-200	AMD	97-19-026	132V-12-075	REP-P	97-03-128
132N-120-120	NEW	97-17-013	132P-116-210	AMD-P	97-14-101	132V-12-075	REP	97-07-048
132N-120-130	NEW-P	97-10-018	132P-116-210	AMD	97-19-026	132V-12-078	REP-P	97-03-128
132N-120-130	NEW	97-17-013	132P-116-220	AMD-P	97-14-101	132V-12-078	REP	97-07-048
132N-120-140	NEW-P	97-10-018	132P-116-220	AMD	97-19-026	132V-12-084	REP-P	97-03-128
132N-120-140	NEW	97-17-013	132P-116-230	AMD-P	97-14-101	132V-12-084	REP	97-07-048
132N-120-150	NEW-P	97-10-018	132P-116-230	AMD	97-19-026	132V-12-087	REP-P	97-03-128
132N-120-150	NEW	97-17-013	132P-116-240	AMD-P	97-14-101	132V-12-087	REP	97-07-048
132N-120-160	NEW-P	97-10-018	132P-116-240	AMD	97-19-026	132V-12-096	REP-P	97-03-128
132N-120-160	NEW	97-17-013	132P-116-250	AMD-P	97-14-101	132V-12-096	REP	97-07-048
132N-120-170	NEW-P	97-10-018	132P-116-250	AMD	97-19-026	132V-12-120	REP-P	97-03-128
132N-120-170	NEW	97-17-013	132P-116-260	AMD-P	97-14-101	132V-12-120	REP	97-07-048
132N-120-180	NEW-P	97-10-018	132P-116-260	AMD	97-19-026	132V-12-144	REP-P	97-03-128
132N-120-180	NEW	97-17-013	132P-116-270	AMD-P	97-14-101	132V-12-144	REP	97-07-048
132N-122	PREP	97-15-076	132P-116-270	AMD	97-19-026	132V-12-147	REP-P	97-03-128
132N-122-010	NEW-P	97-19-076	132P-116-280	AMD-P	97-14-101	132V-12-147	REP	97-07-048
132N-122-020	NEW-P	97-19-076	132P-116-280	AMD	97-19-026	132V-12-150	REP-P	97-03-128
132N-122-030	NEW-P	97-19-076	132P-116-290	AMD-P	97-14-101	132V-12-150	REP	97-07-048
132N-156	PREP	97-15-077	132P-116-290	AMD	97-19-026	132V-12-153	REP-P	97-03-128
132N-156-310	AMD-P	97-19-077	132P-116-300	NEW-P	97-14-101	132V-12-153	REP	97-07-048
132N-156-320	AMD-P	97-19-077	132P-116-300	NEW	97-19-026	132V-12-165	REP-P	97-03-128
132N-156-330	AMD-P	97-19-077	132Q-06-030	AMD-P	97-19-022	132V-12-165	REP	97-07-048
132N-156-400	AMD-P	97-19-077	132Q-20-020	AMD-P	97-19-022	132V-12-168	REP-P	97-03-128
132N-156-440	AMD-P	97-19-077	132Q-94-125	AMD-P	97-19-022	132V-12-168	REP	97-07-048
132N-156-450	AMD-P	97-19-077	132V-11-010	PREP	97-18-065	132V-12-171	REP-P	97-03-128
132N-156-460	AMD-P	97-19-077	132V-12-003	REP-P	97-03-128	132V-12-171	REP	97-07-048
132N-156-500	AMD-P	97-19-077	132V-12-003	REP	97-07-048	132V-12-174	REP-P	97-03-128
132N-156-550	AMD-P	97-19-077	132V-12-006	REP-P	97-03-128	132V-12-174	REP	97-07-048
132N-156-560	AMD-P	97-19-077	132V-12-006	REP	97-07-048	132V-12-177	REP-P	97-03-128
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132V-12-183	REP-P	97-03-128	132V-12-290	REP	97-07-048	132V-12-404	REP-P	97-03-128
132V-12-183	REP	97-07-048	132V-12-293	REP-P	97-03-128	132V-12-404	REP	97-07-048
132V-12-186	REP-P	97-03-128	132V-12-293	REP	97-07-048	132V-12-407	REP-P	97-03-128
132V-12-186	REP	97-07-048	132V-12-296	REP-P	97-03-128	132V-12-407	REP	97-07-048
132V-12-189	REP-P	97-03-128	132V-12-296	REP	97-07-048	132V-12-410	REP-P	97-03-128
132V-12-189	REP	97-07-048	132V-12-299	REP-P	97-03-128	132V-12-410	REP	97-07-048
132V-12-192	REP-P	97-03-128	132V-12-299	REP	97-07-048	132V-12-413	REP-P	97-03-128
132V-12-192	REP	97-07-048	132V-12-302	REP-P	97-03-128	132V-12-413	REP	97-07-048
132V-12-195	REP-P	97-03-128	132V-12-302	REP	97-07-048	132V-12-416	REP-P	97-03-128
132V-12-195	REP	97-07-048	132V-12-305	REP-P	97-03-128	132V-12-416	REP	97-07-048
132V-12-198	REP-P	97-03-128	132V-12-305	REP	97-07-048	132V-12-419	REP-P	97-03-128
132V-12-198	REP	97-07-048	132V-12-308	REP-P	97-03-128	132V-12-419	REP	97-07-048
132V-12-201	REP-P	97-03-128	132V-12-308	REP	97-07-048	132V-12-422	REP-P	97-03-128
132V-12-201	REP	97-07-048	132V-12-311	REP-P	97-03-128	132V-12-422	REP	97-07-048
132V-12-204	REP-P	97-03-128	132V-12-311	REP	97-07-048	132V-12-425	REP-P	97-03-128
132V-12-204	REP	97-07-048	132V-12-314	REP-P	97-03-128	132V-12-425	REP	97-07-048
132V-12-207	REP-P	97-03-128	132V-12-314	REP	97-07-048	132V-12-428	REP-P	97-03-128
132V-12-207	REP	97-07-048	132V-12-317	REP-P	97-03-128	132V-12-428	REP	97-07-048
132V-12-210	REP-P	97-03-128	132V-12-317	REP	97-07-048	132V-12-431	REP-P	97-03-128
132V-12-210	REP	97-07-048	132V-12-320	REP-P	97-03-128	132V-12-431	REP	97-07-048
132V-12-213	REP-P	97-03-128	132V-12-320	REP	97-07-048	132V-12-434	REP-P	97-03-128
132V-12-213	REP	97-07-048	132V-12-323	REP-P	97-03-128	132V-12-434	REP	97-07-048
132V-12-216	REP-P	97-03-128	132V-12-323	REP	97-07-048	136-15-010	AMD-P	97-17-001
132V-12-216	REP	97-07-048	132V-12-326	REP-P	97-03-128	136-15-050	AMD-P	97-17-001
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132V-12-219	REP	97-07-048	132V-12-329	REP-P	97-03-128	136-110-010	AMD-P	97-17-002
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132V-12-222	REP	97-07-048	132V-12-332	REP-P	97-03-128	136-130-060	AMD	97-06-006
132V-12-225	REP-P	97-03-128	132V-12-332	REP	97-07-048	136-150-010	AMD-P	97-17-002
132V-12-225	REP	97-07-048	132V-12-335	REP-P	97-03-128	136-150-022	AMD-P	97-17-002
132V-12-228	REP-P	97-03-128	132V-12-335	REP	97-07-048	136-150-023	AMD-P	97-17-002
132V-12-228	REP	97-07-048	132V-12-338	REP-P	97-03-128	136-200-010	AMD-P	97-17-002
132V-12-231	REP-P	97-03-128	132V-12-338	REP	97-07-048	136-200-040	AMD-P	97-17-002
132V-12-231	REP	97-07-048	132V-12-341	REP-P	97-03-128	136-210-010	AMD-P	97-17-002
132V-12-234	REP-P	97-03-128	132V-12-341	REP	97-07-048	137-28-140	AMD	97-03-041
132V-12-234	REP	97-07-048	132V-12-344	REP-P	97-03-128	137-28-160	AMD	97-03-041
132V-12-237	REP-P	97-03-128	132V-12-344	REP	97-07-048	137-28-220	AMD	97-03-041
132V-12-237	REP	97-07-048	132V-12-347	REP-P	97-03-128	137-28-260	AMD	97-03-041
132V-12-240	REP-P	97-03-128	132V-12-347	REP	97-07-048	137-28-350	AMD	97-03-041
132V-12-240	REP	97-07-048	132V-12-350	REP-P	97-03-128	137-55-010	NEW	97-03-041
132V-12-243	REP-P	97-03-128	132V-12-350	REP	97-07-048	137-55-020	NEW	97-03-041
132V-12-243	REP	97-07-048	132V-12-353	REP-P	97-03-128	137-55-030	NEW	97-03-041
132V-12-246	REP-P	97-03-128	132V-12-353	REP	97-07-048	137-55-040	NEW	97-03-041
132V-12-246	REP	97-07-048	132V-12-356	REP-P	97-03-128	137-55-050	NEW	97-03-041
132V-12-249	REP-P	97-03-128	132V-12-356	REP	97-07-048	137-55-060	NEW	97-03-041
132V-12-249	REP	97-07-048	132V-12-359	REP-P	97-03-128	172-120-015	NEW	97-06-095
132V-12-252	REP-P	97-03-128	132V-12-359	REP	97-07-048	172-120-020	AMD	97-06-095
132V-12-252	REP	97-07-048	132V-12-362	REP-P	97-03-128	172-120-030	AMD	97-06-095
132V-12-255	REP-P	97-03-128	132V-12-362	REP	97-07-048	172-120-040	AMD	97-06-095
132V-12-255	REP	97-07-048	132V-12-365	REP-P	97-03-128	172-120-050	AMD	97-06-095
132V-12-258	REP-P	97-03-128	132V-12-365	REP	97-07-048	172-120-060	AMD	97-06-095
132V-12-258	REP	97-07-048	132V-12-368	REP-P	97-03-128	172-120-070	AMD	97-06-095
132V-12-261	REP-P	97-03-128	132V-12-368	REP	97-07-048	172-120-080	AMD	97-06-095
132V-12-261	REP	97-07-048	132V-12-371	REP-P	97-03-128	172-120-090	AMD	97-06-095
132V-12-264	REP-P	97-03-128	132V-12-371	REP	97-07-048	172-120-100	AMD	97-06-095
132V-12-264	REP	97-07-048	132V-12-374	REP-P	97-03-128	172-120-110	AMD	97-06-095
132V-12-267	REP-P	97-03-128	132V-12-374	REP	97-07-048	172-120-120	AMD	97-06-095
132V-12-267	REP	97-07-048	132V-12-377	REP-P	97-03-128	172-120-130	AMD	97-06-095
132V-12-270	REP-P	97-03-128	132V-12-377	REP	97-07-048	172-120-140	AMD	97-06-095
132V-12-270	REP	97-07-048	132V-12-380	REP-P	97-03-128	172-120-150	REP	97-06-095
132V-12-273	REP-P	97-03-128	132V-12-380	REP	97-07-048	173-22	AMD-C	97-03-129
132V-12-273	REP	97-07-048	132V-12-383	REP-P	97-03-128	173-22	AMD	97-04-076
132V-12-276	REP-P	97-03-128	132V-12-383	REP	97-07-048	173-22-015	REP	97-04-076
132V-12-276	REP	97-07-048	132V-12-386	REP-P	97-03-128	173-22-030	AMD	97-04-076
132V-12-279	REP-P	97-03-128	132V-12-386	REP	97-07-048	173-22-035	NEW	97-04-076
132V-12-279	REP	97-07-048	132V-12-389	REP-P	97-03-128	173-22-040	AMD	97-04-076
132V-12-281	REP-P	97-03-128	132V-12-389	REP	97-07-048	173-22-070	AMD	97-04-076
132V-12-281	REP	97-07-048	132V-12-392	REP-P	97-03-128	173-22-080	NEW	97-04-076
132V-12-284	REP-P	97-03-128	132V-12-392	REP	97-07-048	173-32-010	PREP-X	97-13-042
132V-12-284	REP	97-07-048	132V-12-398	REP-P	97-03-128	173-32-010	REP	97-18-047
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173-32-030	PREP-X	97-13-042	173-160-131	NEW-P	97-19-081	173-162-020	AMD-P	97-19-081
173-32-030	REP	97-18-047	173-160-135	REP-P	97-19-081	173-162-025	NEW-P	97-19-081
173-32-040	PREP-X	97-13-042	173-160-141	NEW-P	97-19-081	173-162-030	AMD-P	97-19-081
173-32-040	REP	97-18-047	173-160-151	NEW-P	97-19-081	173-162-040	AMD-P	97-19-081
173-90-010	PREP-X	97-13-043	173-160-161	NEW-P	97-19-081	173-162-050	AMD-P	97-19-081
173-90-010	REP	97-17-082	173-160-171	NEW-P	97-19-081	173-162-055	NEW-P	97-19-081
173-90-015	PREP-X	97-13-043	173-160-181	NEW-P	97-19-081	173-162-060	AMD-P	97-19-081
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173-90-020	REP	97-17-082	173-160-205	REP-P	97-19-081	173-162-080	AMD-P	97-19-081
173-90-040	PREP-X	97-13-043	173-160-211	NEW-P	97-19-081	173-162-085	NEW-P	97-19-081
173-90-040	REP	97-17-082	173-160-215	REP-P	97-19-081	173-162-090	AMD-P	97-19-081
173-90-050	PREP-X	97-13-043	173-160-221	NEW-P	97-19-081	173-162-095	NEW-P	97-19-081
173-90-050	REP	97-17-082	173-160-225	REP-P	97-19-081	173-162-100	AMD-P	97-19-081
173-90-060	PREP-X	97-13-043	173-160-231	NEW-P	97-19-081	173-162-120	AMD-P	97-19-081
173-90-060	REP	97-17-082	173-160-235	REP-P	97-19-081	173-162-127	NEW-P	97-19-081
173-90-070	PREP-X	97-13-043	173-160-241	NEW-P	97-19-081	173-162-130	AMD-P	97-19-081
173-90-070	REP	97-17-082	173-160-245	REP-P	97-19-081	173-162-140	AMD-P	97-19-081
173-95A-010	NEW-E	97-12-022	173-160-251	NEW-P	97-19-081	173-162-165	NEW-P	97-19-081
173-95A-010	NEW-E	97-20-049	173-160-255	REP-P	97-19-081	173-162-170	REP-P	97-19-081
173-95A-010	NEW-P	97-20-050	173-160-261	NEW-P	97-19-081	173-162-190	AMD-P	97-19-081
173-95A-020	NEW-E	97-12-022	173-160-265	REP-P	97-19-081	173-162-200	AMD-P	97-19-081
173-95A-020	NEW-E	97-20-049	173-160-271	NEW-P	97-19-081	173-162-210	AMD-P	97-19-081
173-95A-020	NEW-P	97-20-050	173-160-275	REP-P	97-19-081	173-201A-020	AMD-P	97-12-034
173-95A-030	NEW-E	97-12-022	173-160-281	NEW-P	97-19-081	173-201A-030	AMD-P	97-12-034
173-95A-030	NEW-E	97-20-049	173-160-285	REP-P	97-19-081	173-201A-040	AMD-P	97-12-034
173-95A-030	NEW-P	97-20-050	173-160-291	NEW-P	97-19-081	173-201A-050	AMD-P	97-12-034
173-95A-040	NEW-E	97-12-022	173-160-295	REP-P	97-19-081	173-201A-060	AMD-P	97-12-034
173-95A-040	NEW-E	97-20-049	173-160-301	NEW-P	97-19-081	173-201A-110	AMD-P	97-12-034
173-95A-040	NEW-P	97-20-050	173-160-305	REP-P	97-19-081	173-201A-130	AMD-P	97-12-034
173-95A-050	NEW-E	97-12-022	173-160-311	NEW-P	97-19-081	173-201A-140	AMD-P	97-12-034
173-95A-050	NEW-E	97-20-049	173-160-315	REP-P	97-19-081	173-201A-160	AMD-P	97-12-034
173-95A-050	NEW-P	97-20-050	173-160-321	NEW-P	97-19-081	173-202-020	AMD-E	97-05-039
173-152-010	NEW-E	97-10-091	173-160-325	REP-P	97-19-081	173-202-020	PREP	97-08-038
173-152-010	RESCIND	97-14-017	173-160-331	NEW-P	97-19-081	173-202-020	AMD-E	97-13-036
173-152-010	NEW-E	97-14-017	173-160-335	REP-P	97-19-081	173-202-020	AMD-P	97-15-130
173-152-010	NEW-P	97-17-081	173-160-341	NEW-P	97-19-081	173-202-020	AMD-E	97-16-038
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173-152-020	RESCIND	97-14-017	173-160-351	NEW-P	97-19-081	173-224	PREP	97-14-084
173-152-020	NEW-E	97-14-017	173-160-355	REP-P	97-19-081	173-224-030	AMD-P	97-20-048
173-152-020	NEW-P	97-17-081	173-160-361	NEW-P	97-19-081	173-224-040	AMD-P	97-20-048
173-152-025	NEW-E	97-14-017	173-160-365	REP-P	97-19-081	173-224-050	AMD-P	97-20-048
173-152-030	NEW-E	97-10-091	173-160-371	NEW-P	97-19-081	173-303	PREP	97-04-062
173-152-030	RESCIND	97-14-017	173-160-375	REP-P	97-19-081	173-303-017	AMD-P	97-16-074
173-152-030	NEW-P	97-17-081	173-160-381	NEW-P	97-19-081	173-303-040	AMD-P	97-16-074
173-152-040	NEW-E	97-10-091	173-160-385	REP-P	97-19-081	173-303-045	AMD-P	97-16-074
173-152-040	RESCIND	97-14-017	173-160-390	NEW-P	97-19-081	173-303-070	AMD-P	97-16-074
173-152-040	NEW-E	97-14-017	173-160-395	REP-P	97-19-081	173-303-071	AMD-P	97-16-074
173-152-040	NEW-P	97-17-081	173-160-400	NEW-P	97-19-081	173-303-073	AMD-P	97-16-074
173-152-050	NEW-E	97-10-091	173-160-405	REP-P	97-19-081	173-303-077	NEW-P	97-16-074
173-152-050	RESCIND	97-14-017	173-160-410	NEW-P	97-19-081	173-303-081	AMD-P	97-16-074
173-152-050	NEW-E	97-14-017	173-160-415	REP-P	97-19-081	173-303-082	AMD-P	97-16-074
173-152-050	NEW-P	97-17-081	173-160-420	AMD-P	97-19-081	173-303-090	AMD-P	97-16-074
173-152-060	NEW-P	97-17-081	173-160-425	REP-P	97-19-081	173-303-100	AMD-P	97-16-074
173-160	PREP	97-10-093	173-160-430	NEW-P	97-19-081	173-303-104	AMD-P	97-16-074
173-160-010	AMD-P	97-19-081	173-160-435	REP-P	97-19-081	173-303-110	AMD-P	97-16-074
173-160-020	AMD-P	97-19-081	173-160-440	NEW-P	97-19-081	173-303-120	AMD-P	97-16-074
173-160-030	AMD-P	97-19-081	173-160-445	REP-P	97-19-081	173-303-140	AMD-P	97-16-074
173-160-040	AMD-P	97-19-081	173-160-450	NEW-P	97-19-081	173-303-145	AMD-P	97-16-074
173-160-050	AMD-P	97-19-081	173-160-455	REP-P	97-19-081	173-303-160	AMD-P	97-16-074
173-160-055	REP-P	97-19-081	173-160-460	NEW-P	97-19-081	173-303-180	AMD-P	97-16-074
173-160-061	NEW-P	97-19-081	173-160-465	REP-P	97-19-081	173-303-201	AMD-P	97-16-074
173-160-065	REP-P	97-19-081	173-160-475	REP-P	97-19-081	173-303-210	AMD-P	97-16-074
173-160-071	NEW-P	97-19-081	173-160-500	REP-P	97-19-081	173-303-230	AMD-P	97-16-074
173-160-075	REP-P	97-19-081	173-160-510	REP-P	97-19-081	173-303-280	AMD-P	97-16-074
173-160-085	REP-P	97-19-081	173-160-520	REP-P	97-19-081	173-303-282	AMD-P	97-16-074
173-160-095	REP-P	97-19-081	173-160-530	REP-P	97-19-081	173-303-300	AMD-P	97-16-074
173-160-101	NEW-P	97-19-081	173-160-540	REP-P	97-19-081	173-303-335	AMD-P	97-16-074
173-160-105	REP-P	97-19-081	173-160-550	REP-P	97-19-081	173-303-350	AMD-P	97-16-074
173-160-111	NEW-P	97-19-081	173-160-560	REP-P	97-19-081	173-303-380	AMD-P	97-16-074
173-160-115	REP-P	97-19-081	173-160-990	NEW-P	97-19-081	173-303-395	AMD-P	97-16-074
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173-303-520	AMD-P	97-16-074	173-318-040	REP	97-18-044	174-276	AMD	97-13-047
173-303-522	NEW-P	97-16-074	173-318-050	PREP-X	97-13-038	174-276-005	NEW-P	97-09-084
173-303-573	NEW-P	97-16-074	173-318-050	REP	97-18-044	174-276-005	NEW	97-13-047
173-303-600	AMD-P	97-16-074	173-318-060	PREP-X	97-13-038	174-276-010	AMD-P	97-09-084
173-303-610	AMD-P	97-16-074	173-318-060	REP	97-18-044	174-276-010	AMD	97-13-047
173-303-620	AMD-P	97-16-074	173-318-070	PREP-X	97-13-038	174-276-040	AMD-P	97-09-084
173-303-655	AMD-P	97-16-074	173-318-070	REP	97-18-044	174-276-040	AMD	97-13-047
173-303-665	AMD-P	97-16-074	173-318-080	PREP-X	97-13-038	174-276-050	AMD-P	97-09-084
173-303-675	AMD-P	97-16-074	173-318-080	REP	97-18-044	174-276-050	AMD	97-13-047
173-303-800	AMD-P	97-16-074	173-319-010	PREP-X	97-13-037	174-276-060	AMD-P	97-09-084
173-303-802	AMD-P	97-16-074	173-319-010	REP	97-18-045	174-276-060	AMD	97-13-047
173-303-804	AMD-P	97-16-074	173-319-020	PREP-X	97-13-037	174-276-080	AMD-P	97-09-084
173-303-805	AMD-P	97-16-074	173-319-020	REP	97-18-045	174-276-080	AMD	97-13-047
173-303-806	AMD-P	97-16-074	173-319-030	PREP-X	97-13-037	174-276-090	AMD-P	97-09-084
173-303-807	AMD-P	97-16-074	173-319-030	REP	97-18-045	174-276-090	AMD	97-13-047
173-303-810	AMD-P	97-16-074	173-319-040	PREP-X	97-13-037	174-276-095	NEW-P	97-09-084
173-303-815	AMD-P	97-16-074	173-319-040	REP	97-18-045	174-276-095	NEW	97-13-047
173-303-830	AMD-P	97-16-074	173-319-050	PREP-X	97-13-037	180-16	PREP	97-10-014
173-303-840	AMD-P	97-16-074	173-319-050	REP	97-18-045	180-16-002	AMD-P	97-20-142
173-303-900	AMD-P	97-16-074	173-319-060	PREP-X	97-13-037	180-16-221	AMD	97-04-083
173-303-910	AMD-P	97-16-074	173-319-060	REP	97-18-045	180-16-221	AMD-P	97-20-142
173-303-9903	AMD-P	97-16-074	173-400-030	AMD-P	97-15-071	180-16-222	AMD	97-04-083
173-303-9904	AMD-P	97-16-074	173-400-110	AMD-P	97-15-071	180-16-222	REP	97-04-083
173-303-9905	AMD-P	97-16-074	173-400-110	AMD-C	97-20-123	180-16-223	REP	97-04-083
173-309-010	PREP-X	97-13-041	173-401-735	AMD-P	97-04-061	180-16-224	REP	97-04-083
173-309-010	REP	97-18-046	173-401-735	AMD	97-08-084	180-16-236	PREP	97-10-008
173-309-020	PREP-X	97-13-041	173-401-830	PREP-X	97-14-075	180-24	PREP	97-09-032
173-309-020	REP	97-18-046	173-430-040	AMD	97-03-021	180-24-410	AMD-P	97-13-096
173-309-030	PREP-X	97-13-041	173-490	PREP	97-09-018	180-24-410	AMD-W	97-14-023
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173-309-040	PREP-X	97-13-041	173-491-020	AMD	97-04-012	180-24-415	AMD-P	97-13-096
173-309-040	REP	97-18-046	173-491-040	AMD	97-04-012	180-24-415	AMD-W	97-14-023
173-309-050	PREP-X	97-13-041	173-491-050	AMD	97-04-012	180-24-415	AMD-P	97-16-071
173-309-050	REP	97-18-046	173-500	PREP	97-13-074	180-27-056	PREP	97-09-115
173-309-060	PREP-X	97-13-041	173-531A	PREP	97-12-092	180-33-025	PREP	97-09-116
173-309-060	REP	97-18-046	173-563-090	PREP	97-12-092	180-34	PREP	97-17-066
173-309-070	PREP-X	97-13-041	174-116	PREP	97-05-044	180-36	PREP	97-17-065
173-309-070	REP	97-18-046	174-122	PREP	97-05-044	180-40-260	AMD-P	97-04-067
173-309-080	PREP-X	97-13-041	174-122-010	REP-P	97-09-084	180-40-260	AMD	97-08-019
173-309-080	REP	97-18-046	174-122-010	REP	97-13-047	180-40-310	AMD-P	97-04-067
173-309-090	PREP-X	97-13-041	174-122-020	REP-P	97-09-084	180-40-310	AMD	97-08-019
173-309-090	REP	97-18-046	174-122-020	REP	97-13-047	180-51-050	AMD-P	97-04-066
173-311-010	PREP-X	97-13-040	174-122-030	REP-P	97-09-084	180-51-050	AMD	97-08-020
173-311-010	REP	97-18-048	174-122-030	REP	97-13-047	180-75-003	REP	97-04-088
173-311-020	PREP-X	97-13-040	174-122-040	REP-P	97-09-084	180-75-005	REP	97-04-088
173-311-020	REP	97-18-048	174-122-040	REP	97-13-047	180-75-016	REP	97-04-088
173-311-030	PREP-X	97-13-040	174-130	PREP	97-05-044	180-75-017	REP	97-04-088
173-311-030	REP	97-18-048	174-130-010	REP-P	97-09-084	180-75-045	REP	97-04-088
173-311-040	PREP-X	97-13-040	174-130-010	REP	97-13-047	180-75-047	REP	97-04-088
173-311-040	REP	97-18-048	174-130-020	REP-P	97-09-084	180-75-048	REP	97-04-088
173-311-050	PREP-X	97-13-040	174-130-020	REP	97-13-047	180-75-050	REP	97-04-088
173-311-050	REP	97-18-048	174-133	PREP	97-05-044	180-75-055	REP	97-04-088
173-315-010	PREP-X	97-13-039	174-133-020	AMD-P	97-09-084	180-75-060	REP	97-04-088
173-315-010	REP	97-18-043	174-133-020	AMD	97-13-047	180-75-061	REP	97-04-088
173-315-020	PREP-X	97-13-039	174-140	PREP	97-05-044	180-75-065	REP	97-04-088
173-315-020	REP	97-18-043	174-140-010	NEW-P	97-09-084	180-75-070	REP	97-04-088
173-315-030	PREP-X	97-13-039	174-140-010	NEW	97-13-047	180-75-081	DECOD	97-04-082
173-315-030	REP	97-18-043	174-140-180	REP-P	97-09-084	180-75-082	REP	97-04-088
173-315-040	PREP-X	97-13-039	174-140-180	REP	97-13-047	180-75-083	DECOD	97-04-082
173-315-040	REP	97-18-043	174-140-190	REP-P	97-09-084	180-75-085	REP	97-04-088
173-315-050	PREP-X	97-13-039	174-140-190	REP	97-13-047	180-75-087	REP	97-04-088
173-315-050	REP	97-18-043	174-140-200	REP-P	97-09-084	180-75-088	REP	97-04-088
173-315-060	PREP-X	97-13-039	174-140-200	REP	97-13-047	180-75-089	REP	97-04-088
173-315-060	REP	97-18-043	174-140-210	REP-P	97-09-084	180-75-090	REP	97-04-088
173-315-070	PREP-X	97-13-039	174-140-210	REP	97-13-047	180-75-091	REP	97-04-088
173-315-070	REP	97-18-043	174-140-220	REP-P	97-09-084	180-75-092	REP	97-04-088
173-318-010	PREP-X	97-13-038	174-140-220	REP	97-13-047	180-75-100	REP	97-04-088
173-318-010	REP	97-18-044	174-140-230	REP-P	97-09-084	180-75-110	REP	97-04-088
173-318-020	PREP-X	97-13-038	174-140-230	REP	97-13-047	180-77	PREP	97-10-016
173-318-020	REP	97-18-044	174-140-240	REP-P	97-09-084	180-77-003	AMD	97-04-085
173-318-030	PREP-X	97-13-038	174-140-240	REP	97-13-047	180-77-003	AMD-P	97-20-134
173-318-030	REP	97-18-044	174-276	PREP	97-05-044	180-77-014	AMD-P	97-20-134
173-318-030	REP	97-18-044				180-77-025	AMD-P	97-20-134

