

Washington State Register

November 7, 2001

OLYMPIA, WASHINGTON

ISSUE 01-21



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filed not later than October 24, 2001

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) 786-6697.

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 November 2001 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.

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

John G. Schultz
Chair, Statute Law Committee

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Subscription Clerk

STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

The Register is arranged in the following eight 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) **EXPEDITED RULE MAKING**-includes the full text of the rule being proposed using the expedited rule-making process. Expedited rule makings are not consistently filed and may not appear in every issue of the register.
- (d) **PERMANENT**-includes the full text of permanently adopted rules.
- (e) **EMERGENCY**-includes the full text of emergency rules and rescissions.
- (f) **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.
- (g) **TABLE**-includes a cumulative table of the WAC sections that are affected in the current year.
- (h) **INDEX**-includes a cumulative index of Register Issues 01 through 24.

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. Each filing is listed under the agency name and then describes the subject matter, type of filing and the WSR number. 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].

2001-2002
DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue Number	Closing Dates ¹			Distribution Date	First Agency Hearing Date ³	Expedited Adoption ⁴
	Non-OTS and 30 p. or more	Non-OTS and 11 to 29 p.	OTS ² or 10 p. max. Non-OTS	Count 20 days from -	For hearing on or after	First Agency Adoption Date
For Inclusion in -	File no later than 12:00 noon -					
01 - 13	May 23, 01	Jun 6, 01	Jun 20, 01	Jul 5, 01	Jul 25, 01	N/A
01 - 14	Jun 7, 01	Jun 21, 01	Jul 5, 01	Jul 19, 01	Aug 8, 01	N/A
01 - 15	Jun 20, 01	Jul 5, 01	Jul 18, 01	Aug 1, 01	Aug 21, 01	N/A
01 - 16	Jul 5, 01	Jul 18, 01	Aug 1, 01	Aug 15, 01	Sep 4, 01	Oct 2, 01
01 - 17	Jul 25, 01	Aug 8, 01	Aug 22, 01	Sep 5, 01	Sep 25, 01	Oct 23, 01
01 - 18	Aug 8, 01	Aug 22, 01	Sep 5, 01	Sep 19, 01	Oct 9, 01	Nov 6, 01
01 - 19	Aug 22, 01	Sep 5, 01	Sep 19, 01	Oct 3, 01	Oct 23, 01	Nov 20, 01
01 - 20	Sep 5, 01	Sep 19, 01	Oct 3, 01	Oct 17, 01	Nov 6, 01	Dec 4, 01
01 - 21	Sep 26, 01	Oct 10, 01	Oct 24, 01	Nov 7, 01	Nov 27, 01	Dec 26, 01
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01 - 23	Oct 24, 01	Nov 7, 01	Nov 21, 01	Dec 5, 01	Dec 25, 01	Jan 23, 02
01 - 24	Nov 7, 01	Nov 21, 01	Dec 5, 01	Dec 19, 01	Jan 8, 02	Feb 5, 02
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02 - 24	Nov 6, 02	Nov 20, 02	Dec 4, 02	Dec 18, 02	Jan 7, 03	Feb 4, 03

¹ All 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.

² A 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.

³ At 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.

⁴ A 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 and 1.12.040.

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.

WSR 01-21-003**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed October 3, 2001, 3:25 p.m.]

Subject of Possible Rule Making: WAC 16-403-141 Red Delicious, Delicious, Golden Delicious—Minimum soluble solids, change soluble solids for Red Delicious and Delicious varieties of apples from ten percent to eleven percent.

WAC 16-403-142 Red Delicious, Delicious, Golden Delicious—Minimum firmness, established firmness standards of eleven pounds for Jonagold and Gala apple varieties.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 15.17 RCW, Standards of grades and packs.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The change in the soluble solid requirements for Red Delicious and Delicious varieties of apples will require industry to market a sweeter more edible apple to the ultimate consumer during the early harvest periods. The establishment of pressure standards for Jonagold and Gala varieties of apples will provide the consumer with a higher degree of firmness and crisper apple.

Both of these changes will allow industry to deliver a more consistent quality of apple to the ultimate consumer.

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

Process for Developing New Rule: Develop rule with input from various industry associations.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by sending comments relating to development of these rules to Jim Quigley, Program Manager, Fruit and Vegetable Inspection Program, P.O. Box 42560, Olympia, WA 98504-2560, (360) 902-1833, (360) 902-2085.

October 3, 2001

Robert W. Gore
Assistant Director**WSR 01-21-010****PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

(Division of Employment and Assistance Programs)

[Filed October 5, 2001, 3:14 p.m.]

Subject of Possible Rule Making: DSHS will amend rules in chapter 388-410 WAC and other WAC sections related to overpayments for food assistance. The changes will implement federal regulations for food assistance and rewrite the rules for clarity.

The changes in this chapter may include amending WAC 388-410-0020, 388-410-0025, 388-410-0030, and related sections. This may also require the addition of new rules.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.500, 74.04.510, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The United States Department of Agriculture, Food and Nutrition Service (FNS) has published requirements on establishing overpayments. The department must adopt rules to be consistent with federal regulations to administer the food stamp program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) publishes federal regulations for the food stamp program in the Federal Register, Code of Federal Regulations, and through administrative notices. DSHS incorporates these regulations and exercises state options by adopting administrative rules for food assistance benefits in Washington state.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. After the rules are drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making. A copy of the draft will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting John Camp, Program Manager, Division of Employment and Assistance Programs, Lacey Government Center, P.O. Box 45470, Olympia, WA 98504-4570, phone (360) 413-3232, fax (360) 413-3493, e-mail CAMPJX@DSHS.WA.GOV.

October 5, 2001

Brian Lindgren, Manager
Rules and Policies Assistance Unit**WSR 01-21-022****PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed October 8, 2001, 4:27 p.m.]

Subject of Possible Rule Making: WAC 388-450-0015 Excluded and disregarded income and 388-450-0055 Assistance from other agencies and organizations, and any related rules. The revisions will address the fact that payments that refugees receive from voluntary resettlement agencies (VOLAG) are excluded and disregarded income for cash and food assistance programs, when those payments are not intended to cover normal living expenses.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 78.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule revision is necessary to assure that refugee recipients of VOLAG payments have their income counted correctly.

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

Process for Developing New Rule: All interested parties are invited to review and provide input on proposed draft language. Obtain draft material by contacting the identified representative.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Carla Gira, Program Manager, Division of Assistance Programs, P.O. Box 45470, 1009 College S.E., Olympia, WA 98504-5470, (360) 413-3264, fax (360) 413-3493, e-mail giracg@dshs.wa.gov.

October 8, 2001
 Brian H. Lindgren
 Manager

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, Director, Administrative Procedures Office, by U.S. Mail: University of Washington, 4014 University Way N.E., Seattle, WA 98105-6203; campus mail: Box 355509; e-mail adminpro@u.washington.edu; or fax (206) 616-6294.

October 9, 2001
 Rebecca Goodwin Deardorff
 Director, Administrative Procedures

WSR 01-21-025

**PREPROPOSAL STATEMENT OF INQUIRY
 DEPARTMENT OF LICENSING**

[Filed October 9, 2001, 1:47 p.m.]

Subject of Possible Rule Making: Adopt the term or duration of the temporary licensing and certification privileges granted under the provisions of this section.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.140.030(1).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Will adopt the term or duration of the temporary licensing and certification privileges granted under the provisions of this section.

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 Cleotis Borner, Jr., Real Estate Appraiser Program, Department of Licensing, P.O. Box 9015, Olympia, WA 98507-9015, phone (360) 664-6504, fax (360) 586-0998.

October 9, 2001
 Cleotis Borner, Jr.
 Program Manager

WSR 01-21-040

**PREPROPOSAL STATEMENT OF INQUIRY
 UNIVERSITY OF WASHINGTON**

[Filed October 12, 2001, 10:17 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: Chapter 28B.15 RCW and RCW 28B.20.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The University of Washington board of regents is authorized by state law to waive all or a portion of tuition and fees to a variety of students under a variety of programs. A new section will be added to chapter 478-160 WAC setting forth the policies for distributing those waivers the university will grant.

WSR 01-21-057

**PREPROPOSAL STATEMENT OF INQUIRY
 DEPARTMENT OF
 SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

[Filed October 16, 2001, 3:40 p.m.]

Subject of Possible Rule Making: Washington telephone assistance program, WAC 388-273-0020 and related sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 80.36.440.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This amendment specifies where applicants apply to get WTAP, eliminates the term "eligible telecommunications carrier," and redefines "local exchange company." The change is necessary to make the language consistent with the Washington Utilities and Transportation Commission (WUTC) rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: WTAP is jointly administered by the Department of Social and Health Services (DSHS) and the WUTC. This change was requested by WUTC to align the language in DSHS and WUTC rules.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rule. Anyone interested in participating should contact the staff person indicated below. After the rule is drafted, DSHS will file a copy with the Office of the Code Reviser with a notice of proposed rule making, and send a copy to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Grace Moy, DSHS/ESA, 1009 College Avenue S.E., P.O. Box 45413, Olympia, WA 98504-5413, (360) 413-3107, fax (360) 413-3497, moygc@dshs.wa.gov.

October 16, 2001
 Brian H. Lindgren, Manager
 Rules and Policies Assistance Unit

WSR 01-21-063**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed October 17, 2001, 11:14 a.m.]

Subject of Possible Rule Making: Bingo.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify the number of bingo cards that can be played at one time and authorizing the use of progressive jackpots for speed bingo.

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 by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Ed Fleisher, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466.

Meetings Dates and Locations: On November 14 and 15, 2001, at the Sheraton Tacoma Hotel, 1320 Broadway Plaza, Tacoma, WA 98402, (253) 572-3200; on January 9 and 10, 2002, at the Double Tree Guest Suites, 16500 Southcenter Parkway, Seattle, WA 98188; and on February 13 and 14, 2002, at the West Coast Hotel, 2300 Evergreen Park Drive S.W., Olympia, WA 98502.

October 17, 2001
Susan Arland
Rules Coordinator**WSR 01-21-064****PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed October 17, 2001, 11:14 a.m.]

Subject of Possible Rule Making: Pull-tab games.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To clarify several issues relating to pull-tab games, including: By what methods event pull-tabs can be sold to customers; retention requirements for pull-tab flares; and how carry over jackpots will be disbursed in the event a business is sold or closes.

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 by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Ed

Fleisher, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466.

Meetings Dates and Locations: On November 14 and 15, 2001, at the Sheraton Tacoma Hotel, 1320 Broadway Plaza, Tacoma, WA 98402, (253) 572-3200; on January 9 and 10, 2002, at the Double Tree Guest Suites, 16500 Southcenter Parkway, Seattle, WA 98188; and on February 13 and 14, 2002, at the West Coast Hotel, 2300 Evergreen Park Drive S.W., Olympia, WA 98502.

October 17, 2001
Susan Arland
Rules Coordinator**WSR 01-21-068****PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed October 18, 2001, 8:55 a.m.]

Subject of Possible Rule Making: Possession of gambling equipment.

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

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Mr. William Kirtland, owner of Player's Edge in Tacoma. Mr. Kirtland would like to possess a craps table for the purpose of teaching the public how to play craps at his place of business.

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 by contacting Rick Day, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3446; Ed Fleisher, Deputy Director, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3449; or Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466.

Meetings Dates and Locations: On November 14 and 15, 2001, at the Sheraton Tacoma Hotel, 1320 Broadway Plaza, Tacoma, WA 98402, (253) 572-3200; on January 9 and 10, 2002, at the Double Tree Guest Suites, 16500 Southcenter Parkway, Seattle, WA 98188; and on February 13 and 14, 2002, at the West Coast Hotel, 2300 Evergreen Park Drive S.W., Olympia, WA 98502.

October 18, 2001
Susan Arland
Rules Coordinator

WSR 01-21-069**PREPROPOSAL STATEMENT OF INQUIRY
UNIVERSITY OF WASHINGTON**

[Filed October 18, 2001, 8:57 a.m.]

Subject of Possible Rule Making: Chapter 478-136 WAC, Use of University of Washington facilities.

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: To incorporate an emergency rule into chapter 478-136 WAC concerning visual inspections of bags and backpacks at Husky Stadium and other University of Washington facilities where large numbers of people gather, and to make housekeeping changes to phone numbers and reference citations.

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, Director, Administrative Procedures Office by one of the following routes: U.S. Mail: University of Washington, 4014 University Way N.E., Seattle, WA 98105-6203; campus mail: Box 355509; e-mail adminpro@u.washington.edu; or fax (206) 616-6294.

October 15, 2001

Rebecca Goodwin Deardorff
Director, Administrative Procedures

WSR 01-21-074**PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. 2001-10—Filed October 18, 2001, 2:32 p.m.]

Subject of Possible Rule Making: USL&H Assigned Risk Plan, chapter 284-22 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.22.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The rule making is a request of the Washington USL&H assigned risk plan governing committee to establish clearer and more efficient rules for assessments from and distributions to plan participants. The rule making will consider ways to address the problem of insurers not reporting their USL&H premium to the plan. It will also consider requiring approval by the insurance commissioner for both assessments and distributions.

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 the rule changes are requested by the governing committee of the USL&H assigned risk plan and have been considered for some time. The commissioner will continue the discussions

with the governing committee and interested parties. Written comments to be considered at this time should be submitted by December 6, 2001 to Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, fax (360) 664-2782, e-mail KacyB@oic.wa.gov.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kacy Scott, P.O. Box 40255, Olympia, WA 98504-0255, fax (360) 664-2782, e-mail KacyB@oic.wa.gov.

October 18, 2001

Mike Kreidler
Insurance Commissioner

WSR 01-21-079**PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE LOTTERY**

[Filed October 19, 2001, 9:28 a.m.]

Subject of Possible Rule Making: Lotto rules, chapter 315-34 WAC, rules for new Lotto game.

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 researching new ways to conduct Lotto games in order to stimulate consumer interest and to increase sales.

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 Mary Jane Ferguson, Rules Coordinator, (360) 664-4833, fax (360) 586-6586, P.O. Box 43025, Olympia, WA 98504-3025, with any comments or questions regarding this statement of intent.

October 19, 2001

Mary Jane Ferguson
Rules Coordinator

WSR 01-21-092**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF LICENSING**

[Filed October 22, 2001, 10:44 a.m.]

Subject of Possible Rule Making: Increase bail bond agent and agency application and renewal fees to defray costs of administering the bail bond agents program. Also to clarify and mitigate accounting and record keeping under RCW 18.185.100.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.185 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Under the provisions of RCW 43.24.086, the cost of each professional licensing pro-

gram shall be borne by the member of the professions. The director of the Department of Licensing is charged with setting fees at a level sufficient to defray the costs of administering the program. Projected revenue for the 2001-03 biennium from licensing fees is not sufficient to cover projected operating costs for the bail bond agents program. Also, evidence from audits suggests that bail bond agencies do not fully understand bookkeeping requirements under the statute and the program intends to add clear instructions in rule to better define the RCW and for increased protection of customer funds.

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 Mary Haglund, Department of Licensing, P.O. Box 9649, Olympia, WA 98506-9649, phone (360) 664-6624, fax (360) 570-7888.

October 22, 2001

Mary Haglund
Program Manager

WSR 01-21-093

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF LICENSING

[Filed October 22, 2001, 10:45 a.m.]

Subject of Possible Rule Making: Increase security guard and security guard company application and renewal fees to defray costs of administering the security guard program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.170 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Under the provisions of RCW 43.24.086, the cost of each professional licensing program shall be borne by the members of the professions. The director of the Department of Licensing is charged with setting fees at a level sufficient to defray the costs of administering the program. Projected revenue for the 2001-03 biennium from licensing fees is not sufficient to cover projected operating costs for the security guard program.

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 Mary Haglund, Department of Licensing, P.O. Box 9649, Olympia, WA 98506-9649, phone (360) 664-6624, fax (360) 570-7888.

October 22, 2001

Mary Haglund
Program Manager

WSR 01-21-094

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF LICENSING

[Filed October 22, 2001, 10:46 a.m.]

Subject of Possible Rule Making: Increase private investigator and private investigator company application and renewal fees to defray costs of administering the private investigator program.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 18.165 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Under the provisions of RCW 43.24.086, the cost of each professional licensing program shall be borne by the members of the professions. The director of the Department of Licensing is charged with setting fees at a level sufficient to defray the costs of administering the program. Projected revenue for the 2001-03 biennium from licensing fees is not sufficient to cover projected operating costs for the private investigator program.

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 Mary Haglund, Department of Licensing, P.O. Box 9649, Olympia, WA 98506-9649, phone (360) 664-6624, fax (360) 570-7888.

October 22, 2001

Mary Haglund
Program Manager

WSR 01-21-096

PREPROPOSAL STATEMENT OF INQUIRY

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed October 23, 2001, 8:13 a.m.]

Subject of Possible Rule Making: WAC 388-478-0075 Medical programs—Monthly income standards based on the federal poverty level (FPL), add standards at 220% of FPL for the healthcare for workers with disabilities (HWD) program that is being implemented in January 2002.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.08.090, 74.09.500, 74.09.510 and Section 1902 (a)(10)(A)(ii)(XV) and (XVI) of the Social Security Act.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The HWD is a new program. This chapter is revised to reflect the designated income standards.

Process for Developing New Rule: The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representative listed below.

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, P.O. Box 45534, Olympia, WA 98504-5534, phone (360)

WSR 01-21-097

Washington State Register, Issue 01-21

725-1330, e-mail scotsjk@dshs.wa.gov, fax (360) 664-0910,
TDD 1-800-848-5429.

October 18, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 01-21-097

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)**

[Filed October 23, 2001, 8:15 a.m.]

Subject of Possible Rule Making: WAC 388-517-0300
Medicare savings programs.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 74.08.090, 74.09.530.

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: This rule is being amended
to simplify language and to make it clearer.

Process for Developing New Rule: The department
invites the interested public to review and provide input on
the draft language of this rule. Draft material and informa-
tion about how to participate may be obtained from the
department representative listed below.

Interested parties can participate in the decision to adopt
the new rule and formulation of the proposed rule before pub-
lication by contacting Patricia Armstrong, Program Manager,
P.O. Box 45534, Olympia, WA 98504-5534, phone (360)
725-1725, e-mail armstpa@dshs.wa.gov, fax (360) 664-
0910, TDD 1-800-848-5429.

October 18, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

WSR 01-21-124

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed October 24, 2001, 10:04 a.m.]

Subject of Possible Rule Making: WAC 16-319-041
Application for certification of forest reproductive material.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 15.49.310 and 15.49.370(3).

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: Proposal is in response to
industry request to increase seed certification fees within the
fiscal growth rate factor for forest reproductive material. The
fee increases will cover current costs of operating the portion
of the seed certification program delegated by the director to
the Washington State Crop Improvement Association.

Other Federal and State Agencies that Regulate this Sub-
ject and the Process Coordinating the Rule with These Agen-
cies: None.

Process for Developing New Rule: Request from the
seed industry and the board of directors of the Washington
State Crop Improvement Association.

Interested parties can participate in the decision to adopt
the new rule and formulation of the proposed rule before pub-
lication by contacting Graydon Robinson, Program Manager,
Washington State Department of Agriculture, Seed Program,
21 North 1st Avenue, Yakima, WA 98902, (509) 225-2630,
fax (509) 454-4395; or Keith Pfeifer, Manager, Washington
State Crop Improvement Association, 414 South 46th Ave-
nue, Yakima, WA 98908, (509) 966-2234, fax (509) 966-
2494.

October 19, 2001

Robert W. Gore
Assistant Director

WSR 01-21-125

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF AGRICULTURE**

[Filed October 24, 2001, 10:05 a.m.]

Subject of Possible Rule Making: WAC 16-303-340
Seed certification fees for buckwheat, chickpea, field pea,
lentil, millet, soybean, sorghum, and small grains.

Statutes Authorizing the Agency to Adopt Rules on this
Subject: RCW 15.49.310 and 15.49.370(3).

Reasons Why Rules on this Subject may be Needed and
What They Might Accomplish: Proposal is in response to
industry request to increase seed certification fees within the
fiscal growth rate factor for buckwheat, chickpea, field pea,
lentil, millet, soybean, sorghum, and small grains. The fee
increases will cover current costs of operating the portion of
the seed certification program delegated by the director to the
Washington State Crop Improvement Association.

Other Federal and State Agencies that Regulate this Sub-
ject and the Process Coordinating the Rule with These Agen-
cies: None.

Process for Developing New Rule: Request from the
seed industry and the board of directors of the Washington
State Crop Improvement Association.

Interested parties can participate in the decision to adopt
the new rule and formulation of the proposed rule before pub-
lication by contacting Graydon Robinson, Program Manager,
Washington State Department of Agriculture, Seed Program,
21 North 1st Avenue, Yakima, WA 98902, (509) 225-2630,
fax (509) 454-4395; or Keith Pfeifer, Manager, Washington
State Crop Improvement Association, 414 South 46th Ave-
nue, Yakima, WA 98908, (509) 966-2234, fax (509) 966-
2494.

October 19, 2001

Robert W. Gore
Assistant Director

WSR 01-21-133

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF HEALTH
(Veterinary Board of Governors)
[Filed October 24, 2001, 10:26 a.m.]**

Subject of Possible Rule Making: Amend WAC 246-935-070 Examination for registration as animal technician.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 18.92.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To update the topic areas for questions on the national examination, to review and possibly change the scoring criteria for the national examination, and to comply with 2000 legislation which changed "animal technician" to "veterinary technician."

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

Process for Developing New Rule: Collaborative rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen Kelley, Program Manager, Veterinary Board of Governors, P.O. Box 47868, Olympia, WA 98504-7868, phone (360) 236-4876, fax (360) 236-4922, e-mail Karen.Kelley@doh.wa.gov, December 3, 2001, veterinary board meeting in Kent, Washington.

October 8, 2001

Karen Kelley
Program Manager

WSR 01-21-139

**PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed October 24, 2001, 10:34 a.m.]**

Subject of Possible Rule Making: Safety standards for construction, chapter 296-155 WAC, Part P - Steel erection.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.17.010, [49.17].040, and [49.17].050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Department of Labor and Industries will develop rules regarding steel erection that are at-least-as-effective-as those adopted by the Occupational Safety and Health Administration (OSHA) (29 C.F.R. Part 1926) in the Federal Register, Volume 66, Number 12, dated January 18, 2001. The department must adopt rules at-least-as-effective-as OSHA rules per the OSHA/WISHA state plan agreement.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state or federal agencies (other than OSHA) are known that regulate this subject.

Process for Developing New Rule: The department must adopt rules identical to or at-least-as-effective-as OSHA rules per the OSHA/WISHA state plan agreement. Parties interested in the formulation of these rules may contact the person

listed below. The public may also participate by commenting after amendments are proposed, by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jim Hughes, Project Manager, Department of Labor and Industries, WISHA Services Division, P.O. Box 44620, Olympia, WA 98504-4620, phone (360) 902-4504, e-mail hugw235@lni.wa.gov, fax (360) 902-5529.

October 24, 2001

Gary Moore
Director

WSR 01-21-147

**PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD
[Filed October 24, 2001, 11:36 a.m.]**

Subject of Possible Rule Making: The agency is considering amending WAC 314-60-040(3) that outlines the dates and times of its regular meetings.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.08.030, 43.30.070.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Liquor Control Board is reviewing the necessity of holding its regular board meetings every week, and would like to gather stakeholder input on the possibility of holding board meetings every other week. In addition, the agency needs to update WAC 314-60-040(3) to reflect its current regular meeting times.

Process for Developing New Rule: Input from retail licensees, local governments, and other interested parties will be obtained through series of notices and at least one public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Teresa Berntsen, Rules Coordinator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1648, fax (360) 704-4920, e-mail teb@liq.wa.gov.

October 17, 2001

Merritt D. Long
Acting Chair



**WSR 01-20-072
PROPOSED RULES
SPOKANE COUNTY AIR
POLLUTION CONTROL AUTHORITY**

[Filed October 1, 2001, 9:03 a.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141(1).

Title of Rule: (1) SCAPCA Regulation I, Article VI, Section 6.01; (2) SCAPCA Regulation I, Article X, Section 10.09; (3) SCAPCA Regulation I, Article X, Section 10.13; and (4) amend No Burn Area boundary in Spokane County.

Purpose: 1. Amend outdoor burning regulations to reflect changes in state regulations.

2. Amend asbestos fees to provide a fee waiver for Fire Protection Districts conducting Structural Fire Training exercises.

3. Establish fees for certain types of outdoor burning provided for in state regulations.

4. Expand the No Burn Area Boundary in Spokane County, to ban burning of yard waste where reasonable alternatives to burning exist.

Statutory Authority for Adoption: RCW 70.94.141, 70.94.380(2), 70.94.755, chapter 173-425 WAC.

Statute Being Implemented: RCW 70.94.141, 70.94.743, 70.94.755-70.94.780, chapter 173-425 WAC.

Summary: 1. The amended regulation reflects changes in state regulations.

2. The amended regulation allows the asbestos fees to be waived for Fire Protection Districts demolishing a building for Structural Fire Training exercises if an AHERA Building Inspector conducts a survey to determine the presence of asbestos containing material.

3. The new section added to the fee regulation establishes fees for some types of outdoor burning that require issuance of an outdoor burning permit.

4. The resolution defines the proposed expanded No Burn Area within Spokane County and bans residential yard and garden debris burning in areas where reasonable alternatives to burning are available.

Reasons Supporting Proposal: SCAPCA's Regulation I and No Burn Area boundary is being revised to meet the mandates in chapter 173-425 WAC, amended April 2000.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Crystal Alford, 1101 West College, Room 403, Spokane, WA 99201, (509) 477-4727.

Name of Proponent: Spokane County Air Pollution Control Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: (1) The regulation is being amended to reflect recent changes in state outdoor burning regulations.

(2) The asbestos fee regulation is being amended to waive required asbestos project fees for Fire Protection Districts performing Structural Fire Training exercises, in accordance with RCW 52.12.150(6), if a certified AHERA Building Inspector performs the asbestos survey.

(3) The new section of the fee regulation establishes a fee program to recover costs associated with administering and enforcing a permit program as provided for in WAC 173-425-060(3).

(4) Burning yard and garden wastes would be further restricted, due to expansion of the No Burn Area boundary, due to the availability of nonburning disposal alternatives.

Proposal Changes the Following Existing Rules: 1. SCAPCA outdoor burning regulations will be at least as stringent as state outdoor burning regulations. In addition, SCAPCA regulations will define exceptions where outdoor burning will be allowed, and whether an outdoor burning permit will be required for the excepted type of burning.

2. Allows Fire Protection Districts to demolish a structure, as part of structural fire training activities, without paying asbestos project fees, if a certified AHERA Building Inspector performs the asbestos survey, prior to demolition.

3. Program costs are not currently recovered for administering and enforcing outdoor burning permit programs.

4. The No Burn Area will be expanded to restrict outdoor burning of yard and garden wastes in areas where reasonable alternatives to burning exist.

No small business economic impact statement has been prepared under chapter 19.85 RCW. SCAPCA is not required under chapter 19.85 RCW to file small business economic impact statements.

RCW 34.05.328 does not apply to this rule adoption. This is a local agency rule and RCW 34.05.328 has not been made voluntarily applicable to this rule.

Hearing Location: Spokane County Public Works Building, 1026 West Broadway, Hearing Room Lower Level, Spokane, WA 99201, on December 6, 2001, at 8:30 a.m.

Submit Written Comments to: Crystal Alford, Spokane County Air Pollution Control Authority, 1101 West College, Room 403, Spokane, WA 99201, fax (509) 477-6828, by November 26, 2001, by 4:30 p.m.

Date of Intended Adoption: December 6, 2001.

September 28, 2001

Crystal Alford

Air Quality Specialist

PROPOSED

ARTICLE VI

EMISSIONS PROHIBITED

AMENDATORY SECTION

SECTION 6.01 ((~~OPEN~~)) OUTDOOR BURNING

A. Purpose. This Section establishes controls for ((~~open~~)) outdoor burning in Spokane County in order to:

1. Reduce ((~~open~~)) outdoor burning to the greatest extent practical, consistent with the ((~~policy~~)) laws and regulations of the State of Washington.

2. Minimize the impact of emissions from ((~~open~~)) outdoor burning by burning only when weather and ventilation conditions are favorable.

3. Define conditions under which ((~~open~~)) outdoor burning may be conducted.

4. Encourage the development and specify the use of ~~((alternate methods of disposal of combustible waste materials))~~ reasonable alternatives to outdoor burning.

5. Geographically limit ~~((open))~~ outdoor burning in order to assure continued attainment of the National Ambient Air Quality Standards for carbon monoxide and fine particulate matter (PM10).

B. Applicability. This Section applies to ~~((open))~~ outdoor burning in all areas of Spokane County unless exempted in Section 6.01.E. This Section does not apply to Silvicultural Burning (see Chapter 332-24 WAC) or to Agricultural Burning (see Chapter 173-430 WAC).

C. Definitions. Unless a different meaning is clearly required by context, words and phrases used in this Section shall have the following meaning:

1. Agricultural Burning means burning of vegetative debris from an agricultural operation necessary for disease or pest control, necessary for crop propagation and/or crop rotation, necessary to destroy weeds or crop residue along farm fence rows, irrigation ditches, or farm drainage ditches, or where identified as a best management practice by the agricultural burning practices and research task force established in ~~((Chapter))~~ RCW 70.94.650 ((RCW)) or other authoritative source on agricultural practices.

2. Authority means the Spokane County Air Pollution Control Authority.

~~((3. Ceremonial Fire means a fire associated with a Native American ceremony or ritual.))~~

3. Construction/Demolition Debris means any material manufactured for or resulting from the construction, renovation, or demolition of buildings, roads, and/or other man-made structures or objects/materials.

4. Episode means a period when a forecast, alert, warning, or emergency air pollution stage is declared, as ~~((given in Chapter 70.94.715 RCW))~~ provided in Chapter 173-435 WAC.

5. Flag Retirement Ceremony means a ceremony for the purpose of disposing of the flag of the United States of America, by fire, pursuant to 36 U.S.C. 176(k).

6. Fire Fighting Instruction Fire means a fire for instruction in methods of fire fighting, including, but not limited to, training to fight structural fires, aircraft crash rescue fires, and forest fires.

7 ~~((5)).~~ Impaired Air Quality, for purposes of ~~((open))~~ outdoor burning, means a condition declared by the Authority when meteorological conditions are conducive to an accumulation of air contaminants, concurrent with at least one of the following criteria:

a. Particulates ~~((which))~~ that are ten microns or smaller in diameter (PM10) are measured at any location inside Spokane County at or above an ambient level of ~~((seventy-five))~~ sixty micrograms per cubic meter of air, measured on a 24-hour average, by a method which has been determined, by Washington State Department of Ecology or the Authority, to have a reliable correlation to the federal reference method, CFR Title 40 Part 50 Appendix J, or equivalent.

b. Carbon monoxide is measured at any location inside Spokane County at or above an ambient level of eight parts of contaminant per million parts of air by volume (ppm), measured on an eight-hour average by a method which has been

determined, by Ecology or the Authority, to have a reliable correlation to the federal reference method, CFR Title 40 Part 50 Appendix C, or equivalent.

c. Air contaminant levels reach or exceed other limits, established by Ecology pursuant to RCW 70.94.331 ~~((Chapter 173-425-030 (5)(b) WAC, by resolution of the Board of Directors of the Authority)).~~

8. Indian Ceremonial Fire means a fire necessary for Native American ceremonies (i.e., conducted by and for Native Americans) if part of a religious ritual.

9 ~~((6)).~~ Land Clearing Fire means ~~((removing trees, shrubbery, or other natural vegetation from a plot of land))~~ outdoor burning of trees, stumps, shrubbery, or other natural vegetation from land clearing projects (i.e., projects that clear the land surface so it can be developed, used for a different purpose, or left unused).

10. Natural Vegetation means unprocessed plant material from herbs, shrubbery, and trees, including grass, weeds, leaves, clippings, prunings, brush, branches, roots, stumps, and trunk wood.

11 ~~((7)).~~ Nonattainment Area means the Spokane County PM10 Nonattainment Area and the Spokane Urban Carbon Monoxide Nonattainment Area as defined in CFR Title 40, Part 81.

12. Noxious Weed Abatement Fire means any outdoor burning for the sole purpose of disposing of noxious weeds identified in the State Noxious Weed List, Chapter 16-750 WAC.

13 ~~((8)).~~ Nuisance means an emission of smoke or other emissions from any ~~((open))~~ outdoor fire that unreasonably interferes with the use and enjoyment of property or public areas.

14. Other Outdoor Burning means outdoor burning other than agricultural burning, silvicultural burning, residential burning, land clearing burning, storm or flood debris burning, tumbleweed burning, weed abatement fires, fire fighting instruction fires, rare and endangered plant regeneration fires, Indian ceremonial fires, and recreational fires. It includes, but is not limited to, any outdoor burning necessary to protect public health and safety.

15 ~~((9)).~~ ~~((Open Burning or))~~ Outdoor Burning or Open Burning means the combustion of material of any type in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion in a manner approved by the Authority. Outdoor burning means all types of outdoor burning except agricultural burning and silvicultural burning.

16 ~~((10)).~~ Permitting Authority means the Spokane County Air Pollution Control Authority (Authority), or one or more of the following entities, whenever the Authority and an entity have signed an agreement regarding a permitting program or the Authority has delegated administration of the permitting program, pursuant to RCW 70.94.654, to one or more of the referenced entities, provided such delegation of authority has not been withdrawn: Spokane County, any fire ~~((department, any fire district))~~ protection agency within Spokane County, Department of Natural Resources, or the Spokane County Conservation District. ((whenever the referenced agency enters into a written agreement with the

Authority to administer a permit program pursuant to Chapter 173-425-070 WAC.)

~~((11. Phase-out Area means any geographical area which is outside the No-Burn Area, as defined in Attachment A of Resolution 91-01 of the Authority, and inside the Spokane PM10 Nonattainment Area, as defined in CFR Title 40, Part 81-))~~

17 ((12)). Premises of a Residence means the real property immediately adjacent to the residence which is owned by the same person who owns the residence, and which is not devoted to agricultural or silvicultural use, other than yard and gardening activities connected with the residence.

18 ((13)). Prohibited Materials means garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, paper (other than what is necessary to start a fire), cardboard, treated wood, construction debris, demolition debris, metal or any substance (other than natural vegetation) ~~((which when burned))~~ that releases toxic emissions, dense smoke or obnoxious odors, when burned.

19 ((14)). Reasonable Alternative ~~((s means disposal alternatives to open burning that cost less than eight dollars fifty cents per cubic yard (This amount may be adjusted periodically by policy decision of the Department of Ecology), or more costly disposal alternatives which have been deemed reasonable, on a case-by-case basis, by the Authority))~~ means a method for disposing of organic refuse (such as natural vegetation) that is available, reasonably economical, and less harmful to the environment than burning, including but not limited to, waste reduction, recycling, energy recovery or incineration, and landfill disposal.

20 ((15)). Recreational Fire means a small fire, limited to ~~((barbeques))~~ cooking fires and campfires, using charcoal, natural gas, propane, or clean, dry, natural firewood (e.g., tree trunk wood), and which occurs in designated areas on public lands or on private property. Fires used for debris disposal are not considered recreational fires.

21. Residential Burning means the outdoor burning of natural yard and garden debris (i.e., dry garden trimmings, tree clippings, lawn rakings, dry leaves and needles) originating on the maintained/improved area of residential property (i.e., lands immediately adjacent and in close proximity to a human dwelling) and burned on such lands by the property owner and/or any other responsible person.

22 ((16)). Responsible Person means any person who has applied for and received a permit for outdoor burning, or any person allowing, igniting or attending to an ~~((open))~~ outdoor fire, or any person who owns or controls property on which an ~~((open))~~ outdoor fire occurs.

~~((17. Social Event means a public event or celebration officially sponsored by Spokane County or an incorporated city or town.))~~

23 ((18)). Silvicultural Burning means burning on unimproved land the Department of Natural Resources protects pursuant to ~~((Chapter))~~ RCW 70.94.030(20), 70.94.660, and 70.94.690 ((RCW)), and pursuant to Chapter 76.04 RCW.

24 ((19)). Small Fire means a fire generated by a pile of combustible material with dimensions no greater than ~~((four feet by four feet by three feet))~~ three feet in diameter by two feet in height.

25. Social Event means a public event or celebration officially sponsored by Spokane County or an incorporated city or town.

26 ((20)). Urban Growth Area means an area defined by ~~((Chapter))~~ RCW 36.70A.030 ((RCW)).

~~((21. Yard means a maintained area on residential property-))~~

22. Yard and Garden Debris means dry garden trimmings, tree clippings, lawn rakings, dry leaves and needles generated from a residential yard or garden-))

D. Areas Where Outdoor Burning is Prohibited. ~~((Prohibitions-))~~ Except as provided in Section 6.01.G. ~~((E-))~~, no person shall practice or permit the practice of ~~((open))~~ outdoor burning in any of the following ~~((circumstances and))~~ locations:

1. Within ~~((the))~~ a No-Burn Area, as defined by resolution of the Board of Directors of the Authority.

~~((2. Within any part of a nonattainment area that is not within an open burning phase-out area-))~~

3. After November 1, 1994, in any area where no permit program is being administered by a permitting authority.

4. Within any open burning phase-out area after the final phase-out date as approved by the Department of Ecology.)

2 ((5)). After December 31, 2000, within any urban growth area having a population of 5,000 or more people, or within any incorporated city or town having a population of 10,000 or more people, or within any urban growth area contiguous with a nonattainment area or former nonattainment area. ~~((After April 30, 2001, within any urban growth area-))~~

3. After December 31, 2006, within any urban growth area.

~~((6. Outside the period designated by the Authority or permitting authority for burning yard and garden debris-))~~

7. When the materials to be burned include any prohibited materials.

8. During an episode or during impaired air quality as declared by the Department of Ecology or the Authority for a defined geographical area

9. When the fire is larger than a small fire, unless a valid written permit has been issued by a permitting authority.

10. In or within 500 feet of forest slash, unless a written permit has been issued by the permitting authority.

11. When burning is for commercial purposes, other than silvicultural burning or agricultural burning, or burning of land-clearing debris.)

4 ((12)). Where the Authority, ~~((Department of))~~ Ecology, or permitting authority has determined that reasonable alternatives are available.

~~((13. When burning causes a nuisance, or the Authority or permitting authority determines that the creation of a nuisance is the likely result of burning.))~~

Reviser's note: The typographical errors in the above material occurred in the copy filed by the Spokane County Air Pollution Control Authority and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

E. General Conditions. Considering population density and local conditions affecting air quality, the Authority or permitting authority shall establish conditions for all permits

to minimize air pollution as much as practical. Such conditions may be general (applying to all permits) or specific (applying to individual permits). Conditions may address permissible hours of burning, maximum size or volume of material to be burned, requirements for good combustion practice, burning under specified weather conditions, pre-burn and post-burn reporting, and other criteria, determined by the permitting authority, as necessary to minimize air pollution. Unless exempt per Section 6.01.G, any person who practices or permits the practice of outdoor burning shall, in addition to any specific permit conditions established imposed, comply with the following general conditions:

1. Curtailments.
a. No outdoor fire may be ignited in a geographical area where:

(i) Ecology has declared an episode;
(ii) Authority has declared impaired air quality; or
(iii) The appropriate fire protection agency or other agency of jurisdiction has declared a fire danger burn ban, unless that agency grants an exception.

b. The responsible person shall contact the Authority or permitting authority each day, prior to igniting an outdoor fire, to determine outdoor burning conditions.

c. The responsible person for an outdoor fire must extinguish the fire when an episode, impaired air quality, or fire danger burn ban that applies to the burning is declared. All small fires shall be immediately extinguished by smothering the fire with water or soil. All other fires shall be extinguished by methods including, but not limited to, withholding new fuel and allowing the fire to burn down. In this regard:

(i) Smoke visible from all types of outdoor burning, except land clearing burning, after a time period of three hours has elapsed from the time an air pollution episode, impaired air quality condition, or fire danger burn is declared, will constitute prima facie evidence of unlawful outdoor burning.

(ii) Smoke visible from land clearing burning after a time period of eight hours has elapsed from the time an air pollution episode, impaired air quality condition, or fire danger burn ban is declared, will constitute prima facie evidence of unlawful outdoor burning.

2. The fire must not include any prohibited materials.

3. Only one pile may be burned at a time (i.e. each fire must be extinguished before lighting another).

4. The fire must not be larger than a small fire.

5. Burning for commercial purposes is not allowed (i.e., when burning is not for residential purposes), other than silvicultural burning or agricultural burning.

6. The fire must not include materials hauled from another property, other than charcoal, natural gas, propane, or clean, dry, natural firewood.

7. Burning may occur only during daylight hours, or a more restrictive period as determined by the Authority or permitting authority.

8. Until extinguished, the fire shall be attended by a person who is responsible and capable of extinguishing the fire.

9. Any person responsible for unlawful outdoor burning must immediately extinguish the fire, except as provided for in Section 6.01.E.1.c.

10. Permission from the landowner, or the landowner's designated representative, must be obtained before starting the fire.

11. No fires are to be within 50 feet of structures.

12. No fires are to be in or within 500 feet of forest slash.

13. If an outdoor container is used for burning, it must be constructed of concrete or masonry with a completely enclosed combustion chamber and equipped with a permanently attached spark arrester constructed of iron, heavy wire mesh, or other non-combustible material with openings not larger than one-half inch.

14. Any person responsible for outdoor burning must immediately extinguish the fire if it causes a nuisance or if the permitting authority determines that the creation of a nuisance would likely result from burning.

15. Structural fire training, provided for in Sections 6.01.G.1.g and 6.01.G.2.e, may be performed by a fire protection agency provided the following requirements are met:

(a) The owner and fire protection agency must have met the requirements in SCAPCA Regulation I, Article IX and Section 10.09 prior to training;

(b) The fire protection agency conducting the fire training must have a fire-training plan, which will be made available to the Authority upon request, and the purpose of the structural fire must be to train fire fighters; and

(c) Composition roofing, asphalt roofing shingles, asphalt siding materials, miscellaneous debris from inside the structure, carpet, linoleum, and floor tile, must not be burned unless such materials are identified by the fire protection agency as being an essential part of the fire training exercise and are described as such in the fire-training plan. Materials removed from the structure(s) must be disposed of in a lawful manner prior to the training exercise.

REPEALER

SECTION 6.01.F GENERAL CONDITIONS

NEW SECTION

F. Outdoor Burning of Residential Yard and Garden Debris. In addition to the requirements in Section 6.01.D and E, any person who burns yard and garden debris shall comply with the following:

1. Only Residential Burning is allowed, per Section 6.01.C.21.

2. Burning shall be conducted no more than 8 days per year, which shall be restricted to a season specified by the Board of Directors or Control Officer of the Authority, as allowed in WAC 173-425-060(5), unless a written permit has been issued by a permitting authority operating under a delegation agreement with the Authority.

3. Burning shall be conducted between the hours of 9:00 am and 5:00 pm or a more restrictive period, as determined by the Authority or permitting authority.

REPEALER

SECTION 6.01.G OPEN BURNING OF YARD AND GARDEN DEBRIS

AMENDATORY SECTION

G ((E)). Exceptions. Exceptions to Sections 6.01.D and E. shall be made as follows:

1. Exceptions that do not Require an Outdoor Burning Permit. The prohibitions in Section 6.01.D and the general conditions in Section 6.01.E are waived as indicated for the following types of fires: ((The prohibitions in Subsections 1 through 6 of Section 6.01.D shall not apply to the following types of fires if authorized by the Authority:))

a. Indian ((C)) ceremonial fires

b. Recreational fires are exempt from the prohibitions in Section 6.01.D and Section 6.01.E. 7 and 13, provided the fire is not started an unreasonable length of time before, nor continues an unreasonable length of time beyond, its recreational purpose.

((e. Fires set for a social event, provided the fire is not started an unreasonable length of time before nor continues an unreasonable length of time beyond the event.

d. Fires set for improving and maintaining fire dependent ecosystems, as provided in Chapter 70.94.660 RCW.))

c((e)). Fires fueled exclusively by flares or torches are exempt from the prohibitions in Section 6.01.D and Section 6.01.E. 2-3, 5, 7, and 11-12 provided the flares or torches are not started an unreasonable length of time before nor continue an unreasonable length of time beyond the event for which they are being used.

d. Aircraft crash rescue training fires authorized by a fire protection agency do not require a permit if performed in accordance with RCW 70.94.650(5) and are exempt from the prohibitions in Section 6.01.D and Section 6.01.E. 2-7 and 11-12.

e. Forest fire instruction fires authorized by a fire protection agency are exempt from the prohibitions in Section 6.01.D and Section 6.01.E. 2-5, 7 and 12.

f. Structural fire training fires authorized by a fire protection agency that are located within unincorporated areas and outside urban growth areas do not require a burning permit if performed in accordance with RCW 52.12.150 and are exempt from the prohibitions in Section 6.01.D.1, and Section 6.01.E. 2-5, 7 and 11-12.

g. Flag Retirement Ceremony Fires for disposing of the flag of the United States of America, pursuant to 36 U.S.C. 176(k), are exempt from Section 6.01.D and Section 6.01.E. 2, 5-7, 11, and 13.

2. Exceptions that Require an Outdoor Burning Permit. The following types of fires may be exempted from one or more of ((F)) the prohibitions in ((Subsections 1 through 7 ef)) Section 6.01.D ((shall not apply to the)) and/or the general conditions in Section 6.01.E when authorized by the Authority and a written permit has been issued by the permitting authority ((following types of fires if authorized by the Authority and a written permit has been issued by the Authority providing the exception)):

a. Fires ((When)) ordered by a duly authorized health officer to dispose of, diseased animals and other infested material ((may be burned)), as required, to keep the infestation from spreading.

b. Fires ((When)) ordered by a fire protection agency of jurisdiction, ((fires)) to dispose of materials presenting a danger to life, property, or public welfare ((may be burned)).

c. Fires ((When)) authorized by a fire protection agency of jurisdiction, ((fires)) necessary for training, including military training((, may be burned)).

d. Fire extinguisher training fires of short-duration for instruction on the proper use of hand-held fire extinguishers, provided the requirements below are met:

(i) Flammable or combustible materials used during the fire extinguisher training shall be limited to:

(a) Less than 2 gallons of clean kerosene or diesel fuel oil per training exercise, provided that gasoline or gasoline mixed with diesel or kerosene may be used only by local fire departments, fire protection agencies, fire marshals, or fire districts;

(b) As much gaseous fuel (propane or natural gas) as required for the training exercise; and/or

(c) Less than 0.5 cubic yards of clean, solid combustible materials per training exercise. Examples of solid combustible materials are natural firewood, untreated scrap lumber, and unused paper.

(ii) All training must be conducted by local fire officials or a qualified instructor. Instructor qualifications and a training plan must be available to the Authority upon request; and

(iii) Prior to the training, the person(s) conducting the exercise must notify the local fire department, fire marshal, or fire district and must meet all applicable local ordinances and permitting requirements.

e. Structural fire training fires authorized by a fire protection agency that are located within urban growth areas.

((d. When ordered by a fire protection agency of jurisdiction, fires to prevent or abate a fire hazard may be burned.))

f ((e)). Fires set as part of a defined research project ((may be burned)).

g. Social event fires (i.e., a fire that is larger than a small fire that is part of a social event), provided the fire is not started an unreasonable length of time before nor continues an unreasonable length of time beyond the event.

h. Residential land clearing fires consisting of materials cleared from less than 1 acre of forested land on a 5 acre or larger parcel of land in non-commercial ownership.

i. Silvicultural-to-agricultural land conversion fires.

j. Storm or flood debris fires and rare and endangered plant regeneration fires, as defined in WAC 173-425-030.

k. Fires set for improving and maintaining fire dependent ecosystems, as provided in RCW 70.94.660.

l. Noxious Weed Abatement fires, as provided for in WAC 173-425-060 (2)(e) and RCW 70.94.650 (1)(a).

((3. Nothing in Section 6.01, except for Subsection 8 of Section 6.01.D., shall apply to the following types of fires:

a. Silvicultural burning;

b. Agricultural burning pursuant to Section 6.11.

e. Grass field burning pursuant to Section 6.10.

4. Subsection 6 of Section 6.01.D. shall not apply to fires for which a valid written permit has been issued by a permitting authority.))

3 ((5)). Nothing in Section 6.01 shall apply to burning of combustible material in a multiple-chambered unit, such as in a multiple-chambered incinerator, as long as the unit is registered with the Authority pursuant to Article IV or the operator possesses a valid ((Approval)) Notice of Construction

approval issued pursuant to Article V and the unit complies with all applicable regulations.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Spokane County Air Pollution Control Authority and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

H. Permit Requirements. Written permits, as required in Section 6.01.G.2, are subject to the following requirements:

1. All applicants for outdoor burning permits must submit their requests to burn, on forms or in a format provided by the permitting authority.

2. The permitting authority may require additional information from the applicant, as necessary to determine if outdoor burning is reasonably necessary, to determine how best to minimize air pollution, and to determine if any special conditions are applicable.

3. The permitting authority shall not issue a permit if it determines that the proposed burning will cause or is likely to cause a nuisance.

4. The permitting authority may deny an application or revoke a previously issued permit if it is determined by the permitting authority that the application contained inaccurate information, or failed to contain pertinent information, which information is deemed by the permitting authority to be significant enough to have a bearing on the permitting authority's decision to grant a permit.

5. All applicants for outdoor burning permits shall pay a fee at the time of application, according to a schedule of fees, established by resolution or other official action of the permitting authority. When the permitting authority is the Spokane County Air Pollution Control Authority, the fee shall be according to the schedule in Regulation I, Article X, Section 10.13.

6. No permit for outdoor burning shall be granted on the basis of a previous permit history.

7. The responsible person attending the permitted fire shall maintain the permit or a copy of the permit in his or her immediate possession, and make the permit available for review upon request of the permitting authority.

8. Permit timelines. For fires in Section 6.01.G.2.a, b and f-k, all applicants shall submit an application in accordance with Section 6.01.H.8.a. For fires in Section 6.01.G.2.c-e, all applicants shall submit an application in accordance with Section 6.01.H.8.a and/or b.

a. 30-day permit (for fires in Section 6.01.G.2).

(i) Unless otherwise approved by the permitting authority, all applicants shall submit a completed permit application no less than 10 days prior to the first proposed burn date. Unless otherwise approved by the permitting authority, applications will be accepted no more than 180 days prior to the first proposed burn date.

(ii) One application may be submitted for each type of outdoor fire provided for in Section 6.01.G.2 when the request is for burning at one real property, within a specified 30-day period.

(iii) The permit shall expire 29 consecutive days after the first proposed burn date.

b. Annual permit (limited to fires in Section 6.01.G.2.c-e).

(i) Unless otherwise approved by the Authority, all applicants shall submit a completed permit application no less than 30 days prior to the first proposed burn date.

(ii) One application is required for outdoor burning provided for in Section 6.01.G.2.c-e when the request is for burning at one or more real properties during a 12-month period.

(iii) A responsible person must notify the Authority prior to each burn. Notification shall be written (e.g., facsimile or electronic mail) or verbal (e.g., voice-mail message) and must include the name of fire protection agency, name of responsible person, date that training will occur, permit number allowing such training, telephone number at which the responsible person may be contacted during the fire training exercise, and address at which fire training exercises will be conducted.

(iv) The permit shall expire 364 consecutive days after the first proposed burn date.

REPEALER

SECTION 6.01.H FIELD RESPONSE

NEW SECTION

I. Agreements with Permitting Authorities

1. The Authority may enter into agreements with permitting authorities, as defined in Section 6.01.C.14.

2. Agreements must define the roles, responsibilities and duties of the Authority and the permitting authority. Such agreements may include, but are not limited to, the following program elements:

- The types of burning to be addressed under the agreement;
- The exceptions (Section 6.01.G) applicable;
- The scope of discretion of the permitting authority;
- Permit tracking;
- Reporting; and
- Enforcement.

3. Agreements will remain in effect until cancelled. An agreement may be cancelled for any reason, by any entity or representative thereof, that signed the agreement, provided notice has been given at least 30 days prior to cancellation to all entities that signed the agreement.

AMENDATORY SECTION

I ((F)). Violations.

1. The Authority may issue a Notice of Violation to a responsible person when:

a. Any specific prohibition, requirement, permit condition, or any general ~~((permit))~~ condition specified in Section 6.01~~((F))~~ is violated~~((F))~~.

~~((b. Any prohibition in Section 6.01.D. is violated; or
e. An open fire is ignited where a permit is required and no such permit has been obtained.))~~

2. A fire protection agency called to respond to, control, or extinguish an illegal or out-of-control fire may charge and

PROPOSED

recover from the responsible person(s), the costs of its response and control action.

3. Permitting authorities may refer field notices and other documentation to the Authority for appropriate enforcement action. The Authority shall remit one-half of any civil penalty collected, to the referring agency, if the referring agency makes such a request in writing at the time of referral.

~~((4. Smoke visible from open burning after a time period of three hours has elapsed from the time of declaration of an episode or impaired air quality shall constitute prima facie evidence of unlawful open burning.))~~

K ((J)). The provisions of this Section are severable. If any phrase, sentence, paragraph, or provision is held invalid, the application of such phrase, sentence, paragraph, or provision to other circumstances and the remainder of this Section shall not be affected.

L ((K)). Compliance ~~((with other laws and regulations))~~. The responsible person is expected to comply with all applicable laws and regulations. Compliance with Section 6.01 or

qualifying for an exception in Section 6.01.G. does not ~~((necessarily mean))~~ insure that ~~((open))~~ outdoor burning complies with other applicable laws and regulations implemented by any other ((authorities)) permitting authority or entity.

ARTICLE X

FEES AND CHARGES

AMENDATORY SECTION

SECTION 10.09 ASBESTOS FEES

Written notification, as required in Article IX, Section 9.04, shall be accompanied by the appropriate nonrefundable fee according to Section 10.09(a).

a. Notification Period and Fees

Project	Size or Type	Notification Period	Fee
Owner-Occupied, Single-Family Residence Asbestos Project (excluding demolition)	Notification Not Required	None	None
Owner-Occupied, Single-Family Residence Demolition	All	Prior Notice	\$25
All Other Demolitions with no asbestos project	All	10 Days	\$150
Asbestos Project includes demolition fee*	10-259 linear ft 48-159 square ft	3 Days	\$150
Asbestos Project includes demolition fee	260-999 linear ft 160-4,999 square ft	10 Days	\$300
Asbestos Project includes demolition fee	1,000-9,999 linear ft 5,000-49,999 square ft	10 Days	\$750
Asbestos Project includes demolition fee	> 10,000 linear ft > 50,000 square ft	10 Days	\$1,500
Emergency	9.04.C	Prior Notice**	Additional fee equal to project fee
Amendment***	9.04.B	Prior Notice	\$50
Alternate Means of Compliance (demolitions or friable asbestos-containing material)	9.07.A or C	10 Days	Additional fee equal to project fee
Alternate Means of Compliance (non-friable asbestos-containing material)	9.07.B	10 Days	Additional fee equal to project fee
Annual	9.04.A.8	Prior Notice	\$1,000

* Demolitions with asbestos projects involving less than 10 linear feet or less than 48 square feet may submit an asbestos project notification under this project category and will be eligible for the 3-day notification period.

** Except in the case where advance notice is not required pursuant to Section 9.04.C.2.

*** For an amendment where the project type or job size category is associated with a higher fee, a fee equal to the difference between the fee associated with the most recently submitted notification and the fee associated with the increased project type or job size

category shall be submitted in addition to the \$50 amendment fee.

b. The Control Officer may waive the asbestos project fee and notification period, by written authorization, for disposal of unused and intact or abandoned (without the knowledge or consent of the property owner) asbestos-containing materials. All other asbestos project and demolition requirements remain in effect.

c. Where a compliance investigation is conducted pursuant to Section 9.04 of this regulation, the compliance investigation fee shall be equal to \$50 per hour of compliance investigation.

d. The asbestos project fee in Section 10.09.a is waived for any demolition performed in accordance with RCW 52.12.150(6), where the good faith inspection is an asbestos survey, as defined in Section 9.02.G, performed by an AHERA Building Inspector, as defined in Section 9.02.A.

ARTICLE X

FEES AND CHARGES

NEW SECTION

SECTION 10.13 OUTDOOR BURNING PERMIT FEES

A. For outdoor burning permit applications, submitted to the Authority pursuant to Section 6.01 of this regulation, a nonrefundable fee shall accompany the application. The fee is as follows:

1. A \$10 fee shall be submitted with each 30-day permit application.
2. A \$25 fee shall be submitted with each annual permit application.

Proposed No Burn Area Boundary Description in Spokane County

Beginning at the county division line between Stevens and Spokane County, in Sec. 20, T29N, R42E the No Burn Area boundary proceeds east along the north section lines of Secs. 29, 28, 27, 26, 25, T29N, R42E; Secs. 30, 29, 28, 27, 26, 25, T29N, R43E; and Secs. 30, 29, 28, 27, 26, 25, T29N, R44E.

Thence south along the east section lines of Secs. 25, 36, T29N, R44E; Secs. 1, 12, 13, 24, 25, 36, T28N, R44E; Secs. 1, 12, 13, 24, T27N, R44E.

Thence east along the north section lines of Secs. 30, 29, 28, 27, 26, 25, T26N, R45E; Sec. 30, T26N, R46E to the Washington State line.

Thence south along the Washington State line to Elder Rd.

Thence west along the centerline of Elder Rd to Valley Chapel Rd.

Thence south-west along the centerline of Valley Chapel Rd. to Spangle Creek Rd.

Thence west along the centerline Spangle Creek Rd. to Smythe Rd.

Thence west along the centerline of Smythe Rd to Parker Rd.

Thence south along the centerline of Parker Rd to Depot Springs Rd.

Thence west along the centerline of Depot Springs Rd. to Cheney-Spangle Rd.

Thence north-west along the centerline of Cheney-Spangle Rd. to the Cheney Interim Urban Growth Area boundary, as established August 1997, amended April 2000 pursuant to RCW 36.70A.030.

Thence south and west along the Cheney Interim Urban Growth Area boundary, to Cheney Plaza.

Thence north along the centerline of Cheney Plaza Rd to the Cheney City Limits.

Thence southwest along the Cheney City Limits to the Cheney Interim Urban Growth Area boundary, as established August 1997, amended April 2000.

Thence west and north along the Cheney Interim Urban Growth Area boundary to the Cheney City limits.

Thence north along the Cheney City limits to Salnave Rd.

Thence north-west along the centerline of Salnave Rd. to the southwest corner of Section 36, T24N, R40E.

Thence north along the west section lines of Secs. 36, 25, 24, 13, 12, T24N, R40E to Espanola Rd.

Thence west and north along the centerline of Espanola Rd. to Hwy 2.

Thence north of Hwy 2 along the centerline of Woods Rd to Coulee Hite Rd.

Thence east along the centerline of Coulee Hite Rd. to Four Mound Rd.

Thence north-west along the centerline of Four Mound Rd. to Dover Rd.

Thence north along the centerline of Dover Rd. to Charles Rd.

Thence north along the centerline of Charles Rd. to South Bank Rd.

Thence north-west along the centerline of South Bank Rd. to the west section line of Sec. 6, T27N, R41E.

Thence north along the west section line of Sec. 6, T27N, R41E to the northwest corner of Sec. 6, T27N, R41E.

Thence east along the north section line of Sec. 6, T27N, R41E to the northeast corner of Sec. 6, T27N, R41E.

Thence north along the west section line of Sec. 32, T28N, R41E to the west shore of the Spokane River.

Thence southeast along the west and south bank of the Spokane River to Sec. 32, T27N, R42E.

Thence north along the west section lines of Secs. 32, 29, 20, 17, 8, 5, T27N, R42E; Secs. 32, 29, 20, 17, 8, 5, T28N, R42E; Secs. 32, 29, T29N, R42E to northwest corner of Sec. 29, T29N, R42E.

WSR 01-20-077

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed October 1, 2001, 3:35 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-24-035.

Title of Rule: Chapter 388-290 WAC, Working connections child care includes WACs, child care subsidy benefits for families who need child care to work, look for work, or to get a better job.

Purpose: To provide clarification of current rules and modify current rules to include: Elimination of first cousins as eligible providers; military housing allowance and in-kind income are disregarded; study time for students may be authorized; child care provider rates; individuals who are acting in *loco parentis* are defined as eligible consumers when

receiving TANF; and establishes beginning and review eligibility dates.

Statutory Authority for Adoption: RCW 74.04.050 and 45 C.F.R. Parts 98 and 99 (Child Development Fund rules).

Statute Being Implemented: RCW 74.04.050 and 45 C.F.R. Parts 98 and 99 (Child Development Fund rules).

Summary: Clarification of sections reduces confusion in the understanding and application of Working Connections Child Care benefits. Rates for providers have not been included previously in WAC.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Jenny Baxter, Lacey Government Center, (360) 413-3244.

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: This rule will eliminate first cousins as eligible providers. It will disregard military housing allowance and in-kind income. Study time for students may be authorized. Child-care provider rates are included in the WAC for the first time. Individuals who are acting 'in loco parentis' are defined as eligible consumers when receiving TANF. Rules for establishing beginning and review eligibility dates are clarified. The anticipated effects will be an increase in correct application of the rules.

Proposal Changes the Following Existing Rules: Income that was once counted for program eligible is no longer (military housing and in-kind income); first cousins are no longer eligible providers for in-home/relative care; and individuals who are acting in loco parentis individuals are defined eligible consumers when receiving TANF.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules do not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. This does not fit the definition of a significant legislative rule.

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson by November 20, 2001, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensfh@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

September 26, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

NEW SECTION

WAC 388-290-0001 What is the purpose of the working connections child care program? The purpose of working connections child care (WCCC) is to help families with

children pay for child care to find jobs, keep their jobs, and get better jobs.

NEW SECTION

WAC 388-290-0005 Can I be considered a consumer in the WCCC program? (1) If you apply for or receive WCCC, you are considered the consumer. In WCCC, an eligible consumer is one of the following individuals who has parental control of one or more children, applies for or receives WCCC, and is the child's:

- (a) Parent;
 - (b) Stepparent;
 - (c) Legal guardian;
 - (d) Adult sibling or step-sibling;
 - (e) Nephew or niece;
 - (f) Aunt;
 - (g) Uncle;
 - (h) Grandparent; or
 - (i) Any of the above relatives with the prefix great, such as great-aunt.
- (2) You are not an eligible consumer when you:
- (a) Are the only parent in the household; and
 - (b) Will be away from the home for more than thirty consecutive days.

NEW SECTION

WAC 388-290-0010 What makes me eligible for WCCC benefits? You may be eligible for WCCC benefits if:

- (1) Your family is described under WAC 388-290-0015;
- (2) You're participating in an approved activity under WAC 388-290-0040, 388-290-0045, or 388-290-0050;
- (3) You and your children are eligible under WAC 388-290-0020;
- (4) Your countable income, is at or below two hundred twenty-five percent of the Federal Poverty Level (FPL) (under WAC 388-290-0060); and
- (5) Your share of the child care cost, called a copayment (under WAC 388-290-0075) is lower than the DSHS maximum daily rate for that type of care.

NEW SECTION

WAC 388-290-0015 How does the WCCC program determine my family size? The WCCC program determines your family size by reviewing those individuals who live together in the same household as follows:

(1) If you are:	We count the following individuals as part of the family for WCCC eligibility:
(a) A single parent, including a minor parent living independently;	You and your child(ren).
(b) Unmarried parents that have at least one mutual child;	Both parents and all their children living in the household.
(c) Unmarried parents with no mutual children;	Unmarried parents and their respective children are counted as separate WCCC families.

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(d) Married parents;	Both parents and all their children living in the household.
(e) Undocumented parents (all other family rules in this section apply);	Both parents and all children, documented and undocumented, as long as the child needing care is a U.S. citizen or legally residing in the United States.
(f) A consumer as defined in WAC 388-290-0005 and you are not financially responsible for the child(ren);	Only the child(ren) are counted as the WCCC family. The child(ren) and his/her income is counted for WCCC eligibility.
(g) A minor parent with children and live with your parent/guardian;	Only the minor parent and the children.
(h) Family members who are temporarily out of the household because of employment requirements, such as the military (all other family rules in this section apply).	This individual as part of the household.
(2) If your household includes:	We count the following individuals as part of the family for WCCC eligibility:
(a) Eighteen year olds who are enrolled in approved secondary education or general equivalency diploma (GED) program.	The eighteen year olds unless they are a parent themselves, until they turn nineteen, or complete HS/GED, whichever comes first.
(b) Individuals up to twenty-one years of age who are participating in an approved program through the school district's special education department under RCW 28A.155.0202.	The individual participating in an approved program through RCW 28A.155.0202 up to twenty-one years of age, unless they are a parent themselves.

NEW SECTION

WAC 388-290-0020 When can I get WCCC benefits?

(1) Depending on your circumstances, or those of your child(ren), you might be eligible for WCCC if you are:

(a) An employee of the same child care facility where your child(ren) is receiving care and you do not care for your own child(ren) during the time WCCC is requested;

(b) In sanction status for temporary assistance for needy families (TANF), while you are in an activity needed to remove the sanction or employment;

(c) A parent in a two-parent family and one parent is not able or available to provide care for your child(ren) while one is working, looking for work, or preparing for work;

(i) "Able" means physically, mentally, and emotionally capable of caring for a child in a responsible manner.

(ii) "Available" means able to provide care when they are not participating in an approved work activity under WAC 388-290-0040, 388-290-0045, and 388-290-0050 during the time you need child care.

(d) A married consumer described under WAC 388-290-0005 (1)(d) through (i). Only you or your spouse must be participating in activities under WAC 388-290-0040, 388-290-0045, or 388-290-0050.

(2) You might be eligible for WCCC if your child(ren) is legally residing in the country and is:

(a) Less than thirteen years of age; or

- (b) Thirteen years of age and less than age nineteen, and:
 - (i) Has a verified special need, according to WAC 388-290-0220; or
 - (ii) Is under court supervision.

NEW SECTION

WAC 388-290-0025 What rights do I have when I apply for or receive WCCC benefits? When you apply for or receive WCCC benefits you have the right to:

(1) Be treated politely and fairly without regard to race, color, creed, religion, sex, presence of any sensory, mental or physical disability, sexual orientation, political affiliation, national origin, religion, age, gender, disability, or birthplace;

(2) Have an application accepted and acted upon within thirty days;

(3) Be informed, in writing, of your legal rights and responsibilities related to WCCC benefits;

(4) Only have your information shared with other agencies when required by federal or state regulations;

(5) Get a written notice, at least ten days before the department makes changes to lower or stop benefits except in WAC 388-290-0120;

(6) Ask for a fair hearing if you do not agree with the department about a decision.

(7) Ask a supervisor or administrator to review a decision or action affecting your benefits without affecting the right to a fair hearing;

(8) Have interpreter or translator service within a reasonable amount of time and at no cost to you;

(9) Be allowed to choose your provider as long as the provider meets the requirements in WAC 388-290-0125; and

(10) Refuse to speak to a fraud early detection (FRED) investigator from the division of fraud investigations. You do not have to let an investigator into your home. You may ask the investigator to come back at another time. This request will not affect your eligibility for benefits.

NEW SECTION

WAC 388-290-0030 What responsibilities do I have when I apply for or receive WCCC benefits? When you apply for or receive WCCC benefits you are responsible to:

(1) Supply the department with information so we can determine your eligibility and authorize child care payments correctly;

(2) Choose a provider who meets requirements of WAC 388-290-0125 and make your own child care arrangements;

(3) Pay, or make arrangements to have someone pay, your WCCC copayment directly to your child care provider;

(4) Keep and provide when requested, accurate attendance records when you choose in-home/relative child care;

(5) Pay your in-home/relative provider the entire amount the department sends you for in-home/relative care;

(6) Require the in-home/relative provider to sign a receipt when you pay the provider. You must keep the receipts for one year for DSHS to review on request;

(7) Notify WCCC staff, within five days, of any change in providers;

(8) Notify your provider within ten days when we change your child care authorization;

(9) Provide notice to WCCC staff within ten days of any change in:

- (a) The number of child care hours needed (more or less hours);
- (b) Your household income to include TANF grant stops or starts;
- (c) Your household size such as any family member moves in or out of your home;
- (d) Employment, school or approved TANF activity (starting, stopping or changing);
- (e) The address or phone number of your in-home/relative provider;
- (f) Your home address or telephone number; or
- (g) Your legal obligation to pay child support.

(10) Report to your child care authorizing worker, within twenty-four hours, any pending charges or conviction information you learn about your in-home/relative provider.

NEW SECTION

WAC 388-290-0035 What responsibilities does the WCCC program staff have? The WCCC program staff are responsible to:

- (1) Allow you to choose your provider as long as they meet the requirements in WAC 388-290-0125;
- (2) Review your chosen in-home/relative provider's background information because the department:
 - (a) Wants you to have this information to help you:
 - (i) Make informed, safe, and responsible decisions about your child(ren)'s care provider; and
 - (ii) Reduce the risk of harm to children by caregivers that have been convicted of certain crimes.
 - (b) Does not pay for any of the cost of child care provided by individuals convicted of crimes listed in WAC 388-290-0160 or 388-290-0165.
- (3) Authorize payments only to child care providers who allow you to see your children whenever they are in care;
- (4) Only authorize payment when no adult in your WCCC family is "able or available" to care for your children (under WAC 388-290-0020).
- (5) Inform you of:
 - (a) Your rights and responsibilities under the WCCC program at the time of application and eligibility review;
 - (b) The types of child care providers we can pay;
 - (c) The community resources that can help you select child care, when needed; and
 - (d) Any change in your copayment during the authorization period except under WAC 388-290-0120.
- (6) Respond to you within ten days if you report a change of circumstance which affects your WCCC eligibility/copayment; and
- (7) Provide prompt child care payments to your licensed or certified provider.

NEW SECTION

WAC 388-290-0040 If I receive a temporary assistance for needy families (TANF) grant, when can I receive WCCC benefits? If you receive a temporary assistance for needy families (TANF) grant, you may receive WCCC for up

to sixteen hours maximum per day for your hours of participation in the following:

- (1) A WorkFirst activity under chapter 388-310 WAC;
- (2) Employment or self-employment;
- (3) Transportation time between the location of child care and your place of employment or approved activity;
- (4) Up to ten hours per week of study time before or after regularly scheduled classes or up to three hours of study time per day when needed to cover time between classes for your approved activity; and
- (5) Up to eight hours per day of sleep time when it is needed, such as if you work nights and sleep days.

NEW SECTION

WAC 388-290-0045 Can I still get WCCC benefits if I don't get a temporary assistance for needy families (TANF) grant? You may be eligible for WCCC when you don't get TANF, for up to sixteen hours maximum per day for your hours of your participation or enrollment in the following:

- (1) Employment or self-employment under WAC 388-290-0050;
- (2) Secondary education or general equivalency diploma (GED) program if you are:
 - (a) Age twenty-one or younger; and
 - (b) Making at least satisfactory progress.
- (3) Same-day job search if you are a TANF applicant;
- (4) The food stamp employment and training program under chapter 388-444 WAC;
- (5) Adult basic education (ABE), English as a second language (ESL), high school/GED, vocational education, or job skills training or other program under chapter 388-310 WAC, and:
 - (a) Making progress that is satisfactory or better as defined by your program;
 - (b) Working:
 - (i) Twenty or more hours per week; or
 - (ii) Sixteen or more hours per week in a work study job.
 - (c) Participating in the educational program for no longer than thirty-six months.
- (6) WCCC will be approved for activities listed in WAC 388-290-0040 (3) through (5), when required.

NEW SECTION

WAC 388-290-0050 Can I get WCCC benefits if I'm self-employed? You may be eligible for WCCC benefits for up to sixteen hours maximum per day when you're self-employed, if:

- (1) You get TANF, and:
 - (a) You have an approved self-employment plan under chapter 388-310 WAC; and
 - (b) The amount of WCCC you get for self-employment is equal to the number of hours in your approved plan.
- (2) You don't get TANF, the number of hours of WCCC you can get will be calculated based on your self-employment earnings during the first six months of your WCCC eligibility. The number of hours of WCCC you can get is based on whichever is more:

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- (a) Your work hours reported in your business records;
- or
- (b) The average number of monthly hours equal to dividing your monthly self-employment income by the federal or state minimum wage (whichever minimum wage is lower).

(3) After the first six months, the number of hours of WCCC you can get each month is based on the lesser of subsections (2)(a) or (b) of this section.

NEW SECTION

WAC 388-290-0055 Can the WCCC program authorize benefits if I'm not working or in an approved activity right now? (1) The WCCC program can authorize WCCC payments for up to two weeks when you're waiting to enter an approved activity under WAC 388-290-0040 or 388-290-0045.

(2) We can authorize WCCC payments for up to four weeks if you experience a gap for reasons out of your control such as a layoff in employment, or approved activity, and you meet all the following conditions:

- (a) Your employment, or the approved activity, will resume within that period; or
- (b) You're looking for another job and you received WCCC immediately before the gap in employment, or approved activity.

NEW SECTION

WAC 388-290-0060 What income is counted when determining WCCC eligibility and copayments? The WCCC program counts income as money you get from:

- (1) A TANF grant, except when exempt under WAC 388-290-0070(9);
- (2) Child support payments;
- (3) Supplemental Security Income (SSI);
- (4) Other Social Security payments, such as SSA and SSDI;
- (5) Refugee assistance payments;
- (6) Payments from the Veterans' Administration, disability payments, or payments from labor and industries (L&I);
- (7) Unemployment compensation;
- (8) Other types of income not counted towards eligibility (under WAC 388-290-0070);
- (9) Wages from employment or self-employment. "Self-employment income" means your gross income from self-employment minus allowable business expenses in WAC 388-450-0085 (you will need to show the department your records which have all your business expenses and income); and
- (10) Lump sums as money you get from a one-time payment such as back child support, an inheritance, or gambling winnings.

NEW SECTION

WAC 388-290-0065 How does the WCCC program define and use my income?

We consider To equal ...
(1) The sum of all income listed in WAC 388-290-0060. We:	Your expected average monthly income.
(a) Determine the number of months it took your family to earn the income and divide the amount by those months to get an average monthly amount;	
(b) Use the best available estimate of your family's current income when you don't have income history to make an accurate estimate of your future income; or	
(c) Ask for evidence of your future income such as a letter from your employer.	
(2) Lump sum payments received in the month of application or during your WCCC eligibility. We:	Total monthly income.
(a) Verify that any lump sum payment income presented to us is accurate;	
(b) Divide the lump sum payment by twelve to come up with a monthly amount; and	
(c) Add the monthly amount to your expected average monthly income. We apply that amount to the month it was received and the remaining months of the current authorization period.	
(3) Your total monthly income minus any child support paid out (through a court order, division of child support administrative order, or tribal government order).	Countable income. Your countable income is used to figure your initial and on-going eligibility and your copayment for WCCC.

NEW SECTION

WAC 388-290-0070 What income types and deductions are not counted when figuring my income eligibility and co-pay for WCCC benefits? (1) The WCCC program does not count the following income types when figuring your income eligibility and copayment:

- (a) Income types as defined in WAC 388-450-0035, 388-450-0040, and 388-450-0055;
- (b) Compensatory awards, such as an insurance settlement or court-ordered payment for personal injury, damage, or loss of property;
- (c) Adoption support assistance and foster care payments;
- (d) Reimbursements, such as an income tax refund;
- (e) Diversion cash assistance and the early exit bonus;
- (f) Income in-kind, such as working for rent;
- (g) Military housing and food allowance;
- (h) The TANF grant for the first three consecutive calendar months after you start a new job. The first calendar month is the month in which you start working;

(i) Payments to you by your employer for benefits such as medical plans;

(j) Earned income of a WCCC family member who is not the consumer, and is defined under WAC 388-290-0015(2).

(2) WCCC deducts the amount you pay for child support under court order, division of child support administrative order, or tribal government order, from your other income types when figuring your eligibility and co-pay for the WCCC program.

NEW SECTION

WAC 388-290-0075 What are the steps the WCCC program takes to figure my family's WCCC eligibility and copayment amount? The WCCC program takes the following steps to figure your WCCC income eligibility and copayment:

(1) Determine your family size (under WAC 388-290-0105); and

(2) Determine your countable income (under WAC 388-290-0065).

(3) If your family's countable monthly income falls within the range below, then your copayment is:

YOUR INCOME	YOUR COPAYMENT is:
At or below 82% of the FPL	\$10
Above 82% of the FPL up to 137.5%	\$20
Above 137.50 - 225%	The dollar amount equal to subtracting 137.5% of FPL from countable income, multiplying by 44%, then adding \$20
Income above 225%, you are not eligible for WCCC benefits.	

NEW SECTION

WAC 388-290-0080 When does the WCCC program determine and review my eligibility and copayments? (1) At the time you apply for WCCC; and

(2) At least every six months.

NEW SECTION

WAC 388-290-0085 When might my WCCC copayment change? (1) Once we have determined that you are eligible for WCCC benefits, your copayment could change when:

(a) Your activity changes under WAC 388-290-0040, 388-290-0045, or 388-290-0050;

(b) Your monthly income decreases;

(c) Your family size increases;

(d) You are no longer eligible for the three-month TANF grant exemption under WAC 388-290-0070 or the minimum copayment under WAC 388-290-0090.

(2) We do not increase your copayment until the end of your current eligibility period when you remain eligible according to WAC 388-290-0075(3), and:

(a) Your monthly income increases (to include lump sum payments); or

(b) Your family size decreases.

(3) If your copayment changes during your eligibility period, the change is effective the first of the month following the change.

NEW SECTION

WAC 388-290-0090 When do I pay the minimum copayment? You will pay the minimum copayment when:

(1) Your countable monthly income is at or below eighty-two percent of the FPL;

(2) You are a minor parent, and:

(a) Receiving TANF; or

(b) Part of your parent's or relative's TANF grant.

(3) In the first full month following the month you get a job, if you get TANF at the time of application for WCCC; or

(4) The first month you receive WCCC, if you don't get TANF at the time of application for WCCC.

NEW SECTION

WAC 388-290-0095 How does the WCCC program decide when my benefits begin if I receive temporary assistance for needy families (TANF)? When you receive TANF, your WCCC benefits begin:

(1) As described in WAC 388-290-0055(1); or

(2) When you have begun your approved activity under WAC 388-290-0040; and

(3) When your eligible provider begins caring for your child(ren).

NEW SECTION

WAC 388-290-0100 When do my WCCC benefits begin if I do not receive temporary assistance for needy families (TANF)? (1) Your benefits begin as described in WAC 388-290-0055(1) or the date you apply for WCCC if you do not receive TANF and these requirements are met:

(a) You have turned all your information in within thirty days of your application date;

(b) You meet all eligible requirements; and

(c) Your provider is eligible (under WAC 388-290-0125) and caring for your child(ren).

(2) Your application date is whichever is earlier:

(a) The date your application is date stamped as received; or

(b) The date your application is entered into our automated system as received.

(3) If you fail to turn in all your information within thirty days you must re-start your application process. Your benefits begin date will start as described in subsection (1) of this section.

NEW SECTION

WAC 388-290-0105 What is the process for my WCCC review for reauthorization of my WCCC benefits? (1) You are asked to complete a review of your WCCC benefits before the end date of your current child care. The WCCC program determines if you are still eligible by:

(a) Sending you a review notification thirty days prior to the end date of your current WCCC authorization; and

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(b) Reviewing the requested information when it is returned before the end of your current WCCC authorization.

(2) Your WCCC benefits will resume without an interruption in benefits if:

(a) Your request is received no later than ten days after your previous authorization ends;

(b) Your provider is eligible for payment under WAC 388-290-0125; and

(c) You are eligible for WCCC.

(3) If you provide the requested review information to us more than ten days beyond your last eligibility period, your request for WCCC is processed as a new application under WAC 388-290-0095 or 388-290-0100.

NEW SECTION

WAC 388-290-0110 What circumstances might affect my on-going eligibility for the WCCC benefits and when might I be eligible again? (1) Your eligibility for WCCC stops when you:

(a) Do not pay copayment fees assessed by the department and mutually acceptable copayment arrangements are not made with your child care provider;

(b) Do not complete the requested review information before the deadline noted in WAC 388-290-0105 (2)(a); or

(c) Do not meet other WCCC eligibility requirements.

(2) You might be eligible for WCCC again when you meet all WCCC eligibility requirements, and:

(a) Back copayment fees are paid; or

(b) Mutually acceptable payment arrangements are made with your child care provider(s).

NEW SECTION

WAC 388-290-0115 When does the WCCC program provide me with advance and adequate notice of payment changes? (1) The WCCC program provides you with advance and adequate notice for changes in payment when the change results in a suspension, reduction, termination, or forces a change in child care arrangements, except as noted in WAC 388-290-0120.

(2) "Advance and adequate notice," means a written notice of a WCCC reduction, suspension, or termination that is mailed at least ten days before the date of the intended action which includes the Washington Administrative Code (WAC) supporting the action, and your right to request a fair hearing.

NEW SECTION

WAC 388-290-0120 When doesn't advance and adequate notice of payment changes apply to me? The WCCC program does not give you advance and adequate notice in the following circumstances:

(1) You tell the department you no longer want WCCC;

(2) Your whereabouts are unknown to the department;

(3) You are receiving duplicate child care benefits;

(4) Your new authorization period results in a change in child care benefits;

(5) The location where child care occurs does not meet requirements under WAC 388-290-0130; or

(6) The department determines your in-home/relative provider:

(a) Is not of suitable character and competence;

(b) May cause a risk of harm to your child(ren) based on the provider's physical, emotional or mental health; or

(c) Has been convicted of, or has charges pending for crimes listed in WAC 388-290-0160 or 388-290-0165.

NEW SECTION

WAC 388-290-0125 What child care providers can I choose under the WCCC program? To receive payment under the WCCC program, your child care provider must be:

(1) Licensed as required by chapter 74.15 RCW;

(2) Meeting their states licensing regulations, for providers who care for children in states bordering Washington. DSHS pays the lesser of the following to licensed or certified child care facilities in bordering states:

(a) The provider's usual daily rate for that child; or

(b) The DSHS maximum child care subsidy daily rate for the DSHS region where the child resides.

(3) Exempt from licensing but certified by the department, such as:

(a) Tribal child care facility that meet the requirements of tribal law;

(b) Child care facilities on a military installation; or

(c) Child care facilities operated on public school property by a school district.

(4) An in-home/relative provider meeting the requirements in WAC 388-290-0130.

NEW SECTION

WAC 388-290-0130 What in-home/relative providers can I choose under the WCCC program? (1) To be authorized as an in-home/relative provider under the WCCC program, your in-home/relative provider must be a U.S. citizen or legally residing in the country, meet the requirements in WAC 388-290-0135 and must:

(a) Complete and submit a criminal background inquiry form prescribed by the department; and

(b) Not be disqualified based on information in WAC 388-290-0140 (3) or (4).

(2) A relative provider must be one of the following adult relatives providing care in the home of either the child or the relative;

(a) An adult sibling living outside the child's home;

(b) An extended tribal family member under chapter 74.15 RCW; or

(c) A grandparent, aunt, uncle, or great-grandparent, great-aunt or great-uncle.

(3) A nonrelative provider may be an adult friend or neighbor and must provide care in the child's own home.

(4) The in-home/relative provider may not be the child's biological, adoptive, or step-parent.

NEW SECTION

WAC 388-290-0135 When I choose an in-home/relative provider, what information must I submit to receive

benefits? When you choose in-home/relative child care, you must submit the following and complete certain forms:

- (1) The in-home/relative child care provider's name and address; and
- (2) A copy of the provider's valid Social Security Number and photo identification to the department;
- (3) A completed background inquiry form; and
- (4) A completed form which makes the following assurances:
 - (a) The provider is:
 - (i) Of suitable character and competence;
 - (ii) Of sufficient physical, emotional, and mental health to meet the needs of the child in care. If requested by the department, the parent(s) must provide written evidence that the in-home child care provider of the parent's choice is of sufficient physical, emotional, and mental health to be a safe child care provider;
 - (iii) Able to work with the child without using corporal punishment or psychological abuse;
 - (iv) Able to accept and follow instructions;
 - (v) Able to maintain personal cleanliness; and
 - (vi) Prompt and regular in job attendance.
 - (b) The child is current on the immunization schedule as described in the National Immunization Guidelines, developed by the American Academy of Pediatrics and the Advisory Committee on Immunization Practices;
 - (c) The home where care is provided is safe for the care of the child; and
 - (d) The in-home/relative child care provider is informed about basic health practices, prevention and control of infectious disease, immunizations, and home and physical premises safety relevant to the care of the child.
 - (e) As the WCCC consumer, you will instruct the in-home/relative child care provider that their primary function while on duty is to provide child care. The in-home/relative child care provider will have the following responsibilities:
 - (i) Provide constant care and supervision of the child for whom the provider is responsible throughout the arranged time of care in accordance with the needs of the child; and
 - (ii) Provide developmentally appropriate activities for the child who is under the in-home/relative child care provider's care.

NEW SECTION

WAC 388-290-0140 When does the WCCC program not pay for the cost of in-home/relative child care? The WCCC program will not pay for the cost of in-home/relative care if:

- (1) Your in-home/relative provider does not meet the requirements in WAC 388-290-0130 or 388-290-0135;
- (2) You fail to submit a completed criminal background inquiry form or the provider's Social Security card and photo identification to the department;
- (3) We determine your in-home/relative provider is not of suitable character and competence or of sufficient physical, emotional or mental health to meet the needs of the child in care, or the household may be at risk of harm by this provider, as indicated by information other than conviction information; or

- (4) Your in-home/relative provider has been convicted of, or has charges pending for crimes listed in WAC 388-290-0160 or 388-290-0165.

NEW SECTION

WAC 388-290-0145 When is my provider's criminal background check required and will I be notified of the results? (1) The department requires the criminal background check for each in-home/relative provider under chapter 74.15 RCW:

- (a) When you request WCCC payments for a new in-home/relative provider:
 - (b) Every two years for existing in-home/relative providers; or
 - (c) When the department has a valid reason to do a criminal background check more frequently.
- (2) You will receive notice telling you whether or not the department is able to authorize WCCC payment.

NEW SECTION

WAC 388-290-0150 Where does the WCCC program get the criminal background information on the in-home/relative provider? The WCCC program gets criminal background information from available sources such as:

- (1) The Washington state patrol under chapter 10.97 RCW;
- (2) Other states and federally recognized Indian tribes;
- (3) Reports from credible community sources that indicate a need to investigate another state's records; and
- (4) Disclosure by the in-home/relative provider.

NEW SECTION

WAC 388-290-0155 What happens after the WCCC program reviews my in-home/relative provider's criminal background information? After the WCCC program receives the in-home/relative provider's criminal background information we compare the criminal background information including pending charges with convictions listed in WAC 388-290-0160 or 388-290-0165 as follows:

- (1) Determine if the in-home/relative provider's criminal background contains information that will not allow the authorization of payment for part of the cost of WCCC using the following rules:
 - (a) A pending charge for a crime is given the same weight as a conviction;
 - (b) If the conviction has been renamed it is given the same weight as the previous named conviction. For example, larceny is now called theft; and
 - (c) Convictions whose titles are preceded with the word "attempted" are given the same weight as those titles without the word "attempted."
- (2) Notify the parent of the criminal background information and whether or not the department is able to authorize payment for part of the cost of care;
- (3) Deny or stops payment for part of the cost of care by this in-home/relative provider, when the criminal background information disqualifies the in-home/relative provider; and
- (4) Assist you in finding other child care arrangements.

NEW SECTION

WAC 388-290-0160 What convictions permanently disqualify my in-home/relative provider from being authorized by the WCCC program? If your provider has been convicted of any crime listed in WAC 388-006-0170, the provider is permanently disqualified as an in-home/relative child care provider for WCCC.

NEW SECTION

WAC 388-290-0165 Are there other convictions that will disqualify my in-home/relative provider? (1) If your provider has been convicted within the last five years of any crime listed in WAC 388-006-0180, your provider is disqualified as an in-home/relative child care provider for WCCC.

(2) If your provider has a conviction listed in WAC 388-06-0180 and it has been more than five years, the department will review the provider's background to determine character, suitability, and competence by reviewing:

- (a) The amount of time that has passed since the conviction;
 - (b) The seriousness of the crime that led to the conviction;
 - (c) The provider's age at the time of conviction;
 - (d) The number and types of convictions in the provider's background; and
 - (e) Documentation indicating you have successfully completed all court-ordered programs and restitution.
- (3) If your provider has a conviction other than those listed in WAC 388-06-0170 or 388-006-0180 the department will review the provider as described in (2)(a) through (d) above.
- (4) The crime will not be considered a conviction for the purposes of WCCC when it has been pardoned or a court of law acts to expunge or vacate the conviction record.

NEW SECTION

WAC 388-290-0180 When are the WCCC program subsidy rates in this chapter effective? DSHS child care subsidy rates in this chapter are effective on or after November 1, 1999 when a family:

- (1) Has a household change that requires their authorization to be updated;
- (2) Is newly authorized to receive child care subsidies; or
- (3) Is reauthorized to continue receiving child care subsidies.

NEW SECTION

WAC 388-290-0185 How does the WCCC program set rates when my child is five years old? The rate paid for a five year old child is:

- (1) The preschool rate for a child who has not entered kindergarten; or
- (2) The school-age rate for a child who has entered kindergarten.

NEW SECTION

WAC 388-290-0190 What does the WCCC program pay for and when can the program pay more? (1) The WCCC program pays for:

- (a) Basic child care hours, either full day, half day or hourly;
- (i) Full day child care is authorized to licensed/certified facilities when care is needed one hundred ten hours or more per month;
- (ii) Half day child care is authorized to licensed/certified facilities when care is needed for less than one hundred ten hours per month; and
- (iii) Hourly child care is authorized when the provider is an in-home/relative.
- (b) A registration fee (under WAC 388-290-0245);
- (c) An activity fee (under WAC 388-290-0245);
- (d) Care for nonstandard hours (under WAC 388-290-0210 and 388-290-0215);
- (e) An infant bonus (under WAC 388-290-0250); and
- (f) Special needs when the child has a documented need for higher care (under WAC 388-290-0220, 388-290-0225, 388-290-0230, and 388-290-0235).

(2) We pay more than the basic child care subsidy daily rate if:

- (a) Care is not available at the DSHS daily rate within a reasonable distance then the provider's usual daily rate is authorized; or
- (b) Care is over ten hours per day then an additional amount of care is authorized.

NEW SECTION

WAC 388-290-0195 What Washington state counties are in which DSHS regions? DSHS child care maximum rates are set different for each DSHS region. DSHS regions are groups of certain counties The DSHS regions are as follows:

- (1) Region 1 is Adams, Asotin, Chelan, Douglas, Ferry, Garfield, Grant, Lincoln, Okanogan, Pend Orielle, Spokane, Stevens, and Whitman counties.
- (2) Region 2 is Benton, Columbia, Franklin, Kittitas, Walla Walla, and Yakima (Klickitat) counties.
- (3) Region 3 is Island, Snohomish, San Juan, Whatcom Skagit counties.
- (4) Region 4 is King county.
- (5) Region 5 is Pierce and Kitsap counties.
- (6) Region 6 is Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Klickitat, Lewis, Mason, Pacific, Thurston, and Wahkiakum counties.

NEW SECTION

WAC 388-290-0200 What daily rates does DSHS pay for child care in a licensed or certified child care center? DSHS pays the lesser of the following to a licensed or certified child care center:

- (1) The provider's usual daily rate for that child; or
- (2) The DSHS maximum child care subsidy daily rate for that child as listed in the following table.

DSHS Maximum Child Care Subsidy Daily Rate for Licensed Child Care Centers

		Infants (Birth-11 mos.)	Toddlers (12 -29 mos.)	Preschool (30 mos. -5 yrs)	School- age (5-12 yrs)
Region 1	Full-Day	\$22.73	\$19.85	\$18.00	\$16.70
	Half-Day	\$11.36	\$9.93	\$9.00	\$8.35
Region 2	Full-Day	\$23.18	\$20.45	\$17.75	\$16.82
	Half-Day	\$11.59	\$10.23	\$8.88	\$8.41
Region 3	Full-Day	\$30.18	\$26.00	\$22.00	\$19.77
	Half-Day	\$15.09	\$13.00	\$11.00	\$9.89
Region 4	Full-Day	\$37.80	\$29.55	\$26.14	\$23.40
	Half-Day	\$18.90	\$14.77	\$13.07	\$11.70
Region 5	Full-Day	\$25.82	\$22.18	\$19.45	\$17.50
	Half-Day	\$12.91	\$11.09	\$9.73	\$8.75
Region 6	Full-Day	\$25.59	\$22.73	\$20.00	\$20.00
	Half-Day	\$12.80	\$11.36	\$10.00	\$10.00

DSHS Monthly Nonstandard Hour Bonus

Region 1	\$74.00
Region 2	\$73.00
Region 3	\$91.00
Region 4	\$108.00
Region 5	\$80.00
Region 6	\$83.00

(3) The provider may claim the NSB when less than fifteen hours of care is provided only when:

- (a) The provider held a space for the child during NSB hours; and
- (b) The child was scheduled to attend.

NEW SECTION

WAC 388-290-0220 How does DSHS determine that my child qualifies for a special needs daily rate? To qualify for the DSHS child care programs special needs subsidy daily rate my child must:

- (1) Be under nineteen years old;
- (2) Have a verified physical, mental, emotional, or behavioral condition that requires a higher level of care; and
- (3) Have their condition and need for higher level of care verified by an individual who is:
 - (a) Not employed by the child care facility; and
 - (b) A health, mental health, education or social service professional with at least a master's degree; or
 - (c) A registered nurse.

NEW SECTION

WAC 388-290-0205 What daily rates does DSHS pay for child care in a licensed or certified family child care home? DSHS pays the lesser of the following to a licensed or certified child care center:

- (1) The provider's usual daily rate for that child; or
- (2) The DSHS maximum child care subsidy daily rate for that child as listed in the following table.

DSHS Maximum Child Care Subsidy Daily Rate for Licensed Family Child Care Homes

		Infants (Birth-11 mos.)	Toddlers (12 -29 mos.)	Preschool (30 mos. -5 yrs)	School- age (5 -12 yrs)
Region 1	Full-Day	\$19.00	\$17.60	\$17.00	\$15.00
	Half-Day	\$9.50	\$8.80	\$8.50	\$7.50
Region 2	Full-Day	\$18.00	\$18.00	\$16.00	\$15.00
	Half-Day	\$9.00	\$9.00	\$8.00	\$7.50
Region 3	Full-Day	\$28.00	\$24.00	\$22.00	\$20.00
	Half-Day	\$14.00	\$12.00	\$11.00	\$10.00
Region 4	Full-Day	\$30.00	\$27.27	\$25.00	\$22.50
	Half-Day	\$15.00	\$13.64	\$12.50	\$11.25
Region 5	Full-Day	\$21.00	\$20.00	\$19.99	\$17.00
	Half-Day	\$10.50	\$10.00	\$9.50	\$8.50
Region 6	Full-Day	\$20.50	\$20.00	\$18.00	\$17.00
	Half-Day	\$10.25	\$10.00	\$9.00	\$8.50

NEW SECTION

WAC 388-290-0225 What is the DSHS child care subsidy daily rate for children with special needs in a licensed or certified child care center? DSHS authorizes special needs daily rates to licensed or certified child care centers under WAC 388-290-0405 and whichever of the following is greater:

- (1) The provider's reasonable documented additional cost associated with the care of the child; or
- (2) The daily rate listed in the table below.

Licensed Child Care Centers Special Needs Daily Rate

		Infants (Birth-11 mos.)	Toddlers (12 -29 mos.)	Preschool (30 mos. -5 yrs)	School- age (5 -12 yrs)
Region 1	Full-Day	\$6.82	\$5.96	\$5.40	\$5.01
	Half-Day	\$3.41	\$2.98	\$2.70	\$2.51
Region 2	Full-Day	\$6.95	\$6.14	\$5.33	\$5.50
	Half-Day	\$3.48	\$3.07	\$2.66	\$2.52
Region 3	Full-Day	\$9.05	\$7.80	\$6.60	\$5.93
	Half-Day	\$4.53	\$3.90	\$3.30	\$2.97
Region 4	Full-Day	\$11.34	\$8.86	\$7.84	\$7.02
	Half-Day	\$5.67	\$4.43	\$3.92	\$3.51
Region 5	Full-Day	\$7.75	\$6.65	\$5.84	\$5.25
	Half-Day	\$3.87	\$3.33	\$2.92	\$2.63
Region 6	Full-Day	\$7.68	\$6.82	\$6.00	\$6.00
	Half-Day	\$3.84	\$3.41	\$3.00	\$3.00

NEW SECTION

WAC 388-290-0210 When can my provider receive the nonstandard hour child care bonus authorized? (1) DSHS authorizes nonstandard hour child care bonus when fifteen or more hours of care are needed per month, that are:

- (a) Before 6:00 a.m. or after 6:00 p.m. Monday through Friday; and/or
 - (b) Any time on Saturday or Sunday.
- (2) DSHS authorizes the nonstandard hour bonus (NSB) to licensed or certified child care providers as follows:
- (a) The DSHS maximum child care subsidy daily rate or the provider's usual daily rate for that child, whichever is less; and
 - (b) The monthly nonstandard hour bonus listed below.

PROPOSED

NEW SECTION

WAC 388-290-0230 What is the DSHS child care subsidy daily rate for children with special needs in a licensed or certified family child care home? DSHS authorizes special needs daily rates to licensed or certified child care centers under WAC 388-290-0200 and whichever of the following is greater:

- (1) The provider's reasonable documented additional cost associated with the care of the child; or
- (2) The daily rate listed in the table below.

Licensed Family Child Care Homes Special Needs Bonus

		Infants (Birth-11 mos.)	Toddlers (12 -29 mos.)	Preschool (30 mos. -5 yrs)	School- age (5 -12 yrs)
Region 1	Full-Day	\$5.70	\$5.28	\$5.10	\$4.50
	Half-Day	\$2.85	\$2.64	\$2.55	\$2.25
Region 2	Full-Day	\$5.40	\$5.40	\$4.80	\$4.50
	Half-Day	\$2.70	\$2.70	\$2.40	\$2.25
Region 3	Full-Day	\$8.40	\$7.20	\$6.60	\$6.00
	Half-Day	\$4.20	\$3.60	\$3.30	\$3.0
Region 4	Full-Day	\$9.00	\$8.18	\$7.50	\$6.75
	Half-Day	\$4.50	\$4.09	\$3.75	\$3.38
Region 5	Full-Day	\$6.30	\$6.00	\$5.70	\$5.10
	Half-Day	\$3.15	\$3.00	\$2.85	\$2.55
Region 6	Full-Day	\$6.15	\$6.00	\$5.40	\$5.10
	Half-Day	\$3.08	\$3.00	\$2.70	\$2.55

NEW SECTION

WAC 388-290-0235 What is the DSHS in-home/relative child care daily rate for children with special needs? DSHS authorizes special needs daily rates for in-home/relative child care for care of a child with special needs (under WAC 388-290-0240), plus whichever is greater of the following:

- (1) The provider's reasonable documented additional cost associated with the care for that child with special needs; or
- (2) Sixty-two cents per hour.

NEW SECTION

WAC 388-290-0240 What is the DSHS child care subsidy rate for in-home/relative child care and how is it paid? (1) The maximum the WCCC program pays for child care provided by an in-home/relative provider is the lesser of the following:

- (a) Two dollars and six cents per hour for the child who needs the greatest number of hours of care and one dollar and three cents per hour for the care of each additional child in the family; or
- (b) The provider's usual daily rate for that care.
- (2) The WCCC program may pay above the maximum daily rate for children who have special needs under WAC 388-290-0235.
- (3) When care is provided by an in-home/relative provider, the WCCC programs pays benefits directly to the consumer, who is defined in WAC 388-290-0005. We consider the consumer the employer of the child care provider.

- (4) On all payments DSHS makes toward the cost of in-home/relative child care, DSHS pays the employer's share of:
 - (a) Social Security taxes;
 - (b) Medicare taxes;
 - (c) Federal Unemployment Taxes (FUTA); and
 - (d) State unemployment taxes (SUTA) when applicable.

- (5) On all payments DSHS makes toward the cost of in-home/relative child care DSHS withholds the following taxes:
 - (a) Social Security taxes up to the wage base limit; and
 - (b) Medicare taxes.

(6) If an in-home/relative child care provider receives less than one thousand one hundred dollars per family in a calendar year, DSHS refunds all withheld taxes to the provider.

NEW SECTION

WAC 388-290-0245 When can the WCCC program pay fees for registration or special activities? (1) The WCCC program pays licensed or certified child care providers initial and ongoing registration fees once per calendar year up to fifty dollars per child or the provider's usual fee, whichever is less only if the fees are:

- (a) Required of all parents whose child(ren) are in care with that provider; and
- (b) Needed to maintain the child care arrangement.
- (c) The registration fee may be paid more than once per calendar year when:
 - (i) There is a break in child care services with the same provider of more than sixty days and the provider's usual policy is to charge an additional registration fee when there is a break in care; or
 - (ii) The child(ren) change child care providers.
- (2) The WCCC program pays licensed or certified child care providers activity fees only if the fees meet the conditions in subsections (1)(a) and (b) of this section.
 - (a) DSHS pays the lesser for activity fees;
 - (b) Twenty dollars per child per month; or
 - (c) The provider's usual activity fee for that activity.

NEW SECTION

WAC 388-290-0250 When can WCCC pay a bonus for enrolling an infant? The WCCC program pays licensed or certified child care providers a one-time bonus of two hundred fifty dollars for each infant they newly enroll in care if all the following conditions are met:

- (1) The child being cared for is less than twelve months of age;
- (2) The child care facility has not already received a bonus for that infant;
- (3) We expect care to be provided for five days or more; and
- (4) The provider must care for the infant a minimum of five days in order to claim the bonus.

NEW SECTION

WAC 388-290-0255 When can the WCCC program establish a protective payee to pay my in-home/relative

PROPOSED

provider? The WCCC program establishes a protective payee to pay your in/home-relative provider when:

- (1) You do not pay your in-home/relative child care provider;
- (2) We issued a child care warrant to the correct address and twelve or more working days have passed since the issuance date;
- (3) You have not reported the WCCC warrant lost, stolen, or destroyed;
- (4) You have a history of failing to pay your in-home/relative provider(s); or
- (5) You have a protective payee for your TANF grant.

NEW SECTION

WAC 388-290-0260 Do I have the right to ask for a hearing about my WCCC benefits and how do I ask for one? (1) WCCC consumers have a right to request a hearing under chapter 388-02 WAC on any action affecting WCCC benefits except for mass changes resulting from a change in policy or law.

- (2) Child care providers can request hearings under chapter 388-02 WAC only for WCCC overpayments.
- (3) To request a hearing the consumer or provider:
 - (a) Contacts the office which sent them the notice; or
 - (b) Writes to the Office of Administrative Hearings, 919 Lakeridge Way SW, PO Box 42488, Olympia WA 98504-2488; and
 - (c) Requests for a hearing must be made within ninety days of the date you receive this decision.

NEW SECTION

WAC 388-290-0265 When can I get WCCC benefits pending the outcome of a hearing? (1) If you are a WCCC consumer, you can receive WCCC pending the outcome of a hearing if you request the hearing:

- (a) On or before the effective date of an action; or
- (b) No more than ten days after the department sends you a notice of adverse action.

"Adverse action" means an action to reduce or terminate your WCCC, or to set up a protective payee to receive your WCCC warrant for you.

- (2) If you lose a hearing, any WCCC you use between the date of the adverse action and the date of the hearing or hearing decision is an overpayment to you, the consumer.
- (3) If you are a WCCC consumer, you may not receive WCCC benefits pending the outcome of a hearing if you request payment to a provider who is not eligible under WAC 388-290-0125.
- (4) If you are eligible for WCCC, you may receive child care benefits for another eligible provider, pending the outcome of the hearing.

NEW SECTION

WAC 388-290-0270 What is a WCCC overpayment and when might I have one? (1) A WCCC overpayment:

- (a) Occurs when a consumer or a provider has received benefits or payment which they are not eligible to receive;

- (b) Is written by WCCC staff and expected to be paid back by either the consumer or the provider.

(2) The WCCC program establishes WCCC overpayments, regardless of whether you are a current or past WCCC consumer, when we made payment for WCCC benefits and:

- (a) You are no longer eligible or you are eligible for a smaller amount of care. The overpayment will start from the day your circumstances change and you become ineligible;
- (b) You knowingly fail to report information to the department that affects the amount of WCCC you are eligible for; or
- (c) You do not have attendance records and/or payment receipts to support the amount you billed the department.

(3) When setting up an overpayment, we reduce the WCCC overpayment by the amount of the WCCC underpayment when applicable.

(4) In areas not covered by this section, WCCC consumers are subject to chapter 388-410 WAC (Benefit errors).

(5) We set up overpayments starting the date that we paid for WCCC when you were not eligible or eligible for a lesser amount of care.

(6) The WCCC program recovers WCCC overpayments from licensed/certified child care providers, when:

- (a) The provider receives payment for WCCC services not provided;
- (b) The provider does not have attendance records that support the billing;
- (c) We pay the provider more than they are eligible to bill; or
- (d) The provider receives payment from DSHS and the provider is not eligible based on WAC 388-290-0125.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 388-290-010	What is the purpose of the working connections child care program?
WAC 388-290-015	What basic steps does the department take to decide if I'm eligible for WCCC?
WAC 388-290-075	Who is a consumer in WCCC?
WAC 388-290-125	What activities can the department pay WCCC for if I get a temporary aid for needy families (TANF) grant?
WAC 388-290-150	What activities can the department pay WCCC for if I don't get a TANF grant?
WAC 388-290-200	Can the department pay WCCC if I'm self-employed?

WAC 388-290-270	Can the department authorize WCCC if I'm not working or in an approved activity right now?	WAC 388-290-854	When will the department not pay toward the cost of in-home/relative child care?
WAC 388-290-280	Can the department pay WCCC for activity fees or bonuses?	WAC 388-290-858	Why do we review your in-home/relative provider's criminal background information?
WAC 388-290-300	Which children and consumers can and cannot get WCCC?	WAC 388-290-862	When is a criminal background check required?
WAC 388-290-350	If I'm in an approved activity, what are the steps the department takes to figure my WCCC copayment?	WAC 388-290-866	Where does the department get the criminal background information on the in-home/relative provider?
WAC 388-290-375	How is the income that my family receives used in WCCC?	WAC 388-290-870	What does the department do with the criminal background information on the in-home/relative provider?
WAC 388-290-400	What makes up a family in the WCCC program?	WAC 388-290-874	Will I be notified of the results of the criminal background information on my in-home/relative provider?
WAC 388-290-450	What income does the department count in WCCC?	WAC 388-290-878	Can I still use my chosen in-home/relative provider to care for my child(ren) if the provider has been convicted of a disqualifying crime?
WAC 388-290-475	What income does the department exempt in WCCC?	WAC 388-290-882	What convictions permanently disqualify my in-home/relative provider from being authorized by WCCC?
WAC 388-290-500	What are the different kinds of income in WCCC the department uses to get my expected average monthly income?	WAC 388-290-886	Are there some crimes that require a set amount of time to pass before my in-home/relative provider may be authorized for WCCC?
WAC 388-290-525	How does the department figure my expected average monthly income?	WAC 388-290-888	When can I ask the department to review the decision to deny authorization of my in-home/relative provider?
WAC 388-290-600	How does the department figure my countable income, and what is countable income used for?	WAC 388-290-900	When can the department establish a protective payee to pay my in-home/relative provider?
WAC 388-290-650	How does the department figure my copayment, once my countable income is known?	WAC 388-290-905	What responsibilities does the department have under the WCCC program?
WAC 388-290-700	Does the department set the minimum copayment if I'm a minor parent?	WAC 388-290-910	What responsibilities do I have under the WCCC program?
WAC 388-290-750	Are there other times when the department sets the minimum copayment?	WAC 388-290-915	When do WCCC payments start?
WAC 388-290-800	When does the department calculate copayments?	WAC 388-290-920	When does the department provide me with advance and
WAC 388-290-850	What child care providers can the department pay under the WCCC program?		

	adequate notice of WCCC payment changes?	Amend WAC 388-542-0050	Definitions for children's health insurance program (CHIP) terms.
WAC 388-290-925	When don't advance and adequate notice rules apply?	Amend WAC 388-542-0100	CHIP scope of care.
		Amend WAC 388-542-0125	Access to care.
WAC 388-290-930	Under what circumstances does my eligibility for WCCC end?	Amend WAC 388-542-0150	Client eligibility requirements for CHIP.
		Amend WAC 388-542-0200	CHIP managed care enrollment.
		New WAC 388-542-0220	Ending CHIP client eligibility.
WAC 388-290-935	When might I be eligible for WCCC again?	Amend WAC 388-542-0250	CHIP client costs.
		Amend WAC 388-542-0275	Reimbursement.
WAC 388-290-940	Do I have the right to request a hearing?	Amend WAC 388-542-0300	Waiting period for CHIP coverage following employer coverage.
		Amend WAC 388-542-0500	Managed care rules that apply to CHIP.
WAC 388-290-945	Can I receive WCCC pending the outcome of a hearing?		
WAC 388-290-950	When does the department collect overpayments?		

PROPOSED

WSR 01-20-113

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Medical Assistance Administration)

[Filed October 3, 2001, 11:35 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-10-059, 01-07-008, 00-19-069, and 00-23-050.

Title of Rule: Chapter 388-538 WAC, Managed care and chapter 388-542 WAC, Children's health insurance program (CHIP).

Amend WAC 388-538-050	Definitions.
388-538-060	Managed care and choice.
388-538-065	Medicaid eligible basic health plan enrollees.
Repeal WAC 388-538-066	Children's health insurance program (CHIP) enrollees.
New WAC 388-538-067	Managed care provided through managed care organizations (MCOs)
New WAC 388-538-068	Managed care provided through primary care case management (PCCM).
Amend WAC 388-538-070	Managed care payment.
Amend WAC 388-538-080	Healthy options exemptions.
Amend WAC 388-538-095	Scope of care for managed care enrollees.
Amend WAC 388-538-100	Managed care emergency services.
Amend WAC 388-538-110	Managed care complaints, appeals and fair hearings.
Amend WAC 388-538-120	Enrollee request for a second medical opinion.
Amend WAC 388-538-130	Ending enrollment in healthy options.
Amend WAC 388-538-140	Quality of care.

Purpose: The department has reviewed these chapters of rules to address exemptions/disenrollments in the healthy options and CHIP programs in order to assure that clients have adequate access to care. The department is changing the competitive process for contracting with managed care organizations and is preparing to expand the primary care case management portion of its managed care program. The department is altering the CHIP program in response to the need to make healthy options and CHIP more alike and more compatible. Part of this change to the CHIP program calls for the elimination of client copays.

Statutory Authority for Adoption: RCW 74.08.090.

Statute Being Implemented: RCW 74.08.510, [74.08.]-522, 74.09.450, 1115 Wavier, 42 U.S.C. 1396.

Summary: The proposed revised rules describe client eligibility, provider requirements and billing limitations for the managed care programs of the Medical Assistance Administration, DSHS. This includes both the managed care program and the children's health insurance program (CHIP). The rules have been revised to include clarification of existing policy and policy alterations to achieve the purposes stated above.

Reasons Supporting Proposal: The proposed changes simplify program administration and reduce the administrative burden and costs of those who must comply.

Name of Agency Personnel Responsible for Drafting: L. Mike Freeman, Rules and Publications, P.O. Box 45533, Olympia, WA, (360) 725-1350; Implementation and Enforcement: Alison Robbins, Program Manager, P.O. Box 45530, Olympia, WA, (360) 725-1634.

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: The proposed rules clarify existing policy, provide the possibility for expansion of the primary care case management (PCCM) type of managed care and make the CHIP program more compatible with its parallel program for the Medicaid eligible population, also served by the Medical Assistance Administration. In addition, the contractor requirements are changed to allow broader participation - including noncompetitive contracting.

Proposal Changes the Following Existing Rules: The rules provide for broader contractor participation, they elimi-

nate the copayment requirement for the CHIP program and they clarify existing department policy.

No small business economic impact statement has been prepared under chapter 19.85 RCW. MAA reviewed its proposed rules and determined that the impact of these rules will not place a more than minor economic impact on businesses.

RCW 34.05.328 applies to this rule adoption. The proposed rules meet the definition of a significant legislative rule. However, the new rules impose no additional significant costs to businesses or local governments. A cost-benefit analysis was completed and is available upon request from the person listed above.

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Fred Swenson by November 20, 2001, phone (360) 664-6097, TTY (360) 664-6178, e-mail swensFH@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Department of Social and Health Services, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by November 27, 2001.

Date of Intended Adoption: Not before November 28, 2001.

September 26, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-050 Definitions. The following definitions and abbreviations and those found in chapter 388-500-0005 WAC, Medical definitions, apply to this chapter. (~~Defined words and phrases are bolded in the text.~~)

"Ancillary health services" means health services ordered by a provider, including but not limited to, laboratory services, radiology services, and physical therapy.

"Appeal" means a formal request by a provider or covered enrollee for reconsideration of a decision such as a utilization review recommendation, a benefit payment, an administrative action, or a quality of care or service issue, with the goal of finding a mutually acceptable solution.

"Assign" or "assignment" means that MAA selects a managed care organization (MCO) or primary care case management (PCCM) provider to serve a client who lives in a mandatory enrollment area and who has failed to select an MCO or PCCM provider.

"Basic health ((plan)) (BH((P)))" means the health care program authorized by title 70.47 RCW and administered by the health care authority (HCA). MAA considers basic health to be third-party coverage, however, this does not include basic health plus (BH+).

"Children's health insurance program (CHIP)" means the health insurance program authorized by Title XXI of the Social Security Act and administered by the ~~((medical assistance administration (MAA)))~~ department of social and health services (DSHS). This program also is referred to as the state children's health insurance program (SCHIP).

"Children with special health care needs" means children identified by the department of social and health services (DSHS) as having special health care needs. This includes:

(1) Children designated as having special health care needs by the department of health (DOH) and served under the Title V program;

(2) Children who meet disability criteria of Title 16 of the Social Security Act (SSA); and

(3) Children who are in foster care or who are served under subsidized adoption.

"Client" means an individual eligible for any medical program who is not enrolled with a managed care (~~(plan))~~ organization (~~(MCO)~~) or primary care case management (PCCM) provider. In this chapter, client refers to a person before the person is enrolled in managed care, while enrollee refers to an individual eligible for any medical program who is enrolled in managed care.

"Complaint" means an oral or written expression of dissatisfaction by an enrollee.

"Emergency medical condition" means a condition meeting the definition in 42 U.S.C. 1396u-2 (b)(2)(C).

"Emergency services" means services as defined in 42 U.S.C. 1396u-2 (b)(2)(B).

"End enrollment" means an enrollee is currently enrolled in ~~((healthy options (HO)))~~ managed care, either with a managed care organization (MCO) or with a primary care case management (PCCM) provider, and requests to discontinue enrollment and return to the fee-for-service delivery system for one of the reasons outlined in WAC 388-538-130. This is also referred to as " disenrollment."

"Enrollee" means an individual eligible for any medical program who is enrolled in managed care through a ~~((health))~~ managed care ((~~plan~~)) organization (MCO) or primary care case management (PCCM) provider that has a contract with the state.

"Enrollees with chronic conditions" means persons having chronic and disabling conditions, including persons with special health care needs that meet all of the following conditions:

(1) Have a biologic, psychological, or cognitive basis;

(2) Have lasted or are virtually certain to last for at least one year; and

(3) Produce one or more of the following conditions stemming from a disease:

(a) Significant limitation in areas of physical, cognitive, or emotional function;

(b) Dependency on medical or assistive devices to minimize limitation of function or activities; or

(c) In addition, for children, any of the following:

(i) Significant limitation in social growth or developmental function;

(ii) Need for psychological, educational, medical, or related services over and above the usual for the child's age; or

(iii) Special ongoing treatments, such as medications, special diet, interventions, or accommodations at home or school.

"Exemption" means a client ((is)), not currently enrolled in ~~((HO and))~~ managed care, makes a pre-enroll-

ment request to remain in the fee-for-service delivery system for one of the reasons outlined in WAC 388-538-080.

"Health care plan" or "plan" means an organization contracted with the department of social and health services (DSHS) to provide ~~managed care~~ to MAA clients.)

"Health care service" or "service" (or item) means a service or item provided for the prevention, cure, or treatment of an illness, injury, disease, or condition.

"Healthy options contract or HO contract" means the agreement between the department of social and health services (DSHS) and a (health) managed care ((plan)) organization (MCO) to provide ((the)) prepaid contracted services to enrollees.

"Healthy options program or HO program" means the medical assistance administration's (MAA) prepaid managed care health program for Medicaid-eligible clients and CHIP clients.

"Managed care" means a ((prepaid)) comprehensive system of medical and health care delivery including preventive, primary, specialty, and ancillary health services. These services are provided either through a managed care organization (MCO) or primary care case management (PCCM) provider.

"Managed care organization" or "MCO" means a health maintenance organization or health care service contractor that contracts with the department of social and health services (DSHS) under a comprehensive risk contract to provide prepaid health care services to eligible medical assistance administration (MAA) clients under MAA's managed care programs.

"Nonparticipating provider" means a person or entity that does not have a written agreement with a managed care organization (MCO) but that provides MCO-contracted health care services to managed care enrollees with the authorization of the MCO. The MCO is solely responsible for payment for MCO-contracted health care services that are authorized by the MCO and provided by nonparticipating providers.

"Participating provider" means a person or entity with a written agreement with a ((plan)) managed care organization (MCO) to provide health care services to managed care enrollees. A participating provider must look solely to the MCO for payment for such services.

"Primary care case management (PCCM)" means the health care management activities of a provider that contracts with the department to provide primary health care services and to arrange and coordinate other preventive, specialty, and ancillary health services.

"Primary care provider (PCP)" means a person licensed or certified under Title 18 RCW including, but not limited to, a physician, ((and)) an advanced registered nurse practitioner (ARNP), or a physician assistant who supervises, coordinates, and provides health services to a client or an enrollee, initiates referrals for specialist and ancillary care, and maintains the client's or enrollee's continuity of care.

"Prior authorization (PA)" means a process by which enrollees or providers must request and receive MAA approval for certain medical services, equipment, drugs, and supplies, based on medical necessity, before the services are provided to clients, as a precondition for provider reimburse-

ment. Expedited prior authorization and limitation extension are forms of prior authorization. See WAC 388-501-0165.

"Timely" - in relation to the provision of services, means an enrollee has the right to receive medically necessary health care without unreasonable delay.

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-060 ((Healthy options)) Managed care and choice. (1) A client is required to enroll in ((HO)) managed care when that client meets all of the following conditions:

(a) Is eligible for one of the medical programs for which clients must enroll in ((HO as described in the HO contract)) managed care;

(b) Resides in an area, determined by the medical assistance administration (MAA), where clients must enroll in ((HO)) managed care;

(c) Is not exempt from ((HO)) managed care enrollment as determined by MAA, consistent with WAC 388-538-080, and any related fair hearing has been held and decided; and

(d) Has not had ((HO)) managed care enrollment ended by MAA, consistent with WAC 388-538-130.

(2) American Indian/Alaska Native (AI/AN) clients who meet the provisions of 25 U.S.C. 1603 (c)-(d) for federally-recognized tribal members and their descendants(;) may choose one of the following:

(a) ((Enroll)) Enrollment with ((an HO plan)) a managed care organization (MCO) available in their area;

(b) ((Enroll)) Enrollment with an ((HO)) Indian or tribal primary care case management (PCCM) provider available in their area; or

(c) MAA's fee-for-service ((program)) system.

(3) A client may enroll with ((a plan)) an MCO or PCCM provider by calling MAA's toll-free enrollment line(;) or by sending a completed ((HO)) enrollment form to MAA.

(a) Except as provided in subsection (2) of this section for clients who are AI/AN and in subsection (5) of this section for cross-county enrollment, a client required to enroll in ((HO)) managed care must enroll with ((a plan)) an MCO or PCCM provider available in the area where the client lives.

(b) All family members must either enroll with the same ((plan)) MCO or enroll with PCCM providers.

(c) Enrollees may request ((a plan)) an MCO or PCCM provider change at any time.

(d) When a client requests enrollment with ((a plan)) an MCO or PCCM provider, MAA enrolls a client effective the earliest possible date given the requirements of MAA's enrollment system. MAA does not enroll clients retrospectively.

(4) MAA assigns a client who does not choose ((a plan)) an MCO or PCCM provider as follows:

(a) If the client has family members enrolled with ((a plan)) an MCO, the client is enrolled with that ((plan)) MCO;

(b) If the client does not have family members enrolled with ((a plan)) an MCO, and the client was enrolled in the last six months with ((a plan)) an MCO or PCCM provider,

PROPOSED

the client is re-enrolled with the same ((~~plan~~)) MCO or PCCM provider;

(c) If a client does not choose ((~~a plan~~)) an MCO or a PCCM provider, but ((~~chooses~~)) indicates a preference for a provider to serve as the client's primary case provider (PCP), MAA attempts to contact the client ((~~by phone to obtain the client's plan or PCCM provider~~)) to complete the required choice. If MAA is not able to contact the client in a timely manner, MAA ((attempts to determine whether the client's chosen provider is with a plan, and, if so,)) documents the attempted contacts and, using the best information available, assigns the client ((to that plan,)) as follows. If the client's preferred PCP is:

(i) Available with one MCO, MAA assigns the client in the MCO where the client's PCP provider is available. The MCO is responsible for PCP choice and assignment;

(ii) Available only as a PCCM provider, MAA assigns the client to the preferred provider as the client's PCCM provider;

(iii) Available with multiple MCOs or through an MCO and as a PCCM provider, MAA assigns the client to an MCO as described in (d) of this subsection;

(iv) Not available through any MCO or as a PCCM provider, MAA assigns the client to an MCO or PCCM provider as described in (d) of this subsection.

(d) If the client cannot be assigned according to (a), (b), or (c) of this subsection, MAA assigns the client as follows:

(i) If an AI/AN client does not choose ((~~a plan~~)) an MCO or PCCM provider, MAA assigns the client to a tribal PCCM provider if that client lives in a zip code served by a tribal PCCM provider. If there is no tribal PCCM provider in the client's area, the client ((~~will remain~~)) continues to be served by MAA's fee-for-service system. A client assigned under this subsection may request to end enrollment ((~~according to WAC 388-538-130(2)(b))~~) at any time.

(ii) If a non-AI/AN client does not choose ((~~a plan~~)) an MCO or PCCM provider, MAA assigns ((~~a plan~~)) the client to an MCO or PCCM provider available in the area where the client lives. ((A plan must have at least one PCP available within twenty-five miles of the zip code in which the client lies for the plan to be considered available)) The MCO is responsible for PCP choice and assignment. An MCO must meet the healthy options (HO) contract's access standards unless the MCO has been granted an exemption by MAA. The HO contract standards are as follows:

(A) There must be two PCPs within ten miles for ninety percent of HO enrollees in urban areas and one PCP within twenty-five miles for ninety percent of HO enrollees in rural areas;

(B) There must be two obstetrical providers within ten miles for ninety percent of HO enrollees in urban areas and one obstetrical provider within twenty-five miles for ninety percent of HO enrollees in rural areas;

(C) There must be one hospital within twenty-five miles for ninety percent of HO enrollees in the contractor's service area;

(D) There must be one pharmacy within ten miles for ninety percent of HO enrollees in urban areas and one pharmacy within twenty-five miles for ninety percent of HO enrollees in rural areas.

(iii) MAA sends a written notice to each household of one or more clients who are assigned to ((~~a plan~~)) an MCO or PCCM provider. The notice includes the name of the ((~~plan~~)) MCO or PCCM provider to which each client has been assigned, ((~~toll-free contact phone numbers for the plan or PCCM provider and MAA,)~~) the effective date of enrollment, ((~~and~~)) the date by which the client must respond in order to change ((~~plan~~)) MAA's assignment, and either the toll-free telephone number of:

- (A) The MCO for enrollees assigned to an MCO; or
- (B) MAA for enrollees assigned to a PCCM provider.

(iv) An assigned client has at least thirty calendar days to contact MAA to change the ((~~plan~~)) MCO or PCCM provider assignment before enrollment is effective.

(5) A client may enroll with a plan in an adjacent county when the client lives in an area, designated by MAA, where residents historically have traveled a relatively short distance across county lines to the nearest available practitioner.

(6) ((~~PCP choice~~)) An MCO enrollee's selection of the enrollee's PCP or the enrollee's assignment to a PCP occurs as follows:

(a) MCO enrollees may choose:

(i) A PCP or clinic that is in ((~~their plan~~)) the enrollee's MCO and accepting new enrollees; or

(ii) Different PCPs or clinics participating with the same ((~~plan~~)) MCO for different family members.

(b) The ((~~plan~~)) MCO assigns a PCP or clinic ((~~within reasonable proximity to the enrollee's home~~)) that meets the access standards set forth in subsection (4)(d)(ii) of this section if the enrollee does not choose ((one)) a PCP or clinic;

(c) MCO enrollees may change PCPs or clinics in ((a plan)) an MCO at least once a year for any reason, and at any time for good cause; or

(d) In accordance with this subsection, MCO enrollees may file an appeal with the ((~~plan~~)) MCO and/or a fair hearing request with the department of social and health services (DSHS) and may change plans if the ((~~plan~~)) MCO denies an enrollee's request to change PCPs or clinics.

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-065 Medicaid-eligible basic health ((plan)) (BH) enrollees. (1) Certain children and pregnant women who have applied for, or are enrolled in, managed care through basic health (BH((P))) (chapter 70.47 RCW) are eligible for Medicaid under pediatric and maternity expansion provisions of the Social Security Act. The medical assistance administration (MAA) determines Medicaid eligibility for children and pregnant women who enroll through BH((P)).

(2) The administrative rules and regulations that apply to ((~~HO~~)) managed care enrollees also apply to Medicaid-eligible clients enrolled through BH((P)), except as follows:

(a) The process for enrolling in ((~~HO~~)) managed care described in WAC 388-538-060(3) does not apply since enrollment is through the health care authority, the state agency that administers BH((P));

(b) American Indian/Alaska Native (AI/AN) clients cannot choose fee-for-service or PCCM as described in WAC

388-538-060(2). They must enroll in a BH(~~(P-health care plan)~~)-contracted MCO.

(c) If a Medicaid eligible client applying for BH(~~(P)~~) does not choose (~~(a-plan)~~) an MCO within ninety days, the client is transferred from (~~(BHP to HO and is assigned as described in WAC 388-538-060(4))~~) BH to the department of social and health services (DSHS) for assignment to managed care.

NEW SECTION

WAC 388-538-067 Managed care provided through managed care organizations (MCOs). (1) Managed care organizations (MCOs) may contract with the department of social and health services (DSHS) to provide prepaid health care services to eligible medical assistance administration (MAA) clients under the healthy options (HO) managed care program. The MCOs must meet the qualifications in this section to be eligible to contract with DSHS. The MCO must:

(a) Have a certificate of registration from the office of the insurance commissioner (OIC) as either a health maintenance organization (HMO) or a health care services contractor (HCSC).

(b) Accept the terms and conditions of DSHS' HO contract;

(c) Be able to meet the network and quality standards established by DSHS; and

(d) Accept the prepaid rates published by DSHS.

(2) DSHS reserves the right not to contract with any otherwise qualified MCO.

NEW SECTION

WAC 388-538-068 Managed care provided through primary care case management (PCCM). (1) A provider may contract with DSHS as a primary care case management (PCCM) provider to provide health care services to eligible medical assistance administration (MAA) clients under MAA's managed care program. The PCCM provider must:

(a) Have a core provider agreement with DSHS;

(b) Hold a current license to practice as a physician, certified nurse midwife, or advanced registered nurse practitioner in the state of Washington;

(c) Accept the terms and conditions of DSHS' PCCM contract;

(d) Be able to meet the quality standards established by DSHS; and

(e) Accept PCCM rates published by DSHS.

(2) DSHS reserves the right not to contract for PCCM with an otherwise qualified provider.

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-070 Managed care payment. (1) ~~The medical assistance administration (MAA) pays ((plans a monthly capitated premium according to contracted terms and conditions))~~ Managed care organizations (MCOs) monthly capitated premiums that:

(a) Have been determined using generally accepted actuarial methods based on analyses of historical healthy options

(HO) contractual rates and MCO experience in providing health care for the populations eligible for HO; and

(b) Are paid based on legislative allocations for the HO program.

(2) MAA pays primary care case management (PCCM) providers a monthly case management fee according to contracted terms and conditions.

(3) MAA does not pay providers on a fee-for-service basis for services that are the (~~(plan's)~~) MCO's responsibility under the HO contract, even if the (~~(plan)~~) MCO has not paid for the service for any reason. The MCO is solely responsible for payment of MCO-contracted health care services:

(a) Provided by an MCO-contracted provider; or

(b) That are authorized by the MCO and provided by nonparticipating providers.

(4) MAA pays an additional monthly amount, known as an enhancement rate, to federally qualified health care centers (FQHC) and rural health clinics (RHC) for each client enrolled with (~~(plans)~~) MCOs through the FQHC or RHC. (~~(Plans)~~) MCOs may contract with FQHCs and RHCs to provide services under HO. FQHCs and RHCs receive an enhancement rate from MAA on a per member, per month basis in addition to the negotiated payments they receive from the (~~(plans)~~) MCOs for services provided to MCO enrollees.

(a) MAA pays the enhancement rate only for the categories of service provided by the FQHC or RHC under the HO contract. MAA surveys each FQHC or RHC in order to identify the categories of services provided by the FQHC or RHC.

(b) MAA bases the enhancement rate on both of the following:

(i) The upper payment limit (UPL) for the county in which the FQHC or RHC is located; and

(ii) An enhancement percentage.

(c) MAA determines the UPL for each category of service based on MAA's historical fee-for-service (FFS) experience, adjusted for inflation and utilization changes.

(d) MAA determines the enhancement percentage for HO enrollees as follows:

(i) For FQHCs, the enhancement percentage is equal to the FQHC finalized audit period ratio. The "finalized audit period" is the latest reporting period for which the FQHC has a completed audit approved by, and settled with, MAA.

(A) For a clinic with one finalized audit period, the ratio is equal to:

$$\frac{(\text{FQHC total costs}) - ((\text{Fee-for-service})) \text{ FFS reimbursements} + \text{HO reimbursements}}{(\text{FFS} + \text{HO reimbursements})}$$

(B) For a clinic with two finalized audit periods, the ratio is equal to the percentage change in the medical services encounter rate from one finalized audit period to the next. A "medical services encounter" is a face-to-face encounter between a physician or mid-level practitioner and a client to provide services for prevention, diagnosis, and/or treatment of illness or injury. A "medical services encounter rate" is the individualized rate MAA pays each FQHC to provide such services to clients, or the rate set by Medicare for each RHC for such services.

(C) For FQHCs without a finalized audit, the enhancement percentage is the statewide weighted average of all the

FQHCs' finalized audit period ratios. Weighting is based on the number of enrollees served by each FQHC.

(ii) For RHCs, MAA applies the same enhancement percentage statewide.

(A) On a given month, MAA determines the number of HO enrollees enrolled with each RHC that is located in the same county as an FQHC. This number is expressed as a percentage of the total number of RHC enrollees located in counties that have both FQHCs and RHCs.