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
180-77-031	AMD	97-04-085	180-78A-165	NEW	97-04-084	180-79-332	REP	97-04-088
180-77-031	AMD-P	97-20-134	180-78A-195	NEW	97-04-084	180-79-333	REP	97-04-088
180-77-041	AMD	97-04-085	180-78A-197	NEW	97-04-084	180-79-334	REP	97-04-088
180-77-041	AMD-P	97-20-134	180-78A-201	NEW	97-04-084	180-79-336	REP	97-04-088
180-77-120	AMD	97-04-085	180-78A-260	NEW	97-04-084	180-79-338	REP	97-04-088
180-77-120	AMD-P	97-20-134	180-78A-263	NEW-P	97-20-133	180-79-340	REP	97-04-088
180-77A-003	NEW	97-04-087	180-78A-265	NEW	97-04-084	180-79-342	REP	97-04-088
180-77A-004	NEW	97-04-087	180-78A-265	PREP	97-14-104	180-79-344	REP	97-04-088
180-77A-006	NEW	97-04-087	180-78A-265	AMD-P	97-20-149	180-79-346	REP	97-04-088
180-77A-012	NEW	97-04-087	180-78A-266	NEW	97-04-084	180-79-348	REP	97-04-088
180-77A-014	NEW	97-04-087	180-78A-300	NEW	97-04-084	180-79-350	REP	97-04-088
180-77A-016	NEW	97-04-087	180-78A-301	NEW	97-04-084	180-79-352	REP	97-04-088
180-77A-018	NEW	97-04-087	180-78A-302	NEW	97-04-084	180-79-354	REP	97-04-088
180-77A-020	NEW	97-04-087	180-78A-303	NEW	97-04-084	180-79-356	REP	97-04-088
180-77A-025	NEW	97-04-087	180-78A-304	NEW	97-04-084	180-79-358	REP	97-04-088
180-77A-026	NEW	97-04-087	180-78A-305	NEW	97-04-084	180-79-360	REP	97-04-088
180-77A-028	NEW	97-04-087	180-78A-306	NEW	97-04-084	180-79-362	REP	97-04-088
180-77A-029	NEW	97-04-087	180-78A-320	NEW	97-04-084	180-79-364	REP	97-04-088
180-77A-030	NEW	97-04-087	180-78A-340	NEW	97-04-084	180-79-366	REP	97-04-088
180-77A-033	NEW	97-04-087	180-78A-345	NEW	97-04-084	180-79-368	REP	97-04-088
180-77A-037	NEW	97-04-087	180-78A-350	NEW	97-04-084	180-79-370	REP	97-04-088
180-77A-040	NEW	97-04-087	180-78A-355	NEW	97-04-084	180-79-372	REP	97-04-088
180-77A-057	NEW	97-04-087	180-78A-360	NEW	97-04-084	180-79-374	REP	97-04-088
180-77A-165	NEW	97-04-087	180-78A-365	NEW	97-04-084	180-79-376	REP	97-04-088
180-77A-170	NEW	97-04-087	180-79-003	REP	97-04-088	180-79-378	REP	97-04-088
180-77A-175	NEW	97-04-087	180-79-005	REP	97-04-088	180-79-379	REP	97-04-088
180-77A-180	NEW	97-04-087	180-79-010	REP	97-04-088	180-79-380	REP	97-04-088
180-77A-195	NEW	97-04-087	180-79-031	REP	97-04-088	180-79-382	REP	97-04-088
180-78-205	AMD	97-04-081	180-79-032	REP	97-04-088	180-79-384	REP	97-04-088
180-78-207	RECOD	97-04-081	180-79-035	REP	97-04-088	180-79-386	REP	97-04-088
180-78-215	AMD	97-04-081	180-79-041	REP	97-04-088	180-79-388	REP	97-04-088
180-78-217	RECOD	97-04-081	180-79-045	REP	97-04-088	180-79-390	REP	97-04-088
180-78-235	AMD	97-04-081	180-79-047	REP	97-04-088	180-79-392	REP	97-04-088
180-78-237	RECOD	97-04-081	180-79-049	REP	97-04-088	180-79-394	REP	97-04-088
180-78-285	AMD	97-04-081	180-79-060	REP	97-04-088	180-79-396	REP	97-04-088
180-78A	PREP	97-10-007	180-79-062	REP	97-04-088	180-79-398	REP	97-04-088
180-78A	PREP	97-10-013	180-79-063	REP	97-04-088	180-79A	PREP	97-09-015
180-78A-003	NEW	97-04-084	180-79-065	REP	97-04-088	180-79A-003	NEW	97-04-088
180-78A-004	NEW	97-04-084	180-79-075	REP	97-04-088	180-79A-005	NEW	97-04-088
180-78A-005	NEW	97-04-084	180-79-080	REP	97-04-088	180-79A-010	NEW	97-04-088
180-78A-006	NEW	97-04-084	180-79-086	REP	97-04-088	180-79A-010	AMD-P	97-20-144
180-78A-007	NEW	97-04-084	180-79-115	REP	97-04-088	180-79A-012	NEW	97-04-088
180-78A-010	NEW	97-04-084	180-79-117	REP	97-04-088	180-79A-013	NEW	97-04-088
180-78A-010	PREP	97-10-006	180-79-120	REP	97-04-088	180-79A-015	NEW	97-04-088
180-78A-010	AMD-P	97-20-150	180-79-121	REP	97-04-088	180-79A-015	AMD-P	97-20-144
180-78A-012	NEW	97-04-084	180-79-122	REP	97-04-088	180-79A-020	NEW	97-04-088
180-78A-015	NEW	97-04-084	180-79-123	REP	97-04-088	180-79A-022	NEW	97-04-088
180-78A-025	NEW	97-04-084	180-79-124	REP	97-04-088	180-79A-022	AMD-P	97-20-144
180-78A-026	NEW	97-04-084	180-79-125	REP	97-04-088	180-79A-025	NEW	97-04-088
180-78A-028	NEW	97-04-084	180-79-126	REP	97-04-088	180-79A-101	NEW	97-04-088
180-78A-030	NEW	97-04-084	180-79-127	REP	97-04-088	180-79A-105	NEW	97-04-088
180-78A-033	NEW	97-04-084	180-79-128	REP	97-04-088	180-79A-110	NEW	97-04-088
180-78A-037	NEW	97-04-084	180-79-131	DECOD	97-04-081	180-79A-115	NEW	97-04-088
180-78A-047	NEW	97-04-084	180-79-136	DECOD	97-04-081	180-79A-117	NEW	97-04-088
180-78A-057	NEW	97-04-084	180-79-140	DECOD	97-04-081	180-79A-120	NEW	97-04-088
180-78A-057	AMD-P	97-20-143	180-79-230	REP	97-04-088	180-79A-122	NEW	97-04-088
180-78A-060	NEW	97-04-084	180-79-236	REP	97-04-088	180-79A-125	NEW	97-04-088
180-78A-063	NEW	97-04-084	180-79-241	REP	97-04-088	180-79A-126	NEW	97-04-088
180-78A-065	NEW	97-04-084	180-79-245	REP	97-04-088	180-79A-130	NEW	97-04-088
180-78A-068	NEW	97-04-084	180-79-247	REP	97-04-088	180-79A-131	NEW	97-04-088
180-78A-073	NEW	97-04-084	180-79-300	REP	97-04-088	180-79A-140	NEW	97-04-088
180-78A-074	NEW	97-04-084	180-79-303	REP	97-04-088	180-79A-150	NEW	97-04-088
180-78A-075	NEW	97-04-084	180-79-305	REP	97-04-088	180-79A-150	PREP	97-14-105
180-78A-080	NEW	97-04-084	180-79-311	REP	97-04-088	180-79A-150	AMD-P	97-20-148
180-78A-135	NEW	97-04-084	180-79-312	REP	97-04-088	180-79A-160	NEW	97-04-088
180-78A-140	NEW	97-04-084	180-79-315	REP	97-04-088	180-79A-161	NEW	97-04-088
180-78A-142	NEW	97-04-084	180-79-317	REP	97-04-088	180-79A-165	NEW	97-04-088
180-78A-145	NEW	97-04-084	180-79-320	REP	97-04-088	180-79A-170	NEW	97-04-088
180-78A-150	NEW	97-04-084	180-79-322	REP	97-04-088	180-79A-170	AMD-P	97-20-146
180-78A-150	AMD-P	97-20-143	180-79-324	REP	97-04-088	180-79A-200	NEW	97-04-088
180-78A-155	NEW	97-04-084	180-79-326	REP	97-04-088	180-79A-205	NEW	97-04-088
180-78A-160	NEW	97-04-084	180-79-328	REP	97-04-088	180-79A-210	NEW	97-04-088
180-78A-160	AMD-P	97-20-133	180-79-330	REP	97-04-088	180-79A-215	NEW	97-04-088

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180-79A-220	NEW	97-04-088	180-79A-435	NEW	97-04-088	180-115-025	REP	97-16-024
180-79A-225	NEW	97-04-088	180-79A-440	NEW	97-04-088	180-115-030	REP-P	97-13-016
180-79A-230	NEW	97-04-088	180-79A-445	NEW	97-04-088	180-115-030	REP	97-16-024
180-79A-230	PREP	97-10-009	180-79A-503	NEW	97-04-088	180-115-035	REP-P	97-13-016
180-79A-230	AMD-P	97-20-145	180-79A-510	NEW	97-04-088	180-115-035	REP	97-16-024
180-79A-236	NEW	97-04-088	180-79A-515	NEW	97-04-088	180-115-040	REP-P	97-13-016
180-79A-241	NEW	97-04-088	180-79A-517	NEW	97-04-088	180-115-040	REP	97-16-024
180-79A-300	NEW	97-04-088	180-79A-520	NEW	97-04-088	180-115-045	REP-P	97-13-016
180-79A-300	AMD-P	97-20-146	180-85	PREP	97-10-011	180-115-045	REP	97-16-024
180-79A-302	NEW	97-04-088	180-85-025	AMD	97-04-086	180-115-050	REP-P	97-13-016
180-79A-302	AMD-P	97-20-146	180-85-030	AMD	97-04-086	180-115-050	REP	97-16-024
180-79A-304	NEW	97-04-088	180-85-109	AMD-P	97-20-135	180-115-055	REP-P	97-13-016
180-79A-306	NEW	97-04-088	180-85-110	REP	97-04-086	180-115-055	REP	97-16-024
180-79A-308	NEW	97-04-088	180-85-115	REP	97-04-086	180-115-060	REP-P	97-13-016
180-79A-310	NEW	97-04-088	180-85-120	REP	97-04-086	180-115-060	REP	97-16-024
180-79A-311	NEW	97-04-088	180-85-135	REP	97-04-086	180-115-065	REP-P	97-13-016
180-79A-312	NEW	97-04-088	180-85-200	AMD	97-04-086	180-115-065	REP	97-16-024
180-79A-315	NEW	97-04-088	180-85-210	AMD	97-04-086	180-115-075	REP-P	97-13-016
180-79A-317	NEW	97-04-088	180-85-211	NEW	97-04-086	180-115-075	REP	97-16-024
180-79A-320	NEW	97-04-088	180-85-215	AMD	97-04-086	180-115-080	REP-P	97-13-016
180-79A-322	NEW	97-04-088	180-86-011	NEW	97-04-082	180-115-080	REP	97-16-024
180-79A-324	NEW	97-04-088	180-86-013	RECOD	97-04-082	180-115-081	REP-P	97-13-016
180-79A-326	NEW	97-04-088	180-86-014	RECOD	97-04-082	180-115-081	REP	97-16-024
180-79A-328	NEW	97-04-088	180-86-080	NEW	97-05-008	180-115-085	REP-P	97-13-016
180-79A-330	NEW	97-04-088	180-86-080	NEW-W	97-05-043	180-115-085	REP	97-16-024
180-79A-332	NEW	97-04-088	180-86-086	NEW-W	97-05-043	180-115-085	REP	97-13-016
180-79A-333	NEW	97-04-088	180-86-116	NEW	97-05-008	180-115-090	REP-P	97-13-016
180-79A-334	NEW	97-04-088	180-86-116	NEW-W	97-05-043	180-115-090	REP	97-16-024
180-79A-336	NEW	97-04-088	180-87-070	PREP	97-10-025	180-115-095	REP-P	97-13-016
180-79A-338	NEW	97-04-088	180-87-070	AMD-P	97-16-092	180-115-095	REP	97-16-024
180-79A-340	NEW	97-04-088	180-97	PREP	97-10-010	180-115-100	REP-P	97-13-016
180-79A-342	NEW	97-04-088	180-97-015	AMD-P	97-20-136	180-115-100	REP	97-16-024
180-79A-344	NEW	97-04-088	180-97-060	AMD-P	97-20-136	180-115-105	REP-P	97-13-016
180-79A-346	NEW	97-04-088	180-97-070	AMD-P	97-20-136	180-115-105	REP	97-16-024
180-79A-348	NEW	97-04-088	180-110	PREP	97-05-027	182-04-010	AMD-P	97-17-107
180-79A-350	NEW	97-04-088	180-110-010	REP-P	97-13-017	182-04-015	AMD-P	97-17-107
180-79A-352	NEW	97-04-088	180-110-010	REP	97-16-023	182-04-025	AMD-P	97-17-107
180-79A-354	NEW	97-04-088	180-110-015	REP-P	97-13-017	182-04-030	REP-P	97-17-107
180-79A-356	NEW	97-04-088	180-110-015	REP	97-16-023	182-04-035	AMD-P	97-17-107
180-79A-358	NEW	97-04-088	180-110-017	REP-P	97-13-017	182-04-040	AMD-P	97-17-107
180-79A-360	NEW	97-04-088	180-110-017	REP	97-16-023	182-04-041	NEW-P	97-17-107
180-79A-362	NEW	97-04-088	180-110-017	REP	97-16-023	182-04-045	AMD-P	97-17-107
180-79A-364	NEW	97-04-088	180-110-020	REP-P	97-13-017	182-04-050	AMD-P	97-17-107
180-79A-366	NEW	97-04-088	180-110-020	REP	97-16-023	182-04-055	AMD-P	97-17-107
180-79A-368	NEW	97-04-088	180-110-030	REP-P	97-13-017	182-04-060	AMD-P	97-17-107
180-79A-370	NEW	97-04-088	180-110-030	REP	97-16-023	182-04-065	REP-P	97-17-107
180-79A-372	NEW	97-04-088	180-110-035	REP-P	97-13-017	182-04-070	AMD-P	97-17-107
180-79A-374	NEW	97-04-088	180-110-035	REP	97-16-023	182-08-095	AMD-P	97-17-106
180-79A-376	NEW	97-04-088	180-110-040	REP-P	97-13-017	182-08-160	AMD-E	97-06-071
180-79A-378	NEW	97-04-088	180-110-040	REP	97-16-023	182-08-160	AMD-E	97-14-031
180-79A-379	NEW	97-04-088	180-110-045	REP-P	97-13-017	182-08-160	AMD-E	97-17-106
180-79A-380	NEW	97-04-088	180-110-045	REP	97-16-023	182-08-175	AMD-E	97-06-071
180-79A-382	NEW	97-04-088	180-110-050	REP-P	97-13-017	182-08-175	AMD-E	97-14-031
180-79A-384	NEW	97-04-088	180-110-050	REP	97-16-023	182-08-175	AMD-E	97-17-106
180-79A-386	NEW	97-04-088	180-110-052	REP-P	97-13-017	182-08-175	AMD-E	97-14-031
180-79A-388	NEW	97-04-088	180-110-052	REP	97-16-023	182-08-175	AMD-E	97-17-106
180-79A-390	NEW	97-04-088	180-110-053	REP-P	97-13-017	182-12-111	AMD-P	97-17-110
180-79A-392	NEW	97-04-088	180-110-053	REP	97-16-023	182-12-117	AMD-E	97-06-070
180-79A-394	NEW	97-04-088	180-110-055	REP-P	97-13-017	182-12-117	AMD-E	97-14-030
180-79A-396	NEW	97-04-088	180-110-055	REP	97-16-023	182-12-117	AMD-P	97-17-110
180-79A-398	NEW	97-04-088	180-110-060	REP-P	97-13-017	182-12-119	AMD-P	97-17-110
180-79A-403	NEW	97-04-088	180-110-060	REP	97-16-023	182-12-132	AMD-P	97-17-110
180-79A-405	NEW	97-04-088	180-110-060	REP	97-16-023	182-12-200	AMD-P	97-17-110
180-79A-405	AMD-P	97-20-146	180-110-065	REP-P	97-13-017	182-16-030	AMD-P	97-17-109
180-79A-415	NEW	97-04-088	180-110-065	REP-P	97-13-017	182-16-040	AMD-P	97-17-109
180-79A-417	NEW	97-04-088	180-115	PREP	97-05-026	182-16-050	AMD-P	97-17-109
180-79A-420	NEW	97-04-088	180-115-005	REP-P	97-13-016	182-18-005	REP-P	97-17-108
180-79A-422	NEW	97-04-088	180-115-005	REP	97-16-024	182-18-010	REP-P	97-17-108
180-79A-422	NEW	97-04-088	180-115-010	REP-P	97-13-016	182-18-020	REP-P	97-17-108
180-79A-423	NEW	97-04-088	180-115-010	REP	97-16-024	182-18-030	REP-P	97-17-108
180-79A-424	NEW	97-04-088	180-115-015	REP-P	97-13-016	182-18-040	REP-P	97-17-108
180-79A-430	NEW	97-04-088	180-115-015	REP	97-16-024	182-18-050	REP-P	97-17-108
180-79A-433	NEW	97-04-088	180-115-020	REP-P	97-13-016	182-18-060	REP-P	97-17-108
180-79A-433	AMD-P	97-20-146	180-115-020	REP	97-16-024	182-18-080	REP-P	97-17-108
			180-115-025	REP-P	97-13-016	182-18-090	REP-P	97-17-108
						182-18-100	REP-P	97-17-108

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182-18-110	REP-P	97-17-108	197-11-168	NEW-P	97-08-085	204-72-040	PREP	97-19-017
182-18-120	REP-P	97-17-108	197-11-172	NEW-P	97-08-085	204-90	PREP	97-17-059
182-18-130	REP-P	97-17-108	197-11-210	AMD-P	97-08-085	204-90-040	AMD	97-04-055
182-18-140	REP-P	97-17-108	197-11-238	NEW-P	97-08-085	204-91A-060	AMD-S	97-04-053
182-18-150	REP-P	97-17-108	197-11-259	AMD-P	97-08-085	204-91A-060	AMD-E	97-04-056
182-18-160	REP-P	97-17-108	197-11-300	AMD-P	97-08-085	204-91A-060	AMD	97-08-021
182-25-010	AMD-P	97-08-067	197-11-310	AMD-P	97-08-085	204-91A-140	AMD-S	97-04-053
182-25-010	AMD	97-15-003	197-11-315	AMD-P	97-08-085	204-91A-140	AMD-E	97-04-056
182-25-010	PREP	97-18-033	197-11-330	AMD-P	97-08-085	204-91A-140	AMD	97-08-021
182-25-020	AMD-P	97-08-067	197-11-340	AMD-P	97-08-085	204-95-030	NEW	97-03-127
182-25-020	AMD	97-15-003	197-11-355	NEW-P	97-08-085	204-95-080	NEW	97-03-127
182-25-020	PREP	97-18-033	197-11-390	AMD-P	97-08-085	208-440-030	AMD-W	97-03-074
182-25-030	AMD-E	97-06-069	197-11-408	AMD-P	97-08-085	208-444-020	NEW-XA	97-19-006
182-25-030	AMD-P	97-08-067	197-11-502	AMD-P	97-08-085	208-444-030	NEW-XA	97-19-006
182-25-030	AMD-E	97-14-029	197-11-508	AMD-P	97-08-085	208-444-040	NEW-XA	97-19-006
182-25-030	AMD	97-15-003	197-11-535	AMD-P	97-08-085	208-444-050	NEW-XA	97-19-006
182-25-030	PREP	97-18-033	197-11-600	AMD-P	97-08-085	208-630-020	AMD-P	97-06-092
182-25-040	AMD-E	97-06-069	197-11-660	AMD-P	97-08-085	208-630-020	AMD	97-09-035
182-25-040	AMD-P	97-08-067	197-11-680	AMD-P	97-08-085	208-630-021	NEW-P	97-06-092
182-25-040	AMD-E	97-14-029	197-11-702	AMD-P	97-08-085	208-630-021	NEW	97-09-035
182-25-040	AMD	97-15-003	197-11-721	NEW-P	97-08-085	208-630-022	NEW-P	97-06-092
182-25-040	PREP	97-18-033	197-11-728	AMD-P	97-08-085	208-630-022	NEW	97-09-035
182-25-070	PREP	97-18-033	197-11-775	NEW-P	97-08-085	208-630-022	NEW	97-09-035
182-25-080	PREP	97-18-033	197-11-790	AMD-P	97-08-085	208-630-023	NEW-P	97-06-092
182-25-090	AMD-E	97-06-069	197-11-800	AMD-P	97-08-085	208-630-023	NEW	97-09-035
182-25-090	AMD-P	97-08-067	197-11-912	AMD-P	97-08-085	208-680D-050	AMD-W	97-04-071
182-25-090	AMD-E	97-14-029	197-11-914	AMD-P	97-08-085	212-17	PREP	97-05-028
182-25-090	AMD	97-15-003	197-11-938	AMD-P	97-08-085	212-17	PREP	97-13-073
182-25-090	PREP	97-18-033	197-11-940	AMD-P	97-08-085	212-17-185	AMD-E	97-11-023
182-25-100	PREP	97-18-033	197-11-948	AMD-P	97-08-085	212-17-185	RESCIND	97-11-041
182-25-105	PREP	97-18-033	197-11-970	AMD-P	97-08-085	212-17-185	AMD-E	97-11-041
192-12-042	PREP	97-16-011	204-10-020	PREP	97-19-050	212-17-185	RESCIND	97-14-019
192-12-072	PREP	97-16-012	204-10-035	NEW	97-03-087	212-17-185	AMD-E	97-14-019
192-12-141	AMD-XA	97-19-087	204-10-045	PREP	97-03-042	212-17-190	AMD-P	97-16-120
192-23-018	AMD-XA	97-19-087	204-10-045	NEW-P	97-07-036	212-17-190	REP-E	97-11-023
192-32	AMD-E	97-15-022	204-10-045	NEW	97-10-024	212-17-190	RESCIND	97-11-041
192-32	PREP	97-16-010	204-10-070	PREP	97-19-050	212-17-190	REP-E	97-11-041
192-32-001	AMD-E	97-15-022	204-10-090	PREP	97-19-050	212-17-190	RESCIND	97-14-019
192-32-010	AMD-E	97-15-022	204-10-100	PREP	97-19-050	212-17-190	REP-E	97-14-019
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192-32-100	NEW-E	97-15-022	204-41-060	NEW	97-10-023	212-17-200	RESCIND	97-11-041
192-32-105	AMD-E	97-15-022	204-48-010	PREP-X	97-14-041	212-17-200	REP-E	97-11-041
192-32-120	REP-E	97-15-022	204-48-010	REP	97-17-061	212-17-200	RESCIND	97-14-019
192-32-125	REP-E	97-15-022	204-48-020	PREP-X	97-14-041	212-17-200	REP-E	97-14-019
192-32-130	NEW-E	97-15-022	204-48-020	REP	97-17-061	212-17-203	REP-E	97-11-023
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192-33-005	NEW-E	97-14-022	204-48-040	PREP-X	97-14-041	212-17-203	RESCIND	97-14-019
192-33-006	NEW-E	97-14-022	204-48-040	REP	97-17-061	212-17-203	REP-E	97-14-019
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196-24-050	PREP	97-03-029	204-64-040	REP	97-17-060	212-17-210	RESCIND	97-14-019
196-24-085	PREP	97-03-029	204-64-060	PREP-X	97-14-040	212-17-210	REP-E	97-14-019
196-24-100	PREP	97-03-029	204-64-060	REP	97-17-060	212-17-215	REP-E	97-11-023
196-24-105	PREP	97-03-029	204-64-080	PREP-X	97-14-040	212-17-215	RESCIND	97-11-041
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197-11-070	AMD-P	97-08-085	204-72-040	PREP	97-06-100	212-17-21503	RESCIND	97-11-041
197-11-158	NEW-P	97-08-085	204-72-040	AMD-P	97-09-069	212-17-21503	NEW-E	97-11-041
197-11-164	NEW-P	97-08-085	204-72-040	AMD	97-12-061	212-17-21503	RESCIND	97-14-019
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212-17-21505	NEW-E	97-11-041	220-32-05500D	NEW-E	97-12-069	220-47-301	AMD-P	97-09-104
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212-17-21505	NEW-E	97-14-019	220-32-05500D	REP-E	97-12-069	220-47-302	AMD-P	97-09-104
212-17-21505	NEW-P	97-16-120	220-32-05500D	REP-E	97-13-007	220-47-302	AMD	97-16-030
212-17-21507	NEW-E	97-11-023	220-32-05500E	NEW-E	97-13-007	220-47-304	AMD-P	97-09-104
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212-17-21509	NEW-E	97-11-041	220-32-05500H	REP-E	97-15-007	220-47-325	NEW-P	97-09-096
212-17-21509	RESCIND	97-14-019	220-32-05500I	NEW-E	97-15-007	220-47-325	NEW	97-16-030
212-17-21509	NEW-E	97-14-019	220-32-05500I	REP-E	97-15-118	220-47-326	NEW-P	97-09-096
212-17-21509	NEW-P	97-16-120	220-32-05500J	NEW-E	97-15-118	220-47-326	NEW	97-16-032
212-17-21511	NEW-E	97-11-023	220-32-05500J	REP-E	97-17-072	220-47-401	AMD-P	97-09-104
212-17-21511	RESCIND	97-11-041	220-32-05500K	NEW-E	97-17-072	220-47-401	AMD	97-16-030
212-17-21511	NEW-E	97-11-041	220-32-05700U	REP-E	97-03-002	220-47-40100A	NEW-E	97-20-069
212-17-21511	RESCIND	97-14-019	220-32-05700U	NEW-E	97-03-002	220-47-410	NEW-P	97-09-104
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212-17-21511	NEW-P	97-16-120	220-32-05700V	NEW-E	97-09-009	220-47-411	AMD-P	97-09-104
212-17-21513	NEW-E	97-11-023	220-32-05700V	REP-E	97-13-048	220-47-411	AMD	97-16-030
212-17-21513	RESCIND	97-14-019	220-32-05700W	NEW-E	97-13-048	220-47-427	AMD-P	97-09-104
212-17-21513	NEW-E	97-14-019	220-32-05700W	REP-E	97-13-048	220-47-427	AMD	97-16-030
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212-17-21515	NEW-E	97-11-023	220-33-01000M	NEW-E	97-04-013	220-47-428	AMD	97-16-030
212-17-21515	RESCIND	97-11-041	220-33-01000M	REP-E	97-04-013	220-47-800	NEW-E	97-15-006
212-17-21515	NEW-E	97-11-041	220-33-01000N	NEW-E	97-05-042	220-47-801	NEW-E	97-15-006
212-17-21515	RESCIND	97-14-019	220-33-01000P	NEW-E	97-16-075	220-47-801	REP-E	97-15-026
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212-17-21517	RESCIND	97-14-019	220-33-01000Q	REP-E	97-18-013	220-47-803	REP-E	97-16-031
212-17-21517	NEW-E	97-14-019	220-33-01000R	NEW-E	97-18-013	220-47-804	NEW-E	97-16-031
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212-17-21519	NEW-E	97-11-023	220-33-01000S	NEW-E	97-20-035	220-47-805	NEW-E	97-16-068
212-17-21519	RESCIND	97-11-041	220-33-020	AMD-P	97-04-080	220-47-805	REP-E	97-17-003
212-17-21519	NEW-E	97-11-041	220-33-020	AMD	97-07-043	220-47-806	NEW-E	97-17-003
212-17-21519	RESCIND	97-14-019	220-33-03000K	NEW-E	97-11-045	220-47-806	REP-E	97-17-019
212-17-21519	NEW-E	97-14-019	220-33-03000K	REP-E	97-11-045	220-47-807	NEW-E	97-17-019
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212-17-21521	NEW-E	97-11-023	220-33-04000C	REP-E	97-05-041	220-47-808	NEW-E	97-17-032
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220-20-020	AMD	97-07-043	220-36-02300U	REP-E	97-19-039	220-47-812	NEW-E	97-18-059
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220-20-021	AMD	97-07-043	220-36-02300V	REP-E	97-19-080	220-47-813	NEW-E	97-19-003
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220-24-02000D	REP-E	97-10-029	220-40-021	AMD-P	97-09-097	220-47-814	REP-E	97-19-040
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220-32-05100A	REP-E	97-18-060	220-40-02100V	NEW-E	97-16-058	220-47-815	REP-E	97-19-052
220-32-05100B	NEW-E	97-19-028	220-40-027	AMD-P	97-09-097	220-47-816	NEW-E	97-19-052
220-32-05100B	REP-E	97-19-028	220-40-027	AMD	97-15-148	220-47-816	REP-E	97-20-022
220-32-05100C	NEW-E	97-19-085	220-40-02700P	NEW-E	97-16-058	220-47-817	NEW-E	97-20-022
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220-52-04600U	NEW-E	97-06-054	220-56-205	AMD	97-07-078	220-57-137	AMD-P	97-15-147
220-52-04600V	NEW-E	97-20-068	220-56-205	AMD-P	97-15-147	220-57-137	AMD	97-18-035
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220-52-07300N	NEW-E	97-03-101	220-56-255	AMD	97-07-078	220-57-15500B	REP-E	97-14-052
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246-171-090	REP	97-20-101	246-310-060	REP	97-20-101	246-327-001	PREP-X	97-14-056
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246-171-120	REP	97-20-101	246-312-010	NEW-P	97-18-090	246-329-001	PREP-X	97-14-056
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246-171-130	REP	97-20-101	246-312-020	NEW-P	97-18-090	246-331-001	PREP-X	97-14-056
246-171-140	PREP-X	97-14-056	246-316-001	PREP-X	97-14-056	246-331-001	REP	97-20-101
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246-338-060	AMD	97-14-113	246-762-070	REP	97-20-100	246-810-080	AMD-P	97-13-099
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246-338-090	AMD-P	97-11-039	246-790-010	AMD-P	97-13-098	246-810-110	NEW	97-17-113
246-338-090	AMD	97-14-113	246-790-050	AMD	97-16-117	246-810-120	NEW-P	97-13-099
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246-360-060	REP	97-20-100	246-790-070	AMD	97-16-117	246-810-140	NEW	97-17-113
246-360-170	PREP-X	97-14-057	246-790-080	AMD-P	97-13-098	246-810-150	NEW-P	97-13-099
246-360-170	REP	97-20-100	246-790-080	AMD	97-16-117	246-810-150	NEW-W	97-20-153
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246-374-050	REP	97-20-100	246-790-090	AMD	97-16-117	246-810-310	AMD	97-17-113
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246-374-060	REP	97-20-100	246-790-100	AMD	97-16-117	246-810-320	AMD	97-17-113
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246-374-130	REP	97-20-100	246-790-130	AMD	97-16-117	246-810-331	REP	97-17-113
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246-510-320	REP	97-20-101	246-810-032	AMD	97-17-113	246-810-365	REP	97-17-113
246-510-400	PREP-X	97-14-056	246-810-035	NEW-P	97-13-099	246-810-365	REP-P	97-13-099
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246-560-110	PREP-X	97-14-056	246-810-063	AMD-P	97-13-099	246-810-532	NEW	97-17-113
246-560-110	REP	97-20-101	246-810-063	AMD	97-17-113	246-810-534	NEW-P	97-13-099
246-560-120	PREP-X	97-14-056	246-810-064	AMD-P	97-13-099	246-810-534	NEW	97-17-113
246-560-120	REP	97-20-101	246-810-064	AMD	97-17-113	246-810-540	AMD-P	97-13-099
246-710-040	PREP-X	97-14-057	246-810-065	AMD-P	97-13-099	246-810-540	AMD	97-17-113
246-710-040	REP	97-20-100	246-810-065	AMD	97-17-113	246-810-541	REP-P	97-13-099
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246-810-560	REP-P	97-13-099	246-828-065	PREP-X	97-14-059	246-838-080	REP-P	97-07-074
246-810-560	REP	97-17-113	246-828-065	REP	97-20-102	246-838-080	REP	97-13-100
246-810-561	REP-P	97-13-099	246-828-070	AMD-P	97-12-086	246-838-090	REP-P	97-07-074
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246-810-562	REP-P	97-13-099	246-828-075	AMD-XA	97-19-099	246-838-100	REP-P	97-07-074
246-810-562	REP	97-17-113	246-828-080	AMD-XA	97-19-099	246-838-100	REP	97-13-100
246-810-563	REP-P	97-13-099	246-828-090	AMD-XA	97-19-099	246-838-110	REP-P	97-07-074
246-810-563	REP	97-17-113	246-828-100	AMD-XA	97-19-099	246-838-110	REP	97-13-100
246-810-564	REP-P	97-13-099	246-828-100	AMD-XA	97-19-099	246-838-120	REP-P	97-07-074
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246-810-565	REP	97-17-113	246-828-295	AMD-XA	97-19-099	246-838-121	REP	97-13-100
246-810-566	REP-P	97-13-099	246-828-300	AMD-XA	97-19-099	246-838-130	REP-P	97-07-074
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246-810-570	REP-P	97-13-099	246-828-330	AMD-XA	97-19-099	246-838-250	REP-P	97-07-074
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246-810-570	REP	97-17-113	246-828-350	AMD-XA	97-19-099	246-838-260	REP-P	97-07-074
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246-810-710	NEW	97-17-113	246-828-410	PREP-X	97-14-060	246-838-280	REP-P	97-07-074
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246-810-721	NEW	97-17-113	246-828-430	PREP-X	97-14-060	246-838-300	REP-P	97-07-074
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246-810-730	REP	97-17-113	246-828-510	PREP	97-15-097	246-838-310	REP-P	97-07-074
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246-810-741	REP-P	97-13-099	246-830-250	REP	97-20-101	246-838-360	REP	97-13-100
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246-810-760	REP	97-17-113	246-830-690	PREP-X	97-14-056	246-839-040	REP-P	97-07-074
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246-810-761	REP	97-17-113	246-834-350	PREP-X	97-14-056	246-839-050	REP-P	97-07-074
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246-810-763	REP-P	97-13-099	246-836-070	REP	97-20-101	246-839-060	REP	97-13-100
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246-810-780	REP	97-17-113	246-838-020	REP-P	97-07-074	246-839-110	REP-P	97-07-074
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246-810-990	AMD	97-17-113	246-838-026	REP-P	97-07-074	246-839-115	REP-P	97-07-074
246-822-100	PREP-X	97-14-056	246-838-026	REP	97-13-100	246-839-115	REP	97-13-100
246-822-100	REP	97-20-101	246-838-030	REP-P	97-07-074	246-839-120	REP-P	97-07-074
246-822-140	PREP-X	97-14-056	246-838-030	REP	97-13-100			