(B) For each county that has both an FQHC and an RHC, MAA multiplies the FQHC enhancement percentage, as determined under subsection (4)(d)(i) of this section, ~~((the))~~ by the percentage obtained in section (4)(d)(ii)(A) of this section.

(C) The sum of all these products is the weighted statewide RHC enhancement percentage.

(iii) The HO enhancement percentage for FQHCs and RHCs is updated once a year.

(e) For each category of service provided by the FQHC or RHC, MAA multiplies the UPL, as determined under subsection (4)(c) of this section, by the FQHC's or RHC's enhancement percentage. The sum of all these products is the enhancement rate for the individual FQHC or RHC.

(f) To calculate the enhancement rate for FQHCs and RHCs that provide maternity and newborn delivery services, MAA applies each FQHC's or RHC's enhancement percentage to the delivery case rate (DCR), which is a one-time rate paid by MAA to the HO plan for each pregnant enrollee who gives birth.

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-080 ~~((Healthy options))~~ **Managed care exemptions.** (1) The medical assistance administration (MAA) exempts a client from mandatory enrollment in managed care if MAA becomes aware of the following conditions. The client:

(a) Is receiving foster care placement services from the division of children and family services (DCFS); or

(b) Has Medicare, basic health (BH), CHAMPUS/TRI-CARE, or other accessible third-party health care coverage that would require exemption from enrollment with:

(i) A managed care organization (MCO) in accordance with MAA's healthy options (HO) contract requirements for MCO enrollment; or

(ii) A primary care case management provider (PCCM) in accordance with MAA's PCCM contract requirements for PCCM enrollment.

(2) Only a client or a client's representative (RCW 7.70.065) may request an exemption from ((HO)) managed care enrollment for reasons other than those stated in subsection (1) of this section. If a client asks for an exemption prior to the enrollment effective date, the client is not enrolled until MAA approves or denies the request and any related fair hearing is held and decided.

~~((2))~~ (3) MAA ~~((exempts a client))~~ grants a client's request for an exemption from mandatory enrollment in ~~((a plan or with a PCCM provider))~~ managed care if any of the following apply:

(a) ~~((Based on MAA's evaluation of objective medical evidence, all of the following are met:~~

~~((i))~~ The client has ~~((multiple, complex, or severe medical diagnoses))~~ a documented and verifiable medical need to continue a client/provider relationship due to an established course of care with a physician, physician assistant or advanced registered nurse practitioner. MAA accepts the established provider's signed statement that the client has:

~~((i))~~ A medical need that requires a continuation of the established care relationship; and

~~((ii))~~ The client's established provider is not available through any managed care ~~((plan;~~

~~((iii))~~ There is a written treatment plan;

~~((iv))~~ The treatment plan requires frequent change or monitoring; and

~~((v))~~ Disruption of client's care would be harmful; or)) organization (MCO) or as a primary care case management (PCCM) provider.

(b) Prior to enrollment, the client scheduled a surgery with a provider not available to the client ~~((in a plan))~~ through managed care and the surgery is scheduled within the first thirty days of enrollment; or

(c) The client is American Indian/Alaska Native (AI/AN) as specified in WAC 388-538-060(2) and requests exemption; or

~~((d))~~ The client has private insurance under a managed care arrangement; or

~~((e))~~ The client has BHP; or

~~((f))~~ The client has CHAMPUS; or

~~((g))~~ The client requests enrollment in the same plan with which the client has private insurance under any arrangement; or

~~((h))~~ The client has been identified by MAA as having special needs that meet MAA's definition of children with special health care needs and requests exemption; or

(e) The client is pregnant and wishes to continue her established course of prenatal care with an obstetrical provider who is not available to her through managed care; or

(f) On a case-by-case basis, the client presents evidence that ~~((the HO program))~~ managed care does not provide medically necessary care that is reasonably available and accessible as offered to the client. MAA considers that medically necessary care is not reasonably available and accessible when any of the following apply:

(i) The client is homeless or is expected to live in temporary housing for less than one hundred twenty days from the date the client requests the exemption;

(ii) The client ~~((is))~~ speaks limited English ~~((speaking))~~ or is hearing impaired and the client can communicate with a provider who communicates in the client's language or in American Sign Language and is not ~~((in an HO plan;~~

~~((iii))~~ The client is pregnant and wishes to continue her established course of prenatal care with an obstetrical provider who is not available to her through a plan;

~~((iv))~~ available through managed care;

(iii) The client shows that travel to ~~((an HO PCP))~~ a managed care PCP is unreasonable when compared to travel to a non-~~((HO))~~ managed care primary care provider (PCP). This is shown when any of the following transportation situations apply to the client:

(A) It is over twenty-five miles one-way to the nearest ~~((HO))~~ managed care PCP who is accepting enrollees, and the ~~((current))~~ client's PCP is closer and not in an available plan;

(B) The travel time is over forty-five minutes one-way to the nearest ~~((HO))~~ managed care PCP who is accepting enrollees, and the travel time to the ~~((current))~~ client's PCP, who is not ~~((in-an))~~ available ~~((plan))~~ in an MCO or as a PCCM provider, is less;

(C) Other transportation difficulties make it unreasonable to get primary medical services under HO; or

~~((+))~~ (iv) Other evidence is presented that an exemption is appropriate based on the client's circumstances, as evaluated by MAA.

~~((3))~~ (4) MAA exempts the client for the time period the circumstances or conditions that led to the exemption are expected to exist. If the request is approved for a limited time, the client is notified in writing or by telephone of the time limitation, the process for renewing the exemption, and ~~((their))~~ the client's fair hearing rights.

~~((4))~~ (5) The client is not enrolled as provided in subsection ~~((+))~~ (2) of this section and receives timely notice by telephone or in writing when MAA approves or denies the client's exemption request. If initial denial notice was by telephone, then MAA gives the reasons for the denial in writing before requiring the client to enroll in ~~((HO))~~ managed care. The written notice to the client contains all of the following:

(a) The action MAA intends to take, including enrollment information;

(b) The reason(s) for the intended action;

(c) The specific rule or regulation supporting the action;

(d) The client's right to request a fair hearing, including the circumstances under which the fee-for-service status continues, if a hearing is requested; and

(e) A translation into the client's primary language when the client has limited English proficiency.

AMENDATORY SECTION (Amending WSR 01-02-076, filed 12/29/00, effective 1/29/01)

WAC 388-538-095 Scope of care for managed care enrollees. (1) ~~((A))~~ Managed care ~~((enrollee is))~~ enrollees are eligible for the ~~((categorically needy))~~ scope of medical care as described in WAC 388-529-0100 for categorically needy clients.

(a) A client is entitled to timely access to medically necessary services as defined in WAC 388-500-0005.

(b) The ~~((plan))~~ managed care organization (MCO) covers the services included in the healthy options (HO) contract for ~~((plan))~~ MCO enrollees. In addition, ~~((plans))~~ MCOs may, at their discretion, cover services not required under the HO contract.

(c) The medical assistance administration (MAA) covers the categorically needy services not included in the HO contract for ~~((plan))~~ MCO enrollees.

(d) ~~((Plan enrollees))~~ MAA covers services on a fee-for-service basis for enrollees with a primary care case management (PCCM) provider. Except for emergencies, the PCCM provider must either provide the covered services needed by the enrollee or refer the enrollee to other providers who are

contracted with MAA for covered services. The PCCM provider is responsible for instructing the enrollee regarding how to obtain the services that are referred by the PCCM provider. The services that require PCCM provider referral are described in the PCCM contract. MAA informs enrollees about the enrollee's program coverage, limitations to covered services, and how to obtain covered services.

(e) MCO enrollees may obtain certain services from either a ~~((plan))~~ MCO provider or from a medical assistance provider with a DSHS core provider agreement without needing to obtain a referral from the PCP or ~~((plan))~~ MCO. These services are described in the HO contract, and are communicated to enrollees by MAA and ~~((plans))~~ MCOs as described in ~~((e))~~ (f) of this subsection.

~~((e))~~ (f) MAA sends each client written information about covered services when the client is required to enroll in managed care, and any time there is a change in covered services. This information describes covered services, which services are covered by MAA, and which services are covered by ~~((plans))~~ MCOs. In addition, MAA requires ~~((plans))~~ MCOs to provide new enrollees with written information about covered services.

~~((f))~~ MAA covers services on a fee-for-service basis for clients enrolled with a PCCM provider. Except for emergencies, a client's PCCM provider must refer the client for most services not provided by the PCCM provider. The services that require PCCM provider referral are described in the PCCM contract. MAA requires PCCM providers to inform enrollees about covered services and how to obtain them.

(2) For services covered by MAA ~~((for managed care enrollees))~~ through PCCM contracts for managed care:

(a) MAA medically necessary covers services included in the categorically needy scope of care and rendered by providers with a current department of social and health services (DSHS) core provider agreement to provide the requested service;

(b) MAA may require the PCCM provider to obtain authorization from MAA for coverage of nonemergency services;

(c) ~~((MAA))~~ The PCCM provider determines which services are medically necessary; (and)

(d) An enrollee may request a fair hearing for review of PCCM provider or MAA coverage decisions; and

(e) Services referred by the PCCM provider require an authorization number in order to receive payment from MAA.

(3) For services covered by ~~((plans))~~ MAA through contracts with MCOs:

(a) MAA requires ~~((plans))~~ the MCO to ((contract)) subcontract with a sufficient ((number of)) providers ((as determined by MAA)) to deliver the scope of contracted services ((contracted with the plan in a timely fashion, according to the requirements of the HO contract)) in a timely manner. Except for emergency services, ((plans)) MCOs provide covered services to enrollees through their participating providers;

(b) MAA requires ~~((plans))~~ MCOs to provide new enrollees with written information about how enrollees may obtain covered services;

(c) For nonemergency services, ((plans)) MCOs may require the enrollee to obtain a referral from the primary care provider (PCP), or the provider to obtain authorization from the ((plan)) MCO, according to the requirements of the HO contract;

(d) ((Plans)) MCOs and their providers determine which services are medically necessary given the enrollee's condition, according to the requirements included in the HO contract;

(e) An enrollee may appeal ((plan)) an MCO coverage decisions using the ((plan's)) MCO's appeal process, as described in WAC 388-538-0110. An enrollee may also request a hearing for review of ((a plan)) an MCO coverage decision as described in chapter 388-02 WAC;

(f) A managed care enrollee does not need a PCP referral to receive women's health care services, as described in RCW 48.42.100 from any women's health care provider participating with the ((plan)) MCO. Any covered services ordered and/or prescribed by the women's health care provider must meet the ((plan's)) MCO's service authorization requirements for the specific service.

(4) Unless the ((plan)) MCO chooses to cover these services, or an appeal or a fair hearing decision reverses ((a)) an MCO or MAA denial, the following services are not covered:

(a) For all managed care enrollees:

(i) Services that are not medically necessary;

(ii) Services not included in the categorically needy scope of services; and

(iii) Services, other than a screening exam as described in WAC 388-538-100(3), received in a hospital emergency department for nonemergency medical conditions.

(b) For ((plan)) MCO enrollees:

(i) Services received from a participating specialist that require prior authorization from the ((plan)) MCO, but were not authorized by the ((plan)) MCO; and

(ii) Services received from a nonparticipating provider that require prior authorization from the ((plan)) MCO that were not authorized by the ((plan)) MCO. All nonemergency services covered under the HO contract and received from nonparticipating providers require prior authorization from the ((plan)) MCO.

(c) For PCCM enrollees, services that require a referral from the PCCM provider as described in the PCCM contract, but were not referred by the PCCM provider.

(5) A provider may bill an enrollee for noncovered services as described in subsection (4) of this section, if the enrollee and provider sign an agreement. The provider must give the original agreement to the enrollee and file a copy in the enrollee's record.

(a) The agreement must state all of the following:

(i) The specific service to be provided;

(ii) That the service is not covered by either MAA or the ((plan)) MCO;

(iii) An explanation of why the service is not covered by the ((plan)) MCO or MAA, such as:

(A) The service is not medically necessary; or

(B) The service is covered only when provided by a participating provider.

(iv) The enrollee chooses to receive and pay for the service; and

(v) Why the enrollee is choosing to pay for the service, such as:

(A) The enrollee understands that the service is available at no cost from a provider participating with the ((plan)) MCO, but the enrollee chooses to pay for the service from a provider not participating with the ((plan)) MCO;

(B) The ((plan)) MCO has not authorized emergency department services for nonemergency medical conditions and the enrollee chooses to pay for the emergency department's services rather than wait to receive services at no cost in a participating provider's office; or

(C) The ((plan)) MCO or PCCM has determined that the service is not medically necessary and the enrollee chooses to pay for the service.

(b) For limited English proficient enrollees, the agreement must be translated or interpreted into the enrollee's primary language to be valid and enforceable.

(c) The agreement is void and unenforceable, and the enrollee is under no obligation to pay the provider, if the service is covered by MAA or the ((plan)) MCO as described in subsection (1) of this section, even if the provider is not paid for the covered service because the provider did not satisfy the payor's billing requirements.

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-100 Managed care emergency services. (1) A managed care enrollee may obtain emergency services, for emergency medical conditions in any hospital emergency department. These definitions differ from the emergency services definition that applies to services covered under the medical assistance administration's (MAA's) fee-for-service ((programs 42 U.S.C. 447.53(4))) system.

(a) The ((plan)) managed care organization (MCO) covers emergency services for ((plan)) MCO enrollees.

(b) MAA covers emergency services for primary care case management (PCCM) enrollees.

(2) Emergency services for emergency medical conditions do not require prior authorization by the ((plan)) MCO, primary care provider (PCP), PCCM provider, or MAA.

(3) Emergency services received by an MCO enrollee for nonemergency medical conditions must be authorized by the plan for ((plan-enrollees)) enrollee's MCO.

(4) An enrollee who requests emergency services is entitled to receive an exam to determine if the enrollee has an emergency medical condition.

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.

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-110 Managed care complaints, appeals, and fair hearings. (1) A managed care enrollee has the right to voice a complaint or submit an appeal of ((a plan, PCP)) an MAA, MCO, PCCM, PCP or provider decision, action, or inaction. An enrollee may do this through the ((plan's)) following process:

(a) For managed care organization (MCO) enrollees, the MCO's complaint and appeal ((process)) processes, and through the department's fair hearing process; or

(b) For primary care case management (PCCM) enrollees, the complaint and appeal processes of the medical assistance administration (MAA), and through the department's fair hearing process (chapter 388-02 WAC).

(2) To ensure the rights of MCO enrollees are protected, MAA approves each ((plan's)) MCO's complaint and appeal ((process)) policies and procedures annually or whenever the plan makes a change to the process.

(3) MAA requires ((plans)) MCOs to inform MCO enrollees in writing within fifteen days of enrollment about their rights and how to use the ((plan's)) MCO's complaint and appeal processes. MAA requires ((plans)) MCOs to obtain MAA approval of all written information sent to enrollees.

(4) MAA provides PCCM enrollees with information equivalent to that described in subsection (3) of this section.

(5) MCO enrollees may request assistance from the ((plan)) MCO when using the ((plan's)) MCO's complaint and appeals processes. PCCM enrollees may request assistance from MAA when using MAA's complaint and appeal process.

((5)) (6) An MCO enrollee who ((complaints to a plan)) submits a complaint under this section is entitled to a written or verbal response from the ((plan)) MCO or from MAA within the timeline in the ((plan's)) MAA-approved complaint process.

((6)) (7) When an enrollee is not satisfied with how ((the plan resolves a)) the complaint is resolved by the MCO or by MAA, or if the ((plan does not resolve a)) complaint is not resolved in a timely fashion, the enrollee may submit an appeal to the ((plan)) MCO or to MAA. An enrollee may also appeal ((a plan)) an MAA, MCO, primary care provider (PCP), or provider decision, or reconsideration of any action or inaction. An enrollee who appeals ((a plan, PCP)) an MAA, MCO, PCP, or provider decision is entitled to all of the following:

(a) A review of the decision being appealed. The review must be conducted by ((a plan)) an MCO or MAA representative who was not involved in the decision under appeal;

(b) Continuation of the service already being received and which is under appeal, until a final decision is made;

(c) A written decision from MAA or the ((plan)) MCO, within the timeline(s) in the ((plan)) appeal process standards, in the enrollee's primary language. The ((plan)) decision does not need to ((translate the decision)) be translated if an enrollee with limited English proficiency prefers correspondence in English, and the ((plan)) deciding authority documents the enrollee's preference. The notice must clearly explain all of the following:

(i) The decision and any action MAA or the ((plan)) MCO intends to take;

(ii) The reason for the decision;

(iii) The specific information that supports MAA's or the ((plan's)) MCO's decision; and

(iv) Any further appeal or fair hearing rights available to the enrollee, including the enrollee's right to continue receiving the service under appeal until a final decision is made.

(d) An expedited decision when it is necessary to meet an existing or anticipated acute or urgent medical need.

((7)) (8) An enrollee may file a fair hearing request without also filing an appeal with MAA or the ((plan)) MCO or exhausting MAA's or the ((plan's)) MCO's appeal process.

((8)) (9) The ((plan's)) MCO's medical director or designee reviews all fair hearings requests, and any related appeals, when the issues involve an MCO's determination of medical necessity.

(10) MAA's medical director or the medical director's designee reviews all fair hearings requests, and any related appeals, when the PCCM enrollee's issues involve an MAA determination of medical necessity.

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-120 Enrollee request for a second medical opinion. (1) A managed care ((plan)) enrollee has the right to a timely referral for a second opinion upon request when:

(a) The enrollee needs more information about treatment recommended by the provider or ((plan)) managed care organization (MCO); or

(b) The enrollee believes the ((plan)) MCO is not authorizing medically necessary care.

(2) A managed care ((plan)) enrollee has a right to a second opinion from a primary or specialty care physician who is participating with the ((plan)) MCO. At the ((plan's)) MCO's discretion, a clinically appropriate nonparticipating provider who is agreed upon by the ((plan)) MCO and the enrollee may provide the second opinion.

(3) Primary care case management (PCCM) provider enrollees have a right to a timely referral for a second opinion by another provider who has a core provider agreement with medical assistance administration (MAA).

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-130 Ending enrollment in ((healthy options)) managed care. (1) ((An enrollee, the enrollee's representative as defined in RCW 7.70.065, or plan may request MAA to end enrollment. Only MAA has authority to remove an enrollee from the HO program. Pending MAA's final decision, the enrollee remains enrolled unless staying in HO would adversely affect the enrollee's health status.

(2)) MAA ends an enrollee's enrollment in ((HO)) a managed care organization (MCO) or with a primary care case management (PCCM) provider when the enrollee meets any of the following conditions. The enrollee:

(a) Is no longer eligible for a medical program subject to enrollment; or

(b) ((Requests to be removed from HO according to WAC 388-538-080 (2)(a), (c), or (h), and MAA approves the request;

(c) Becomes a Medicare beneficiary;

(d)) Is receiving foster care placement services from the division of children and family services; or

(c) Is or becomes eligible for Medicare, basic health (BH), CHAMPUS/TRICARE, or any other accessible third party health care coverage that would require involuntary disenrollment from:

(i) An MCO in accordance with MAA's healthy options (HO) contract for MCO enrollees; or

(ii) A PCCM provider in accordance with MAA's PCCM contract for PCCM enrollees.

(2) An enrollee or the enrollee's representative as defined in RCW 7.70.065 may request MAA to end enrollment as described in subsections (3) through (10) of this section. A managed care organization (MCO) may request MAA to end enrollment for an enrollee as described in subsection (11) of this section. Only MAA has authority to remove an enrollee from managed care. Pending MAA's final decision, the enrollee remains enrolled unless staying in managed care would adversely affect the enrollee's health status.

(3) MAA grants an enrollee's request to have the enrollee's enrollment ended under the following conditions:

(a) Is American Indian or Alaska Native (AI/AN) and requests disenrollment; or

(b) Is identified by DSHS as a child who meets the definition of "children with special health care needs" and requests disenrollment.

(4) MAA grants an enrollee's requests to be removed from managed care when the client is pregnant or when there is a verified medical need to continue an established course of care. These end enrollments are limited to the following situations: The enrollee:

(a) Has a documented medical need to continue a client/provider relationship due to an established course of care with a physician, physician assistant, or advanced registered nurse practitioner. The standards for documenting a medical need are those in WAC 388-538-080 (3)(a). The established course of care must begin:

(i) While the enrollee was enrolled with managed care but the PCP is no longer available to the enrollee under managed care; or

(ii) Prior to enrollment in managed care and the PCP is not available under any MCO or as a PCCM provider.

(b) Is pregnant and requests to continue her course of prenatal care that was established with an obstetrical provider:

(i) While she was enrolled with the MCO but that provider is no longer available to her in managed care; or

(ii) Prior to enrollment with the current MCO but that provider is not available to her under managed care.

(c) Is scheduled for a surgery with a provider not available to the enrollee in the enrollee's current ((plan)) MCO and the surgery is scheduled to be performed within the first thirty days of enrollment(;

(e) Is pregnant and requests to continue her established course of prenatal care with an obstetrical provider who is not available through her current plan;

(f) Notifies MAA of private insurance under a managed care arrangement;

(g) Notifies MAA of BHP coverage;

(h) Notifies MAA of CHAMPUS coverage;

(i) Notifies MAA of private insurance with the same plan as the enrollee's current HO plan under any arrangement; or

(j) Asks to be taken out of the current plan in order to stay with the enrollee's established provider but is willing to enroll in the established provider's plan for the next enrollment month. MAA reviews subsection (2)(b), (d), and (e) in this section when reviewing a request to end a client's enrollment per this subsection. MAA's decisions on those requests include all of the following:

(i) The decision is given verbally or in writing; and

(ii) Verbal and written notices include the reason for the decision and information on hearings so the enrollee may appeal the decision; and

(iii) If the request to end enrollment is approved, it may be effective back to the beginning of the month the request is made; and

(iv) If the request to end enrollment is denied, and the enrollee requests a hearing, the enrollee remains enrolled in the plan until the hearing decision is made as provided in subsection (1) of this section.

(3)) (5) Except as provided in subsection (4) of this section, MAA does not permit an enrollee to obtain an end enrollment by establishing a course of care with a provider who is not participating with the enrollee's MCO.

(6) MAA ends enrollment on a case-by-case basis when the enrollee presents evidence that the managed care program does not provide medically necessary care that is reasonable available and accessible as offered to the enrollee. MAA considers enrollee requests under this subsection with the same criteria as listed in WAC 388-538-080.(3)(f).

(7) MAA ends enrollment temporarily if an enrollee asks to be taken out of the current MCO in order to stay with the enrollee's established provider, but is willing to enroll in the established provider's MCO for the next enrollment month. MAA reviews the enrollee request according to the criteria in subsections (4) and (6) of this section. MAA's decision under this subsection include all of the following:

(a) The decision is given verbally and in writing;

(b) Verbal and written notices include the reason for the decision and information on hearings so the enrollee may appeal the decision;

(c) If the request to end enrollment is approved, it may be effective back to the beginning of the month the request is made; and

(d) If the request to end enrollment is denied, and the enrollee requests a hearing, the enrollee remains in the MCO or with the PCCM until the hearing decision is made as provided in subsection (2) of this section.

(8) MAA ends enrollment for the period of time the circumstances or conditions that led to ending the enrollment are expected to exist. If the request to end enrollment is approved for a limited time, the client is notified in writing or by telephone of the time limitation, the process for renewing the disenrollment, and their fair hearing rights.

((4)) (9) MAA does not approve an enrollee's request to end enrollment solely to pay for services received but not authorized by the ((plan)) MCO.

((5)) (10) The enrollee remains in ((HO)) managed care as provided in subsection (1) of this section and receives

timely notice by telephone or in writing when MAA approves or denies the enrollee's request to end enrollment. Except as provided in subsection ~~((2)(j))~~ (7) of this section, MAA gives the reasons for a denial in writing. The written denial notice to the enrollee contains all of the following:

- (a) The action MAA intends to take;
- (b) The reason(s) for the intended action;
- (c) The specific rule or regulation supporting the action;
- (d) The enrollee's right to request a fair hearing; and
- (e) A translation into the enrollee's primary language when the enrollee has limited English proficiency.

~~((6))~~ (11) MAA may end an enrollee's enrollment in a ~~((plan))~~ MCO or with a PCCM provider when the enrollee's ~~((plan))~~ MCO or PCCM provider substantiates in writing, to MAA's satisfaction, that:

(a) The enrollee's behavior is inconsistent with the ~~((plan's))~~ MCO or PCCM provider rules and regulations, such as intentional misconduct; and

(b) After the ~~((plan))~~ MCO or PCCM provider has provided:

(i) Clinically appropriate evaluation(s) to determine whether there is a treatable problem contributing to the enrollee's behavior; and

(ii) If so, has provided clinically appropriate referral(s) and treatment(s), but the enrollee's behavior continues to prevent the provider from safely or prudently providing medical care to the enrollee; and

(c) The enrollee received written notice from the ~~((plan))~~ MCO or PCCM provider of the ~~((plan's))~~ MCO or PCCM provider intent to request the enrollee's removal, unless MAA has waived the requirement for the ~~((plan))~~ MCO or PCCM provider notice because the enrollee's conduct presents the threat of imminent harm to others. The ~~((plan's))~~ MCO or PCCM provider notice to the enrollee must include both of the following:

(i) The enrollee's right to use the ~~((plan's))~~ appeal process as described in WAC 388-538-110 to review the ~~((plan's))~~ MCO or PCCM provider request to end the enrollee's enrollment; and

(ii) The enrollee's right to use the department fair hearing process.

~~((7))~~ (12) MAA makes a decision to remove an enrollee from enrollment ~~((with a plan))~~ in managed care within thirty days of receiving the ~~((plan's))~~ MCO or PCCM provider request to do so. Before making a decision, MAA attempts to contact the enrollee and learn the enrollee's perspective. If MAA approves the ~~((plan's))~~ MCO or PCCM provider request to remove the enrollee, MAA sends a notice at least ten days in advance of the effective date that enrollment will end. The notice includes the reason for MAA's approval to end enrollment and information about the ~~((enrollee's))~~ enrollee's fair hearing rights.

~~((8))~~ (13) MAA does not approve a ~~((plan's))~~ request to remove an enrollee from ~~((HO))~~ managed care when the request is solely due to an adverse change in the enrollee's health or the cost of meeting the enrollee's needs.

AMENDATORY SECTION (Amending WSR 00-04-080, filed 2/1/00, effective 3/3/00)

WAC 388-538-140 Quality of care. (1) In order to assure that managed care enrollees receive appropriate access to quality health care and services, the medical assistance administration (MAA) does all of the following:

(a) Requires ~~((plans))~~ managed care organizations (MCOs) to have a fully operational quality assurance system that meets a comprehensive set of quality improvement program (QIP) standards.

(b) Monitors ~~((plan))~~ MCO performance through on-site visits and other audits, and requires corrective action for deficiencies that are found.

(c) Requires ~~((plans))~~ MCOs to report annually on standardized clinical performance measures that are specified in the contract with MAA, and requires corrective action for substandard performance.

(d) Contracts with a professional review organization to conduct independent external review studies of selected health care and service delivery.

(e) Conducts enrollee satisfaction surveys.

(f) Annually publishes ~~((plan))~~ individual MCO performance information and primary care case management (PCCM) program performance ~~((en))~~ information including certain clinical measures and enrollee satisfaction surveys and makes reports of site monitoring visits available upon request.

(2) MAA requires ~~((plans))~~ MCOs and PCCM providers to have a method to assure consideration of the unique needs of enrollees with chronic conditions. The method includes:

(a) Early identification;

(b) Timely access to health care; and

(c) Coordination of health service delivery and community linkages.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-538-066

Children's health insurance program (CHIP) enrollees.

AMENDATORY SECTION (Amending WSR 00-07-103, filed 3/17/00, effective 4/17/00)

WAC 388-542-0050 Definitions for children's health insurance program (CHIP) terms. The following definitions and abbreviations, those found in WAC 388-538-050 and in 388-500-0005~~((;))~~ Medical definitions, apply to this chapter. ~~((Defined words and phrases are bolded the first time they are used in the text.~~

~~"Age appropriate immunizations" means the recommended childhood immunization schedule as approved by the Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), and the American Academy of Family Physicians (AAFP).)~~

"Children's health insurance program (CHIP)" means the health insurance program authorized by Title XXI of the Social Security Act and administered by the depart-

ment of social and health services (DSHS). This program also is referred to as the state children's health insurance program (S(-)CHIP).

((~~"Client copay" or "copay" means an amount a CHIP client pays to health care providers for specific services.~~)

"Client premium" means a monthly payment a client ((must)) makes to the department of social and health services (DSHS) for CHIP coverage.

"Creditable coverage" means most types of public and private health coverage, except Indian health services, that provides access to physicians, hospitals, laboratory services, and radiology services. This term applies to the coverage whether or not the coverage is equivalent to that offered under CHIP. "Creditable coverage" is described in 42 U.S.C. Sec. 1397jj.

"Employer-sponsored dependent coverage" means creditable health coverage for dependents offered by a family member's employer or union, for which the employer or union may contribute in whole or part towards the premium. Extensions of such coverage (e.g., COBRA extensions) also qualify as employer-sponsored dependent coverage as long as there remains a contribution toward the premiums by the employer or union.

"Finance division" means the division of the department of social and health services that sends out billing statements, monitors accounts, and collects the CHIP client premiums.

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 00-07-103, filed 3/17/00, effective 4/17/00)

WAC 388-542-0100 CHIP scope of care. (1) Children's health insurance program (CHIP) clients are eligible for the same scope of medical care as Medicaid categorically needy clients as described in WAC 388-529-0100.

((The following WACs apply to CHIP clients enrolled in managed care:

(a) WAC 388-538-095; and

(b) WAC 388-538-100.

(3) Except for American Indian/Alaska Native (AI/AN) clients who have chosen primary care case management (PCCM) or fee for service as described in WAC 388-542-0200(3), CHIP clients must receive medical services from managed care plans in counties where two or more managed care plans are available)) The medical assistance administration (MAA) requires CHIP clients, except for clients who are American Indian or Alaska Native (AI/AN), to enroll in managed care according to WAC 388-538-060 (1)(b) through (5)(d). AI/AN clients may choose to receive services under MAA's fee-for-service system.

(3) For eligible CHIP clients who are not enrolled in managed care:

(a) MAA determines which services are medically necessary;

(b) Clients must obtain covered services from providers who have core provider agreements with MAA; and

(c) As a condition of coverage, MAA may require the service provider to obtain authorization from MAA for coverage of nonemergency services.

(4) A CHIP client enrolled in managed care may submit a complaint or appeal as described in WAC 388-538-110.

(5) Any CHIP client may request a fair hearing as described in chapter 388-02 WAC for review of MAA coverage decisions. Clients may elect to participate in a pre-hearing review as described in WAC 388-526-2610.

AMENDATORY SECTION (Amending WSR 00-07-103, filed 3/17/00, effective 4/17/00)

WAC 388-542-0125 Access to care. (1) If a children's health insurance program (CHIP) client is subject to mandatory enrollment in a managed care organization (MCO) or with a primary care case management (PCCM) provider, the medical assistance administration (MAA) provides fee-for-service coverage between the time a client becomes eligible for CHIP services and the time the client is enrolled in managed care.

(2) Not all CHIP clients are required to enroll in ((managed care. See WAC 388-542-0150 (1)(e))) an MCO or with a PCCM provider. The same enrollment criteria are applied to CHIP clients as to categorically needy Medicaid clients under WAC 388-538-060.

(3) If a CHIP client is not already enrolled in managed care, the client may request an exemption to mandatory enrollment under the process described in WAC 388-538-080. MAA provides fee-for-service coverage while a client's request for exemption from mandatory enrollment in an MCO or with a PCCM provider is being considered and until a final decision is made.

(4) If a CHIP client is already enrolled in an MCO or with a PCCM provider and requests to end the enrollment, the client remains enrolled in the client's MCO or with the PCCM provider pending MAA's final decision. The process for ending enrollment is described in WAC 388-538-130.

(5) If a CHIP client has no MCO or PCCM provider available or is permitted to choose the fee-for-service system under this chapter, the rules that apply to service coverage and payment for the children's health program apply to CHIP coverage (chapters 388-550 through 388-556 WAC).

AMENDATORY SECTION (Amending WSR 00-07-103, filed 3/17/00, effective 4/17/00)

WAC 388-542-0150 Client eligibility requirements for CHIP. (1) To be eligible for the children's health insurance program (CHIP) a client must meet all of the following. The client must:

(a) ((Cannot have other creditable coverage. If MAA finds out after eligibility determination that a CHIP client had creditable coverage at the time of application, MAA ends the client's eligibility the first of the following month.

(b) Must agree to pay both of the following:

(i) A monthly ~~client premium~~ as described in WAC 388-542-250(1); and

(ii) A service ~~copay~~ as described in WAC 388-542-250(3).

~~(e) Must make a choice concerning how to receive services. The choices vary depending on where the client lives except as provided for AI/AN in WAC 388-542-0200). In counties with:~~

~~(i) Two or more managed care plans, the client must choose a managed care plan;~~

~~(ii) One managed care plan, the client must choose between a managed care plan and MAA's fee-for-service program; or~~

~~(iii) No managed care plan, the only option is MAA's fee-for-service program.~~

~~(2) The following WACs describe additional eligibility requirements and conditions for a CHIP client:~~

~~(a) WAC 388-505-0210 describes requirements related to children's medical eligibility;~~

~~(b) WACs 388-424-0005 and 388-424-0010 describe requirements related to citizenship and alien status;~~

~~(c) WAC 388-478-0075 describes monthly income standards;~~

~~(d) WAC 388-416-0015 describes eligibility certification periods; and~~

~~(e) WAC 388-418-0025 describes effects of changes on eligibility.~~

~~(3) MAA does not require a client to pay the client premium in advance to be eligible for CHIP.~~

~~(4) MAA ends a client's eligibility for CHIP when the client owes four months of premiums, based on the due dates listed on the bill for the client premium.~~

~~(5) When MAA ends a client's eligibility according to subsection (4) of this section, to become eligible for CHIP again, the client must meet both of the following:~~

~~(a) Pay all unforgiven past due premiums; and~~

~~(b) Serve a waiting period of four consecutive months as described in WAC 388-542-0300. The client does not have CHIP coverage during the waiting period.~~

~~(6) MAA forgives client premiums that are more than twelve months overdue. MAA does not require clients to pay overdue premiums that it has forgiven.~~

~~(7) Unless specifically stated in chapter 388-542 WAC, the department's administrative rules covering children's medical programs apply to CHIP) Not have other creditable coverage (see WAC 388-542-0220(1)); and~~

~~(b) Meet the CHIP program requirements and conditions in WAC 388-505-0210(3).~~

~~(2) There are no resource standards for a CHIP client. See WAC 388-478-0075(3).~~

~~(3) CHIP eligibility certification periods are described in WAC 388-416-0015.~~

~~(4) CHIP eligibility is affected by changes in a client's circumstances. See WAC 388-418-0025 (2) and (6).~~

~~(5) Ongoing eligibility for CHIP requires the payment of CHIP premiums as described in WAC 388-542-0250. MAA enrolls an otherwise eligible client into the CHIP program in advance of any client premium payment.~~

AMENDATORY SECTION (Amending WSR 00-07-103, filed 3/17/00, effective 4/17/00)

WAC 388-542-0200 CHIP ((~~managed care~~)) enrollment. (1) If the area in which a CHIP client lives has more

than one service delivery option available to the client, the client must make a choice concerning how to receive health care services. The choice and enrollment process for CHIP clients is the same as that for categorically needy Medicaid clients described in WAC 388-538-060.

(2) The medical assistance administration (MAA) enrolls CHIP clients in MAA's managed care program (with a managed care organization (MCO) or with a primary care case management (PCCM) provider) prospectively only.

(2) ((American Indian/Alaska Native (AI/AN) clients who meet the provisions of 25 U.S.C. 1603 (e) (d) for federally recognized tribal members and their descendants, may choose one of the following:

(a) Enroll with a CHIP plan available in their area;

(b) Enroll with a CHIP Indian or tribal PCCM provider by calling MAA's toll-free enrollment line, or sending a completed CHIP enrollment form to MAA; or

(c) MAA's fee-for-service program.

(3) Clients who are required to enroll in managed care may change plans during the two-month period after enrollment and during an annual open enrollment period. Clients may not change plans otherwise, unless they have "good cause." The "good cause" reasons are any of the following:

(a) The client is American Indian/Alaska Native (AI/AN);

(b) The client moves out of the plan's service area;

(c) To assure all family members are in the same plan;

(d) To protect the client from a perpetrator of domestic violence, abuse or neglect;

(e) To rectify a documented department error;

(f) An administrative law judge orders MAA to disenroll the client; or

(g) The client's plan stops offering service in the client's county)) CHIP clients are enrolled in managed care as provided for categorically needy Medicaid clients in WAC 388-538-060.

(3) A client who is required to enroll in managed care may request a change in the client's MCO or PCCM provider on the same bases as in WAC 388-538-060.

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 388-542-0220 Ending CHIP client eligibility.

(1) If the medical assistance administration (MAA) finds out after eligibility determination that a CHIP client has creditable coverage at the time of application, MAA ends the client's eligibility for CHIP effective at the close of the last day of the current month.

(2) MAA ends a client's eligibility for CHIP when the client owes four consecutive months of premiums, based on the due dates listed on the billing from the finance division for the client premium(s).

(3) When MAA ends a client's eligibility according to subsection (2) of this section, a client must meet both of the following conditions to become eligible for CHIP again:

(a) Pay all unforgiven past due premiums (see WAC 388-542-0250(5)); and

(b) Serve a waiting period of four consecutive months as described in WAC 388-542-0300. The client does not have CHIP coverage during the waiting period.

AMENDATORY SECTION (Amending WSR 00-07-103, filed 3/17/00, effective 4/17/00)

WAC 388-542-0250 CHIP client costs. (1) The finance division charges ten dollars per covered child, per month, for the CHIP client premium. The family maximum for CHIP premiums is thirty dollars per month.

(2) The finance division sends bills for client premiums at the beginning of each month of coverage. Client premiums begin the first of the month in which the bill was sent, not the date that the client became eligible for services.

(3) ~~((MAA requires a copay for certain services, as follows:~~

~~(a) Five dollars for office visits with physicians, physician assistants, or advanced registered nurse practitioners (ARNP) (i.e., CPT codes 99201–99215);~~

~~(b) Five dollars for nongeneric (i.e., brand name, whether single or multiple source) drugs; and~~

~~(c) Twenty five dollars for emergency department visits that do not result in hospital admission.~~

~~(4) MAA does not require a copay for the following services:~~

~~(a) Consultations (i.e., CPT codes 99241–99275);~~

~~(b) Deliveries (births);~~

~~(c) Dental;~~

~~(d) Drug and alcohol treatment;~~

~~(e) Generic drugs;~~

~~(f) Inpatient and outpatient surgery;~~

~~(g) Mental health services (including services with psychiatrists or psychologists);~~

~~(h) Occupational, physical, or speech therapy;~~

~~(i) Office visits with age appropriate immunizations or exams for an EPSDT (well child check) screening;~~

~~(j) Radiology; or~~

~~(k) Visits to the emergency room that result in an inpatient hospital admission.~~

~~(5) Clients are responsible for client copays from the first day the client is eligible for CHIP.~~

~~(6) For clients who are required to make copays, clients make copays to the health care provider, not MAA. A provider may refuse service to CHIP clients when the copay is not paid at the time of service.~~

~~(7) Client out-of-pocket expenses are subject to a twelve-month maximum. All of the following apply to twelve-month, out-of-pocket expenses for CHIP clients:~~

~~(a) Only client premiums and copays for covered services count towards the twelve-month maximum;~~

~~(b) For those children who incur client premiums and copays, the twelve-month maximums are as follows:~~

~~(i) For one child, three hundred dollars;~~

~~(ii) For two children, six hundred dollars; and~~

~~(iii) For three or more children, nine hundred dollars.~~

~~The family maximum is nine hundred dollars.~~

~~(e) The client and/or family must do the following:~~

~~(i) Track and document out-of-pocket expenses;~~

~~(ii) Notify MAA when the maximum has been reached; and~~

~~(iii) Provide receipts as proof of payment.~~

~~(8) MAA's starting date for determining twelve-month, out-of-pocket maximum expenses is the date that the first child in a family became eligible for CHIP services. For example, if a family has:~~

~~(a) One child, and that child became eligible for services on April first, the twelve-month period starts on April first;~~

~~(b) Two children, and first child became eligible for services on April first and the second child started three months later on July first, the twelve-month period for both children starts on April first;~~

~~(c) Three or more children, and the first child became eligible for services on April first, and the last child became eligible on November first (within the same twelve-month period), the twelve-month period starts on April first for all the children.~~

~~(9) MAA exempts American Indian/Alaska Native (AI/AN) clients from paying client premiums or service copays)) MAA limits a client's out-of-pocket expenses for covered services the client obtains under the CHIP program rules, to the payment of premiums described in subsection (1) if this section.~~

~~(4) MAA exempts American Indian/Alaska Native (AI/AN) clients from paying client premiums for coverage under the CHIP program.~~

~~(5) MAA forgives client premiums that are more than twelve months overdue.~~

AMENDATORY SECTION (Amending WSR 00-07-103, filed 3/17/00, effective 4/17/00)

WAC 388-542-0275 Reimbursement. (1) ~~((MAA deducts the twenty five dollar copay from hospitals' outpatient reimbursement for emergency services provided to CHIP clients, unless the emergency department visit results in a hospital admission.~~

~~(2) MAA does not deduct the five dollar copay from providers' reimbursement)) For contractors serving CHIP clients enrolled in managed care, MAA reimburses contracted managed care organizations (MCOs), primary care case management (PCCM) providers and providers of approved or ancillary care in the same way as described in chapter 388-538 WAC.~~

~~(2) For providers of services serving CHIP clients under MAA's fee-for-service system and without the involvement of MCOs or PCCMs, MAA reimburses according to the regulations that apply to categorically needy Medicaid clients under chapters 388-500 through 388-556 WAC.~~

AMENDATORY SECTION (Amending WSR 00-07-103, filed 3/17/00, effective 4/17/00)

WAC 388-542-0300 Waiting period for CHIP coverage following employer coverage. (1) The medical assistance administration (MAA) requires applicants to serve a full four-consecutive-month waiting period for CHIP coverage if the client or family:

(a) Chooses to end employer sponsored dependent coverage((, the client must serve a waiting period of four, full,

~~consecutive months before becoming eligible to enroll in CHIP)). The waiting period begins the day after the employment-based coverage ends, and ends on the last day of the fourth full month of noncoverage ((by the employer)); or~~

~~(b) Fails to exercise an optional coverage extension (e.g., COBRA) that meets the following conditions. The waiting period begins on the day there is a documented refusal of the coverage extension when the extended coverage is:~~

~~(a) Subsidized in part or in whole by the employer or union;~~

~~(b) Available and accessible to the applicant or family; and~~

~~(c) At a monthly cost to the family meeting the limitation of subsection (3)(b)(iv).~~

(2) MAA does not require a waiting period prior to CHIP coverage when:

(a) The client or family member has a medical condition that, without treatment, would be life-threatening or cause serious disability or loss of function; or

(b) The loss of employer sponsored dependent coverage is due to any of the following((:):

(i) Loss of employment with no post-employment subsidized coverage as described in subsection (1)(b);

(ii) Death of the employee;

(iii) The employer discontinues employer-sponsored dependent coverage;

(iv) The family's total out-of-pocket maximum for employer-sponsored dependent coverage is fifty dollars per month or more;

(v) The plan terminates employer-sponsored dependent coverage for the client because the client reached the maximum lifetime coverage amount;

(vi) Coverage under a COBRA extension period expired;

(vii) Employer-sponsored dependent coverage is not reasonably available (e.g., client would have to travel to another city or state to access care); or

(viii) Domestic violence (~~that leads to~~) caused the loss of coverage for the victim.

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 388-542-0500 Managed care rules that apply to CHIP. (1) In addition to the other rules that are incorporated by reference elsewhere in this chapter, the medical assistance administration (MAA) applies the following rules from chapter 388-538 WAC to the CHIP program:

(a) WAC 388-538-060, Managed care and choice, with the exception of subsection (1)(a);

(b) WAC 388-538-070, Managed care payment;

(c) WAC 388-538-080, Managed care exemptions;

(d) WAC 388-538-095, Scope of care for managed care enrollees;

(e) WAC 388-538-100, Managed care emergency services;

(f) WAC 388-538-110, Managed care complaints, appeals and fair hearings;

(g) WAC 388-538-120, Enrollee requests for a second medical opinion;

(h) WAC 388-538-130, Ending enrollment in healthy options; and

(i) WAC 388-538-140, Quality of care.

WSR 01-21-009

WITHDRAWAL OF PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

[Filed October 5, 2001, 3:12 p.m.]

The Medical Assistance Administration would like to withdraw the proposed rule making notice filed as WSR 01-20-111. This filing was inadvertently filed too early in the process.

Brian Lindgren
Rules and Policies
Assistance Unit

WSR 01-21-011

PROPOSED RULES DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Health and Rehabilitative Services Administration)

[Filed October 5, 2001, 3:15 p.m.]

Original Notice.

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

Title of Rule: Division of Development Disabilities family support program rules, WAC 388-825-226, 388-825-228, 388-825-238, and 388-825-254.

Purpose: Revises rule to include mandated vendor rate increases for fiscal year 2001.

Statutory Authority for Adoption: RCW 71A.12.030 and 71A.12.040.

Statute Being Implemented: ESSB 6153 (Omnibus Budget Act).

Summary: Under the Division of Developmental Disabilities' family support program, rates for community guides, short-term intervention, serious need and service need levels are covered in rule. Mandated vendor rate increases passed in the state budget are reflected in this rule change.

Reasons Supporting Proposal: This rule covers rate increases for fiscal year 2001.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Rita Dickey, Box 45310, Olympia, WA 98504, (360) 902-8451.

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: This rule updates WAC 388-825-226, 388-825-228, 388-825-238, and 388-825-254. It increases rates for community guides, short-term intervention and serious need

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funding in the family support opportunity and service need levels to reflect vendor rate increases in the last biennial budget.

Proposal Changes the Following Existing Rules: Rates in current rule are updated to reflect changes.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This change increases the rates paid under the family support program and has no impact on small business.

RCW 34.05.328 does not apply to this rule adoption. The rule meets the definition of a significant legislative rule, but the Department of Social and Health Services is exempt from preparing further analysis under RCW 34.05.328.

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact DSHS Rules Coordinator by November 20, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 2, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-23-106, filed 11/21/00, effective 12/22/00)

WAC 388-825-226 Can the family support opportunity program help my family obtain financial assistance for community guide services? The program will authorize up to two hundred ~~((eight))~~ twelve dollars per year for community guide services for your family.

AMENDATORY SECTION (Amending WSR 00-23-106, filed 11/21/00, effective 12/22/00)

WAC 388-825-228 How can short-term intervention services help my family? If your family is eligible, you may receive up to one thousand three hundred fifty dollars per year in short-term intervention funds to pay for necessary services not otherwise available. Short-term intervention funding cannot be used for basic subsistence such as food or shelter but is available for those specialized costs directly related to and resulting from your child's disability. Short-term intervention funds can be authorized for a one-time only need or for an episodic service need that occurs over a one-year period.

AMENDATORY SECTION (Amending WSR 00-23-106, filed 11/21/00, effective 12/22/00)

WAC 388-825-238 What amount of serious need funding is available to my family? (1) The maximum amount of funding available is four hundred ~~((twenty-two))~~ fifty-two dollars per month or two thousand ~~((five))~~ seven

hundred ~~((thirty-two))~~ twelve dollars in a six-month period, unless the department determines your family member requires licensed nursing care and the funding is used to pay for nursing care. If licensed care is required, the maximum funding level is two thousand four hundred fifty dollars per month.

(2) **REMEMBER:**

(a) Funding must be available in order to receive serious need services.

(b) Services paid for by serious needs funds will be reviewed by DDD every six months.

AMENDATORY SECTION (Amending WSR 00-23-106, filed 11/21/00, effective 12/22/00)

WAC 388-825-254 Service need level rates. (1) The department shall base periodic service authorizations on:

(a) Requests for family support services described in WAC 388-825-252(2) of this section;

(b) Service need levels as described in WAC 388-825-252(3) of this chapter. Service need level lid amounts are as follows:

(i) Clients designated for service need level one (WAC 388-825-256) may receive up to one thousand ~~((eighty))~~ one hundred fifty-six dollars per month or two thousand four hundred ~~((eleven))~~ sixty-two dollars per month if the client requires licensed nursing care in the home:

(A) If a client is receiving funding through Medicaid Personal Care or other DSHS in-home residential support, the maximum payable through family support shall be ~~((four))~~ five hundred ~~((seventy-nine))~~ twelve dollars per month;

(B) If the combined total of family support services at this maximum plus in-home support is less than one thousand ~~((eighty))~~ one hundred fifty-six dollars additional family support can be authorized to bring the total to one thousand ~~((eighty))~~ one hundred fifty-six dollars.

(ii) Clients designated for service need level two may receive up to four hundred ~~((twenty-six))~~ fifty-six dollars per month if not receiving funding through Medicaid personal care:

(A) If a client is receiving funds through Medicaid personal care or other DSHS in-home residential support service, the maximum receivable through family support shall be two hundred ~~((thirty-nine))~~ fifty-six dollars per month;

(B) If the combined total of family support services at this maximum plus in-home support is less than ~~((four))~~ fifty-six hundred four dollars, additional family support can be authorized to bring the total to four hundred ~~((twenty-six))~~ fifty-six dollars.

(iii) Clients designated for service need level three may receive up to two hundred ~~((thirty-nine))~~ fifty-six dollars per month provided the client is not receiving Medicaid personal care. If the client is receiving Medicaid personal care or other DSHS in-home residential support service, the maximum receivable through family support shall be one hundred twenty-eight dollars per month; and

(iv) Clients designated for service level four may receive up to one hundred twenty-eight dollars per month family support services.

(c) Availability of family support funding;

(d) Authorization by a review committee, in each regional office, which reviews each request for service;

(e) The amounts designated in subsection (1)(b)(i) through (iv) of this section are subject to periodic increase if vendor rate increases are mandated by the legislature.

(2) The department shall authorize family support services contingent upon the applicant providing accurate and complete information on disability-related requests.

(3) The department shall ensure service authorizations do not exceed maximum amounts for each service need level based on the availability of funds.

(4) The department shall not authorize a birth parent, adoptive parent, or stepparent living in the same household as the client as the direct care provider for respite, attendant, nursing, therapy, or counseling services for a child seventeen years of age or younger.

WSR 01-21-024
PROPOSED RULES
DEPARTMENT OF LICENSING

[Filed October 9, 2001, 1:45 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-16-106.

Title of Rule: WAC 308-125-200 Standards of practice.

Purpose: Incorporation by reference the 2002 edition of the Uniform Standards of Professional Appraisal Practice, the generally recognized national organized standards of real estate appraisal. Incorporation by reference is required because to incorporate the whole text would be unduly cumbersome and expensive.

Statutory Authority for Adoption: RCW 18.140.030 (16), (17).

Statute Being Implemented: Chapter 18.140 RCW.

Summary: Incorporate the 2002 edition of the Uniform Standards of Professional Appraisal Practice into WAC 308-125-200.

Reasons Supporting Proposal: That real estate appraisals in Washington state be performed in accordance with current generally accepted appraisal standards as evidenced by the most recent amendments to appraisal standards promulgated by the Appraisal Standards Board of the Appraisal Foundation. This is required by Section 1110, Title XI of the Financial Institutions Recovery, Reform and Enforcement Act of 1989 (12 U.S.C. 3339).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Cleotis Borner, Jr., Olympia, (360) 664-6504.

Name of Proponent: Department of Licensing, Real Estate Appraiser Program, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-125-200 will incorporate by reference the 2002 edition of the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation.

Proposal Changes the Following Existing Rules: Adopts current edition of the Uniform Standards of Professional Appraisal Practice.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule only adopts the current edition of the Uniform Standards of Professional Appraisal Practice and has no economic impact on small business.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Department of Licensing, Business and Professions Division, 405 Black Lake Boulevard, Building 2, Conference Room, Olympia, WA, on Tuesday, November 27, 2001, at 9 a.m.

Assistance for Persons with Disabilities: Contact Ralph Birkedahl by November 21, 2001, TDD (360) 664-0116, or (360) 664-6504.

Submit Written Comments to: Cleotis Borner, Jr., Real Estate Appraiser Program, P.O. Box 9015, Olympia, WA 98507-9015, fax (360) 586-0998, by November 22, 2001.

Date of Intended Adoption: December 26, 2001.

October 23, 2001

Cleotis Borner, Jr.
Program Manager

AMENDATORY SECTION (Amending WSR 00-23-038, filed 11/9/00, effective 12/10/00)

WAC 308-125-200 Standards of practice. (1) The standard of practice governing real estate appraisal activities will be the ((2001)) 2002 edition of the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation. A copy of the Uniform Standards of Professional Appraisal Practice is available for review and inspection at the office of the Real Estate Appraiser Unit Office, Olympia, Washington. The Uniform Standards of Professional Appraisal Practice is a copyright document. Copy of the full text may be obtained from the Appraisal Foundation at The Appraisal Foundation, P.O. Box 96734, Washington, DC 20090-6734.

(2) Expert review appraisers as defined by RCW 18.140.010(11) while performing expert reviews pursuant to chapter 18.140 RCW are exempt from the Uniform Standards of Professional Appraisal Practice, Standard 3 review provisions while performing expert reviews for the director.

WSR 01-21-035
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION
[Filed October 10, 2001, 4:27 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-17-034.

Title of Rule: WAC 392-140-970 through 392-140-974, Finance—Special allocations—Salary bonus for teachers who attain certification by national board.

Purpose: These rules will be part of the state funding formula for K-12 education.

Statutory Authority for Adoption: RCW 28A.150.-290(1).

Summary: Rules are needed to implement language in the 2001-03 State Operating Appropriations Act.

Reasons Supporting Proposal: These rules will enable proper administration of the salary bonus.

Name of Agency Personnel Responsible for Drafting: Linda Harrison, Office of Superintendent of Public Instruction, (360) 725-6130; Implementation: Ross Bunda, Office of Superintendent of Public Instruction, (360) 725-6308; and Enforcement: Mike Bigelow, Office of Superintendent of Public Instruction, (360) 725-6111.

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: The rules are part of the state funding formula for K-12 education. Rules are needed to implement language in the 2001-03 State Operating Appropriations Act. These rules will enable proper administration of the salary bonus and identify eligibility requirements.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not applicable - no small business impact.

RCW 34.05.328 does not apply to this rule adoption. The Superintendent of Public Instruction is not subject to RCW 34.05.328 (5)(a)(i). Additionally, this rule is not a significant legislative rule per subsection (5)(c)(iii).

Hearing Location: Bruno Conference Room, Old Capitol Building, P.O. Box 47200, Olympia, WA 98504-7200, on November 27, 2001, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact Sheila Emery, 725-6271, TDD (360) 664-3631.

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 26, 2001.

Date of Intended Adoption: December 26, 2001.

October 8, 2001

Dr. Terry Bergeson
Superintendent of
Public Instruction

SALARY BONUS FOR TEACHERS WHO ATTAIN CERTIFICATION BY THE NATIONAL BOARD

NEW SECTION

WAC 392-140-970 Salary bonus for teachers who attain certification by the national board—Applicable provisions—Authority. The provisions of WAC 392-140-970 through 392-140-974 govern administration of the salary bonus for teachers who attain certification by the national board for professional teaching standards. The authority for WAC 392-140-970 through 392-140-974 is the state Biennial Operating Appropriations Act and RCW 28A.150.290(1).

NEW SECTION

WAC 392-140-971 Salary bonus for teachers who attain certification by the national board—Purpose. These rules determine eligibility for state funding and establish guidelines for the administration of the bonus.

NEW SECTION

WAC 392-140-972 Salary bonus for teachers who attain certification by the national board—Definitions. As used in this chapter:

(1) "Form SPI 1525" means the form provided by the superintendent of public instruction on which districts may request payment of the salary bonus for teachers who attain certification by the national board for professional teaching standards.

(2) "Teacher" means an employee assigned to one of the following duties as defined in the *S-275 Personnel Reporting Handbook*:

- (a) Elementary teacher, duty root 31;
- (b) Secondary teacher, duty root 32;
- (c) Other teacher, duty root 33;
- (d) Long-term substitute teacher, duty root 52;
- (e) Contractor teacher, duty root 63; or
- (f) If the district certifies that the employee is assigned teaching responsibilities or serves as a mentor teacher:
 - (i) Other support personnel, duty root 40;
 - (ii) Library media specialist, duty root 41;
 - (iii) Counselor, duty root 42; or
 - (iv) Reading resource specialist, duty root 49.

NEW SECTION

WAC 392-140-973 Salary bonus for teachers who attain certification by the national board—Eligibility. Candidates who are eligible for the bonus shall be limited to those meeting the following requirements:

(1) Hold current certification by the national board for professional teaching standards; and

(2) Who are:

(a) Teachers employed full time or part time by Washington public school districts or educational service districts pursuant to RCW 28A.405.210; or

(b) Teachers employed full time or part time by a contractor pursuant to WAC 392-121-188 and 392-121-206 (2)(a).

NEW SECTION

WAC 392-140-974 Salary bonus for teachers who attain certification by the national board—Administrative procedures. (1) School districts that employ teachers eligible for the salary bonus shall report those employees to the office of superintendent of public instruction by submitting Form SPI 1525 for each individual.

(2) Districts shall document each teacher's eligibility by maintaining on file for audit a copy of the teacher's national board certification notice and, if the teacher is not shown on Report S-275, evidence of employment and duties assigned.

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(3) Report forms received by the superintendent of public instruction by the 15th of the month shall be paid in that month's apportionment and displayed on Report 1197, in revenue account 4158.

(4) For each candidate, the superintendent of public instruction shall send the district the amount of the salary bonus set in the operating appropriations act plus an amount for the district's (employer) portion of social security benefits.

(5) The district shall pay the bonus to the employee in a lump sum amount on a supplemental contract pursuant to RCW 28A.400.200.

(6) The salary bonus is excluded from the definition of "earnable compensation" under RCW 41.32.010(10).

(7) Teachers achieving certification by the national board for professional teaching standards shall receive the salary bonus for no more than three years.

**WSR 01-21-050
WITHDRAWAL OF PROPOSED RULES
PERSONNEL RESOURCES BOARD**

[Filed October 15, 2001, 2:14 p.m.]

Withdrawal of Proposed Rule

The Washington Personnel Resources Board hereby withdraws the proposed amendments to WAC 356-05-415, 356-30-025, 356-30-065, 356-30-067, 356-18-112, and 356-30-140, originally filed as WSR 01-16-130 on July 31, 2001.

If you have any questions, please contact Donna Parker at (360) 664-6347.

**WSR 01-21-070
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS**

[Filed October 18, 2001, 9:03 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-04-027.

Title of Rule:

<u>WACs Being Amended</u>		
WAC#	WAC Title	Statutory Authority (RCWs)
415-108-491	Salary imputed to periods of unpaid leave.	41.40.038, 41.40.170, 41.40.710, 41.40.805
415-108-570	As an elected or appointed official, what are my requirements for service credit?	41.40.023
415-108-640	Effect of meeting union verification requirements.	41.40.010 (4)(a), 41.40.057, 41.40.363
415-108-690	How is my membership eligibility evaluated?	41.40.010, 41.40.023

415-108-720	Participation—Can I be excluded from participating in membership even if I am employed in an eligible position?	41.40.023, 41.40.150, 41.40.690
415-108-830	Actuarial recomputation of a Plan 2 or 3 retirement allowance upon retirement following reemployment.	41.40.620, 41.40.690
415-110-910	Conversion of service from PERS to SERS.	41.35.005— [41.35.]030, 41.40.070
415-112-250	Can I receive service credit for leave with pay?	41.32.267, 41.32.810, 41.32.850
415-112-400	When does the employer deduct salary for retirement contributions?	41.32.270
415-112-412	Are nonmoney payments from my employer considered compensation earnable?	41.32.010 (10)(b)
415-112-413	Vehicles—Does the value of my use of an employer vehicle qualify as earnable compensation?	41.32.010(10), IRC Section 61
415-112-725	Married member's benefit selection—Spousal consent required.	41.32.530(2), 41.32.785(2), 41.32.851(2)
415-113-0303	Dual member system—Definitions and system acronyms.	41.54.010
415-113-0310	System acronyms—Definitions (repealing).	NA - repealing
415-113-041	Am I a dual member?	41.54.010, 41.54.061
415-113-042	What can terminate my status as a dual member?	41.54.010, 41.54.030
415-113-065	Can I substitute salary from one system to another?	41.54.030
415-113-070	If I retire as a dual member, must I receive benefits from both systems immediately?	
415-113-090	What is the maximum retirement benefit that I may receive under <u>chapter 41.54 RCW</u> ?	41.54.070
415-113-200	SERS and PERS concurrent employment.	Chapters 41.32, 41.34, 41.35, 41.40, 41.50 WAC
415-200-030	Plan 3 external administrators.	41.50.088

New WACs

415-108-727	Can I transfer service credit earned as a cadet in the public employees' retirement system to the Washington state patrol retirement system?	41.40.092
415-108-815	What is the minimum dollar limit used to determine a Plan 3 lump sum benefit payment?	41.40.815

415-110-815	What is the minimum dollar limit used to determine a Plan 3 lump sum benefit payment?	41.35.670
415-111-400	Optional service purchase rules.	41.32.810, 41.32.865, 41.35.470, 41.35.650, 41.40.710, 41.40.805

Purpose: These rules are necessary to implement the public employees' retirement system Plan 3. DRS is also converting as much language as possible to "Plain English." This batch also includes some changes to the teachers' retirement system (TRS) and other parts of DRS WACs, as necessary to fully implement Plan 3.

Other Identifying Information: Unless specifically noted, substantive changes are required by ESSB 6530 (chapter 247, Laws of 2000). Sections of the Internal Revenue Code, 26 U.S.C., may also apply. *Note: Additional PERS Plan 3 changes are being made in separate filings.*

Statutory Authority for Adoption: RCW 41.50.050(5).

Statute Being Implemented: See Title of Rule above.

Reasons Supporting Proposal: These rules are necessary to implement the public employees' retirement system Plan 3.

Name of Agency Personnel Responsible for Drafting: Merry A. Kogut, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; Implementation and Enforcement: Jack Bryant, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7193.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Each rule is being amended to implement ESSB 6530 (2000). At the same time, the department is attempting to improve the clarity of each rule.

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

No small business economic impact statement has been prepared under chapter 19.85 RCW. These amendments have no affect on businesses.

RCW 34.05.328 does not apply to this rule adoption. The Department of Retirement Systems is not one of the named departments in RCW 34.05.328.

Hearing Location: Department of Retirement Systems, 6835 Capitol Boulevard, Boardroom, Tumwater, WA, on December 4, 2001, at 10:00 a.m.; and at the Department of Social and Health Services, Spokane Valley CSO, Lunch-room, 8517 East Trent, Spokane, WA, on December 6, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact the rules coordinator by seven days before the hearing, if possible, phone (360) 664-7291, TTY (360) 586-5450, e-mail merryk@drs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Merry A. Kogut, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Merryk@drs.wa.gov, fax (360) 753-3166, by 5:00 p.m. on December 6, 2001.

Date of Intended Adoption: No sooner than December 7, 2001.

October 17, 2001
Merry A. Kogut
Rules Coordinator

AMENDATORY SECTION (Amending WSR 98-09-059, filed 4/17/98, effective 5/18/98)

WAC 415-108-491 Salary imputed to periods of unpaid leave. In some circumstances specified in statute, a member may ~~((elect))~~ choose to establish service credit for periods of unpaid leave. The salary imputed to a member for purposes of calculating contributions owing for such periods of leave is not reportable compensation. Depending on the type of leave, the imputed compensation may or may not be included as average final compensation in calculating a member's retirement allowance.

(1) **Authorized unpaid leave.** RCW 41.40.710 provides Plan 3 members with an option to establish service credit for periods of unpaid leave. RCW 41.40.805 provides Plan 3 members with an option to establish service credit for periods of unpaid leave. RCW 41.40.038 provides members with an option to establish service credit for periods of disability covered by industrial insurance. Salary imputed to members in order to calculate contributions for such periods is not reportable compensation and can not be included as average final compensation in calculating a member's retirement allowance.

(2) **Military leave.** For Plan 2 and Plan 3, salary imputed to a member for purposes of calculating contributions owing for periods of interrupted military service is not reportable compensation. Federal law requires that if a member ~~((elects))~~ chooses to purchase credit for such periods of military service, and that period falls in the member's average final compensation period, the member is entitled to have the imputed salary he or she would have earned during the period of absence used in the calculation of his or her average final compensation.

AMENDATORY SECTION (Amending WSR 94-12-014, filed 5/23/94, effective 6/23/94)

WAC 415-108-570 (~~Elected and appointed officials~~) As an elected or appointed official, what are my requirements for service credit((s))? (1)(a) ~~((Plan I))~~ As a Plan 1 elected ~~((officials and))~~ or appointed official((s)), you may receive one month of service credit for each month during which ~~((they))~~ you earn compensation pursuant to ~~((their))~~ your elected or appointed position((s)).

(b) ~~((Plan I))~~ If you are a Plan 1 member((s)) who ~~((were))~~ was appointed by the governor prior to July 1, 1976, to serve as a member((s)) of any committee, board or commission, you may receive one month of service credit for each month during which ~~((they))~~ you earn compensation pursuant to ~~((their))~~ your appointed positions.

(c) ~~((Plan I))~~ If you are a Plan 1 member((s)) who ~~((were))~~ was appointed or reappointed by the governor on or after July 1, 1976, to serve as a member((s)) of any committee, board or commission, you may receive one month of ser-

vice credit for each month during which ~~((they))~~ you are compensated for at least seventy total hours of work.