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-839-120	REP	97-13-100	246-839-860	REP	97-17-049	246-840-420	NEW	97-13-100
246-839-130	REP-P	97-07-074	246-839-870	REP-P	97-07-074	246-840-430	NEW-P	97-07-074
246-839-130	REP	97-13-100	246-839-870	REP	97-13-100	246-840-430	NEW	97-13-100
246-839-300	REP-P	97-07-074	246-839-880	REP-P	97-07-074	246-840-440	NEW-P	97-07-074
246-839-300	REP	97-13-100	246-839-880	REP	97-13-100	246-840-440	NEW	97-13-100
246-839-305	REP-P	97-07-074	246-839-890	REP-P	97-07-074	246-840-450	NEW-P	97-07-074
246-839-305	REP	97-13-100	246-839-890	REP	97-13-100	246-840-450	NEW	97-13-100
246-839-310	REP-P	97-07-074	246-839-900	REP-P	97-07-074	246-840-540	AMD-P	97-07-074
246-839-310	REP	97-13-100	246-839-900	REP	97-13-100	246-840-540	AMD	97-13-100
246-839-315	REP-P	97-07-074	246-840-010	NEW-P	97-07-074	246-840-565	AMD-P	97-07-074
246-839-315	REP	97-13-100	246-840-010	NEW	97-13-100	246-840-565	AMD	97-13-100
246-839-320	REP-P	97-07-074	246-840-010	AMD-P	97-20-161	246-840-700	NEW-P	97-07-074
246-839-320	REP	97-13-100	246-840-020	NEW-P	97-07-074	246-840-700	NEW	97-13-100
246-839-330	REP-P	97-07-074	246-840-020	NEW	97-13-100	246-840-705	NEW-P	97-07-074
246-839-330	REP	97-13-100	246-840-030	NEW-P	97-07-074	246-840-705	NEW	97-13-100
246-839-340	REP-P	97-07-074	246-840-030	NEW-P	97-08-093	246-840-710	NEW-P	97-07-074
246-839-340	REP	97-13-100	246-840-030	NEW-W	97-09-061	246-840-710	NEW	97-13-100
246-839-345	REP-P	97-07-074	246-840-030	NEW	97-17-015	246-840-715	NEW-P	97-07-074
246-839-345	REP	97-13-100	246-840-040	NEW-P	97-07-074	246-840-715	NEW	97-13-100
246-839-350	REP-P	97-07-074	246-840-040	NEW	97-13-100	246-840-720	NEW-P	97-07-074
246-839-350	REP	97-13-100	246-840-040	NEW	97-07-074	246-840-720	NEW	97-13-100
246-839-360	REP-P	97-07-074	246-840-050	NEW-P	97-13-100	246-840-730	NEW-P	97-07-074
246-839-360	REP	97-13-100	246-840-050	NEW	97-13-100	246-840-730	NEW	97-13-100
246-839-365	REP-P	97-07-074	246-840-060	NEW-P	97-07-074	246-840-745	NEW-P	97-07-074
246-839-365	REP	97-13-100	246-840-060	NEW	97-13-100	246-840-745	NEW	97-13-100
246-839-370	REP-P	97-07-074	246-840-070	NEW-P	97-07-074	246-840-747	NEW-P	97-07-074
246-839-370	REP	97-13-100	246-840-070	NEW	97-13-100	246-840-747	NEW	97-13-100
246-839-400	REP-P	97-07-074	246-840-080	NEW-P	97-07-074	246-840-750	NEW-P	97-07-074
246-839-400	REP	97-13-100	246-840-080	NEW	97-13-100	246-840-750	NEW	97-13-100
246-839-410	REP-P	97-07-074	246-840-090	NEW-P	97-07-074	246-840-760	NEW-P	97-07-074
246-839-410	REP	97-13-100	246-840-090	NEW	97-13-100	246-840-760	NEW	97-13-100
246-839-420	REP-P	97-07-074	246-840-100	NEW-P	97-07-074	246-840-770	NEW-P	97-07-074
246-839-420	REP	97-13-100	246-840-100	NEW	97-13-100	246-840-770	NEW	97-13-100
246-839-430	REP-P	97-07-074	246-840-105	NEW-P	97-07-074	246-840-780	NEW-P	97-07-074
246-839-430	REP	97-13-100	246-840-105	NEW	97-13-100	246-840-780	NEW	97-13-100
246-839-440	REP-P	97-07-074	246-840-110	NEW-P	97-07-074	246-840-800	NEW-P	97-07-074
246-839-440	REP	97-13-100	246-840-110	NEW	97-13-100	246-840-800	NEW	97-07-074
246-839-450	REP-P	97-07-074	246-840-113	NEW-P	97-07-074	246-840-810	NEW-P	97-07-074
246-839-450	REP	97-13-100	246-840-113	NEW	97-13-100	246-840-810	NEW	97-13-100
246-839-700	REP-P	97-07-074	246-840-115	NEW-P	97-07-074	246-840-820	NEW-P	97-07-074
246-839-700	REP	97-13-100	246-840-115	NEW	97-13-100	246-840-820	NEW	97-13-100
246-839-710	REP-P	97-07-074	246-840-120	NEW-P	97-07-074	246-840-830	NEW-P	97-07-074
246-839-710	REP	97-13-100	246-840-120	NEW	97-13-100	246-840-830	NEW	97-13-100
246-839-720	REP-P	97-07-074	246-840-130	NEW-P	97-07-074	246-840-840	NEW-P	97-07-074
246-839-720	REP	97-13-100	246-840-130	NEW	97-13-100	246-840-840	NEW	97-13-100
246-839-730	REP-P	97-07-074	246-840-300	NEW-P	97-07-074	246-840-850	NEW-P	97-07-074
246-839-730	REP	97-13-100	246-840-300	NEW	97-13-100	246-840-850	NEW	97-13-100
246-839-740	REP-P	97-07-074	246-840-305	NEW-P	97-07-074	246-840-860	NEW-P	97-07-074
246-839-740	REP	97-13-100	246-840-305	NEW	97-13-100	246-840-860	NEW-S	97-12-030
246-839-745	REP-P	97-07-074	246-840-310	NEW-P	97-07-074	246-840-860	NEW	97-17-049
246-839-745	REP	97-13-100	246-840-310	NEW	97-13-100	246-840-870	NEW-P	97-07-074
246-839-750	REP-P	97-07-074	246-840-315	NEW-P	97-07-074	246-840-870	NEW	97-13-100
246-839-750	REP	97-13-100	246-840-315	NEW	97-13-100	246-840-880	NEW-P	97-07-074
246-839-760	REP-P	97-07-074	246-840-320	NEW-P	97-07-074	246-840-880	NEW	97-13-100
246-839-760	REP	97-13-100	246-840-320	NEW	97-13-100	246-840-890	NEW-P	97-07-074
246-839-770	REP-P	97-07-074	246-840-330	NEW-P	97-07-074	246-840-890	NEW	97-13-100
246-839-770	REP	97-13-100	246-840-330	NEW	97-13-100	246-840-900	NEW-P	97-07-074
246-839-780	REP-P	97-07-074	246-840-340	NEW-P	97-13-100	246-840-900	NEW	97-13-100
246-839-780	REP	97-13-100	246-840-340	NEW	97-13-100	246-840-930	AMD-P	97-07-074
246-839-800	REP-P	97-07-074	246-840-345	NEW-P	97-07-074	246-840-930	AMD	97-13-100
246-839-800	REP	97-13-100	246-840-345	NEW	97-13-100	246-840-940	AMD-P	97-07-074
246-839-810	REP-P	97-07-074	246-840-350	NEW-P	97-07-074	246-840-940	AMD	97-13-100
246-839-810	REP	97-13-100	246-840-350	NEW	97-13-100	246-840-985	NEW-P	97-20-161
246-839-820	REP-P	97-07-074	246-840-360	NEW-P	97-07-074	246-840-990	AMD-P	97-20-162
246-839-820	REP	97-13-100	246-840-360	NEW	97-13-100	246-841-710	PREP-X	97-14-061
246-839-830	REP-P	97-07-074	246-840-365	NEW-P	97-07-074	246-841-710	REP	97-20-101
246-839-830	REP	97-13-100	246-840-370	NEW-P	97-07-074	246-841-730	PREP-X	97-14-061
246-839-840	REP-P	97-07-074	246-840-370	NEW	97-13-100	246-841-730	REP	97-20-101
246-839-840	REP	97-13-100	246-840-400	NEW-P	97-07-074	246-841-740	PREP-X	97-14-061
246-839-850	REP-P	97-07-074	246-840-400	NEW	97-13-100	246-841-740	REP	97-20-101
246-839-850	REP	97-13-100	246-840-410	NEW-P	97-07-074	246-841-750	PREP-X	97-14-061
246-839-860	REP-P	97-07-074	246-840-410	NEW	97-13-100	246-841-750	REP	97-20-101
246-839-860	REP-S	97-12-030	246-840-420	NEW-P	97-07-074	246-843-158	PREP-X	97-14-056

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-843-158	REP	97-20-101	246-897-180	PREP-X	97-14-066	251-12-600	AMD-W	97-10-088
246-851-090	AMD-P	97-08-094	246-897-180	REP	97-20-168	251-12-600	AMD-P	97-10-089
246-851-090	AMD	97-12-088	246-897-190	PREP-X	97-14-066	251-12-600	AMD	97-13-045
246-851-100	AMD-P	97-08-094	246-897-190	REP	97-20-168	251-14-060	AMD	97-06-012
246-851-100	AMD	97-12-088	246-901	PREP	97-16-087	251-14-120	AMD	97-06-012
246-851-110	AMD-P	97-08-094	246-907-020	AMD	97-06-019	251-20-020	AMD-P	97-08-090
246-851-110	AMD	97-12-088	246-907-030	AMD	97-06-019	251-20-020	AMD-W	97-10-088
246-851-120	AMD-P	97-08-094	246-915-080	PREP-X	97-14-067	251-20-020	AMD-P	97-10-089
246-851-120	AMD	97-12-088	246-915-080	REP	97-20-103	251-20-020	AMD	97-13-045
246-851-140	AMD-P	97-08-094	246-915-090	PREP-X	97-14-067	260-24-010	REP-P	97-04-060
246-851-140	AMD	97-12-088	246-915-090	REP	97-20-103	260-24-010	REP-W	97-17-043
246-851-150	AMD-P	97-08-094	246-919-520	NEW-P	97-15-126	260-24-020	REP-P	97-04-060
246-851-150	AMD	97-12-088	246-919-990	AMD-P	97-12-085	260-24-020	REP-W	97-17-043
246-851-160	AMD-P	97-08-094	246-919-990	AMD	97-15-100	260-24-030	REP-P	97-04-060
246-851-160	AMD	97-12-088	246-933-170	PREP-X	97-14-056	260-24-030	REP-W	97-17-043
246-851-170	AMD-P	97-08-094	246-933-170	REP	97-20-101	260-24-040	REP-P	97-04-060
246-851-170	AMD	97-12-088	246-933-980	PREP-X	97-14-056	260-24-040	REP-W	97-17-043
246-851-180	AMD-P	97-08-094	246-933-980	REP	97-20-101	260-24-050	REP-P	97-04-060
246-851-180	AMD	97-12-088	246-935-125	PREP-X	97-14-056	260-24-050	REP-W	97-17-043
246-851-190	AMD-P	97-08-094	246-935-125	REP	97-20-101	260-24-060	REP-P	97-04-060
246-851-190	AMD	97-12-088	246-937-100	PREP-X	97-14-056	260-24-060	REP-W	97-17-043
246-851-200	AMD-P	97-08-094	246-937-100	REP	97-20-101	260-24-070	REP-P	97-04-060
246-851-200	AMD	97-12-088	246-976-090	PREP-X	97-14-056	260-24-070	REP-W	97-17-043
246-851-210	REP-P	97-08-094	246-976-090	REP	97-20-101	260-24-080	REP-P	97-04-060
246-851-210	REP	97-12-088	246-976-115	PREP-X	97-14-056	260-24-080	REP-W	97-17-043
246-851-220	AMD-P	97-08-094	246-976-115	REP	97-20-101	260-24-090	REP-P	97-04-060
246-851-220	AMD	97-12-088	249A-02-010	NEW-W	97-09-043	260-24-090	REP-W	97-17-043
246-851-230	AMD-P	97-08-094	249A-02-020	NEW-W	97-09-043	260-24-100	REP-P	97-04-060
246-851-230	AMD	97-12-088	249A-02-030	NEW-W	97-09-043	260-24-100	REP-W	97-17-043
246-851-240	AMD-P	97-08-094	249A-02-040	NEW-W	97-09-043	260-24-110	REP-P	97-04-060
246-851-240	AMD	97-12-088	249A-02-050	NEW-W	97-09-043	260-24-110	REP-W	97-17-043
246-861-030	PREP-X	97-14-062	249A-02-060	NEW-W	97-09-043	260-24-120	REP-P	97-04-060
246-861-030	REP	97-20-164	249A-02-080	NEW-W	97-09-043	260-24-120	REP-W	97-17-043
246-865	PREP	97-11-038	249A-02-100	NEW-W	97-09-043	260-24-130	REP-P	97-04-060
246-869-260	PREP-X	97-14-069	249A-02-200	NEW-W	97-09-043	260-24-130	REP-W	97-17-043
246-869-260	REP	97-20-165	249A-02-210	NEW-W	97-09-043	260-24-140	REP-P	97-04-060
246-877-030	PREP-X	97-14-064	249A-02-220	NEW-W	97-09-043	260-24-140	REP-W	97-17-043
246-877-030	REP	97-20-166	249A-02-250	NEW-W	97-09-043	260-24-150	REP-P	97-04-060
246-893	PREP-X	97-14-065	249A-02-300	NEW-W	97-09-043	260-24-150	REP-W	97-17-043
246-893-001	REP	97-20-167	249A-02-350	NEW-W	97-09-043	260-24-160	REP-P	97-04-060
246-893-010	REP	97-20-167	249A-02-360	NEW-W	97-09-043	260-24-160	REP-W	97-17-043
246-893-020	REP	97-20-167	249A-02-410	NEW-W	97-09-043	260-24-170	REP-P	97-04-060
246-893-030	REP	97-20-167	249A-02-420	NEW-W	97-09-043	260-24-170	REP-W	97-17-043
246-893-040	REP	97-20-167	249A-02-430	NEW-W	97-09-043	260-24-180	REP-P	97-04-060
246-893-050	REP	97-20-167	249A-02-440	NEW-W	97-09-043	260-24-180	REP-W	97-17-043
246-893-060	REP	97-20-167	249A-02-450	NEW-W	97-09-043	260-24-190	REP-P	97-04-060
246-893-070	REP	97-20-167	249A-02-460	NEW-W	97-09-043	260-24-190	REP-W	97-17-043
246-893-080	REP	97-20-167	249A-02-470	NEW-W	97-09-043	260-24-200	REP-P	97-04-060
246-893-090	REP	97-20-167	249A-02-510	NEW-W	97-09-043	260-24-200	REP-W	97-17-043
246-893-100	REP	97-20-167	249A-02-520	NEW-W	97-09-043	260-24-210	REP-P	97-04-060
246-893-110	REP	97-20-167	249A-02-540	NEW-W	97-09-043	260-24-210	REP-W	97-17-043
246-893-120	REP	97-20-167	249A-02-560	NEW-W	97-09-043	260-24-220	REP-P	97-04-060
246-893-130	REP	97-20-167	249A-02-600	NEW-W	97-09-043	260-24-220	REP-W	97-17-043
246-893-140	REP	97-20-167	249A-02-650	NEW-W	97-09-043	260-24-230	REP-P	97-04-060
246-893-998	REP	97-20-167	249A-02-810	NEW-W	97-09-043	260-24-230	REP-W	97-17-043
246-897-030	PREP-X	97-14-066	249A-02-830	NEW-W	97-09-043	260-24-240	REP-P	97-04-060
246-897-030	REP	97-20-168	249A-02-860	NEW-W	97-09-043	260-24-240	REP-W	97-17-043
246-897-040	PREP-X	97-14-066	251-01-045	AMD-P	97-08-090	260-24-250	REP-P	97-04-060
246-897-040	REP	97-20-168	251-01-045	AMD-W	97-10-088	260-24-250	REP-W	97-17-043
246-897-050	PREP-X	97-14-066	251-01-110	AMD-P	97-08-090	260-24-260	REP-P	97-04-060
246-897-050	REP	97-20-168	251-01-110	AMD-W	97-10-088	260-24-260	REP-W	97-17-043
246-897-120	PREP-X	97-14-066	251-04-040	AMD-P	97-08-090	260-24-270	REP-P	97-04-060
246-897-120	REP	97-20-168	251-04-040	AMD-W	97-10-088	260-24-270	REP-W	97-17-043
246-897-130	PREP-X	97-14-066	251-04-050	AMD-P	97-08-090	260-24-280	REP-P	97-04-060
246-897-130	REP	97-20-168	251-04-050	AMD-W	97-10-088	260-24-280	REP-W	97-17-043
246-897-140	PREP-X	97-14-066	251-10-030	AMD-P	97-08-090	260-24-290	REP-P	97-04-060
246-897-140	REP	97-20-168	251-10-030	AMD-W	97-10-088	260-24-290	REP-W	97-17-043
246-897-150	PREP-X	97-14-066	251-10-030	AMD-P	97-20-063	260-24-300	REP-P	97-04-060
246-897-150	REP	97-20-168	251-12-270	REP-P	97-08-090	260-24-300	REP-W	97-17-043
246-897-160	PREP-X	97-14-066	251-12-270	REP-W	97-10-088	260-24-310	REP-P	97-04-060
246-897-160	REP	97-20-168	251-12-270	REP-P	97-10-089	260-24-310	REP-W	97-17-043
246-897-170	PREP-X	97-14-066	251-12-270	REP	97-13-045	260-24-320	REP-P	97-04-060
246-897-170	REP	97-20-168	251-12-600	AMD-P	97-08-090	260-24-320	REP-W	97-17-043

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
260-24-330	REP-P	97-04-060	260-24-690	NEW-W	97-17-043	275-48-020	PREP	97-15-131
260-24-330	REP-W	97-17-043	260-24-700	NEW-P	97-04-060	275-48-020	REP-P	97-19-102
260-24-340	REP-P	97-04-060	260-24-700	NEW-W	97-17-043	275-48-025	PREP	97-15-131
260-24-340	REP-W	97-17-043	260-32	PREP	97-04-059	275-48-025	REP-P	97-19-102
260-24-350	REP-P	97-04-060	260-48	PREP	97-04-058	275-48-030	PREP	97-15-131
260-24-350	REP-W	97-17-043	262-01-030	PREP	97-06-112	275-48-030	REP-P	97-19-102
260-24-360	REP-P	97-04-060	262-01-030	AMD-P	97-09-091	275-48-035	PREP	97-15-131
260-24-360	REP-W	97-17-043	262-01-030	AMD-W	97-10-060	275-48-035	REP-P	97-19-102
260-24-370	REP-P	97-04-060	262-01-030	AMD-P	97-11-065	275-48-040	PREP	97-15-131
260-24-370	REP-W	97-17-043	262-01-030	AMD	97-16-021	275-48-040	REP-P	97-19-102
260-24-380	REP-P	97-04-060	262-01-130	NEW-P	97-17-078	275-48-045	PREP	97-15-131
260-24-380	REP-W	97-17-043	262-01-130	NEW	97-20-086	275-48-045	REP-P	97-19-102
260-24-390	REP-P	97-04-060	262-02-020	PREP	97-06-112	275-48-050	PREP	97-15-131
260-24-390	REP-W	97-17-043	262-02-020	AMD-P	97-09-090	275-48-050	REP-P	97-19-102
260-24-400	REP-P	97-04-060	262-02-020	AMD-W	97-10-060	275-60-010	PREP-X	97-14-071
260-24-400	REP-W	97-17-043	262-02-020	AMD-P	97-11-064	275-60-010	REP	97-18-052
260-24-410	REP-P	97-04-060	262-02-020	AMD	97-16-020	275-60-020	PREP-X	97-14-071
260-24-410	REP-W	97-17-043	262-02-030	PREP	97-06-112	275-60-020	REP	97-18-052
260-24-420	REP-P	97-04-060	262-02-030	AMD-P	97-09-090	275-60-030	PREP-X	97-14-071
260-24-420	REP-W	97-17-043	262-02-030	AMD-W	97-10-060	275-60-030	REP	97-18-052
260-24-430	REP-P	97-04-060	262-02-030	AMD-P	97-11-064	275-60-040	PREP-X	97-14-071
260-24-430	REP-W	97-17-043	262-02-030	AMD	97-16-020	275-60-040	REP	97-18-052
260-24-440	REP-P	97-04-060	262-02-030	AMD	97-16-020	275-60-050	PREP-X	97-14-071
260-24-440	REP-W	97-17-043	262-03	PREP	97-07-068	275-60-050	REP	97-18-052
260-24-450	REP-P	97-04-060	262-03-010	NEW-P	97-11-063	275-60-060	PREP-X	97-14-071
260-24-450	REP-W	97-17-043	262-03-010	NEW	97-16-019	275-60-060	REP	97-18-052
260-24-460	REP-P	97-04-060	262-03-020	NEW-P	97-11-063	275-60-070	PREP-X	97-14-071
260-24-460	REP-W	97-17-043	262-03-020	NEW	97-16-019	275-60-070	REP	97-18-052
260-24-465	REP-P	97-04-060	262-03-030	NEW-P	97-11-063	275-60-200	PREP-X	97-14-071
260-24-465	REP-W	97-17-043	262-03-030	NEW	97-16-019	275-60-200	REP	97-18-052
260-24-470	REP-P	97-04-060	262-03-040	NEW-P	97-11-063	275-60-300	PREP-X	97-14-071
260-24-470	REP-W	97-17-043	262-03-040	NEW	97-16-019	275-60-300	REP	97-18-052
260-24-480	REP-P	97-04-060	262-03-050	NEW-P	97-11-063	275-60-400	PREP-X	97-14-071
260-24-480	REP-W	97-17-043	262-03-050	NEW	97-16-019	275-60-400	REP	97-18-052
260-24-500	NEW-P	97-04-060	262-03-060	NEW-P	97-11-063	275-60-500	PREP-X	97-14-071
260-24-500	NEW-W	97-17-043	262-03-060	NEW	97-16-019	275-60-500	REP	97-18-052
260-24-510	NEW-P	97-04-060	262-03-070	NEW-P	97-11-063	275-60-510	PREP-X	97-14-071
260-24-510	NEW-W	97-17-043	262-03-070	NEW	97-16-019	275-60-510	REP	97-18-052
260-24-520	NEW-P	97-04-060	262-03-080	NEW-P	97-11-063	275-60-520	PREP-X	97-14-071
260-24-520	NEW-W	97-17-043	262-03-080	NEW	97-16-019	275-60-520	REP	97-18-052
260-24-530	NEW-P	97-04-060	262-03-090	NEW-P	97-11-063	275-60-520	REP	97-18-052
260-24-530	NEW-W	97-17-043	262-03-090	NEW	97-16-019	275-76-005	PREP	97-15-131
260-24-540	NEW-P	97-04-060	262-04	PREP	97-14-025	275-76-005	REP-P	97-19-102
260-24-540	NEW-W	97-17-043	275-27-023	AMD-E	97-03-033	275-76-010	PREP	97-15-131
260-24-550	NEW-P	97-04-060	275-27-023	AMD-P	97-08-007	275-76-010	REP-P	97-19-102
260-24-550	NEW-W	97-17-043	275-27-023	AMD-E	97-11-009	275-76-020	PREP	97-15-131
260-24-560	NEW-P	97-04-060	275-27-023	AMD	97-13-051	275-76-020	REP-P	97-19-102
260-24-560	NEW-W	97-17-043	275-27-220	AMD-E	97-03-033	275-76-030	PREP	97-15-131
260-24-570	NEW-P	97-04-060	275-27-220	AMD-P	97-08-007	275-76-030	REP-P	97-19-102
260-24-570	NEW-W	97-17-043	275-27-220	AMD-E	97-11-009	275-76-040	PREP	97-15-131
260-24-580	NEW-P	97-04-060	275-27-221	AMD	97-13-051	275-76-040	REP-P	97-19-102
260-24-580	NEW-W	97-17-043	275-27-221	REP-E	97-03-033	275-76-050	PREP	97-15-131
260-24-590	NEW-P	97-04-060	275-27-221	REP-P	97-08-007	275-76-050	REP-P	97-19-102
260-24-590	NEW-W	97-17-043	275-27-221	REP-E	97-11-009	275-76-060	PREP	97-15-131
260-24-600	NEW-P	97-04-060	275-27-221	REP	97-13-051	275-76-060	REP-P	97-19-102
260-24-600	NEW-W	97-17-043	275-27-222	NEW-P	97-08-007	275-76-070	PREP	97-15-131
260-24-610	NEW-P	97-04-060	275-27-222	NEW-E	97-11-009	275-76-070	REP-P	97-19-102
260-24-610	NEW-W	97-17-043	275-27-222	NEW	97-13-051	275-76-080	PREP	97-15-131
260-24-620	NEW-P	97-04-060	275-27-223	AMD-E	97-03-033	275-76-080	REP-P	97-19-102
260-24-620	NEW-W	97-17-043	275-27-223	AMD-P	97-08-007	275-76-090	PREP	97-15-131
260-24-630	NEW-P	97-04-060	275-27-223	AMD-E	97-11-009	275-76-090	REP-P	97-19-102
260-24-630	NEW-W	97-17-043	275-27-223	AMD	97-13-051	275-76-100	PREP	97-15-131
260-24-640	NEW-P	97-04-060	275-27-223	AMD	97-13-051	275-76-100	REP-P	97-19-102
260-24-640	NEW-W	97-17-043	275-27-400	AMD-E	97-03-033	275-76-110	PREP	97-15-131
260-24-650	NEW-P	97-04-060	275-27-400	AMD-P	97-08-007	275-76-110	REP-P	97-19-102
260-24-650	NEW-W	97-17-043	275-27-400	AMD-E	97-11-009	275-76-120	PREP	97-15-131
260-24-660	NEW-P	97-04-060	275-30	AMD	97-13-051	275-76-120	REP-P	97-19-102
260-24-660	NEW-W	97-17-043	275-30-020	PREP	97-19-103	275-76-130	PREP	97-15-131
260-24-670	NEW-P	97-04-060	275-33-010	REP-P	97-19-102	275-76-130	REP-P	97-19-102
260-24-670	NEW-W	97-17-043	275-46-005	REP-P	97-19-102	275-76-140	PREP	97-15-131
260-24-680	NEW-P	97-04-060	275-48-010	PREP	97-15-131	275-76-140	REP-P	97-19-102
260-24-680	NEW-W	97-17-043	275-48-010	REP-P	97-19-102	275-76-150	PREP	97-15-131
260-24-690	NEW-P	97-04-060	275-48-015	PREP	97-15-131	275-76-150	REP-P	97-19-102
			275-48-015	REP-P	97-19-102	275-80-805	PREP	97-15-131