(d) ~~((Plan I))~~ If you are a Plan 1 member(s) who ~~((serve))~~ served in a governor-appointed position(s) as a member(s) of any committee, board or commission on or after September 1, 1991, you may receive one-quarter month of service credit for each month during which ~~((they))~~ you are compensated for less than seventy total hours of work.

(2)(a) ~~((Plan H))~~ If you are a Plan 2 or Plan 3 member(s) who ~~((were))~~ was elected to office by statewide election, you may receive one month of service credit for each month during which ~~((they))~~ you earn compensation pursuant to ~~((their))~~ your elected position(s).

(b) Except for Plan ~~((H))~~ 2 or Plan 3 elected officials covered under (a) of this subsection, ~~((Plan H members who were))~~ if you are elected to office or appointed by the governor to a position(s) prior to September 1, 1991, you may receive service credit only for months during which ~~((they))~~ you are compensated:

(i) In excess of ninety times the state hourly minimum wage in effect at the time ~~((they render))~~ you provide the service; and

(ii) For ninety or more total hours of work.

(c) On or after September 1, 1991, except for Plan ~~((H))~~ 2 or Plan 3 elected officials covered under (a) of this subsection, ~~((Plan H members who))~~ if you were elected to office or appointed by the governor to a position(s), you may earn:

(i) One month of service credit for each month during which ~~((they))~~ you are compensated:

(A) For ninety or more total hours of work; and

(B) In excess of ninety times the state hourly minimum wage in effect at the time ~~((they render))~~ you provide the service; or

(ii) One-half month of service credit for each month during which ~~((they))~~ you are compensated:

(A) For less than ninety hours but equal to or more than seventy total hours of work; and

(B) In excess of ninety times the state hourly minimum wage in effect at the time ~~((they render))~~ you provide the service; or

(iii) One-quarter month of service credit for each month during which ~~((they))~~ you are compensated:

(A) For less than seventy total hours of work; and

(B) In excess of ninety times the state hourly minimum wage in effect at the time ~~((they render))~~ you provide the service.

(3) This section codifies the department's long-standing administrative practice in relation to elected and appointed officials. The department will apply this section to service by elected and appointed officials which occurred prior to the effective date of this section.

AMENDATORY SECTION (Amending WSR 93-11-077, filed 5/18/93, effective 6/18/93)

WAC 415-108-640 Effect of meeting union verification requirements. (1) Plan ~~((H))~~ 1 union employer status applies only to the level of union organization that meets the requirements of WAC 415-108-620(1). Therefore, if only a single union lodge of a union with multiple lodges has been

verified to meet the requirements of WAC 415-108-620(1), only that union lodge is a Plan ~~((H))~~ 1 union employer.

(2) Plan ~~((H))~~ 1 union employers employing persons who have previously established Plan ~~((H))~~ 1 membership must report ~~((those persons))~~ you for participation in the retirement system if ~~((those persons opt into membership))~~ you choose to become a member under RCW 41.40.023.

(3) Plan ~~((H))~~ 1 members who are employed by union employers shall have an irrevocable ~~((election))~~ option to reenter membership. If this option is not exercised when ~~((the employee))~~ you first enter(s) an eligible position with the union employer, it is waived. The union employer has the duty to notify you, as its new employee(s), of the option to enter Plan ~~((H))~~ 1. Failure of the union employer to provide notification shall not ~~((obviate a person's))~~ prevent your waiver of the right to participate in Plan ~~((H))~~ 1 under this section. Union employers and their Plan ~~((H))~~ 1 employees who ~~((opt into membership))~~ choose to become members will be subject to the same statutory and regulatory requirements as other Plan ~~((H))~~ 1 nonstate agency employers and employees.

(4) Union employers shall ~~((elect))~~ have all new employees state on a written form ~~((from all new employees))~~ whether ~~((the employee has))~~ they have ever been a Plan ~~((H))~~ 1 member.

(5) ~~((A union employer may not report employees for participation in Plan H.~~

~~((6))~~(a) Upon first establishing union employer status the union must pay the ~~((prior service liability))~~ required retroactive contributions and interest as determined by the department under RCW 41.40.363 or ~~((41.40.045))~~ 41.40.057, as applicable for union elective officials and employees who ~~((opt into membership))~~ choose to become a member under RCW 41.40.023 and are eligible for Plan ~~((H))~~ 1.

(b) If employer and employee contributions have been ~~((erroneously))~~ submitted in error and the union subsequently establishes retroactive union employer status for the period in question, the contributions on deposit with the retirement system will be considered ~~((ratified))~~ valid to the extent that the periods of erroneous contributions coincide with periods for which the union has established union employer status.

~~((7))~~ (6) Notwithstanding any provisions of WAC 415-108-620 Plan ~~((H))~~ 1 retirees who enter into employment with a union employer in an eligible position are subject to the provisions of RCW 41.40.150 (5)(a).

~~((7))~~ A union employer may not report employees for participation in Plan 2 or Plan 3.

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-108-690 How is my membership eligibility evaluated? (1) Your eligibility to participate as a member of PERS is based on your position.

In evaluating whether your position is eligible for membership, your employer will determine only whether the position meets the criteria of an eligible position under RCW 41.40.010(25) and WAC 415-108-680(1). Your employer will not consider your membership status or individual circumstances unless you:

(a) Leave employment in an eligible position to serve in a project position (See WAC 415-108-680(2)); or

(b) Work in both a PERS and TRS position during the same school year (See WAC 415-108-728).

(2) Your employer will evaluate your position's eligibility for a particular year at the beginning of the year. This is normally a calendar year unless your employer has determined and supports a different twelve-month period for its year.

(3) Your employer or the department may reclassify your position's eligibility based upon your actual work history. If your employer declares your position to be ineligible at the beginning of a year and by the end of the year, you have actually worked five or more months of seventy or more hours, your employer will, at that time, review your position's eligibility. If at the end of the first year:

(a) Your employer believes your position meets the requirements for an eligible position and declares the position as eligible, you will enter membership and your employer will report you to the department effective from the date your employer declares the position as eligible; or

(b) Your employer believes that the position will not meet the criteria for an eligible position during the next year, your employer may continue to define your position as ineligible. However, if during the next year the position actually requires you to again work seventy or more hours each month for at least five months, the department will declare your position as eligible. You will enter membership in the retirement system.

(i) Except as provided in (b)(ii) of this subsection, your employer will report you to the department effective from the first month of the first year in which your position required you to work for seventy or more hours.

(ii) If:

(A) Your employer has monitored the work history of your position for PERS eligibility;

(B) Has notified you in writing when you entered the position that the position was not considered eligible; and

(C) The months of employment in a twelve-month period required by the position are determined by the occurrence or nonoccurrence of natural disasters such as forest fires;

You will enter membership prospectively.

(4) The department will not reclassify your position's eligibility until history of the position shows that it meets the criteria for an eligible or ineligible position.

(a) If your employer has declared your position ineligible, the department will not reclassify your position as eligible until history of the position shows a period of two consecutive years of at least five months of seventy or more hours of compensated employment each month.

(b) If your employer has declared your position ineligible, the position must continue to fail to meet the requirements of an eligible position or reclassification of your position will occur as stated in subsection (3)(b) of this section.

(5) Defined terms used. Definitions for the following terms used in this section may be found in the sections listed.

(a) "Eligible position" - RCW 41.40.010.

(b) "Employer" - RCW 41.40.010.

(c) "Ineligible position" - RCW 41.40.010.

(d) "Membership" - RCW 41.40.023.

(e) "Project position" - WAC ((415-108-0103)) 415-108-010.

(f) "Report" - WAC ((415-108-0104)) 415-108-010.

(g) "Year" - WAC ((415-108-0108)) 415-108-010.

AMENDATORY SECTION (Amending WSR 95-16-053, filed 7/25/95, effective 8/25/95)

WAC 415-108-720 Participation—Can I be excluded from participating in membership even if I am employed in an eligible position? (1) You may be exempt from participating in membership even if you meet eligibility criteria. Even if you are employed in an eligible position you are exempt from participating in PERS if your individual circumstances qualify you for one of the exceptions to membership under RCW 41.40.023.

(2) If you work for a PERS employer after you retire, you are subject to post-retirement employment restrictions even if you are excluded from participating in membership. If you become employed in an eligible position after you retire, you are subject to the post-retirement employment restrictions under RCW 41.40.150, 41.40.690, and ((41.40.690)) 41.40.850 even if you are excluded from membership.

(3) Defined terms used. Definitions for the following terms used in this section may be found in the sections listed.

(a) "Eligible position" - RCW 41.40.010.

(b) "Employer" - RCW 41.40.010.

(c) "Ineligible position" - RCW 41.40.010.

(d) "Membership" - RCW 41.40.023.

AMENDATORY SECTION (Amending WSR 97-19-035, filed 9/9/97, effective 9/9/97)

WAC 415-108-830 Actuarial recomputation of a Plan 2 or Plan 3 retirement allowance upon retirement following reemployment. (1) ((The purpose of)) This rule ((is to)) establishes a method to actuarially recompute the retirement allowance of a Plan ((H)) 2 or Plan 3 member who retires, reenters employment causing ((his or her)) the retirement allowance to be suspended, and then retires again. The actuarially recomputed retirement allowance shall:

(a) Include service credit the member earned following reestablishment of membership if any; and

(b) Account for the actuarial reduction applied to the member's initial retirement if the member initially retired prior to age sixty-five.

(2) If a Plan ((H)) 2 or Plan 3 retiree reenters membership, upon the individual's next retirement, the department shall reinstate and actuarially recompute the individual's retirement allowance pursuant to RCW 41.40.690 as follows:

(a) If the member first retired before age sixty-five, the department shall:

(i) Calculate the retirement allowance pursuant to RCW 41.40.620 using the retiree's total years of career service, including service earned prior to initial retirement and service earned after reentering membership;

(ii) Actuarially reduce the member's retirement allowance based on the present value of the retirement allowance

payments the individual received during the initial retirement; and

(iii) Calculate any survivor option selected by the retiree based upon the monthly retirement allowance calculated pursuant to (a)(i) and (ii) of this subsection.

(b) If the member initially retired at or after age sixty-five, the department shall recompute the member's retirement allowance pursuant to RCW 41.40.620 and include any additional service credit earned and any applicable increase in the member's average final compensation resulting from the member's reentry into membership. Under no circumstances shall a retiree receive a retirement allowance creditable to a month during which that individual earned service credit.

(3) If a Plan 2 or Plan 3 retiree's retirement allowance is suspended under RCW 41.40.690 or RCW 41.40.850 due to reemployment but the retiree does not reenter membership, upon the retiree's separation from such employment, the retiree shall receive an actuarially recomputed retirement allowance equal to the sum of:

(a) The amount of the monthly suspended retirement allowance; plus

(b) An actuarially computed increase based upon the retirement allowance payments the member did not receive due to reemployment. The retiree may elect to receive the actuarially computed increase in either:

(i) An amount amortized over the expected term of the recomputed retirement allowance; or

(ii) A lump sum payment equal to the suspended retirement allowance plus interest.

NEW SECTION

WAC 415-108-727 Can I transfer service credit earned as a cadet in the public employees' retirement system to the Washington state patrol retirement system? (1) A Plan 1 or Plan 2 member may transfer cadet service under RCW 41.40.092.

(2) A person who becomes a PERS Plan 3 member cannot transfer service credit earned as a cadet in PERS, regardless of when the credit was earned.

NEW SECTION

WAC 415-108-815 What is the minimum dollar limit used to determine a Plan 3 lump sum benefit payment?

(1) The minimum dollar limit under RCW 41.40.815 for determining if a lump sum payment may be received instead of a monthly benefit is increased to \$119.41 as of March 1, 2002.

(2) The limit established in subsection (1) of this section will be increased each January 1st by three percent beginning January 1, 2003.

NEW SECTION

WAC 415-110-815 What is the minimum dollar limit used to determine a Plan 3 lump sum benefit payment?

(1) The minimum dollar limit under RCW 41.35.670 for determining if a lump sum payment may be received instead of a monthly benefit is increased to \$119.41 as of March 1, 2002.

(2) The limit established in subsection (1) of this section will be increased each January 1st by three percent beginning January 1, 2003.

AMENDATORY SECTION (Amending WSR 01-01-059, filed 12/12/00, effective 1/12/01)

WAC 415-110-910 Conversion of service from PERS to SERS. (1) You will be converted from ((PERS to SERS)) the public employees' retirement system (PERS) to the school employees' retirement system (SERS) if:

(a) You were employed with a school district or educational service district in an eligible position as of September 1, 2000;

(b) You participated and then separated in PERS prior to September 1, 2000, and became reemployed in an eligible position at a school district or educational service district after September 1, 2000;

(c) You are a participating member in PERS and move to a SERS employer after September 1, 2000;

(d) You retired out of PERS Plan 2 and:

(i) Returned to PERS covered employment and became an active PERS ((membership)) member; and

(ii) Were a member as of September 1, 2000, at a school district or educational service district; or

((d)) (e) You retired out of PERS Plan 2 and:

(i) Returned to PERS covered employment and became an active PERS ((membership)) member;

(ii) Separated from your PERS position; and

(iii) Become employed in an eligible SERS position prior to applying for retirement in PERS.

(2) **What happens to my existing PERS service and account history when I am converted from PERS to SERS membership?** All of your PERS service and account history with any PERS employer will be moved to SERS.

(3) **How many times will my PERS service be moved to SERS?** Your PERS service shall be moved to SERS only once pursuant to subsection (1) of this section. After you have been converted from PERS to SERS, subsequent reenrollment(s) into SERS shall not cause any additional conversions of any PERS service. Any future eligible employment in PERS shall be reported into PERS and any future eligible employment in SERS shall be reported into SERS.

Example: Employed in PERS prior to conversion. Joe has 15 years of service in PERS. He has been employed by a school district for the last 5 years. Joe previously was employed by a county for 10 years.

Conversion from PERS to SERS. Since Joe is employed with the school district on September 1, 2000, his PERS service is moved to SERS service. Both his 5 years of service with the school district and his 10 years of service with the county are moved to SERS. Joe's PERS account now has zero service credit and contributions; Joe's SERS account now has 15 years of service credit and contributions.

Return to PERS service. After another year of service with the school district, Joe separates employment with 16 years of credit in SERS and

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returns to employment with the county. Joe's 16 years of service remains in SERS and he begins to accrue service in PERS, starting from zero, for his new employment with the county.

Return to SERS employment. Joe works for the county for 5 years. He now has 5 years of service credit in PERS and he still has 16 years of service credit in SERS. Joe separates employment from the county and goes back to work in a SERS covered position with an educational service district. Joe's PERS employer will stop reporting him and the educational service district will begin reporting Joe into SERS. He will begin accumulating service in SERS starting at 16 years. The 5 years of service that Joe rendered at the county stays in PERS.

(4) **If I am a PERS Plan 2 retiree and become employed in an eligible SERS position, will my service be converted from PERS to SERS?** Except as allowed in subsection (1)((e)) (d) and ((d)) (e) of this section, a PERS Plan 2 retiree will not have any of ((their)) his or her service, account or retirement history converted to SERS.

NEW SECTION

WAC 415-111-400 Optional service purchase rules.

(1) **Statutory deadline dates.**

(a) When you are purchasing service available from participation as a former member of Plan 2, you will be subject to the statutory deadline date as if you were in Plan 2. The transfer of membership from Plan 2 to Plan 3 will not change a statutory deadline date for purchasing service credit while you were a member of Plan 2.

(b) When you are a Plan 3 member purchasing Plan 3 service credit, you are not subject to a statutory deadline date.

(2) **Interest on purchase cost.** When purchasing service as a Plan 3 member, you will not be required to pay interest on member contributions. When paying employer contributions, you will be required to pay interest on those contributions.

(3) **Allocation of purchase money.**

(a) Member contributions will be applied to your defined contribution account when paid. Paid member contributions are not refundable, except as a withdrawal of defined contributions under RCW 41.34.070 and WAC 415-111-310.

(b) Employer contributions and interest on employer contributions that you pay will be allocated to the fund described in RCW 41.50.075(3) and shall not be refundable.

AMENDATORY SECTION (Amending Order IV, filed 2/15/78)

WAC 415-112-250 Can I receive service credit ((allowed)) for leave with pay((s))? ((If a)) (1) Plan ((I member is)) 1 members: If you are otherwise eligible, you will receive service credit ((shall be allowed)) for any time ((subsequent to)) on or after July 1, 1960, during which ((a member is)) you were on official leave from ((his)) your position, provided ((he is still)) that you were listed as employed by ((his)) your employer and ((is)) were receiving compensation for the time of ((his)) your leave.

(2) Plan ((H)) 2 members: You may receive ((such)) service credit in accordance with ((chapter 295, Laws of 1977 ex. sess. as now or hereafter amended)) RCW 41.32.810(1).

(3) Plan 3 members: You may receive service credit in accordance with RCW 41.32.865(1).

AMENDATORY SECTION (Amending WSR 99-14-008, filed 6/24/99, effective 7/25/99)

WAC 415-112-400 ((Salary deductions required by employer.)) When does the employer deduct salary for retirement contributions? If the teacher or member is entitled to have salary deducted for retirement contributions, the employer must make the deductions when the teacher or member starts work.

(1) Plan 1.

(a) The employer must deduct salary for retirement contributions for a teacher who has not been a member if:

(i) ((They are)) The teacher is employed full time (at least four-fifths of a school day or full time assignment); and

(ii) ((Their)) The teacher's employment contract calls for at least ninety days of employment in a school year.

(b) The employer must also deduct the salary of each teacher who is a member employed full time if their employment contract calls for at least twenty days of employment in a school year.

(c) If a teacher who is not a member is employed for less than ninety days in a school year, ((they)) the teacher will fail to establish membership. The employer must refund ((their)) the teacher's salary deductions for retirement when ((they)) he or she terminates employment as a teacher. The ((non-member)) member must file a refund application with the department before ((they)) he or she can receive the refund.

(d) If a member is employed by an employer for less than twenty days in a school year, the employer must refund all salary deductions for retirement based on service during that year at the time the member terminates for the year. The ((nonmember)) member must file a refund application with the department before ((they)) he or she can receive the refund.

(2) Plan 2 and Plan 3.

(a) The employer must deduct salary for retirement contributions for a teacher if:

(i) ((They)) The teacher works at least eight hundred ten hours for nine or more months between September and August of the following year; and

(ii) ((Their)) The teacher's employment contract calls for at least ninety days of employment in a school year.

(b) If a teacher who is not a member is employed for less than ninety days in a school year, ((they)) he or she will fail to establish membership. The employer must refund ((their)) the teacher's salary deductions for retirement when ((they)) the teacher terminates employment ((as a teacher)). The ((nonmember)) member must file a refund application with the department before ((they)) he or she can receive the refund.

AMENDATORY SECTION (Amending WSR 95-22-006, filed 10/18/95, effective 11/18/95)

WAC 415-112-412 (~~Nonmoney maintenance compensation~~) ~~Are nonmoney payments from my employer ((in any form other than money)) considered compensation~~ **earnable?** (1) TRS Plan ((H)) **1** members((+));

(a) **If your employer provides you with materials in lieu of reimbursement for your business expenses, the value of the materials is not earnable compensation.**

(i) The value of employer-provided materials is not earnable compensation if you use the materials solely in connection with your employer's business.

(ii) "Materials" includes, but is not limited to, living quarters, food, board, equipment, clothing, laundry, transportation, fuel, and utilities:

Example: An employer provides an employee with uniforms which the employee must wear in performing services for his employer. Because the uniforms are to be used solely in connection with the employer's business, they do not qualify as nonmoney maintenance compensation. Therefore, the value of the uniforms is not earnable compensation.

(b) **The department presumes that your employer provides you materials solely in lieu of reimbursement for business expenses.** Unless you or your employer can show by corroborating evidence that your employer provided you materials in whole or in part as payment for your personal expenses, as opposed to business expenses, the value of the materials is not earnable compensation.

(c) **If your employer provides you with materials for your personal use, the value of that use is nonmoney maintenance compensation and is included in your earnable compensation.**

(i) "Nonmoney maintenance compensation" means the fair market value of materials legally ((furnished)) **provided** by your employer to you or your dependents for personal use.

(ii) Nonmoney maintenance compensation does not include any form of compensation other than cash that is excludable from taxation under provisions of the Internal Revenue Code. This applies regardless of whether you or your employer reported the compensation to the Internal Revenue Service as taxable income.

(d) **Your use of employer-provided materials will qualify as nonmoney maintenance compensation if your employer substantiates that they were provided to you as payment for personal services.** In order for employer-provided materials to qualify as nonmoney maintenance compensation, your employer must:

(i) Establish and regularly update a written schedule reflecting the monthly fair market value of each item of employer-provided materials claimed as nonmoney maintenance compensation. Typically, the fair market value would be the cost of the item if it were acquired in a purchase or lease transaction;

(ii) Report the fair market value of employer-provided materials as nonmoney maintenance compensation to the department as earnable compensation. If you pay any amount to your employer in order to own or use the materials, your

employer must report as earnable compensation the amount by which the fair market value of the materials exceeds the amount of your payment;

(iii) Substantiate by adequate records, or by other sufficient corroborating evidence the following:

(A) That the fair market value of each item of nonmoney maintenance compensation as reported to the department is accurate;

(B) That each item of nonmoney maintenance compensation is provided to you for your personal use as payment for your services to the employer; and

(C) That each item of nonmoney maintenance compensation is includable in your taxable income for federal income tax purposes.

Example: An employer leases an apartment for \$700.00 per month. The employer charges an employee \$300.00 per month to use the apartment for temporary living quarters. Because the employee uses the apartment for personal, rather than business, purposes, the amount by which the lease value exceeds the employee's payment is nonmoney maintenance compensation. The employer must report \$400.00 per month to the department as earnable compensation for the employee.

(e) **How to corroborate that your use of employer-provided materials qualifies as nonmoney maintenance compensation.** In addition to the records required under (d) of this subsection, you may provide the department with any ((oral or written)) evidence which you or your employer believe ((corroborates)) **confirms** that your use of employer-provided materials qualifies as earnable compensation. However, ((oral)) **verbal** evidence alone has considerably less value than written evidence. Written evidence prepared at or near the time your employer provides you with the item of compensation is generally much stronger than ((oral)) **verbal** evidence or written evidence created years later.

(2) **TRS Plan ((H)) 2 and Plan 3 members.** If you are a TRS Plan ((H)) **2** or **Plan 3** member, you are not entitled to count the value of any nonmoney maintenance compensation you receive from your employer as earnable compensation.

AMENDATORY SECTION (Amending WSR 95-22-006, filed 10/18/95, effective 11/18/95)

WAC 415-112-413 Vehicles—Does the value of my use of an employer vehicle qualify as earnable compensation? (1) TRS Plan ((H)) **1** members:

~~((a) If you use an employer vehicle solely in connection with your employer's business, your use of the vehicle does not qualify as earnable compensation. Use of an employer-provided vehicle only qualifies as earnable compensation to the extent that you use it for personal, rather than business, purposes. Your use of an employer vehicle does not qualify as earnable compensation if:~~

~~(i) You use the vehicle solely in connection with your employer's business; or~~

~~(ii) Your employer has an established policy prohibiting you from using the vehicle for any purpose other than in connection with your employer's business.~~

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~~(b) The department presumes that any employer provided vehicle is used solely in connection with your employer's business and does not qualify as earnable compensation.~~

~~(c) A portion of your use of an employer provided vehicle may qualify as earnable compensation. In order for any portion of your use of an employer vehicle to qualify as earnable compensation, your employer must either:~~

~~(i) Report your personal use of the vehicle to the Internal Revenue Service (IRS) as income; or~~

~~(ii) Maintain monthly records reflecting your personal use of the vehicle.~~

~~(d) Your personal use of an employer vehicle qualifies as earnable compensation if your employer reports your use to the IRS as taxable income. Your employer may report your personal use of an employer vehicle to the Internal Revenue Service (IRS) as taxable income as provided under the Internal Revenue Code (I.R.C.). See I.R.C. Section 61 and Treas. Reg. Section 1.61-21. If so, the department will consider the amount reported to the IRS as earnable compensation.~~

~~(e) Your personal use of an employer vehicle qualifies as earnable compensation to the extent your employer documents your personal use of the vehicle. If your employer does not report your use of an employer vehicle to the IRS as income, your use of the vehicle may qualify as earnable compensation if your employer maintains monthly contemporaneous records detailing your personal use of the vehicle. Your employer records must reflect all of the following:~~

~~(i) Whether your employer authorized you to use the vehicle for personal use, including commuting;~~

~~(ii) Whether you used the vehicle for commuting and, if so, the distance you normally commuted on a daily basis during the month;~~

~~(iii) The dates, if any, on which you used the vehicle for other personal purposes, including the miles you drove the vehicle on each personal trip and your itinerary for each trip;~~

~~(iv) The total number of miles you drove the vehicle during the month; and~~

~~(v) The percentage of the total miles you drove the vehicle during the month for personal use, including commuting.~~

~~(f) Your employer must report as earnable compensation an amount based on your personal use of the vehicle. If your employer maintains records documenting your personal use of the vehicle as provided in (e) of this subsection, your employer must report to the department as monthly earnable compensation the lesser of the following amounts:~~

~~(i) Monthly Fair Market Lease Value of the Vehicle~~

~~*~~

~~Percentage of Personal Use of the Vehicle During the Month;~~

~~or~~

~~Miles of Personal Use~~

~~*~~

~~IRS Mileage Rate~~

~~(ii) "IRS mileage rate" means the mileage rate adopted by the Internal Revenue Service for use by taxpayers in computing the value of the use of a vehicle.))~~

~~(a) Use of an employer vehicle for business purposes does not qualify as compensation earnable. If your employer's established policy prohibits the use of an employer vehicle for nonbusiness uses, all use of the vehicle will be deemed business use.~~

~~(b) Use of an employer vehicle for nonbusiness purposes qualifies as compensation earnable if:~~

~~(i) Your employer reports the value of this use as compensation earnable on a monthly basis. Monthly compensation earnable is the lesser of the following:~~

~~(A) Fair Market Lease Value x Percentage of Personal Use; or~~

~~(B) Miles of Personal Use x IRS Mileage Rate. The IRS Mileage Rate is the mileage rate adopted by the Internal Revenue Service for use by taxpayers in computing the value of the use of a vehicle; and~~

~~(ii) Your employer reports your personal use of the vehicle to the IRS as taxable income under IRC Section 61 and Treas. Reg. Section 1.61-21; or~~

~~(iii) Your employer maintains monthly records of your personal use.~~

~~These records must contain:~~

~~(A) Your employer's authorization of your personal use;~~

~~(B) The distance normally commuted each day during the month, if you use the vehicle to commute;~~

~~(C) The dates, mileage, and itinerary of each personal trip other than a commute trip; and~~

~~(D) Your total mileage for the month.~~

~~(E) The ratio of personal mileage to total mileage, expressed as a percent.~~

~~(c) The department presumes that your use of an employer vehicle is solely for business purposes.~~

~~(2) TRS Plan ((H)) 2 and Plan 3 members. If you are a ((TRS Plan H)) member of TRS Plan 2 or Plan 3, you are not entitled to count any of the value of an employer-provided vehicle as earnable compensation.~~

AMENDATORY SECTION (Amending WSR 99-14-008, filed 6/24/99, effective 7/25/99)

WAC 415-112-725 Married member's benefit selection—Spousal consent required. (1) ((A member,)) If married, you must provide ((the)) your spouse's written consent to the option you selected under WAC 415-112-727. If, as a married member ((does)) you do not provide spousal consent, the department will pay ((the retired member)) you, as a retiree, a joint and ((fifty percent)) one-half survivor benefit allowance and record ((the member's)) your spouse as the survivor, in compliance with RCW 41.32.530(2) ((and)), 41.32.785(2), and 41.32.851(2).

(2) ((Spousal consent is not needed to enforce a marital dissolution order requiring the department to pay an ex-spouse under RCW 41.50.790.)) The department will comply with a dissolution order, consistent with the terms of RCW 41.50.790, that requires it to pay an ex-spouse of a Plan 1 or Plan 2 member, whether or not the member's spouse has consented.

(3) "Spousal consent" means that ~~((the married member's))~~ your spouse consents to the retirement option selected by ~~((the member))~~ you. ~~((The))~~ Your spouse's notarized signature on a completed retirement application constitutes spousal consent.

AMENDATORY SECTION (Amending WSR 01-01-059, filed 12/12/00, effective 1/12/01)

WAC 415-113-0303 Dual member system—Definition and system acronyms. "Dual member system" ~~((means))~~ is defined as the state and city retirement systems admitted to participate under chapter 41.54 RCW. These systems are:

- ~~((1))~~ PERS Plans 1 and 2;
- ~~((2))~~ TRS Plans 1, 2 and 3;
- ~~((3))~~ LEOFF Plan 2;
- ~~((4))~~ WSPRS;
- ~~((5))~~ Statewide city employees' retirement system;
- ~~((6))~~ The first class city retirement systems; and
- ~~((7))~~ SERS Plans 2 and 3.)

- (1) First class city retirement systems of Seattle, Tacoma and Spokane;
- (2) Law enforcement officers' and fire fighters' (LEOFF) retirement system Plan 2;
- (3) Public employees' retirement system (PERS) Plan 1, Plan 2 and Plan 3;
- (4) School employees' retirement system (SERS) Plan 2 and Plan 3;
- (5) Statewide cities employees' retirement system (SCERS);
- (6) Teachers' retirement system (TRS) Plan 1, Plan 2 and Plan 3; and
- (7) Washington state patrol retirement system (WSPRS) Plan 1 and Plan 2.

AMENDATORY SECTION (Amending WSR 01-01-059, filed 12/12/00, effective 1/12/01)

WAC 415-113-041 Am I a dual member? You must meet all of the following criteria to be a dual member:

(1) **You must be a participating member of a dual member system.** You must be a current member participant in at least one ~~((dual member system))~~ of the systems listed in WAC 415-113-030 to be a dual member. You may have established dual member status if you are or were a member participant ~~((of a dual member))~~ in one of those systems on or after:

- (a) July 1, 1988, for current or former members of all plans of PERS, SERS, TRS, SCERS or WSPRS;
- (b) July 25, 1993, for current or former members of LEOFF Plan 2; or
- (c) January 1, 1994, for current or former members of a first class city retirement system;

(2) **You must also be a former or current member of ~~((another dual member))~~ at least one other system listed in WAC 415-113-0303.**

(3) **You must not have been retired for service from a retirement system.** You are not a dual member if you have ever been retired for service from any retirement system administered by the department of retirement systems or a first class city retirement system.

~~((You must not be in receipt of a disability benefit from a dual member system.))~~ If you are receiving a disability retirement allowance or disability leave benefits from a dual member system or LEOFF Plan 1, you cannot be a dual member.

(a) If you have received a lump sum disability benefit from PERS Plan 2 or 3, SERS Plan 2 or 3, TRS Plan 2 or 3 or LEOFF Plan 2 you are in receipt of a disability benefit unless the department has found that you are no longer disabled.

(b) You are not receiving a disability retirement allowance or disability leave benefits if you:

(i) Previously received disability benefits and the department has subsequently found that you are no longer disabled, and has terminated your disability benefit; or

(ii) Retired for disability from service from WSPRS Plan 1 or 2.

Example 1: A former PERS Plan 1 member who has never been retired and becomes a member participant in TRS Plan 2 through employment with a TRS employer becomes a dual member.

(5) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Dual member" - RCW 41.54.010(4).
- (b) "Dual member system" - WAC 415-113-0303.
- (c) "Member participant" - WAC 415-113-0305.

AMENDATORY SECTION (Amending WSR 01-01-059, filed 12/12/00, effective 1/12/01)

WAC 415-113-042 ~~((Can I))~~ What can terminate my status as a dual member? ~~((Termination of dual member status—Reestablishing dual member status.))~~ (1) **If you ~~((are not a))~~ terminate your status as a participating member, you ~~((are not))~~ also terminate your status as a dual member.** If you are no longer a member participant in any dual member system, you are no longer a dual member. If you later become a member of a dual member system, you again become a dual member.

Example 2: Upon separation from TRS Plan 2 eligible employment, the person in Example 1 ~~((in))~~ ~~((see))~~ WAC 415-113-041 is no longer a member of TRS Plan 2 nor a dual member.

(2) **If you retire, you are no longer a dual member.** ~~((Upon retirement))~~ When you retire from any or all dual member systems, ~~((a person is))~~ you are no longer a dual member except for the purpose of receiving a deferred retirement allowance under RCW 41.54.030(3) and WAC 415-113-070.

(3) **If you ~~((are not a))~~ terminate dual ~~((member))~~ membership, you may still be eligible ~~((for))~~ to receive a multiple system benefit ~~((If you are no longer a dual member you may still be able to receive a multiple system benefit))~~ if otherwise eligible.** The accrual date of your retirement allowance will vary depending upon the provisions of the particular system. You can find the accrual dates of different dual member systems in the following provisions:

- ~~((a))~~ **PERS 1:** RCW 41.40.193;
- ~~((b))~~ **PERS 2:** RCW 41.40.680;
- ~~((c))~~ **TRS 1:** WAC 415-112-520;

- ~~(d) TRS 2: RCW 41.32.795;~~
- ~~(e) TRS 3: RCW 41.32.855;~~
- ~~(f) LEOFF 2: RCW 41.26.490;~~
- ~~(g) SERS 2: RCW 41.35.450;~~
- ~~(h) SERS 3: RCW 41.35.640;))~~
- (a) LEOFF 2: RCW 41.26.490;
- (b) PERS 1: RCW 41.40.193;
- (c) PERS 2: RCW 41.40.680;
- (d) PERS 3: RCW 41.40.801;
- (e) SERS 2: RCW 41.35.450;
- (f) SERS 3: RCW 41.35.640;
- (g) TRS 1: WAC 415-112-520;
- (h) TRS 2: RCW 41.32.795;
- (i) TRS 3: RCW 41.32.855.

(4) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.

- (a) "Dual member" - RCW 41.54.010(4), WAC 415-113-041.
- (b) "Dual member system" - WAC 415-113-0303.
- (c) "Member participant" - WAC 415-113-0305.
- (d) "Multiple system benefit" - WAC 415-113-0306.

AMENDATORY SECTION (Amending WSR 01-01-059, filed 12/12/00, effective 1/12/01)

WAC 415-113-065 Can I substitute salary from one system to another? (1) You can substitute base salary between systems.

(a) If you (~~elect~~) choose to retire with a multiple system benefit, you may substitute your base salary under one dual member system for your includable compensation in a second dual member system for purposes of computing a retirement allowance from the second system. Using the substituted salary, the department will compute your average compensation under each system's own requirements.

Example 6: At retirement, (~~a person~~) Sandy is a member participant in PERS Plan 2 and has prior creditable service in TRS Plan 1. (~~Assume the multiple system retiree~~) She earned her highest compensation during her PERS Plan 2 service. (~~The retiree's~~) Sandy's PERS Plan 2 retirement allowance will be based on her PERS Plan 2 average compensation. For purposes of computing her TRS average compensation and retirement allowance, (~~she~~) Sandy may substitute her PERS Plan 2 base salary earned over two consecutive fiscal years for her earnable compensation in TRS.

Example 7: At retirement, (~~a person~~) Pat is a member participant in TRS Plan 1 and has prior creditable service in PERS Plan 1. (~~Assume the multiple system retiree~~) He earned his highest compensation during his membership in TRS Plan 1 and received a sick-leave cashout. (~~The retiree~~) Pat may substitute his base salary earned while a member in TRS Plan 1 for his PERS Plan 1 compensation earnable. However, because (~~he~~) Pat may substitute only his base salary from TRS Plan 1 for his compensation earnable in PERS, his PERS average com-

pensation will not include (~~any~~) the cashout payments from his TRS employer.

(b) If you do not have sufficient service credit months in one dual member system to complete an average compensation period under that system, the department will substitute the appropriate number of months of base salary from another system to complete the average compensation period.

Example 8: (~~A person who~~) Tim has creditable service in TRS Plan 1 and PERS Plan 2. He retires at age sixty-five (~~having accrued~~) after accruing twenty-four months of service in PERS Plan 2. Under PERS Plan 2, a member's average compensation period is the member's highest consecutive sixty-month period of compensation. To compute (~~the multiple system retiree's~~) Tim's PERS Plan 2 retirement allowance, the department will substitute (~~her~~) his highest consecutive thirty-six service credit months of TRS base salary to complete the PERS sixty-month average compensation period.

(2) **Adjusted full-time salary is not base salary.** A multiple system retiree's adjusted full-time salary under RCW 41.32.345 shall not constitute base salary for purposes of computing the retiree's multiple system benefit.

(3) **Includable compensation defined.** For purposes of this chapter, "includable compensation" means:

- (a) Earnable compensation under TRS Plan 1, 2 or 3 as defined in RCW 41.32.010(10);
 - (b) Compensation earnable under PERS Plan 1 (~~or~~), 2 or 3 as defined in RCW 41.40.010(8);
 - (c) Basic salary under LEOFF Plan 2 as defined in RCW 41.26.030 (13)(b);
 - (d) Monthly salary under WSPRS Plan 1 or 2 as (~~used~~) defined in RCW 43.43.120(~~(15))~~ (23) and WAC 415-103-010; and
 - (e) Compensation earnable under SERS Plan 2 or 3 as defined in RCW 41.35.010(6).
- (4) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.
- (a) "Average compensation" - WAC 415-113-0302.
 - (b) "Base salary" - RCW 41.54.010(1).
 - (c) "Dual member system" - WAC 415-113-0303.
 - (d) "Member participant" - WAC 415-113-0305.
 - (e) "Multiple system benefit" - WAC 415-113-0306.
 - (f) "Multiple system retiree" - WAC 415-113-0308.

AMENDATORY SECTION (Amending WSR 01-01-059, filed 12/12/00, effective 1/12/01)

WAC 415-113-070 (~~Can I defer my retirement allowance from a system if I retire with a multiple system benefit? If I retire as a dual member, must I receive benefits from both systems immediately? ((1) You may defer receipt of your retirement allowance. If, by combining creditable service, you qualify to retire in one system but not in a second system, you must either:~~

- (a) ~~Receive an actuarially reduced retirement allowance from the second system; or~~

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~~(b) Defer retirement in the second system until a later date of your choice. If you choose to begin receiving a retirement allowance from your second system before you are fully eligible, the benefit will be actuarially reduced.~~

~~(i) If you elect to defer retirement in the second system, you retain dual member status for the sole purpose of receiving a deferred multiple system benefit;~~

~~(ii) If you retire from all systems but elect to defer retirement in one dual member system under RCW 41.54.030(3), you may not subsequently withdraw accumulated contributions from that system.~~

~~(c) An actuarial reduction under (a) or (b) of this subsection, if applicable, will account for the difference between your age at the time you begin receiving the retirement allowance and the earliest age where you would be fully eligible based upon your combined service. "Fully eligible" means a person who has enough combined service to qualify for a retirement allowance from a dual member system without receiving a reduction for:~~

~~(i) Early retirement from a Plan 2 or Plan 3 system under RCW 41.40.630(2), 41.35.420(2), 41.35.680(2), 41.32.765(2), 41.32.875(2), 41.26.430(2); or~~

~~(ii) Early retirement from a Plan 3 system under RCW 41.32.875(2); or~~

~~(iii) Retirement as a nonmember participant from WSPRS under RCW 43.43.280(2).~~

~~(2) If you defer your retirement allowance and later reenter membership, you are no longer a dual member. If, after deferring retirement, you enter membership in a dual member system, your dual member status terminates. Once your dual member status terminates:~~

~~(a) You may only retire under the deferred system if eligible based solely upon that system's retirement eligibility criteria; and~~

~~(b) Your retirement allowance under the deferred system will be based solely upon service actually established in that system.) (1) If you qualify to retire in one system but not the second system, you may nonetheless choose to retire from both systems and receive a multiple system benefit.~~

~~(2) If you retire with a multiple system benefit, before you have become eligible in a second system(s), you must either:~~

~~(a) Take an actuarial reduction in the retirement allowance you receive from the second system(s); or~~

~~(b) Defer receipt of your retirement allowance in the second system(s) under RCW 41.54.030(3).~~

~~(3) If you take an actuarial reduction under subsection (2)(a) of this section, the reduction will account for the difference between your age at the time you begin to receive the retirement allowance and the earliest age when you would be fully eligible based on your combined service. You are "fully eligible" when you meet the age and service qualifications for retirement for each system.~~

~~(4) If you defer receipt of your retirement allowance under subsection (2)(b) of this section:~~

~~(a) You will retain dual member status for the sole purpose of receiving a deferred retirement allowance from the second system(s); and~~

~~(b) You may not subsequently withdraw accumulated contributions from the second system(s).~~

Example 9: A sixty-two year old dual member of PERS Plan 1 and TRS Plan 2 retires. He ~~((elects))~~ chooses to receive PERS Plan 1 benefits but defers receipt of a TRS Plan 2 retirement allowance. If he becomes reemployed in a TRS Plan 2 eligible position, he will reenter TRS Plan 2 membership if otherwise eligible and terminate his dual member status, but he will continue to receive his PERS Plan 1 retirement allowance until he works more than the work-limit in a calendar year under WAC 415-108-710. The member's eligibility to retire from TRS Plan 2 will be based solely on his accrued service credit in TRS Plan 2 and his TRS Plan 2 retirement allowance will be based solely on his compensation while he was a member participant in TRS Plan 2.

Example 10: Assume the retiree in Example 9 above became reemployed in a PERS position rather than a TRS Plan 2 position. He could work in this position up to the work-limit in a calendar year under WAC 415-108-710 without having his PERS retirement allowance suspended. If the retiree works over the work-limit:

- The department would suspend his retirement allowance until the next calendar year. He would remain a dual member. He would be able to retire in TRS 2 if otherwise eligible;

- The retiree could ~~((elect))~~ choose to reenter PERS Plan 1 membership at any time, if otherwise eligible, and terminate his dual member status. His ~~((election))~~ choice for membership is not retroactive. The effect on the person's right to a TRS Plan 2 benefit is the same as in Example 9. See WAC 415-108-710.

~~((3)) (5) If you defer your retirement allowance and die before you begin receiving the allowance, your survivor may receive a continuing benefit. If you defer receipt of your retirement allowance from a system and die before you ~~((elect))~~ choose to begin receiving the allowance:~~

~~(a) Your surviving spouse, if any, must ~~((elect))~~ choose to receive either:~~

~~(i) A joint and one hundred percent survivor option from the deferred system. If your surviving spouse selects this option, your base salary under one system may be substituted for your includable compensation in the deferred system to compute the survivor retirement allowance from the deferred system; or~~

~~(ii) A refund of your accumulated contributions from the deferred system.~~

~~(b) If you do not have a surviving spouse, the department will pay your accumulated contributions from the deferred system to:~~

~~(i) Your designated beneficiary or beneficiaries; or~~

~~(ii) Your estate, if there are no living beneficiaries.~~

~~((4)) (6) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.~~

~~(a) "Dual member system" - ~~((RCW 41.32.010(4), WAC 415-113-041))~~ WAC 415-113-0303.~~

- (b) (~~"Member participant" - WAC 415-113-0305.~~
 (e)) "Includable compensation" - WAC 415-113-065(3).
 (c) "Member participant" - WAC 415-113-0305.
 (d) "Multiple system participant" - WAC 415-113-0307.
 (e) "Nonmember participant" - WAC 415-113-0309.
 (f) "System" - RCW 41.54.010(6).

AMENDATORY SECTION (Amending WSR 99-22-043, filed 10/29/99, effective 11/29/99)

WAC 415-113-090 What is the maximum retirement benefit that I may receive under chapter 41.54 RCW? (1) (~~Your benefit may not exceed the highest benefit limit under any one system.~~) Your multiple system benefit may not exceed the highest maximum benefit which you would be permitted to receive under any one of the dual member systems from which you are retiring if all of your service had been provided in one system. See RCW 41.54.070.

(2) The department will compute your maximum multiple system benefit in the following order:

(a) Calculate the maximum benefit you could receive under each system. The department will compute your maximum benefit according to the benefit limitation provisions of each system as if you had earned your total career service and compensation in that system. In computing your maximum benefit under each system, the department will:

(i) Apply the provisions of each system governing the calculation of your average compensation in that system; and

(ii) Assume you earned all of your career service with your last employer for purposes of determining any limitations on the inclusion of leave cashouts in your average compensation.

Example 18: A multiple system retiree retires from TRS Plan 1 state employment with prior creditable PERS Plan 1 service. His (~~(state)) PERS~~ employer pays him an accrued sick leave cashout at termination. Because a sick leave cashout from a state agency employer is not includable as TRS earnable compensation, the department will not include the cashout in the retiree's average compensation for purposes of computing either his PERS Plan 1 or TRS Plan 1 maximum benefit.

Example 19: A multiple system retiree retires from PERS Plan 1 local government employment and receives a sick leave cashout. Because a sick leave cashout from a local government employer may be included as earnable compensation, the department will include the sick leave cashout to compute the retiree's maximum benefits under both PERS Plan 1 and TRS Plan 1.

(b) Determine your retirement allowances from each system. After computing your maximum benefit, the department will determine the retirement allowances to which you are entitled (~~(to))~~ from each system under chapter 41.54 RCW before making any reduction under RCW 41.54.070. If applicable, the department will then reduce the amount of

your retirement allowances provided by either of the dual member systems for:

(i) Your status as a nonmember participant of WSPRS Plan 1 or 2 pursuant to RCW 43.43.280(2); or

(ii) Your (~~(election))~~ choice to retire early from a Plan 2 system under RCW 41.40.630(2), 41.32.765(2), 41.35.420(2), and 41.26.430(2) or Plan 3 system under RCW 41.32.875(2), 41.35.680(2), and 41.40.820(2).

(c) Compute your total multiple system benefit. Upon computing your retirement allowances from each system and making any applicable reductions under (b) of this subsection, the department will add the systems' allowances to compute your total multiple system benefit.

(d) Compare your total multiple system benefit with your maximum benefit and, if necessary, proportionately reduce your retirement allowances. The department will then compare your total multiple system benefit with your maximum benefit calculated in (a) of this subsection. If your total multiple system benefit exceeds your maximum benefit, the department will proportionately reduce your retirement allowances provided by each system as follows:

(i) Calculate what proportion your total multiple system benefit is provided by each system separately; and

(ii) Proportionately reduce the benefit provided by each system to account for the excess of your total multiple system benefit over your maximum benefit.

Example 20: A person with twenty-nine years of prior service in TRS Plan 1 and one year of subsequent service in PERS Plan 2 retires from both systems at age sixty-five. The retiree's TRS Plan 1 average compensation is thirty thousand dollars. The TRS Plan 1 maximum benefit is sixty percent of average compensation. The retiree's maximum TRS benefit is eighteen thousand dollars or one thousand five hundred dollars per month. The retiree's PERS Plan 2 average compensation is twenty-eight thousand dollars. The retiree's maximum PERS 2 benefit is sixteen thousand eight hundred dollars or one thousand four hundred dollars per month. The retiree's maximum benefit is the higher of the two amounts, one thousand five hundred dollars per month.

Assume the retiree's accrued service is such that her actual TRS Plan 1 monthly benefit is one thousand four hundred fifty dollars and her PERS Plan 2 monthly benefit is one hundred dollars. The retiree's total multiple system benefit is the sum of her TRS Plan 1 and PERS Plan 2 benefits, or one thousand five hundred fifty dollars. Because the retiree's total multiple system benefit exceeds her maximum benefit by fifty dollars, the department would proportionately reduce her TRS Plan 1 and PERS Plan 2 benefits. Her TRS Plan 1 benefit is 29/30 of her total service or ninety-seven percent, and her PERS Plan 2 benefit is 1/30 of total service, or three percent. The department would reduce her TRS

Plan 1 benefit by ninety-seven percent of the overage, or forty-eight dollars and fifty cents (50 x.97) and her PERS Plan 2 benefit by three percent of the overage, or one dollar and fifty cents (50 x.03).

(3) **If you select a benefit payment option, the department will reduce your multiple system benefit to account as appropriate.** After making any applicable maximum benefit reductions, the department will further reduce your benefit if you ~~((elect))~~ choose:

- (a) To withdraw your accumulated contributions at the time you retire from TRS Plan 1;
- (b) A survivor benefit option; or
- (c) A cost-of-living adjustment (COLA) option.
- (4) **Defined terms used.** Definitions for the following terms used in this section may be found in the sections listed.
 - (a) "Average compensation" - WAC 415-113-0302.
 - (b) "Dual member" - RCW 41.54.010(4), WAC 415-113-041.
 - (c) "Dual member system" - WAC 415-113-0303.
 - (d) "First class city system" - WAC 415-113-0304.
 - (e) "Member participant" - WAC 415-113-0305.
 - (f) "Multiple system benefit" - WAC 415-113-0306.
 - (g) "Multiple system retiree" - WAC 415-113-0308.
 - (h) "Nonmember participant" - WAC 415-113-0309.

AMENDATORY SECTION (Amending WSR 01-01-059, filed 12/12/00, effective 1/12/01)

WAC 415-113-200 SERS and PERS concurrent employment. For the purposes of this section and pursuant to RCW 41.35.005, 41.35.010, 41.40.010, and 41.54.100, "concurrent employment" refers to ~~((an individual who is employed simultaneously))~~ simultaneous employment in an eligible SERS Plan 2 or Plan 3 position and an eligible PERS Plan 2 or Plan 3 position.

If a member has been concurrently employed at any time, this section governs the calculation of service credit, average final compensation, and retirement benefits attributable to all periods of PERS employment, SERS employment, and concurrent employment.

(1) **Can I participate in SERS and PERS at the same time?** Yes, you may participate in SERS and PERS at the same time when employed concurrently in a PERS eligible position and a SERS eligible position. Your SERS employer will report your SERS eligible service in SERS. Your PERS employer will report your PERS eligible service in PERS.

(2) **Will the factors used to calculate my defined benefit be different because of concurrent employment in SERS and PERS?** No, the department will calculate your service credit and average final compensation as if all of your employment was reported in one system. These two factors are used to calculate your defined benefit.

(3) **Will the amount of my benefit be different because of concurrent employment?**

(a) If you are concurrently employed in SERS Plan 2 and PERS Plan 2, the amount of your benefit from SERS and PERS combined will be the same as if all of your service had been reported and you received a benefit in one system, because:

(i) SERS Plan 2 and PERS Plan 2 both use identical two-percent benefit formulas; and

(ii) Your total service credit and average final compensation will not be different than if all of your service had been reported in one system pursuant to subsection (2) of this section.

(b) If you are concurrently employed in SERS Plan 3 and PERS Plan 2, the amount of your benefit may be ~~((greater or less))~~ larger or smaller than if all of your service had been reported in one system:

(i) SERS Plan 3 uses a one-percent defined benefit formula and has a defined contribution component. You are responsible for the investment of your defined contribution component, which is subject to investment gains or losses; therefore, the dollar value of your total benefit may be greater or less than what you would have received if all of your service had been reported in one defined benefit system.

(ii) The allocation of your service credit while concurrently employed, as described in subsection (4) of this section, may also affect the dollar value of your benefit.

(4) **How is my service credit granted while concurrently employed?** As a concurrently employed member, you are entitled to exactly the same amount of service credit for your SERS and PERS service combined that you would have received had all of your service been reported in one system.

To calculate your service credit the department will:

(a) Combine your SERS and PERS service to determine the amount of service credit you would have earned had all of your service been reported in one system.

(b) Calculate and grant service credit in SERS based only on your reported SERS service.

(c) Calculate and grant service credit in PERS by subtracting the amount of service credit granted for SERS in (b) of this subsection from the amount of service credit calculated in (a) of this subsection that you would have earned had all of your service been reported in one system (see example 1):

(i) For any month ~~((that))~~ in which you receive one month of service credit in SERS for a calendar month of employment, you will not receive any PERS service credit in that month.

(ii) The combined service credit in SERS and PERS may not exceed one month of service for a calendar month of employment.

(d) Adjust the SERS service credit at the conclusion of each school year in accordance with the provisions of RCW 41.35.180. This adjustment may cause changes in the combined SERS/PERS service credit and/or changes in the PERS service credit. (See example 2).

Example 1: Monthly computation of concurrent employment service credit.

Part-time SERS and part-time PERS.

(a) During a month, a member works 80 hours at a school district and 100 hours at a county. If all of the service had been reported in one system, the maximum the member could have earned is one service credit for that month. The member will be granted .5 service credit in SERS based on the 80 hours of service reported in SERS and will receive .5 service credit in

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PERS based on subtracting the .50 service credit in SERS from the maximum of 1.00 service credit.

(b) During a month, a member works 65 hours at a school district and 30 hours at a county. If all of the service had been reported in one system, the maximum the member could have earned is one service credit for that month. The member will be granted .25 service credit in SERS based on the 65 hours of service reported in SERS and will receive .75 service credit in PERS based on subtracting the .25 service credit in SERS from the maximum of 1.00 service credit.

Full-time SERS and part-time PERS.

During a month, a member works 172 hours for an educational service district and works 30 hours for a state agency. If all of the service had been reported in one system, the maximum the member could have earned is one service credit for that month. The member will be granted one month of service credit in SERS based on the 172 hours of service reported in SERS and will receive 0.0 service credit in PERS (even though they worked 30 hours) based on subtracting the 1.00 service credit in SERS from the maximum of 1.00 service credit.

Part-time SERS and full-time PERS.

During a month, a member works 40 hours for a school district and 180 hours for a city. If all of the service had been reported in one system, the maximum the member could have earned is one service credit for that month. The member will be granted .25 service credit in SERS based on the 40 hours of service reported in SERS and will receive .75 service credit in PERS based on subtracting the .25 service credit in SERS from the maximum of 1.00 service credit.

Example 2: Application of the educational service credit rules and the effects on concurrent employment service credit computation.

During September, October, and November a member works 60 hours, 30 hours, and 70 hours in SERS and works 90 hours, 30 hours, and 60 hours in PERS, respectively. Based on these hours, the member would have been granted .25, .25, and .50 service credits in SERS and .75, 0.0, and .50 in PERS. The member's service credit calculated on a monthly basis through November is shown in Table 1 below.

At the end of the school year, the educational service credit rules (RCW 41.35.180) are applied. The application of these rules may cause one or more months of SERS service credit to change. A change in the SERS service credit for any given month may cause the combined SERS/PERS service credit to change. See Table 2, second line. The PERS service credit would then need to be recalculated for any month that the SERS service credit changed.

The members service for the entire school year is shown in Table 2 below. Applying the educational service credit rules, the member is now entitled to six service credit months in SERS for the school year (.50 in each month of September through August) based on working a total of 750 hours for the year. Thus, the service credit in September would be changed to .50 service credit in SERS and .50 credit in PERS. The service credit in October would be changed to .50 service credit in SERS and would remain at 0.0 service credit in PERS. November's service credit calculation is not affected by the application of the educational service credit rules.

Table 1: Month by Month Determination

	HOURS			SERVICE CREDIT		
	Combined PERS/SERS	SERS	PERS	Combined PERS/SERS	SERS	PERS
Sept	150	60	90	1	0.25	0.75
Oct	60	30	30	.25	.25	0.00
Nov	130	70	60	1	0.50	0.50

Table 2: After RCW 41.35.180 Adjustment

	HOURS			SERVICE CREDIT		
	Combined PERS/SERS	SERS	PERS	Combined PERS/SERS	SERS	PERS
Sept	150	60	90	1	0.5	0.5
Oct	60	30	30	0.5	0.5	0
Nov	130	70	60	1	0.5	0.5
Dec	120	60	60	1	0.5	0.5
Jan	140	70	70	1	0.5	0.5
Feb	160	90	70	1	0.5	0.5

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Mar	130	60	70	1	0.5	0.5
Apr	140	70	70	1	0.5	0.5
May	130	70	60	1	0.5	0.5
Jun	130	70	60	1	0.5	0.5
Jul	80	40	40	0.5	0.5	0
Aug	120	60	60	1	0.5	0.5
		750		11	6	5

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(5) **How is my average final compensation calculated if I have been concurrently employed?** Your average final compensation will be calculated by combining all compensation earnable and service credit from all periods of SERS employment, PERS employment, and concurrent employment and then determining your highest consecutive sixty service credit months prior to your retirement, termination, or death. If an authorized leave occurs during the highest consecutive sixty service credit months, amounts earned during the period of leave will not be used in the calculation of average final compensation, except under RCW 41.40.710(2), 41.35.470(2) or 41.35.650(2).

(6) **How is my defined benefit in each system calculated?** A retirement allowance will be calculated using the appropriate formula for each system and plan as described in chapters 41.40 and 41.35 RCW, except that:

(a) The PERS service credit granted under subsection (4) of this section will be used in the PERS calculation and the SERS service credit granted under subsection (4) of this section will be used in the SERS calculation; and

(b) The average final compensation calculated under subsection (5) of this section will be used as the average final compensation for both PERS and SERS.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 415-113-0310 System acronyms—Definition.

AMENDATORY SECTION (Amending WSR 01-01-059, filed 12/12/00, effective 1/12/01)

WAC 415-200-030 Plan 3 external administrators.

The employee retirement benefits board may obtain external investment management services to assist with the provision of self-direct investment options. External administrator and investment management services will be obtained through competitive procurement processes to ensure the teachers' retirement system Plan 3 ~~((and)), school employees' retirement system Plan 3 and the public employees' retirement system Plan 3~~ members receive quality services and competitive pricing. The department of retirement systems may select external administrators to assist with the administration of the defined contribution portion of ~~((the teachers' retirement system plan III established under chapter 41.34 RCW and the school employees' retirement system plan 3 established under chapter 41.35 RCW))~~ Plan 3 systems.

**WSR 01-21-085
PROPOSED RULES
OLYMPIC AIR POLLUTION
CONTROL AUTHORITY**

[Filed October 19, 2001, 1:38 p.m.]

Original Notice.

Exempt from preproposal statement of inquiry under RCW 70.94.141(1).

Title of Rule: Amend OAPCA Regulation 1 Article 9 Emission Prohibited.

Purpose: Allow the agency to issue land clearing burning permits and collect a fee for the permit.

Statutory Authority for Adoption: Chapter 70.94 RCW. Statute Being Implemented: RCW 70.94.780.

Summary: This proposal will allow the agency to issue land clearing burning permits and collect a fee for the permit.

Reasons Supporting Proposal: Olympic Air Pollution Control Authority (OAPCA) is offering a land clearing permit in those areas of its jurisdiction that do not have a local fire district or other government entity willing to offer such permits.

Name of Agency Personnel Responsible for Drafting: Robert Moody, 909 Sleater Kinney Road S.E. #1, Lacey, WA 98503, (360) 438-8768; Implementation and Enforcement: Richard Stedman, 909 Sleater Kinney Road S.E. #1, Lacey, WA 98503, (360) 438-8768.

Name of Proponent: Olympic Air Pollution Control Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Though allowed by statute, Regulation 1 did not allow the dispensing of land clearing burning permits. Historically, the state Department of Natural Resources had handled these permits. Having withdrawn from this program, OAPCA is compelled to offer this service. This change will allow the agency to dispense the permits and to collect a fee to recover the costs of administering the program.

Proposal Changes the Following Existing Rules: The new rule will allow OAPCA to issue land clearing burning permits and collect a fee. OAPCA has not been issuing these permits and did not collect a fee for the service.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This agency is not subject to the Regulatory Fairness Act (chapter 19.85 RCW) because air pollution control authorities are not deemed state agencies (RCW 70.94.141).

RCW 34.05.328 does not apply to this rule adoption. Pursuant to RCW 70.94.141(1), RCW 34.05.328 does not apply to this rule adoption.

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Hearing Location: Olympic Air Pollution Control Authority, 909 Sleater Kinney Road S.E. #1, Lacey, WA 98503, on December 12, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Craig Weckesser by December 3, 2001, (360) 438-8768 ext. 111.

Submit Written Comments to: Olympic Air Pollution Control Authority, 909 Sleater Kinney Road S.E. #1, Lacey, WA 98503.

Date of Intended Adoption: December 12, 2001.

October 19, 2001

Richard Stedman

Executive Director

**AMENDATORY SECTION
SECTION 9.01 OPEN FIRES**

It is the policy of the Olympic Air Pollution Control Authority (OAPCA) to achieve and maintain high levels of air quality, and, to this end, minimize to the greatest extent reasonably possible the burning of open fires. Consistent with this policy, the Board does hereby declare that such fires should be allowed only on a limited basis under strict regulation and close control, such program to be implemented by a one permit system. It is the further policy of the Board to encourage the fostering and development of an alternate technology or method of disposing of wastes which is reasonably economical and less harmful to the environment.

(a) It shall be unlawful for any person to cause or allow any open fire:

(1) Containing prohibited materials which include, but are not limited to, garbage, dead animals, petroleum products, paints, rubber products, plastics, paper (other than what is necessary to start a fire), cardboard, treated wood, processed wood, construction debris, metal or any substance which when burned releases toxic emissions, dense smoke or obnoxious odors.

(2) During an air pollution episode or period of Impaired Air Quality as defined in RCW 70.94.

(3) In a no burn/nonattainment area or in any area which has been designated by the Board or Control Officer as an area exceeding or threatening to exceed State or Federal ambient air quality standards.

(i) It shall be unlawful for any person to cause or allow any open fire described in Section 9.01 (b)(2) and (6) in any area where the Board has prohibited burning.

(ii) Fires described in Section 9.01 are prohibited in the following areas:

All areas within the city limits of Lacey, Olympia, and Tumwater, and unincorporated areas of Thurston county lying within or between the municipal boundaries.

(4) In any area in which the applicable fire district, fire protection agency, city, town, county, or conservation district has determined not to issue burning permits or has determined that selected types of open burning fires are prohibited under a valid burning permit program established pursuant to RCW 70.94.745, RCW 70.94.750, RCW 70.94.775, and/or RCW 70.94.780.

(5) Within fifty (50) feet of a structure or within five hundred (500) feet of forest slash debris.

(6) In any area within the jurisdiction of this authority all burning requires a permit as covered in WAC 173-425-070.

(7) Urban growth areas and cities with a population of ten thousand or more will ban open burning when alternatives are available, no later than the end of the year 2000.

(8) If open burning creates a nuisance the fire must be extinguished immediately.

(b) Other than the following types:

(1) Recreational fires no larger than four feet in diameter and three feet in height for campfires at designated federal, state, county or city parks and recreation areas, provided a written permit has been issued by a fire protection agency, county, or conservation district.

(2) Residential fires set for the disposal of yard and garden refuse (except cut grass) originating on lands immediately adjacent and in close proximity to a human dwelling subject however, to the following restrictions:

(i) There shall be one (1) fire only and it shall not exceed four (4) feet in diameter and three (3) feet in height.

(ii) The material may be burned only if it is of a location, nature and condition to burn without emitting dense smoke or offensive odors or creating a nuisance.

(iii) The fire is to consist only of dry leaves and prunings (except grass cuttings which produce dense smoke), and be burned on such lands by the property owner or their designee under strict conditions such as hours, dates, smoke management, etc., provided a written permit has been issued by a fire protection agency, county, or conservation district (thirty (30) days are the maximum allowed).

(iv) There shall be compliance with all laws and regulations of other governmental agencies regarding such fires.

(v) The fire is not contrary to Section 9.01(a).

(3) Where open burning is allowed a minimum permit (general rule burn) is allowed provided that all restrictions (i through viii) are met.

(i) The fire must be attended at all times by someone with the means and capability of extinguishing the fire.

(ii) Maximum pile size is four (4) feet by four (4) feet by three (3) feet in height.

(iii) Only one pile shall be burned at a time, and each pile must be extinguished before igniting another.

(iv) No material containing garbage, asphalt, dead animals, petroleum products, paints, rubber products, plastic, paper (other than what is necessary to start a fire), cardboard, treated wood, processed wood, construction debris, metal or any substance which when burned releases toxic emissions, dense smoke or obnoxious odors.

(v) The designated permitting authority must be called to confirm burning conditions for each day or current information on burning conditions must be obtained from another designated source.

(vi) If the fire creates a nuisance, it must be extinguished.

(vii) Permission from a landowner, or owner's designated representative, must be obtained before starting an open fire.

(viii) General rule burn permits under this section may be used for the following number of days per year:

1992-1994	21 days
1995-1998	14 days

1998-1999	7 days
after 2000	7 days

The exact dates to implemented will be determined by the Control Officer.

(4) Fire associated with agricultural operations for controlling diseases, insects, weed abatement or development of physiological conditions conducive to increased crop yield, provided written confirmation has been furnished by a designated county extension agent or agricultural specialist designated by the Cooperative Extension Service that burning is the best management practice, a one time application fee of twenty dollars is collected, and prior written approval has been issued by the Control Officer.

(5) Fires for abating a forest fire hazard, to prevent a hazard, for instruction of public officials in methods of forest fire fighting, any silvicultural operation to improve forest lands, and silvicultural burning used to improve or maintain fire dependent ecosystems for rare plants or animals within state, federal, and private natural area preserves, natural resource conservation area, parks, and other wildlife areas, provided prior written approval has been issued by the Washington Department of Natural Resources.

(6) Land clearing fires consisting of residue of a natural character such as trees, stumps, shrubbery or other natural vegetation arising from land clearing projects, (natural vegetation can not be transported from this site to be burned at another location) under strict conditions, such as hours, dates, smoke management, etc., and provided a written permit has been issued by ~~((a fire protection))~~ an approved permitting agency ~~((, county, or conservation district))~~ (thirty (30) days are the maximum allowed for permit). Land clearing burning permits issued by OAPCA will be charged a fee in the amount of one hundred dollars (\$100.00).

(7) Cooking fires consisting solely of charcoal, propane, natural gas or wood (provided that wood is not used in a no burn/nonattainment area) and used solely for the preparation of food.

(8) Fires for Native American ceremonies or for the sending of smoke signals if part of a religious ritual, (provided that proof of tribal affiliation is certified and a permit has been issued by the Control Officer in a no burn area).

(c) Any permit issued may be limited by the imposition of conditions to prevent air pollution as defined in Article 1 of this Regulation. If it becomes apparent at any time to the authorized permitting agent that limitations need to be imposed, the authorized permitting agent shall notify the permittee; and any limitations so imposed shall be treated as conditions under which the permit is issued.

(d) Fires started in violation of this Regulation shall be extinguished by the persons responsible for the same upon notice of the authorized permitting agent.

(e) It shall be prima facie evidence that the person who owns or controls property on which an open fire occurs, has caused or allowed said open fire.

(f) Firemen Training: The Control Officer, or a duly authorized agent may allow, by permit, an open fire necessary for firemen training (other than forest fire training) by a legally authorized fire control agency and may authorize the burning of petroleum products by such permit. Conditions of

this permit will agree with guidelines established by the Washington Department of Ecology.

(g) Nothing contained in Article 9 shall be construed to allow open fires in those areas in which open burning is prohibited by laws, ordinances, or regulations of the state or any city, county, or fire district.

(h) Nothing contained in Article 9 shall relieve the applicant from obtaining permits required by any state or local fire protection agency or from compliance with Section 11.101 of the Uniform Fire Code.

Reviser's note: The typographical error in the above material occurred in the copy filed by the Olympic Air Pollution Control Authority and appears in the Register pursuant to the requirements of RCW 34.08.040.

WSR 01-21-086
PROPOSED RULES
DEPARTMENT OF LICENSING

[Filed October 22, 2001, 8:26 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-24-109.

Title of Rule: Chapter 308-56A WAC, Certificates of title—Motor vehicles, etc.

Purpose: 1. To meet the criteria set forth in Governor Locke's Executive Order 97-02.

2. To clarify rules and help make them more comprehensible.

Statutory Authority for Adoption: RCW 46.01.110, 46.12.101, 88.02.070.

Summary: Amending WAC 308-56A-090 Disclosure of individual owner information and 308-56A-270 Forms of signature; and repealing WAC 308-56A-095 Commercial parking companies.

Reasons Supporting Proposal: Meet criteria supporting Governor Locke's Executive Order 97-02.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Katherine Iyall Vasquez, 1125 Washington Street S.E., Olympia, 902-3718.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The anticipated effects will be a clarification of the above mentioned requirements.

Proposal Changes the Following Existing Rules: Clarify sections needed and repeal those no longer required.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.030 (1)(a). The proposed rule making does not impose more than a minor cost on business in an industry.

RCW 34.05.328 does not apply to this rule adoption. The contents of the proposed rules are explicitly and specifically dictated by statute.

Hearing Location: Highways-Licenses Building, Conference Room 107, 1125 Washington Street S.E., Olympia, WA 98507, on November 28, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Katherine Iyall Vasquez by November 27, 2001, TTY (360) 664-8885, or (360) 902-3718.

Submit Written Comments to: Katherine Iyall Vasquez, Rules Manager, Title and Registration Services, P.O. Box 2957, Olympia, WA 98507-2957, fax (360) 664-0831, by November 27, 2001.

Date of Intended Adoption: December 19, 2001.

October 18, 2001

D. McCurley, Administrator
Title and Registration Services

AMENDATORY SECTION (Amending WSR 00-20-065, filed 10/3/00, effective 11/3/00)

WAC 308-56A-090 Disclosure of individual vehicle owner information. ~~((1) What vehicle record information is protected under chapters 42.17 and 46.12 RCW? Information protected under chapters 42.17 and 46.12 RCW includes:~~

- (a) Name and address information;
- (b) Social Security numbers;
- (c) Medical or disability information;
- (d) Telephone numbers.

~~(2) Who may obtain vehicle owner information on individual vehicle records? The following may obtain vehicle owner information:~~

- (a) Individuals that provide personal identification:
 - (i) For vehicles currently registered in their name; or
 - (ii) For vehicles they can provide a bill of sale or document indicating that they purchased the vehicle.
- (b) Businesses;
- (c) Private investigators;
- (d) Attorneys; and
- (e) Government agencies.

~~(3) What information may be disclosed about a vehicle? The following information may be disclosed:~~

- (a) To individuals:
 - (i) Odometer history;
 - (ii) Total number of previous owners;
 - (iii) Foreign titles issued; and
 - (iv) Insurance destroyed in or reported to Washington.
- (b) To businesses, private investigators, attorneys, and government agencies, information relating to their course of business.

~~(4) What needs to be provided to the department in order to obtain vehicle information? To obtain vehicle information:~~

- (a) Individuals are required to submit their request to the department.
- (b) Washington businesses must provide:
 - (i) A completed form provided by the department; and
 - (ii) A copy of their current Washington master business license for Washington licensed businesses; or
 - (iii) Their Federal Employer Identification Number on their official letterhead with a notarized signature of the owner or their authorized representative for businesses not required to be licensed in Washington.
- (c) Out of state businesses must provide a completed form provided by the department; and

~~(i) A copy of their current business license issued by the foreign jurisdiction where the business is authorized to do business; or~~

~~(ii) Their Federal Employer Identification Number on official letterhead with a notarized signature of the owner or their authorized representative for the foreign business not licensed in the foreign jurisdiction.~~

~~(d) Private investigators must provide a completed form provided by the department and a copy of their private investigator's license.~~

~~(e) Attorneys must provide a completed form provided by the department and a copy of their bar card or business license.~~

~~(5) Does a business need to supply a new form and copy of the business license each time vehicle information is requested? Yes, each time a request is made for vehicle information a new form and copy of the business license is needed, unless a contract exists between the business and the department.~~

~~(6) Are businesses allowed individual owner information on vehicle records? Yes, if a business qualifies under RCW 46.12.380 and 18.U.S.C. 27.21, (commonly known as Driver Privacy Protection Act) they may receive individual vehicle owner information.)~~ (1) What vehicle record owner information is protected from disclosure? Vehicle information protected from disclosure is the same as under chapters 42.17 and 46.12 RCW which includes:

- (a) Name and address information;
- (b) Social Security numbers;
- (c) Medical or disability information; and
- (d) Telephone numbers.

(2) Who may receive disclosure of individual vehicle owner names and addresses?

- (a) Government agencies that require use of name and address information in their normal course of business;
- (b) Any business entity that requires use of name and address information in their normal course of business in accordance with these rules;
- (c) Vehicle manufacturers who require vehicle ownership information for recall of their product;
- (d) Individuals that provide proof of personal identification:

(i) For vehicles currently registered in their name; or
(ii) For vehicles they can provide a bill of sale or acceptable documents indicating that they purchased the vehicle.

Business and government entities requesting disclosure of individual vehicle owner names and addresses must enter into a disclosure agreement with the department.

(3) What documentation does the department require to disclose vehicle owner name(s) and address(es)? The department requires:

- (a) A signed and notarized vehicle/vessel record disclosure request application form provided by the department and completed by the applicant indicating the specific purpose for which the information will be used; and
- (b) A disclosure agreement with the department as required by RCW 46.12.380.
- (c) Acceptable business entity verification; or
- (d) A contract with the department.

(4) What is acceptable business verification? For purposes of this section acceptable business verification includes:

(a) If the requester is a licensed Washington business, a copy of its current master business license;

(b) If the requester is a business that is not required to be licensed in this state, its federal employer identification number/federal tax number (or Uniform Business Identifier) on official letterhead with a notarized signature of the owner or an authorized representative;

(c) If an attorney, a copy of the current bar card; or

(d) If a private investigator, a copy of the current private investigator's license.

(5) Does a business need to supply a new form and copy of the business license each time vehicle information is requested? Yes, each time a request is made for vehicle information a new form and copy of the business license is needed, unless a contract exists between the business and the department.

(6) If a business entity has entered into a contract or agreement with the department, is a separate request for each inquiry required? No. If a business entity has entered into a signed contract between the business and the department, a separate request for each inquiry is not required.

(7) Are businesses allowed individual owner information on vehicle records? Yes, if a business requires individual owner information to conduct their regular business and qualifies under RCW 46.12.380 and 18 U.S.C. 27.21 (commonly known as Driver Privacy Protection Act), it may receive individual vehicle owner information.

(8) Who may release the vehicle owner name and address information?

(a) The public disclosure unit of the vehicle services division of the department of licensing; or

(b) Agents and subagents, but only when disclosing information for purposes described in subsection (2)(d) of this section.

(9) When may the department disclose the individual name(s) and address(es) of vehicle owners? Notwithstanding the provisions of chapter 42.17 RCW, the department may disclose names and addresses of vehicle owners when:

(a) The requesting party is a business entity that requests the information for use in their normal course of business;

(b) The request is in writing, signed by the person requesting disclosure, contains the full legal name and address of the requesting party and/or their business, and specifies the purpose for which the information will be used; and

(c) The requesting party enters into a disclosure agreement with the department in which the party:

(i) Agrees they will use the information only for the purpose stated in the request for the information; and

(ii) Will not use, or facilitate the use of the information for the purpose of making any unsolicited business contact with a person named in the disclosed information.

(10) What does the term "unsolicited business contact" mean? The term "unsolicited business contact" means a contact that is intended to result in or promote the sale of any goods or services to a person named in the disclosure information. The term does not apply to situations where the

requesting party and such person have been involved in a business transaction prior to the date of the disclosure request and where the request is made in connection with the transaction.

(11) Is the department required to notify the vehicle owner when ownership information is disclosed? When the department grants a request from an attorney or private investigator for information under this section, the department will provide notice to the vehicle owner that the request has been granted. The notice will provide the name and address of the requesting party. Additionally, if a contract holder releases owner information to a private investigator or attorney, they must notify the vehicle owner that a request has been granted, and include the name and address of the requesting party.

(12) How long will the department retain the request for disclosure of vehicle owner information? The department will retain the request for disclosure for three years.

(13) Who is responsible for assuring that the information is used appropriately? Any person, business, entity or association that receives vehicle owner information under this section is responsible for assuring that the information received is not used for a purpose contrary to the agreement between the person, business, entity or association and the department.

AMENDATORY SECTION (Amending WSR 99-08-065, filed 4/5/99, effective 5/6/99)

WAC 308-56A-270 Forms of signature. (1) **What signature format is acceptable to the department?** The department will accept:

(a) The signature of an individual in the same form as the name appears on the application or on the certificate of ownership.

(b) The signature containing initials corresponding to the first letter of the given name(s).

(c) The signature containing a given name(s) corresponding to the initials.

(d) Common nicknames such as Bob for Robert, Jim for James, Betty for Elizabeth, etc.

(e) The signature, any memorandum, mark or sign made with the intent to authenticate and application for certificate of ownership or registration of any person provided in RCW 9A.04.110(23).

(2) **What form of signature is required for business owned vehicles?** Signatures for business owned vehicles must include:

(a) The name of the business or a commonly accepted abbreviation for the business;

(b) The signature of the person (~~who is signing~~) designated to sign on behalf of the business; and

(c) The title of the position of the person.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 308-56A-095

Commercial parking companies.

WSR 01-21-098
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed October 23, 2001, 8:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-18-046.

Title of Rule: WAC 388-513-1301 Definitions related to long-term care (LTC) services.

Purpose: This amendment repeals the definitions of "annuity" and "life estate" and adds a reference to the new WAC rules on trusts, annuities, and life estates, which includes definitions of these terms. It will also clarify definitions and add a definition of "participation."

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.575.

Statute Being Implemented: RCW 74.04.050, 74.04.057, 74.08.090, and 74.09.575.

Summary: Repeals the definitions that are duplicates to those found in WAC 388-500-0005 and adds cross references to where the definitions can be found (WAC 388-500-0005).

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Mary Beth Ingram, Program Manager, 925 Plum Street, Building 4, Floor 2, Olympia, WA 98504, (360) 725-1327.

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: This simplifies language and deletes duplicate definitions as well as adding new definitions needed for long-term care programs.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption. Client eligibility rules are exempt from this requirement under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 20, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 19, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-01-051, filed 12/8/99, effective 1/8/00)

WAC 388-513-1301 Definitions related to long-term care (LTC) services. This section defines the meaning of certain terms used in chapters 388-513 and 388-515 WAC. Within these chapters, institutional, waived, and hospice services are referred to collectively as LTC services. Other terms related to LTC services that also apply to other programs are found in the sections in which they are used. Definitions of terms used in certain rules that regulate LTC programs are as follows:

"**Add-on hours**" means additional hours the department purchases from providers to perform medically-oriented tasks for clients who require extra help because of a handicapping condition.

"**Alternate living facility (ALF)**" means one of the following that are contracted with the department to provide certain services:

(1) Adult family home (AFH) ((is)), a licensed family home that provides its residents with personal care and board and room for two to six adults unrelated to the person(s) providing the care.

(2) Adult residential care facility (ARC) (~~(((formally known)))~~ formerly known as a CCF) is a licensed facility that provides its residents with shelter, food, household maintenance, personal care and supervision.

(3) Adult residential rehabilitation center (ARRC) or Adult residential treatment facility (ARTF) ((is)), a licensed facility that provides its residents with twenty-four hour residential care for impairments related to mental illness.

(4) Assisted living facility (AL) ((is)), a licensed facility for aged and disabled low-income persons with functional disabilities. COPES eligible clients are often placed in assisted living.

(5) Division of developmental disabilities (DDD) group home (GH) ((is)), a licensed facility that provides its residents with twenty-four hour supervision.

(6) Enhanced adult residential care facility (EARC) ((is)), a licensed facility that provides its residents with those services provided in an ARC, in addition to those required because of the client's special needs.

~~("Annuity" means a policy, certificate, or contract that is an agreement between two or more parties to purchase a right to receive periodic income of a specified amount for a specified period of time.~~

~~"Assets" means all the income and resources of the client and the client's spouse. This includes any income and resources they are entitled to but do not receive because of action by:~~

~~(1) The client or the spouse;~~

~~(2) An individual, court or administrative body, with legal authority to act in place of or on behalf of the client or the spouse; or~~

~~(3) An individual, court or administrative body, acting at the direction or upon the request of the client or the spouse.)~~

"**Clothing and personal incidentals (CPI)**" means ~~((a standard allowance intended for clothing and other personal expenses for clients who live in a medical or alternate living facility. This allowance is sometimes referred to as the cli-~~

ent's)) the same as personal needs allowance (PNA) later in this section.

"**Community alternatives program (CAP)**" means a Medicaid-waivered program that provides home and community-based services as an alternative to an institution for the mentally retarded (ICF-MR) to persons determined eligible for services from DDD.

"**Community options program entry system (COPEs)**" means a Medicaid-waivered program that provides an aged or disabled person assessed as needing nursing facility care with the option to remain at home or in an alternate living facility.

"**Community spouse (CS)**" means a person who does not (~~receive~~) live in a medical, institutional, (~~waivered, or hospice services~~) or nursing facility, and who is legally married to an institutionalized client.

"**Comprehensive assessment (CA)**" means the evaluation process used by a department designated social services worker to determine the client's need for long-term care services.

"**Coordinated community AIDS service alternative (CASA)**" means a Medicaid-waivered program that provides a person with Acquired Immune Deficiency Syndrome (AIDS) or Disabled Class IV Human Immunodeficiency Virus (HIV) and at risk of hospitalization with the option to remain at home or in an alternate living facility.

"**Fair market value (FMV)**" means the price an asset may reasonably be expected to sell for on the local market at the time of transfer or assignment. A transfer of assets for love and affection is not considered a transfer for FMV.

"**Federal benefit rate (FBR)**" means the basic benefit amount the Social Security Administration (SSA) pays to clients who are eligible for the Supplemental Security Income (SSI) program.

~~("Hospice" means a Medicaid program that provides a client with a terminal illness a variety of treatment alternatives that can be received either at home or in a nursing facility.)~~

"**Institutional services**" means services paid for by Medicaid or state payment and provided in a nursing facility or equivalent care provided in a medical facility.

"**Institutional status**" means what is described in WAC 388-513-1320.

"**Institutionalized client**" means a client who has attained institutional status as described in WAC 388-513-1320.

"**Institutionalized spouse**" means a client who has attained institutional status as described in WAC 388-513-1320 and is legally married to a person who is not an institutionalized client.

"**Legally married**" means persons legally married to each other under provision of Washington state law. Washington recognizes other states' legal and common-law marriages. Persons are considered married if they are not divorced, even when they are physically or legally separated.

~~("Life estate" means an ownership interest in property limited to the owner's lifetime or, in some cases, to a lesser period. Its duration depends upon the lifetime of the owner or on the occurrence of some specific event, such as remarriage of the owner. Ordinarily, the owner of a life estate has the~~

~~right of possession, to use the property, to sell interest in the life estate, and to any income produced by the life estate. A contract establishing the life estate may restrain one or more rights of the owner.)~~

"**Likely to reside**" means there is a reasonable expectation the client will remain in a medical facility for thirty consecutive days. Once made, the determination stands, even if the client does not actually remain in the facility for that length of time.

~~("Long term care (LTC) services" means institutional, waived, and hospice services.)~~

"**Look-back period**" means the number of months prior to the month of application for LTC services that the department will consider for transfer of assets.

"**Maintenance needs amount**" means a monthly income amount a client keeps or that is allocated to a spouse or dependent family member who lives in the client's home.

~~("Medical facility" means an establishment that provides food, shelter, and medical care to four or more persons unrelated to the proprietor. (This definition does not include correctional facilities.) Medical facilities are limited to the following:~~

(1) A private or public medical facility licensed as a hospital and certified for Medicaid.

(2) Institution for mental disease (IMD), which is a hospital, nursing facility, or other facility of more than sixteen beds that is primarily engaged in providing diagnosis, treatment, or care of persons with mental diseases, including medical attention, nursing care, and related services.

(3) Institution for the mentally retarded (IMR), which is an institution that is primarily for the diagnosis, treatment, or rehabilitation of persons with mental retardation and related conditions. It provides, in a protected residential setting, ongoing care, twenty-four hour supervision, evaluation, and planning to help each person function at his/her greatest ability. Includes intermediate care facilities for the mentally retarded (ICF-MR).

(4) Nursing facility (NF), which is an institution or part of an institution licensed as a nursing facility or hospital which has a contract with DSHS to provide care for Medicaid clients.

(5) Residential habilitation center (RHC), which is a state-operated facility certified to provide ICF-MR and/or nursing facility level of care for persons with developmental disabilities.)

"**Medically intensive children (MIC)**" program means a Medicaid-waivered program that enables medically fragile children under age eighteen to live in the community. The program allows them to obtain medical and support services necessary for them to remain at home or in a home setting instead of in a hospital. Eligibility is included in the OBRA program described in WAC 388-515-1510.

"**Noninstitutional medical assistance**" means medical benefits provided by Medicaid or state-funded programs that do not include LTC services.

"**Nursing facility turnaround document (TAD)**" means the billing document nursing facilities use to request payment for institutionalized clients.

"**Outward bound residential alternative (OBRA)**" means a Medicaid-waivered program that provides a person

approved for services from DDD with the option to remain at home or in an alternate living facility.

"Participation" means the amount a client is responsible to pay each month toward the total cost of care they receive each month. It is the amount remaining after subtracting allowable deductions and allocations from available monthly income.

"Penalty period" means a period of time for which a client is not eligible to receive LTC services.

"Personal needs allowance (PNA)" means a standard allowance for clothing and other personal needs for clients who live in a medical or alternate living facility. This allowance is sometimes referred to as "CPI."

"Prouty benefits" means special "age seventy-two" Social Security benefits available to persons born before 1896 who are not otherwise eligible for Social Security.

"Short stay" means a person who has entered a medical facility but is not likely to remain institutionalized for thirty consecutive days.

"Special income level (SIL)" means the monthly income standard for the categorically needy (CN) program that is three hundred percent of the SSI Federal Benefit Rate (FBR).

~~("SSI-related" means an aged, blind, or disabled client who meets the requirements described in WAC 388-503-0510(1).)~~

"Swing bed" means a bed in a medical facility that is contracted as both a hospital and a nursing facility bed.

"Transfer of a resource or asset" means any act or failure to act, by a person or a nonapplying joint tenant, whereby title to or any interest in property is assigned, set over, or otherwise vested or allowed to vest in another person.

"Uncompensated value" means the fair market value (FMV) of an asset at the time of transfer minus the value of compensation the person receives in exchange for the asset.

"Undue hardship" means the person is not able to meet shelter, food, clothing, or health needs.

"Value of compensation received" means the consideration the purchaser pays or agrees to pay. Compensation includes:

- (1) All money, real or personal property, food, shelter, or services the person receives under a legally enforceable purchase agreement whereby the person transfers the asset; and
- (2) The payment or assumption of a legal debt the seller owes in exchange for the asset.

"Veterans benefits" means different types of benefits paid by the federal Department of Veterans Affairs (VA). Some may include additional allowances for:

- (1) Aid and attendance for an individual needing regular help from another person with activities of daily living;
- (2) "Housebound" for an individual who, when without assistance from another person, is confined to the home((-));
- (3) Improved pension ((is)), the newest type of VA disability pension((-it is)), available to veterans and their survivors whose income from other sources (including service connected disability) is below the improved pension amount((-)); or
- (4) Unusual medical expenses (UME) ((are)), determined by the VA based on the amount of unreimbursed medical expenses reported by the person who receives a needs-

based benefit. The VA can use UME to reduce countable income to allow the person to receive a higher monthly VA payment, a one-time adjustment payment, or both.

"Waivered programs/services" means programs for which the federal government authorizes exceptions to Medicaid rules. Such programs provide to an eligible client a variety of services not normally covered under Medicaid. In Washington state, waived programs are CAP, CASA, COPES, MIC, and OBRA.

WSR 01-21-099
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed October 23, 2001, 8:18 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-13-047.

Title of Rule: Amending WAC 388-14A-4605 Whose picture can go on the division of child support's DCS most wanted Internet site?

Purpose: Currently the noncustodial parent must owe at least \$10,000 in support debt to qualify for posting. Division of Child Support (DCS) is lowering that amount to \$5,000 at the request of custodial parents.

Statutory Authority for Adoption: RCW 26.23.120(2), 74.08.090.

Statute Being Implemented: RCW 26.23.120(2), 74.08.-090.

Summary: To reduce the amount of support debt required to qualify for posting on the most wanted Internet site.

Reasons Supporting Proposal: Customer request.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Nancy Koptur, DCS Headquarters, P.O. Box 9162, Olympia, WA 98507-9162, (360) 664-5065.

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: DCS is lowering the qualifying debt from \$10,000 to \$5,000.

Proposal Changes the Following Existing Rules: Amends WAC 388-14A-4605.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not have an economic impact on small businesses. It only affects individuals who have support obligations or individuals who are owed child support.

RCW 34.05.328 applies to this rule adoption. The rule does meet the definition of a significant legislative rule but DSHS/DCS is exempt from preparing further analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 23, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 17, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

WAC 388-14A-4605 Whose picture can go on the division of child support's DCS most wanted Internet site? (1) If the child's custodial parent (CP) requests DCS to post the NCP to the DCS most wanted Internet site (also called the "site"), the CP must:

(a) Give written permission to DCS to post the NCP on the site; and

(b) Provide a photograph of the NCP.

(2) Only the NCP's photograph appears on the site. If the CP submits a group photograph, DCS edits out everyone except the NCP.

(3) DCS may post an NCP to the site when:

(a) The NCP:

(i) Has made no payments in at least six months (intercepted IRS refunds are not considered to be payments for purposes of this section); and

(ii) Owes at least ~~((ten))~~ five thousand dollars in back child support~~((:))~~; or

(b) DCS has been unable to locate the NCP after trying other means for at least twelve months, and:

(i) There is a valid support order; or

(ii) There is a valid paternity affidavit filed for a child on the case, or

(iii) The NCP is:

(A) The mother of the child(ren) on the case; or

(B) The presumed father under RCW 26.26.040.

WSR 01-21-100

PROPOSED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Child Support)

[Filed October 23, 2001, 8:20 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-09-042.

Title of Rule: WAC 388-14A-3600 The parties may resolve any child support case by entering a consent order or an agreed settlement.

Purpose: The Division of Child Support (DCS) is amending the rule to provide that an administrative law judge (ALJ) can sign a consent order on behalf of a person appearing by phone.

Statutory Authority for Adoption: RCW 74.08.090, 34.05.220(1).

Statute Being Implemented: RCW 74.08.090, 34.05.220(1).

Summary: DCS is amending the rule to provide that the ALJ can sign a consent order on behalf of a person appearing by phone.

Reasons Supporting Proposal: Customer service, efficiency.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Nancy Koptur, DCS Headquarters, P.O. Box 9162, Olympia, WA 98507-9162, (360) 664-5065.

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: Amends the rule regarding consent orders and agreed settlement settlements to allow an ALJ to sign a consent order on behalf of a party appearing by telephone.

Proposal Changes the Following Existing Rules: Amends the rule regarding consent orders and agreed settlement settlements to allow an ALJ to sign a consent order on behalf of a party appearing by telephone.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not have an economic impact on small businesses. It only affects individuals who have support obligations or individuals who are owed child support.

RCW 34.05.328 applies to this rule adoption. The rule does meet the definition of a significant legislative rule but DSHS/DCS is exempt from preparing further analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 23, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 17, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

WAC 388-14A-3600 The parties may resolve any child support case by entering a consent order or an agreed settlement. (1) The division of child support (DCS) may enter a consent order or agreed settlement to finalize any dispute in which a party requests a hearing. DCS attempts to settle matters through agreement when possible.

(a) An agreed settlement is signed only by the parties (DCS, the custodial parent and the noncustodial parent).

(b) A consent order must be signed by the parties and by an administrative law judge (ALJ)((-)) provided that:

(i) In a telephone hearing, the ALJ may sign on behalf of any party if that party gives their consent on the record; and

(ii) The ALJ approves a consent order without requiring testimony or a hearing, unless entry of the order would be unlawful.

(2) An agreed settlement or consent order is final and enforceable on:

(a) The date the last party signs the agreed settlement, if all parties signed the agreed settlement;

(b) The date the ALJ signs the consent order; or

(c) If the ALJ defaults one of the parties to the proceeding, the latest of the following dates:

(i) The date the ALJ signed the consent order;

(ii) The date the last party signed the agreed settlement; or

(iii) The date the order of default is final.

(3) A party to a consent order or an agreed settlement may:

(a) Not petition for review of the settlement or order under WAC 388-02-0560;

(b) Petition for modification under WAC 388-14A-3925; and

(c) Petition to vacate the settlement or consent order under WAC 388-14A-3700. However, the ALJ may only vacate a settlement or consent order after making a finding of fraud by a party, or on any other basis that would result in manifest injustice.

(4) If a hearing has been scheduled, DCS files a copy of the agreed settlement or consent order with the office of administrative hearings (OAH), and OAH issues an order dismissing the hearing. There are no hearing rights on the order dismissing the hearing.

WSR 01-21-101
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed October 23, 2001, 8:23 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-09-041.

Title of Rule: Amending WAC 388-14A-6200 What remedies are available to contest the division of child sup-

port's seizure of my bank account?; and new sections WAC 388-14A-6205 What happens at a hearing on an objection to seizure of a bank account?, 388-14A-6210 What happens to the seized money once an objection is filed?, 388-14A-6215 What happens if the judge decides the seized money was exempt?, and 388-14A-6220 What remedies are available to contest the division of child support's seizure of my DOC inmate account?

Purpose: The Division of Child Support (DCS) seeks to expand the definition of what kinds of accounts and property are subject to collection action and thus give rise to hearing or conference board rights. For instance, DCS takes collection action against inmate accounts when noncustodial parents are incarcerated at DOC facilities, but the prior version of the rules do not include this kind of account. DCS also revised the rules for clarity and readability.

Statutory Authority for Adoption: RCW 74.08.090, 26.23.035, 34.05.220, 74.20A.310, 45 C.F.R. 303.106.

Statute Being Implemented: RCW 74.08.090, 26.23-035, 34.05.220, 74.20A.310, 45 C.F.R. 303.106.

Summary: DCS revised the rules on hearing and conference board rights arising from the seizure of bank accounts and other types of property.

Reasons Supporting Proposal: Clarity, readability, clarification of policy.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Nancy Koptur, DCS Headquarters, P.O. Box 9162, Olympia, WA 98507-9162, (360) 664-5065.

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: Clarifies the procedure for contesting DCS seizure of bank accounts, other accounts, and safe deposit boxes.

Proposal Changes the Following Existing Rules: Amends WAC 388-14A-6200, adds four new rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not have an economic impact on small businesses. It only affects individuals who have support obligations or individuals who are owed child support.

RCW 34.05.328 applies to this rule adoption. The rule does meet the definition of a significant legislative rule but DSHS/DCS is exempt from preparing further analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 23, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 17, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

WAC 388-14A-6200 ~~What ((are my hearing rights when)) remedies are available to contest the division of child ((support takes collection action against)) support's seizure of my bank account?~~ (1) If the division of child support (DCS) takes collection action against a bank account, safe deposit box, or other property held by a bank, credit union or savings and loan (collectively, "the account"), the noncustodial parent (NCP) or the joint owner of record of the (~~bank~~) account(~~(-safe deposit box or other property))~~) may contest the action in a hearing.

(2) The effective date of a hearing request or objection is the date DCS receives the request.

(3) The NCP or the joint owner must file the objection within twenty days of the date DCS mailed a copy of the order to withhold and deliver to the NCP's last known address.

(4) The NCP or joint owner of record must state in the objection the facts supporting the allegation by the NCP or the joint owner that the (~~(funds or property))~~ account, or a portion of the (~~(funds or property, are))~~ account is exempt from satisfaction of the NCP's child support obligation.

(5) If either the NCP or the joint owner of record objects to the collection action, DCS schedules a hearing solely for the purpose of determining whether or not one of the following exemptions applies to the (~~(funds in the bank))~~ account(~~(-or to the other property))~~ attached by the order to withhold and deliver:

(a) Pursuant to RCW 26.16.200 and 74.20A.120, the property or funds in the community bank account, joint bank account, or safe deposit box, or a portion of the property or funds which can be identified as the earnings of the NCP's spouse who does not owe a support obligation to the NCP's child or children, are exempt from satisfaction of the child support obligation of the NCP.

(b) The funds in a bank account, or a portion of those funds (~~which~~) can be identified as (~~(AFDC,))~~ TANF, GA-U, GA-X, SSI benefits, or other kinds of funds which are legally exempt from collection action; or

(c) The funds or property attached by the order to withhold and deliver which can be identified as being solely owned by the joint owner of record of the bank account or safe deposit box who does not owe a child support obligation to the child or children of the NCP, are exempt from satisfaction of the NCP's child support obligation.

(6) The person challenging the collection action has the burden of tracing the funds and proving the property or funds in the (~~bank~~) account, or property in a safe deposit box, are exempt from satisfaction of the NCP's child support obligation.

(7) DCS holds money or property withheld as a result of collection action taken against a bank account or safe deposit

box and delivered to DCS at the time of an objection, pending the final administrative order or during any appeal to the courts.

(8) If the final decision of the department or courts on appeal is that DCS has caused money or property that is exempt from satisfaction of the NCP's child support obligation to be withheld by the bank or delivered to the department, DCS must:

(a) Promptly release the order to withhold and deliver; or

(b) Refund the proportionate share of the funds having been identified as being exempt. The department is not liable for any interest accrued on any money withheld under RCW 74.20A.080.

NEW SECTION

WAC 388-14A-6205 **What happens at a hearing on an objection to seizure of a bank account?** (1) If either the noncustodial parent (NCP) or the joint owner of record objects to a division of child support (DCS) collection action against a bank account, DCS schedules a hearing solely for the purpose of determining whether or not one of the following exemptions applies to the funds in the bank account, or to the other property attached by the order to withhold and deliver:

(a) Pursuant to RCW 26.16.200 and 74.20A.120, the property or funds in the community bank account, joint bank account, or safe deposit box, or a portion of the property or funds which can be identified as the earnings of the NCP's spouse who does not owe a support obligation to the NCP's child or children, are exempt from satisfaction of the child support obligation of the NCP.

(b) The funds in the bank account, or a portion of those funds can be identified as TANF, GA-U, GA-X, SSI benefits, or other kinds of funds which are legally exempt from collection action; or

(c) The funds or property attached by the order to withhold and deliver can be identified as being solely owned by the joint owner of record of the bank account or safe deposit box who does not owe a child support obligation to the child or children of the NCP and are exempt from satisfaction of the NCP's child support obligation.

(2) The person challenging the collection action has the burden of tracing the funds and proving the property or funds in the bank account, or property in a safe deposit box, are exempt from satisfaction of the NCP's child support obligation.

(3) The administrative law judge (ALJ) is limited to the determination of whether the funds in the bank account, or the other property attached by the order to withhold and deliver is exempt from satisfaction of the NCP's child support obligation.

NEW SECTION

WAC 388-14A-6210 **What happens to the seized money once an objection is filed?** The division of child support (DCS) holds money or property withheld as a result of collection action taken against a bank account or safe deposit box and delivered to DCS at the time of an objection, pending

PROPOSED

the final administrative order or during any appeal to the courts.

NEW SECTION

WAC 388-14A-6215 What happens if the judge decides the seized money was exempt? If the final decision of the department or courts on appeal is that the division of child support (DCS) has caused money or property that is exempt from satisfaction of the NCP's child support obligation to be withheld by the bank or delivered to the department, DCS must:

- (1) Promptly release the order to withhold and deliver; or
- (2) Refund the proportionate share of the funds having been identified as being exempt. The department is not liable for any interest accrued on any money withheld under RCW 74.20A.080.

NEW SECTION

WAC 388-14A-6220 What remedies are available to contest the division of child support's seizure of my DOC inmate account? If the division of child support (DCS) takes collection action against the inmate account of a noncustodial parent (NCP) who is an inmate of a department of corrections (DOC) facility, the NCP may contest the seizure of the inmate account in the same way an NCP could challenge a bank account seizure, as provided in WAC 388-14A-6200 through 388-14A-6215.

WSR 01-21-102
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed October 23, 2001, 8:25 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-13-048.

Title of Rule: New section WAC 388-14A-6150 What can I do if there was a default order entered against me in an administrative hearing?; and amending WAC 388-14A-3131 What happens if neither parent appears for the hearing? and 388-14A-3132 What happens if only one parent appears for the hearing?

Purpose: To clarify the procedures for petitioning to vacate a default order. Clarifying that an unsuccessful petition to vacate may be treated as a petition to modify the support order.

Statutory Authority for Adoption: RCW 34.05.220(1), 74.08.090, 74.20A.055, 74.20A.056.

Statute Being Implemented: RCW 34.05.220(1).

Summary: To clarify the procedures for petitioning to vacate a default order. Clarifying that an unsuccessful petition to vacate may be treated as a petition to modify the support order.

Reasons Supporting Proposal: Clarity, usability, customer service.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Nancy Koptur, DCS Headquarters, P.O. Box 9162, Olympia, WA 98507-9162, (360) 664-5065.

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: DCS seeks to clarify the rules on how to vacate a default order.

Proposal Changes the Following Existing Rules: Amends WAC 388-14A-3131 and 388-14A-3132.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not have an economic impact on small businesses. It only affects individuals who have support obligations or individuals who are owed child support.

RCW 34.05.328 applies to this rule adoption. The rule does meet the definition of a significant legislative rule but DSHS/DCS is exempt from preparing further analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 23, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 17, 2001
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-15-016 and 00-20-022, filed 7/10/00 and 9/25/00, effective 11/6/00)

WAC 388-14A-3131 What happens if neither parent appears for the hearing? (1) If neither parent appears at the scheduled hearing after being sent a notice of hearing, the administrative law judge (ALJ) enters an initial decision and order on default, declaring the support establishment notice's claim for support to be final and subject to collection action.

(2) The initial decision and order on default is subject to collection action on the twenty-second day after the order of default was mailed by the office of administrative hearings.

(3) A parent that did not appear may petition to vacate the default order pursuant to WAC ((388-14-120 (or as later amended))) 388-14A-6150.

(a) If the ALJ vacates the order of default, the ALJ then conducts a full hearing on the merits of the NFFR, NFPR or NFMR. All parties may participate in the hearing.

(b) If the parent who did not appear at the hearing is unsuccessful in the motion to vacate the default order, the ALJ may treat the petition as a petition to modify the support order.

AMENDATORY SECTION (Amending WSR 00-15-016 and 00-20-022, filed 7/10/00 and 9/25/00, effective 11/6/00)

WAC 388-14A-3132 What happens if only one parent appears for the hearing? (1) If one parent appears at the hearing, but the other parent fails to appear after being sent a notice of hearing, the administrative law judge (ALJ) enters an order of default against the parent that did not appear. The hearing proceeds as described in WAC 388-14A-3140.

(2) The division of child support (DCS) and the parent that did appear may enter a consent order, but not an agreed settlement. The obligation in the consent order may be higher or lower, or different from, the terms set forth in the notice, without further notice to the nonappearing parent, if necessary for an accurate support order. The terms of the consent order become final on the twenty-second day after the mailing of the order of default to the parent that did not appear.

(3) DCS and the parent that did appear may proceed to hearing. The ALJ may enter an initial decision setting an obligation which is higher or lower, or different from, the terms set forth in the notice, without further notice to the nonappearing parent, if necessary for an accurate support order.

(4) The parent that did not appear may petition to vacate the order of default pursuant to WAC (~~(388-14-120 (or as later amended))~~) 388-14A-6150. The ALJ must consider the prejudice to the ~~((party))~~ parent that appeared for hearing before vacating an order of default.

(5) If the ALJ vacates the order of default, the ALJ then conducts a full hearing on the merits of the notice and finding of financial responsibility (NFFR), notice and finding of parental responsibility (NFPR) or notice and finding of medical responsibility (NFMR). All parties may participate in the hearing.

(6) If the parent who did not appear at the hearing is unsuccessful in the motion to vacate the default order, the ALJ may treat the petition as a petition to modify the support order.

NEW SECTION

WAC 388-14A-6150 What can I do if there was a default order entered against me in an administrative hearing? (1) Any party against whom the administrative law judge (ALJ) has entered an initial decision and order on default may petition the DSHS board of appeals for vacation of the default order, subject to the provisions, including time limits, of civil rule 60.

(2) Specific rules on administrative support establishment notices are in WAC 388-14A-3700.

(3) Upon receipt of a request to vacate a default order, the department must ask the office of administrative hearings (OAH) to:

(a) Schedule a hearing to determine whether or not the petitioner has good cause for vacating the default order; and

(b) Give any other parties to the hearing notice of the time and date of the hearing. The notice is sent to the party's last known address.

(4) In a hearing under this section, the ALJ must first determine if the petitioner has good cause for vacating the default order by:

(a) Applying civil rule 60 to determine whether the petition has good cause; and

(b) Considering the prejudice to the parent who did appear before vacating the default.

(5) If the ALJ finds good cause to vacate the default order, the ALJ:

(a) Must conduct a hearing on the merits of the petitioner's objection to the notice that was the basis for the hearing at which the petitioner failed to appear; and

(b) May stay any further collection to the extent provided for under the rules governing the notice the party originally objected to.

(6) If the parent who did not appear at the hearing is unsuccessful in the motion to vacate the default order, the ALJ may treat the petition as a petition to modify the support order.

WSR 01-21-103
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed October 23, 2001, 8:27 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-13-049.

Title of Rule: Amending WAC 388-14A-1025 What are the responsibilities of the division of child support? and 388-14A-2065 Does the division of child support provide support enforcement services if the CSO decides I have "good cause level A"?

Purpose: Amending chapter 388-14A WAC to provide the same policy as existed before conversion of DCS WAC to the new chapter. Amending WAC 388-14A-1025 What are the responsibilities of the division of child support?, to clarify that DCS does not provide funding under Title IV-D to a prosecutors office which pursues paternity against DCS wishes when the custodial parent claims good cause level A; and amending WAC 388-14A-2065 to provide that, if DCS has referred a case for paternity establishment, DCS advises the prosecutor if good cause level A is granted.

Statutory Authority for Adoption: RCW 74.08.090, 74.20A.310.

Statute Being Implemented: RCW 74.08.090, 74.20A.-310.

Summary: Reinstating policy that did not make the transfer from chapter 388-14 WAC to chapter 388-14A WAC, clarifying that DCS does not want prosecutors to pursue paternity actions after a good cause level A finding.

Reasons Supporting Proposal: Not a change in policy.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Nancy Koptur, DCS Headquarters, P.O. Box 9162, Olympia, WA 98507-9162, (360) 664-5065.

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: Amends WAC 388-14A-1025 and 388-14A-2065 to clarify existing policy re no IV-D funding for actions taken by prosecutor and/or attorney general after DCS notifies them of a finding of good cause level A.

Proposal Changes the Following Existing Rules: Amends WAC 388-14A-1025 and 388-14A-2065.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not have an economic impact on small businesses. It only affects individuals who have support obligations or individuals who are owed child support.

RCW 34.05.328 applies to this rule adoption. The rule does meet the definition of a significant legislative rule but DSHS/DCS is exempt from preparing further analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 23, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 17, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

WAC 388-14A-1025 What are the responsibilities of the division of child support? (1) The division of child support (DCS) provides support enforcement services when:

(a) The department of social and health services pays public assistance or provides foster care services;

(b) A former recipient of public assistance is eligible for services, as provided in WAC 388-14A-2000 (2)(c);

(c) A custodial parent (CP) or noncustodial parent (NCP) requests nonassistance support enforcement services under RCW 74.20.040 and WAC 388-14A-2000;

(d) A support order or wage assignment order under chapter 26.18 RCW directs the NCP to make support payments through the Washington state support registry (WSSR);

(e) A support order under which there is a current support obligation for dependent children is submitted to the WSSR;

(f) A former custodial parent (CP) requests services to collect a support debt accrued under a court or administrative support order while the child(ren) resided with the CP;

(g) A child support enforcement agency in another state or foreign country requests support enforcement services; or

(h) A child support agency of an Indian tribe requests support enforcement services.

(2) DCS takes action under chapters 26.23 and 74.20A RCW to establish, enforce and collect child support obligations.

(a) DCS refers cases to the county prosecuting attorney or attorney general's office when judicial action is required.

(b) If DCS has referred a case to the county prosecuting attorney or attorney general's office and the CP has been granted good cause level A, DCS does not share funding under Title IV-D for any actions taken by the prosecutor or attorney general's office once DCS advises them of the good cause finding.

(3) DCS does not take action on cases where the community services office (CSO) has granted the CP good cause not to cooperate under WAC 388-422-0020, when the CSO grants "level A good cause." If the CSO grants "level B good cause," DCS proceeds to establish and/or enforce support obligations but does not require the CP to cooperate with DCS. WAC 388-14A-2065 and 388-14A-2070 describe the way DCS handles cases with good cause issues.

(4) DCS establishes, maintains, retains and disposes of case records in accordance with the department's records management and retention policies and procedures adopted under chapter 40.14 RCW.

(5) DCS establishes, maintains, and monitors support payment records.

(6) DCS receives, accounts for and distributes child support payments required under court or administrative orders for support.

(7) DCS files a satisfaction of judgment when we determine that a support obligation is either paid in full or no longer legally enforceable. WAC 388-14A-2099 describes the procedures for filing a satisfaction of judgment. WAC 388-14A-2099(4) describes how DCS determines a support obligation is satisfied or no longer legally enforceable.

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

WAC 388-14A-2065 Does the division of child support provide support enforcement services if the CSO decides I have "good cause level A"? If the community services office (CSO) grants you good cause level A:

(1) The division of child support (DCS) closes the case and does not take any action to establish or enforce support for the children covered by the good cause finding.

(2) If the noncustodial parent (NCP) applies for paternity establishment or support enforcement services, DCS denies the NCP's application for services.

(3) If the community services office grants good cause level A after the case has been referred to the county prose-

cuting attorney or attorney general's office, DCS advises the prosecutor or attorney general's office of the good cause finding.

(4) When DCS advises the prosecutor or attorney general's office that good cause level A applies in a case, DCS requests that the prosecutor or attorney general's office dismiss any action that has been filed and cease all activities to establish or enforce a child support obligation for the children covered by the good cause finding.

WSR 01-21-104
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed October 23, 2001, 8:29 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-09-043.

Title of Rule: WAC 388-14A-5001 What procedures does DCS follow to distribute support payments?, 388-14A-5003 How does DCS distribute money in an assistance case?, 388-14A-5006 How does DCS distribute support money when the paying parent has more than one case?, and 388-14A-5007 If the paying parent has more than one case, can DCS apply support money to only one specific case?

Purpose: DCS seeks to clarify these rules and add provisions dealing with automated enforcement of interstate (AEI) payments.

Statutory Authority for Adoption: RCW 26.23.035, 74.08.090, 74.20A.188, 74.20A.310, 42 U.S.C. 666 (a)14.

Statute Being Implemented: RCW 26.23.035, 74.08.090, 74.20A.188, 74.20A.310, 42 U.S.C. 666 (a)14.

Summary: DCS seeks to clarify these rules and add provisions dealing with automated enforcement of interstate (AEI) payments.

Reasons Supporting Proposal: Clarity, usability.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Nancy Koptur, DCS Headquarters, P.O. Box 9162, Olympia, WA 98507-9162, (360) 664-5065.

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: DCS has revised the rules regarding distribution for clarity, and added a section regarding how payments received under RCW 74.20A.188 are distributed.

Proposal Changes the Following Existing Rules: Amends WAC 388-14A-5001 What procedures does DCS follow to distribute support payments?, 388-14A-5003 How does DCS distribute money in an assistance case?, 388-14A-5006 How does DCS distribute support money when the paying parent has more than one case?, and 388-14A-5007 If the

paying parent has more than one case, can DCS apply support money to only one specific case?

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not have economic impact on small businesses. It only affects individuals who have support obligations or individuals who are owed child support.

RCW 34.05.328 applies to this rule adoption. The rule does meet the definition of a significant legislative rule but DSHS/DCS is exempt from preparing further analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 23, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 17, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

WAC 388-14A-5001 What procedures does DCS follow to distribute support payments? When distributing support money, the division of child support (DCS) does the following:

(1) Records payments in exact amounts (~~without rounding~~) of dollars and cents;

(2) Distributes support money within two days of the date DCS receives the money, unless ((#)) DCS is unable to distribute the payment for one or more of the following reasons:

(a) The location of the payee is unknown;

(b) DCS does not have sufficient information to identify the accounts against which or to which it should apply the money;

(c) An action is pending before a court or agency which has jurisdiction over the issue to determine whether support money is owed or how DCS should distribute the money.

(d) DCS receives prepaid support money (~~which it~~) and is holding for distribution in future months under subsection (2)(e) of this section;

(e) DCS mails a notice of intent to distribute support money to the custodial parent (CP) under WAC 388-14A-5050;

(f) DCS may hold funds and not issue a check to the family for amounts under one dollar. DCS must give credit for the payment, but may delay disbursement of that amount until a future payment is received which increases the amount of the payment to the family to at least one dollar. If no future payments are received which increase the payment to the

family of at least one dollar, DCS transfers the amount to the department of revenue under RCW 63.29.130. This subsection does not apply to disbursements which can be made by electronic funds transfer (EFT), or to refunds of intercepted federal income tax refunds; or

(g) Other circumstances exist which make a proper and timely distribution of the money impossible through no fault or lack of diligence of DCS.

(3) Distribute support money based on the date DCS receives the money, except as provided under WAC 388-14A-5005.

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

WAC 388-14A-5003 How does DCS distribute money in an assistance case? (1) An assistance case is one where the family is currently receiving a cash public assistance grant.

(2) The division of child support (DCS) applies support money within each Title IV-D assistance case:

(a) First, to satisfy the current support obligation for the month DCS received the money (this money is kept by the state under WAC 388-14A-2035);

(b) Second, to satisfy support debts which are permanently assigned to the department to reimburse the cumulative amount of assistance which has been paid to the family (this money is kept by the state under WAC 388-14A-2035);

(c) Third, to satisfy support debts which are temporarily assigned to the department to reimburse the cumulative amount of assistance paid to the family (this money is kept by the state under WAC 388-14A-2035);

(d) Fourth, ~~((to satisfy support debts which are permanently assigned to the department to reimburse the cumulative amount of assistance which has been paid to the family;~~

~~(e) Fifth,))~~ to satisfy support debts which exceed the cumulative amount of unreimbursed assistance which has been paid to the family (this money goes to the family);

~~((~~(f) Sixth~~))~~ (e) Fifth, to prepaid support as provided for under WAC 388-14A-5008.

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

WAC 388-14A-5006 How does DCS distribute support money when the paying parent has more than one case? Except as provided in WAC ~~((388-14A-005))~~ 388-14A-5005, when the NCP has more than one Title IV-D case, the division of child support (DCS) distributes support money:

(1) First, to the current support obligation on each Title IV-D case, in proportion to the amount of the current support order on each case; and

(2) 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 case, in proportion to the amount of support debt owed by the NCP on each case; and

(3) Third, within each Title IV-D case according to WAC 388-14A-5002 or 388-14A-5003.

AMENDATORY SECTION (Amending WSR 01-03-089, filed 1/17/01, effective 2/17/01)

WAC 388-14A-5007 If the paying parent has more than one case, can DCS apply support money to only one specific case? (1) The division of child support (DCS) applies amounts to a support debt owed for one family or household and distributes the amounts accordingly, rather than make a proportionate distribution between support debts owned to different families, when:

~~((1))~~ (a) Proportionate distribution is administratively inefficient; or

~~((2))~~ (b) The collection resulted from the sale or disposition of a specific piece of property against which a court awarded the custodial parent (CP) a judgment lien for child support; or

~~((3))~~ (c) The collection is the result of a contempt order which provides that DCS must distribute the amounts to a particular case.

(2) If the collection is the result of an automated enforcement of interstate (AEI) transaction under RCW 74.20A.188, DCS applies the payment as provided in WAC 388-14A-5006, even if the requesting state wants the payment applied to a specific case.

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 01-21-105
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)
(Division of Child Support)
[Filed October 23, 2001, 8:31 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-09-027.

Title of Rule: Amending WAC 388-14A-2105 Basic confidentiality rules for the division of child support, 388-14A-2110 How do I make a request for disclosure of DCS public records?, 388-14A-2115 Can the custodial parent waive notice of a request for address information?, 388-14A-2120 Can the noncustodial parent request notice before DCS releases address information to the custodial parent? and 388-14A-2125 Can DCS ever release address information without giving notice?; and new sections WAC 388-14A-2107 Are there special rules for requests for whereabouts information?, 388-14A-2112 When I make a public disclosure request, do I get the information or records immediately?, 388-14A-2114 Does DCS give notice to anyone before releasing information pursuant to a public disclosure request?, 388-14A-2116 How do I request a support order summary from DCS?, 388-14A-2130 What if I object to the release of my address?, 388-14A-2135 When might DCS deny a request for address information without going through the notice and hearing process?, and 388-14A-2140 What happens at a hearing on objection to disclosure of address information?

Purpose: To clarify the rules regarding confidentiality and disclosure of information contained in the Division of Child Support (DCS) records.

Statutory Authority for Adoption: RCW 26.23.120, 74.08.090.

Statute Being Implemented: RCW 26.23.120, 74.08.-090.

Summary: DCS has revised its rules regarding confidentiality and disclosure of information contained in DCS records. DCS did this to make the rules more clear and understandable. In addition, DCS has added rules regarding the disclosure of confidential information contained in both court and administrative orders.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Nancy Koptur, DCS Headquarters, P.O. Box 9162, Olympia, WA 98507-9162, (360) 664-5065.

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: Revisions to the rules regarding confidentiality and disclosure. Rewritten for clarity and ease of understanding, and to clarify procedures.

Proposal Changes the Following Existing Rules: Amends five existing rules and adds seven new rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not have an economic impact on small businesses. It only affects individuals who have support obligations or individuals who are owed child support.

RCW 34.05.328 applies to this rule adoption. The rule does meet the definition of a significant legislative rule but DSHS/DCS is exempt from preparing further analysis under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on December 11, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by December 7, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., December 11, 2001.

Date of Intended Adoption: No sooner than December 12, 2001.

October 17, 2001

Brian H. Lindgren, Manager

Rules and Policies Assistance Unit

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 01-22 issue of the Register.

WSR 01-21-106
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed October 23, 2001, 8:33 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-05-027.

Title of Rule: Amending WAC 388-543-1000 Definitions for durable medical equipment (DME) etc., 388-543-1300 Equipment, etc. not covered, and 388-543-2200 Augmentative communication devices (ACD).

Purpose: The amended sections are being updated and clarified to correctly reflect department policy. The rules are necessary in order to define an ACD more clearly, to further explain the criteria for a department-covered ACD, and to ensure that department policy more closely follows Medicare guidelines.

Statutory Authority for Adoption: RCW 74.08.090, 74.09.530.

Statute Being Implemented: RCW 74.08.090, 74.09.530.

Summary: The proposed rules clarify the definition of augmentative communication device (ACD) and clearly explain eligibility and coverage criteria for ACDs.

Reasons Supporting Proposal: To clarify department policy regarding ACDs.

Name of Agency Personnel Responsible for Drafting: Ann Myers, DPS/RIP, P.O. Box 45533, Olympia, WA 98504-5533, (360) 725-1345; **Implementation and Enforcement:** Sharon Morrison, DHSQS/QU, P.O. Box 45506, Olympia, WA 98504-5506, (360) 725-1671.

Name of Proponent: Department of Social and Health Services, Medical Assistance Administration, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule proposed clarify department policy regarding augmentative communication devices (ACDs), especially the criteria for a device to be classified as a department-covered ACD.

The purpose of the rule is to clearly state department policy.

The anticipated effect is to make department policy clearly understandable to providers and clients.

Proposal Changes the Following Existing Rules: The rules amend WAC 388-543-1000, 388-543-1300, and 388-543-2200 to clarify current policy. This includes amending the definition of ACD and further explaining the criteria for a device to be classified as a department-covered ACD.

No small business economic impact statement has been prepared under chapter 19.85 RCW. MAA analyzed the proposed rules and concluded that they will not place "a more than minor" impact on the businesses affected by them. Therefore, a comprehensive SBEIS is not required.

RCW 34.05.328 applies to this rule adoption. MAA has analyzed the proposed rules and concludes that they meet the definition of a "significant legislative rule." MAA evaluated the probable costs and probable benefits of the proposed

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rules, taking into account both the qualitative and quantitative benefits and costs. MAA's analysis revealed that any new costs imposed on the businesses affected by them would be minor. The probable benefits of having clearly product specifications exceed the probable costs. A complete evaluation is available from the department representative identified above.

Hearing Location: Blake Office Building East, 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 20, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 17, 2001

Brian Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-01-078, filed 12/13/00, effective 1/13/01)

WAC 388-543-1000 Definitions for durable medical equipment (DME) and related supplies, prosthetics, and orthotics, medical supplies and related services. The following definitions and abbreviations and those found in WAC 388-500-0005 apply to this chapter. Defined words and phrases are bolded the first time they are used in the text.

"Artificial limb" - See "prosthetic device."

"Augmentative communication device (ACD)" means a dedicated medical device, used solely by a client with a severe speech impairment, that transmits or produces messages or symbols, either by voice output or in writing, in a manner that compensates for the impairment or disability of a client with severe expressive or language communication and comprehension disorders. The communication device may use mechanical or electrical impulses to produce messages or symbols that supplement or replace speech. ACDs covered by Medicare are known as speech generating devices (SGDs).

"Base year" means the year of the data source used in calculating prices.

"By report (BR)" means a method of reimbursement for covered items, procedures, and services for which the department has no set maximum allowable fees.

"Date of delivery" means the date the client actually took physical possession of an item or equipment.

"Dedicated device" means a speech-generating device that serves the single medical purpose of replacing the speaking ability of a client who has a severe speech impairment, and that cannot integrate or interact with a computer system in such a manner as to allow the device to be infected by a computer virus. Dedicated speech-generating devices are primarily medical in nature, are useful only to a person with

a severe speech impairment, and cannot run software for purposes other than for speech generation.

"Disposable supplies" means supplies which may be used once, or more than once, but are time limited.

"Durable medical equipment (DME)" means equipment that: (1) Can withstand repeated use;

(2) Is primarily and customarily used to serve a medical purpose;

(3) Generally is not useful to a person in the absence of illness or injury; and

(4) Is appropriate for use in the client's place of residence.

"EPSDT((Healthy Kids))" - see WAC 388-500-0005.

"Expedited prior authorization (EPA)" means the process for obtaining authorization for selected durable medical equipment, and related supplies, prosthetics, orthotics, medical supplies and related services, in which providers use a set of numeric codes to indicate to MAA which acceptable indications/conditions/MAA-defined criteria are applicable to a particular request for DME authorization.

"Fee-for-service (FFS)," means the general payment method MAA uses to reimburse for covered medical services provided to clients, except those services covered under MAA's managed care programs.

"Health care financing administration common procedure coding system (HCPCS)" means a coding system established by the Health Care Financing Administration (HCFA) to define services and procedures. HCFA is now known as the Centers for Medicare and Medicaid Services (CMS).

"House wheelchair" means a nursing facility wheelchair that is included in the nursing facility's per-patient-day rate under chapter 74.46 RCW.

"Limitation extension" means an authorization process to exceed a coverage limitation (quantity, frequency, or duration) set in WAC, billing instructions, or numbered memoranda. Limitation extensions require prior authorization.

"Nonreusable supplies" are disposable supplies, which are used once and discarded.

"Manual wheelchair" - see "wheelchair - manual."

"Medical supplies" means supplies that are:

(1) Primarily and customarily used to service a medical purpose; and

(2) Generally not useful to a person in the absence of illness or injury.

"Orthotic device" or **"orthotic"** means a corrective or supportive device that:

(1) Prevents or corrects physical deformity or malfunction; or

(2) Supports a weak or deformed portion of the body.

"Personal or comfort item" means an item or service which primarily serves the comfort or convenience of the client.

"Personal computer (PC)" means any of a variety of electronic devices that are capable of accepting data and instructions, executing the instructions to process the data, and presenting the results. A PC has a central processing unit (CPU), internal and external memory storage, and various input/output devices such as a keyboard, display screen, and printer. A computer system consists of hardware (the physi-

cal components of the system) and software (the programs used by the computer to carry out its operations).

"Power-drive wheelchair" - see "wheelchair - power."

"Prior authorization" means a process by which clients or providers must request and receive MAA approval for certain medical equipment and related supplies, prosthetics, orthotics, medical supplies and related services, based on medical necessity, before the services are provided to clients, as a precondition for provider reimbursement. Expedited prior authorization and limitation extension are types of prior authorization. Also see WAC 388-501-0165.

"Prosthetic device" or **"prosthetic"** means a replacement, corrective, or supportive device prescribed by a physician or other licensed practitioner of the healing arts, within the scope of his or her practice as defined by state law, to:

- (1) Artificially replace a missing portion of the body;
- (2) Prevent or correct physical deformity or malfunction;

or

- (3) Support a weak or deformed portion of the body.

"Resource based relative value scale (RBRVS)" means a scale that measures the relative value of a medical service or intervention, based on the amount of physician resources involved.

"Reusable supplies" are supplies which are to be used more than once.

"Scooter" means a federally-approved, motor-powered vehicle that:

- (1) Has a seat on a long platform;
- (2) Moves on either three or four wheels;
- (3) Is controlled by a steering handle; and
- (4) Can be independently driven by a client.

"Specialty bed" means a pressure reducing support surface, such as foam, air, water, or gel mattress or overlay.

"Three- or four-wheeled scooter" means a three- or four-wheeled vehicle meeting the definition of scooter (see "scooter") and which has the following minimum features:

- (1) Rear drive;
- (2) A twenty-four volt system;
- (3) Electronic or dynamic braking;
- (4) A high to low speed setting; and
- (5) Tires designed for indoor/outdoor use.

"Trendelenburg position" means a position in which the patient is lying on his or her back on a plane inclined thirty to forty degrees. This position makes the pelvis higher than the head, with the knees flexed and the legs and feet hanging down over the edge of the plane.

"Usual and customary charge" means the amount the provider typically charges to fifty percent or more of his or her non-Medicaid clients, including clients with other third-party coverage.

"Warranty-wheelchair" means a warranty, according to manufacturers' guidelines, of not less than one year from the date of purchase.

"Wheelchair - manual" means a federally-approved, nonmotorized wheelchair that is capable of being independently propelled and fits one of the following categories:

- (1) Standard:
 - (a) Usually is not capable of being modified;
 - (b) Accommodates a person weighing up to two hundred fifty pounds; and

(c) Has a warranty period of at least one year.

(2) Lightweight:

(a) Composed of lightweight materials;

(b) Capable of being modified;

(c) Accommodates a person weighing up to two hundred fifty pounds; and

(d) Usually has a warranty period of at least three years.

(3) High strength lightweight:

(a) Is usually made of a composite material;

(b) Is capable of being modified;

(c) Accommodates a person weighing up to two hundred fifty pounds;

(d) Has an extended warranty period of over three years; and

(e) Accommodates the very active person.

(4) Hemi:

(a) Has a seat-to-floor height lower than eighteen inches to enable an adult to propel the wheelchair with one or both feet; and

(b) Is identified by its manufacturer as "Hemi" type with specific model numbers that include the "Hemi" description.

(5) Pediatric: Has a narrower seat and shorter depth more suited to pediatric patients, usually adaptable to modifications for a growing child.

(6) Recliner: Has an adjustable, reclining back to facilitate weight shifts and provide support to the upper body and head.

(7) Tilt-in-space: Has a positioning system, which allows both the seat and back to tilt to a specified angle to reduce shear or allow for unassisted pressure releases.

(8) Heavy Duty:

(a) Specifically manufactured to support a person weighing up to three hundred pounds; or

(b) Accommodating a seat width of up to twenty-two inches wide (not to be confused with custom manufactured wheelchairs).

(9) Rigid: Is of ultra-lightweight material with a rigid (nonfolding) frame.

(10) Custom heavy duty:

(a) Specifically manufactured to support a person weighing over three hundred pounds; or

(b) Accommodates a seat width of over twenty-two inches wide (not to be confused with custom manufactured wheelchairs).

(11) Custom manufactured specially built:

(a) Ordered for a specific client from custom measurements; and

(b) Is assembled primarily at the manufacturer's factory.

"Wheelchair - power" means a federally-approved, motorized wheelchair that can be independently driven by a client and fits one of the following categories:

(1) Custom power adaptable to:

(a) Alternative driving controls; and

(b) Power recline and tilt-in-space systems.

(2) Noncustom power: Does not need special positioning or controls and has a standard frame.

(3) Pediatric: Has a narrower seat and shorter depth that is more suited to pediatric patients. Pediatric wheelchairs are usually adaptable to modifications for a growing child.

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AMENDATORY SECTION (Amending WSR 01-01-078, filed 12/13/00, effective 1/13/01)

WAC 388-543-1300 Equipment, related supplies, or other nonmedical supplies, and devices that are not covered. MAA pays only for DME and related supplies, medical supplies and related services that are medically necessary, listed as covered, and meet the definition of DME and medical supplies as defined in WAC 388-543-1000 and prescribed per WAC 388-543-1100 and 388-543-1200.

MAA pays only for prosthetics or orthotics that are listed as such by the federal Center for Medicare and Medicaid Services (CMS), formerly known as HCFA, that meet the definition of prosthetic and orthotic as defined in WAC 388-543-1000 and are prescribed per WAC 388-543-1100 and 388-543-1200. MAA considers all requests for covered DME, related supplies and services, medical supplies, prosthetics, orthotics, and related services and noncovered equipment, related supplies and services, supplies and devices, under the provisions of WAC 388-501-0165 (~~which relate to medical necessity~~). When MAA considers that a request does not meet the requirement for medical necessity, the definition(s) of covered item(s), or is not covered, the client may appeal that decision under the provisions of WAC 388-501-0165.