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
275-80-805	REP-P	97-19-102	275-150-050	PREP	97-15-131	284-43-700	NEW-W	97-11-001
275-80-810	PREP	97-15-131	275-150-050	REP-P	97-19-102	284-43-900	NEW-P	97-20-139
275-80-810	REP-P	97-19-102	275-150-060	PREP	97-15-131	284-43-905	NEW-P	97-20-139
275-80-815	PREP	97-15-131	275-150-060	REP-P	97-19-102	284-43-910	NEW-P	97-20-139
275-80-815	REP-P	97-19-102	275-150-070	PREP	97-15-131	284-43-915	NEW-P	97-20-139
275-80-840	PREP	97-15-131	275-150-070	REP-P	97-19-102	284-43-920	NEW-P	97-20-139
275-80-840	REP-P	97-19-102	275-150-080	PREP	97-15-131	284-43-925	NEW-P	97-20-139
275-80-842	PREP	97-15-131	275-150-080	REP-P	97-19-102	284-43-930	NEW-P	97-20-139
275-80-842	REP-P	97-19-102	275-150-090	PREP	97-15-131	284-43-935	NEW-P	97-20-139
275-80-844	PREP	97-15-131	275-150-090	REP-P	97-19-102	284-43-940	NEW-P	97-20-139
275-80-844	REP-P	97-19-102	275-155	AMD-P	97-11-044	284-43-945	NEW-P	97-20-139
275-80-846	PREP	97-15-131	275-155-005	AMD-P	97-11-044	284-43-950	NEW-P	97-20-139
275-80-846	REP-P	97-19-102	275-155-010	AMD-P	97-11-044	284-43-955	NEW-P	97-20-139
275-80-848	PREP	97-15-131	275-155-070	NEW-P	97-11-044	284-44-100	REP-P	97-20-139
275-80-848	REP-P	97-19-102	275-155-080	NEW-P	97-11-044	284-44-110	REP-P	97-20-139
275-80-852	PREP	97-15-131	275-155-090	NEW-P	97-11-044	284-44-120	REP-P	97-20-139
275-80-852	REP-P	97-19-102	275-155-100	NEW-P	97-11-044	284-44-130	REP-P	97-20-139
275-80-854	PREP	97-15-131	275-155-110	NEW-P	97-11-044	284-44-140	REP-P	97-20-139
275-80-854	REP-P	97-19-102	275-155-120	NEW-P	97-11-044	284-44-150	REP-P	97-20-139
275-80-860	PREP	97-15-131	275-155-130	NEW-P	97-11-044	284-44-160	REP-P	97-20-139
275-80-860	REP-P	97-19-102	275-155-140	NEW-P	97-11-044	284-44-190	REP-P	97-20-139
275-80-870	PREP	97-15-131	284-04	NEW-C	97-03-023	284-44-200	REP-P	97-20-139
275-80-870	REP-P	97-19-102	284-04	NEW-C	97-03-120	284-44-210	REP-P	97-20-139
275-80-872	PREP	97-15-131	284-04	NEW-C	97-08-091	284-44-220	REP-P	97-20-139
275-80-872	REP-P	97-19-102	284-04	NEW-W	97-10-072	284-44-240	REP-W	97-08-044
275-80-876	PREP	97-15-131	284-13-505	NEW	97-05-012	284-44-410	REP-W	97-08-044
275-80-876	REP-P	97-19-102	284-13-515	NEW	97-05-012	284-46-575	REP-W	97-08-044
275-80-878	PREP	97-15-131	284-13-520	AMD	97-05-012	284-51-050	PREP	97-04-074
275-80-878	REP-P	97-19-102	284-13-530	NEW	97-05-012	284-54-750	NEW-P	97-15-150
275-80-890	PREP	97-15-131	284-13-535	NEW	97-05-012	284-54-750	NEW	97-19-007
275-80-890	REP-P	97-19-102	284-13-540	AMD	97-05-012	284-74-010	PREP	97-20-141
275-80-895	PREP	97-15-131	284-13-550	AMD	97-05-012	284-85-085	AMD-P	97-15-150
275-80-895	REP-P	97-19-102	284-13-560	AMD	97-05-012	284-85-085	AMD	97-19-007
275-80-900	PREP	97-15-131	284-13-570	AMD	97-05-012	286-13-040	PREP	97-08-079
275-80-900	REP-P	97-19-102	284-13-590	AMD	97-05-012	286-13-040	AMD-P	97-12-027
275-80-905	PREP	97-15-131	284-13-595	NEW	97-05-012	286-13-040	AMD	97-17-004
275-80-905	REP-P	97-19-102	284-17-220	AMD-P	97-15-150	286-13-045	AMD-P	97-04-006
275-80-910	PREP	97-15-131	284-17-220	AMD	97-19-007	286-13-045	AMD	97-08-003
275-80-910	REP-P	97-19-102	284-23	PREP	97-20-140	286-13-085	AMD-P	97-04-006
275-80-915	PREP	97-15-131	284-30-395	NEW-S	97-03-090	286-13-085	AMD	97-08-003
275-80-915	REP-P	97-19-102	284-30-395	NEW-C	97-08-045	286-13-110	AMD-P	97-04-006
275-80-920	PREP	97-15-131	284-30-395	NEW-C	97-11-010	286-13-110	AMD	97-08-003
275-80-920	REP-P	97-19-102	284-30-395	NEW	97-13-005	286-13-110	PREP	97-08-079
275-80-925	PREP	97-15-131	284-43-110	NEW-W	97-08-044	286-13-110	AMD-P	97-12-027
275-80-925	REP-P	97-19-102	284-43-120	NEW-W	97-08-044	286-13-110	AMD	97-17-004
275-80-930	PREP	97-15-131	284-43-130	NEW-W	97-08-044	286-13-115	PREP	97-08-079
275-80-930	REP-P	97-19-102	284-43-200	NEW-W	97-08-044	286-13-115	AMD-P	97-12-027
275-80-935	PREP	97-15-131	284-43-210	NEW-W	97-08-044	286-13-115	AMD	97-17-004
275-80-935	REP-P	97-19-102	284-43-300	NEW-W	97-08-044	286-26-080	AMD-P	97-04-006
275-80-940	PREP	97-15-131	284-43-310	NEW-W	97-08-044	286-26-080	AMD	97-08-003
275-80-940	REP-P	97-19-102	284-43-320	NEW-W	97-08-044	286-27-040	AMD-P	97-04-006
275-80-995	PREP	97-15-131	284-43-330	NEW-W	97-08-044	286-27-040	AMD	97-08-003
275-80-995	REP-P	97-19-102	284-43-340	NEW-W	97-08-044	286-27-050	REP-P	97-04-006
275-110-010	PREP	97-15-131	284-43-350	NEW-W	97-08-044	286-27-050	REP	97-08-003
275-110-020	PREP	97-15-131	284-43-360	NEW-W	97-08-044	286-35-030	AMD-P	97-04-006
275-110-030	PREP	97-15-131	284-43-400	NEW-W	97-08-044	286-35-030	AMD	97-08-003
275-110-040	PREP	97-15-131	284-43-410	NEW-W	97-08-044	286-35-040	REP-P	97-04-006
275-110-050	PREP	97-15-131	284-43-420	NEW-W	97-08-044	286-35-040	REP	97-08-003
275-110-060	PREP	97-15-131	284-43-500	NEW-W	97-08-044	286-40-020	AMD-P	97-04-006
275-110-070	PREP	97-15-131	284-43-510	NEW-W	97-08-044	286-40-020	AMD	97-08-003
275-110-080	PREP	97-15-131	284-43-520	NEW-W	97-08-044	287-04-029	NEW-XA	97-20-060
275-110-090	PREP	97-15-131	284-43-530	NEW-W	97-08-044	287-04-031	AMD-XA	97-20-060
275-110-100	PREP	97-15-131	284-43-540	NEW-W	97-08-044	287-04-032	NEW-XA	97-20-060
275-110-110	PREP	97-15-131	284-43-550	NEW-W	97-08-044	287-04-033	NEW-XA	97-20-060
275-110-120	PREP	97-15-131	284-43-560	NEW-W	97-08-044	287-04-034	NEW-XA	97-20-060
275-150-010	PREP	97-15-131	284-43-600	NEW-W	97-08-044	287-04-038	NEW-XA	97-20-060
275-150-010	REP-P	97-19-102	284-43-610	NEW-W	97-08-044	287-04-039	NEW-XA	97-20-060
275-150-020	PREP	97-15-131	284-43-620	NEW-W	97-08-044	292-09-010	AMD-P	97-05-022
275-150-020	REP-P	97-19-102	284-43-630	NEW-W	97-08-044	292-09-010	AMD	97-13-069
275-150-030	PREP	97-15-131	284-43-640	NEW-W	97-08-044	292-11-010	NEW-S	97-05-023
275-150-030	REP-P	97-19-102	284-43-650	NEW-W	97-08-044	292-11-010	NEW	97-13-075
275-150-040	PREP	97-15-131	284-43-700	NEW-C	97-05-006	292-11-020	NEW-S	97-05-023
275-150-040	REP-P	97-19-102	284-43-700	NEW-C	97-08-046	292-11-020	NEW	97-13-075

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
292-11-030	NEW-W	97-09-057	296-10-450	REP	97-17-064	296-11-430	DECOD	97-08-042
292-110-010	PREP	97-13-006	296-10-460	PREP-X	97-13-034	296-11-440	DECOD	97-08-042
292-110-050	NEW-P	97-20-098	296-10-460	REP	97-17-064	296-11-450	DECOD	97-08-042
292-120-010	NEW-P	97-20-099	296-10-470	PREP-X	97-13-034	296-11-460	DECOD	97-08-042
292-120-010	NEW-P	97-03-133	296-10-470	REP	97-17-064	296-11-470	DECOD	97-08-042
292-120-010	NEW	97-07-058	296-10-480	PREP-X	97-13-034	296-11-480	DECOD	97-08-042
292-120-020	NEW-P	97-03-133	296-10-480	REP	97-17-064	296-11-490	DECOD	97-08-042
292-120-020	NEW	97-07-058	296-10-490	PREP-X	97-13-034	296-11-500	DECOD	97-08-042
292-120-030	NEW-P	97-03-133	296-10-490	REP	97-17-064	296-11-510	DECOD	97-08-042
292-120-030	NEW	97-07-058	296-10-500	PREP-X	97-13-034	296-11-520	DECOD	97-08-042
292-120-040	NEW-P	97-03-133	296-10-500	REP	97-17-064	296-11-530	DECOD	97-08-042
292-120-040	NEW	97-07-058	296-10-510	PREP-X	97-13-034	296-11-540	DECOD	97-08-042
296-10-010	PREP-X	97-13-034	296-10-510	REP	97-17-064	296-11-550	DECOD	97-08-042
296-10-010	REP	97-17-064	296-10-520	PREP-X	97-13-034	296-11-560	DECOD	97-08-042
296-10-020	PREP-X	97-13-034	296-10-520	REP	97-17-064	296-11-570	DECOD	97-08-042
296-10-020	REP	97-17-064	296-10-530	PREP-X	97-13-034	296-11-580	DECOD	97-08-042
296-10-030	PREP-X	97-13-034	296-10-530	REP	97-17-064	296-11-590	DECOD	97-08-042
296-10-030	REP	97-17-064	296-10-540	PREP-X	97-13-034	296-17	PREP	97-15-139
296-10-040	PREP-X	97-13-034	296-10-540	REP	97-17-064	296-17	PREP	97-15-140
296-10-040	REP	97-17-064	296-10-550	PREP-X	97-13-034	296-17	PREP	97-15-141
296-10-050	PREP-X	97-13-034	296-10-550	REP	97-17-064	296-17	PREP	97-15-142
296-10-050	REP	97-17-064	296-10-560	PREP-X	97-13-034	296-17-45003	AMD	97-06-007
296-10-060	PREP-X	97-13-034	296-10-560	REP	97-17-064	296-17-45003	AMD-E	97-08-043
296-10-060	REP	97-17-064	296-10-570	PREP-X	97-13-034	296-17-45003	AMD-P	97-08-051
296-10-070	PREP-X	97-13-034	296-10-570	REP	97-17-064	296-17-45003	AMD	97-12-011
296-10-070	REP	97-17-064	296-10-580	PREP-X	97-13-034	296-17-45006	NEW	97-06-007
296-10-080	PREP-X	97-13-034	296-10-580	REP	97-17-064	296-17-45006	AMD-E	97-08-043
296-10-080	REP	97-17-064	296-10-590	PREP-X	97-13-034	296-17-45006	AMD-P	97-08-051
296-10-090	PREP-X	97-13-034	296-10-590	REP	97-17-064	296-17-45006	AMD	97-12-011
296-10-090	REP	97-17-064	296-11-001	DECOD	97-08-042	296-17-52107	REP	97-06-007
296-10-100	PREP-X	97-13-034	296-11-003	DECOD	97-08-042	296-17-52112	REP	97-06-007
296-10-100	REP	97-17-064	296-11-010	DECOD	97-08-042	296-17-52114	NEW	97-06-007
296-10-110	PREP-X	97-13-034	296-11-020	DECOD	97-08-042	296-17-52114	REP-E	97-08-043
296-10-110	REP	97-17-064	296-11-030	DECOD	97-08-042	296-17-52114	REP-P	97-08-051
296-10-120	PREP-X	97-13-034	296-11-040	DECOD	97-08-042	296-17-52114	REP	97-12-011
296-10-120	REP	97-17-064	296-11-050	DECOD	97-08-042	296-17-52115	NEW	97-06-007
296-10-130	PREP-X	97-13-034	296-11-060	DECOD	97-08-042	296-17-52115	REP-E	97-08-043
296-10-130	REP	97-17-064	296-11-070	DECOD	97-08-042	296-17-52115	REP-P	97-08-051
296-10-140	PREP-X	97-13-034	296-11-080	DECOD	97-08-042	296-17-52115	REP	97-12-011
296-10-140	REP	97-17-064	296-11-090	DECOD	97-08-042	296-17-52116	NEW	97-06-007
296-10-150	PREP-X	97-13-034	296-11-100	DECOD	97-08-042	296-17-52117	NEW	97-06-007
296-10-150	REP	97-17-064	296-11-110	DECOD	97-08-042	296-17-52117	REP-E	97-08-043
296-10-160	PREP-X	97-13-034	296-11-120	DECOD	97-08-042	296-17-52117	REP-P	97-08-051
296-10-160	REP	97-17-064	296-11-130	DECOD	97-08-042	296-17-52117	REP	97-12-011
296-10-170	PREP-X	97-13-034	296-11-140	DECOD	97-08-042	296-17-52118	NEW-E	97-08-043
296-10-170	REP	97-17-064	296-11-150	DECOD	97-08-042	296-17-52118	NEW-P	97-08-051
296-10-180	PREP-X	97-13-034	296-11-160	DECOD	97-08-042	296-17-52118	NEW	97-12-011
296-10-180	REP	97-17-064	296-11-170	DECOD	97-08-042	296-17-52119	NEW-E	97-08-043
296-10-190	PREP-X	97-13-034	296-11-180	DECOD	97-08-042	296-17-52119	NEW-P	97-08-051
296-10-190	REP	97-17-064	296-11-190	DECOD	97-08-042	296-17-52119	NEW	97-12-011
296-10-200	PREP-X	97-13-034	296-11-200	DECOD	97-08-042	296-17-52120	NEW-E	97-08-043
296-10-200	REP	97-17-064	296-11-210	DECOD	97-08-042	296-17-52120	NEW-P	97-08-051
296-10-210	PREP-X	97-13-034	296-11-220	DECOD	97-08-042	296-17-52120	NEW	97-12-011
296-10-210	REP	97-17-064	296-11-230	DECOD	97-08-042	296-17-52121	NEW-E	97-08-043
296-10-220	PREP-X	97-13-034	296-11-240	DECOD	97-08-042	296-17-52121	NEW-P	97-08-051
296-10-220	REP	97-17-064	296-11-250	DECOD	97-08-042	296-17-52121	NEW	97-12-011
296-10-370	PREP-X	97-13-034	296-11-260	DECOD	97-08-042	296-17-52122	NEW-E	97-08-043
296-10-370	REP	97-17-064	296-11-270	DECOD	97-08-042	296-17-52122	NEW-P	97-08-051
296-10-380	PREP-X	97-13-034	296-11-280	DECOD	97-08-042	296-17-52122	NEW	97-12-011
296-10-380	REP	97-17-064	296-11-290	DECOD	97-08-042	296-17-52123	NEW-E	97-08-043
296-10-390	PREP-X	97-13-034	296-11-300	DECOD	97-08-042	296-17-52123	NEW-P	97-08-051
296-10-390	REP	97-17-064	296-11-310	DECOD	97-08-042	296-17-52123	NEW	97-12-011
296-10-400	PREP-X	97-13-034	296-11-320	DECOD	97-08-042	296-17-52124	NEW-E	97-08-043
296-10-400	REP	97-17-064	296-11-330	DECOD	97-08-042	296-17-52124	NEW-P	97-08-051
296-10-410	PREP-X	97-13-034	296-11-340	DECOD	97-08-042	296-17-52124	NEW	97-12-011
296-10-410	REP	97-17-064	296-11-350	DECOD	97-08-042	296-17-52125	NEW-E	97-08-043
296-10-420	PREP-X	97-13-034	296-11-360	DECOD	97-08-042	296-17-52125	NEW-P	97-08-051
296-10-420	REP	97-17-064	296-11-370	DECOD	97-08-042	296-17-52125	NEW	97-12-011
296-10-430	PREP-X	97-13-034	296-11-380	DECOD	97-08-042	296-17-52126	NEW-E	97-08-043
296-10-430	REP	97-17-064	296-11-390	DECOD	97-08-042	296-17-52126	NEW-P	97-08-051
296-10-440	PREP-X	97-13-034	296-11-400	DECOD	97-08-042	296-17-52126	NEW	97-12-011
296-10-440	REP	97-17-064	296-11-410	DECOD	97-08-042	296-17-855	AMD-P	97-19-095
296-10-450	PREP-X	97-13-034	296-11-420	DECOD	97-08-042	296-17-875	AMD-P	97-19-095

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296-17-880	AMD-P	97-19-095	296-23A-0500	NEW	97-06-066	296-24-67511	AMD-P	97-13-062
296-17-885	AMD-P	97-19-095	296-23A-0520	NEW	97-06-066	296-24-67513	AMD-P	97-13-062
296-17-890	AMD-P	97-19-095	296-23A-0530	NEW	97-06-066	296-24-67515	AMD-P	97-13-062
296-17-895	AMD-P	97-19-095	296-23A-0540	NEW	97-06-066	296-24-67517	AMD-P	97-13-062
296-17-89502	NEW	97-06-007	296-23A-0550	NEW	97-06-066	296-24-67519	AMD-P	97-13-062
296-17-89502	AMD-E	97-08-043	296-23A-0560	NEW	97-06-066	296-24-67520	NEW-P	97-13-062
296-17-89502	AMD-P	97-08-051	296-23A-0570	NEW	97-06-066	296-24-67521	NEW-P	97-13-062
296-17-89502	AMD	97-12-011	296-23A-0575	NEW	97-06-066	296-24-677	REP-P	97-13-062
296-17-89502	AMD-P	97-19-095	296-23A-0580	NEW	97-06-066	296-24-67701	REP-P	97-13-062
296-17-919	AMD-P	97-19-095	296-23A-0600	NEW	97-06-066	296-24-070	REP-P	97-17-079
296-17-91901	AMD-P	97-19-095	296-23A-0610	NEW	97-06-066	296-27-15503	AMD-P	97-03-085
296-17-91902	AMD-P	97-19-095	296-23A-0620	NEW	97-06-066	296-27-15503	AMD	97-11-054
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296-17-91905	AMD-P	97-19-095	296-23A-106	REP	97-06-066	296-46	PREP	97-02-095
296-17-920	AMD-P	97-19-095	296-23A-110	REP	97-06-066	296-46	AMD-C	97-15-143
296-20	PREP	97-02-096	296-23A-115	REP	97-06-066	296-46-090	AMD-P	97-03-083
296-20-125	PREP	97-02-097	296-23A-120	REP	97-06-066	296-46-090	AMD	97-12-016
296-20-135	PREP	97-02-097	296-23A-125	REP	97-06-066	296-46-090	AMD-P	97-14-111
296-20-135	AMD-P	97-05-076	296-23A-130	REP	97-06-066	296-46-130	AMD-P	97-03-083
296-20-135	AMD	97-10-017	296-23A-135	REP	97-06-066	296-46-130	AMD	97-12-016
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296-20-210	AMD	97-09-036	296-23A-145	REP	97-06-066	296-46-140	AMD	97-12-016
296-20-220	AMD	97-09-036	296-23A-150	REP	97-06-066	296-46-150	REP-P	97-03-083
296-23	PREP	97-02-096	296-23A-155	REP	97-06-066	296-46-150	REP	97-12-016
296-23-190	REP-P	97-19-090	296-23A-160	REP	97-06-066	296-46-21008	AMD-P	97-03-083
296-23-210	REP-P	97-19-090	296-23A-165	REP	97-06-066	296-46-21008	AMD	97-12-016
296-23-220	PREP	97-02-097	296-23A-170	REP	97-06-066	296-46-21052	AMD-P	97-03-083
296-23-220	AMD-P	97-05-076	296-23A-175	REP	97-06-066	296-46-21052	AMD	97-12-016
296-23-220	AMD	97-10-017	296-23A-180	REP	97-06-066	296-46-21052	AMD-P	97-14-111
296-23-230	PREP	97-02-097	296-23A-185	REP	97-06-066	296-46-225	AMD-P	97-03-083
296-23-230	AMD-P	97-05-076	296-23A-190	REP	97-06-066	296-46-225	AMD	97-12-016
296-23-230	AMD	97-10-017	296-23A-200	REP	97-06-066	296-46-23028	AMD-P	97-03-083
296-23-265	AMD	97-09-036	296-23A-205	REP	97-06-066	296-46-23028	AMD	97-12-016
296-23-26501	NEW	97-09-036	296-23A-210	REP	97-06-066	296-46-23062	AMD-P	97-03-083
296-23-26502	NEW	97-09-036	296-23A-215	REP	97-06-066	296-46-23062	AMD	97-12-016
296-23-26503	NEW	97-09-036	296-23A-220	REP	97-06-066	296-46-30001	AMD-P	97-03-083
296-23-26504	NEW	97-09-036	296-23A-225	REP	97-06-066	296-46-30001	AMD	97-12-016
296-23-26505	NEW	97-09-036	296-23A-230	REP	97-06-066	296-46-360	AMD-P	97-03-083
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296-23A-0120	NEW	97-06-066	296-23A-400	REP	97-06-066	296-46-553	NEW-P	97-03-083
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296-23A-0140	NEW	97-06-066	296-24	PREP	97-11-051	296-46-700	AMD-P	97-03-083
296-23A-0150	NEW	97-06-066	296-24-07801	AMD-P	97-03-085	296-46-700	AMD	97-12-016
296-23A-0160	NEW	97-06-066	296-24-07801	AMD	97-11-055	296-46-725	AMD-P	97-03-083
296-23A-0170	NEW	97-06-066	296-24-084	AMD-P	97-03-085	296-46-725	AMD	97-12-016
296-23A-0180	NEW	97-06-066	296-24-084	AMD	97-11-055	296-46-910	AMD-P	97-03-083
296-23A-0190	NEW	97-06-066	296-24-088	AMD-P	97-03-085	296-46-910	AMD-E	97-10-064
296-23A-0195	NEW	97-06-066	296-24-088	AMD	97-11-055	296-46-910	AMD	97-12-016
296-23A-0200	NEW	97-06-066	296-24-060	REP-P	97-17-079	296-46-910	AMD-P	97-14-111
296-23A-0210	NEW	97-06-066	296-24-061	NEW-P	97-17-079	296-46-910	AMD-E	97-16-070
296-23A-0220	NEW	97-06-066	296-24-06105	NEW-P	97-17-079	296-46-915	AMD-P	97-03-083
296-23A-0230	NEW	97-06-066	296-24-06110	NEW-P	97-17-079	296-46-915	AMD	97-12-016
296-23A-0240	NEW	97-06-066	296-24-06115	NEW-P	97-17-079	296-46-915	AMD-P	97-14-111
296-23A-0250	NEW	97-06-066	296-24-06120	NEW-P	97-17-079	296-46-920	AMD-P	97-03-083
296-23A-0300	NEW	97-06-066	296-24-06125	NEW-P	97-17-079	296-46-920	AMD	97-12-016
296-23A-0310	NEW	97-06-066	296-24-06130	NEW-P	97-17-079	296-46-930	AMD-P	97-14-111
296-23A-0350	NEW	97-06-066	296-24-06135	NEW-P	97-17-079	296-46-950	AMD-P	97-14-111
296-23A-0360	NEW	97-06-066	296-24-06140	NEW-P	97-17-079	296-46-960	NEW-P	97-14-111
296-23A-0400	NEW	97-06-066	296-24-06145	NEW-P	97-17-079	296-49	PREP	97-03-082
296-23A-0410	NEW	97-06-066	296-24-06150	NEW-P	97-17-079	296-49-005	REP-P	97-09-039
296-23A-0420	NEW	97-06-066	296-24-06155	NEW-P	97-17-079	296-49-005	REP	97-16-043
296-23A-0430	NEW	97-06-066	296-24-06160	NEW-P	97-17-079	296-49-010	REP-P	97-09-039
296-23A-0440	NEW	97-06-066	296-24-065	REP-P	97-17-079	296-49-010	REP	97-16-043
296-23A-0450	NEW	97-06-066	296-24-067	REP-P	97-17-079	296-49-015	REP-P	97-09-039
296-23A-0460	NEW	97-06-066	296-24-67501	AMD-P	97-13-062	296-49-015	REP	97-16-043
296-23A-0470	NEW	97-06-066	296-24-67505	AMD-P	97-13-062	296-49-020	REP-P	97-09-039
296-23A-0480	NEW	97-06-066	296-24-67507	AMD-P	97-13-062	296-49-020	REP	97-16-043
296-23A-0490	NEW	97-06-066	296-24-67509	AMD-P	97-13-062	296-49-025	REP-P	97-09-039

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296-49-030	REP-P	97-09-039	296-62-07721	AMD	97-19-014	296-93A-150	NEW-P	97-14-110
296-49-030	REP	97-16-043	296-62-07725	AMD-P	97-09-079	296-93A-160	NEW-P	97-14-110
296-49-035	REP-P	97-09-039	296-62-07725	AMD	97-19-014	296-93A-170	NEW-P	97-14-110
296-49-035	REP	97-16-043	296-62-07728	AMD-P	97-09-079	296-93A-190	NEW-P	97-14-110
296-49-040	REP-P	97-09-039	296-62-07728	AMD	97-19-014	296-93A-200	NEW-P	97-14-110
296-49-040	REP	97-16-043	296-62-07761	REP-P	97-09-079	296-93A-210	NEW-P	97-14-110
296-49-045	REP-P	97-09-039	296-62-07761	REP	97-19-014	296-93A-220	NEW-P	97-14-110
296-49-045	REP	97-16-043	296-62-11015	AMD-P	97-13-062	296-93A-230	NEW-P	97-14-110
296-49-050	REP-P	97-09-039	296-65-001	AMD-P	97-09-079	296-93A-240	NEW-P	97-14-110
296-49-050	REP	97-16-043	296-65-001	AMD	97-19-014	296-93A-250	NEW-P	97-14-110
296-49-055	REP-P	97-09-039	296-65-030	AMD-P	97-09-079	296-93A-260	NEW-P	97-14-110
296-49-055	REP	97-16-043	296-65-030	AMD	97-19-014	296-93A-270	NEW-P	97-14-110
296-49-060	REP-P	97-09-039	296-86-020	AMD-P	97-03-132	296-93A-280	NEW-P	97-14-110
296-49-060	REP	97-16-043	296-86-020	AMD	97-11-053	296-93A-290	NEW-P	97-14-110
296-49-065	REP-P	97-09-039	296-86-030	AMD-P	97-03-132	296-93A-300	NEW-P	97-14-110
296-49-065	REP	97-16-043	296-86-030	AMD	97-11-053	296-93A-330	NEW-P	97-14-110
296-49A-010	NEW-P	97-09-039	296-86-050	AMD-P	97-03-132	296-99-010	AMD-P	97-09-079
296-49A-010	NEW	97-16-043	296-86-050	AMD	97-11-053	296-99-015	AMD-P	97-09-079
296-49A-020	NEW-P	97-09-039	296-86-060	AMD-P	97-03-132	296-99-020	AMD-P	97-09-079
296-49A-020	NEW	97-16-043	296-86-060	AMD	97-11-053	296-99-025	AMD-P	97-09-079
296-49A-030	NEW-P	97-09-039	296-86-070	AMD-P	97-03-132	296-99-030	AMD-P	97-09-079
296-49A-030	NEW	97-16-043	296-86-070	AMD	97-11-053	296-99-035	AMD-P	97-09-079
296-49A-040	NEW-P	97-09-039	296-86-075	AMD-P	97-03-132	296-99-040	AMD-P	97-09-079
296-49A-040	NEW	97-16-043	296-86-075	AMD	97-11-053	296-99-045	AMD-P	97-09-079
296-49A-050	NEW-P	97-09-039	296-86-080	AMD-P	97-03-132	296-99-050	AMD-P	97-09-079
296-49A-050	NEW	97-16-043	296-86-080	AMD	97-11-053	296-99-055	AMD-P	97-09-079
296-49A-060	NEW-P	97-09-039	296-86-090	NEW-P	97-03-132	296-99-060	AMD-P	97-09-079
296-49A-060	NEW	97-16-043	296-86-090	NEW	97-11-053	296-99-065	AMD-P	97-09-079
296-49A-070	NEW-P	97-09-039	296-93-010	REP-P	97-14-110	296-99-070	AMD-P	97-09-079
296-49A-070	NEW	97-16-043	296-93-020	REP-P	97-14-110	296-99-075	AMD-P	97-09-079
296-49A-080	NEW-P	97-09-039	296-93-030	REP-P	97-14-110	296-99-080	AMD-P	97-09-079
296-49A-080	NEW	97-16-043	296-93-040	REP-P	97-14-110	296-99-085	AMD-P	97-09-079
296-49A-090	NEW-P	97-09-039	296-93-050	REP-P	97-14-110	296-99-090	AMD-P	97-09-079
296-49A-090	NEW	97-16-043	296-93-070	REP-P	97-14-110	296-99-093	AMD-P	97-09-079
296-49A-100	NEW-P	97-09-039	296-93-080	REP-P	97-14-110	296-99-095	AMD-P	97-09-079
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296-49A-110	NEW	97-16-043	296-93-120	REP-P	97-14-110	296-104-107	NEW	97-20-109
296-54	PREP	97-10-071	296-93-140	REP-P	97-14-110	296-104-200	AMD-P	97-15-138
296-62	PREP	97-05-047	296-93-150	REP-P	97-14-110	296-104-200	AMD	97-20-109
296-62	PREP	97-06-101	296-93-160	REP-P	97-14-110	296-104-215	AMD-P	97-15-138
296-62	PREP	97-09-078	296-93-170	REP-P	97-14-110	296-104-215	AMD	97-20-109
296-62-05413	AMD-P	97-03-085	296-93-190	REP-P	97-14-110	296-104-265	AMD-P	97-15-138
296-62-05413	AMD	97-11-055	296-93-200	REP-P	97-14-110	296-104-265	AMD	97-20-109
296-62-07113	AMD-P	97-09-079	296-93-210	REP-P	97-14-110	296-104-270	AMD-P	97-15-138
296-62-07113	AMD	97-19-014	296-93-220	REP-P	97-14-110	296-104-270	AMD	97-20-109
296-62-07460	NEW-P	97-09-079	296-93-230	REP-P	97-14-110	296-104-300	AMD-P	97-15-138
296-62-07460	NEW	97-19-014	296-93-240	REP-P	97-14-110	296-104-300	AMD	97-20-109
296-62-07470	NEW-P	97-13-063	296-93-250	REP-P	97-14-110	296-104-305	AMD-P	97-15-138
296-62-07470	NEW	97-18-062	296-93-260	REP-P	97-14-110	296-104-305	AMD	97-20-109
296-62-07473	NEW-P	97-13-063	296-93-270	REP-P	97-14-110	296-104-310	AMD-P	97-15-138
296-62-07473	NEW	97-18-062	296-93-280	REP-P	97-14-110	296-104-310	AMD	97-20-109
296-62-07475	NEW-P	97-13-063	296-93-290	REP-P	97-14-110	296-104-320	AMD-P	97-15-138
296-62-07475	NEW	97-18-062	296-93-300	AMD-P	97-03-132	296-104-320	AMD	97-20-109
296-62-07477	NEW-P	97-13-063	296-93-300	AMD	97-11-053	296-104-325	AMD-P	97-15-138
296-62-07477	NEW	97-18-062	296-93-300	REP-P	97-14-110	296-104-325	AMD	97-20-109
296-62-075	AMD-P	97-09-079	296-93-320	REP-P	97-03-132	296-104-330	AMD-P	97-15-138
296-62-075	AMD	97-19-014	296-93-320	REP	97-11-053	296-104-330	AMD	97-20-109
296-62-07501	AMD-P	97-09-079	296-93-320	REP-P	97-14-110	296-104-400	REP-P	97-15-138
296-62-07501	AMD	97-19-014	296-93-330	AMD-P	97-03-132	296-104-400	REP	97-20-109
296-62-07510	AMD-P	97-09-079	296-93-330	AMD	97-11-053	296-104-405	AMD-P	97-15-138
296-62-07510	AMD	97-19-014	296-93-330	REP-P	97-14-110	296-104-405	AMD	97-20-109
296-62-07515	AMD-P	97-09-079	296-93A-010	NEW-P	97-14-110	296-104-410	REP-P	97-15-138
296-62-07515	AMD	97-19-014	296-93A-020	NEW-P	97-14-110	296-104-410	REP	97-20-109
296-62-07711	AMD-P	97-09-079	296-93A-030	NEW-P	97-14-110	296-104-415	REP-P	97-15-138
296-62-07711	AMD	97-19-014	296-93A-040	NEW-P	97-14-110	296-104-415	REP	97-20-109
296-62-07712	AMD-P	97-09-079	296-93A-050	NEW-P	97-14-110	296-116-010	DECOD	97-08-042
296-62-07712	AMD	97-19-014	296-93A-070	NEW-P	97-14-110	296-116-020	DECOD	97-08-042
296-62-07715	AMD-P	97-09-079	296-93A-080	NEW-P	97-14-110	296-116-030	DECOD	97-08-042
296-62-07715	AMD	97-19-014	296-93A-090	NEW-P	97-14-110	296-116-050	DECOD	97-08-042
296-62-07717	AMD-P	97-09-079	296-93A-100	NEW-P	97-14-110	296-116-060	DECOD	97-08-042
296-62-07717	AMD	97-19-014	296-93A-120	NEW-P	97-14-110	296-116-070	AMD	97-06-105