MAA specifically excludes services and equipment in this chapter from fee-for-service (FFS) scope of coverage when the services and equipment do not meet the definition for a covered item, or the services are not typically medically necessary. This exclusion does not apply if the services and equipment are (~~required under the EPSDT/healthy kids program~~), included as part of a managed care plan service package, included in ~~((a))~~ an MAA waived program, or part of one of the Medicare programs for qualified Medicare beneficiaries. MAA reviews requests for DME and related supplies, medical supplies, and related services for children who are eligible for services under the EPSDT program according to the provisions of WAC 388-534-0100. Excluded services and equipment include, but are not limited to:

- (1) Services, procedures, treatment, devices, drugs, or the application of associated services that the department of the Food and Drug Administration (FDA) and/or the Health Care Financing Administration (HCFA) consider investigative or experimental on the date the services are provided;
- (2) Any service specifically excluded by statute;
- (3) A client's utility bills, even if the operation or maintenance of medical equipment purchased or rented by MAA for the client contributes to an increased utility bill (refer to the aging and adult services administration's (AASA) COPES program for potential coverage);
- (4) Hairpieces or wigs;
- (5) Material or services covered under manufacturers' warranties;
- (6) Shoe lifts less than one inch, arch supports for flat feet, and nonorthopedic shoes;
- (7) Outpatient office visit supplies, such as tongue depressors and surgical gloves;
- (8) Prosthetic devices dispensed solely for cosmetic reasons (refer to WAC 388-531-0150 (1)(d));
- (9) Home improvements and structural modifications, including but not limited to the following:
 - (a) Automatic door openers for the house or garage;

- (b) Saunas;
- (c) Security systems, burglar alarms, call buttons, lights, light dimmers, motion detectors, and similar devices;
- (d) Swimming pools;
- (e) Whirlpool systems, such as jacuzzies, hot tubs, or spas; or
- (f) Electrical rewiring for any reason;
- (g) Elevator systems and elevators; and
- (h) Lifts or ramps for the home; or
- (i) Installation of bathtubs or shower stalls.
- (10) Nonmedical equipment, supplies, and related services, including but not limited to, the following:
 - (a) Back-packs, pouches, bags, baskets, or other carrying containers;
 - (b) Bed boards/conversion kits, and blanket lifters (e.g., for feet);
 - (c) Car seats for children under five, except for positioning car seats that are prior authorized. Refer to WAC 388-543-1700(13) for car seats;
 - (d) Cleaning brushes and supplies, except for ostomy-related cleaners/supplies;
 - (e) Diathermy machines used to produce heat by high frequency current, ultrasonic waves, or microwave radiation;
 - (f) Electronic communication equipment, installation services, or service rates, including but not limited to, the following:
 - (i) Devices intended for amplifying voices (e.g., microphones);
 - (ii) Interactive communications computer programs used between patients and healthcare providers (e.g., hospitals, physicians), for self-care home monitoring, or emergency response systems and services (refer to ~~((AASA COPES or))~~ MAA outpatient hospital programs or AASA COPES for emergency response systems and services);
 - (iii) Two-way radios; and
 - (iv) Rental of related equipment or services;
 - (g) Environmental control devices, such as air conditioners, air cleaners/purifiers, dehumidifiers, portable room heaters or fans (including ceiling fans), heating or cooling pads;
 - (h) Ergonomic equipment;
 - (i) Exercise classes or equipment such as exercise mats, bicycles, tricycles, stair steppers, weights, trampolines;
 - (j) Generators;
 - (k) Personal computers, including ~~((laptops, computer))~~ software, printers, ~~((computer))~~ accessories (~~((such as))~~ e.g., anti-glare shields, backup memory cards), and ~~((computer))~~ equipment (~~((other than specified in WAC 388-543-2200))~~);
 - (l) Laptop computers, desktop computer, or personal digital assistants (PDAs), which may be programmed to perform the same function as a speech generating device;
 - (m) Devices that are not dedicated speech devices (dedicated speech devices are used solely by the client who has a severe speech impairment);
 - (n) Devices capable of running software for purposes other than for speech generation (e.g., devices that can also run a word processing package, an accounting program, or perform other nonmedical functions);
 - (o) Any communication device that is useful to someone without a severe speech impairment (e.g., cellular phone, walkie-talkie, pager, or electronic notebook);

(p) Racing strollers/wheelchairs and purely recreational equipment;

~~((m))~~ (q) Room fresheners/deodorizers;

~~((n))~~ (r) Bidet or hygiene systems, paraffin bath units, and shampoo rings;

~~((o))~~ (s) Timers or electronic devices to turn things on or off, which are not an integral part of the equipment;

~~((p))~~ (t) Vacuum cleaners, carpet cleaners/deodorizers, and/or pesticides/insecticides; or

~~((q))~~ (u) Wheeled reclining chairs, lounge and/or lift chairs (e.g., geri-chair, posture guard, or lazy boy).

(11) Personal and **comfort items** that do not meet the DME definition, including but not limited to the following:

(a) Bathroom items, such as antiperspirant, astringent, bath gel, conditioner, deodorant, moisturizer, mouthwash, powder, shampoo, shaving cream, shower cap, shower curtains, soap (including antibacterial soap), toothpaste, towels, and weight scales;

(b) Bedding items, such as bed pads, blankets, mattress covers/bags, pillows, pillow cases/covers and sheets;

(c) Bedside items, such as bed trays, carafes, and over-the-bed tables;

(d) Clothing and accessories, such as coats, gloves (including wheelchair gloves), hats, scarves, slippers, and socks;

(e) Clothing protectors and other protective cloth furniture coverings;

(f) Cosmetics, including corrective formulations, hair depilatories, and products for skin bleaching, commercial sun screens, and tanning;

(g) Diverter valves for bathtub;

(h) Eating/feeding utensils;

(i) Emesis basins, enema bags, and diaper wipes;

(j) Health club memberships;

(k) Hot or cold temperature food and drink containers/holders;

(l) Hot water bottles and cold/hot packs or pads not otherwise covered by specialized therapy programs;

(m) Impotence devices;

(n) Insect repellants;

(o) Massage equipment;

(p) Medication dispensers, such as med-collators and count-a-dose, except as obtained under the compliance packaging program. See chapter 388-530 WAC;

(q) Medicine cabinet and first aid items, such as adhesive bandages (e.g., Band-Aids, Curads), cotton balls, cotton-tipped swabs, medicine cups, thermometers, and tongue depressors;

(r) Page turners;

(s) Radio and television;

(t) Telephones, telephone arms, cellular phones, electronic beepers, and other telephone messaging services; and

(u) Toothettes and toothbrushes, waterpics, and peridontal devices whether manual, battery-operated, or electric.

(12) Certain wheelchair features and options are not considered by MAA to be medically necessary or essential for wheelchair use. This includes, but is not limited to, the following:

(a) Attendant controls (remote control devices);

(b) Canopies, including those for strollers and other equipment;

(c) Clothing guards to protect clothing from dirt, mud, or water thrown up by the wheels (similar to mud flaps for cars);

(d) Identification devices (such as labels, license plates, name plates);

(e) Lighting systems;

(f) Speed conversion kits; and

(g) Tie-down restraints, except where medically necessary for client-owned vehicles.

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.

AMENDATORY SECTION (Amending 01-01-078, filed 12/13/00, effective 1/13/01)

WAC 388-543-2200 Augmentative communication devices (ACD). (1) MAA considers all requests ~~((on a case-by-case basis))~~ for augmentative communication devices (ACDs) ~~((for the purpose of appropriately relaying))~~ on a case-by-case basis. The ACD requested must be for a severe speech impairment, and the medical condition must warrant the use of a device to replace verbal communication (e.g., to communicate medical information).

(2) In order for MAA to cover an ADC, the ACD must be a dedicated speech device used solely by the individual who has a severe speech impairment, and have one of the following characteristics:

(a) Have digitized speech output, using pre-recorded messages; or

(b) Have synthesized speech output or written responses that permit multiple methods of formulating the message (e.g., spelling, icons, touch screen), and multiple methods of accessing the device.

(3) MAA does not cover speech generating devices that do not meet the definition of ACD under WAC 388-543-1000. MAA considers all requests for noncovered devices under the provisions of WAC 388-501-0165.

(4) MAA requires a provider to submit a prior authorization request for ACDs. The request must be in writing and contain all of the following information:

(a) A detailed description of the client's therapeutic history;

(b) An assessment by a licensed speech pathologist of the client's verbal capabilities. The pathologist must be knowledgeable about selecting ACDs that meet the client's needs;

(c) If the client has a physical disability, condition, or impairment that requires equipment, such as a wheelchair, or a device to be specially adapted to accommodate an ACD, an assessment by the prescribing physician, licensed occupational therapist or physical therapist; and

(d) Documented evaluations and/or trials of each ACD that the client has tried. This includes less costly types/models, and the effectiveness of each device in promoting the client's ability to communicate with health care providers, caregivers, and others.

~~((3))~~ (5) MAA requires the provider to show or the client to demonstrate all of the following:

(a) The client has reliable and consistent motor response, which can be used to communicate with the help of an ACD;

(b) The client has the cognitive ability to utilize the equipment effectively and independently (~~utilize the equipment~~); and

(c) With the ADC, the client will be able to do all of the following:

(i) Communicate with the personal physician about the medical condition, complaint, ailment, or symptoms;

(ii) Communicate with the personal caregiver about both urgent medical needs and routine personal care needs; and

(iii) Communicate with medical personnel who provide emergency services, rehabilitative care, and other therapeutic treatment.

~~((4))~~ (6) MAA covers ACDs only once every two years for a client who meets the criteria in subsection ~~((3))~~ (5) of this section. MAA does not approve a new or updated component, modification, or replacement model for a client whose ACD is less than two years old. MAA may make exceptions to the criteria in this subsection based strictly on a finding of unforeseeable and significant changes to the client's medical condition. The prescribing physician is responsible for justifying why the changes in the client's medical condition were unforeseeable.

(7) Clients who are eligible for both Medicare and Medicaid must apply first to Medicare for a speech generating device (SGD). If Medicare denies the request and the client requests an ACD from MAA, MAA evaluates the request based on medical necessity.

WSR 01-21-109
PROPOSED RULES
DEPARTMENT OF LICENSING

[Filed October 23, 2001, 2:52 p.m.]

Original Notice.

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

Title of Rule: Rules of procedure for hearings conducted under RCW 46.20.308.

Purpose: Adopts rules of procedure for hearings relating to proposed driver's license suspensions and revocations resulting from arrests for driving while under the influence of intoxicating liquor or any drug.

Statutory Authority for Adoption: RCW 46.01.110 and 46.20.308.

Statute Being Implemented: RCW 46.20.308.

Summary: Creates a new chapter in Title 308 WAC adopting procedural rules regarding agency hearings under RCW 46.20.308.

Reasons Supporting Proposal: Provides guidance regarding procedures, practices, and requirements relating to agency hearings.

Name of Agency Personnel Responsible for Drafting: Clark J. Holloway, Highways-Licenses Building, (360) 902-3846; Implementation and Enforcement: Denise Movius, Highways-Licenses Building, (360) 902-3850.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 308-103-010 Applicability, governs applicability and conditions of proposed rules; WAC 308-103-020 Definitions, provides definitions of terms as used in this chapter; WAC 308-103-030 Computation of time, provides rules for computation of time periods; WAC 308-103-040 Requests for hearings, governs procedure for requesting hearings held under RCW 46.20.308; WAC 308-103-050 Scheduling—Notice of hearing, governs scheduling of hearings; WAC 308-103-060 Notice of appearance, governs notice of legal representation; WAC 308-103-070 Continuances, governs the granting of continuances of scheduled hearings; WAC 308-103-080 Deferred prosecutions—Withdrawals, governs procedures where a petitioner seeks deferred prosecution; WAC 308-103-090 Subpoenas, governs procedures for issuing and enforcing subpoenas; WAC 308-103-100 Evidence—Exhibits, governs the use of exhibits and testimony as evidence; WAC 308-103-110 Evidence—Video tapes, governs use of video tapes as evidence; WAC 308-103-120 Evidence, governs admissibility of evidence; WAC 308-103-130 Interpreters, provides procedures for the use of interpreters; WAC 308-103-140 Testimony under oath or affirmation, provides that testimony must be given under oath or affirmation; WAC 308-103-150 Conduct of hearings, governs the conduct of hearings and details hearing officer's authority; WAC 308-103-160 Defaults, provides procedures when petitioner or legal representative fails to appear; WAC 308-103-170 Temporary licenses, provides for the extension of temporary licenses by a hearings officer; WAC 308-103-180 Final order, details the format of final orders issued by hearings officers; and WAC 308-103-190 Reconsideration and appeals, governs requests for reconsideration of final orders, amended orders, and appeals.

Proposal does not change existing rules. Amends WAC 308-08-600 to include appropriate administrative rule references.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business impact statement is not required pursuant to RCW 19.85.025(3).

RCW 34.05.328 does not apply to this rule adoption. The rules are procedural rules that apply to procedures, practices, and requirements relating to agency hearings.

Hearing Location: Highways-Licenses Building, Conference Room 413, 1125 Washington Street S.E., Olympia, WA, on November 27, 2001, at 2:30 p.m.

Assistance for Persons with Disabilities: Contact Clark J. Holloway by November 26, 2001, TTY (360) 664-0116.

Submit Written Comments to: Clark J. Holloway, Department of Licensing, P.O. Box 9030, Olympia, WA 98507-9030, fax (360) 586-8351, by November 26, 2001.

Date of Intended Adoption: November 28, 2001.

October 22, 2001
Denise M. Movius
Assistant Director

Chapter 308-103 WAC
RULES OF PROCEDURE FOR HEARINGS
CONDUCTED UNDER RCW 46.20.308

NEW SECTION

WAC 308-103-010 Applicability. These rules apply to hearings conducted pursuant to RCW 46.20.308. However, the hearing officer may waive the application of any of these rules in the interests of justice or to further administrative convenience, expedition, and economy if: (1) The waiver does not conflict with law; and (2) The waiver does not cause undue prejudice.

NEW SECTION

WAC 308-103-020 Definitions. As used in this chapter, unless the context requires otherwise, the term:

- (1) "Department" refers to the department of licensing;
- (2) "Fax" means electronic telefacsimile transmission;
- (3) "Hearing" means a formal hearing as authorized and conducted pursuant to RCW 46.20.308(8);
- (4) "Hearing office" refers to the physical location from which a hearing officer conducts hearings under RCW 46.20.308. Where appropriate, the term "hearing office" also refers to the staff assigned to a hearing office;
- (5) "Hearing officer" means a person who is appointed by the director of the department to conduct hearings under RCW 46.20.308;
- (6) "Legal representative" means an attorney licensed and authorized to practice law in the state of Washington;
- (7) "Petitioner" refers to a driver subject to the provisions of RCW 46.20.308 who has requested a hearing;
- (8) "Sworn report" means the document completed and filed with the department by the arresting officer in accordance with RCW 46.20.308 (6)(e), and which confers jurisdiction upon the department.

NEW SECTION

WAC 308-103-030 Computation of time. In computing any period of time prescribed or allowed by any applicable statute or rule, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday, or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday, nor a holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and holidays shall be excluded in the computation. Nothing contained herein is intended to extend the statutory requirement that a hearing be held within sixty days of a petitioner's arrest.

NEW SECTION

WAC 308-103-040 Requests for hearings. The request for a hearing shall be in compliance with the following requirements:

- (1) The petitioner must file his or her formal request for hearing:

- (a) Within thirty days of arrest if the petitioner submitted to a breath test;

- (b) Within thirty days of arrest if the petitioner is alleged to have refused the breath or blood test; or

- (c) Within thirty days of the date notice of the department's intention to suspend, revoke, or deny the petitioner's license, permit, or privilege to drive is given in the event notice is given by the department following a blood test;

- (2) If a request for hearing is mailed, it must be received by the department within seven days of the date the request was postmarked in order to be considered timely under this section. This provision may be waived if the request is received by the department within thirty days of the date of arrest, or within thirty days of the date notice is given in the event notice is given by the department following a blood test, or if the petitioner and the department agree to a waiver of the sixty-day hearing requirement;

- (3) The request for a hearing shall be in writing. The petitioner may use the form provided by the department for this purpose or any other writing;

- (4) The hearing request form provided by the department shall include a statement that if the parties or witness(es) are hearing or speech impaired and/or non-English speaking, a qualified interpreter will be appointed at no cost to the parties or witnesses. The form shall include a section where the petitioner may request an interpreter and where he or she may identify the language and/or nature of the interpretive services needed;

- (5) The request for hearing shall include the following information with respect to the petitioner:

- (a) Full name;
- (b) Mailing address;
- (c) Daytime telephone number, including area code;
- (d) Date of birth; and
- (e) Driver's license number;

- (6) If petitioner will have legal representation at the administrative hearing, the request shall also include the legal representative's name, mailing address, and daytime telephone number, including area code;

- (7) The request for hearing shall be submitted to the Department of Licensing, Driver Service's Division, Hearings & Interviews, P.O. Box 9031, Olympia, Washington 98507-9031;

- (8) The written request for hearing shall be accompanied by a filing fee of one hundred dollars, unless the petitioner is entitled to a waiver of the filing fee because of indigence, in which case a request and justification for the fee waiver shall accompany the hearing request;

- (9) A petitioner who has been denied a court-appointed attorney on the underlying related criminal charge because he or she is deemed "not indigent" is not eligible for a fee waiver;

- (10) Indigence may be established as follows:

- (a) Written verification of court-appointed legal counsel on the associated underlying criminal charge;
- (b) Written verification of current involuntary commitment to a public mental health facility;
- (c) Verification of current receipt of general assistance, temporary assistance for needy families, refugee resettlement

benefits, food stamps, supplemental security income, or Medicaid; or

(d) Submission and approval of the department's "Application for Waiver of Hearing Fee" form;

(11) Failure to timely submit a hearing request and/or failure to include the filing fee or application for waiver with the hearing request shall be deemed a waiver of the petitioner's right to a hearing; and

(12) If a request for hearing is denied, the department shall notify the petitioner and the petitioner's legal representative, if any, stating the reason(s) for denial.

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 308-103-050 Scheduling—Notice of hearing.

(1) Upon receipt of a request for a hearing, the department shall schedule a telephone hearing to be held within sixty days following arrest, or sixty days following the date notice of the department's intention to suspend, revoke, or deny the petitioner's license, permit, or privilege to drive is given in the event notice is given by the department following a blood test.

(2) The petitioner or petitioner's legal representative may state a preferred range of hearing dates or unavailable dates. To the extent that such requests can be accommodated within the applicable time limits and hearing officer availability, the department will attempt to do so.

(3) The department shall provide ten days written notice to the petitioner or petitioner's legal representative of the scheduled date and time of the hearing.

(4) The department's scheduling notice will include the assigned hearing office(r)'s name, address, and phone number; a statement of the issues; the procedure for requesting subpoena(s); the policy on continuances; and other information concerning the administrative hearing. The department's notice will also include a telephone number and a TDD number that any party or witness may call to request special accommodations.

(5) The petitioner or petitioner's legal representative may request that all or part of the hearing be conducted "in person." Such request should be directed to the assigned hearing office(r) immediately upon receipt of the scheduling notice. The hearing office(r) will have the sole discretion to grant or deny this request, and may require a waiver of the sixty-day hearing requirement as a condition to granting the request. Considerations will include whether the hearing officer can be available in the petitioner's county of arrest on the scheduled date of the hearing, the number and location of witnesses, and the basis of this request.

(6) Each party shall ensure that his or her address and telephone number on file is correct and shall immediately notify the department and/or hearing officer of any change of address or telephone number that occurs during the course of the proceeding.

(7) The administrative hearing may be reassigned to a different hearing officer without notice to the parties because of scheduling conflicts, illness, injuries, unavailability, or emergencies.

NEW SECTION

WAC 308-103-060 Notice of appearance. If a petitioner has legal representation at the administrative hearing, the department shall be provided with the legal representative's name, address, and telephone number. The department may require the legal representative to file a written notice of appearance or to provide documentation that an absent petitioner has authorized the legal representative to appear on the party's behalf. The legal representative shall file a written notice of appearance and shall file a notice of withdrawal upon withdrawal of representation.

NEW SECTION

WAC 308-103-070 Continuances. (1) After a hearing has been scheduled, it may be continued, rescheduled, or adjourned only at the discretion of the hearing officer.

(2) Requests for a continuance, reschedule, or adjournment must be made in writing, to the assigned hearing officer, and shall include the basis for the request.

(3) Except in the case of an emergency, the hearing officer must receive the continuance request at least two business days before the scheduled hearing. Absent an emergency, requests made with less than two business days' notice may be summarily denied.

(4) The hearing officer may grant a continuance, adjournment, or reschedule at any time, including on the date of the administrative hearing.

(5) Hearings that are continued, rescheduled, or adjourned may be re-set to a date within sixty days of the driver's arrest, or within sixty days of the date notice of the department's intention to suspend, revoke, or deny the petitioner's license, permit, or privilege to drive is given in the event notice is given by the department following a blood test, unless a written waiver of the sixty-day hearing requirement of RCW 46.20.308 accompanies the written continuance request, or unless the petitioner is deemed to have "waived" the statutory time frame.

(6) A petitioner is deemed to have waived the statutory requirement that the hearing be held within sixty days if petitioner requests an action that cannot be accommodated within the sixty-day period.

(7) A party shall not consider a hearing continued, rescheduled, or adjourned until notified by the hearing officer that the request has been granted.

(8) The hearing officer may require the party who requests a continuance, reschedule, or adjournment to submit documentary evidence that substantiates the reason for the request.

(9) A second request for a continuance, reschedule, or adjournment will only be granted in the event of an extreme emergency.

NEW SECTION

WAC 308-103-080 Deferred prosecutions—Withdrawals. (1) In the event a petitioner elects to seek a deferred prosecution and is eligible for a stay of the administrative suspension, the petitioner shall notify the assigned hearing officer and file a notice of intent to seek deferred prosecution.

Upon doing so, the hearing officer will make a determination whether any hearing scheduled in the matter should be canceled and the petitioner's temporary license, if eligible, should be extended as provided by WAC 308-103-170. If, for any reason, the petitioner does not obtain an order of deferred prosecution from the court, the department will set a new hearing date only if the petitioner requests a hearing by contacting the original hearing officer no later than one hundred thirty days from the date of the arrest, and prior to the expiration of the temporary license. In the absence of such a timely request, the petitioner waives his or her right to a hearing and the department will issue the previously stayed order of suspension or revocation.

(2) If the petitioner elects to withdraw his or her request for a hearing, he or she shall notify the department in writing of his or her intent to do so. Upon receiving such a request for a withdrawal, the department shall proceed with the administrative action against the petitioner's driving license.

NEW SECTION

WAC 308-103-090 Subpoenas. (1) Subpoenas shall be issued and enforced, and witness fees paid, as provided in RCW 46.20.308(8). All subpoenas shall direct the witness to appear by telephone unless otherwise agreed to by the hearing officer.

(2) Every subpoena shall be signed and issued by a hearing officer and shall identify the party requesting the issuance of the subpoena and shall state the name of the agency and the title of the proceeding and shall command the person to whom it is directed to appear in person or telephonically and give testimony or produce designated books, documents, or things under his or her control.

(a) A subpoena to a person to provide testimony at a hearing shall specify the time and place set for hearing.

(b) A subpoena duces tecum requesting a person to produce designated books, documents, or things under his or her control shall specify a time and place for producing the books, documents, or things. That time and place may be the time and place set for hearing, or another reasonably convenient time and place in advance of the hearing.

(3) A subpoena may be served by any suitable person over eighteen years of age, by exhibiting and reading it to the witness, or by giving him or her a copy thereof, or by leaving such copy at the place of his or her abode. When service is made by any person other than an officer authorized to serve process, proof of service shall be made by affidavit or declaration under penalty of perjury. Service of a subpoena on a law enforcement officer may be effected by serving the subpoena upon the officer's employer.

(4) The hearing officer may condition issuance of the subpoena upon advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(5) A subpoena must be properly served ten days prior to the date of the hearing, excluding weekends and holidays, in order to have full force and effect.

NEW SECTION

WAC 308-103-100 Evidence—Exhibits. (1) All rulings upon objections to the admissibility of evidence shall be made in accordance with the provisions of these rules.

(2) When portions only of a document are to be relied upon, the offering party shall identify the pertinent excerpts and state the purpose for which such materials will be offered. Only the excerpts, in the form of copies, shall be received in the record. However, the whole of the original documents, except any portions containing confidential material protected by law, shall be made available for examination and for use by all parties.

(3) The refusal of a witness to answer any question which has been ruled to be proper shall, in the discretion of the hearing officer, be ground for striking all testimony previously given by such witness on related matter.

(4) Evidence is admissible if received prior to, or during, the hearing.

NEW SECTION

WAC 308-103-110 Evidence—Video tapes. (1) If a video tape is submitted by a law enforcement officer, the officer shall submit two copies.

(2) If the petitioner wishes to submit a video tape as evidence, the petitioner shall be responsible for the costs of preparing a copy to be admitted as evidence. Video tapes shall be submitted sufficiently in advance of the hearing to allow the hearing officer the opportunity to review the tape prior to the hearing. The hearing officer may require a time waiver from the petitioner in order to reschedule the hearing and satisfy this provision when needed.

NEW SECTION

WAC 308-103-120 Evidence. (1) The hearing officer shall rule on the admissibility and weight to be accorded to all evidence submitted at the hearing. The admissibility of evidence shall be liberally construed to effect the intent and purpose of the hearings covered by these rules.

(2) Law enforcement officers or other persons with knowledge relevant to the hearing may appear and testify without notice. Such testimony shall not preclude the admissibility of any documents submitted.

NEW SECTION

WAC 308-103-130 Interpreters. (1) When an impaired person as defined in chapter 2.42 RCW or a non-English-speaking person as defined in chapter 2.43 RCW is a party or witness in an adjudicative proceeding, the department shall appoint an interpreter to assist the party or witness during the hearing. Appointment, qualifications, waiver, compensation, visual recording, and ethical standards of interpreters in hearings are governed by the provisions of chapters 2.42 and 2.43 RCW.

(a) If a hearing impaired person is a party or witness to an adjudicative proceeding, a qualified interpreter shall be appointed to interpret the proceedings. Under RCW 2.42.050, a "qualified interpreter" means a visual language

interpreter who is certified by the state or is certified by the registry of interpreters for the deaf.

(b) Whenever an interpreter is appointed to assist a non-English-speaking person, a qualified or certified interpreter shall be appointed to assist the person during the hearing. Under RCW 2.43.020, a "qualified interpreter" means a person who is able readily to interpret or translate spoken and written English for a non-English-speaking person. A "certified interpreter" means an interpreter who is certified by the office of the administrator for the courts.

(2) Relatives of any participant in a proceeding and employees of the department involved in a proceeding shall not be appointed as interpreters in the proceeding unless authorized by the petitioner.

(3) Mode of interpretation:

(a) The consecutive mode of foreign language interpretation shall be used unless the hearing officer and interpreter agree that simultaneous interpretation will advance fairness and efficiency;

(b) Interpreters for hearing impaired persons shall use the simultaneous mode of interpretation unless an intermediary interpreter is needed. If an intermediary interpreter is needed, interpreters shall use the mode that the interpreter considers to provide the most accurate and effective communication with the hearing impaired person;

(c) When an impaired or non-English-speaking person is a party to a proceeding, the interpreter shall translate all statements made by other hearing participants, unless waived by the petitioner. The hearing officer shall ensure that sufficient extra time is provided to permit translation and the hearing officer shall ensure that the interpreter translates the entire proceeding to the party to the extent that the party has the same opportunity to understand all statements made during the proceeding as a non-impaired or English-speaking party listening to un-interpreted statements would have.

(4) The department shall pay interpreter fees and expenses.

(5) Every interpreter shall, before beginning to interpret, take an oath that a true interpretation will be made to the person being examined of all the proceedings in a language or in a manner which the person understands, and that the interpreter will repeat the statements of the person being examined to the hearing officer conducting the proceedings, in the English language, to the best of the interpreter's skill and judgment.

NEW SECTION

WAC 308-103-140 Testimony under oath or affirmation. Every person called as a witness and who is giving oral testimony in a hearing shall swear or affirm that the testimony he or she is about to give in the hearing shall be the truth according to the provisions of RCW 5.28.020 through 5.28.060. If the witness is testifying from outside the jurisdiction, the hearing officer may require the witness to agree to be bound by the laws of the state of Washington for purposes of the oath or affirmation.

NEW SECTION

WAC 308-103-150 Conduct of hearings. Hearings are open to public observation. To the extent that a hearing is conducted by telephone or other electronic means, the availability of public observation is satisfied by giving members of the public an opportunity to hear or inspect the agency's record. The hearing officer's authority includes, but shall not be limited to, the authority to:

- (1) Determine the order of presentation of evidence;
- (2) Administer oaths and affirmations;
- (3) Issue subpoenas pursuant to RCW 46.20.308(8);
- (4) Rule on procedural matters, objections, and motions;
- (5) Rule on offers of proof and receive relevant evidence;
- (6) Order the exclusion of witnesses upon a showing of good cause;
- (7) Afford the petitioner the opportunity to respond, present evidence, conduct cross-examination, and submit rebuttal evidence. The hearing officer may question witnesses to develop any facts deemed necessary to fairly and adequately decide the matter;
- (8) Call additional witnesses and request additional exhibits deemed necessary to complete the record and receive such evidence subject to full opportunity for cross-examination and rebuttal by the petitioner;
- (9) Examine the official records of the department;
- (10) Regulate the course of the hearing and take any appropriate action necessary to maintain order during the hearing;
- (11) Permit or require oral argument or briefs and determine the time limits for submission thereof;
- (12) Issue an order of default;
- (13) Recess the hearing to a later time to accommodate scheduling conflicts. Hearings are ordinarily scheduled to be one hour in length;
- (14) Take any other action necessary and authorized by any applicable statute or rule; and
- (15) Waive any requirement of these rules unless petitioner shows that he or she would be prejudiced by such a waiver.

NEW SECTION

WAC 308-103-160 Defaults. The petitioner or the petitioner's legal representative on petitioner's behalf is required to attend the hearing, either in person or by telephone. If that appearance is by telephone, the petitioner or the petitioner's legal representative must be available at the number provided to the department on the hearing request form and referenced in the scheduling letter, or as subsequently modified, at the time and date designated for the hearing on the scheduling letter sent by the department to the petitioner, or as subsequently re-scheduled. If the petitioner or petitioner's legal representative has not appeared within twenty minutes of the time scheduled for the hearing, the hearing officer shall enter an order of default. A default shall be deemed a withdrawal of the petitioner's request for a hearing and the action of the department on the petitioner's license shall be sustained.

NEW SECTION

WAC 308-103-170 Temporary license. A temporary license issued by a law enforcement officer pursuant to RCW 46.20.308 may be extended when:

(1) A hearing is conducted and a decision on the outcome of the hearing is taken under advisement by the hearing officer;

(2) A hearing is continued or rescheduled outside of the initial sixty-day effective period of the temporary license; or

(3) Petitioner is seeking a deferred prosecution and requests an extension of the temporary license.

Extensions may be made to a maximum of one hundred fifty days from the date of arrest. Nothing contained herein shall effect the validity of any other action taken against the petitioner's driving privilege by the department, or authorize a petitioner to drive if his or her driving privilege has been suspended or revoked for other reasons.

NEW SECTION

WAC 308-103-180 Final order. Every decision and order shall:

(1) Be correctly captioned as to the name of the department of licensing and name of the proceeding;

(2) Designate all parties and representatives participating in the proceeding;

(3) Contain a final order disposing of all contested issues and setting the effective date for the order; and

(4) Contain a statement describing the right to appeal.

NEW SECTION

WAC 308-103-190 Reconsideration and appeals. (1) The petitioner's rights to appeal are provided in RCW 46.20.308(9), and nothing herein is intended to detract from that statute.

(2) Grounds for a petition for reconsideration are limited to evidence or legal argument which are material to the petitioner and that by the exercise of reasonable diligence the petitioner or petitioner's legal representative did not and could not have produced at the time of the hearing, or for other good and sufficient reason as determined by the hearing officer.

(3) The petition must state with particularity any new evidence or new legal argument that is proposed and why it was not available at the time of the hearing. The petition must specify with particularity the portions of the initial order to which the petition applies.

(4) A petition for reconsideration of a final order shall be filed with the hearing officer who signed that final order, within ten days of the date that the hearing officer signed it.

(5) The petition shall be disposed of by the hearing officer who entered the original final order, if reasonably available. The disposition shall be in the form of a written order denying the petition, granting the petition and dissolving or modifying the final order, or granting the petition and setting the matter for further hearing.

(6) If the petition is granted in whole or in part, a new order shall be issued in the same form as the original order, and shall include the designation "amended" in its title. This

amended order shall reference the petition for reconsideration in its preamble, which sets out what the hearing officer considered. Any amended order shall include the "Findings of Fact and Conclusions of Law" from the original final order with amendments.

(7) The relief granted pursuant to a petition for reconsideration is limited to review of the designated evidence and/or argument as identified in the petition. At the hearing officer's discretion, a supplemental hearing may be scheduled. Such a petition is not grounds for a new hearing, and the record already established shall remain undisturbed.

(8) A petition for reconsideration does not stay the department's action on the petitioner's driving privilege as ordered by the original final order. A petitioner seeking a stay must file a separate petition for that purpose. The hearing officer will grant a stay only if the hearing officer determines that it is likely that the petitioner will prevail and the action be reversed and that denying the stay will create irreparable harm to the petitioner. If the hearing officer grants such a petition for a stay, the hearing officer shall sign an order releasing the action and crediting any time already served, and subsequently sign an order sustaining or reversing the action, as determined by the amended final order. Disposition denying a stay is not subject to review.

(9) An amended final order shall issue either denying reconsideration or, in the event reconsideration is granted, dissolving or modifying the original final order. The date of the amended final order begins the thirty-day period for the petitioner to appeal the amended final order, and there is no longer a right to appeal the original final order.

(10) The filing of a petition for reconsideration is not a prerequisite for filing an appeal. An order denying reconsideration is not subject to appeal.

AMENDATORY SECTION (Amending Order MV-141, filed 7/27/72)

WAC 308-08-600 Scope of rules—Formal hearings—Discretionary suspension—Driver's licenses. The following rules numbered WAC 308-08-610 through 308-08-660 shall apply only to formal hearings held pursuant to RCW 46.20.329. They shall not apply to hearings held pursuant to chapter 308-103 WAC (implied consent revocations) or hearings under the provisions of chapter 308-102 WAC (the financial responsibility act).

WSR 01-21-110

PROPOSED RULES

DEPARTMENT OF LICENSING

[Filed October 23, 2001, 2:53 p.m.]

Original Notice.

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

Title of Rule: Driver records—Address of record.

Purpose: Updates procedures for determining the address of record for driver's license records.

Statutory Authority for Adoption: RCW 46.01.110 and 46.20.205.

Statute Being Implemented: RCW 46.20.205.

Summary: Amends WAC 308-104-018 to clarify procedures for changing the address of record and for establishing the address of record where the department has a mailing address on file.

Reasons Supporting Proposal: Incorporates a change suggested by the Washington Association of Prosecuting Attorneys and permits the mailing of notices to a driver's mailing address where the mailing address differs from the driver's residential address.

Name of Agency Personnel Responsible for Drafting: Clark J. Holloway, Highways-Licenses Building, (360) 902-3846; Implementation and Enforcement: Denise Movius, Highways-Licenses Building, (360) 902-3850.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: No new rules being proposed.

Proposal Changes the Following Existing Rules: Amends WAC 308-104-018 to provide that the department will not change a driver's address of record if documentation indicating a different address predates the last updating of the driver's address of record. A new subsection is added to provide that a driver's mailing address will be considered the driver's address of record for purposes of mailing notices, if the mailing address differs from the person's residence address.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business impact statement is not required pursuant to RCW 19.85.025(3).

RCW 34.05.328 does not apply to this rule adoption. The rule relates to internal governmental operations that are not subject to violation by a nongovernmental party.

Hearing Location: Highways-Licenses Building, Conference Room 406, 1125 Washington Street S.E., Olympia, WA, on November 30, 2001, 2:30 p.m.

Assistance for Persons with Disabilities: Contact Clark J. Holloway by November 29, 2001, TYY [TTY] (360) 664-0116.

Submit Written Comments to: Clark J. Holloway, Department of Licensing, P.O. Box 9030, Olympia, WA 98507-9030, fax (360) 586-8351, by November 29, 2001.

Date of Intended Adoption: December 3, 2001.

October 22, 2001
Denise M. Movius
Assistant Director

AMENDATORY SECTION (Amending WSR 96-20-089, filed 10/1/96, effective 11/1/96)

WAC 308-104-018 ((Changing the)) Address of record. (1) In addition to the form identified in RCW 46.20.205, the department may change a driver's or identicard holder's address of record upon:

(a) The verbal request of the driver or identicard holder, where the department has satisfied itself as to the identity of the person making the request; or

(b) Receipt of written documentation or electronic communication concerning the driver or identicard holder, where such documentation or communication includes an address that differs from the one maintained by department and is:

- (i) Signed by the driver or identicard holder;
- (ii) Filed at the request of the driver or identicard holder;

or

- (iii) Filed by a public official or governmental agency.

Notwithstanding the provisions of this subsection, the address of record will not be changed if the documentation or communication received predates the last updating of the address of record.

(2) For purposes of RCW 46.20.205 (1)(b), the address of record is the driver's mailing address where the department has a mailing address on record that differs from the person's residence address.

(3) This section shall not be construed as relieving the driver or identicard holder of the responsibility to notify the department of a change of address as required by RCW 46.20.205. Failure by the department to change a driver's or identicard holder's address of record, where the driver or identicard holder has not notified the department of the change of address with the form identified in RCW 46.20.205, shall not limit the effectiveness of any notice mailed to the driver or identicard holder at the address of record as previously established by the department.

WSR 01-21-111
PROPOSED RULES
DEPARTMENT OF LICENSING

[Filed October 23, 2001, 2:54 p.m.]

Original Notice.

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

Title of Rule: Chapter 308-330 WAC, Washington model traffic ordinance.

Purpose: Update the model traffic ordinance to incorporate recent statutory changes.

Statutory Authority for Adoption: RCW 46.90.010.

Statute Being Implemented: Chapters 46.20, 46.44, 46.61, and 46.64 RCW.

Summary: The Washington model traffic ordinance is being amended to incorporate changes made to traffic laws by recent legislation.

Reasons Supporting Proposal: Implementation of recent session laws.

Name of Agency Personnel Responsible for Drafting: Clark J. Holloway, Highways-Licenses Building, (360) 902-3846; Implementation and Enforcement: Denise Movius, Highways-Licenses Building, (360) 902-3850.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: No new rules are being proposed.

Proposal Changes the Following Existing Rules: Amending WAC 308-330-305 to delete reference to a section

of statute repealed by the legislature; and amending WAC 308-330-307, 308-330-320, 308-330-464, 308-330-481, and 308-330-705, to add reference to a new section of statute enacted by the legislature.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business economic impact statement is not required pursuant to RCW 19.85.025(3).

RCW 34.05.328 does not apply to this rule adoption. The rules incorporate by reference without material change Washington state statutes.

Hearing Location: Highways-Licenses Building, Conference Room 406, 1125 Washington Street S.E., Olympia, WA, on November 30, 2001, at 2:30 p.m.

Assistance for Persons with Disabilities: Contact Clark J. Holloway by November 29, 2001, TYY [TTY] (360) 664-0116.

Submit Written Comments to: Clark J. Holloway, Department of Licensing, P.O. Box 9030, Olympia, WA 98507-9030, fax (360) 586-8351, by November 29, 2001.

Date of Intended Adoption: December 3, 2001.

October 23, 2001

Denise M. Movius

Assistant Director

AMENDATORY SECTION (Amending WSR 97-10-068, filed 5/5/97, effective 6/5/97)

WAC 308-330-305 RCW sections adopted—Vehicle licenses. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle licenses as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.16.010, 46.16.011, 46.16.022, 46.16.023, 46.16.025, 46.16.028, 46.16.030, 46.16.048, 46.16.068, 46.16.088, 46.16.090, 46.16.135, 46.16.140, 46.16.145, 46.16.160, ((46.16.170,)) 46.16.180, 46.16.240, 46.16.260, 46.16.290, 46.16.307, 46.16.316, 46.16.350, 46.16.381, 46.16.390, 46.16.500, 46.16.505, 46.16.560, 46.16.585, 46.16.595, 46.16.630, 46.16.640, and 46.16.680.

AMENDATORY SECTION (Amending WSR 00-18-067, filed 9/1/00, effective 10/2/00)

WAC 308-330-307 RCW sections adopted—Driver licenses and identicards. The following sections of the Revised Code of Washington (RCW) pertaining to driver licenses and identification cards as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.20.001, 46.20.005, 46.20.015, 46.20.017, 46.20.021, 46.20.022, 46.20.024, 46.20.025, 46.20.027, 46.20.031, 46.20.041, 46.20.045, 46.20.055, 46.20.070, 46.20.075, 46.20.0921, 46.20.109, 46.20.220, 46.20.308, 46.20.3101, 46.20.338, 46.20.342, 46.20.345, 46.20.349, 46.20.391, 46.20.394, 46.20.410, 46.20.500, 46.20.510, 46.20.720, 46.20.740, and 46.20.750.

AMENDATORY SECTION (Amending WSR 94-23-029, filed 11/8/94, effective 12/9/94)

WAC 308-330-320 RCW sections adopted—Size, weight, load. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle size, weight, and load as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.44.010, 46.44.015, 46.44.020, 46.44.030, 46.44.034, 46.44.036, 46.44.037, 46.44.041, 46.44.042, 46.44.043, 46.44.047, 46.44.050, 46.44.060, 46.44.070, 46.44.090, 46.44.091, 46.44.092, 46.44.093, 46.44.095, 46.44.096, 46.44.105, 46.44.120, 46.44.130, 46.44.140, 46.44.170, 46.44.173, 46.44.175, ((and)) 46.44.180, and section 3, chapter 262, Laws of 2001.

AMENDATORY SECTION (Amending WSR 94-01-082, filed 12/13/93, effective 7/1/94)

WAC 308-330-464 RCW sections adopted—Operation and restrictions. The following sections of the Revised Code of Washington (RCW) pertaining to the operation of vehicles and the restriction of certain acts and practices of vehicle operators and passengers as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.600, 46.61.605, 46.61.606, 46.61.608, 46.61.610, 46.61.611, 46.61.612, 46.61.614, 46.61.615, 46.61.620, 46.61.625, 46.61.630, 46.61.635, 46.61.640, 46.61.645, 46.61.655, 46.61.660, 46.61.665, 46.61.670, 46.61.675, 46.61.680, 46.61.685, 46.61.687, 46.61.688, 46.61.690, 46.61.700, 46.61.710, 46.61.720, ((and)) 46.61.730, and section 1, chapter 325, Laws of 2001.

AMENDATORY SECTION (Amending WSR 94-01-082, filed 12/13/93, effective 7/1/94)

WAC 308-330-481 RCW sections adopted—Operation of nonmotorized vehicles. The following sections of the Revised Code of Washington (RCW) pertaining to the operation of nonmotorized vehicles as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.750, 46.61.755, 46.61.758, 46.61.760, 46.61.765, 46.61.770, 46.61.775, ((and)) 46.61.780, and 46.61.790.

AMENDATORY SECTION (Amending WSR 94-01-082, filed 12/13/93, effective 7/1/94)

WAC 308-330-705 RCW sections adopted—Enforcement. The following sections of the Revised Code of Washington (RCW) pertaining to traffic enforcement agencies as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.64.010, 46.64.015, 46.64.025, 46.64.030, 46.64.035, 46.64.048, ((and)) 46.64.050, and section 3, chapter 285, Laws of 2001.

WSR 01-21-112
PROPOSED RULES
DEPARTMENT OF LICENSING

[Filed October 23, 2001, 2:55 p.m.]

Original Notice.

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

Title of Rule: WAC 308-100-140 Commercial driver's license third party tester agreements.

Purpose: Clarifies a recent amendment to the department's criteria for determining the need to enter into an agreement with third parties to test applicants for commercial driver's licenses.

Statutory Authority for Adoption: RCW 46.01.110 and 46.25.060.

Statute Being Implemented: RCW 46.25.060.

Summary: Makes it clear that in counties where there is only one third-party tester, the department will not base the determination of need for a third-party tester solely on the expected number of applicants for a commercial driver's license in those locations when renewing or extending a third-party tester agreement.

Reasons Supporting Proposal: Incorporates a suggestion from a third-party tester covered by current rule.

Name of Agency Personnel Responsible for Drafting: Clark J. Holloway, Highways-Licenses Building, (360) 902-3846; Implementation and Enforcement: Denise Movius, Highways-Licenses Building, (360) 902-3850.

Name of Proponent: Department of Licensing, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: No new rules are being proposed.

Proposal Changes the Following Existing Rules: Amending WAC 308-100-140 to provide that in counties where there is only one third-party tester, the department will not base the determination of need for a third-party tester solely on the expected number of applicants for a commercial driver's license in those locations when renewing or extending a third-party tester agreement.

No small business economic impact statement has been prepared under chapter 19.85 RCW. A small business impact statement is not required pursuant to RCW 19.85.025(3).

RCW 34.05.328 does not apply to this rule adoption. The rule relates to internal governmental operations that are not subject to violation by a nongovernmental party.

Hearing Location: Highways-Licenses Building, Conference Room 406, 1125 Washington Street S.E., Olympia, WA, on November 30, 2001, at 2:30 p.m.

Assistance for Persons with Disabilities: Contact Clark J. Holloway by November 29, 2001, TYY [TTY] (360) 664-0116.

Submit Written Comments to: Clark J. Holloway, Department of Licensing, P.O. Box 9030, Olympia, WA 98507-9030, fax (360) 586-8351, by November 29, 2001.

Date of Intended Adoption: December 3, 2001.

October 23, 2001
 Denise M. Movius
 Assistant Director

AMENDATORY SECTION (Amending WSR 01-09-062, filed 4/16/01, effective 5/17/01)

WAC 308-100-140 Third party tester. The department may enter into an agreement with third party testers to conduct the commercial driver's license classified skill examination. An agreement will only be made where the department has determined that a need for a third party tester exists in the location covered by the third party tester, and that the third party tester is otherwise qualified. In counties where there are no third party testers, or where not extending or renewing an agreement would result in no third party testers, the department will not base the determination of need solely on the expected number of applicants for a commercial driver's license in those locations. The department may suspend an agreement with a third party tester for any length of time upon a showing of good cause. An agreement between the department and a third party tester will be valid for no more than two years, provided that the department may extend an agreement for up to an additional two years at its discretion. The department may renew an agreement if it has determined that a need for a third party tester still exists in the location covered by the third party tester.

WSR 01-21-113
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed October 23, 2001, 4:24 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-17-001.

Title of Rule: Commercial fishing rules.

Purpose: Amend coastal spot shrimp rules.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: Establishes conversion from spot shrimp trawl to spot shrimp pot fishery.

Reasons Supporting Proposal: Habitat protection and by-catch reduction.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The experimental coastal spot shrimp fishery has proven to be commercially viable, but conflicts have arisen regarding the trawl portion of this fishery. By the nature of the activity, the trawl fishery has an unacceptable impact on the rocky habitat where the spot shrimp are found. Since this habitat is crucial to rockfish, any habitat destruction will adversely affect species that are not recovering as quickly as hoped. Of equal concern is the by-catch in the trawl fishery. From observed trips, it has been noted that the trawl activity

actually takes a by-catch that exceeds the poundage of the targeted spot shrimp. Included in this by-catch are rockfish, sea urchins, sponges, and other invertebrates. Neither habitat destruction nor by-catch problems occur in the spot shrimp pot fishery. By converting over, the three trawlers will have the ability to continue to derive income in the fishery.

Proposal Changes the Following Existing Rules: Eliminates coastal spot shrimp trawl fishery.

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

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping, and Other Compliance Requirements of the Proposed Rule: The proposed rule requires no new reporting or record keeping. Compliance with the interim seasonal/area exclusions by spot shrimp trawl gear is required as is the requirement for spot shrimp trawl fishers to use shrimp pot gear after the conversion implementation date if they wish to continue participation.

2. Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements: None required.

3. Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs: Gear conversion for the trawl fishery is optional but needed if they wish to continue to harvest spot shrimp. Exercising the option will likely require the purchase or construction of shrimp pot gear as well as additions and/or modifications to deck equipment which are readily available through shipyards and ship chandlery. Deck equipment may need to be removed if the individual does not wish to transfer his pot operation to a smaller vessel to reduce operational costs. A hydraulic block (average cost \$2500 for vessels without such existing equipment) will be needed to pull pots. Some tables (likely sorting equipment is transferable between gears) for sorting and cleaning the spot shrimp catch will also be needed. There will be some lost opportunity costs such as a trawl net with remaining useful life and deck gear that may not be marketable to spot shrimp trawl fishers or trawlers in other states or in gear compatible fisheries. Average costs for equipped and rigged pot purchased in lots of 50 is \$61/pot and the fleet average for the pot fleet is \$260/vessel. The parallel cost for a trawler without this gear would be \$15,860. The maximum estimated total cost for each of the three vessels would be \$18,360 plus any shipyard work for the conversion of deck gear. This last element would be highly variable due to whether they chose to do the work themselves or have it done and the extent to the scope of change needed. Within the scope of the three trawl vessels some already have this equipment and gear so these actual costs may be much less for an individual vessel. Labor costs may also decrease due to the gear change as crew size may decrease for pot vessels.

4. Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue? Yes - spot shrimp trawlers will lose sales and revenues due to the loss of gear efficiency of trawl over pots.

5. Cost of Compliance for the 10% of Businesses That are the Largest Businesses Required to Comply with the Pro-

posed Rules Using One or More of the Following as a Basis for Comparing Costs:

- a. Cost per employee;
- b. Cost per hour of labor; or
- c. Cost per one hundred dollars of sales.

The average annual sales from these three trawl vessels from 1999 and 2000 was \$713,530 and the annual gear cost as a comparison was \$7,500 for a trawl, plus cables @ \$2000 for \$9,500/yr/vessel, discounting all other fuel and operating costs between gear types. The average fleet cost is then \$28,5500/yr. Pot vessels in comparison made an annual sale of \$35,100 over same time frame and they may lose 10% of their gear/year at a cost of \$1,586/vessel/yr for an average fleet gear cost of \$14,300/yr. The net difference between the two gear types is the cost of compliance: Trawl fleet average sales (less gear cost) of \$685,000; while pot fishers had average adjusted sales of \$24,000. The adjusted difference is \$661,000 and represents that lost adjusted gross revenues to the trawl fleet. In direct comparison for cost of compliance for trawl conversion to pot fishing the costs would vary on the basis of the expected landings. If the three trawlers only produced as much adjusted value as the pot fleet at \$24,000 the per vessel cost of \$18,360 for each trawler would result in a net loss of \$10,440/vessel at a \$230 cost for each \$100 of sale in the first year. This is reduced over time due to the amortization of the initial startup costs. The proposed rule provides for interim set asides for the three converting trawlers of 75,000 lbs/yr which has an exvessel value estimated at \$450,000. At this potential revenue range the conversion cost would be \$40 per \$100 of sale. In addition, the converting trawl vessels can access the general pot quota of 175,000 lbs for additional revenue after their set aside of 75,000 lbs is taken which would further reduce cost per \$100 of sales.

Reviser's note: The typographical error in the above paragraph occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So: The department has developed this rule in consultation with the industry and developed a phase-in approach that provides interim measures to reduce the effect of the economic impacts to the trawlers.

7. A Description of How the Agency Will Involve Small Businesses in the Development of the Rule: The department has met with the affected industry to develop this suite of proposals or consideration by the Fish and Wildlife Commission. The industry will have additional opportunity to comment on the proposed rules as well as providing written and/or oral testimony to the Fish and Wildlife Commission for their December meeting.

8. A List of Industries That Will Be Required to Comply with the Rule: The ocean spot shrimp trawl fishery of which there are three participants.

A copy of the statement may be obtained by writing to Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155.

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 23, 2001

Evan Jacoby
Rules Coordinator

AMENDATORY SECTION (Amending Order 00-152, filed 8/16/00, effective 9/16/00)

WAC 220-88B-030 Emerging commercial fishery—Eligibility for coastal experimental fishery permits—Terms and conditions of use—Renewal. (1) ~~((A-1999~~ coastal spot shrimp pot experimental fishery permit will be issued to a natural person who is the owner of a vessel that can prove by means of valid Washington fish receiving tickets that at least 1,000 round pounds of spot shrimp were taken from waters of the Pacific Ocean between 46.15.00' and 48.28.00" N. latitude with shellfish pot gear and delivered from that vessel during the period January 1, 1992, through March 30, 1998, and that coastal spot shrimp were landed from the vessel during 1996, 1997 or 1998. In order for a fish receiving ticket to be valid it must have been received by the department no later than April 15, 1998. Valid Oregon fish receiving tickets may be used to meet the qualifying criteria for issuance of a coastal spot shrimp pot experimental fishery permit specified in this subsection, provided that reasonable proof is presented to the department that the spot shrimp were taken from waters of the Pacific Ocean adjacent to the state of Washington prior to March 30, 1998, and the fish receiving tickets were received by the Oregon department of fish and wildlife no later than April 15, 1998.

~~((2) A 1999 coastal spot shrimp trawl experimental fishery permit will be issued to a natural person who is the owner of a vessel that can prove by means of valid Washington fish receiving tickets that at least 10,000 round pounds of spot shrimp were taken from waters of the Pacific Ocean between 46.15.00' and 48.28.00" N. latitude with trawl gear and delivered from that vessel during the period from January 1, 1992, through March 30, 1998, and that coastal spot shrimp were landed from the vessel during 1996, 1997 or 1998. In order for a fish receiving ticket to be valid it must have been received by the department no later than April 15, 1998. Valid Oregon fish receiving tickets may be used to meet the qualifying criteria for issuance of a coastal spot trawl experimental fishery permit specified in this subsection, provided that reasonable proof is presented to the department that the spot shrimp were taken from waters of the Pacific Ocean adjacent to the state of Washington prior to March 30, 1998, and the fish receiving tickets were received by the Oregon department of fish and wildlife no later than April 15, 1998.~~

~~((3) For purposes of this section, landings of spot shrimp reported as "tails" on fish receiving tickets will be converted to round pounds by multiplying the reported weight of tails by two.~~

~~((4) In the event the owner has replaced a vessel that was used during the qualifying period, the landings from the original and replacement vessels may be combined for purposes of achieving the minimum landing requirement during the qualifying period.~~

~~((5))~~ No individual may hold more than one Washington coastal spot shrimp experimental fishery permit.

~~((6))~~ ~~((2))~~ Coastal spot shrimp experimental fishery permits are not transferable. Only the vessel designated in the emerging commercial fishery license and coastal spot shrimp experimental fishery permit may be used to fish for or deliver spot shrimp.

~~((7) After 1999,))~~ ~~((3))~~ A coastal spot shrimp ~~((pot))~~ experimental fishery permit ~~((or a coastal spot shrimp trawl experimental fishery permit))~~ will be issued only to the person who:

(a) Held such a permit the previous year; and

(b) Beginning January 1, 2001, can demonstrate by valid Washington fish receiving tickets that at least 1,000 cumulative round weight pounds of spot shrimp taken from waters of the Pacific Ocean adjacent to the state of Washington were landed from the person's vessel during the previous two calendar years. Landings of spot shrimp reported as "tails" on fish receiving tickets will be converted to round pounds by multiplying the reported weight of tails by two.

~~((8) The director may convert))~~ ~~((4))~~ Effective January 1, 2003, all coastal spot shrimp experimental trawl fishery permits shall be converted to coastal spot shrimp experimental pot fishery permits.

~~((9))~~ ~~((5))~~ Coastal spot shrimp experimental fishery permits may be revoked by the director for failure to comply with conditions specified in the permits or violations of other fishing regulations. A coastal spot shrimp experimental fishery permit shall be revoked if the emerging commercial fishery license is revoked or future fishing privileges of the licensee are suspended.

~~((10))~~ ~~((6))~~ The director may issue a coastal spot shrimp experimental fishery permit to another person if a permittee fails to make the requisite landings, if the person's experimental coastal spot shrimp experimental fishery permit is revoked, or if no application for an emerging commercial fishery license is received by March 31st of each year. The total number of permits issued, including replacement permits, shall not exceed the number of permits issued in 1999. Selection of persons to receive replacement permits shall be by gear or gear replacement type, and replacement permits will be offered in descending order first to persons who made the largest total of Washington coastal spot shrimp landings in each gear type during the original qualifying period, and then in descending order to persons who made the largest total of Washington coastal spot shrimp landings in each gear type. If no persons with coastal spot shrimp landings wish to participate, the director may offer a replacement permit by random drawing.

~~((11))~~ ~~((7))~~ Coastal spot shrimp experimental fishery permits are only valid for the year issued and expire on December 31st of the year issued with the expiration of the emerging commercial fishery license.

~~((12))~~ ~~((8))~~ The total allowable catch of spot shrimp taken from Washington territorial waters west of the Bonilla

Tatoosh line and from adjacent waters of the Pacific Ocean during a calendar year is 250,000 pounds round weight (~~and shall be equally divided between trawl and pot gear fishers,~~) provided that not more than 100,000 pounds may be taken south of 47°04.00' N. latitude.

(9) The allowable catch shall be equally divided between trawl and pot gear permits in 2002, except that the allowable catch may be reallocated between gear types if the allowable catch of a gear type is unlikely to be taken during ((the calendar) that year. Beginning January 1, 2003, through December 31, 2005, the allowable catch shall be allocated as follows: 175,000 pounds available to all permit holders and 75,000 pounds available to fishers who were converted from trawl to pot permits. Beginning January 1, 2006, the allowable catch is available to all permit holders.

AMENDATORY SECTION (Amending Order 00-152, filed 8/16/00, effective 9/16/00)

WAC 220-88B-040 Coastal spot shrimp pot experimental fishery—Season and gear—Species restriction. It is unlawful to fish for spot shrimp for commercial purposes in coastal and offshore waters using shellfish pot gear except as provided in this section:

- (1) Season - Open to shellfish pot gear the entire year.
- (2) Gear restrictions:
 - (a) Maximum of 500 shellfish pots per permit.
 - (b) (~~Effective January 1, 2001,~~) Pot size is limited to a maximum 153 inch bottom perimeter and a maximum 24 inch height.
 - (c) (~~Effective January 1, 2001,~~) Shrimp pot gear must be constructed with net webbing or rigid mesh, and at least 50 percent of the net webbing or mesh covering the sides of the pot must easily allow passage of a seven-eighths inch diameter dowel.
 - (d) Pot gear is required to have an escape mechanism as provided for in WAC 220-52-035.

(e) Groundline end marker buoys must be floating and visible on the surface of the water, equipped with a pole, flag, radar reflector and operating light, and marked with the clear identification of the permittee.

(3) Incidental catch: It is unlawful to retain any species of finfish or shellfish taken with spot shrimp pot gear, except that it is lawful to retain octopus, squid, and up to 50 pounds round weight of other shrimp species taken with shrimp pot gear. It is lawful for persons fishing in the coastal spot shrimp experimental fishery to participate in the coastal bottomfish fishery under WAC 220-44-050, and to retain on board bottomfish taken in that fishery.

AMENDATORY SECTION (Amending Order 00-152, filed 8/16/00, effective 9/16/00)

WAC 220-88B-050 Coastal spot shrimp trawl experimental fishery—Season and gear—Trawl gear restriction-pot gear restriction—Species restriction. It is unlawful to fish for spot shrimp for commercial purposes in coastal and offshore waters using trawl gear except as provided for in this section:

(1) Season - Open to trawl gear May 1, 2002, through November 30, 2002, except closed May 1 through June 30 north of 46°54.50' and south of 47°04.00' N. latitude, and closed at all times within 3 miles of shore.

(2) Gear:

- (a) Fish excluder devices required.
- (b) Single-layered codends only, minimum mesh one and one-half inches measured between adjacent knots. Effective January 1, 2001, minimum mesh size is two inches measured between adjacent knots.

(c) Chafing gear may encircle no more than 50 percent of the circumference of the net codend and the terminal end of chafing gear may not be attached to the codend except at the corners.

(d) Trawl gear may not be rigged such that tickler chains, or any other gear drags across the bottom in front of the mouth of the net; each roller, bobbin, disc, or similar device added to the footrope of the trawl net that is intended to make contact with the sea bottom may not be less than eight inches nor more than twenty-eight inches in diameter and must roll independently and freely.

(3) Effective January 1, 2002, spot shrimp pot gear may ((not)) be aboard any vessel designated in the coastal spot shrimp trawl experimental fishery and may be used by trawl permit holders as provided in WAC 220-88B-040.

(4) Incidental catch:

- (a) It is unlawful to retain more than 50 pounds round weight of other shrimp species. It is lawful to retain octopus and squid.
- (b) It is unlawful to retain salmon.
- (c) It is unlawful to retain any bottomfish species except as provided for in WAC 220-44-050.

WSR 01-21-114

PROPOSED RULES

DEPARTMENT OF FISH AND WILDLIFE

[Filed October 23, 2001, 4:27 p.m.]

Original Notice.

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

Title of Rule: Commercial fishing rules.

Purpose: Amend Puget Sound commercial shrimp rules.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.70.410.

Summary: Eliminate alternate operator restrictions set by rule and allow dual licensees to fish two hundred pots.

Reasons Supporting Proposal: Changes set by statute.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Restrictions on alternate operators that were set by rule are removed, since the 2001 legislature set new criteria by statute. Additionally, holders of two limited entry licenses will be able to fish two hundred pots. This will reduce the number gear operators, and provide easier enforcement of crab pot limits.

Proposal Changes the Following Existing Rules: Eliminates restrictions on alternate operators.

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

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping, and Other Compliance Requirements of the Proposed Rule: No reporting or recordkeeping required. New compliance requirements are viewed as a liberalization of existing rules, i.e. the allowance for license stacking and the provisions for a full-time alternate operator.

2. Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements: None.

3. Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs: No increased costs will be required.

4. Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue? No - rule change may provide opportunities for an increase in revenue.

5. Cost of Compliance for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rules Using One or More of the Following as a Basis for Comparing Costs:

- a. Cost per employee;
- b. Cost per hour of labor; or
- c. Cost per one hundred dollars of sales.

N/A.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So: No steps taken by agency as no increased costs will occur.

7. A Description of How the Agency Will Involve Small Businesses in the Development of the Rule: The agency developed the legislation, that lead to the needed rule change, in collaboration with the affected industry. The industry will have additional opportunities to comment on the rule in the Fish and Wildlife Commission public rule-making process.

8. A List of Industries That Will Be Required to Comply with the Rule: Puget Sound commercial limited entry shrimp fishers.

A copy of the statement may be obtained by writing to Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155.

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 23, 2001

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 00-271, filed 1/5/01, effective 2/5/01)

WAC 220-52-051 Shrimp fishery—Puget Sound. (1) A Puget Sound shrimp pot license or a Puget Sound shrimp trawl license will only be issued to an individual who is a natural person, and this person shall be the primary operator. ~~((The primary operator is required to operate the gear more than one half of the season and make at least one half of the landings, as established by valid fish receiving tickets.))~~ Holders of Puget Sound shrimp pot licenses and Puget Sound shrimp trawl licenses may designate a single alternate operator per license. ~~((The alternate operator may operate the gear up to but not equaling one half of the fishing effort of the vessel per season, and may make up to but not equaling one half of the landings, as established by valid fish receiving tickets, except that the director may allow operation of the gear and sale of the shrimp by an alternate operator in excess of one half of the fishing effort in the case of a bona fide medical emergency for which the primary operator has presented a physician's statement which includes the medical condition and expected date of recovery of the primary operator. Notification of the medical emergency, presentation of the physician's statement, and obtaining a waiver from the director must be accomplished prior to the end of the season for which the license holder is seeking exception from the seasonal requirement that the primary operator perform more than one half of the fishing effort.))~~

(2) It is unlawful to fish for shrimp for commercial purposes in Puget Sound using shellfish pot gear except during seasons opened by emergency rule:

(a) Gear restrictions -

(i) In all areas, maximum 100 pots per fisher except for dual licensees as provided for in RCW 77.70.410.

(ii) In all areas:

(A) Buoys must be orange in color and consist of durable material that will remain floating on the surface with five pounds attached; bleach or antifreeze bottles or other containers may not be used as floats.

(B) The line attaching the pot to the buoy must be weighted sufficiently to prevent the line from floating on the surface.

(C) The maximum perimeter of shrimp pots must not exceed ten feet and the maximum height must not exceed two feet.

(b) Spot shrimp size restriction: It is unlawful to retain spot shrimp taken by shellfish pot gear that have a carapace length less than 1 and 3/16 inches. Carapace length is defined as the length between the posterior mid-dorsal margin to the posterior-most part of the eye-stalk orbit.

(c) Area restrictions:

(i) Pot gear closed in all Puget Sound Shrimp Districts.

(ii) Pot gear closed in Lopez Sound south of a line projected true east-west from the northern tip of Trump Island from the season opening through July 9th.

(3) It is unlawful to fish for shrimp for commercial purposes in Puget Sound using trawl gear except during seasons opened by emergency rule:

(a) Gear restrictions - Beam trawl gear only. Otter trawl gear may not be used.

(i) Maximum beam width in Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, and 22A is 25 feet.

(ii) Maximum beam width in Marine Fish-Shellfish Management and Catch Reporting Areas 23A, 23B, 23C, 25A, 25B, and 29 is 60 feet.

(b) It is unlawful to retain spot shrimp.

(c) Area restrictions:

(i) Shrimp trawl fishing closed in all Puget Sound Shrimp Districts.

(ii) Shrimp trawl fishing closed in Lopez Sound south of a line projected true east-west from the northern tip of Trump Island from the season opening through July 9th.

(d) It is unlawful to fish for shrimp in Puget Sound with beam trawl gear in waters shallower than 100 feet.

(e) It is lawful to fish for shrimp in Puget Sound with beam trawl gear in Marine Fish-Shellfish Management and Catch Reporting Area 21A only in those waters north and west of a line from the southern tip of Sinclair Island to Carter Point on Lummi Island.

(f) The following restrictions apply to shrimp beam trawl harvest in Marine Fish-Shellfish Management and Catch Reporting Area 20A:

(i) Closed in waters east of a line from the southwest corner of Point Roberts to Sandy Point.

(ii) Closed in waters shallower than 20 fathoms.

(iii) Closed in waters shallower than 50 fathoms from March 16 through July 31.

(4) All shrimp taken in the Puget Sound commercial shrimp fishery must be landed and recorded on Washington state fish receiving tickets within 24 hours of harvest. No fisher may land shrimp without immediate delivery to a licensed wholesale dealer, or if transferred at sea, without transfer to a licensed wholesale dealer. A fisher who is a licensed wholesale dealer may complete and return a fish receiving ticket to satisfy the requirements of this subsection.

WSR 01-21-115

PROPOSED RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Filed October 23, 2001, 4:29 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-18-071.

Title of Rule: Treaty hunting.

Purpose: Establish hunting boundary.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: Establishes southern boundary of Medicine Creek Treaty.

Reasons Supporting Proposal: Provide definition for tribal hunting seasons.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The southern boundary of the lands ceded under the Treaty of Medicine Creek has been in dispute, resulting in unclear enforcement capability and confusion in both treaty and nontreaty parties. The tribes and the state have submitted the question to a group of facilitators who determined the boundary, based on historical records and understandings. This rule attempts to capture the facilitator's determination to the closest geographical landmarks. This will result in clarification of the boundary for the purposes of setting tribal hunting seasons. Both the tribes and the state disclaim that this rule will bind any future holdings on rights or legal status.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule affects tribal hunters who are not hunting for commercial purposes. It does not affect small businesses.