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-116-070	DECOD	97-08-042	296-150P-0060	NEW	97-16-043	296-150P-3000	NEW-P	97-09-039
296-116-075	DECOD	97-08-042	296-150P-0100	NEW-P	97-09-039	296-150P-3000	NEW	97-16-043
296-116-080	DECOD	97-08-042	296-150P-0100	NEW	97-16-043	296-150R	PREP	97-03-082
296-116-081	DECOD	97-08-042	296-150P-0110	NEW-P	97-09-039	296-150R	AMD-P	97-09-039
296-116-082	PREP	97-06-102	296-150P-0110	NEW	97-16-043	296-150R	AMD	97-16-043
296-116-082	AMD-E	97-08-040	296-150P-0120	NEW-P	97-09-039	296-150R-0010	AMD-P	97-09-039
296-116-082	DECOD	97-08-042	296-150P-0120	NEW	97-16-043	296-150R-0010	AMD	97-16-043
296-116-083	DECOD	97-08-042	296-150P-0130	NEW-P	97-09-039	296-150R-0020	AMD-P	97-09-039
296-116-085	DECOD	97-08-042	296-150P-0130	NEW	97-16-043	296-150R-0020	AMD	97-16-043
296-116-110	DECOD	97-08-042	296-150P-0200	NEW-P	97-09-039	296-150R-0030	AMD-P	97-09-039
296-116-115	DECOD	97-08-042	296-150P-0200	NEW	97-16-043	296-150R-0030	AMD	97-16-043
296-116-120	DECOD	97-08-042	296-150P-0210	NEW-P	97-09-039	296-150R-0040	AMD-P	97-09-039
296-116-140	DECOD	97-08-042	296-150P-0210	NEW	97-16-043	296-150R-0040	AMD	97-16-043
296-116-150	DECOD	97-08-042	296-150P-0220	NEW-P	97-09-039	296-150R-0060	AMD-P	97-09-039
296-116-170	DECOD	97-08-042	296-150P-0220	NEW	97-16-043	296-150R-0060	AMD	97-16-043
296-116-175	DECOD	97-08-042	296-150P-0250	NEW-P	97-09-039	296-150R-0100	AMD-P	97-09-039
296-116-185	DECOD	97-08-042	296-150P-0250	NEW	97-16-043	296-150R-0100	AMD	97-16-043
296-116-200	AMD	97-06-106	296-150P-0280	NEW-P	97-09-039	296-150R-0110	AMD-P	97-09-039
296-116-200	DECOD	97-08-042	296-150P-0280	NEW	97-16-043	296-150R-0110	AMD	97-16-043
296-116-205	DECOD	97-08-042	296-150P-0290	NEW-P	97-09-039	296-150R-0120	AMD-P	97-09-039
296-116-2051	DECOD	97-08-042	296-150P-0290	NEW	97-16-043	296-150R-0120	AMD	97-16-043
296-116-300	AMD-P	97-08-041	296-150P-0300	NEW-P	97-09-039	296-150R-0130	AMD-P	97-09-039
296-116-300	DECOD	97-08-042	296-150P-0300	NEW	97-16-043	296-150R-0130	AMD	97-16-043
296-116-315	DECOD	97-08-042	296-150P-0310	NEW-P	97-09-039	296-150R-0200	AMD-P	97-09-039
296-116-35001	DECOD	97-08-042	296-150P-0310	NEW	97-16-043	296-150R-0200	AMD	97-16-043
296-116-360	AMD-P	97-06-103	296-150P-0320	NEW-P	97-09-039	296-150R-0250	AMD-P	97-09-039
296-116-360	AMD-E	97-06-104	296-150P-0320	NEW	97-16-043	296-150R-0250	AMD	97-16-043
296-116-360	DECOD	97-08-042	296-150P-0330	NEW-P	97-09-039	296-150R-0280	AMD-P	97-09-039
296-116-370	DECOD	97-08-042	296-150P-0330	NEW	97-16-043	296-150R-0280	AMD	97-16-043
296-116-400	DECOD	97-08-042	296-150P-0340	NEW-P	97-09-039	296-150R-0400	AMD-P	97-09-039
296-116-410	DECOD	97-08-042	296-150P-0340	NEW	97-16-043	296-150R-0400	AMD	97-16-043
296-116-420	DECOD	97-08-042	296-150P-0350	NEW-P	97-09-039	296-150R-0640	AMD-P	97-09-039
296-116-500	DECOD	97-08-042	296-150P-0350	NEW	97-16-043	296-150R-0640	AMD	97-16-043
296-126-098	PREP	97-18-078	296-150P-0400	NEW-P	97-09-039	296-150R-0850	AMD-P	97-09-039
296-126-140	PREP-X	97-13-034	296-150P-0400	NEW	97-16-043	296-150R-0850	AMD	97-16-043
296-126-140	REP	97-17-064	296-150P-0410	NEW-P	97-09-039	296-150R-1000	AMD-P	97-09-039
296-128-013	NEW-W	97-03-073	296-150P-0410	NEW	97-16-043	296-150R-1000	AMD	97-16-043
296-128-530	PREP	97-18-079	296-150P-0420	NEW-P	97-09-039	296-150R-2000	AMD-P	97-09-039
296-129-020	PREP-X	97-13-034	296-150P-0420	NEW	97-16-043	296-150R-2000	AMD	97-16-043
296-129-020	REP	97-17-064	296-150P-0440	NEW-P	97-09-039	296-150R-2020	AMD-P	97-09-039
296-129-030	PREP-X	97-13-034	296-150P-0440	NEW	97-16-043	296-150R-2020	AMD	97-16-043
296-129-030	REP	97-17-064	296-150P-0450	NEW-P	97-09-039	296-150R-3000	AMD-P	97-03-132
296-129-040	PREP-X	97-13-034	296-150P-0450	NEW	97-16-043	296-150R-3000	AMD-P	97-09-039
296-129-040	REP	97-17-064	296-150P-0600	NEW-P	97-09-039	296-150R-3000	AMD	97-11-053
296-150C-0040	AMD-P	97-09-039	296-150P-0600	NEW	97-16-043	296-150R-3000	AMD	97-16-043
296-150C-0040	AMD	97-16-043	296-150P-0610	NEW-P	97-09-039	296-155	PREP	97-10-095
296-150C-0090	NEW-W	97-04-070	296-150P-0610	NEW	97-16-043	296-155-24525	AMD-P	97-16-091
296-150C-0100	AMD-P	97-09-039	296-150P-0620	NEW-P	97-09-039	296-155-481	AMD-P	97-16-091
296-150C-0100	AMD	97-16-043	296-150P-0620	NEW	97-16-043	296-155-482	NEW-P	97-16-091
296-150C-1010	NEW-W	97-04-070	296-150P-0630	NEW-P	97-09-039	296-155-483	AMD-P	97-16-091
296-150C-3000	AMD-P	97-03-132	296-150P-0630	NEW	97-16-043	296-155-484	NEW-P	97-16-091
296-150C-3000	AMD	97-11-053	296-150P-0640	NEW-P	97-09-039	296-155-485	AMD-P	97-16-091
296-150F-0040	AMD-P	97-09-039	296-150P-0640	NEW	97-16-043	296-155-48503	REP-P	97-16-091
296-150F-0040	AMD	97-16-043	296-150P-0700	NEW-P	97-09-039	296-155-48504	REP-P	97-16-091
296-150F-0100	AMD-P	97-09-039	296-150P-0700	NEW	97-16-043	296-155-48505	REP-P	97-16-091
296-150F-0100	AMD	97-16-043	296-150P-0710	NEW-P	97-09-039	296-155-48506	REP-P	97-16-091
296-150F-3000	AMD-P	97-03-132	296-150P-0710	NEW	97-16-043	296-155-48507	REP-P	97-16-091
296-150F-3000	AMD	97-11-053	296-150P-0720	NEW-P	97-09-039	296-155-48508	REP-P	97-16-091
296-150M-0040	AMD-P	97-09-039	296-150P-0720	NEW	97-16-043	296-155-48509	REP-P	97-16-091
296-150M-0040	AMD	97-16-043	296-150P-1000	NEW-P	97-09-039	296-155-48510	REP-P	97-16-091
296-150M-0100	AMD-P	97-09-039	296-150P-1000	NEW	97-16-043	296-155-48511	REP-P	97-16-091
296-150M-0100	AMD	97-16-043	296-150P-1010	NEW-P	97-09-039	296-155-48512	REP-P	97-16-091
296-150M-3000	AMD-P	97-03-132	296-150P-1010	NEW	97-16-043	296-155-48513	REP-P	97-16-091
296-150M-3000	AMD	97-11-053	296-150P-1020	NEW-P	97-09-039	296-155-48514	REP-P	97-16-091
296-150P-0010	NEW-P	97-09-039	296-150P-1020	NEW	97-16-043	296-155-48515	REP-P	97-16-091
296-150P-0010	NEW	97-16-043	296-150P-1020	NEW-P	97-09-039	296-155-48516	REP-P	97-16-091
296-150P-0020	NEW-P	97-09-039	296-150P-2000	NEW-P	97-16-043	296-155-48517	REP-P	97-16-091
296-150P-0020	NEW	97-16-043	296-150P-2000	NEW	97-16-043	296-155-48518	REP-P	97-16-091
296-150P-0030	NEW-P	97-09-039	296-150P-2010	NEW-P	97-09-039	296-155-48519	REP-P	97-16-091
296-150P-0030	NEW	97-16-043	296-150P-2010	NEW	97-16-043	296-155-48523	REP-P	97-16-091
296-150P-0030	NEW	97-16-043	296-150P-2020	NEW-P	97-09-039	296-155-48525	REP-P	97-16-091
296-150P-0040	NEW-P	97-09-039	296-150P-2020	NEW	97-16-043	296-155-48527	REP-P	97-16-091
296-150P-0040	NEW	97-16-043	296-150P-2030	NEW-P	97-09-039	296-155-48529	REP-P	97-16-091
296-150P-0060	NEW-P	97-09-039	296-150P-2030	NEW	97-16-043			

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
296-155-48531	REP-P	97-16-091	296-200A-330	NEW-P	97-16-090	296-306A-05501	DECOD	97-09-013
296-155-48533	REP-P	97-16-091	296-200A-340	NEW-P	97-16-090	296-306A-05503	DECOD	97-09-013
296-155-48536	REP-P	97-16-091	296-200A-350	NEW-P	97-16-090	296-306A-05505	DECOD	97-09-013
296-155-487	NEW-P	97-16-091	296-200A-360	NEW-P	97-16-090	296-306A-05507	DECOD	97-09-013
296-155-488	NEW-P	97-16-091	296-200A-370	NEW-P	97-16-090	296-306A-060	DECOD	97-09-013
296-155-489	NEW-P	97-16-091	296-200A-380	NEW-P	97-16-090	296-306A-061	DECOD	97-09-013
296-155-490	NEW-P	97-16-091	296-200A-390	NEW-P	97-16-090	296-306A-065	DECOD	97-09-013
296-155-493	NEW-P	97-16-091	296-200A-400	NEW-P	97-16-090	296-306A-070	DECOD	97-09-013
296-155-494	NEW-P	97-16-091	296-200A-405	NEW-P	97-16-090	296-306A-07001	DECOD	97-09-013
296-155-496	NEW-P	97-16-091	296-200A-500	NEW-P	97-16-090	296-306A-07003	DECOD	97-09-013
296-155-497	NEW-P	97-16-091	296-200A-510	NEW-P	97-16-090	296-306A-07005	DECOD	97-09-013
296-155-498	NEW-P	97-16-091	296-200A-900	NEW-P	97-16-090	296-306A-07007	DECOD	97-09-013
296-155-527	AMD-P	97-03-085	296-304-010	AMD-P	97-13-062	296-306A-07009	DECOD	97-09-013
296-155-527	AMD	97-11-055	296-304-01001	AMD-P	97-13-062	296-306A-07011	DECOD	97-09-013
296-155-528	NEW-P	97-16-091	296-304-03001	AMD-P	97-13-062	296-306A-07013	DECOD	97-09-013
296-155-605	AMD-P	97-16-091	296-304-03003	AMD-P	97-13-062	296-306A-073	DECOD	97-09-013
296-155-615	AMD-P	97-16-091	296-304-03005	AMD-P	97-13-062	296-306A-076	DECOD	97-09-013
296-155-683	AMD-P	97-16-091	296-304-03007	AMD-P	97-13-062	296-306A-080	DECOD	97-09-013
296-155-688	AMD-P	97-16-091	296-304-05007	AMD-P	97-13-062	296-306A-08003	DECOD	97-09-013
296-155-689	AMD-P	97-16-091	296-304-05013	AMD-P	97-13-062	296-306A-08006	DECOD	97-09-013
296-155-700	AMD-P	97-16-091	296-304-06013	AMD-P	97-13-062	296-306A-08009	DECOD	97-09-013
296-155-730	AMD-P	97-16-091	296-304-07013	AMD-P	97-13-062	296-306A-08012	DECOD	97-09-013
296-200	PREP	97-03-081	296-304-08007	AMD-P	97-13-062	296-306A-08015	DECOD	97-09-013
296-200-005	REP-P	97-16-090	296-304-08009	AMD-P	97-13-062	296-306A-08018	AMD-P	97-03-131
296-200-015	REP-P	97-16-090	296-304-090	AMD-P	97-13-062	296-306A-08018	AMD	97-08-051A
296-200-025	AMD-P	97-03-132	296-304-09001	AMD-P	97-13-062	296-306A-08018	DECOD	97-09-013
296-200-025	AMD	97-11-053	296-304-09003	AMD-P	97-13-062	296-306A-08021	DECOD	97-09-013
296-200-025	REP-P	97-16-090	296-304-09005	AMD-P	97-13-062	296-306A-085	DECOD	97-09-013
296-200-035	REP-P	97-16-090	296-304-09007	AMD-P	97-13-062	296-306A-090	DECOD	97-09-013
296-200-040	REP-P	97-16-090	296-304-09009	NEW-P	97-13-062	296-306A-095	DECOD	97-09-013
296-200-050	AMD-P	97-03-132	296-304-09011	NEW-P	97-13-062	296-306A-09503	DECOD	97-09-013
296-200-050	AMD	97-11-053	296-304-09013	NEW-P	97-13-062	296-306A-09506	DECOD	97-09-013
296-200-050	REP-P	97-16-090	296-304-09015	NEW-P	97-13-062	296-306A-09509	DECOD	97-09-013
296-200-060	REP-P	97-16-090	296-304-09017	NEW-P	97-13-062	296-306A-09512	DECOD	97-09-013
296-200-070	REP-P	97-16-090	296-304-09019	NEW-P	97-13-062	296-306A-09515	DECOD	97-09-013
296-200-080	REP-P	97-16-090	296-304-09021	NEW-P	97-13-062	296-306A-09518	DECOD	97-09-013
296-200-090	REP-P	97-16-090	296-304-09023	NEW-P	97-13-062	296-306A-100	DECOD	97-09-013
296-200-100	REP-P	97-16-090	296-306-060	REP-P	97-03-131	296-306A-10005	DECOD	97-09-013
296-200-110	REP-P	97-16-090	296-306-060	REP-E	97-06-040	296-306A-10010	DECOD	97-09-013
296-200-111	REP-P	97-16-090	296-306-060	REP	97-08-051A	296-306A-10015	DECOD	97-09-013
296-200-112	REP-P	97-16-090	296-306-060	REP-W	97-12-063	296-306A-10020	DECOD	97-09-013
296-200-300	REP-P	97-16-090	296-306-330	REP-P	97-03-131	296-306A-10025	DECOD	97-09-013
296-200-310	REP-P	97-16-090	296-306-330	REP-E	97-06-040	296-306A-107	DECOD	97-09-013
296-200-320	REP-P	97-16-090	296-306-330	REP	97-08-051A	296-306A-110	DECOD	97-09-013
296-200-330	REP-P	97-16-090	296-306-330	REP-W	97-12-063	296-306A-11005	DECOD	97-09-013
296-200-340	REP-P	97-16-090	296-306-400	REP-P	97-03-131	296-306A-11010	DECOD	97-09-013
296-200-350	REP-P	97-16-090	296-306-400	REP-E	97-06-040	296-306A-11015	DECOD	97-09-013
296-200-360	REP-P	97-16-090	296-306-400	REP	97-08-051A	296-306A-120	DECOD	97-09-013
296-200-370	REP-P	97-16-090	296-306-400	REP-W	97-12-063	296-306A-12005	DECOD	97-09-013
296-200-380	REP-P	97-16-090	296-306-40007	REP-P	97-03-131	296-306A-12010	DECOD	97-09-013
296-200-390	REP-P	97-16-090	296-306-40007	REP-E	97-06-040	296-306A-12015	DECOD	97-09-013
296-200-400	REP-P	97-16-090	296-306-40007	REP	97-08-051A	296-306A-12020	DECOD	97-09-013
296-200-410	REP-P	97-16-090	296-306-40007	REP-W	97-12-063	296-306A-12025	DECOD	97-09-013
296-200-900	AMD-P	97-03-132	296-306-40009	REP-P	97-03-131	296-306A-12030	DECOD	97-09-013
296-200-900	AMD	97-11-053	296-306-40009	REP-E	97-06-040	296-306A-12035	DECOD	97-09-013
296-200-900	REP-P	97-16-090	296-306-40009	REP	97-08-051A	296-306A-12040	DECOD	97-09-013
296-200A-005	NEW-P	97-16-090	296-306-40009	REP-W	97-12-063	296-306A-12045	DECOD	97-09-013
296-200A-015	NEW-P	97-16-090	296-306A-003	DECOD	97-09-013	296-306A-12050	DECOD	97-09-013
296-200A-025	NEW-P	97-16-090	296-306A-006	DECOD	97-09-013	296-306A-12055	DECOD	97-09-013
296-200A-035	NEW-P	97-16-090	296-306A-009	DECOD	97-09-013	296-306A-130	DECOD	97-09-013
296-200A-040	NEW-P	97-16-090	296-306A-012	DECOD	97-09-013	296-306A-13005	DECOD	97-09-013
296-200A-050	NEW-P	97-16-090	296-306A-015	DECOD	97-09-013	296-306A-13010	DECOD	97-09-013
296-200A-060	NEW-P	97-16-090	296-306A-018	DECOD	97-09-013	296-306A-13015	DECOD	97-09-013
296-200A-070	NEW-P	97-16-090	296-306A-021	DECOD	97-09-013	296-306A-13020	DECOD	97-09-013
296-200A-080	NEW-P	97-16-090	296-306A-024	DECOD	97-09-013	296-306A-13025	DECOD	97-09-013
296-200A-090	NEW-P	97-16-090	296-306A-030	DECOD	97-09-013	296-306A-13030	DECOD	97-09-013
296-200A-110	NEW-P	97-16-090	296-306A-033	DECOD	97-09-013	296-306A-13035	DECOD	97-09-013
296-200A-111	NEW-P	97-16-090	296-306A-036	DECOD	97-09-013	296-306A-13040	DECOD	97-09-013
296-200A-112	NEW-P	97-16-090	296-306A-039	DECOD	97-09-013	296-306A-13045	DECOD	97-09-013
296-200A-300	NEW-P	97-16-090	296-306A-042	DECOD	97-09-013	296-306A-13050	DECOD	97-09-013
296-200A-305	NEW-P	97-16-090	296-306A-045	DECOD	97-09-013	296-306A-13055	DECOD	97-09-013
296-200A-310	NEW-P	97-16-090	296-306A-050	DECOD	97-09-013	296-306A-145	DECOD	97-09-013
296-200A-320	NEW-P	97-16-090	296-306A-055	DECOD	97-09-013	296-306A-14505	DECOD	97-09-013

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296-307-485	RECOD	97-09-013	296-400-020	REP-P	97-03-084	296-401-120	AMD	97-12-016
296-307-48501	RECOD	97-09-013	296-400-020	REP	97-11-052	296-401-163	AMD-P	97-14-111
296-307-48503	RECOD	97-09-013	296-400-030	REP-P	97-03-084	296-401-165	AMD-P	97-03-083
296-307-48505	RECOD	97-09-013	296-400-030	REP	97-11-052	296-401-165	AMD	97-12-016
296-307-48507	RECOD	97-09-013	296-400-035	REP-P	97-03-084	296-401-165	AMD-P	97-14-111
296-307-48509	RECOD	97-09-013	296-400-035	REP	97-11-052	296-401-170	AMD-P	97-14-111
296-307-490	RECOD	97-09-013	296-400-045	REP-P	97-03-084	296-401-175	AMD-P	97-03-083
296-307-49001	RECOD	97-09-013	296-400-045	REP	97-11-052	296-401-175	AMD	97-12-016
296-307-49003	RECOD	97-09-013	296-400-050	REP-P	97-03-084	296-401-175	AMD-P	97-14-111
296-307-49005	RECOD	97-09-013	296-400-050	REP	97-11-052	308-10-050	AMD-P	97-14-103
296-307-49007	RECOD	97-09-013	296-400-070	REP-P	97-03-084	308-10-050	AMD	97-17-009
296-307-49009	RECOD	97-09-013	296-400-070	REP	97-11-052	308-11-140	NEW-P	97-07-035
296-307-49011	RECOD	97-09-013	296-400-100	REP-P	97-03-084	308-11-140	NEW	97-10-046
296-307-49013	RECOD	97-09-013	296-400-100	REP	97-11-052	308-11-150	NEW-P	97-07-035
296-307-49015	RECOD	97-09-013	296-400-110	REP-P	97-03-084	308-11-150	NEW	97-10-046
296-307-495	RECOD	97-09-013	296-400-110	REP	97-11-052	308-11-160	NEW-P	97-07-035
296-307-49501	RECOD	97-09-013	296-400-120	REP-P	97-03-084	308-11-160	NEW	97-10-046
296-307-49503	RECOD	97-09-013	296-400-120	REP	97-11-052	308-12-025	AMD	97-03-121
296-307-49505	RECOD	97-09-013	296-400-130	REP-P	97-03-084	308-12-031	AMD	97-03-121
296-307-49507	RECOD	97-09-013	296-400-130	REP	97-11-052	308-12-040	AMD	97-03-121
296-307-500	RECOD	97-09-013	296-400-140	REP-P	97-03-084	308-12-050	AMD	97-03-121
296-307-50001	RECOD	97-09-013	296-400-140	REP	97-11-052	308-12-140	REP	97-03-121
296-307-50003	RECOD	97-09-013	296-400-300	REP-P	97-03-084	308-12-145	REP	97-03-121
296-307-50005	RECOD	97-09-013	296-400-300	REP	97-11-052	308-12-210	NEW	97-03-121
296-307-50007	RECOD	97-09-013	296-400A-005	NEW-P	97-03-085	308-12-220	NEW	97-03-121
296-307-50009	RECOD	97-09-013	296-400A-005	NEW	97-11-052	308-12-230	NEW	97-03-121
296-307-50011	RECOD	97-09-013	296-400A-020	NEW-P	97-03-085	308-12-240	NEW-W	97-03-065
296-307-50013	RECOD	97-09-013	296-400A-020	NEW	97-11-052	308-12-240	NEW	97-03-121
296-307-50015	RECOD	97-09-013	296-400A-030	NEW-P	97-03-085	308-12-250	NEW-W	97-03-065
296-307-50017	RECOD	97-09-013	296-400A-030	NEW	97-11-052	308-12-260	NEW-W	97-03-065
296-307-50019	RECOD	97-09-013	296-400A-031	NEW-P	97-03-085	308-12-320	AMD	97-06-064
296-307-50021	RECOD	97-09-013	296-400A-031	NEW	97-11-052	308-12-324	AMD	97-03-121
296-307-50023	RECOD	97-09-013	296-400A-032	NEW-P	97-03-085	308-12-326	AMD	97-06-064
296-307-50025	RECOD	97-09-013	296-400A-032	NEW	97-11-052	308-12-326	AMD-P	97-10-080
296-307-50027	RECOD	97-09-013	296-400A-033	NEW-P	97-03-085	308-12-326	AMD	97-13-095
296-307-50029	RECOD	97-09-013	296-400A-033	NEW	97-11-052	308-13-045	NEW-P	97-03-022
296-307-520	RECOD	97-09-013	296-400A-035	NEW-P	97-03-085	308-13-045	NEW	97-06-065
296-307-52001	RECOD	97-09-013	296-400A-035	NEW	97-11-052	308-13-160	AMD-P	97-03-022
296-307-52003	RECOD	97-09-013	296-400A-045	NEW-P	97-03-085	308-13-160	AMD	97-06-065
296-307-52005	RECOD	97-09-013	296-400A-045	NEW	97-11-052	308-13-210	NEW	97-10-026
296-307-52007	RECOD	97-09-013	296-400A-050	NEW-P	97-03-085	308-13-220	NEW	97-10-026
296-307-52009	RECOD	97-09-013	296-400A-050	NEW	97-11-052	308-13-230	NEW	97-10-026
296-307-52011	RECOD	97-09-013	296-400A-070	NEW-P	97-03-085	308-13-240	NEW	97-10-026
296-307-52013	RECOD	97-09-013	296-400A-070	NEW	97-11-052	308-14-210	NEW-P	97-07-031
296-307-52015	RECOD	97-09-013	296-400A-100	NEW-P	97-03-085	308-14-210	NEW	97-10-053
296-307-52017	RECOD	97-09-013	296-400A-100	NEW	97-11-052	308-14-220	NEW-P	97-07-031
296-307-52019	RECOD	97-09-013	296-400A-110	NEW-P	97-03-085	308-14-220	NEW	97-10-053
296-307-52021	RECOD	97-09-013	296-400A-110	NEW	97-11-052	308-14-230	NEW-P	97-07-031
296-307-52023	RECOD	97-09-013	296-400A-120	NEW-P	97-03-085	308-14-230	NEW	97-10-053
296-307-52025	RECOD	97-09-013	296-400A-120	NEW	97-11-052	308-17	AMD-P	97-13-080
296-307-52027	RECOD	97-09-013	296-400A-121	NEW-P	97-03-085	308-17	AMD	97-17-051
296-307-52029	RECOD	97-09-013	296-400A-121	NEW	97-11-052	308-17-010	AMD-P	97-13-080
296-307-52031	RECOD	97-09-013	296-400A-130	NEW-P	97-03-085	308-17-010	AMD	97-17-051
296-307-52033	RECOD	97-09-013	296-400A-130	NEW	97-11-052	308-17-020	AMD-P	97-13-080
296-307-52035	RECOD	97-09-013	296-400A-140	NEW-P	97-03-085	308-17-020	AMD	97-17-051
296-307-52037	RECOD	97-09-013	296-400A-140	NEW	97-11-052	308-17-030	AMD-P	97-13-080
296-307-52039	RECOD	97-09-013	296-400A-300	NEW-P	97-03-085	308-17-030	AMD	97-17-051
296-307-52041	RECOD	97-09-013	296-400A-300	NEW	97-11-052	308-17-100	AMD-P	97-13-080
296-307-52043	RECOD	97-09-013	296-400A-400	NEW-P	97-03-085	308-17-100	AMD	97-17-051
296-307-52045	RECOD	97-09-013	296-400A-400	NEW	97-11-052	308-17-105	AMD-P	97-13-080
296-307-52047	RECOD	97-09-013	296-400A-425	NEW-P	97-03-085	308-17-105	AMD	97-17-051
296-307-530	RECOD	97-09-013	296-400A-425	NEW	97-11-052	308-17-110	AMD-P	97-13-080
296-307-53001	RECOD	97-09-013	296-401	PREP	97-02-095	308-17-110	AMD	97-17-051
296-307-53003	RECOD	97-09-013	296-401	AMD-C	97-15-143	308-17-120	AMD-P	97-13-080
296-307-53005	RECOD	97-09-013	296-401-060	AMD-P	97-14-111	308-17-120	AMD	97-17-051
296-307-53007	RECOD	97-09-013	296-401-080	AMD-P	97-03-083	308-17-130	AMD-P	97-13-080
296-307-53009	RECOD	97-09-013	296-401-080	AMD	97-12-016	308-17-130	AMD	97-17-051
296-307-53011	RECOD	97-09-013	296-401-090	AMD-P	97-03-083	308-17-140	AMD-P	97-13-080
296-307-53013	RECOD	97-09-013	296-401-090	AMD	97-12-016	308-17-140	AMD	97-17-051
296-307-53015	RECOD	97-09-013	296-401-100	AMD-P	97-03-083	308-17-150	AMD-P	97-13-080
296-307-53017	RECOD	97-09-013	296-401-100	AMD	97-12-016	308-17-150	AMD	97-17-051
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308-17-165	AMD-P	97-13-080	308-30-170	NEW	97-10-052	308-56A-335	AMD-W	97-13-009
308-17-165	AMD	97-17-051	308-30-180	NEW-P	97-07-029	308-56A-340	REP-P	97-09-002
308-17-170	AMD-P	97-13-080	308-30-180	NEW	97-10-052	308-56A-340	REP-W	97-13-009
308-17-170	AMD	97-17-051	308-30-190	NEW-P	97-07-029	308-56A-345	REP-P	97-09-002
308-17-180	NEW-P	97-13-080	308-30-190	NEW	97-10-052	308-56A-345	REP-W	97-13-009
308-17-180	NEW	97-17-051	308-32-100	NEW-P	97-07-027	308-56A-350	AMD-P	97-09-002
308-17-185	NEW-P	97-13-080	308-32-100	NEW	97-10-050	308-56A-350	AMD-W	97-13-009
308-17-185	NEW	97-17-051	308-32-110	NEW-P	97-07-027	308-56A-355	REP-P	97-09-002
308-17-190	NEW-P	97-13-080	308-32-110	NEW	97-10-050	308-56A-355	REP-W	97-13-009
308-17-190	NEW	97-17-051	308-32-120	NEW-P	97-07-027	308-56A-360	AMD-P	97-09-002
308-17-205	AMD-P	97-13-080	308-32-120	NEW	97-10-050	308-56A-360	AMD-W	97-13-009
308-17-205	AMD	97-17-051	308-33-110	NEW-P	97-07-030	308-56A-365	AMD-P	97-09-002
308-17-210	AMD-P	97-13-080	308-33-110	NEW	97-10-054	308-56A-365	AMD-W	97-13-009
308-17-210	AMD	97-17-051	308-33-120	NEW-P	97-07-030	308-56A-370	NEW-P	97-09-002
308-17-230	AMD-P	97-13-080	308-33-120	NEW	97-10-054	308-56A-370	NEW-W	97-13-009
308-17-230	AMD	97-17-051	308-33-130	NEW-P	97-07-030	308-56A-400	REP-P	97-09-002
308-17-240	AMD-P	97-13-080	308-33-130	NEW	97-10-054	308-56A-400	REP-W	97-13-009
308-17-240	AMD	97-17-051	308-48-030	AMD-P	97-16-064	308-56A-405	REP-P	97-09-002
308-17-300	AMD-P	97-13-080	308-48-031	AMD-P	97-16-063	308-56A-405	REP-W	97-13-009
308-17-300	AMD	97-17-051	308-48-150	AMD-P	97-16-062	308-56A-410	REP-P	97-09-002
308-17-310	AMD-P	97-13-080	308-48-160	AMD-P	97-16-062	308-56A-410	REP-W	97-13-009
308-17-310	AMD	97-17-051	308-48-810	NEW-P	97-16-060	308-56A-415	REP-P	97-09-002
308-17-320	AMD-P	97-13-080	308-48-820	NEW-P	97-16-060	308-56A-415	REP-W	97-13-009
308-17-320	AMD	97-17-051	308-48-830	NEW-P	97-16-060	308-56A-470	AMD	97-07-014
308-18-020	AMD-P	97-13-081	308-49-162	REP-P	97-16-061	308-56A-610	AMD-P	97-06-028
308-18-020	AMD	97-17-050	308-49-164	AMD-P	97-16-061	308-56A-610	AMD-S	97-09-038
308-18-030	AMD-P	97-13-081	308-56A	PREP	97-15-037	308-56A-610	AMD	97-14-034
308-18-030	AMD	97-17-050	308-56A-060	AMD-P	97-09-002	308-56A-620	AMD-P	97-06-028
308-18-100	AMD-P	97-13-081	308-56A-060	AMD-W	97-13-009	308-56A-620	AMD-S	97-09-038
308-18-100	AMD	97-17-050	308-56A-065	AMD	97-03-076	308-56A-620	AMD	97-14-034
308-18-110	AMD-P	97-13-081	308-56A-070	AMD	97-03-076	308-56A-630	REP-P	97-06-028
308-18-110	AMD	97-17-050	308-56A-075	AMD	97-03-076	308-56A-630	REP-S	97-09-038
308-18-120	AMD-P	97-13-081	308-56A-095	NEW-P	97-15-091	308-56A-630	REP	97-14-034
308-18-120	AMD	97-17-050	308-56A-095	NEW	97-19-015	308-56A-640	AMD-P	97-06-028
308-18-140	AMD-P	97-13-081	308-56A-150	AMD	97-07-014	308-56A-640	AMD-S	97-09-038
308-18-140	AMD	97-17-050	308-56A-160	AMD	97-07-014	308-56A-640	AMD	97-14-034
308-18-150	AMD-P	97-13-081	308-56A-200	AMD-P	97-09-002	308-56A-650	AMD-P	97-06-028
308-18-150	AMD	97-17-050	308-56A-200	AMD-W	97-13-009	308-56A-650	AMD-S	97-09-038
308-18-170	AMD-P	97-13-081	308-56A-205	AMD-P	97-09-002	308-56A-650	AMD	97-14-034
308-18-170	AMD	97-17-050	308-56A-205	AMD-W	97-13-009	308-56A-660	AMD-P	97-06-028
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308-18-180	NEW	97-17-050	308-56A-210	AMD-W	97-13-009	308-56A-660	AMD	97-14-034
308-18-185	NEW-P	97-13-081	308-56A-215	AMD-P	97-09-002	308-56A-670	AMD-P	97-06-028
308-18-185	NEW	97-17-050	308-56A-215	AMD-W	97-13-009	308-56A-670	AMD-S	97-09-038
308-18-190	NEW-P	97-13-081	308-56A-250	AMD-P	97-09-002	308-56A-670	AMD	97-14-034
308-18-190	NEW	97-17-050	308-56A-250	AMD-W	97-13-009	308-56A-680	AMD-P	97-06-028
308-18-240	AMD-P	97-13-081	308-56A-255	REP-P	97-09-002	308-56A-680	AMD-S	97-09-038
308-18-240	AMD	97-17-050	308-56A-255	REP-W	97-13-009	308-56A-680	AMD	97-14-034
308-18-300	AMD-P	97-13-081	308-56A-265	AMD-P	97-09-002	308-56A-690	AMD-P	97-06-028
308-18-300	AMD	97-17-050	308-56A-265	AMD-W	97-13-009	308-56A-690	AMD-S	97-09-038
308-19-400	NEW-P	97-07-026	308-56A-270	AMD-P	97-09-002	308-56A-690	AMD	97-14-034
308-19-400	NEW	97-10-047	308-56A-270	AMD-W	97-13-009	308-57-005	AMD-P	97-07-069
308-19-410	NEW-P	97-07-026	308-56A-275	AMD-P	97-09-002	308-57-005	AMD	97-12-015
308-19-410	NEW	97-10-047	308-56A-275	AMD-W	97-13-009	308-57-010	AMD-P	97-07-069
308-19-420	NEW-P	97-07-026	308-56A-280	AMD-P	97-09-002	308-57-010	AMD	97-12-015
308-19-420	NEW	97-10-047	308-56A-280	AMD-W	97-13-009	308-57-020	AMD-P	97-07-069
308-20-160	PREP-X	97-13-026	308-56A-285	AMD-P	97-09-002	308-57-020	AMD	97-12-015
308-20-160	REP	97-17-062	308-56A-285	AMD-W	97-13-009	308-57-030	AMD-P	97-07-069
308-20-500	PREP-X	97-13-026	308-56A-300	AMD-P	97-09-002	308-57-030	AMD	97-12-015
308-20-500	REP	97-17-062	308-56A-300	AMD-W	97-13-009	308-57-110	AMD-P	97-07-069
308-20-710	NEW-P	97-07-032	308-56A-305	AMD-P	97-09-002	308-57-110	AMD	97-12-015
308-20-710	NEW	97-10-049	308-56A-305	AMD-W	97-13-009	308-57-120	AMD-P	97-07-069
308-20-720	NEW-P	97-07-032	308-56A-310	AMD-P	97-09-002	308-57-120	AMD	97-12-015
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308-20-730	NEW-P	97-07-032	308-56A-315	AMD-P	97-09-002	308-57-130	AMD	97-12-015
308-20-730	NEW	97-10-049	308-56A-315	AMD-W	97-13-009	308-57-135	NEW-P	97-07-069
308-29-090	NEW-P	97-07-033	308-56A-320	AMD-P	97-09-002	308-57-135	NEW	97-12-015
308-29-090	NEW-W	97-09-022	308-56A-320	AMD-W	97-13-009	308-57-140	AMD-P	97-07-069
308-29-100	NEW-P	97-07-033	308-56A-325	AMD-P	97-09-002	308-57-140	AMD	97-12-015
308-29-100	NEW-W	97-09-022	308-56A-325	AMD-W	97-13-009	308-57-210	AMD-P	97-07-069
308-29-110	NEW-P	97-07-033	308-56A-330	AMD-P	97-09-002	308-57-210	AMD	97-12-015
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308-57-230	AMD	97-12-015	308-96A-056	AMD	97-07-013	308-330-462	AMD-P	97-07-015
308-57-240	AMD-P	97-07-069	308-96A-057	AMD-P	97-03-028	308-330-462	AMD	97-10-068
308-57-240	AMD	97-12-015	308-96A-057	AMD	97-07-013	308-330-800	AMD-P	97-07-015
308-57-250	REP-P	97-07-069	308-96A-072	AMD-P	97-03-028	308-330-800	AMD	97-10-068
308-57-250	REP	97-12-015	308-96A-072	AMD	97-07-013	308-330-825	AMD-P	97-07-015
308-57-310	REP-P	97-07-069	308-96A-073	AMD	97-07-014	308-330-825	AMD	97-10-068
308-57-310	REP	97-12-015	308-96A-074	AMD	97-07-014	308-420-250	NEW-P	97-07-034
308-57-320	REP-P	97-07-069	308-96A-075	REP	97-07-014	308-420-250	NEW	97-10-048
308-57-320	REP	97-12-015	308-96A-136	AMD-P	97-03-028	308-420-260	NEW-P	97-07-034
308-57-410	REP-P	97-07-069	308-96A-136	AMD	97-07-013	308-420-260	NEW	97-10-048
308-57-410	REP	97-12-015	308-96A-161	AMD-P	97-06-027	308-420-270	NEW-P	97-07-034
308-57-420	REP-P	97-07-069	308-96A-161	AMD	97-10-003	308-420-270	NEW	97-10-048
308-57-420	REP	97-12-015	308-96A-162	AMD-P	97-06-027	314-60-040	PREP	97-13-070
308-57-430	REP-P	97-07-069	308-96A-162	AMD	97-10-003	315-06	PREP	97-11-057
308-57-430	REP	97-12-015	308-124F-030	PREP	97-18-068	315-06	PREP	97-16-116
308-57-440	REP-P	97-07-069	308-125-120	PREP	97-09-082	315-06-120	AMD-P	97-15-123
308-57-440	REP	97-12-015	308-125-120	PREP	97-09-083	315-06-120	AMD	97-20-052
308-58-010	AMD-P	97-03-096	308-125-120	PREP	97-11-059	315-06-123	AMD-P	97-15-123
308-58-010	AMD-S	97-08-005	308-125-120	AMD-P	97-13-030	315-06-123	AMD	97-20-052
308-58-010	AMD	97-11-049	308-125-120	AMD-P	97-15-101	315-10-010	AMD	97-04-047
308-58-030	AMD-P	97-03-096	308-125-120	AMD	97-16-042	315-10-020	AMD	97-04-047
308-58-030	AMD-S	97-08-005	308-125-120	AMD-C	97-18-032	315-10-022	NEW	97-04-047
308-58-030	AMD	97-11-049	308-127-310	NEW-P	97-07-028	315-10-025	NEW	97-04-047
308-58-040	AMD-P	97-03-096	308-127-310	NEW	97-10-051	315-10-030	AMD	97-04-047
308-58-040	AMD-S	97-08-005	308-127-320	NEW-P	97-07-028	315-10-035	NEW	97-04-047
308-58-040	AMD	97-11-049	308-127-320	NEW	97-10-051	315-10-055	NEW	97-04-047
308-58-050	NEW-P	97-03-096	308-127-330	NEW-P	97-07-028	315-10-060	AMD	97-04-047
308-58-050	NEW-S	97-08-005	308-127-330	NEW	97-10-051	315-10-062	NEW	97-04-047
308-58-050	NEW	97-11-049	308-300-310	PREP	97-14-088	315-10-065	NEW	97-04-047
308-61-108	PREP	97-20-108	308-330-121	REP-P	97-07-015	315-10-070	AMD	97-04-047
308-66-140	PREP	97-20-108	308-330-121	REP	97-10-068	315-10-075	NEW	97-04-047
308-72-506	PREP-X	97-13-026	308-330-123	REP-P	97-07-015	315-11-600	PREP-X	97-14-016
308-72-506	REP	97-17-062	308-330-123	REP	97-10-068	315-11-600	REP	97-20-051
308-72-510	PREP-X	97-13-026	308-330-197	AMD-P	97-07-015	315-11-601	PREP-X	97-14-016
308-72-510	REP	97-17-062	308-330-197	AMD	97-10-068	315-11-601	REP	97-20-051
308-72-543	PREP-X	97-13-026	308-330-200	AMD-P	97-07-015	315-11-602	PREP-X	97-14-016
308-72-543	REP	97-17-062	308-330-200	AMD	97-10-068	315-11-602	REP	97-20-051
308-76-005	PREP-X	97-13-026	308-330-300	AMD-P	97-07-015	315-11-610	PREP-X	97-14-016
308-76-005	REP	97-17-062	308-330-300	AMD	97-10-068	315-11-610	REP	97-20-051
308-76-400	PREP-X	97-13-026	308-330-305	AMD-P	97-07-015	315-11-611	PREP-X	97-14-016
308-76-400	REP	97-17-062	308-330-305	AMD	97-10-068	315-11-611	REP	97-20-051
308-76-405	PREP-X	97-13-026	308-330-307	AMD-P	97-07-015	315-11-612	PREP-X	97-14-016
308-76-405	REP	97-17-062	308-330-307	AMD	97-10-068	315-11-612	REP	97-20-051
308-76-410	PREP-X	97-13-026	308-330-307	AMD-E	97-12-043	315-11-620	PREP-X	97-14-016
308-76-410	REP	97-17-062	308-330-307	AMD-P	97-12-044	315-11-620	REP	97-20-051
308-76-415	PREP-X	97-13-026	308-330-307	AMD	97-16-041	315-11-621	PREP-X	97-14-016
308-76-415	REP	97-17-062	308-330-316	AMD-P	97-07-015	315-11-621	REP	97-20-051
308-76-420	PREP-X	97-13-026	308-330-316	AMD	97-10-068	315-11-622	PREP-X	97-14-016
308-76-420	REP	97-17-062	308-330-322	AMD-P	97-07-015	315-11-622	REP	97-20-051
308-76-425	PREP-X	97-13-026	308-330-322	AMD	97-10-068	315-11-630	PREP-X	97-14-016
308-76-425	REP	97-17-062	308-330-329	REP-P	97-07-015	315-11-630	REP	97-20-051
308-76-430	PREP-X	97-13-026	308-330-329	REP	97-10-068	315-11-631	PREP-X	97-14-016
308-76-430	REP	97-17-062	308-330-370	AMD-P	97-07-015	315-11-631	REP	97-20-051
308-77-030	PREP-X	97-13-026	308-330-370	AMD	97-10-068	315-11-632	PREP-X	97-14-016
308-77-030	REP	97-17-062	308-330-375	REP-P	97-07-015	315-11-632	REP	97-20-051
308-77-090	PREP-X	97-13-026	308-330-375	REP	97-10-068	315-11-640	PREP-X	97-14-016
308-77-090	REP	97-17-062	308-330-400	AMD-P	97-07-015	315-11-640	REP	97-20-051
308-80-015	PREP	97-20-108	308-330-400	AMD	97-10-068	315-11-641	PREP-X	97-14-016
308-80-020	PREP	97-20-108	308-330-406	AMD-P	97-07-015	315-11-641	REP	97-20-051
308-93	PREP	97-12-026	308-330-406	AMD	97-10-068	315-11-642	PREP-X	97-14-016
308-95-010	PREP-X	97-13-026	308-330-408	AMD-P	97-07-015	315-11-642	REP	97-20-051
308-95-010	REP	97-17-062	308-330-408	AMD	97-10-068	315-11-650	PREP-X	97-14-016
308-95-020	PREP-X	97-13-026	308-330-415	AMD-P	97-07-015	315-11-650	REP	97-20-051
308-95-020	REP	97-17-062	308-330-415	AMD	97-10-068	315-11-651	PREP-X	97-14-016
308-95-030	PREP-X	97-13-026	308-330-421	AMD-P	97-07-015	315-11-651	REP	97-20-051
308-95-030	REP	97-17-062	308-330-421	AMD	97-10-068	315-11-652	PREP-X	97-14-016
308-96A	PREP	97-12-067	308-330-425	AMD-P	97-07-015	315-11-652	REP	97-20-051
308-96A	PREP	97-20-057	308-330-425	AMD	97-10-068	315-11-660	PREP-X	97-14-016
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308-96A-005	AMD	97-10-003	308-330-425	AMD-P	97-12-044	315-11-661	PREP-X	97-14-016
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315-11A-109	PREP-X	97-14-016	315-11A-194	NEW	97-11-003	315-33B-030	PREP-X	97-14-016
315-11A-109	REP	97-20-051	315-11A-195	NEW-P	97-07-062	315-33B-030	REP	97-20-051
315-11A-110	PREP-X	97-14-016	315-11A-195	NEW	97-11-003	315-33B-040	PREP-X	97-14-016
315-11A-110	REP	97-20-051	315-11A-196	NEW-P	97-11-058	315-33B-040	REP	97-20-051
315-11A-111	PREP-X	97-14-016	315-11A-196	NEW	97-15-122	315-33B-050	PREP-X	97-14-016
315-11A-111	REP	97-20-051	315-11A-197	NEW-P	97-11-058	315-33B-050	REP	97-20-051
315-11A-112	PREP-X	97-14-016	315-11A-197	NEW	97-15-122	315-33B-060	PREP-X	97-14-016
315-11A-112	REP	97-20-051	315-11A-198	NEW-P	97-11-058	315-33B-060	REP	97-20-051
315-11A-113	PREP-X	97-14-016	315-11A-198	NEW	97-15-122	315-33B-070	PREP-X	97-14-016
315-11A-113	REP	97-20-051	315-11A-199	NEW-P	97-11-058	315-33B-070	REP	97-20-051
315-11A-114	PREP-X	97-14-016	315-11A-199	NEW	97-15-122	315-34	PREP	97-11-057
315-11A-114	REP	97-20-051	315-11A-200	NEW-P	97-11-058	315-34	PREP	97-16-116
315-11A-115	PREP-X	97-14-016	315-11A-200	NEW	97-15-122	315-34-040	AMD-P	97-15-123
315-11A-115	REP	97-20-051	315-11A-201	NEW-P	97-11-058	315-34-040	AMD-W	97-20-054
315-11A-116	PREP-X	97-14-016	315-11A-201	NEW	97-15-122	315-34-040	AMD-P	97-20-131
315-11A-116	REP	97-20-051	315-11A-202	NEW-P	97-11-058	315-34-050	AMD-P	97-20-131
315-11A-117	PREP-X	97-14-016	315-11A-202	NEW	97-15-122	315-34-055	NEW-P	97-20-131
315-11A-117	REP	97-20-051	315-11A-203	NEW-P	97-11-058	315-40-010	PREP-X	97-14-016
315-11A-118	PREP-X	97-14-016	315-11A-203	NEW	97-15-122	315-40-010	REP	97-20-051
315-11A-118	REP	97-20-051	315-11A-204	NEW-P	97-15-123	315-40-020	PREP-X	97-14-016
315-11A-119	PREP-X	97-14-016	315-11A-204	NEW	97-20-052	315-40-020	REP	97-20-051
315-11A-119	REP	97-20-051	315-11A-205	NEW-P	97-15-123	315-40-030	PREP-X	97-14-016
315-11A-120	PREP-X	97-14-016	315-11A-205	NEW	97-20-052	315-40-030	REP	97-20-051
315-11A-120	REP	97-20-051	315-11A-206	NEW-P	97-15-123	315-40-040	PREP-X	97-14-016
315-11A-121	PREP-X	97-14-016	315-11A-206	NEW	97-20-052	315-40-040	REP	97-20-051
315-11A-121	REP	97-20-051	315-11A-207	NEW-P	97-15-123	315-40-050	PREP-X	97-14-016
315-11A-122	PREP-X	97-14-016	315-11A-207	NEW	97-20-052	315-40-050	REP	97-20-051
315-11A-122	REP	97-20-051	315-11A-208	NEW-P	97-20-131	315-40-060	PREP-X	97-14-016
315-11A-123	PREP-X	97-14-016	315-11A-209	NEW-P	97-20-131	315-40-060	REP	97-20-051
315-11A-123	REP	97-20-051	315-11A-210	NEW-P	97-20-131	315-40-070	PREP-X	97-14-016
315-11A-124	PREP-X	97-14-016	315-11A-211	NEW-P	97-20-131	315-40-070	REP	97-20-051
315-11A-124	REP	97-20-051	315-11A-212	NEW-P	97-20-131	315-40-080	PREP-X	97-14-016
315-11A-125	PREP-X	97-14-016	315-11A-213	NEW-P	97-20-131	315-40-080	REP	97-20-051
315-11A-125	REP	97-20-051	315-11A-214	NEW-P	97-20-131	315-41-50100	PREP-X	97-14-016
315-11A-126	PREP-X	97-14-016	315-12-020	AMD-P	97-03-123	315-41-50100	REP	97-20-051
315-11A-126	REP	97-20-051	315-12-020	AMD	97-07-063	315-41-50110	PREP-X	97-14-016
315-11A-127	PREP-X	97-14-016	315-12-030	PREP	97-07-061	315-41-50110	REP	97-20-051
315-11A-127	REP	97-20-051	315-12-030	AMD-P	97-11-058	315-41-50120	PREP-X	97-14-016
315-11A-128	PREP-X	97-14-016	315-12-030	AMD	97-15-122	315-41-50120	REP	97-20-051
315-11A-128	REP	97-20-051	315-12-080	AMD-P	97-03-123	315-41-50200	PREP-X	97-14-016
315-11A-129	PREP-X	97-14-016	315-12-080	AMD	97-07-063	315-41-50200	REP	97-20-051
315-11A-129	REP	97-20-051	315-12-090	AMD-P	97-03-123	315-41-50210	PREP-X	97-14-016
315-11A-130	PREP-X	97-14-016	315-12-090	AMD	97-07-063	315-41-50210	REP	97-20-051
315-11A-130	REP	97-20-051	315-32-010	PREP-X	97-14-016	315-41-50220	PREP-X	97-14-016
315-11A-131	PREP-X	97-14-016	315-32-010	REP	97-20-051	315-41-50220	REP	97-20-051
315-11A-131	REP	97-20-051	315-32-020	PREP-X	97-14-016	315-41-50300	PREP-X	97-14-016
315-11A-132	PREP-X	97-14-016	315-32-020	REP	97-20-051	315-41-50300	REP	97-20-051
315-11A-132	REP	97-20-051	315-32-030	PREP-X	97-14-016	315-41-50310	PREP-X	97-14-016
315-11A-133	PREP-X	97-14-016	315-32-030	REP	97-20-051	315-41-50310	REP	97-20-051
315-11A-133	REP	97-20-051	315-32-040	PREP-X	97-14-016	315-41-50320	PREP-X	97-14-016
315-11A-134	PREP-X	97-14-016	315-32-040	REP	97-20-051	315-41-50320	REP	97-20-051
315-11A-134	REP	97-20-051	315-32-050	PREP-X	97-14-016	315-41-50400	PREP-X	97-14-016
315-11A-135	PREP-X	97-14-016	315-32-050	REP	97-20-051	315-41-50400	REP	97-20-051
315-11A-135	REP	97-20-051	315-32-060	PREP-X	97-14-016	315-41-50410	PREP-X	97-14-016
315-11A-136	PREP-X	97-14-016	315-32-060	REP	97-20-051	315-41-50410	REP	97-20-051
315-11A-136	REP	97-20-051	315-33-010	PREP-X	97-14-016	315-41-50420	PREP-X	97-14-016
315-11A-184	AMD-P	97-03-123	315-33-010	REP	97-20-051	315-41-50420	REP	97-20-051
315-11A-184	AMD	97-07-063	315-33-020	PREP-X	97-14-016	315-41-50500	PREP-X	97-14-016
315-11A-187	NEW-P	97-03-123	315-33-020	REP	97-20-051	315-41-50500	REP	97-20-051
315-11A-187	NEW	97-07-063	315-33-030	PREP-X	97-14-016	315-41-50510	PREP-X	97-14-016
315-11A-188	NEW-P	97-03-123	315-33-030	REP	97-20-051	315-41-50510	REP	97-20-051
315-11A-188	NEW	97-07-063	315-33-040	PREP-X	97-14-016	315-41-50520	PREP-X	97-14-016
315-11A-189	NEW-P	97-03-123	315-33-040	REP	97-20-051	315-41-50520	REP	97-20-051
315-11A-189	NEW	97-07-063	315-33-050	PREP-X	97-14-016	315-41-50600	PREP-X	97-14-016
315-11A-190	NEW-P	97-03-123	315-33-050	REP	97-20-051	315-41-50600	REP	97-20-051
315-11A-190	NEW	97-07-063	315-33-060	PREP-X	97-14-016	315-41-50610	PREP-X	97-14-016
315-11A-191	NEW-P	97-03-123	315-33-060	REP	97-20-051	315-41-50610	REP	97-20-051
315-11A-191	NEW	97-07-063	315-33-070	PREP-X	97-14-016	315-41-50620	PREP-X	97-14-016
315-11A-192	NEW-P	97-07-062	315-33-070	REP	97-20-051	315-41-50620	REP	97-20-051
315-11A-192	NEW	97-11-003	315-33B-010	PREP-X	97-14-016	317-31-200	AMD-P	97-07-065
315-11A-193	NEW-P	97-07-062	315-33B-010	REP	97-20-051	317-31-200	AMD	97-10-097
315-11A-193	NEW	97-11-003	315-33B-020	PREP-X	97-14-016	317-31-220	AMD-P	97-07-065
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317-31-230	AMD	97-10-097	356-14-110	AMD-P	97-12-079	363-11-340	RECOD	97-08-042
317-40	PREP	97-07-066	356-14-110	AMD-C	97-16-015	363-11-350	RECOD	97-08-042
317-50-010	NEW-P	97-07-064	356-14-120	AMD-P	97-12-079	363-11-360	RECOD	97-08-042
317-50-010	NEW	97-10-096	356-14-120	AMD-C	97-16-015	363-11-370	RECOD	97-08-042
317-50-020	NEW-P	97-07-064	356-14-140	AMD-P	97-12-079	363-11-380	RECOD	97-08-042
317-50-020	NEW	97-10-096	356-14-140	AMD-C	97-16-015	363-11-390	RECOD	97-08-042
317-50-030	NEW-P	97-07-064	356-14-160	AMD-P	97-12-079	363-11-400	RECOD	97-08-042
317-50-030	NEW	97-10-096	356-14-160	AMD-C	97-16-015	363-11-410	RECOD	97-08-042
317-50-040	NEW-P	97-07-064	356-15-060	AMD-P	97-20-061	363-11-420	RECOD	97-08-042
317-50-040	NEW	97-10-096	356-15-090	AMD-P	97-20-061	363-11-430	RECOD	97-08-042
317-50-050	NEW-P	97-07-064	356-15-130	AMD-P	97-20-061	363-11-440	RECOD	97-08-042
317-50-050	NEW	97-10-096	356-15-130	AMD-P	97-20-062	363-11-450	RECOD	97-08-042
317-50-060	NEW-P	97-07-064	356-26-030	AMD-P	97-16-014	363-11-460	RECOD	97-08-042
317-50-060	NEW	97-10-096	356-30-065	AMD-E	97-09-028	363-11-470	RECOD	97-08-042
317-50-070	NEW-P	97-07-064	356-30-065	AMD-P	97-10-090	363-11-480	RECOD	97-08-042
317-50-070	NEW	97-10-096	356-30-065	AMD-W	97-13-044	363-11-490	RECOD	97-08-042
317-50-080	NEW-P	97-07-064	356-30-065	AMD-P	97-16-013	363-11-500	RECOD	97-08-042
317-50-080	NEW	97-10-096	356-30-065	AMD	97-19-044	363-11-510	RECOD	97-08-042
317-50-900	NEW-P	97-07-064	356-30-067	AMD-E	97-09-028	363-11-520	RECOD	97-08-042
317-50-900	NEW	97-10-096	356-30-067	AMD-P	97-10-090	363-11-530	RECOD	97-08-042
326-02-034	AMD-P	97-09-093	356-30-067	AMD-W	97-13-044	363-11-540	RECOD	97-08-042
326-02-034	AMD	97-17-045	356-30-067	AMD-P	97-16-013	363-11-550	RECOD	97-08-042
326-30-041	PREP	97-09-093	356-30-067	AMD	97-19-044	363-11-560	RECOD	97-08-042
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326-30-041	AMD	97-16-073	356-30-330	AMD-C	97-16-015	363-11-580	RECOD	97-08-042
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388-61-020	NEW-P	97-17-089	388-76-480	REP-P	97-18-087	388-87-070	REP-P	97-19-102
388-61-020	NEW-W	97-20-132	388-76-490	REP-P	97-18-087	388-87-072	REP-P	97-19-102
388-70-064	REP-P	97-19-102	388-76-500	REP-P	97-18-087	388-87-115	REP-P	97-19-102
388-70-160	REP-P	97-19-102	388-76-520	REP-P	97-18-087	388-96-010	PREP	97-06-072
388-73-400	REP-P	97-19-102	388-76-530	REP-P	97-18-087	388-96-010	AMD-P	97-12-082
388-73-402	REP-P	97-19-102	388-76-540	AMD-P	97-18-087	388-96-010	AMD	97-17-040
388-73-403	REP-P	97-19-102	388-76-550	AMD-P	97-18-087	388-96-220	PREP	97-06-072
388-73-404	REP-P	97-19-102	388-76-560	AMD-P	97-18-087	388-96-221	PREP	97-06-072
388-73-406	REP-P	97-19-102	388-76-561	NEW-P	97-20-114	388-96-224	PREP	97-06-072
388-73-408	REP-P	97-19-102	388-76-570	AMD-P	97-18-087	388-96-224	AMD-P	97-12-082
388-73-409	REP-P	97-19-102	388-76-590	AMD-P	97-18-087	388-96-224	AMD	97-17-040
388-73-410	REP-P	97-19-102	388-76-590	AMD-P	97-20-114	388-96-505	PREP	97-06-072
388-73-412	REP-P	97-19-102	388-76-595	AMD-P	97-18-087	388-96-505	AMD-P	97-12-082
388-73-414	REP-P	97-19-102	388-76-600	AMD-P	97-20-114	388-96-505	AMD	97-17-040
388-73-430	REP-P	97-19-102	388-76-605	AMD-P	97-18-087	388-96-534	PREP	97-06-072
388-73-432	REP-P	97-19-102	388-76-610	AMD-P	97-18-087	388-96-534	AMD-P	97-12-082
388-73-434	REP-P	97-19-102	388-76-610	AMD-P	97-20-114	388-96-534	AMD	97-17-040
388-73-436	REP-P	97-19-102	388-76-615	AMD-P	97-20-114	388-96-553	PREP	97-06-072
388-73-438	REP-P	97-19-102	388-76-620	AMD-P	97-18-087	388-96-553	AMD-P	97-12-082
388-73-440	REP-P	97-19-102	388-76-635	AMD-P	97-18-087	388-96-553	AMD	97-17-040
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388-76-010	REP-P	97-18-087	388-76-655	AMD-P	97-18-087	388-96-554	AMD-P	97-12-082
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388-76-030	REP-P	97-18-087	388-76-665	AMD-P	97-18-087	388-96-559	PREP	97-06-072
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388-96-565	AMD-P	97-12-082	388-155-380	PREP	97-14-073	388-201-460	REP-P	97-15-031
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388-96-754	AMD	97-17-040	388-155-620	PREP	97-14-073	388-215-1000	AMD	97-07-024
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388-110-110	PREP	97-11-043	388-165-010	REP-P	97-19-102	388-215-1115	NEW	97-10-041
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388-110-110	AMD	97-19-020	388-165-030	REP-P	97-19-102	388-215-1200	REP	97-20-125
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388-155-085	PREP	97-14-073	388-200-1400	NEW-P	97-03-053	388-215-1550	NEW-P	97-03-052
388-155-090	PREP	97-14-073	388-200-1400	NEW	97-07-008	388-215-1550	NEW	97-06-077
388-155-092	PREP	97-14-073	388-201-100	REP-P	97-15-031	388-215-1570	NEW-P	97-05-069
388-155-093	PREP	97-14-073	388-201-100	REP-E	97-15-043	388-215-1570	NEW	97-08-034
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388-155-200	PREP	97-14-073	388-201-410	PREP	97-15-131	388-215-1660	NEW-E	97-06-026
388-155-210	PREP	97-14-073	388-201-410	REP	97-20-056	388-215-1660	NEW-S	97-06-073
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388-155-260	PREP	97-14-073	388-201-430	REP-P	97-15-031	388-215-1670	NEW-E	97-16-052
388-155-270	PREP	97-14-073	388-201-430	REP-E	97-15-043	388-215-1670	NEW-P	97-17-069
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388-155-290	PREP	97-14-073	388-201-430	REP	97-20-056	388-216-2450	PREP	97-11-077
388-155-295	PREP	97-14-073	388-201-440	REP-P	97-15-031	388-216-2450	AMD-P	97-15-089
388-155-310	PREP	97-14-073	388-201-440	REP-E	97-15-043	388-216-2450	AMD-E	97-15-090
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388-155-330	PREP	97-14-073	388-201-440	REP	97-20-056	388-216-2500	AMD-E	97-03-048
388-155-340	PREP	97-14-073	388-201-450	REP-P	97-15-031	388-216-2500	AMD-P	97-03-050
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388-216-2500	AMD-E	97-15-090	388-218-1710	AMD	97-18-073	388-250-1310	NEW-P	97-17-101
388-216-2500	AMD	97-19-008	388-218-1720	AMD-E	97-15-087	388-250-1310	NEW	97-20-124
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388-216-2650	AMD-P	97-15-089	388-218-1720	AMD	97-18-073	388-250-1700	AMD-E	97-10-036
388-216-2650	AMD-E	97-15-090	388-218-1730	PREP	97-11-079	388-250-1700	AMD	97-14-011
388-216-2650	AMD	97-19-008	388-218-1730	REP-E	97-15-087	388-265	PREP	97-13-084
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388-216-2900	AMD-P	97-03-051	388-218-1740	AMD-E	97-15-087	388-265-1275	AMD	97-20-128
388-216-2900	AMD	97-06-078	388-218-1740	AMD-P	97-15-088	388-265-1350	REP-P	97-05-071
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388-216-3000	NEW	97-20-124	388-218-1800	AMD-E	97-15-137	388-265-1350	REP	97-10-042
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388-218-1210	AMD-P	97-15-088	388-218-1820	AMD	97-06-078	388-265-1750	AMD-P	97-10-039
388-218-1210	AMD	97-18-073	388-218-1940	AMD-E	97-15-137	388-265-1750	AMD	97-13-091
388-218-1230	AMD-E	97-15-087	388-220-0001	NEW-P	97-17-088	388-290	PREP	97-14-047
388-218-1230	AMD-P	97-15-088	388-220-0001	NEW	97-20-124	388-290	AMD-P	97-17-104
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388-218-1300	PREP	97-11-079	388-220-0010	NEW-W	97-20-132	388-290-010	AMD-P	97-17-104
388-218-1300	AMD-E	97-15-087	388-220-0020	NEW-P	97-17-088	388-290-010	AMD	97-20-130
388-218-1300	AMD-P	97-15-088	388-220-0020	NEW-W	97-20-132	388-290-020	AMD-P	97-17-104
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388-218-1350	PREP	97-11-079	388-220-0030	NEW	97-20-124	388-290-025	NEW-P	97-17-104
388-218-1350	AMD-E	97-15-087	388-220-0040	NEW-P	97-17-088	388-290-025	NEW	97-20-130
388-218-1350	AMD-P	97-15-088	388-220-0040	NEW-W	97-20-132	388-290-030	NEW-P	97-17-104
388-218-1350	AMD	97-18-073	388-222-001	NEW-P	97-17-103	388-290-030	NEW	97-20-130
388-218-1410	PREP	97-11-079	388-222-001	NEW	97-20-124	388-290-035	NEW-P	97-17-104
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388-218-1410	AMD	97-18-073	388-222-020	NEW-P	97-17-103	388-290-040	REP	97-20-130
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388-218-1430	AMD-P	97-15-088	388-222-050	NEW-W	97-20-132	388-290-060	NEW-P	97-17-104
388-218-1430	AMD	97-18-073	388-222-060	NEW-P	97-17-103	388-290-060	NEW	97-20-130
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388-218-1460	REP-E	97-15-087	388-230-0060	AMD-P	97-17-102	388-290-105	NEW	97-20-130
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388-218-1470	AMD-P	97-15-088	388-230-0110	AMD-E	97-14-107	388-290-120	REP-P	97-17-104
388-218-1470	AMD	97-18-073	388-230-0110	AMD-P	97-17-102	388-290-120	REP	97-20-130
388-218-1480	PREP	97-11-079	388-230-0110	AMD-W	97-20-132	388-290-123	REP-P	97-17-104
388-218-1480	REP-E	97-15-087	388-230-0120	AMD-E	97-14-107	388-290-123	REP	97-20-130
388-218-1480	REP-P	97-15-088	388-230-0120	AMD-P	97-17-102	388-290-130	REP-P	97-17-104
388-218-1480	REP	97-18-073	388-230-0120	AMD-W	97-20-132	388-290-130	REP	97-20-130
388-218-1530	AMD-E	97-03-047	388-230-0140	AMD-E	97-14-107	388-290-135	REP-P	97-17-104
388-218-1530	AMD-P	97-03-051	388-230-0140	AMD-P	97-17-102	388-290-135	REP	97-20-130
388-218-1530	AMD	97-06-078	388-230-0140	AMD-W	97-20-132	388-290-140	REP-P	97-17-104
388-218-1630	PREP	97-11-079	388-233	PREP	97-13-083	388-290-140	REP	97-20-130
388-218-1630	AMD-E	97-15-087	388-235	PREP	97-14-081	388-290-155	REP-P	97-17-104
388-218-1630	AMD-P	97-15-088	388-235-2000	AMD-P	97-17-090	388-290-155	REP	97-20-130
388-218-1630	AMD	97-18-073	388-235-2000	AMD	97-20-128	388-290-160	REP-P	97-17-104
388-218-1700	REP-E	97-15-137	388-245-1150	AMD-E	97-14-109	388-290-160	REP	97-20-130
388-218-1710	PREP	97-11-079	388-245-1510	AMD-E	97-15-011	388-290-170	REP-P	97-17-104