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 23, 2001

Evan Jacoby

Rules Coordinator

NEW SECTION

WAC 232-12-253 Tribal hunting—Medicine Creek Treaty hunters—Agreed-to hunting boundary. (1) It is lawful for individuals authorized by the Puyallup, Nisqually, Squaxin Island and Muckleshoot Indian tribes to exercise treaty hunting rights reserved by the Treaty of Medicine Creek, 10 Stat. 1132, within the lands ceded in the Medicine Creek Treaty lying north of the following line:

Beginning at a point directly east of Mt. Rainier on the main crest of the Cascade Mountains; thence southerly from Naches Peak along the main crest of the Cascade Mountains to the summit of Old Snowy Mountain; thence southwesterly along the drainage divide between the Cowlitz and Cispus rivers passing through Snowgrass Flat to Elk Peak; thence

continuing southwesterly along the drainage divide between the North Fork of the Cispus River and the Cispus River to Hamilton Buttes; thence westerly along the divide between Tinmonium Creek and Cat Creek to Blue Lake Ridge; thence southwesterly down Blue Lake Ridge across the Cispus River to Sunrise Peak; thence southwesterly to Badger Peak; thence northwesterly along the divide between the Cispus and Green rivers, passing by the northern side of Ryan Lake, to Vanson Peak; thence continuing northwesterly across Riffe Lake to a ridge known as Cottlers Rock; thence continuing northwesterly, passing through a point where the North Fork of the Tilton River meets the Tilton River, to Rooster Rock; thence northwesterly to the headwaters of the Skookumchuck River.

(2) This rule is intended to address the limited issue of the geographic scope of the treaty hunting right and is not intended to change or alter the rights or legal status of either the state of Washington or any Indian tribe or tribal member.

WSR 01-21-116
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE
 [Filed October 23, 2001, 4:31 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-18-074.

Title of Rule: Cougar dog training.

Purpose: Establish cougar dog training rules.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: Establishes permit system for training dogs to pursue cougars.

Reasons Supporting Proposal: Dogs have been shown to be the only effective method of pursuing cougars.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Public safety cougar removal relies upon dogs to locate and tree the cougars. There is a continuing need for such removals, and the training of dogs with this capability depends on being able to allow actual pursuit. This rule establishes a permit program that will give one permit to the person who has a cougar removal permit, and an additional permit for the same area to a second person. If the cougar removal has occurred prior to the end of the removal period, cougar dog training will be allowed. Persons who participate must complete the department's education course, and may not possess a dead cougar within seven days of participating in a dog training exercise.

Proposal does not change existing rules.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule affects cougar

dog training, and involves pursuit of cougars, neither of which is a commercial venture. It does not affect small businesses.

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 23, 2001

Evan Jacoby
 Rules Coordinator

NEW SECTION

WAC 232-12-245 Cougar dog-training. The department will issue cougar dog-training permits to enable the training of dogs capable of detecting, tracking, and treeing a cougar and to attempt to modify cougar behavior.

(1) Cougar dog-training is pursuit-only. Persons who have been issued a public safety cougar removal permit will be issued a cougar dog-training permit for the area for which the removal permit was issued and an additional cougar dog-training permit will be issued for the area for which the removal permit was issued. The procedure for issuance of cougar dog-training permits is as described in WAC 232-12-243(4).

(2) If the cougar removal quota has been reached in a game management unit prior to March 15th, cougar dog-training permit holders will be notified by the department, and, after giving at least twenty-four hours notice to the enforcement program in Olympia, cougar dog-training permit holders may pursue cougars with dogs in the permit area. The department reserves the right to accompany permit holders while participating in cougar dog-training. The training period ends statewide at 11:59 p.m., March 15th.

(3) No more than four individuals, including the permit holder, may participate under a cougar dog-training permit. The cougar dog-training permit holder must notify the Olympia enforcement office of the names of all persons who will participate in cougar dog-training upon the completion of the education course required under WAC 232-12-243(4), and must enter the names of such persons in ink on the cougar dog-training permit. No person who participates in cougar dog-training may kill or possess a dead cougar within seven days after participating in the training.

(4) All cougar dog-training permit holders who participate in cougar dog-training must fill out and return a cougar pursuit report to the Olympia enforcement office by April 1.

(5) It is unlawful to train dogs to pursue cougar without a cougar dog-training permit, to participate in cougar dog-training without being named on the cougar dog-training permit, to participate in cougar dog-training without possessing a big game hunting license containing cougar as an option, or

to kill cougar taken during cougar dog-training or within seven days after participating in cougar dog-training. Violation of this section is a violation of RCW 77.15.410, Unlawful hunting of big game.

WSR 01-20-117
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE
[Filed October 23, 2001, 4:35 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-16-104.

Title of Rule: Commercial fishing rules.

Purpose: Require permit for commercial carp fishing.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: Provides that any person fishing for carp for commercial purposes first acquires a permit.

Reasons Supporting Proposal: Protection of nontargeted species.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Extends current commercial carp permit required for lower Columbia to statewide requirement. Restrictions on time and gear will allow for a directed carp harvest and reduce the by-catch of salmonid species.

Proposal Changes the Following Existing Rules: Expands permit requirement.

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

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping, and Other Compliance Requirements of the Proposed Rule: The proposed rule requires application for a commercial carp permit. There is no cost for the permit.

2. Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements: None required.

3. Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs: The cost of completing and mailing an application for a commercial carp permit.

4. Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue? No.

5. Cost of Compliance for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rules Using One or More of the Following as a Basis for Comparing Costs:

- a. Cost per employee;
- b. Cost per hour of labor; or
- c. Cost per one hundred dollars of sales.

Cost of completing an application - 15 minutes at \$30/hour = \$7.50 plus mailing at \$0.35. Total cost \$7.85.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So: The department will provide the application form in an easy-to-prepare format.

7. A Description of How the Agency Will Involve Small Businesses in the Development of the Rule: This rule represents the status quo. Although the current permit requirement is only for the lower Columbia River, commercial carp fishers from other parts of the state have been applying for and receiving commercial carp permits. This puts into rule what carp fishers are currently doing, and, as such, the development of the carp permit program has been with the voluntary agreement of the industry.

8. A List of Industries That Will Be Required to Comply with the Rule: Commercial carp fishers.

A copy of the statement may be obtained by writing to Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155.

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 23, 2001

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 00-149, filed 8/16/00, effective 9/16/00)

WAC 220-20-020 General provisions—Lawful and unlawful acts—Food fish other than salmon. (1) It is unlawful to fish for or possess for commercial purposes any round, undressed white sturgeon less than 48 inches or greater than 60 inches in length or any round, undressed green sturgeon less than 48 inches or greater than 66 inches in length.

(2) It is unlawful to fish for or possess for commercial purposes or possess aboard a commercial fishing vessel for any purpose any species of halibut (*Hippoglossus*) unless permitted by the current regulations of the International Pacific Halibut Commission.

(3) It is unlawful to fish for or possess for commercial purposes sturgeon taken from any of the waters of Puget Sound or tributaries, and any sturgeon taken with any type of commercial gear incidental to a lawful fishery shall immediately be returned to the water unharmed.

PROPOSED

(4) It is unlawful to fish for food fish for commercial purposes in the waters of Shilshole Bay inland and inside a line projected in a southwesterly direction from Meadow Point to West Point.

(5) It is unlawful to fish for or possess for commercial purposes any starry flounder less than 14 inches in length taken by any commercial gear, in all Puget Sound Marine Fish-Shellfish Areas.

(6) It shall be unlawful to harvest herring eggs naturally deposited on marine vegetation or other substrate, unless a person has a permit issued by the director.

(7) It is unlawful to fish for or possess food fish other than salmon taken for commercial purposes from the San Juan Islands Marine Preserve, except that it is lawful to take herring.

(8) It is unlawful to fish for or possess food fish other than salmon taken from the Titlow Beach Marine Preserve, the Sund Rock Marine Preserve or the Colvos Passage Marine Preserve.

(9) It is unlawful to fish for or possess carp taken for commercial purposes except as authorized by written permit from the director, except that carp taken incidental to a commercial fishery for other species may be retained for commercial purposes. Failure to comply with the provisions of the carp permit constitute unlawful use of the carp commercial fishery license.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-33-050 Carp.

**WSR 01-21-118
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)**

[Filed October 23, 2001, 4:37 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-18-045.

Title of Rule: Healthcare for workers with disabilities (HWD), WAC 388-475-1000 Program description, 388-475-1050 Program requirements, 388-475-1100 Retroactive coverage, 388-475-1150 Disability requirements, 388-475-1200 Employment requirements, and 388-475-1250 Premium payments.

Purpose: To comply with federal law to ensure continued federal financial participation and to reflect policy of our Medicaid state plan.

Statutory Authority for Adoption: RCW 74.04.050, 74.08.090, 74.09.500, and 74.09.510.

Statute Being Implemented: Section 1902 (a)(10)(A)(ii) of the federal Social Security Act, and section 209(5), chapter 7, Laws of 2001, Part II, of Washington state law.

Summary: HWD is a new Medicaid program for disabled individuals who are employed.

Reasons Supporting Proposal: Required under federal law.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Stephen Kozak, MAA, P.O. Box 45534, Olympia, WA 98504-5534, (360) 725-1321.

Name of Proponent: Department of Social and Health Services, governmental.

Rule is necessary because of federal law, Section 1902 (a)(10)(A)(ii) of the Social Security Act.

Explanation of Rule, its Purpose, and Anticipated Effects: See Purpose and Summary above.

Proposal Changes the Following Existing Rules: This rule creates a new Medicaid coverage program for workers with disabilities.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule has no impact on small businesses. It affects client eligibility for medical assistance.

RCW 34.05.328 applies to this rule adoption. The rule meets the definition of a significant legislative rule, however client eligibility rules for medical assistance programs are exempt under RCW 34.05.328 (5)(b)(vii).

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 20, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaax@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 19, 2001
Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

Chapter 388-475 WAC

HEALTHCARE FOR WORKERS WITH DISABILITIES (HWD) PROGRAM

NEW SECTION

WAC 388-475-1000 Healthcare for workers with disabilities (HWD)—Program description. This section describes the healthcare for workers with disabilities (HWD) program.

(1) The HWD program provides categorically needy (CN) Medicaid services as described in WAC 388-529-0200.

(2) The department approves HWD coverage for twelve months effective the first of the month in which a person applies and meets program requirements. See WAC 388-475-1100 for "retroactive" coverage for months before the month of application.

(3) A person who is eligible for another Medicaid program may choose not to participate in the HWD program.

(4) A person is not eligible for HWD coverage for a month in which the person received Medicaid benefits under the medically needy (MN) program.

(5) The HWD program does not provide long-term care (LTC) services described in chapter 388-513 and 388-515 WAC. LTC services include institutional, waived, and hospice services. To receive LTC services, a person must qualify and participate in the cost of care according to the rules of those programs.

NEW SECTION

WAC 388-475-1050 Healthcare for workers with disabilities (HWD)—Program requirements. This section describes requirements a person must meet to be eligible for the healthcare for workers with disabilities (HWD) program.

(1) To qualify for the HWD program, a person must:

(a) Meet the general requirements for a medical program described in WAC 388-503-0505 (3)(a) through (f);

(b) Be age sixteen through sixty-four;

(c) Meet the federal disability requirements described in WAC 388-475-1150;

(d) Have net income at or below two hundred twenty percent of the federal poverty level (FPL) (see WAC 388-478-0075 for FPL amounts for medical programs); and

(e) Be employed full or part time (including self-employment) as described in WAC 388-475-1200.

(2) To determine net income, the department applies the following rules to total gross household income in this order:

(a) Deduct income exclusions described in WAC 388-450-0020; and

(b) Follow the CN income rules described in:

(i) WAC 388-450-0005 (3) and (4), Income—Ownership and availability;

(ii) WAC 388-450-0085, Self-employment income—Allowable Expenses;

(iii) WAC 388-450-0150 (1), (2), (3), and (5), SSI-related income allocation;

(iv) WAC 388-450-0210 (4)(b), (e), and (h), Countable income for medical programs;

(v) WAC 388-506-0620, SSI-related medical clients; and

(vi) WAC 388-511-1130, SSI-related income availability.

(3) The HWD program does not require an asset test.

(4) Once approved for HWD coverage, a person must pay his/her monthly premium in the following manner to continue to qualify for the program:

(a) The department calculates the premium for HWD coverage according to WAC 388-475-1250;

(b) If a person does not pay four consecutive monthly premiums, the person is not eligible for HWD coverage for the next four months and must pay all premium amounts owed before HWD coverage can be approved again; and

(c) Once approved for HWD coverage, a person who experiences a job loss can choose to continue HWD coverage

through the original twelve months of eligibility, if the following requirements are met:

(i) The job loss results from an involuntary dismissal or health crisis; and

(ii) The person continues to pay the monthly premium.

NEW SECTION

WAC 388-475-1100 Healthcare for workers with disabilities (HWD)—Retroactive coverage. This section describes requirements for retroactive coverage provided under the healthcare for workers with disabilities (HWD) program.

(1) Retroactive coverage refers to the period of up to three months before the month in which a person applies for the HWD program. The department cannot approve HWD coverage for a month that precedes January 1, 2002.

(2) To qualify for retroactive coverage under the HWD program, a person must first:

(a) Meet all program requirements described in WAC 388-475-1050 for each month of the retroactive period; and

(b) Pay the premium amount for each month requested within one hundred twenty days of being billed for such coverage.

(3) If a person does not pay premiums in full as described in subsection (2)(b) for all months requested in the retroactive period, the department denies retroactive coverage and refunds any payment received for those months.

NEW SECTION

WAC 388-475-1150 Healthcare for workers with disabilities (HWD)—Disability requirements. This section describes the disability requirements for the two groups of individuals that may qualify for the healthcare for workers with disabilities (HWD) program.

(1) To qualify for the HWD program, a person must meet the requirements of the Social Security Act in section 1902

(a) (10) (A) (ii):

(a) (XV) for the basic coverage group (BCG); or

(b) (XVI) for the medical improvement group (MIG).

(2) The BCG consists of individuals who:

(a) Meet federal disability requirements for the Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) program; or

(b) Are determined by the division of disability determination services (DDDS) to meet federal disability requirements for the HWD program.

(3) The MIG consists of individuals who:

(a) Were previously eligible and approved for the HWD program as a member of the BCG; and

(b) Are determined by DDDS to have a medically improved disability. The term "medically improved disability" refers to the particular status granted to persons described in subsection (1)(b).

(4) When completing a disability determination for the HWD program, DDDS will not deny disability status because of employment.

NEW SECTION

WAC 388-475-1200 Health care for workers with disabilities (HWD)—Employment requirements. This section describes the employment requirements for the basic coverage group (BCG) and the medical improvement group (MIG) for the healthcare for workers with disabilities (HWD) program.

(1) For the purpose of the HWD program, employment means a person:

- (a) Gets paid for working;
- (b) Has earnings that are subject to federal income tax; and
- (c) Has payroll taxes taken out of earnings received, unless self-employed.

(2) To qualify for HWD coverage as a member of the BCG, a person must be employed full or part time.

(3) To qualify for HWD coverage as a member of the MIG, a person must be:

- (a) Working at least forty hours per month; and
- (b) Earning at least the local minimum wage as described under section 6 of the Fair Labor Standards Act (29 U.S.C. 206).

NEW SECTION

WAC 388-475-1250 Healthcare for workers with disabilities (HWD)—Premium payments. This section describes how the department calculates the premium amount a person must pay for healthcare for workers with disabilities (HWD) coverage. This section also describes program requirements regarding the billing and payment of HWD premiums.

(1) When determining the HWD premium amount, the department counts only the income of the person approved for the program. It does not count the income of another household member.

(2) When determining countable income used to calculate the HWD premium, the department applies the following rules:

- (a) Income is considered available and owned when it is:
 - (i) Received; and
 - (ii) Can be used to meet the person's needs for food, clothing, and shelter, except as described in WAC 388-511-1130.

(b) Loans and certain other receipts are not considered to be income as described in 20 C.F.R. Sec. 416.1103, e.g., direct payment by anyone of a person's medical insurance premium or a tax refund on income taxes already paid.

(3) The HWD premium amount equals a total of the following (rounded down to the nearest whole dollar):

- (a) Fifty percent of unearned income above the medically needy income level (MNIL) described in WAC 388-478-0070; plus
- (b) Five percent of total unearned income; plus
- (c) Two point five percent of earned income after first deducting sixty-five dollars.

(4) When determining the premium amount, the department will use the current income amount until a change in income is reported and processed.

(5) A change in the premium amount is effective the month after the change in income is reported and processed.

(6) For current and ongoing coverage, the department will bill for HWD premiums during the month following the month in which coverage is approved.

(7) For retroactive coverage, the department will bill the HWD premiums during the month following the month in which coverage is requested and necessary information is received. (8) If initial coverage for the HWD program is approved in a month that follows the month of application, the first monthly premium includes the costs for both the month of application and any following month(s).

(9) As described in WAC 388-475-1050 (4)(b), the department will close HWD coverage after four consecutive months for which premiums are not paid in full.

(10) If a person makes only a partial payment toward the cost of HWD coverage for any one month, the person remains one full month behind in the payment schedule.

(11) The department first applies payment for current and ongoing coverage to any amount owed for such coverage in an earlier month. Then it applies payment to the current month and then to any unpaid amount for retroactive coverage.

WSR 01-21-119
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Medical Assistance Administration)
 [Filed October 23, 2001, 4:39 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-13-069.

Title of Rule: WAC 388-462-0020 Breast and cervical cancer treatment program for women—Client eligibility.

Purpose: Implements the optional Medicaid program that allows uninsured women under the age of sixty-five who are identified through the CDC detection program to receive treatment for breast and cervical cancer.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.057, 74.09.530, 74.09.510, and Public Law 106-354.

Statute Being Implemented: RCW 74.09.510.

Summary: The proposed rules implement RCW 74.09.510 which allows uninsured women under the age of sixty-five who are identified as requiring breast and cervical cancer treatment through the CDC detection program.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Joanie Scotson, MAA, P.O. Box 45534, Olympia, WA 98504-5534, (360) 725-1330.

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: See Summary above.

WSR 01-21-123

PROPOSED RULES

EMPLOYMENT SECURITY DEPARTMENT

[Filed October 24, 2001, 9:59 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 97-11-086.

Title of Rule: Leaving work due to disability, suitable work factors, and job search requirements of individuals who leave work due to illness or disability.

Purpose: The proposed rules will codify and clarify the department's policies regarding the eligibility for unemployment benefits of claimants who are unable to work full-time, or who leave work, due to a disabling condition. The rules also clarify the requirements such claimants must meet to maintain eligibility for unemployment benefits.

Statutory Authority for Adoption: RCW 50.12.010, 50.12.040, 50.20.010.

Statute Being Implemented: RCW 50.20.050, 50.20.100.

Summary: The proposed rules state that claimants who leave work because of a disability will not be found unavailable for work if they notified the employer about the disability. The claimant must show good cause for refusing alternative suitable work or other accommodation offered by the employer. The rules define the circumstances under which less than full-time work is suitable for claimants with disabilities. Disability resulting from pregnancy will be treated the same as other disabilities.

Reasons Supporting Proposal: These rules are proposed as required by a settlement in the case of Gachen and Booser, representatives of a class, vs. ESD.

Name of Agency Personnel Responsible for Drafting: Juanita Myers, 212 Maple Park, Olympia, (360) 902-9665; Implementation and Enforcement: Annette Copeland, 212 Maple Park, Olympia, (360) 902-9303.

Name of Proponent: Employment Security Department, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The proposed rules provide that an individual must notify the employer of a disability before leaving work or beginning a leave of absence. While unemployment insurance law does not require an employer to offer a disabled employee other work, any offer the employer does make must be made prior to the date of separation or leave of absence. If such an offer is made by the employer, the individual must demonstrate good cause for refusing the offer. If an individual refuses an offer of employment after leaving work or beginning a leave of absence, the department will determine whether the claimant has refused an offer of suitable work. The proposed rules also provide that an individual who is restricted to part-time work because of a disability may be eligible for unemployment benefits under certain conditions. This restriction must be verified by the individual's physician. Individuals who leave work because of a disability will be given a written directive by the department telling them their job search requirements. A disability

PROPOSED

Proposal Changes the Following Existing Rules: This rule creates a new Medicaid coverage program for uninsured women under the age of sixty-five who require treatment for breast or cervical cancer whose need for treatment was identified through the CDC detection program.

No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed rule has no impact on small businesses. It affects eligibility for medical assistance programs.

RCW 34.05.328 applies to this rule adoption. It does meet the definition of a significant rule, however RCW 34.05.328 (5)(b)(vii) exempts DSHS eligibility rules.

Hearing Location: Blake Office Park (behind Goodyear Courtesy Tire), 4500 10th Avenue S.E., Rose Room, Lacey, WA 98503, on November 27, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Andy Fernando, DSHS Rules Coordinator, by November 20, 2001, phone (360) 664-6094, TTY (360) 664-6178, e-mail fernaa@dshs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, DSHS Rules Coordinator, Rules and Policies Assistance Unit, P.O. Box 45850, Olympia, WA 98504-5850, fax (360) 664-6185, by 5:00 p.m., November 27, 2001.

Date of Intended Adoption: No sooner than November 28, 2001.

October 18, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

NEW SECTION**WAC 388-462-0020 Breast and cervical cancer treatment program (BCCTP) for women—Client eligibility.**

(1) Effective July 1, 2001, a woman is eligible for categorically needy (CN) coverage under the BCCTP only when she:

(a) Has been screened for breast or cervical cancer under the center for disease control (CDC) breast and cervical cancer early detection program (BCCEDP);

(b) Is found to require treatment for either breast or cervical cancer or for a related precancerous condition;

(c) Is under sixty-five years of age;

(d) Is not eligible for another CN Medicaid program;

(e) Is uninsured or does not otherwise have creditable coverage;

(f) Meets residency requirements as described in WAC 388-468-0005;

(g) Meets Social Security Number requirements as described in WAC 388-476-0005; and

(h) Meets citizenship and alien status requirements as described in:

(i) WAC 388-424-0005 (1)(a) and (b); or

(ii) WAC 388-424-0010 (1) or (2)(a) and (b).

(2) The certification periods described in WAC 388-416-0015 (1), (4), and (6) apply to the BCCTP. Eligibility for Medicaid continues throughout the course of treatment as certified by the CDC-BCCEDP.

(3) Income and asset limits are set by the CDC-BCCEDP.

resulting from pregnancy will be treated the same as other medical disabilities.

To a large extent, the proposed rules simply codify long-standing principles established by the commissioner in determining eligibility for unemployment benefits. In 1979, the commissioner held that an individual on a medical leave of absence is eligible for benefits as long as the individual is able to perform, and is actively seeking, other types of work (Wimer, CD 576 (1979)). That same year, the commissioner applied this same standard to pregnant women temporarily unable to work in their customary occupation (Carl, CD 488 (1979)). Similarly, the commissioner has held that the principle of denying benefits to individuals who have restricted their availability for full-time work does not apply to cases involving individuals with disabilities who are capable of working on a restricted basis (Ashe, CD 261 (1976)).

Proposal Changes the Following Existing Rules: WAC 192-16-021 is repealed.

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

Small Business Economic Impact Statement

Proposed WAC 192-150-060 Leaving work due to disability and 192-170-050 Suitable work factors—RCW 50.20.100 and 50.20.110.

Analysis: The proposed regulations primarily codify policies established by precedential decisions of the commissioner. Although the decisions were issued a number of years ago, compliance has not always been consistent. The purpose of adopting rules is to ensure all interested parties are aware of the policies regarding the eligibility of disabled persons for unemployment benefits.

WAC 192-150-060 requires a claimant who leaves work due to a disability to notify his or her employer of the disability before leaving work or beginning a leave of absence. Any work restrictions must be supported by a physician's statement, or by the terms of a collective bargaining agreement or individual hiring contract. An offer of alternative suitable work from the employer must be made prior to the date of separation, and the claimant is not required to request alternative work from the employer to be found available for work. If the employer does offer alternative work, the claimant must demonstrate good cause to refuse the offer. If the claimant refuses any offer of work after separation or after beginning a leave of absence, the department will determine whether the claimant refused an offer of suitable work. A claimant on a leave of absence due to a disability must promptly request reemployment when again able to return to work. These provisions apply to individuals on a leave of absence because of a pregnancy-related disability.

The policies embodied in this proposed rule are consistent with long-standing decisions of the commissioner. In 1979, the commissioner held that an individual on a medical leave of absence is eligible for benefits as long as the individual is able to perform, and is actively seeking, other types of work (Wimer, CD 576 (1979)). In that same year, the commissioner applied this same standard to pregnant women temporarily unable to work in their customary occupation (Carl, CD 488 (1979)).

WAC 192-170-050 provides that less than full-time work can be considered suitable for disabled claimants under certain specific circumstances. This is consistent with the requirements under the Americans with Disabilities Act that employers and their agents provide reasonable accommodation to disabled workers. It also follows the commissioner's holding that, while the principle of restricted availability is valid, it does not apply to cases involving "handicapped individuals who, though partially disabled, are capable of working on a restricted basis" (Ashe, CD 261 (1976)).

WAC 192-180-012 provides that, to be eligible for unemployment benefits in a specific week, an individual who leaves work because of an illness or disability must meet the job search requirements specified by RCW 50.20.240. In addition, the department will issue a job search directive to individuals who leave work because of illness or disability, describing the job search requirements that must be met.

Under current state law, a claimant who leaves work due to a disability or illness is considered to have left work voluntarily. The department may determine that the separation was with good cause if the requirements of RCW 50.20.050 (2)(b) are met.

RCW 50.29.020(2) and WAC 192-320-070 authorize employers to request relief from benefit charges resulting from the payment of benefits to individuals. Benefit charge relief may be granted when an individual leaves work for personal reasons, including illness or disability of the employee. The department does not enforce state or federal discrimination law. The determination that an employer is eligible for benefit charge relief does not depend on a finding that the employer complied with requirements to reasonably accommodate a disabled worker. An employer will be eligible for relief of benefit charges when a claimant is separated from work due to disability or illness.

The exception is that an employer cannot be granted relief of charges when a claimant is on a leave of absence. The federal Family Medical Leave Act requires employers with fifty or more workers to provide up to twelve weeks of unpaid leave under certain circumstances. State regulation (WAC 162-30-020) requires employers of eight or more workers to provide a woman with a leave of absence for the period of time she is sick or temporarily disabled because of pregnancy or childbirth, and to allow her to return to the same or similar job at the conclusion of the disability period. In these cases, there is no job separation and the employer would not be eligible for relief of benefit charges.

We estimate that the cost of the proposed regulations will be minimal because:

- The FMLA does not apply to employers with fewer than fifty employees, and WAC 162-30-020 does not apply to employers with fewer than eight employees (see RCW 49.60.040(3));
- When a job separation occurs because of an employee's disability or illness, the employer may request relief of benefit charges under existing state law;
- The proposed rule, WAC 192-150-060, applies only when a worker has notified the employer of the disabling condition and the employer does not offer alternative suitable work or other accommodation;

- To be eligible for unemployment benefits, the individual must meet all other eligibility criteria in Title 50 RCW, including:
 - The requirement to be able to work, available for work, and actively seeking suitable work as required by RCW 50.20.010(3); and
 - Meeting the weekly job search requirements contained in RCW 50.20.240 and WAC 192-180-010.

Cost: We estimate the number of cases in which these criteria are met at fifty per year. During the period April 1, 2000, through March 31, 2001, 3,881 individuals applied for unemployment benefits after leaving work due to illness or disability. A review of 4% of those applications (selected at random) disclosed only two cases in which the claimant was on a medical leave of absence yet was found to be available for work and paid unemployment benefits. One was an individual on a medical leave of absence, the other a woman on a leave of absence due to a pregnancy-related disability.

The larger the employer, the easier it is to find alternative work for, or otherwise accommodate, an individual employee. Thus, we have broken down the 50 cases as follows:

- 30 - Small employers (less than \$50,000 in taxable wages per year)
- 10 - Mid-size employers (\$50,000 to \$250,000 per year)
- 10 - Large employers (\$250,000 + per year)

Assume:

12 weeks of benefits
\$250 per week.

Rate Class 1

Benefit Charges	\$3,000	\$3,000
Taxable Wages	\$50,000	\$250,000
Benefit Ratio Before	0	0
After	.015000	.003000
Taxes Before	\$235.00	\$235.00
After	\$1545.00	\$555.00
Additional Cost	\$1310.00	\$320.00

Total cost to affected employers:

- Small employers: \$39,300 (\$1310 x 30 employees)
- Mid-size employers: \$ 3,200 (\$320 x 10 employees)
- Large employers: \$ 3,200 (\$320 x 10 employees)

A copy of the statement may be obtained by writing to Juanita Myers, UI Rules Coordinator, P.O. Box 9046, Olympia, WA 98507, or phone (360) 902-9665, fax (360) 902-9799.

RCW 34.05.328 applies to this rule adoption. Although the rules primarily codify existing rulings of the commissioner, they adopt substantive provisions of the law. The violation of the rules could result in the denial of unemployment benefits.

Hearing Location: Public Affairs Conference Room, 2nd Floor, Employment Security Department, 212 Maple Park, Olympia, WA, on November 29, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Karaen LaFreniere by November 28, 2001, TDD (360) 902-9589, or (360) 902-9585.

Submit Written Comments to: Barney Hilliard, Rules Coordinator, Employment Security Department, P.O. Box 9046, Olympia, WA 98507-9046, fax (360) 438-3226, by November 28, 2001.

Date of Intended Adoption: December 14, 2001.

October 22, 2001
Dr. Sylvia P. Mundy
Commissioner

PROPOSED

NEW SECTION

WAC 192-150-060 Leaving work due to disability.

(1) If you leave work because of a disability, you must notify your employer about your disabling condition before the date you leave work or begin a leave of absence.

(2) Any restrictions on the type or hours of work you may perform must be supported by a physician's statement or by the terms of a collective bargaining agreement or individual hiring contract.

(3) Nothing in unemployment insurance law requires your employer to offer you alternative suitable work when you have a disability, or modify your duties so that you can perform your current job. However, any offer from your employer of other suitable work must be made prior to the date you leave work or begin a leave of absence. You are not required to request alternative work from your employer to be found available for work.

(4) If your employer offers you alternative work or otherwise offers to accommodate your disability, you must demonstrate good cause to refuse the offer. This may include, but is not limited to, information from your physician that the accommodation offered by your employer was inadequate to reasonably accommodate your medical condition, or information demonstrating that the alternative work offered you by your employer was not suitable.

(5) If you refuse an offer of work from any employer after your job separation or after beginning a leave of absence, the department will determine whether you refused an offer of suitable work as provided in RCW 50.20.080.

(6) If you are on a leave of absence due to your disability, you must promptly request reemployment from your employer when you are again able to return to work.

(7) This section also applies to individuals on a leave of absence because of a pregnancy-related disability.

**CHAPTER 192-170
AVAILABILITY FOR WORK**

NEW SECTION

WAC 192-170-050 Suitable work factors—RCW 50.20.100 and RCW 50.20.110. (1) **Physical fitness.** In determining whether work is suitable as defined by RCW 50.20.100 and RCW 50.20.110, the department will consider

whether you have a disability that prevents you from performing the essential functions of the job without a substantial risk to your health or safety.

(a) For purposes of this section, the term "disability" means a sensory, mental, or physical condition that:

- (i) Is medically recognizable or diagnosable;
- (ii) Exists as a record or history; and
- (iii) Substantially limits the proper performance of your job.

(b) The department may determine in individual circumstances that less than full-time work is suitable if:

- (i) The disability prevents you from working the number of hours that are customary to the occupation;
- (ii) You are actively seeking work for the occupation and hours you have the ability to perform; and
- (iii) The restriction on the number of hours you can work, the essential functions you can perform, and the occupations you are seeking does not substantially limit your employment prospects within your general area.

(c) To be considered available for suitable work, you must be available for employment in an occupation in keeping with your prior work experience, education, or training. If such employment is not available in your general area, you must be willing to accept any employment which you have the physical or mental ability to perform.

(d) Disabilities resulting from pregnancy will be treated the same as other disabilities, except that the department will also consider the risk to your pregnancy when deciding whether work is suitable.

(e) The department will require verification from a physician of your disability, including:

- (i) The restrictions on the tasks or work-related functions you can perform;
- (ii) The restrictions on the number of hours you can work, if any;
- (iii) The expected duration of the disability and resulting work restrictions; and
- (iv) The types of tasks or work-related functions you are able to perform with this disability, if known by the physician.

(2) **Definitions.** For the purposes of this chapter:

(a) "General area" means an individual's labor market area and includes the geographic area within which an individual would customarily seek work in a given occupation.

(b) "Physician" means a person licensed to practice one or more of the following professions: Medicine and surgery (including, but not limited to, psychiatry); osteopathic medicine and surgery; chiropractic; naturopathic medicine; podiatry.

NEW SECTION

WAC 192-180-012 Requirements of individuals who leave work due to illness or disability. If you leave work because of your illness or disability:

(1) To be eligible for unemployment benefits, you must meet the job search requirements described in RCW 50.20.240; and

(2) The department will provide you with a directive that lists the job search requirements you must meet to maintain

your eligibility for benefits. These job search requirements will not be more stringent than those imposed on claimants who are not disabled.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 192-16-021

Interpretative regulations—
Suitable work factors—RCW
50.20.100

**WSR 01-21-126
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE**
[Filed October 24, 2001, 10:10 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-18-076.

Title of Rule: Personal use fishing rules and marine protected areas.

Purpose: Amend 2002-2003 Personal use fishing rules and marine protected areas.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: WAC 220-16-028, redefine dip net to ensure net is operated with a handle. This distinguishes nets operated by lines, such as trawl nets.

WAC 220-16-760, 220-16-770, 220-16-780, 220-16-790 and 220-16-800, define new marine protected areas.

WAC 220-20-010, delete conservation area provision as consolidated in WAC 220-20-100. Prohibit use of chemical irritants to take fish, shellfish and unclassified wildlife, except under permit. This will prohibit the use of bleach to take pile worms for bait.

WAC 220-20-025, make it unlawful to take soft shell crab for commercial purposes. This continues soft shell violations as a crime in the commercial fishery, while it becomes an infraction in the recreational fishery under WAC 220-56-315. Eliminate octopus provision as chemical irritants prohibition has been consolidated in WAC 220-20-010.

WAC 220-20-100, create new section containing all catch provisions for marine protected areas. Scatchet Head reserve allows for crab harvest. Zee's Reef reserve allows fly fishing for salmon.

WAC 220-56-100, clarify that selective gear may use up to three hooks. This clarifies that selective gear follows the statewide recreational gear standard. Define whitefish gear rules in order to apply this definition to waters having a winter whitefish fishery. This standard gear type and all species except whitefish release will reduce confusion.

WAC 220-56-105, define Hawk Creek (Lincoln County) river mouth. This clarifies that waters downstream from the falls are managed under Columbia River rules. Delete Tucannon River mouth definition. The lower river is thus managed as part of the Tucannon River, not the Snake River.

WAC 220-56-115, restrict terminal gear in saltwater to two barbless hooks, except for baitfish jigger gear. This combines the current bottomfish two hook rule with the current salmon barbless hook rule and makes a statewide standard that applies to all saltwater fishing. This will reduce angler confusion.

WAC 220-56-116, makes coastal salmon terminal gear two single barbless hooks, which complies with the federal rule.

WAC 220-56-128, delete marine protected areas as they are consolidated in WAC 220-20-100.

WAC 220-56-210, delete leader restrictions, which will allow use of extremely small flies and increase fishing ability during low water conditions. Clarify that two flies may be used, which will allow the use of dropper flies.

WAC 220-56-235, prohibit taking wolf eels in Areas 4 through 6. Wolf eels in these areas are a nonconsumptive resource for the dive fishery.

WAC 220-56-265, clarify use of dip bag nets. This rule, together with the definition change, will ensure that dip nets are actually used to dip fish, and not used as set nets or trawl gear.

WAC 220-56-270, 220-56-282 and 220-56-285, fishing for smelt, sturgeon, and shad are open only when there is a gamefish or salmon season, unless an exception to statewide rules applies. This will prevent persons fishing for gamefish or salmon when the seasons for these species if closed under the pretext of fishing for smelt, sturgeon and shad.

WAC 220-56-282, extend boating closure below Bonneville Dam by fifteen days to provide additional sturgeon protection. Move sturgeon nonretention into the individual rivers listings in exceptions to statewide rules.

WAC 220-56-307, repealed as shellfish closures are consolidated in WAC 220-20-100.

WAC 220-56-310, require shucking oysters in all Puget Sound to provide a substrate for spat. Clarify spot shrimp provisions to reduce angler confusion. Reduce daily limit on octopus to reduce harvest.

WAC 220-56-315, allow only four shrimp pots per vessel. This will reduce fishing capability from vessels and extend the recreational shrimp seasons. Allow three units of crab gear in the Columbia River to match Oregon rules. Make recreational soft shell crab violation an infraction, because of angler confusion as to what really constitutes a soft shelled crab and inadvertent violations.

WAC 220-56-350, adjust clam seasons based on resource availability.

WAC 220-56-335, make failure to fill in clam hole apply to hard shell clams other than razor clams, because ocean beaches naturally fill razor clam holes. Make filling clam holes, possession of geoduck siphons, undersize hardshell clams and nonretention of horse, geoduck, and eastern soft shell clams an infraction. These offenses are not resource issues.

WAC 220-56-380, adjust oyster seasons based on resource availability.

WAC 220-12-011, delete marine protected areas as consolidated in WAC 220-20-100.

WAC 232-12-019, correct name of northern pike-minnow.

WAC 232-12-147, repeal duplicate terminal gear and hook rule.

WAC 232-12-151, repeal duplicate fly fishing rule.

WAC 232-12-168, clarify that fishing contests apply to licensed anglers, thus exempting juvenile events from having to pay the permit fee. Require fishing contest permittees to use a single name. This will prevent persons from exceeding the allowable number of contests. Increase the prize limit for contests other than bass and walleye to \$1,000.

WAC 232-12-272, establish juvenile fishing event rule. This will allow for juvenile fishing competition without a permit fee requirement.

WAC 232-12-619, establish statewide daily limit of one and annual limit of ten wild steelhead for exception to statewide rule waters in which wild steelhead may be retained. This will limit wild steelhead retention. Establish a statewide bass slot limit and reduce harvest of large bass to protect larger bass. Eliminate channel catfish minimum size as this has little effect. Standardize catfish daily limit at 5 fish, which will reduce confusion with reservoirs versus rivers. Change walleye slot limit to protect large walleye.

WAC 232-12-619 [232-28-619], seasonal adjustments to statewide rule exceptions based on resource availability and protection of endangered and threatened species. Bass slot limits are eliminated in favor of the statewide rule. Whitefish gear rules are added as a standard. Geographical boundary changes are made for clarification. Sturgeon openings and closures are listed. Provide for disabled anglers to fish in Columbia Park Pond, juveniles and disabled anglers in Kiwanas Pond, and juveniles only in Pit Lake and Silvernail Lake. Allow electric motors in Rat Lake. Prohibit motorized vessels in upper portion of Satsop River and portion of Wynoochee River. Prohibit internal combustion engines on Silent Lake and Tarboo Lake.

WAC 232-12-621 [232-28-621], restrict terminal gear in the Duwamish waterway salmon fishery to bait suspended below a float. This will reduce snagging.

Reasons Supporting Proposal: See Summary above.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal Changes the Following Existing Rules: See Summary above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. These rules primarily affect sport fishers, not small businesses. The small effect on commercial fishing in the proposed marine protected areas is offset by the fact that the areas are rocky habitat in which the primary target species would be rockfish, but commercial rockfish fishing has been closed in these areas for many years, and, because of the habitat, commercial salmon fishing potential is minimal.

PROPOSED

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 24, 2001

Evan Jacoby
Rules Coordinator

AMENDATORY SECTION (Amending Order 83-200, filed 11/30/83, effective 1/1/84)

WAC 220-16-028 Definitions—Dip bag net. "Dip bag net" shall be defined as a section of netting distended by a rigid frame and ~~((includes hand dip nets and smelt rakes))~~ attached directly to a rigid handle.

NEW SECTION

WAC 220-16-760 Keystone Conservation Area. "Keystone Conservation Area" is defined as lands and waters within a line beginning at the high tide line at the rock jetty at Keystone, south along the jetty to the number 2 light, then due south to the 10 fathom contour line, then northeasterly paralleling the high water line to the intersection with a line projected southerly along the Old Military Wharf, then following the Old Military Wharf line to the high tide line, then along the high tide line to the point of origin.

NEW SECTION

WAC 220-16-770 Scatchet Head Marine Preserve. "Scatchet Head Marine Preserve" is defined as tidelands, bedlands and waters within a line beginning on the Whidbey Island shore one nautical mile northeasterly of the green No. 1 flashing light immediately southwest of Scatchet Head, then following the radius of a circle one nautical mile east of the green No. 1 flashing light to a point due south of the light, then due north through the light to the intersection with shore on Whidbey Island, then following the high tide line to the point of origin.

NEW SECTION

WAC 220-16-780 Admiralty Head Conservation Area. "Admiralty Head Conservation Area" is defined as waters and bedlands inside a line beginning at the extreme low water line on the west shore of Whidbey Island at 48° 09.40' N then northerly along the extreme low water line for 0.6 nautical miles, then due west 400 yards, then southerly parallel to the shore to 48° 09.40' N, 122° 41.14' W, then due east to the point of origin.

NEW SECTION

WAC 220-16-790 Zee's Reef Marine Preserve. "Zee's Reef Marine Preserve" is defined as waters and bedlands inside a line beginning at the extreme low water line on the northeast side of Fox Island at 47° 14.56' N, 122° 35.98' W, then 0.5 nautical mile northerly along the extreme low water line to 47° 14.96' N, 122° 36.37' W, then northeasterly 400 yards offshore to 47° 15.10' N, 122° 36.16' W, then southeasterly parallel to the extreme low water line to 47° 14.70' N, 122° 35.76' W, then southwesterly to the point of origin.

NEW SECTION

WAC 220-16-800 Rosario Beach Conservation Area. "Rosario Beach Conservation Area" is defined as those tidelands, bedlands and waters adjacent to Fidalgo Island within a line beginning at the high tide mark at the south tip of Rosario Head, then due east to the 10 fathom contour, then northwesterly to the southwest end of Northwest Island, then from the northwest end of Northwest Island due north to intersection with the high tide line on Fidalgo Island, then following the high tide line southerly to the point of origin.

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

WAC 220-20-010 General provisions—Lawful and unlawful acts—Salmon, other food fish and shellfish. (1) It shall be unlawful to take, fish for, possess or transport for any purpose food fish, shellfish or parts thereof, in or from any of the waters or land over which the state of Washington has jurisdiction, or from the waters of the Pacific Ocean, except at the times, places and in the manners and for the species, quantities, sizes or sexes provided for in the regulations of the department.

(2) It shall be unlawful for any person to have in possession or under control or custody any food fish or shellfish within the land or water boundaries of the state of Washington, except in those areas which are open to commercial fishing or wherein the possession, control or custody of salmon or other food fish or shellfish for commercial purposes is made lawful under a statute of the state of Washington or the rules and regulations of the commission or director, unless otherwise provided.

(3) It shall be lawful to fish for, possess, process and otherwise deal in food fish and fish offal or scrap for any purpose, provided; that it shall be unlawful to use any of the following listed species for purposes other than human consumption or fishing bait:

- | | |
|--|-------------------------------------|
| Pacific halibut | (<i>Hippoglossus stenolepis</i>) |
| Pacific herring
(except as prescribed
in WAC 220-49-020) | (<i>Clupea harengus pallasii</i>) |
| Salmon | |
| Chinook | (<i>Oncorhynchus tshawytscha</i>) |
| Coho | (<i>Oncorhynchus kisutch</i>) |
| Chum | (<i>Oncorhynchus keta</i>) |

Pink	(<i>Oncorhynchus gorbuscha</i>)
Sockeye	(<i>Oncorhynchus nerka</i>)
Masu	(<i>Oncorhynchus masu</i>)

device, or to interfere in any manner with the proper operation of such fish protective devices.

(11) It shall be unlawful to club, gaff, shoot, snag, snare, dip net, harass, spear, stone or otherwise molest, injure, kill or destroy any food fish or shellfish or parts thereof, or for any person to attempt to commit such acts, or to have any fish, shellfish or parts thereof so taken in possession, except as provided for in this subsection:

(a) It shall be lawful to use a dip net or club in the landing of food fish taken by personal-use angling unless otherwise provided and it shall be lawful to use a gaff in the landing of tuna, halibut and dogfish in all catch record card areas.

(b) It shall be lawful to use a dip net, gaff, or club in the landing of food fish or shellfish taken for commercial purposes, except that it is unlawful to use a fish pew, pitchfork, or any other instrument that will penetrate the body of the food fish or shellfish while sorting commercial catches during the act of discarding those fish that are not going to be retained.

(c) It shall be lawful to use a spear in underwater spear fishing as provided for in WAC 220-56-160.

(d) It shall be lawful to use a spear to take carp as provided for in WAC 220-56-280.

(e) It shall be lawful to snag herring, smelt, anchovies, pilchard, sand lance, and squid when using forage fish jigger gear or squid jigs.

(f) It shall be lawful to shoot halibut when landing them with a dip net or gaff.

(12) It shall be unlawful to take or possess for any purpose any food fish or shellfish smaller than the lawful minimum size limits. Any such fish either snagged, hooked, netted or gilled must be immediately returned to the water with the least possible injury to the fish or shellfish and it shall be unlawful to allow undersized salmon entangled in commercial nets to pass through a power block or onto a power reel or drum.

(13) It shall be unlawful to possess aboard any vessel engaged in commercial fishing or having commercially caught fish aboard, any food fish or shellfish in such condition that its species, length, weight or sex cannot be determined if a species, length, weight, or sex limit is prescribed for said species and it is unlawful to possess food fish or shellfish mutilated in any manner such that the natural length or weight cannot be determined if a length or weight limit is prescribed for said species.

(14) It shall be unlawful in any area to use, operate or carry aboard a commercial fishing vessel a licensed net or combination of such nets, whether fished singly or separately, in excess of the maximum lawful size or length prescribed for a single net in that area, except as otherwise provided for in the rules and regulations of the department.

(15) It shall be unlawful for any permit holder to fail to comply with all provisions of any special permit or letter of approval issued to him under the authority of the director, or to perform any act not specifically authorized in said document or in the regulations of the commission or director.

(16) It shall be unlawful to use, place or cause to be placed in the waters or on the beaches or tidelands of the state any substance or chemical used for control of predators or pests affecting food fish or shellfish or other aquatic marine

(4) It shall be unlawful for any person to fish for food fish or shellfish while in possession in the field of food fish or shellfish that are in violation of the harvest regulations for the area being fished. This regulation does not apply to vessels in transit.

(5) It shall be unlawful for the owner or operator of any commercial food fish or shellfish gear to leave such gear unattended in waters of the state or offshore waters unless said gear is marked.

(a) Shellfish pot, bottom fish pot, set line and set net gear must be marked with a buoy to which shall be affixed in a visible and legible manner the department approved and registered buoy brand issued to the license, provided that:

(i) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(ii) When two or more shellfish pots are attached to a common ground line the number of pots so attached must be clearly labeled on the required buoy.

(b) It is unlawful to operate any gill net, attended or unattended, unless there is affixed, within five feet of each end of the net, a buoy, float, or some other form of marker, visible on the corkline of the net, on which shall be marked in a visible, legible and permanent manner the name and gill net license number of the fisher.

(c) It shall be unlawful at any time to leave a gill net unattended in the commercial salmon fishery.

(6) It shall be unlawful to place any commercial food fish or shellfish gear in any waters closed to commercial fishing, provided; that this provision shall not apply to reef nets or brush weirs or to gear being tested under supervision of the department, provided further that it shall be unlawful to take, fish for or possess food fish with any type of commercial fishing gear in the waters of Carr Inlet north of north latitude 47° 20' from August 15 through November 30 except as provided in chapter 220-47 WAC.

(7) It shall be unlawful for the owner or operator of any fishing gear to refuse to submit such gear to inspection in any manner specified by authorized representatives of the department.

(8) It shall be unlawful for any person taking or possessing food fish or shellfish taken from any of the waters or beaches of the Columbia River, the state of Washington or the Pacific Ocean for any purpose to fail to submit such food fish or shellfish for inspection by authorized representatives of the department.

(9) It shall be unlawful for any person licensed by the department to fail to make or return any report required by the department relative to the taking, selling, possessing, transporting, processing, freezing and storing of food fish or shellfish whether taken within the jurisdiction of the state of Washington or beyond or on Indian reservations or usual and accustomed Indian fishing grounds.

(10) It shall be unlawful to take, fish for or possess or to injure, kill or molest fish in any fishway, fish ladder, fish screen, holding pond, rearing pond, or other fish protective

organisms, without first having obtained a special permit to do so from the director.

(17) It shall be unlawful to test commercial fishing gear except as follows:

(a) Bellingham Bay - inside and northerly of a line from Governor's Point to the south tip of Eliza Island to Point Frances in waters 10 fathoms and deeper.

(b) Boundary Bay - north of a line from Birch Point to Point Roberts and south of the international boundary in waters 10 fathoms and deeper during times not under IPSFC control.

(c) San Juan Channel - within a 1 mile radius of Point Caution during times not under IPSFC control.

(d) Port Angeles - inside and westerly of a line projected from the east tip of Ediz Hook through buoy C "1" to the mainland.

(e) Port Gardner - within a 2 mile radius of the entrance to Everett breakwater in waters 10 fathoms and deeper.

(f) Central Puget Sound - between lines from Meadow Point to Point Monroe and Skiff Point to West Point in waters 50 fathoms and deeper.

(g) East Pass - between lines from Point Robinson true east to the mainland and from Dash Point to Point Piner in waters 50 fathoms and deeper.

(h) Port Townsend - westerly of a line from the Coast Guard station in Port Townsend to Walan Point to Kala Point in waters 10 fathoms and deeper.

(i) All tows or sets are limited to 20 minutes exclusive of setting and retrieving time.

(j) All testing is to be accomplished between 8:00 a.m. and 4:00 p.m.

(k) Codends of trawl nets must be left open, all hooks of set line gear must be unbaited, and no lures or baited hooks shall be used with jig or troll gear.

(l) Any and all incidentally caught fish and shellfish must be returned to the waters immediately, and no fish or shellfish are to be retained aboard the vessel at any time during a gear test operation.

(m) It shall be unlawful for any person conducting such gear testing operations to fail to notify the fish and wildlife enforcement office in Olympia prior to testing.

(18) It is unlawful for any person or corporation either licensed by the department or bringing food fish or shellfish into the state to fail to comply with the directions of authorized department personnel related to the collection of sampling data or material from food fish or shellfish. It is also unlawful for any such person or corporation to fail to relinquish to the department, upon request, any part of a salmon or other food fish containing coded-wire tags, including but not limited to, the snouts of those salmon that are marked by having clipped adipose fins.

(19) ~~(It is unlawful to fish for or possess food fish or shellfish taken from any conservation area defined in chapter 220-16 WAC.~~

~~(20))~~ It is unlawful for any person to possess live bottom fish taken under a commercial fishery license.

(20) It is unlawful for any person to use chemical irritants to harvest fish, shellfish or unclassified marine invertebrates except as authorized by permit issued by the department.

AMENDATORY SECTION (Amending Order 00-149, filed 8/16/00, effective 9/16/00)

WAC 220-20-025 General provisions—Shellfish. (1) It is unlawful to drive or operate any motor-propelled vehicle, land any airplane or ride or lead any horse on the razor clam beds of the state of Washington, as defined in WAC 220-16-257. A violation of this subsection shall be punished as an infraction.

(2) It is unlawful to possess ~~((any))~~ soft-shelled crab for any commercial purpose.

(3) It is unlawful to possess in the field any crab from which the back shell has been removed.

(4) ~~((It is unlawful to use any chemicals when taking or fishing for octopus except for persons granted a scientific collector's permit from the department for the harvest of octopus for display or scientific purposes.~~

~~(5))~~ It is unlawful to willfully damage crab or other shellfish. Any crab taken incidentally to a net fishery must be immediately returned to the water with the least possible damage to the crab.

~~((6))~~ (5) It is unlawful to fish for or possess shellfish taken for commercial purposes from the San Juan Islands Marine Preserve, except it is lawful to fish for crab in Parks Bay.

~~((7))~~ (6) It is unlawful to fish for, harvest, or possess shellfish taken from the Titlow Beach Marine Preserve, the Sund Rock Marine Preserve or the Colvos Passage Marine Preserve.

NEW SECTION

WAC 220-20-100 General provisions—Marine protected areas. (1) It is unlawful to fish for or possess fish, shellfish, or wildlife taken from any conservation area defined in chapter 220-16 WAC.

(2) The following marine preserves are closed to the taking of fish, shellfish, and wildlife as indicated:

(a) The Colvos Passage Marine Preserve is closed to the taking shellfish and wildlife, closed to all commercial harvest of fish, and closed to recreational harvest of fish except it is lawful to take salmon for personal use by trolling, defined as fishing from a vessel under power and in gear making forward progress.

(b) The San Juan Island Marine Preserve is closed to the taking of shellfish except it is lawful to take crab from Parks Bay, and closed to the taking of food fish other than salmon except it is lawful to take herring.

(c) The Scatchet Head Marine Preserve is closed to the taking of fish and wildlife, and closed to the taking of shellfish except crab.

(d) The Sund Rock Marine Preserve is closed to the taking of shellfish and wildlife, closed to the commercial harvest of all fish, and closed to the recreational harvest of all fish except that it is lawful to take salmon.

(e) The Titlow Beach Marine Preserve is closed to the taking of shellfish and wildlife, closed to the commercial harvest of all fish, and closed to the recreational harvest of all fish except that it is lawful to take salmon if taken with artificial lures from shore or from a nonmotorized vessel.

(f) The Zee's Reef Marine Preserve is closed to the taking of shellfish and wildlife, closed to the commercial harvest of all fish, and closed to the recreational harvest of all fish except that it is lawful to take salmon with fly fishing gear as defined in WAC 220-56-210.

AMENDATORY SECTION (Amending Order 00-134, filed 7/31/00, effective 8/31/00)

WAC 220-56-100 Definitions—Personal use fishing.

The following definitions apply to personal use fishing in Titles 220 and 232 WAC:

(1) "Bait" means any substance which attracts fish by scent or flavors. Bait includes any lure which uses scent or flavoring to attract fish.

(2) "Barbless hook" means a hook on which all barbs have been deleted when manufactured or filed off or pinched down.

(3) "Bow and arrow fishing" means any method of taking, or attempting to take, fish by the use of an arrow equipped with a barbed head and a line attached, and propelled by a bow, as in the sport of archery, while the fisher is above the surface of the water.

(4) "Buoy 10 line" means a true north-south line projected through Buoy 10 at the mouth of the Columbia River. "Buoy 10 fishery" means a fishery between a line in the Columbia River from Tongue Point in Oregon to Rocky Point in Washington and the Buoy 10 line.

(5) "Channel Marker 13 line" means a true north-south line through Grays Harbor Channel Marker 13.

(6) "Daily limit" means the maximum number or pounds of fish, shellfish, or seaweed of the required size of a given species or aggregate of species which a person may retain in a single day.

(7) "Fresh" means fish or shellfish that are refrigerated, iced, salted, or surface glazed.

(8) "Freshwater area" means:

(a) Within any freshwater river, lake, stream or pond.

(b) On the bank or within 10 yards of any freshwater river, lake, stream or pond.

(c) On or within any boat launch, ramp, or parking facility associated with any freshwater river, lake, stream or pond.

(9) "Frozen" means fish or shellfish that are hard frozen throughout.

(10) "Gaffing" means an effort to take fish by impaling the fish with a hook attached directly to a pole or other device.

(11) "Hatchery" when used to describe the difference between a hatchery fish and a nonhatchery fish means a fish missing an adipose fin or a ventral fin with a healed scar at the location of the missing fin.

(12) "Hook" means one single, double or treble hook. A "single hook" means a hook having a single point. A "double hook" means a hook having two points on a common shank. A "treble hook" means a hook having three points on a common shank.

(13) "Hook and line" or "angling" shall be identical in meaning and, except as provided in WAC 220-56-115, shall be defined as the use of not more than one line with three hooks attached to a pole held in hand while landing fish, or

the use of a hand operated line without rod or reel, to which may be attached not more than three hooks. When fishing for bottom fish, "angling" and "jigging" shall be identical in meaning.

(14) "In the field or in transit" means at any place other than at the ordinary residence of the harvester. An ordinary residence is a residential dwelling where a person normally lives, with associated features such as address, telephone number, utility account, etc. A motor home or camper parked at a campsite or a vessel are not considered to be an ordinary residence.

(15) "Juvenile" means a person under fifteen year of age.

(16) "Lure" means a manufactured article constructed of feathers, hair, fiber, wood, metal, glass, cork, leather, rubber or plastic which does not use scent or flavoring to attract fish. "Nonbuoyant lure" means a lure complete with hooks, swivels or other attachments, which does not float in freshwater.

(17) "Night closure" means closed to fishing from one hour after official sunset to one hour before official sunrise.

(18) "Nonbuoyant lure restriction" means nonbuoyant lures may have only one single hook measuring not more than 3/4 inch point to shank, no weights may be attached below or less than twelve inches above a buoyant lure, and all hooks must be attached within three inches of the bait or lure.

(19) "Possession limit" means the number of daily limits allowed to be retained in the field or in transit.

(20) "Processed" means fish or shellfish which have been processed by heat for human consumption as kippered, smoked, boiled, or canned.

(21) "Seasonal wild steelhead limit" means the maximum number of wild steelhead trout any one angler may retain from April 1st through the following March 31st.

(22) "Selective gear rules" means terminal fishing gear is limited to artificial flies with ((a)) barbless single hooks or lures with ((a)) barbless single hooks, bait is prohibited, and fishing from a floating device equipped with a motor is prohibited unless otherwise provided. Up to three hooks may be used. In waters under selective gear rules, fish may be released until the daily limit is retained.

(23) "Slough" means any swamp, marsh, bog, pond, side-channel, or backwater connected to a river by water. Waters called sloughs that are not connected to a river are considered lakes.

(24) "Snagging" means an effort to take fish with a hook and line in a manner that the fish does not take the hook or hooks voluntarily in its mouth.

(25) "Spearing" or "spear fishing" means an effort to take fish or shellfish by impaling the fish or shellfish on a shaft, arrow or other device.

(26) "Whitefish gear rules" means terminal fishing gear is restricted to one single hook, maximum hook size three-sixteenths inch point to shank (hook size 14), and bait is allowed. All species: Release all fish except whitefish.

(27) "Wild" when used to describe the difference between a hatchery fish and a nonhatchery fish means a fish with all fins intact.

AMENDATORY SECTION (Amending Order 01-107, filed 6/21/01, effective 7/22/01)

WAC 220-56-105 River mouth definitions. When pertaining to food fish angling, unless otherwise defined, any reference to the mouths of rivers or streams shall be construed to include those waters of any river or stream including sloughs and tributaries upstream and inside of a line projected between the outermost uplands at the mouth. The term "outermost upland" shall be construed to mean those lands not covered by water during an ordinary high tide. The following river mouths are hereby otherwise defined:

- Abernathy Creek - Highway 4 Bridge.
- Bear River - Highway 101 Bridge.
- Bone River - Highway 101 Bridge.
- Chambers Creek - Burlington Northern Railroad Bridge.
- Chehalis River - Highway 101 Bridge in Aberdeen.
- Cowlitz River - A line projected across the river between two fishing boundary markers set on each bank of the river approximately one-half mile downstream from the lowermost railroad bridge crossing the Cowlitz River.
- Dakota Creek - A line from the outermost headland of the south bank to a house at 1285 Runge Avenue, Blaine, Washington, approximately one-quarter mile downstream from the Blaine Road Bridge.
- Deschutes River - A line projected across the river 400 feet below the lower Tumwater Falls fish ladder.
- Drano Lake - Highway 14 Bridge.
- Duwamish River - First Avenue South Bridge.
- Elk River - Highway 105 Bridge.
- Entiat River - Highway 97 Bridge.
- Hawk Creek (Lincoln County) - Falls at the Hawk Creek campground.
- Hoquiam River - Highway 101 Bridge.
- Humtulsips River - Mouth of Jessie Slough.
- Johns River - Highway 105 Bridge.
- Kennedy Creek - An arc 500 yards east of the midpoint of the northbound Highway 101 Bridge.
- Kettle River - Barstow Bridge.
- Lake Washington Ship Canal - A line 400 feet west of the fish ladder at the Chittenden Locks.
- Lewis River - A straight line running from a boundary marker on a piling at Austin Point southerly across the Lewis River to a boundary marker on the opposite shore.
- Methow River - Highway 97 Bridge.
- Naselle River - Highway 101 Bridge.
- North Nemah River - Highway 101 Bridge.
- Niawiakum River - Highway 101 Bridge.
- North River - Highway 105 Bridge.
- Palix River - Highway 101 Bridge.
- Puyallup River - 11th Street Bridge.

Samish River - The Samish Island Bridge (Bayview-Edison Road).

Sammamish River - 68th Avenue NE Bridge.

Skagit River - A line projected from the terminus of the jetty with McGlenn Island to the white monument on the easterly end of Ika Island, then to a white monument on the westerly end of Craft Island, then to a white monument near the corner of the levee on the westerly side of Dry Slough, and then to a white monument on the easterly side of Tom Moore Slough.

Skamokawa Creek - Highway 4 Bridge.

Skookum Creek - A line 400 yards below the old railroad bridge.

Snohomish River - Burlington Northern Railway Bridges crossing main river and sloughs.

South Nemah River - Lynn Point 117 degrees true to the opposite shore.

Spokane River - State Route 25 Bridge.

~~((Tucannon River - State Highway 261 Bridge.))~~

Wallace River - The furthest downstream railroad bridge.

Washougal River - A straight line from the Crown Zellerbach pumphouse southeasterly across the Washougal River to the east end of the Highway 14 Bridge near the upper end of Lady Island.

Whatcom Creek - A line projected approximately 14 degrees true from the flashing light at the south-westerly end of the Port of Bellingham North Terminal to the southernmost point of the dike surrounding the Georgia Pacific treatment pond.

White Salmon River - Between markers on the east and west shores downstream of the Burlington Northern Railroad Bridge except when buoys are in place southerly from the shore to the buoys and east and west between the buoys.

Little White Salmon River - At boundary markers on river bank downstream from the Little White Salmon National Fish Hatchery.

Willapa River - South Bend boat launch.

Wind River - Boundary line markers at mouth.

Yakima River - Highway 240 Bridge.

AMENDATORY SECTION (Amending Order 01-24, filed 3/5/01, effective 5/1/01)

WAC 220-56-115 Angling—Lawful and unlawful acts. (1) It is unlawful for any person to use more than one line with three hooks while angling ~~((for food fish))~~ for personal use except:

(a) It is unlawful to use more than two barbless hooks while fishing ~~((for bottom fish or halibut))~~ in waters where a saltwater license is valid, except for forage fish jigger gear.

(b) It is lawful to use forage fish jigger gear as provided for in WAC 220-56-265 and squid jig gear as provided for in WAC 220-56-390.

(c) A second line using forage fish jigger gear is lawful while fishing in Catch Record Card Areas 5, 6, 7, 8-1, 8-2, 9, 10, 11, 12, and 13.

(2) It shall be unlawful for any person to take, fish for or possess (~~feed~~) fish taken for personal use by any means other than angling with a line attached to a pole held in hand while landing the fish or with a hand-operated line without rod or reel except as follows:

(a) It is lawful to leave the pole in a pole holder while playing or landing the fish if the pole is capable of being readily removed from the pole holder.

(b) It is lawful to use an electric power-operated reel designed for sport fishing attached to a pole.

(c) It is lawful to fish for or possess salmon taken for personal use with hand lines (lines not attached to a handheld pole) except use of hand lines is unlawful in those waters west of the mouth of the Sekiu River, the Pacific Ocean, Washington waters at the mouth of the Columbia River west of a line projected true north and south through Buoy 10, Grays Harbor, and Willapa Bay.

(3) It shall be unlawful for any person while angling (~~for food fish~~) to fail to keep his angling gear under his direct and immediate physical control.

(4) In areas where a saltwater license is valid, each fisher aboard a vessel may continue to deploy angling gear or shellfish gear until the daily limit of food fish or shellfish for all licensed and juvenile anglers aboard has been retained.

AMENDATORY SECTION (Amending Order 00-134, filed 7/31/00, effective 8/31/00)

WAC 220-56-116 Salmon—(~~Marine~~) Coastal waters hook rules. (~~((1) It is unlawful to use barbed hooks while angling for salmon in all marine waters of Puget Sound, the Pacific Ocean, Grays Harbor, Willapa Bay, and waters at the mouth of the Columbia River westerly of a line drawn true north-south through Buoy 10.~~)

(2)) It is unlawful to fish for salmon in Catch Record Card Areas 1 through 4 except with single point barbless hooks other than in the Westport and Ocean Shores boat basins, which have special terminal gear restrictions as provided for in WAC 220-56-123.

AMENDATORY SECTION (Amending Order 00-134, filed 7/31/00, effective 8/31/00)

WAC 220-56-128 Food fish fishing—Closed areas. It is unlawful to fish for or possess food fish taken from the following areas during the times indicated.

(1) It is unlawful at all times to fish for or possess food fish taken for personal use in waters lying within 400 feet below any fish rack, fishway, dam or other artificial or natural obstruction, either temporary or permanent, unless otherwise provided.

(2) Waters of Budd Inlet at Olympia south of the Fourth Avenue Bridge are closed at all times, and all contiguous waters lying between the Fourth Avenue Bridge and a line from the northwesterly corner of the Thriftway Market Building to a point 100 yards north of the railroad bridge located on the western side of the inlet opposite the Thriftway Market

Building are closed during the period July 16 through October 31.

(3) The waters of Percival Cove are closed at all times.