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388-290-170	REP	97-20-130	388-300-3200	REP	97-20-126	388-505-0510	AMD	97-15-025
388-290-180	REP-P	97-17-104	388-300-3300	REP-P	97-16-054	388-505-0520	AMD-E	97-08-074
388-290-180	REP	97-20-130	388-300-3300	REP	97-20-126	388-505-0520	PREP	97-11-075
388-290-210	REP-P	97-17-104	388-300-3400	REP-P	97-16-054	388-505-0520	AMD-E	97-16-053
388-290-210	REP	97-20-130	388-300-3400	REP	97-20-126	388-505-0540	AMD	97-04-005
388-290-250	REP-P	97-17-104	388-300-3500	REP-P	97-16-054	388-506-0630	AMD	97-10-022
388-290-250	REP	97-20-130	388-300-3500	REP	97-20-126	388-507-0710	AMD-P	97-07-023
388-290-260	REP-P	97-17-104	388-300-3600	REP-P	97-16-054	388-507-0710	AMD	97-09-112
388-290-260	REP	97-20-130	388-300-3600	REP	97-20-126	388-507-0740	PREP	97-10-034
388-300	PREP	97-14-046	388-300-3700	REP-P	97-16-054	388-507-0740	AMD-E	97-16-053
388-300-0100	REP-P	97-16-054	388-300-3700	REP	97-20-126	388-508-0805	AMD-E	97-08-031
388-300-0100	REP	97-20-126	388-300-3800	REP-P	97-16-054	388-508-0805	AMD-P	97-13-057
388-300-0200	REP-P	97-16-054	388-300-3800	REP	97-20-126	388-508-0805	AMD	97-16-008
388-300-0200	REP	97-20-126	388-300-3900	REP-P	97-16-054	388-509-0920	AMD-E	97-08-031
388-300-0300	REP-P	97-16-054	388-300-3900	REP	97-20-126	388-509-0920	AMD-P	97-13-057
388-300-0300	REP	97-20-126	388-310-0100	NEW-P	97-17-070	388-509-0920	AMD	97-16-008
388-300-0400	REP-P	97-16-054	388-310-0100	NEW	97-20-129	388-509-0960	AMD-E	97-08-031
388-300-0400	REP	97-20-126	388-310-0200	NEW-P	97-17-070	388-509-0960	AMD-P	97-13-057
388-300-0500	REP-P	97-16-054	388-310-0200	NEW	97-20-129	388-509-0960	AMD	97-16-008
388-300-0500	REP	97-20-126	388-310-0300	NEW-P	97-17-070	388-510	PREP	97-11-075
388-300-0600	REP-P	97-16-054	388-310-0300	NEW	97-20-129	388-510-1005	NEW-E	97-16-053
388-300-0600	REP	97-20-126	388-310-0400	NEW-P	97-17-070	388-510-1020	AMD-E	97-16-053
388-300-0700	REP-P	97-16-054	388-310-0400	NEW	97-20-129	388-511-1105	AMD	97-03-036
388-300-0700	REP	97-20-126	388-310-0500	NEW-P	97-17-070	388-511-1130	AMD	97-10-022
388-300-0800	REP-P	97-16-054	388-310-0500	NEW	97-20-129	388-511-1140	AMD	97-10-022
388-300-0800	REP	97-20-126	388-310-0600	NEW-P	97-17-070	388-511-1160	AMD	97-03-034
388-300-0900	REP-P	97-16-054	388-310-0600	NEW	97-20-129	388-511-1160	PREP	97-08-035
388-300-0900	REP	97-20-126	388-310-0700	NEW-P	97-17-070	388-513-1315	PREP	97-12-023
388-300-1000	REP-P	97-16-054	388-310-0700	NEW	97-20-129	388-513-1320	AMD-P	97-11-082
388-300-1000	REP	97-20-126	388-310-0800	NEW-P	97-17-070	388-513-1320	AMD	97-15-025
388-300-1100	REP-P	97-16-054	388-310-0800	NEW	97-20-129	388-513-1330	AMD	97-10-022
388-300-1100	REP	97-20-126	388-310-0900	NEW-P	97-17-070	388-513-1350	AMD-P	97-07-023
388-300-1200	REP-P	97-16-054	388-310-0900	NEW	97-20-129	388-513-1350	AMD	97-09-112
388-300-1200	REP	97-20-126	388-310-1000	NEW-P	97-17-070	388-513-1365	AMD	97-05-040
388-300-1300	REP-P	97-16-054	388-310-1000	NEW	97-20-129	388-513-1380	AMD-E	97-08-031
388-300-1300	REP	97-20-126	388-310-1100	NEW-P	97-17-070	388-513-1380	AMD-W	97-12-062
388-300-1400	REP-P	97-16-054	388-310-1100	NEW	97-20-129	388-513-1380	AMD-P	97-13-057
388-300-1400	REP	97-20-126	388-310-1200	NEW-P	97-17-070	388-513-1380	AMD	97-16-008
388-300-1500	REP-P	97-16-054	388-310-1200	NEW	97-20-129	388-517-1720	AMD-E	97-08-031
388-300-1500	REP	97-20-126	388-310-1300	NEW-P	97-17-070	388-517-1720	AMD-P	97-13-057
388-300-1600	REP-P	97-16-054	388-310-1300	NEW-W	97-20-132	388-517-1720	AMD	97-16-008
388-300-1600	REP	97-20-126	388-310-1400	NEW-P	97-17-070	388-517-1740	AMD-E	97-08-031
388-300-1700	REP-P	97-16-054	388-310-1400	NEW	97-20-129	388-517-1740	AMD-P	97-13-057
388-300-1700	REP	97-20-126	388-310-1500	NEW-P	97-17-070	388-517-1740	AMD	97-16-008
388-300-1800	REP-P	97-16-054	388-310-1500	NEW	97-20-129	388-517-1760	AMD-E	97-08-031
388-300-1800	REP	97-20-126	388-310-1600	NEW-P	97-17-070	388-517-1760	AMD-P	97-13-057
388-300-1900	REP-P	97-16-054	388-310-1600	NEW	97-20-129	388-517-1760	AMD	97-16-008
388-300-1900	REP	97-20-126	388-310-1700	NEW-P	97-17-070	388-522-2205	AMD-E	97-08-030
388-300-2000	REP-P	97-16-054	388-310-1700	NEW	97-20-129	388-522-2205	AMD-P	97-12-081
388-300-2000	REP	97-20-126	388-310-1800	NEW-P	97-17-070	388-522-2205	AMD	97-15-084
388-300-2100	REP-P	97-16-054	388-310-1800	NEW	97-20-129	388-523-2305	AMD-E	97-16-053
388-300-2100	REP	97-20-126	388-310-1900	NEW-P	97-17-070	388-524-2405	AMD-E	97-08-030
388-300-2200	REP-P	97-16-054	388-310-1900	NEW	97-20-129	388-524-2405	AMD-P	97-12-081
388-300-2200	REP	97-20-126	388-320-225	AMD-E	97-03-046	388-524-2405	AMD	97-15-084
388-300-2300	REP-P	97-16-054	388-320-225	AMD-P	97-03-053	388-527	PREP	97-20-014
388-300-2300	REP	97-20-126	388-320-225	AMD	97-07-008	388-528-2810	REP	97-03-037
388-300-2400	REP-P	97-16-054	388-320-400	PREP	97-15-131	388-538-070	PREP	97-11-076
388-300-2400	REP	97-20-126	388-320-400	REP-P	97-19-102	388-538-073	NEW-W	97-10-073
388-300-2500	REP-P	97-16-054	388-320-410	PREP	97-15-131	388-538-074	NEW-W	97-10-073
388-300-2500	REP	97-20-126	388-320-410	REP-P	97-19-102	388-538-110	AMD	97-04-004
388-300-2600	REP-P	97-16-054	388-320-470	PREP	97-15-131	388-540-005	PREP	97-11-081
388-300-2600	REP	97-20-126	388-320-470	REP-P	97-19-102	388-540-030	PREP	97-11-081
388-300-2700	REP-P	97-16-054	388-320-500	PREP	97-15-131	388-540-060	PREP	97-11-081
388-300-2700	REP	97-20-126	388-320-500	REP-P	97-19-102	388-550-1000	NEW-P	97-11-008
388-300-2800	REP-P	97-16-054	388-330-035	AMD-P	97-09-106	388-550-1050	NEW-P	97-11-008
388-300-2800	REP	97-20-126	388-330-035	AMD	97-13-002	388-550-1100	NEW-P	97-11-008
388-300-2900	REP-P	97-16-054	388-500-0005	PREP	97-11-075	388-550-1200	NEW-P	97-11-008
388-300-2900	REP	97-20-126	388-500-0005	AMD-E	97-16-053	388-550-1300	NEW-P	97-11-008
388-300-3000	REP-P	97-16-054	388-501-0135	AMD	97-03-038	388-550-1400	NEW-P	97-11-008
388-300-3000	REP	97-20-126	388-503-0310	AMD	97-03-036	388-550-1500	NEW-P	97-11-008
388-300-3100	REP-P	97-16-054	388-503-0310	PREP	97-11-075	388-550-1600	NEW-P	97-11-008
388-300-3100	REP	97-20-126	388-503-0310	AMD-E	97-16-053	388-550-1700	NEW-P	97-11-008
388-300-3200	REP-P	97-16-054	388-505-0510	AMD-P	97-11-082	388-550-1750	NEW-P	97-11-008

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388-550-1800	NEW-P	97-11-008	390-16-041	AMD	97-06-085	392-130-090	REP-P	97-16-001
388-550-1900	NEW-P	97-11-008	390-16-313	AMD-P	97-06-086	392-130-090	REP	97-19-075
388-550-2000	NEW-P	97-11-008	390-16-313	AMD	97-10-055	392-130-095	REP-P	97-16-001
388-550-2100	NEW-P	97-11-008	390-24-010	AMD-P	97-19-051	392-130-095	REP	97-19-075
388-550-2200	NEW-P	97-11-008	390-24-020	AMD-P	97-19-051	392-130-100	REP-P	97-16-001
388-550-2300	NEW-P	97-11-008	390-24-300	NEW-P	97-19-051	392-130-100	REP	97-19-075
388-550-2400	NEW-P	97-11-008	392-115	PREP	97-18-010	392-130-105	REP-P	97-16-001
388-550-2500	NEW-P	97-11-008	392-120-025	AMD-P	97-15-072	392-130-105	REP	97-19-075
388-550-2600	NEW-P	97-11-008	392-120-025	AMD	97-20-002	392-130-110	REP-P	97-16-001
388-550-2700	NEW-P	97-11-008	392-120-027	NEW-P	97-15-072	392-130-110	REP	97-19-075
388-550-2750	NEW-P	97-11-008	392-120-027	NEW	97-20-002	392-130-115	REP-P	97-16-001
388-550-2800	NEW-P	97-11-008	392-120-028	NEW-P	97-15-072	392-130-115	REP	97-19-075
388-550-2900	NEW-P	97-11-008	392-120-028	NEW	97-20-002	392-130-120	REP-P	97-16-001
388-550-3000	NEW-P	97-11-008	392-120-030	AMD-P	97-15-072	392-130-120	REP	97-19-075
388-550-3100	NEW-P	97-11-008	392-120-030	AMD	97-20-002	392-130-125	REP-P	97-16-001
388-550-3150	NEW-P	97-11-008	392-120-055	AMD-P	97-15-072	392-130-125	REP	97-19-075
388-550-3200	NEW-P	97-11-008	392-120-055	AMD	97-20-002	392-130-130	REP-P	97-16-001
388-550-3250	NEW-P	97-11-008	392-120-065	AMD-P	97-15-072	392-130-130	REP	97-19-075
388-550-3300	NEW-P	97-11-008	392-120-065	AMD	97-20-002	392-130-135	REP-P	97-16-001
388-550-3350	NEW-P	97-11-008	392-121	PREP	97-09-010	392-130-135	REP	97-19-075
388-550-3400	NEW-P	97-11-008	392-121	PREP	97-16-095	392-130-140	REP-P	97-16-001
388-550-3450	NEW-P	97-11-008	392-121	PREP	97-16-096	392-130-140	REP	97-19-075
388-550-3500	NEW-P	97-11-008	392-121	PREP	97-17-022	392-130-145	REP-P	97-16-001
388-550-3600	NEW-P	97-11-008	392-121-107	AMD-P	97-15-073	392-130-145	REP	97-19-075
388-550-3700	NEW-P	97-11-008	392-121-108	AMD-P	97-15-073	392-130-150	REP-P	97-16-001
388-550-3800	NEW-P	97-11-008	392-121-119	NEW-P	97-15-073	392-130-150	REP	97-19-075
388-550-3900	NEW-P	97-11-008	392-121-122	AMD-P	97-15-073	392-130-155	REP-P	97-16-001
388-550-4000	NEW-P	97-11-008	392-121-133	AMD-P	97-15-073	392-130-155	REP	97-19-075
388-550-4100	NEW-P	97-11-008	392-121-136	AMD-P	97-15-073	392-130-160	REP-P	97-16-001
388-550-4200	NEW-P	97-11-008	392-121-137	AMD-P	97-15-073	392-130-160	REP	97-19-075
388-550-4300	NEW-P	97-11-008	392-121-182	AMD-P	97-15-073	392-130-165	REP-P	97-16-001
388-550-4400	NEW-P	97-11-008	392-121-245	AMD-P	97-19-055	392-130-165	REP	97-19-075
388-550-4500	NEW-P	97-11-008	392-121-257	AMD-P	97-19-055	392-130-170	REP-P	97-16-001
388-550-4600	NEW-P	97-11-008	392-121-259	AMD-P	97-19-055	392-130-170	REP	97-19-075
388-550-4700	NEW-P	97-11-008	392-121-262	AMD-P	97-19-055	392-130-175	REP-P	97-16-001
388-550-4800	NEW-P	97-11-008	392-121-280	AMD-P	97-19-055	392-130-175	REP	97-19-075
388-550-4900	NEW-P	97-11-008	392-122	PREP	97-16-097	392-130-180	REP-P	97-16-001
388-550-5000	NEW-P	97-11-008	392-123-047	PREP	97-04-035	392-130-180	REP	97-19-075
388-550-5100	NEW-P	97-11-008	392-127	PREP	97-17-023	392-130-185	REP-P	97-16-001
388-550-5150	NEW-P	97-11-008	392-130-005	REP-P	97-16-001	392-130-185	REP	97-19-075
388-550-5200	NEW-P	97-11-008	392-130-005	REP	97-19-075	392-130-190	REP-P	97-16-001
388-550-5250	NEW-P	97-11-008	392-130-010	REP-P	97-16-001	392-130-190	REP	97-19-075
388-550-5300	NEW-P	97-11-008	392-130-010	REP	97-19-075	392-130-195	REP-P	97-16-001
388-550-5350	NEW-P	97-11-008	392-130-015	REP-P	97-16-001	392-130-195	REP	97-19-075
388-550-5400	NEW-P	97-11-008	392-130-015	REP	97-19-075	392-130-200	REP-P	97-16-001
388-550-5500	NEW-P	97-11-008	392-130-020	REP-P	97-16-001	392-130-200	REP	97-19-075
388-550-5600	NEW-P	97-11-008	392-130-020	REP	97-19-075	392-130-205	REP-P	97-16-001
388-550-5700	NEW-P	97-11-008	392-130-025	REP-P	97-16-001	392-130-205	REP	97-19-075
388-550-5800	NEW-P	97-11-008	392-130-025	REP	97-19-075	392-132-010	AMD	97-03-044
388-550-5900	NEW-P	97-11-008	392-130-030	REP-P	97-16-001	392-132-030	AMD	97-03-044
388-550-6000	NEW-P	97-11-008	392-130-030	REP	97-19-075	392-132-040	AMD	97-03-044
388-550-6100	NEW-P	97-11-008	392-130-035	REP-P	97-16-001	392-134	PREP	97-09-010
388-550-6150	NEW-P	97-11-008	392-130-035	REP	97-19-075	392-134-005	AMD-P	97-15-074
388-550-6200	NEW-P	97-11-008	392-130-040	REP-P	97-16-001	392-134-010	AMD-P	97-15-074
388-550-6250	NEW-P	97-11-008	392-130-040	REP	97-19-075	392-134-020	AMD-P	97-15-074
388-550-6300	NEW-P	97-11-008	392-130-045	REP-P	97-16-001	392-134-025	AMD-P	97-15-074
388-550-6350	NEW-P	97-11-008	392-130-045	REP	97-19-075	392-137	PREP	97-09-010
388-550-6400	NEW-P	97-11-008	392-130-050	REP-P	97-16-001	392-137-160	AMD-P	97-15-075
388-550-6450	NEW-P	97-11-008	392-130-050	REP	97-19-075	392-137-160	AMD	97-19-003
388-550-6500	NEW-P	97-11-008	392-130-055	REP-P	97-16-001	392-137-195	AMD-P	97-15-075
388-550-6600	NEW-P	97-11-008	392-130-055	REP	97-19-075	392-137-195	AMD	97-19-003
388-550-6700	NEW-P	97-11-008	392-130-060	REP-P	97-16-001	392-137-220	REP-P	97-15-075
388-555-1000	NEW-E	97-15-058	392-130-060	REP	97-19-075	392-137-220	REP	97-19-003
388-555-1050	NEW-E	97-15-058	392-130-065	REP-P	97-16-001	392-139	PREP	97-16-098
388-555-1100	NEW-E	97-15-058	392-130-065	REP	97-19-075	392-140	PREP	97-15-116
388-555-1150	NEW-E	97-15-058	392-130-070	REP-P	97-16-001	392-140	PREP	97-17-024
388-555-1200	NEW-E	97-15-058	392-130-070	REP	97-19-075	392-140	PREP	97-17-067
388-555-1250	NEW-E	97-15-058	392-130-075	REP-P	97-16-001	392-140	PREP	97-20-079
388-555-1300	NEW-E	97-15-058	392-130-075	REP	97-19-075	392-140-700	NEW-E	97-18-036
388-555-1350	NEW-E	97-15-058	392-130-080	REP-P	97-16-001	392-140-701	NEW-E	97-18-036
388-555-1400	NEW-E	97-15-058	392-130-080	REP	97-19-075	392-140-702	NEW-E	97-18-036
388-555-1450	NEW-E	97-15-058	392-130-085	REP-P	97-16-001	392-140-710	NEW-E	97-18-036
390-16-041	AMD-P	97-03-117	392-130-085	REP	97-19-075	392-140-711	NEW-E	97-18-036

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392-140-712	NEW-E	97-18-036	392-165-135	AMD-P	97-16-118	415-112-483	NEW	97-03-016
392-140-713	NEW-E	97-18-036	392-165-140	AMD-P	97-16-118	415-112-485	NEW	97-03-016
392-140-714	NEW-E	97-18-036	392-165-142	AMD-P	97-16-118	415-112-487	NEW	97-03-016
392-140-715	NEW-E	97-18-036	392-165-170	AMD-P	97-16-118	415-112-489	NEW	97-03-016
392-140-716	NEW-E	97-18-036	392-165-180	AMD-P	97-16-118	415-112-490	NEW	97-03-016
392-140-720	NEW-E	97-18-036	392-165-210	AMD-P	97-16-118	415-112-491	NEW	97-03-016
392-140-721	NEW-E	97-18-036	392-165-245	AMD-P	97-16-118	415-200-030	NEW-E	97-08-053
392-140-722	NEW-E	97-18-036	392-165-260	AMD-P	97-16-118	415-200-030	NEW-P	97-13-058
392-140-723	NEW-E	97-18-036	392-165-302	AMD-P	97-16-118	415-200-030	NEW	97-16-039
392-140-724	NEW-E	97-18-036	392-165-304	AMD-P	97-16-118	415-200-040	NEW-E	97-08-053
392-140-725	NEW-E	97-18-036	392-165-310	AMD-P	97-16-118	415-200-040	NEW-P	97-13-058
392-140-726	NEW-E	97-18-036	392-165-315	AMD-P	97-16-118	415-200-040	NEW	97-16-039
392-140-727	NEW-E	97-18-036	392-165-320	AMD-P	97-16-118	415-512-090	AMD	97-05-009
392-140-728	NEW-E	97-18-036	392-165-322	AMD-P	97-16-118	434-09-010	DECOD-P	97-14-106
392-140-730	NEW-E	97-18-036	392-165-325	AMD-P	97-16-118	434-09-020	AMD-P	97-14-106
392-140-731	NEW-E	97-18-036	392-165-330	AMD-P	97-16-118	434-09-020	DECOD-P	97-14-106
392-140-732	NEW-E	97-18-036	392-165-340	AMD-P	97-16-118	434-09-030	AMD-P	97-14-106
392-140-733	NEW-E	97-18-036	392-165-345	AMD-P	97-16-118	434-09-030	DECOD-P	97-14-106
392-140-735	NEW-E	97-18-036	392-165-347	AMD-P	97-16-118	434-09-040	AMD-P	97-14-106
392-140-736	NEW-E	97-18-036	392-165-360	AMD-P	97-16-118	434-09-040	DECOD-P	97-14-106
392-140-740	NEW-E	97-18-036	392-165-362	AMD-P	97-16-118	434-09-050	AMD-P	97-14-106
392-140-741	NEW-E	97-18-036	392-165-365	AMD-P	97-16-118	434-09-050	DECOD-P	97-14-106
392-140-742	NEW-E	97-18-036	392-165-415	AMD-P	97-16-118	434-09-060	AMD-P	97-14-106
392-140-743	NEW-E	97-18-036	392-165-425	AMD-P	97-16-118	434-09-060	DECOD-P	97-14-106
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392-140-747	NEW-E	97-18-036	392-165-455	AMD-P	97-16-118	434-09-080	DECOD-P	97-14-106
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392-140-816	NEW-P	97-20-093	399-30-034	NEW-E	97-12-077	434-24-010	DECOD-P	97-14-106
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434-262-170	RECOD-P	97-14-106	440-22-280	AMD-S	97-08-073	460-22B-070	REP	97-03-122
434-262-180	RECOD-P	97-14-106	440-22-280	AMD	97-13-050	460-22B-080	REP	97-03-122
434-262-190	RECOD-P	97-14-106	440-22-300	AMD-S	97-08-073	460-22B-090	AMD-P	97-13-076
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434-324-035	RECOD-P	97-14-106	440-22-335	AMD-S	97-08-073	460-24A-046	REP	97-03-122
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434-324-105	RECOD-P	97-14-106	446-16-030	AMD	97-05-048	460-42A-082	NEW-P	97-13-077
434-324-110	RECOD-P	97-14-106	446-16-040	REP	97-05-048	460-42A-082	NEW	97-16-051
434-324-115	RECOD-P	97-14-106	446-16-050	REP	97-05-048	460-44A-300	NEW-P	97-08-061
434-324-120	RECOD-P	97-14-106	446-16-070	AMD	97-05-048	460-44A-300	NEW	97-16-121
434-324-130	RECOD-P	97-14-106	446-16-080	AMD	97-05-048	460-44A-506	PREP	97-08-057
434-324-140	RECOD-P	97-14-106	446-16-100	AMD	97-05-048	461-08-310	AMD-E	97-12-004
434-324-160	RECOD-P	97-14-106	446-16-110	AMD	97-05-048	461-08-310	AMD-P	97-15-057
434-334-010	RECOD-P	97-14-106	446-16-120	AMD	97-05-048	461-08-310	AMD	97-19-063
434-334-015	RECOD-P	97-14-106	446-20-050	AMD	97-05-048	461-08-560	AMD-P	97-15-057
434-334-020	RECOD-P	97-14-106	446-20-090	AMD	97-05-048	461-08-560	AMD	97-19-063
434-334-025	RECOD-P	97-14-106	446-20-100	AMD	97-05-048	461-08-570	AMD-P	97-15-057
434-334-030	RECOD-P	97-14-106	446-20-110	REP	97-05-048	461-08-570	AMD	97-19-063
434-334-035	RECOD-P	97-14-106	446-20-170	AMD	97-05-048	463-06-010	AMD-XA	97-19-061
434-334-040	RECOD-P	97-14-106	446-20-280	AMD	97-05-048	463-06-020	AMD-XA	97-19-056
434-334-045	RECOD-P	97-14-106	446-20-285	AMD	97-05-048	463-06-030	AMD-XA	97-19-056
434-334-050	RECOD-P	97-14-106	446-20-500	AMD	97-05-048	463-10-010	AMD-XA	97-19-057
434-334-055	RECOD-P	97-14-106	446-20-500	PREP	97-17-058	463-14-070	AMD-XA	97-19-058
434-334-060	RECOD-P	97-14-106	446-20-510	AMD	97-05-048	463-18-050	AMD-XA	97-19-059
434-334-065	RECOD-P	97-14-106	446-20-510	PREP	97-17-058	463-30-080	AMD-XA	97-19-059
434-334-070	RECOD-P	97-14-106	446-20-520	AMD	97-05-048	463-30-120	AMD-XA	97-19-059
434-334-075	RECOD-P	97-14-106	446-20-525	PREP	97-17-058	463-30-300	AMD-XA	97-19-062
434-334-080	RECOD-P	97-14-106	446-20-530	AMD	97-05-048	463-30-330	AMD-XA	97-19-059
434-334-085	RECOD-P	97-14-106	458-10-010	NEW	97-08-068	463-30-335	AMD-XA	97-19-059
434-334-090	RECOD-P	97-14-106	458-10-020	NEW	97-08-068	463-47-020	AMD-XA	97-19-060
434-334-095	RECOD-P	97-14-106	458-10-030	NEW	97-08-068	463-47-120	AMD-XA	97-19-060
434-334-100	RECOD-P	97-14-106	458-10-040	NEW	97-08-068	463-54-070	AMD-XA	97-19-058
434-334-105	RECOD-P	97-14-106	458-10-050	NEW	97-08-068	466-02-010	REP-P	97-12-074
434-334-110	RECOD-P	97-14-106	458-10-060	NEW	97-08-068	466-02-010	REP	97-15-110
434-334-115	RECOD-P	97-14-106	458-10-070	NEW	97-08-068	466-03-010	REP-P	97-12-074
434-379-010	RECOD-P	97-14-106	458-12-130	PREP-X	97-14-043	466-03-010	REP	97-15-110
434-840-350	AMD-P	97-14-106	458-12-185	PREP-X	97-14-043	466-03-020	REP-P	97-12-074
440-22-005	AMD	97-03-062	458-12-340	PREP-X	97-14-043	466-03-020	REP	97-15-110
440-22-005	AMD-S	97-08-073	458-12-341	PREP-X	97-14-043	466-03-030	REP-P	97-12-074
440-22-005	AMD	97-13-050	458-12-345	PREP-X	97-14-043	466-03-030	REP	97-15-110
440-22-180	AMD-S	97-08-073	458-12-355	PREP-X	97-14-043	466-03-040	REP-P	97-12-074
440-22-180	AMD	97-13-050	458-12-365	PREP-X	97-14-043	466-03-040	REP	97-15-110
440-22-200	AMD-S	97-08-073	458-12-370	PREP-X	97-14-043	466-03-050	REP-P	97-12-074
440-22-200	AMD	97-13-050	458-12-375	PREP-X	97-14-043	466-03-050	REP	97-15-110
440-22-220	AMD-S	97-08-073	458-12-385	PREP-X	97-14-043	466-03-060	REP-P	97-12-074
440-22-220	AMD	97-13-050	458-20-101	AMD	97-08-050	466-03-060	REP	97-15-110
440-22-220	AMD-E	97-15-033	458-20-104	AMD	97-08-050	466-03-070	REP-P	97-12-074
440-22-220	AMD-P	97-15-133	458-20-104	AMD-E	97-19-033	466-03-070	REP	97-15-110
440-22-220	AMD	97-19-021	458-20-14601	NEW	97-11-033	466-03-080	REP-P	97-12-074
440-22-225	AMD-S	97-08-073	458-20-174	AMD-P	97-07-079	466-03-080	REP	97-15-110
440-22-225	AMD	97-13-050	458-20-174	AMD	97-11-022	466-03-090	REP-P	97-12-074
440-22-230	AMD-S	97-08-073	458-20-17401	AMD-P	97-07-079	466-03-090	REP	97-15-110
440-22-230	AMD	97-13-050	458-20-17401	AMD	97-11-022	466-03-100	REP-P	97-12-074
440-22-240	AMD-S	97-08-073	458-20-184	PREP-X	97-14-042	466-03-100	REP	97-15-110
440-22-240	AMD	97-13-050	458-20-263	NEW	97-03-027	466-03-110	REP-P	97-12-074
440-22-250	AMD-S	97-08-073	458-40-540	AMD	97-07-041	466-03-110	REP	97-15-110
440-22-250	AMD	97-13-050	458-40-540	AMD-W	97-11-060	466-03-120	REP-P	97-12-074
440-22-253	NEW-S	97-08-073	458-40-540	PREP	97-19-030	466-03-120	REP	97-15-110
440-22-253	NEW	97-13-050	458-40-650	PREP	97-19-029	466-03-130	REP-P	97-12-074
440-22-255	NEW-S	97-08-073	458-40-660	PREP	97-06-111	466-03-130	REP	97-15-110
440-22-255	NEW	97-13-050	458-40-660	AMD-P	97-10-027	466-03-900	REP-P	97-12-074
440-22-257	NEW-S	97-08-073	458-40-660	AMD	97-14-068	466-03-900	REP	97-15-110

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
466-04-010	REP-P	97-12-074	468-86-050	NEW	97-09-046	478-116-071	NEW-P	97-09-071
466-04-010	REP	97-15-110	468-86-060	NEW-P	97-06-005	478-116-071	NEW	97-14-005
466-04-020	REP-P	97-12-074	468-86-060	NEW	97-09-046	478-116-080	REP-P	97-09-071
466-04-020	REP	97-15-110	468-86-070	NEW-P	97-06-005	478-116-080	REP	97-14-005
466-04-030	REP-P	97-12-074	468-86-070	NEW	97-09-046	478-116-088	REP-P	97-09-071
466-04-030	REP	97-15-110	468-86-080	NEW-P	97-06-005	478-116-088	REP	97-14-005
466-04-040	REP-P	97-12-074	468-86-080	NEW	97-09-046	478-116-090	REP-P	97-09-071
466-04-040	REP	97-15-110	468-86-090	NEW-P	97-06-005	478-116-090	REP	97-14-005
466-04-050	REP-P	97-12-074	468-86-090	NEW	97-09-046	478-116-095	REP-P	97-09-071
466-04-050	REP	97-15-110	468-86-100	NEW-P	97-06-005	478-116-095	REP	97-14-005
466-04-060	REP-P	97-12-074	468-86-100	NEW	97-09-046	478-116-100	REP-P	97-09-071
466-04-060	REP	97-15-110	468-86-110	NEW-P	97-06-005	478-116-100	REP	97-14-005
466-04-070	REP-P	97-12-074	468-86-110	NEW	97-09-046	478-116-101	NEW-P	97-09-071
466-04-070	REP	97-15-110	468-86-120	NEW-P	97-06-005	478-116-101	NEW	97-14-005
466-07-010	REP-P	97-12-074	468-86-120	NEW	97-09-046	478-116-110	REP-P	97-09-071
466-07-010	REP-E	97-15-109	468-86-130	NEW-P	97-06-005	478-116-110	REP	97-14-005
466-07-010	REP	97-15-110	468-86-130	NEW	97-09-046	478-116-111	NEW-P	97-09-071
466-08-010	REP-P	97-12-074	468-86-140	NEW-P	97-06-005	478-116-111	NEW	97-14-005
466-08-010	REP	97-15-110	468-86-140	NEW	97-09-046	478-116-114	NEW-P	97-09-071
466-08-020	REP-P	97-12-074	468-86-150	NEW-P	97-06-005	478-116-114	NEW	97-14-005
466-08-020	REP	97-15-110	468-86-150	NEW	97-09-046	478-116-116	NEW-P	97-09-071
466-08-030	REP-P	97-12-074	468-86-160	NEW-P	97-06-005	478-116-116	NEW	97-14-005
466-08-030	REP	97-15-110	468-86-160	NEW	97-09-046	478-116-120	REP-P	97-09-071
466-08-040	REP-P	97-12-074	468-105	PREP	97-08-016	478-116-120	REP	97-14-005
466-08-040	REP	97-15-110	468-105-020	AMD-P	97-11-040	478-116-120	REP	97-14-005
466-08-050	REP-P	97-12-074	468-105-020	AMD	97-14-037	478-116-121	NEW-P	97-09-071
466-08-050	REP	97-15-110	468-105-040	AMD-P	97-11-040	478-116-121	NEW	97-14-005
466-08-060	REP-P	97-12-074	468-105-040	AMD	97-14-037	478-116-125	NEW-P	97-09-071
466-08-060	REP	97-15-110	468-105-050	AMD-P	97-11-040	478-116-125	NEW	97-14-005
466-08-070	REP-P	97-12-074	468-105-050	AMD	97-14-037	478-116-130	REP-P	97-09-071
466-08-070	REP	97-15-110	468-105-060	AMD-P	97-11-040	478-116-130	REP	97-14-005
466-08-080	REP-P	97-12-074	468-105-060	AMD	97-14-037	478-116-131	NEW-P	97-09-071
466-08-080	REP	97-15-110	468-105-070	AMD-P	97-11-040	478-116-131	NEW	97-14-005
466-08-090	REP-P	97-12-074	468-105-070	AMD	97-14-037	478-116-140	REP-P	97-09-071
466-08-090	REP	97-15-110	468-105-080	AMD-P	97-11-040	478-116-140	REP	97-14-005
468-16-030	AMD-P	97-05-007	468-105-080	AMD	97-14-037	478-116-141	NEW-P	97-09-071
468-16-030	AMD	97-09-045	468-105-080	AMD	97-14-037	478-116-141	NEW	97-14-005
468-16-080	AMD-P	97-05-007	468-200-080	AMD	97-03-064	478-116-145	NEW-P	97-09-071
468-16-080	AMD	97-09-045	468-200-160	AMD	97-03-064	478-116-145	NEW	97-14-005
468-16-090	AMD-P	97-05-007	468-200-350	AMD	97-03-064	478-116-147	NEW-P	97-09-071
468-16-090	AMD	97-09-045	468-300-210	PREP	97-03-118	478-116-147	NEW	97-14-005
468-16-100	AMD-P	97-05-007	468-300-210	REP-P	97-12-074	478-116-147	NEW	97-14-005
468-16-100	AMD	97-09-045	468-300-210	REP-E	97-15-109	478-116-151	NEW-P	97-09-071
468-16-120	AMD-P	97-05-007	468-300-210	REP	97-15-110	478-116-151	NEW	97-14-005
468-16-120	AMD	97-09-045	468-300-220	NEW-P	97-12-074	478-116-160	REP-P	97-09-071
468-16-130	AMD-P	97-05-007	468-300-220	NEW-E	97-15-109	478-116-160	REP	97-14-005
468-16-130	AMD	97-09-045	468-300-220	NEW	97-15-110	478-116-160	REP	97-14-005
468-16-140	AMD-P	97-05-007	468-500-001	NEW	97-06-002	478-116-161	NEW-P	97-09-071
468-16-140	AMD	97-09-045	478-04-020	AMD-P	97-08-062	478-116-161	NEW	97-14-005
468-16-150	AMD-P	97-05-007	478-04-020	AMD	97-14-004	478-116-163	NEW-P	97-09-071
468-16-150	AMD	97-09-045	478-108-020	AMD-P	97-08-062	478-116-163	NEW	97-14-005
468-16-160	AMD-P	97-05-007	478-108-020	AMD	97-14-004	478-116-165	NEW-P	97-09-071
468-16-160	AMD	97-09-045	478-116-010	AMD-P	97-09-071	478-116-165	NEW	97-14-005
468-16-170	AMD-P	97-05-007	478-116-010	AMD	97-14-005	478-116-167	NEW-P	97-09-071
468-16-170	AMD	97-09-045	478-116-020	AMD-P	97-09-071	478-116-167	NEW	97-14-005
468-16-180	AMD-P	97-05-007	478-116-020	AMD	97-14-005	478-116-170	REP-P	97-09-071
468-16-180	AMD	97-09-045	478-116-030	AMD-P	97-09-071	478-116-170	REP	97-14-005
468-66	PREP	97-09-070	478-116-030	AMD-P	97-09-071	478-116-171	NEW-P	97-09-071
468-66-010	AMD-P	97-13-028	478-116-044	AMD	97-14-005	478-116-171	NEW	97-14-005
468-66-010	AMD	97-17-010	478-116-044	NEW-P	97-09-071	478-116-180	REP-P	97-09-071
468-66-030	AMD-P	97-13-028	478-116-046	NEW	97-14-005	478-116-180	REP	97-14-005
468-66-030	AMD	97-17-010	478-116-046	NEW-P	97-09-071	478-116-181	NEW-P	97-09-071
468-66-150	AMD-P	97-13-028	478-116-050	NEW	97-14-005	478-116-181	NEW	97-14-005
468-66-150	AMD	97-17-010	478-116-050	REP-P	97-09-071	478-116-184	NEW-P	97-09-071
468-86-010	NEW-P	97-06-005	478-116-051	REP	97-14-005	478-116-184	NEW	97-14-005
468-86-010	NEW	97-09-046	478-116-051	NEW-P	97-09-071	478-116-186	NEW-P	97-09-071
468-86-020	NEW-P	97-06-005	478-116-055	NEW	97-14-005	478-116-186	NEW	97-14-005
468-86-020	NEW	97-09-046	478-116-055	REP-P	97-09-071	478-116-190	REP-P	97-09-071
468-86-030	NEW-P	97-06-005	478-116-060	REP	97-14-005	478-116-190	REP	97-14-005
468-86-030	NEW	97-09-046	478-116-060	REP-P	97-09-071	478-116-191	NEW-P	97-09-071
468-86-040	NEW-P	97-06-005	478-116-061	REP	97-14-005	478-116-191	NEW	97-14-005
468-86-040	NEW	97-09-046	478-116-061	REP	97-09-071	478-116-200	REP-P	97-09-071
468-86-050	NEW-P	97-06-005	478-116-061	NEW-P	97-09-071	478-116-200	REP	97-14-005
			478-116-070	NEW	97-14-005	478-116-201	NEW-P	97-09-071
			478-116-070	REP-P	97-09-071	478-116-201	NEW	97-14-005
			478-116-070	REP	97-14-005	478-116-210	REP-P	97-09-071

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478-116-210	REP	97-14-005	478-116-390	REP-P	97-09-071	478-136-015	AMD-P	97-18-064
478-116-211	NEW-P	97-09-071	478-116-390	REP	97-14-005	478-136-025	AMD-P	97-18-064
478-116-211	NEW	97-14-005	478-116-400	REP-P	97-09-071	478-136-030	AMD-P	97-18-064
478-116-220	REP-P	97-09-071	478-116-400	REP	97-14-005	478-136-040	REP-P	97-18-064
478-116-220	REP	97-14-005	478-116-401	NEW-P	97-09-071	478-136-060	AMD-P	97-18-064
478-116-221	NEW-P	97-09-071	478-116-401	NEW	97-14-005	478-156	PREP	97-16-101
478-116-221	NEW	97-14-005	478-116-411	NEW-P	97-09-071	478-156	AMD-P	97-20-085
478-116-223	NEW-P	97-09-071	478-116-411	NEW	97-14-005	478-156-010	AMD-P	97-20-085
478-116-223	NEW	97-14-005	478-116-421	NEW-P	97-09-071	478-156-011	AMD-P	97-20-085
478-116-225	NEW-P	97-09-071	478-116-421	NEW	97-14-005	478-156-012	AMD-P	97-20-085
478-116-225	NEW	97-14-005	478-116-431	NEW-P	97-09-071	478-156-013	AMD-P	97-20-085
478-116-227	NEW-P	97-09-071	478-116-431	NEW	97-14-005	478-156-014	AMD-P	97-20-085
478-116-227	NEW	97-14-005	478-116-440	REP-P	97-09-071	478-156-015	AMD-P	97-20-085
478-116-230	REP-P	97-09-071	478-116-440	REP	97-14-005	478-156-016	AMD-P	97-20-085
478-116-230	REP	97-14-005	478-116-450	REP-P	97-09-071	478-156-017	AMD-P	97-20-085
478-116-231	NEW-P	97-09-071	478-116-450	REP	97-14-005	478-156-018	AMD-P	97-20-085
478-116-231	NEW	97-14-005	478-116-460	REP-P	97-09-071	478-160	PREP	97-20-084
478-116-240	REP-P	97-09-071	478-116-460	REP	97-14-005	478-160-035	AMD-P	97-08-062
478-116-240	REP	97-14-005	478-116-501	NEW-P	97-09-071	478-160-035	AMD	97-14-004
478-116-241	NEW-P	97-09-071	478-116-501	NEW	97-14-005	478-160-040	AMD-P	97-08-062
478-116-241	NEW	97-14-005	478-116-520	AMD-P	97-09-071	478-160-040	AMD	97-14-004
478-116-245	NEW-P	97-09-071	478-116-520	AMD	97-14-005	478-160-050	AMD-P	97-08-062
478-116-245	NEW	97-14-005	478-116-531	NEW-P	97-09-071	478-160-050	AMD	97-14-004
478-116-250	REP-P	97-09-071	478-116-531	NEW	97-14-005	478-160-060	AMD-P	97-08-062
478-116-250	REP	97-14-005	478-116-540	REP-P	97-09-071	478-160-060	AMD	97-14-004
478-116-251	NEW-P	97-09-071	478-116-540	REP	97-14-005	478-160-065	AMD-P	97-08-062
478-116-251	NEW	97-14-005	478-116-541	NEW-P	97-09-071	478-160-065	AMD	97-14-004
478-116-253	NEW-P	97-09-071	478-116-541	NEW	97-14-005	478-160-085	AMD-P	97-08-062
478-116-253	NEW	97-14-005	478-116-550	REP-P	97-09-071	478-160-085	AMD	97-14-004
478-116-255	NEW-P	97-09-071	478-116-550	REP	97-14-005	478-160-105	AMD-P	97-08-062
478-116-255	NEW	97-14-005	478-116-551	NEW-P	97-09-071	478-160-105	AMD	97-14-004
478-116-260	REP-P	97-09-071	478-116-551	NEW	97-14-005	478-160-110	AMD-P	97-08-062
478-116-260	REP	97-14-005	478-116-561	NEW-P	97-09-071	478-160-110	AMD	97-14-004
478-116-261	NEW-P	97-09-071	478-116-561	NEW	97-14-005	478-160-120	AMD-P	97-08-062
478-116-261	NEW	97-14-005	478-116-570	REP-P	97-09-071	478-160-120	AMD	97-14-004
478-116-270	REP-P	97-09-071	478-116-570	REP	97-14-005	478-160-125	AMD-P	97-08-062
478-116-270	REP	97-14-005	478-116-580	REP-P	97-09-071	478-160-125	AMD	97-14-004
478-116-271	NEW-P	97-09-071	478-116-580	REP	97-14-005	478-160-130	AMD-P	97-08-062
478-116-271	NEW	97-14-005	478-116-582	REP-P	97-09-071	478-160-130	AMD	97-14-004
478-116-280	REP-P	97-09-071	478-116-582	REP	97-14-005	478-160-140	AMD-P	97-08-062
478-116-280	REP	97-14-005	478-116-584	REP-P	97-09-071	478-160-140	AMD	97-14-004
478-116-281	NEW-P	97-09-071	478-116-584	REP	97-14-005	478-160-160	AMD-P	97-08-062
478-116-281	NEW	97-14-005	478-116-586	REP-P	97-09-071	478-160-160	AMD	97-14-004
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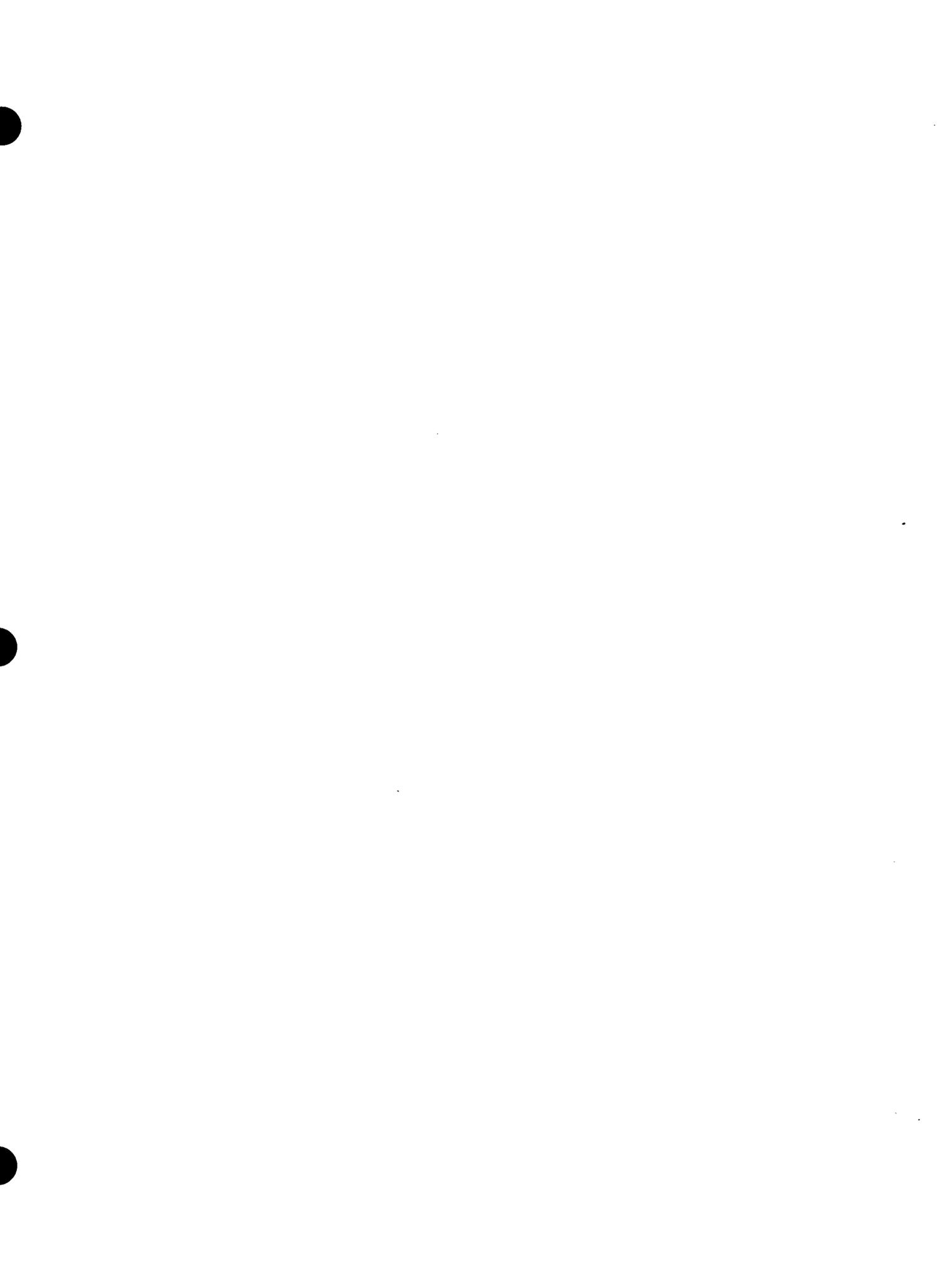
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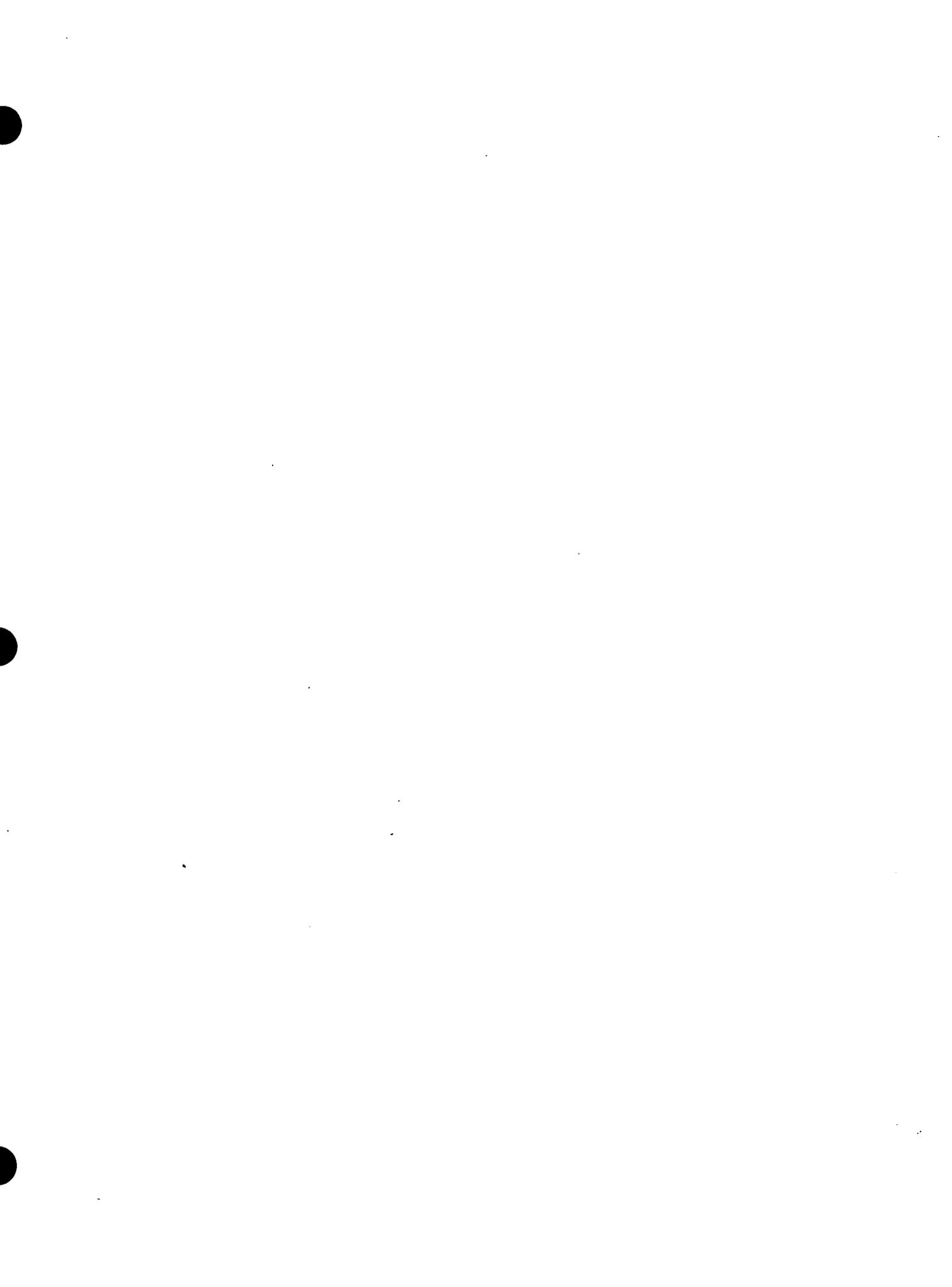
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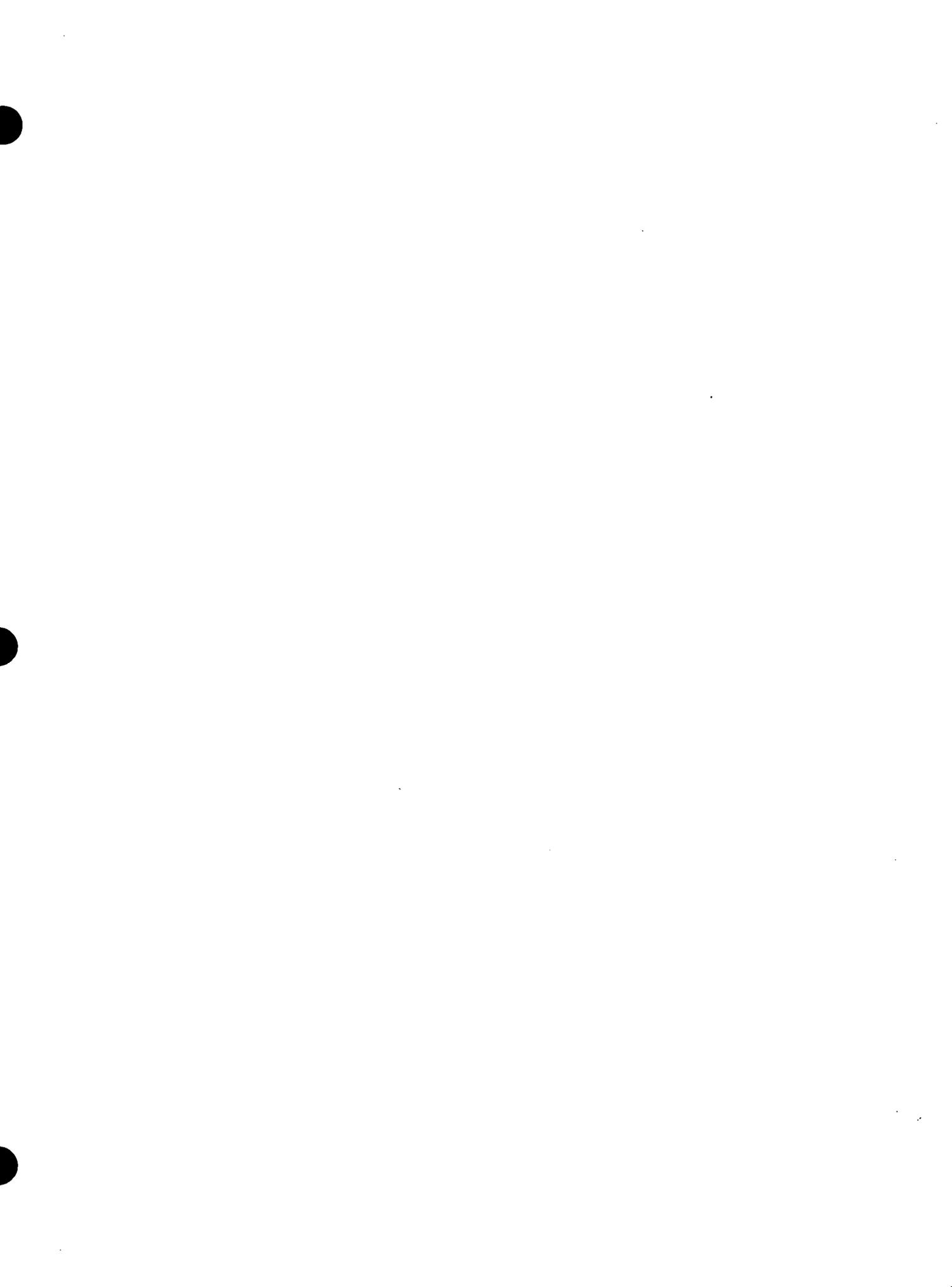
















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