(4) Those waters of Hood Canal inshore from yellow marker buoys to the mouth of Finch Creek and waters within the channel created when tidelands are exposed are closed the entire year.

(5) Waters within a radius of 100 yards from the Enetai Hatchery Outfall Creek where it enters saltwater are closed at all times.

(6) Those waters of Sinclair Inlet inside a line fifty yards from the pierhead line of the Puget Sound Naval Shipyard at Bremerton are closed at all times.

(7) Those waters of Hood Canal within 100 feet of the Seabeck Highway Bridge over Big Beef Creek are closed August 1 through November 30.

(8) In Shilshole Bay waters east of a line 175 feet west of the Burlington Northern Railroad Bridge are closed to fishing.

(9) Those waters of the Chinook River upstream from tide gate at the Highway 101 Bridge are closed at all times.

(10) Those waters of the Columbia River between the Vernita Bridge and the Hanford power line crossing (wooden towers at S24, T13N, R27E) are closed October 23 through June 15.

(11) Those waters of the Columbia River between the upstream line of Bonneville Dam to a point 600 feet below the fish ladder at the new Bonneville Dam Powerhouse are closed at all times.

(12) Waters of the Lake Washington Ship Canal west of a north-south line 400 feet east of the eastern end of the north wing wall of Chittenden Locks to the mouth of the Lake Washington Ship Canal are closed to food fish angling at all times.

(13) Waters of Catch Record Card Area 10 west of a line from Point Monroe to Indianola and east of a line from Point Bolin to Battle Point are closed to food fish angling from January 1 through March 31.

(14) (~~Waters of the Sund Rock Marine Preserve in Hood Canal are closed to the taking of food fish other than salmon at all times.~~)

(15) ~~Waters of the Titlow Beach Marine Preserve Area are closed to the taking of food fish at all times except that it is lawful to fish for salmon with artificial lures only from shore or a nonmotorized vessel.~~

(16)) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device downstream of Chief Joseph Dam to the Corps of Engineers Safety Zone Marker.

((17)) (15) Wells Dam - waters between the upstream line of Wells Dam to boundary markers 400 feet below the spawning channel discharge on the Chelan County side and the fish ladder on the Douglas County side.

((18)) (16) Rocky Reach, Rock Island and Wanapum Dams - waters between the upstream lines of these dams and boundary markers 400 feet downstream of the fish ladders at Rocky Reach and Rock Island Dams and boundary markers at Wanapum Dam 750 feet below the east fish ladder and 500 feet below the west fish ladder.

PROPOSED

~~((19))~~ (17) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam and boundary markers 650 feet below the fish ladders.

~~((20))~~ (18) Jackson (Moran) Creek - all waters of the Priest Rapids hatchery system including Columbia River waters out to midstream between markers located 100 feet upstream and 400 feet downstream of the mouth of the hatchery outlet.

~~((21))~~ (19) McNary Dam - waters between the upstream line of McNary Dam and a line across the river from the red and white marker on the Oregon shore to the downstream end of the wingwall of the boat lock near the Washington shore.

~~((22))~~ (20) John Day Dam - waters between the upstream line of John Day Dam and markers approximately 3,000 feet downstream, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

~~((23))~~ (21) The Dalles Dam - waters between the upstream line of the Dalles Dam and the upstream side of the Interstate 197 Bridge, except that fishing is permitted from the Washington shore to within 400 feet of the fishway entrance.

~~((24))~~ (22) Spring Creek - waters within 1/4 mile of the U.S. Fish and Wildlife Service Hatchery grounds between posted boundary markers located 1/4 mile on either side of the fish ladder entrance.

~~((25))~~ The following conservation areas are closed year round:

- ~~(a) Brackett's Landing Shoreline Sanctuary Conservation Area.~~
- ~~(b) City of Des Moines Park Conservation Area.~~
- ~~(c) Octopus Hole Conservation Area.~~
- ~~(d) Orchard Rocks Conservation Area.~~
- ~~(e) South 239th Street Park Conservation Area.~~

AMENDATORY SECTION (Amending Order 01-31, filed 3/6/01, effective 4/6/01)

WAC 220-56-210 Fly fishing. (1) It is unlawful to fish in waters restricted to "fly fishing only" with the use of:

- (a) A fixed spool reel.
- (b) Fishing line other than conventional fly line, except that other line may be used for backing and leader if it is attached to not less than 25 feet of conventional fly line.
- ~~(c) ((Monofilament leader greater than fifteen feet in length or with a breaking strength of more than 12 pounds.~~
- ~~(d))~~ Hooks that exceed 1/2 inch when measured from point to shank.

~~((e) A lure other than a fly))~~ (d) Not more than two flies each with a barbless single hook.

- ~~((f))~~ (e) Bait.
- ~~((g))~~ (f) Weight attached to the leader or line.

(2) "Fly" means a lure on which thread, feathers, hackle, or yarn cover a minimum of half the shank of the hook. Metallic colored tape, tinsel, mylar, or beadyes may be used as an integral part of the design of the fly pattern.

(3) Notwithstanding the provisions of this section, persons who have a permanent disability that significantly limits

the use of one or both upper extremities may use spinning gear in fly fishing only waters as provided for in this section.

(a) A fisher with a disability must apply for a fly fishing special use permit by presenting a letter from a physician stating that the fisher's disability is permanent and that, because of the inability to use one or both upper extremities, the fisher is physically incapable of using conventional fly fishing gear.

(b) The fisher will be issued a fly fishing special use permit in the form of a wearable tag. The fisher must have the special use permit in his or her possession at all times while using spin casting gear in fly fishing only waters, and may display the permit on outer clothing.

(c) It is lawful for persons in possession of a fly fishing special use permit to use the following gear:

(i) Fishers may use spin casting gear with a casting bubble.

(ii) Monofilament line is permitted with no limit on the breaking strength of the line (~~, but the leader beyond the bubble may not exceed fifteen feet in length or have a breaking strength greater than 12 pounds~~).

(iii) Hook size and barb restrictions, fishing fly requirements, and bait and weight prohibitions as provided for in this section apply to both conventional fly fishing and spin-bubble fly fishing.

AMENDATORY SECTION (Amending Order 01-24, filed 3/5/01, effective 5/1/01)

WAC 220-56-235 Possession limits—Bottomfish. It is unlawful for any person to take in any day more than the following quantities of bottomfish for personal use. The possession limit at any time shall not exceed the equivalent of two daily limits in fresh, frozen or processed form. Unless otherwise provided bottomfish fishing is open the entire year.

- (1) Coastal (Catch Record Card Areas 1 through 4):
 - (a) Lingcod - 2 fish minimum length 24 inches.
 - (b) Rockfish - 10 fish of which no more than 2 may be an aggregate of canary rockfish and yelloweye rockfish.
 - (c) Surfperch (excluding shiner perch) - 15 fish.
 - ~~(d) Wolfeel - ((2)) 0 fish ((east of the Bonilla-Tatoosh line))~~ from Catch Record Card Area 4.
 - (e) Cabezon - 2 fish east of the Bonilla-Tatoosh line.
 - (f) All other species - no limit.

(2) Inner Puget Sound (Catch Record Card Areas 5 through 13):

(a) Catch Record Card Areas 5 and 6 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish	1 fish
Rockfish May 1 through September 30 in Marine Area 5 west of Slip Point	3 fish of which no more than 1 may be other than black rockfish
Surfperch	10 fish
Pacific cod	2 fish
Pollock	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	((2)) 0 fish

Cabezon	2 fish
Pacific hake	2 fish

(b) Catch Record Card Area 7 - 15 fish in the aggregate of all species of bottomfish, which may include no more than:

Rockfish	1 fish
Surfperch	10 fish
Pacific cod	2 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pollock	2 fish
Pacific hake	2 fish

(c) Catch Record Card Areas 8-1 through 13 - 15 fish in the aggregate of all species and species groups of bottomfish, which may include no more than:

Rockfish	1 fish
Surfperch	10 fish
Pacific cod	0 fish
Pollock	0 fish
Flatfish (except halibut)	15 fish
Lingcod	1 fish
Wolf-eel	0 fish
Cabezon	2 fish
Pacific hake	0 fish

(d) It is unlawful to possess lingcod taken by angling less than 26 inches in length or greater than 40 inches in length.

(e) The daily limit taken by spear fishing may include no more than one lingcod. There is no size restriction on the one lingcod allowed in the daily limit if taken by spear fishing.

(f) It is unlawful to retain cabezon taken from Catch Record Card Areas 5 through 13 from December 1 through April 30.

(g) It is unlawful to retain six-gill shark taken from Catch Record Card Areas 5 through 13.

AMENDATORY SECTION (Amending WSR 98-06-031, filed 2/26/98, effective 5/1/98)

WAC 220-56-265 Forage fish—Lawful gear. It shall be unlawful to take, fish for and possess herring, candlefish, pilchards, anchovies and smelt taken for personal use except with ~~((smelt rake,))~~ hand dip net gear not exceeding 36 inches across the bag frame and forage fish jigger gear having not more than three treble or nine single hooks. It is unlawful to use a dip bag net to take forage fish unless the operator of the net holds the handle at all times the netting is in the water. It is unlawful to operate a dip bag net from a vessel under power. Only persons with a disability license may use a hand-operated gate on a dip net while fishing for forage fish. Forage fish jigger gear hooks may not have a gap between the shank and the point exceeding 3/8 inch.

AMENDATORY SECTION (Amending Order 99-13, filed 3/30/99, effective 5/1/99)

WAC 220-56-270 Smelt—Areas and seasons. (1) Smelt fishing is permitted the entire year on Pacific Ocean beaches and in all rivers concurrent with a salmon or gamefish opening, except closed in the Columbia River and tributaries.

(2) Smelt fishing is open in Puget Sound and the Strait of Juan de Fuca the entire year except closed weekly from 8:00 a.m. Wednesday to 8:00 a.m. Friday for all types of gear except forage fish jigger gear.

~~((3) The Columbia River and tributaries are closed to the fishing for or retention of smelt.))~~

AMENDATORY SECTION (Amending Order 01-24, filed 3/5/01, effective 5/1/01)

WAC 220-56-282 Sturgeon—Areas, seasons, limits and unlawful acts. (1) It is lawful to fish for sturgeon the entire year in saltwater and open in freshwater concurrent with a salmon or gamefish opening unless otherwise provided, except:

(a) It is unlawful to fish for sturgeon from a floating device May 1 through ~~((June 30))~~ July 15 downstream from the boating deadline below Bonneville Dam to markers on the Oregon and Washington shores of the Columbia River at Beacon Rock;

(b) It is unlawful to fish for sturgeon inside the south navigation lock at Bonneville Dam from a marker on the westernmost point of Robins Island to a marker on the Oregon mainland shore; and

(c) It is unlawful to fish for sturgeon in those waters of the Columbia River between the upstream line of Bonneville Dam and the lowermost Bonneville power line crossing, except when fishing with hand-casted hook and line gear from the mainland shore downstream of a line from a fishing boundary on the Washington shore approximately three-quarters of a mile below the dam to the downstream end of Cascade Island, thence to the Oregon fishing boundary marker on Bradford Island, located approximately 850 feet downstream from the fish ladder entrance.

(2) The daily limit is one sturgeon, with the following size restrictions:

(a) Minimum size 48 inches in length in the Columbia River and tributaries upstream from The Dalles Dam.

(b) Minimum size 42 inches in length in all other state waters.

(c) Maximum size 60 inches in length.

Once the daily limit has been retained, it is lawful to continue to fish for sturgeon in the mainstem of the Columbia River downstream from where the river forms the boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(3) The possession limit is two daily limits of fresh, frozen or processed sturgeon.

(4) There is an annual personal use limit of ten sturgeon from April 1 through March 31, regardless of where the sturgeon were taken. After the annual limit of sturgeon has been taken, it is lawful to continue to fish for sturgeon in the mainstem Columbia River downstream from where the river

forms the common boundary between Oregon and Washington, provided that all subsequent sturgeon are released immediately.

(5) It is unlawful to fish for sturgeon with terminal gear other than bait and single barbless hooks. It is lawful to use artificial scent with bait when fishing for sturgeon.

(6) It is unlawful to fish for or possess sturgeon taken for personal use from freshwater, except the Chehalis River, from one hour after official sunset to one hour before official sunrise.

(7) It is unlawful to possess in the field sturgeon eggs without having retained the intact carcass of the fish from which the eggs have been removed.

(8) It is unlawful to use a gaff or other fish landing aid that penetrates the fish while restraining, handling or landing a sturgeon.

(9) It is unlawful to fail to immediately return to the water any undersize sturgeon.

(10) It is unlawful to totally or partially remove oversize sturgeon from the water.

~~((11) It is unlawful to retain sturgeon taken from the following waters:~~

~~(a) Those waters of the Snake River and tributaries upstream from lower Granite Dam;~~

~~(b) Those waters of the Columbia River and tributaries upstream from Priest Rapids Dam; and~~

~~(c) Those waters of the Columbia River and tributaries between the upstream line of Bonneville Dam and a line 400 feet below McNary Dam during the period September 1 through December 31.)~~

AMENDATORY SECTION (Amending Order 01-24, filed 3/5/01, effective 5/1/01)

WAC 220-56-285 Shad—Areas and seasons. It is lawful ~~((the entire year))~~ to fish for or possess shad taken for personal use concurrent with a salmon or gamefish opening, except Columbia River waters downstream from Bonneville Dam are closed to shad fishing April 1 through May 15.

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

WAC 220-56-310 Shellfish—Daily limits. It is unlawful for any one person to take in any one day for personal use more than the following quantities and sizes of shellfish:

(1) Cockles, borers and clams in the shell, other than razor clams, geoduck clams and horse clams, 40 clams in the aggregate, or 10 pounds, whichever is achieved first except:

(a) In Skagit Bay, east of a line projected from Browns Point to Swinomish Slough entrance - diggers may additionally retain up to 20 pounds of eastern softshell clams in the shell.

(b) Willapa Bay - diggers may additionally retain up to twenty-four cockles.

(2) Razor clams: 15 clams.

(3) Geoduck clams: 3 clams.

(4) Horse clams: 7 clams.

(5) Oysters:

~~((a) In all Puget Sound waters except those contiguous waters south of a line from Tala Point to Foulweather Bluff,~~

~~18 oysters in the shell, minimum size 2 1/2 inches across the longest dimension of the shell.~~

~~(b) In the Puget Sound contiguous waters south of a line from Tala Point to Foulweather Bluff and waters of the Pacific Ocean, Grays Harbor and Willapa Bay,) 18 oysters, shucked and the shells left on the beach. Minimum size before shucking two and one-half inches along the longest dimension of the shell.~~

(6) Rock scallops: 12 scallops.

(7) Sea scallops: 12 scallops (over 4 inches).

(8) Common or pink scallops: 10 pounds or 5 quarts in the shell.

(9) Shrimp:

~~(a) In all Puget Sound waters ((except Shrimp Districts 1, 3 and 5)) - total weight 10 pounds, fishers must retain the heads of all shrimp taken while in the field. Spot shrimp: Maximum 80 shrimp as part of the 10 pound limit. Spot shrimp minimum size one and three-sixteenths inch from the base of the eyestalk to the top rear edge of the carapace except in the Hood Canal and Port Angeles Shrimp Districts.~~

~~(b) In ((Shrimp District 1-)) the Discovery Bay(()) Shrimp District - Spot shrimp: Maximum 50 shrimp as part of the 10 pound limit. ((Spot shrimp minimum size one and three-sixteenths inch from base of eyestalk to top rear edge of carapace.))~~

~~(c) In ((Shrimp District 3-)) the Port Angeles(()) Shrimp District - ((Total weight 10 pounds.)) Spot shrimp: No minimum size.~~

~~(d) In ((Shrimp District 5-)) the Hood Canal(()) Shrimp District - 80 shrimp. No minimum size for spot shrimp.~~

(10) Octopus: ((2)) 1 octopus.

(11) Pinto abalone: Closed statewide.

(12) Crawfish: 10 pounds in the shell. Minimum size 3 1/4 inches from tip of rostrum to tip of tail. Female crawfish with eggs or young attached to the abdomen must be released immediately.

(13) Squid: 10 pounds or 5 quarts.

(14) Sea cucumbers: 25 sea cucumbers.

(15) Red sea urchins: 18 sea urchins.

(16) Purple sea urchins: 18 sea urchins.

(17) Green sea urchins: 36 sea urchins.

(18) Dungeness crabs:

~~(a) In all waters except the Columbia River - ((6)) 4 male crabs.~~

(b) In the Columbia River - 12 male crabs.

(19) Red rock crabs: 6 crabs.

(20) Blue mussels and sea mussels: 10 pounds in the shell.

(21) Goose barnacles: 10 pounds of whole barnacles or 5 pounds of barnacle stalks.

(22) Ghost and mud shrimp: 10 dozen.

(23) King and box crab: Closed statewide.

AMENDATORY SECTION (Amending Order 01-39, filed 3/14/01, effective 4/14/01)

WAC 220-56-315 Crabs, shrimp, crawfish—Unlawful acts. (1) It is unlawful to take and possess crabs, shrimp, and crawfish taken for personal use except by hand or with

hand dip nets, ring nets, shellfish pots, and any hand-operated instrument that will not penetrate the shell.

(2) It is unlawful to use more than two units of gear at any one time except:

(a) In Puget Sound waters other than Hood Canal Shrimp District it is unlawful to use at any one time more than two units of crab gear (~~((for the purpose of taking crabs))~~) and two additional units of shrimp gear (~~((for the purpose of taking shrimp))~~).

(b) In Hood Canal Shrimp District it is unlawful to use more than one shrimp pot and a total of two star traps or ring nets during the Hood Canal shrimp season.

(c) It is unlawful for the operator of any boat from which shrimp pots are set or pulled in Catch Record Card Areas 4 through 13 to have on board or to fish more than four shrimp pots.

(d) In the Columbia River it is unlawful to use more than three units of crab gear.

(3) It is unlawful for any person to operate a shellfish pot not attached to a buoy bearing that person's name, except that a second person may assist the pot owner in operation of the gear.

(4) It is unlawful to salvage or attempt to salvage shellfish pot gear from Hood Canal that has been lost without first obtaining a permit authorizing such activity issued by the director, and it is unlawful to fail to comply with all provisions of such permit.

(5) It is unlawful to fish for or possess crab taken for personal use from the waters of Fidalgo Bay within 25 yards of the Burlington Northern Railroad trestle connecting March Point and Anacortes.

(6) It is unlawful to fish for or possess crab taken for personal use with shellfish pot or ring net gear from the waters of Padilla Bay or Swinomish Slough within 25 yards of the Burlington Northern Railroad crossing the northern end of Swinomish Slough except from one hour before official sunrise to one hour after official sunset.

(7) It is unlawful to dig for or possess ghost or mud shrimp taken for personal use by any method except hand operated suction devices or dug by hand.

(8) One unit of gear is equivalent to one ring net or one shellfish pot.

(9) Each unit of gear must be attached to its own buoy line and have a separate buoy for each unit of gear.

(10) No fisher may set or pull shellfish pots, ring nets or star traps from a vessel in all state waters from one hour after official sunset to one hour before official sunrise.

(11) It is unlawful to possess soft-shelled crab for any personal use purpose. Violation of this subsection shall be an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending WSR 98-06-031, filed 2/26/98, effective 5/1/98)

WAC 220-56-335 Crab—Unlawful acts. (1) It is unlawful for any person to take or possess for personal use any female Dungeness crabs.

(2) It is unlawful to take or possess any male Dungeness crabs taken for personal use which measure less than the following sizes:

(a) In Puget Sound (all contiguous waters east of the Bonilla-Tatoosh Line) (~~((except those waters of Hood Canal south of the Hood Canal Floating Bridge))~~) - 6 1/4 inch minimum size.

(b) (~~((In those waters of Hood Canal south of the Hood Canal Floating Bridge—6 inch minimum size.~~

(e)) In coastal waters west of the Bonilla-Tatoosh Line, Pacific Ocean waters, Grays Harbor, Willapa Bay - 6 inch minimum size.

~~((d))~~ (c) In the Columbia River - 5 3/4 inch minimum size.

(3) It is unlawful to take or possess any red rock crabs taken for personal use that measure less than five inches.

(4) All measurement shall be made at the widest part of the shell (caliper measurement) immediately in front of the points (tips).

(5) It is unlawful to possess in the field any crab or parts thereof without retaining the back shell.

AMENDATORY SECTION (Amending Order 01-24, filed 3/5/01, effective 5/1/01)

WAC 220-56-350 Clams other than razor clams, cockles, borers, mussels—Areas and seasons. (1) It is lawful to take, dig for and possess clams, cockles, borers and mussels taken for personal use on Puget Sound the entire year except that public tidelands at the following beaches are closed unless otherwise provided:

(a) Ben Ure Spit: Open January 1 through May 31.

(b) Brown Point (DNR 57-B): Open January 1 through July 31.

(c) Cama Beach State Park: Closed the entire year.

(d) Camano Island State Park: Open June 1 through June 30.

(e) Cline Spit: Closed the entire year.

(f) Cutts Island State Park: Open January 1 through June 15.

(g) Dabob Bay - All state-owned tidelands in Dabob Bay north of a line drawn from Camp Harmony to Lindsays Beach are closed to the harvest of clams the entire year except as follows:

(i) State-owned tidelands from a row of tires at Camp Discovery south approximately 2,000 feet to a second row of tires.

(ii) State-owned tidelands beginning approximately 3/4 mile north of Camp Harmony extending approximately 1,200 feet north.

(iii) State-owned tidelands from markers and signs posted immediately north of the community of Lindsays Beach north to a line immediately north of Broad Spit identified by markers and signs.

(h) Dosewallips State Park: Open July 1 through September 15 only in area defined by boundary markers and signs posted on the beach.

(i) Duckabush - All state-owned tidelands on the west shore of Hood Canal from Quatsap Point to the south end of the Duckabush flats are closed to the harvest of clams.

(j) Dungeness Spit - Open May 15 through September 30.

(k) Eagle Creek: Open January 1 through May 31.

- (l) Fort Flagler State Park: Open April 1 through June 30.
- (m) Frye Cove - Open January 1 through May 31.
- (n) Garrison Bay: Tidelands at Guss Island and those tidelands at British camp between the National Park Service dinghy dock at the north end and the park boundary at the south end are closed the entire year.
- (o) Gertrude Island - All tidelands at Gertrude Island closed the entire year.
- (p) Hoodspout: Tidelands at Hoodspout Salmon Hatchery are closed the entire year.
- (q) Hope Island State Park (South Puget Sound): Open April 1 through April 30.
- (r) Illahee State Park: Closed the entire year.
- (s) Kayak Point County Park: Open May 1 through May 15 and August 1 through August 15, except mussels open the entire year.
- (t) Kitsap Memorial State Park: Open June 1 through June 30.
- (u) Kopachuck State Park: Closed the entire year.
- (v) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of clams the entire year.
- (w) McNeil Island - All tidelands on McNeil Island are closed the entire year.
- (x) Mukilteo State Park - Closed the entire year.
- (y) Mystery Bay State Park: Open October 1 through April 30.
- (z) North Bay - All state-owned tidelands in North Bay (Case Inlet) north of a line drawn southwest from Rocky Point to the north end of Reach Island thence due west to the mainland are closed to the harvest of clams the entire year except state-owned Tidelands on the east side of North Bay north of the power transmission lines and south of the power transmission lines for 1,600 feet.
- (aa) North Sequim Bay State Park - Open May 16 through June 15.
- (bb) Oak Bay County Park: Open July 1 through July 15.
- (cc) Oyster Reserves: Puget Sound and Willapa Bay state oyster reserves are closed the entire year except as follows:
- (i) Case Inlet: Tidelands on the east side of North Bay at the north end of the inlet open the entire year.
- (ii) North Bay: State-owned oyster reserves on the east side of North Bay north of the power transmission lines which cross the bay at the north end of Case Inlet open the entire year.
- (iii) Oakland Bay: Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bay-shore Peninsula between department markers open March 1 through September 30.
- (iv) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.
- (dd) Penrose Point State Park: Open May 1 through May 15.
- (ee) Picnic Point County Park: Closed the entire year.
- (ff) Pillar Point County Park: Open November 1 through April 30.
- (gg) Pitship Point: Closed the entire year.
- (hh) Pitt Island - All tidelands on Pitt Island are closed the entire year.
- (ii) Point Whitney (excluding Point Whitney Lagoon): May 1 through June 30.
- (jj) Point Whitney Lagoon: Open June 1 through June 30.
- (kk) Port Townsend Ship Canal: Open April 1 through May 15.
- (ll) Potlatch DNR tidelands: Open April 1 through July 15.
- (mm) Potlatch East: Open April 1 through July 15.
- (nn) Potlatch State Park: Open April 1 through July 15.
- (oo) Purdy Spit County Park: The southern shore of the spit from the boat ramp to the bridge is closed the entire year.
- (pp) Quilcene Bay - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed to the harvest of clams the entire year, except those tidelands on the west side of the bay defined by boundary markers and a sign on the beach are open April 1 through September 30, daily from official sunrise to official sunset only.
- (qq) Rendsland Creek: Open January 1 through April 30.
- (rr) Saltwater State Park: Closed the entire year.
- (ss) Scenic Beach State Park - Open April 16 through June 15.
- (tt) Seahurst County Park: Closed the entire year.
- (uu) Sequim Bay State Park - Open May 1 through June 30.
- (vv) Shine Tidelands: Open January 1 through May 15.
- (ww) South Indian Island County Park: Open May 1 through August 31.
- (xx) Spencer Spit State Park: Open April 1 through July 31.
- (yy) ~~((Strait of Juan de Fuca: All beaches west of the tip of Dungeness Spit: Open November 1 through March 31.~~
- ~~((zz))~~ Triton Cove Oyster Farm: Closed the entire year.
- ~~((aaa))~~ (zz) Triton Cove State Park: Open April 1 through June 30.
- ~~((bbb))~~ (aaa) Twanoh State Park: Closed the entire year.
- ~~((eee))~~ (bbb) West Dewatto: DNR Beach 44A is open January 1 through May 31.
- ~~((ddd))~~ (ccc) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and Nahcotta Tidelands Interpretive Site are closed year-round.
- ~~((eee))~~ (ddd) Wolfe Property State Park: Open January 1 through May 15.
- (2) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams, taken for personal use in Grays Harbor and Willapa Harbor the entire year, except from state oyster reserves, which are closed to clam digging the entire year.
- (3) It is lawful to take, dig for and possess clams, cockles, borers, and mussels, not including razor clams taken for personal use from the Pacific Ocean beaches from November 1 through March 31.

AMENDATORY SECTION (Amending Order 97-53, filed 3/19/97, effective 5/1/97)

WAC 220-56-355 Clams—Unlawful acts. (1) It shall be unlawful for any person digging (~~hardshell~~) clams other than razor clams for personal use to fail to fill in holes created during the digging operation. Beach terrain must be returned to approximately its original condition by clam diggers before leaving the scene.

(2) It shall be unlawful to maim, injure or attempt to capture a geoduck by thrusting any instrument through its siphon or to possess only the siphon or neck portion of a geoduck.

(3) It is unlawful to possess Manila, native littleneck, cockle, or butter clams taken for personal use which measure less than 1-1/2 inches across the longest dimension of the shell.

(4) It is unlawful to return any eastern softshells, horse clams, or geoducks to the beach or water regardless of size or condition. All such clams taken for personal use must be retained by the digger as part of the daily limit.

(5) Violation of the provisions of this section shall be an infraction, punishable under RCW 77.15.160.

AMENDATORY SECTION (Amending Order 01-24, filed 3/5/01, effective 5/1/01)

WAC 220-56-380 Oysters—Areas and seasons. (1) It is lawful to take and possess oysters taken for personal use from public tidelands the entire year, except that public tidelands at the following beaches are closed unless otherwise provided:

(a) Brown Point: (~~Closed~~) Open the entire year.

(b) Dabob Bay - All state-owned tidelands in Dabob Bay north of a line drawn from Camp Harmony to Lindsays Beach are closed to the harvest of oysters the entire year, except as follows:

(i) State-owned tidelands from a row of tires at Camp Discovery south approximately 2,000 feet to a second row of tires.

(ii) State-owned tidelands beginning approximately 3/4 mile north of Camp Harmony extending approximately 1,200 feet north.

(iii) State-owned tidelands from markers and signs posted immediately north of the community of Lindsays Beach north to a line immediately north of Broad Spit identified by markers and signs.

(c) Dosewallips State Park: Open July 1 through September 15 only in areas defined by boundary markers and signs posted on the beach.

(d) Duckabush - All state-owned tidelands on the west shore of Hood Canal from Quatsap Point to the south end of the Duckabush flats are closed to the harvest of oysters the entire year.

(e) Eagle Creek: Open January 1 through June 30.

(f) Hoodsport: Tidelands at the Hoodsport Salmon Hatchery are closed the entire year.

(g) Illahee State Park: Closed the entire year.

(h) Kitsap Memorial State Park: Open June 1 through August 31.

(i) Kopachuck State Park: Open May 1 through May 31.

(j) Liberty Bay - All state-owned tidelands in Liberty Bay north and west of the Keyport Naval Supply Center are closed to the harvest of oysters the entire year.

(k) Mystery Bay: Open October 1 through April 30.

(l) North Bay - All state-owned tidelands in North Bay (Case Inlet) north of a line drawn southwest from Rocky Point to the north end of Reach Island thence due west to the mainland are closed to the harvest of oysters the entire year except for state-owned tidelands on the east side of North Bay north of the power transmission lines and south of the power transmission lines for 1,600 feet.

(m) Oyster Reserves: Puget Sound and Willapa Bay oyster reserves are closed the entire year except the following are open the entire year:

(i) Oakland Bay - Tidelands at the north end of Oakland Bay and on the channel of the northwest shore of the Bay-shore Peninsula between department markers - open March 1 through September 30.

(ii) North Bay - State-owned reserves on the east side of North Bay north of the power transmission lines.

(iii) Willapa Bay - Long Island oyster reserve: Northwest side of Long Island between reserve monuments 39 and 41 and southwest side of Long Island between reserve monuments 58 and 59.

(n) Penrose Point State Park: Open May 1 through June 30.

(o) Point Whitney (excluding Point Whitney Lagoon): Open April 1 through August 31.

(p) Potlatch East: Open April 1 through July 15.

(q) Potlatch State Park: Open April 1 through July 15.

(r) Quilcene Bay - All state-owned tidelands in Quilcene Bay north of a line drawn from the Quilcene Boat Haven to Fisherman's Point are closed except those tidelands on the west side of the bay defined by boundary markers and a sign at the beach are open April 1 through September 30, daily from official sunrise to official sunset, only.

(s) Scenic Beach State Park: Open April 16 through July 15.

(t) South Indian Island County Park: Open May 1 through August 31.

(u) Triton Cove Oyster Farm: Open May 1 through September 30.

(v) Triton Cove State Park: Open April 1 through June 30.

(w) West Dewatto: DNR Beach 44A is open January 1 through September 30.

(x) Willapa Bay: State-owned tidelands east of the department Willapa Bay Field Station and the Nahcotta Tidelands Interpretive Site are open only between boundary markers and posted signs.

(y) Wolfe Property State Park: Open January 1 through June 15.

(2) It is unlawful to pick or take oysters for personal use from waters measuring more than two feet in depth at the time of removal.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-307 Shellfish—Closed areas.

AMENDATORY SECTION (Amending Order 00-149, filed 8/16/00, effective 9/16/00)

WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished. Protected wildlife are designated into three subcategories: Threatened, sensitive, and other.

(1) Threatened species are any wildlife species native to the state of Washington that are likely to become endangered within the foreseeable future throughout a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as threatened include:

Common Name	Scientific Name
western gray squirrel	<i>Sciurus griseus</i>
Steller (northern) sea lion	<i>Eumetopias jubatus</i>
North American lynx	<i>Lynx canadensis</i>
Aleutian Canada goose	<i>Branta Canadensis leucopareia</i>
bald eagle	<i>Haliaeetus leucocephalus</i>
ferruginous hawk	<i>Buteo regalis</i>
marbled murrelet	<i>Brachyramphus marmoratus</i>
green sea turtle	<i>Chelonia mydas</i>
loggerhead sea turtle	<i>Caretta caretta</i>
sage grouse	<i>Centrocercus urophasianus</i>
sharp-tailed grouse	<i>Phasianus columbianus</i>

(2) Sensitive species are any wildlife species native to the state of Washington that are vulnerable or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as sensitive include:

Common Name	Scientific Name
Gray whale	<i>Eschrichtius gibbosus</i>
Common Loon	<i>Gavia immer</i>
Larch Mountain salamander	<i>Plethodon larselli</i>
Pygmy whitefish	<i>Prosopium coulteri</i>
Margined sculpin	<i>Cottus marginatus</i>
Olympic mudminnow	<i>Novumbra hubbsi</i>

(3) Other protected wildlife include:

Common Name	Scientific Name
cony or pika	<i>Ochotona princeps</i>
least chipmunk	<i>Tamias minimus</i>
yellow-pine chipmunk	<i>Tamias amoenus</i>

Common Name	Scientific Name
Townsend's chipmunk	<i>Tamias townsendii</i>
red-tailed chipmunk	<i>Tamias ruficaudus</i>
hoary marmot	<i>Marmota caligata</i>
Olympic marmot	<i>Marmota olympus</i>
Cascade golden-mantled ground squirrel	<i>Spermophilus saturatus</i>
golden-mantled ground squirrel	<i>Spermophilus lateralis</i>
Washington ground squirrel	<i>Spermophilus washingtoni</i>
red squirrel	<i>Tamiasciurus hudsonicus</i>
Douglas squirrel	<i>Tamiasciurus douglasii</i>
northern flying squirrel	<i>Glaucomys sabrinus</i>
wolverine	<i>Gulo gulo</i>
painted turtle	<i>Chrysemys picta</i>
California mountain kingsnake	<i>Lampropeltis zonata</i>

All birds not classified as game birds, predatory birds or endangered species, or designated as threatened species or sensitive species; all bats, except when found in or immediately adjacent to a dwelling or other occupied building; ~~((all wildlife within Titlow Beach Marine Preserve, the Sund Rock Marine Preserve, the Colvos Passage Marine Preserve, and the conservation areas defined in chapter 220-16 WAC;))~~ mammals of the order *Cetacea*, including whales, porpoises, and mammals of the order *Pinnipedia* not otherwise classified as endangered species, or designated as threatened species or sensitive species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear.

AMENDATORY SECTION (Amending Order 00-29, filed 3/29/00, effective 5/1/00)

WAC 232-12-168 Fishing contests. (1) Contest defined: By definition, a fishing contest exists when ((6)) 10 or more licensed persons fish competitively and determine winners, regardless of prize value.

(2) Application:

(a) Fishing contest permit applications should be submitted to the department by November 1 of each year for contests that are to take place the following calendar year. After November 1, applications must be submitted not less than 30 days prior to the date for which the contest is proposed.

(b) Applications must include the permit fee required by RCW 77.32.211. The fee will be returned if the permit is denied. No more than seven permits will be issued to any one permittee during a calendar year. The fee is \$24 per permit.

(c) For purposes of application for a fishing contest permit, "permittee" means a "person" as defined in RCW

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PROPOSED

77.08.010. All applications from a permittee must be in a single name.

(3) Approval:

(a) Fishing contests which adversely affect fish or wild-life resources or other recreational opportunity may be denied.

(b) Contests will not be allowed on sea-run cutthroat trout, Dolly Varden or bull trout.

~~((c) Contests involving only juveniles or the handicapped may exceed the participation limits in contests per month, contests per year, or boats per contest day with permission from the director. Also, contests involving only juveniles may target any fish species except sea-run cutthroat trout, Dolly Varden or bull trout, under one permit.))~~

(4) Prize value: Total prize value per contest will not exceed ~~(((\$400))~~ \$1,000 when trout, steelhead, char, white-fish, grayling, or kokanee are included as target species; provided that contests wherein other species not listed above are targeted, or where bass or walleye are the targeted species and at least 90 percent of bass or walleye are released alive and in good condition after the contest, may qualify for no limitation on amount of prize. ~~((Contests involving only juveniles are not required to meet 90 percent live release requirements even if bass or walleye are included as a target species.))~~

(5) Legal requirements, all contests:

(a) Fishing contest permits must be in the possession of the contest sponsor or official at the contest site.

(b) Contests are restricted to the species and waters approved on the permit. Only those species listed as a target of the contest may be retained by contest participants during bass or walleye contests where all contestants fish at the same time and place.

(c) Sponsors must report contest information requested by the department within 30 days after the contest has ended. Subsequent contest permits will not be issued for one year after the date of the contest for which the report was not returned if this requirement is not fulfilled.

(d) Contest participants may not restrict public access at boat launches.

(e) Contests where all participants expect to fish at the same time from boats on lakes or reservoirs will not last longer than three consecutive days and have the following limits per water:

ACRES	((CONTESTS PER MONTH*))				BOATS PER CONTEST DAY
	CONTESTS PER DAY	PER MONTH*	CONTESTS PER YEAR		
			BASS	WALLEYE	
Less than 300	1	1	5	0	15
301 - 3,000	1	2	10	2	35
3,001 - 6,000	((+)) 2	3	15	2	((60)) 50
6,001 - 10,000	((+)) 2	4	25	2	((125)) 100
More than 10,000((**))	((2)) 3	5	35	2))	((300)) 250

* No more than four weekend days per month nor more than two weekends per month may be scheduled on any water when contestants fish at the same time, and are allowed to fish from boats.

~~((** Two separate contest permits may be issued with no more than 150 boats per contest.))~~

(f) It is unlawful for the fishing contest permittee or any of the contest participants to fail to comply with the conditions of the fishing contest permit, or of general fishing rules not specifically exempted by this permit. Failure of the permittee or any of the contestants to comply with all provisions of the contest permit or of other fishing regulations during a contest may lead to revocation of the permit and result in denial of fishing contest permits to the permittee and related organizations or individuals sponsoring contests for two years.

(6) Special regulations, bass and walleye contests:

(a) In any contest targeting either bass or walleye, all live bass or walleye must be released alive into the water from which they were caught after being weighed and/or measured. At the end of each day's competition, if the mortality of target fish caught that day exceeds 10%, the contest will be suspended. Suspended contests may be continued (within assigned permit dates) only if the cause of the high mortality can be positively identified, and the cause of the mortality (high waves, equipment deficiency, etc.) ceases or is corrected by contest officials. ~~((Contests involving only juveniles are not required to meet the 90 percent live release requirement for any approved species.))~~

(b) During bass and walleye contests only, participants may continue to fish while holding up to five fish in possession, as long as one fish is released immediately upon catching a fish which would make the angler in excess of five fish if kept. The fish released may come either from the one just caught, or from the livewell, but at no time may the angler have more than five fish in the livewell.

(c) During bass contests, contestants may not use live bait ~~((, except that contests involving only juveniles which include bass as a target species may use bait)).~~

(d) During bass and walleye contests participants may retain up to five bass and walleye of any size to be weighed in. A tournament angler may not be in possession of more than five bass or walleye from the water being fished, except as authorized under (6)(e) below.

(e) The contest director or director designee may exceed possession limits for bass or walleye for the purpose of transporting fish from a weigh-in site to an open-water area. During transportation, the transport boat must not leave the water the fish were caught from and a copy of the contest permit must be on board during actual fish transport.

(f) Livewell dimensions: During walleye tournaments, all livewells used to hold walleye must be at least 34 inches in length and have a water capacity of at least 20 gallons. Not more than 6 walleye may be placed in a single livewell. All livewells must have both a functional freshwater pump and backup aeration capability.

(g) Boat identification: All boats used for fishing in bass and walleye contests must be clearly identified according to criteria established by the department.

(7) Zebra mussel decontamination. Prior to participating in a Washington state fishing contest:

(a) All contest participants are required to sign a zebra mussel decontamination statement that their boats and/or boat trailers have or have not been in physical contact with any waters east of the Continental Divide for thirty days immediately preceding the contest and, if the boat and/or trailer has been in contact with such waters the participant must complete a decontamination report indicating that the following actions have been taken:

(i) A physical inspection has been made of the hull, motor, trailer, livewell and bilge by the contest director or designee, and any zebra mussels, if found, have been disposed of in a garbage container; and

(ii) The vessel has been decontaminated by the hull having been:

(A) Pressurized washed with hot soapy water; or

(B) Washed with a household bleach solution of one part bleach to 19 parts water, or the equivalent;

(iii) The motor has been run in a household bleach solution of one part bleach to 19 parts water, or the equivalent, for a minimum of one minute; and

(iv) The bilge and any livewells have been flushed, and the flush water disposed in such a manner that the wastewater will not directly enter state waters, either ground or surface.

(b) The zebra mussel decontamination statement and decontamination report shall be submitted to the department as part of the fishing contest report.

NEW SECTION

WAC 232-12-272 Juvenile fishing events. (1) Juvenile fishing events are restricted to persons under fifteen years of age. A juvenile fishing event exists when ten or more juveniles fish competitively and determine winners, regardless of prize value.

(2) It is unlawful for a juvenile fishing event sponsor to fail to notify the department regional office in the region in which the event will occur prior to holding a juvenile fishing event. The department shall approve or deny the juvenile fishing event. It is unlawful to sponsor a juvenile fishing event if the department has denied approval of the event.

(3) Juvenile fishing events that may adversely affect fish or wildlife resources or other recreational opportunity may be denied. Juvenile fishing events are not allowed on sea-run cutthroat trout, Dolly Varden, or bull trout.

(4) The daily limit for the juvenile fishing event shall not exceed the daily limit for the species being fished in the body of water where the event is being held, except that the event sponsor may set a daily limit lower than the daily limit for the body of water. Events are restricted to approved waters.

(5) Events may not exceed three consecutive days.

(6) Event participants may not restrict public access as boat launches.

(7) The total prizes awarded for any juvenile fishing event may not exceed \$1,000.

(8) Juvenile fishing event sponsors requesting fish from the department are required to apply for fish by February 1st of the year in which the event is planned.

Sponsors who receive fish are required to report event information required by the department by February 1st of the year following the event. Failure to report event informa-

tion will result in a denial of fish for the calendar year following the calendar year during which the event was held.

AMENDATORY SECTION (Amending Order 00-134, filed 7/31/00, effective 8/31/00)

WAC 232-12-619 Permanent Washington statewide game fish rules. The following statewide rules apply to all waters unless modified under regional regulation exceptions.

(1) Fishing seasons open at 12:01 a.m. on the first day and close at 11:59 p.m. on the last day and fishing is allowed 24 hours per day.

(2) It is unlawful to:

(a) Use a gaff hook to land game fish.

(b) Take bullfrogs except by angling, hand dip netting, spearing (gigging) or with bow and arrow.

(c) Feed or use any substance to attract game fish unless specifically authorized by special regulations.

(d) Fish for game fish with a bow and arrow or spear.

(e) Possess fish which are under the minimum size or over the maximum size as shown in general or exceptions to state-wide rules.

(3) Seasonal steelhead limit: Each angler who possesses a valid steelhead catch record card may not retain more than thirty steelhead April 1st through the following March 31st of which no more than ten may be wild steelhead from waters in which wild steelhead retention is allowed.

(4) Military personnel, regardless of the length of time in the state of Washington, who are permanently stationed at a military installation within the state, are entitled to purchase a resident license. Military personnel must have a license to fish for game fish anywhere in the state. Dependents must establish a ninety-day residency.

(5) Wild cutthroat release: In waters requiring a wild cutthroat release, it is unlawful to possess any cutthroat that does not have a missing adipose fin and a healed scar in the location of the missing fin.

(6) Wild steelhead release: In waters requiring wild steelhead release, it is unlawful to possess any steelhead trout that does not have a missing adipose or ventral fin and a healed scar at the location of the missing fin.

(7) Free fishing weekend: The Saturday and Sunday following the first Monday in June is declared as free fishing weekend in Washington. On this weekend a fishing license is not required for any person, regardless of residency or age, to fish for or possess game fish and a fish and wildlife lands vehicle use permit is not required to utilize department parking facilities, except that it is unlawful to fish for or possess steelhead trout without the required catch record card. During free fishing weekend only the licensing requirement is affected, and all other rules remain in effect.

(8) Trout taken with bait: When fishing with bait, all trout equal to or greater than the minimum size are counted as part of the daily limit, whether kept or released, except steelhead trout may be caught and released while using bait until the daily limit is retained.

(9) Fish taken with artificial flies and lures: Where use of bait is prohibited, or where artificial flies or lures are used voluntarily, fish may be released until the daily limit is

retained. If any fish has swallowed the hook or is hooked in the gill, eye or tongue, it should be kept if legal to do so.

(10) Burbot taken with set line: Where use of a set line is allowed for burbot, a single set line identified with the fisher's name and address and a maximum of five hooks may be used.

(11) Rainbow trout taken from landlocked lakes: Rainbow trout taken from landlocked lakes shall not be considered steelhead and no catch record card is required.

(12) OPEN SEASONS:

LAKES, PONDS, AND RESERVOIRS: YEAR AROUND, unless specified otherwise under exceptions to state-wide rules.

RIVERS, STREAMS AND BEAVER PONDS: JUNE 1 THROUGH OCTOBER 31, unless specified otherwise under exceptions to state-wide rules.

Note: The date set for "traditional" April openers for Lakes, Ponds, and Reservoirs for this year and future years is the last Saturday in April.

(13) Daily limits and minimum sizes:

GAME FISH SPECIES	DAILY LIMIT	MINIMUM SIZE LIMIT
BASS	Five - ((not)) <u>release bass greater than twelve but less than seventeen inches in length, only more than ((three)) one over ((fifteen)) seven-teen inches may be retained</u> Bass may be caught, retained, and released alive from a livewell until a daily limit is in possession.	None
GRASS CARP....	It is unlawful to fish for or retain grass carp.	
TROUT (except Eastern Brook trout)	A total of five trout, of which no more than two may be from Rivers, Streams, and Beaver Ponds. No more than two of the trout daily catch limit of 5 may be Steelhead.	None in Lakes, Ponds, and Reservoirs. Eight inches in Rivers, Streams, and Beaver Ponds.
EASTERN BROOK TROUT (Salvelinus fontinalis)	Five - to be considered part of the trout daily catch limit.	None

GAME FISH SPECIES	DAILY LIMIT	MINIMUM SIZE LIMIT.
BURBOT	Five	None
CHANNEL CATFISH	Five ((if taken from lakes, ponds or reservoirs)) .	((Twelve inches if taken in lakes, ponds or reservoirs with no more than one greater than 24 inches in length.)) <u>None.</u>

(a) The following game fish species are managed as trout:

- Eastern brook trout
- Brown trout
- Cutthroat trout
- Dolly Varden/Bull trout
- Golden trout
- Grayling
- Kokanee/Silver trout
- Lake trout
- Landlocked Atlantic salmon
- Rainbow trout/Steelhead
- Landlocked chinook and coho

(b) Wild steelhead release is required year-round except as provided in exceptions to statewide rules.

(c) All waters, state-wide, are CLOSED YEAR AROUND to fishing for or retaining Dolly Varden/Bull Trout.

Where exceptions to the above closure for Dolly Varden/Bull Trout occur under individual listings in the exceptions to state-wide rules, Dolly Varden/Bull Trout count as part of the combined trout daily limit of five.

WALLEYE	Five, not more than one over ((twenty-four)) <u>twenty-two</u> inches Walleye may be caught, retained, and released alive from a livewell until a daily limit is in possession.	((Eighteen)) <u>Sixteen</u> inches
WHITEFISH	Fifteen	None
ALL OTHER GAME FISH	No Limit	None
BULLFROGS	No Limit	None

(14) ~~((Seasonal))~~ Daily wild steelhead ~~((limits. From April 1st through the following March 31st))~~ limit:

~~((a))~~ It is unlawful for any person to retain more than ~~((two))~~ one wild steelhead ~~((from the Hoh River, including the mainstem, south fork and tributaries thereto.~~

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(b) ~~It is unlawful for any person to retain more than ten wild steelhead in the aggregate from all of the following rivers and tributaries thereto:~~

- ~~(i) Bogachiel River.~~
- ~~(ii) Calawah River.~~
- ~~(iii) Dickey River.~~
- ~~(iv) Sol Due River.~~
- ~~(v) Quillayute River.~~

~~(e) It is unlawful for any person to retain more than ten wild steelhead from the Clearwater River))~~ per day from those waters in which wild steelhead retention is allowed.

(15) Possession limit. Except as otherwise provided, the possession limit is two daily limits in fresh, frozen or processed form.

(16) Marine waters rules: These rules apply to all marine waters contained within the boundaries of Washington state, within Puget Sound, Hood Canal, the Strait of Juan de Fuca, the San Juan Islands, the Strait of Georgia, and the Pacific Ocean, including estuaries (river mouths) from salt water upstream to a line between the outermost headlands measured at the highest high tide (usually the debris line furthest inshore on surrounding beaches), unless otherwise described under area regulations (see individual areas, below):

(a) Fishing hours: Twenty-four hours per day year around except those waters of Area 10 west of the Lake Washington Ship Canal to a north-south line 175 feet west of the Burlington-Northern Railroad Bridge are closed waters.

(b) License requirements: A valid current Washington state department of fish and wildlife saltwater license, and, if appropriate, a sport catch record card, is required to fish for game fish including steelhead in marine waters. All steelhead taken from marine areas shall be entered on the catch record card using the words Marine Area and followed by the appropriate marine area code number.

(c) Gear restrictions: Angling gear only, and in those waters of Area 10 downstream of the First Avenue South Bridge to an east-west line through southwest Hanford Street on Harbor Island and parallel to southwest Spokane Street where it crosses Harbor Island, nonbuoyant lure restriction July 1 through November 30. In all areas, underwater spearfishing, spearing, gaffing, clubbing, netting, or trapping game fish is unlawful.

(d) All species: Release all fish except up to two hatchery steelhead may be retained per day.

AMENDATORY SECTION (Amending Order 95-103, filed 8/15/95, effective 9/15/95)

WAC 232-12-019 Classification of game fish. As provided in RCW 77.12.020 and in addition to those species identified in RCW 77.08.020 the following species of the class *Osteichthyes* are classified as game fish:

<u>Scientific Name</u>	<u>Common Name</u>
<i>Salvelinus confluentus</i>	Bull Trout
<i>Catostomus columbianus</i>	Bridgelip Sucker
<i>Catostomus macrocheilus</i>	Largescale Sucker
<i>Catostomus catostomus</i>	Longnose Sucker
<i>Catostomus platyrhynchus</i>	Mountain Sucker

<u>Scientific Name</u>	<u>Common Name</u>
<i>Ctenopharyngodon idella</i>	Grass Carp
<i>Esox lucius</i> and hybrids involving genus <i>Esox</i>	Northern Pike Tiger Muskellunge
<i>Meilocheilus caurinus</i>	Pearmouth Chub
<i>Oncorhynchus tshawytscha</i> (in its landlocked form as defined in WAC 232-12-018)	Chinook salmon
<i>Oncorhynchus kisutch</i> (in its landlocked form as defined in WAC 232-12-018)	Coho salmon
<i>Pylodictus olivaris</i>	Flathead Catfish
<i>Ptychocheilus oregonensis</i>	Northern ((Squaw- fish)) <u>Pikeminnow</u>

Northern ((~~squawfish~~)) pikeminnow lawfully taken may be offered for sale, sold, purchased or traded.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 232-12-147	Maximum number of fishing lines and hooks—Snagging and gaffing fish unlawful.
WAC 232-12-151	Fly fishing rules.

AMENDATORY SECTION (Amending Order 01-107, filed 6/21/01, effective 7/22/01)

WAC 232-28-619 Washington food fish and game fish—Freshwater exceptions to statewide rules. (1) All freshwater streams and lakes not listed as open for salmon fishing are closed.

(2) County freshwater exceptions to statewide rules:

(a) Adams and Grant counties: All seasons in specific freshwater exceptions to statewide rules apply to inlet and outlet streams of named lakes in Grant and Adams counties.

(b) Adams, Douglas, Franklin, Grant, and Okanogan counties, except Zosel Dam (Okanogan River): Lawful to fish to base of all dams.

(c) Benton County: Rivers, streams and beaver ponds open year around.

(d) Ferry and Lincoln counties: Except those tributaries listed under specific water exceptions to statewide rules, all tributaries to Lake Roosevelt between Grand Coulee Dam and the State Highway 25 Bridge at Northport except Barnaby and Nancy creeks: Trout: Daily limit 5, no minimum size.

(e) Kitsap County and Mason County on Tahuya Peninsula west of Belfair-Bremerton Highway (S.R. 3): Beaver ponds: Last Saturday in April through October 31 season. Trout: No minimum length.

(3) Specific freshwater exceptions to statewide rules:

Aberdeen Lake (Grays Harbor County): Last Saturday in April through October 31 season.

Abernathy Creek (Cowlitz County):

From mouth to a point five hundred feet downstream from salmon hatchery: June 1 through August 31 and November 1 through March 15 season. Trout: Minimum length ((~~twelve~~) fourteen inches. Release wild cutthroat. Release all steelhead June 1 through August 31.

From Abernathy Falls to posted markers five hundred feet downstream from salmon hatchery: Closed waters.

Aeneas Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one.

Ahtanum Creek, including North and Middle Forks (Yakima County): Selective gear rules. North Fork from Grey Rock Trailhead Bridge crossing to Shellneck Creek: Closed waters.

Alder Creek (Cowlitz County): Closed waters.

~~((Alder Lake (Reservoir) (Pierce/Thurston counties): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Aldrich Lake (Mason County): Last Saturday in April through October 31 season.

Aldwell Lake (Clallam County): Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with a motor permitted. Trout: Daily limit two, minimum length twelve inches.

Alexander Lake (Kitsap County): Closed waters.

Alkali Lake (Grant County): Crappie: Not more than five greater than eight inches in length. Bluegill: Not more than five greater than six inches in length. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Alta Lake (Okanogan County): Last Saturday in April through September 30 season.

Amber Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules, except electric motors allowed. Trout: Daily limit two, minimum length fourteen inches; release rainbow trout missing adipose fin. Additional season October 1 through November 30 and March 1 through last Saturday in April. Selective gear rules. All species: Release all fish.

American Lake (Pierce County): Chumming permitted. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

American River (Yakima County): Selective gear rules.

~~((Ancient Lake (Grant County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Anderson Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device

equipped with an internal combustion motor prohibited. From September 1 through October 31, selective gear rules and all species: Release all fish.

Armstrong Lake (Snohomish County): Last Saturday in April through October 31 season.

Asotin Creek, mainstem and forks (Asotin County): Closed to fishing for steelhead.

From SR 129 Bridge upstream to the forks: Lawful to fish up to base of Headgate Dam.

North Fork from mouth upstream to USFS boundary: Selective gear rules.

North Fork from USFS boundary upstream and all other tributaries: Closed waters.

South Fork and tributaries: Closed waters.

B.C. Mill Pond (Stevens County): Last Saturday in April through October 31 season.

Bachelor Creek (Yakima County): Year around season. Trout: Daily limit five, no minimum length.

Badger Lake (Spokane County): Last Saturday in April through September 30 season.

Baker Lake (Whatcom County): Last Saturday in April through October 31 season, except closed waters in an area two hundred feet in radius around the pump discharge at the south end of the lake. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Baker River (Skagit County): Mouth to Highway 20 Bridge: July 1 through July 31 and September 1 through October 31 season. Nonbuoyant lure restriction and night closure. Trout: Minimum length fourteen inches, except Dolly Varden/Bull Trout. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. Salmon: Open only July 1 through July 31. Daily limit two fish, release all salmon except sockeye salmon.

Highway 20 Bridge to Baker River fish barrier dam: Closed waters June 1 through August 31.

~~((Ballinger Lake (Snohomish County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Banks Lake (Grant County): Perch: Daily limit twenty-five.

Barnaby Slough (Skagit County): Closed waters.

Battle Ground Lake (Clark County): Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than 2 trout 20 inches or greater in length may be retained.

Bay Lake (Pierce County): Last Saturday in April through October 31 season.

Bayley Lake (Stevens County): Last Saturday in April through July 4 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length fourteen inches. Additional season, July 5 through October 31. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish. Inlet stream: Closed waters.

Bear Creek (Yakima County), tributary to South Fork Tieton River: From the mouth to the falls (approximately 3/4 mile): Closed waters.

Bear Lake (Spokane County): Juveniles, holders of disability licenses, and licensed adults accompanied by a juvenile only.

Bear River (Pacific County): June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 downstream from the Lime Quarry Road. Upstream from the Lime Quarry Road: Selective gear rules June 1 through March 31. All game fish: Release all fish. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult fish and of these two fish no more than one may be a wild adult coho. Release adult chinook.

~~((Bearpaw Lake (Whatcom County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily and possession limit one, minimum length eighteen inches.))~~

Beaver Creek (tributary to Elochoman River) (Wahkiakum County): Closed waters.

Beaver Lake (Clallam County): Selective gear rules except electric motors allowed. Trout: Daily limit one.

Beaver Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

~~((Beaver Lake (King County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Beda Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Beehive (Lake) Reservoir (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Bennington Lake (Mill Creek Reservoir) (Walla Walla County): Fishing from a floating device equipped with an internal combustion motor prohibited.

Benson Lake (Mason County): Last Saturday in April through October 31 season.

Berry Creek (tributary to Nisqually River) (Lewis County): Selective gear rules.

Big Bear Creek (tributary of Sammamish River) (Snohomish/King counties): Closed waters.

Big Beaver Creek (Whatcom County):

From closed water markers on Ross Lake upstream one-quarter mile: Closed waters.

From one-quarter mile markers upstream, including tributary streams, and beaver ponds that are tributary to Big Beaver Creek: July 1 through October 31 season. Selective gear rules. All species: Release all fish.

Big Beef Creek (Kitsap County): June 1 through October 31 season. Trout: Release all cutthroat trout.

Big Four Lake (Columbia County): March 1 through October 31 season. Fly fishing only. Fishing from any floating device prohibited. Trout: Daily limit two.

Big Lake (Skagit County): ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~ Salmon: Landlocked salmon rules apply.

Big Meadow Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Big Quilcene River (Jefferson County):

From mouth to upper boundary of Falls View Campground June 1 through last day in February season except closed August 16 through October 31 from mouth to Rodgers Street: August 16 through December 31 - closed to fishing from one hour after official sunset to one hour before official sunrise in those waters upstream from Rodgers Street to the Highway 101 Bridge. Selective gear rules. All game fish: Release all fish. Salmon: Open only August 16 through October 31 from Rodgers Street to the Highway 101 Bridge. Daily limit 4 coho salmon.

From Highway 101 Bridge upstream to the electric weir at the Quilcene National Fish Hatchery: Closed waters.

Big River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Wild steelhead may be retained December 1 through last day in February.

Big Twin Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules except electric motors permitted. Trout: Daily limit one.

Bird Creek (Klickitat County): Trout: Daily limit five.

Black Lake (Lower Wheeler Reservoir) (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Black Lake (Okanogan County): Selective gear rules.

Black Lake (Pacific County): Last Saturday in April through October 31 season.

Black Lake (Stevens County): Last Saturday in April through October 31 season.

~~((Black Lake (Thurston County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Black River (Thurston County), from mouth to Black Lake and including all tributaries west of Interstate Highway 5, including Waddell Creek, Mima Creek, Dempsey Creek, Beaver Creek, Salmon Creek and Blooms Ditch: Selective gear rules. Trout: Minimum length fourteen inches.

Blockhouse Creek (Klickitat County): Trout: Daily limit five.

Bloodgood Creek (Klickitat County): Trout: Daily limit five.

Blue Creek (Lewis County), from mouth to Spencer Road: Closed waters except December 1 through December 31 sea-

son from mouth to posted sign at rearing pond outlet. Closed waters: Upstream from cable crossing to posted signs at fence. Nonbuoyant lure restriction and night closure. Only wheelchair-bound anglers may fish from posted signs above rearing pond to posted signs approximately 40 feet downstream at fence including the rearing pond outlet. Trout: Daily limit five. Minimum size 12 inches no more than two fish over 20 inches. Release wild cutthroat, wild steelhead and hatchery steelhead with missing right ventral fin.

Blue Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Blue Lake (Cowlitz County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Blue Lake (Grant County): Last Saturday in April through September 30 season.

Blue Lake (near Sinlahekin) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules, except electric motors allowed. Trout: Daily limit one.

Blue Lake (near Wannacut Lake) (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules, except electric motors allowed. Trout: Daily limit one.

Bobcat Creek and Ponds (Adams County): ~~((March))~~ April 1 through September 30 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Bogachiel River (Clallam County), from mouth to Olympic National Park boundary: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to Olympic National Park boundary. Trout: Minimum length fourteen inches. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. July 1 through August 31 release wild adult coho and wild adult chinook.

Bonaparte Lake (Okanogan County): Trout: No more than one over twenty inches in length may be retained.

Bosworth Lake (Snohomish County): Last Saturday in April through October 31 season.

Boundary Creek (Clallam County): Closed waters.

Bowman Creek (Klickitat County): Trout: Daily limit five.

Box Canyon Creek (Kittitas County), from mouth to ~~((bridge on USFS Road No. 4930))~~ waterfall approximately 2 miles upstream: Closed waters.

Boxley Creek (North Bend) (King County), from its mouth to the falls located at approximately river mile 0.9: Closed waters.

Boyle Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Boyle Lake are closed waters.

Bradley Lake (Pierce County): ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~ Salmon: Landlocked salmon rules apply.

Bridges Lake (King County): Last Saturday in April through October 31 season. The inlet and outlet streams to Bridges Lake are closed waters.

Brookies Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Browns Creek (Pend Oreille County): Fly fishing only.

Browns Lake ~~((and inlet streams))~~ (Pend Oreille County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: No more than one fish greater than 11 inches in length may be retained.

Buck Lake (Kitsap County): Last Saturday in April through October 31 season.

Buckskin Creek and tributaries (Yakima County), from mouth to the west boundary of Suntides Golf Course: Closed waters.

Bumping Lake (Reservoir) (Yakima County): Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Bumping River (Yakima County):

From mouth to Bumping Reservoir: Lawful to fish to base of Bumping Dam. Selective gear rules June 1 through October 31. Whitefish: Additional December 1 through March 31 season. ~~((Terminal gear limited to one single hook. Release all fish other than))~~ Whitefish gear rules apply.

Burbank Slough (Walla Walla County): Fishing from any floating device prohibited.

Burke Lake (Grant County): March 1 through July 31 season.

Burley Creek (Kitsap County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Butter Creek (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Buttermilk Creek, mouth to confluence of East and West Forks (Okanogan County): Closed waters.

Cady Lake (Mason County): Fly fishing only. Fishing from a floating device equipped with an internal combustion motor prohibited. All species: Release all fish.

Cain Lake (Whatcom County): Last Saturday in April through October 31 season.

Calawah River (Clallam County), from mouth to forks: June 1 through April 30 season. December 1 through April 30, selective gear rules from Highway 101 to forks. Trout: Minimum length fourteen inches. December 1 through April 30, mouth to Highway 101, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to Highway 101 Bridge. Daily limit 6 fish of

which no more than 2 may be adult salmon. July 1 through August 31 release wild adult coho and wild adult chinook.

Calawah River, South Fork (Clallam County) from mouth to Olympic National Park boundary: June 1 through last day in February season. December 1 through last day in February, selective gear rules. Trout: Minimum length fourteen inches.

Caldwell Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: Daily limit two, minimum length twelve inches.

Caliche Lakes, Lower, Upper and West (Grant County): March 1 through July 31 season.

Calispell Creek (Calispell River) (Pend Oreille County):

From mouth to Calispell Lake: Year around season.

From Calispell Lake upstream to source: Selective gear rules.

Calligan Lake (King County): June 1 through October 31 season. All tributary streams, and the upper third of the outlet are closed waters.

Campbell Creek (Mason County): Closed waters.

Campbell Lake (Okanogan County): April 1 through August 31: Selective gear rules and all species: Release all fish.

~~((Campbell Lake (Skagit County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Canyon Creek (Clark County): Trout: Daily limit five.

Canyon River (Mason County and Grays Harbor County): Closed waters.

Canyon Creek (S.F. Stillaguamish River) (Snohomish County), mouth to forks: June 1 through last day in February season. Trout: Minimum length fourteen inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~

Capitol Lake (Thurston County), from its outlet to a point four hundred feet below the lowest Tumwater Falls (Deschutes River) fish ladder: Closed waters: Percival Cove, west of a set of markers on the western shoreline of the south basin of Capitol Lake. June 1 through March 31 season. Non-buoyant lure restriction and night closure August 1 through November 30. Trout: June 1 through July 31 daily limit five, minimum length eight inches. August 1 through March 31 daily limit two, minimum length fourteen inches. Salmon: Open only July through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Carbon River (Pierce County), from its mouth to Voight Creek: June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Voight Creek to Highway 162 Bridge: June 1 through August 15 and December 1 through March 31 season: Trout: Minimum length 14 inches. Salmon: Open only September 1 through November 30 mouth to Voight Creek. Daily limit 6 fish of which no

more than 4 may be adult salmon and of these 4 fish no more than 2 may be chinook. Release pink and chum salmon.

Carlisle Lake (Lewis County): Last Saturday in April through last day in February season. Fishing from a floating device equipped with an internal combustion motor prohibited. Bass: Minimum length fourteen inches. Salmon: Landlocked salmon rules apply.

Carl's Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Carney Lake (Pierce County): Last Saturday in April through June 30 and September 1 through November 30 seasons. Fishing from a floating device equipped with an internal combustion motor prohibited. Salmon: Landlocked salmon rules apply.

Carson Lake (Mason County): Last Saturday in April through October 31 season.

Cascade Lake (Grant County): March 1 through July 31 season.

Cascade Lake (San Juan County): Last Saturday in April through October 31 season.

Cascade River (Skagit County):

From the mouth to the Rockport-Cascade Road Bridge: October 1 through last day in February season. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~ Salmon: Open only October 1 through November 30. Daily limit 2 salmon. Release wild coho.

From the Rockport-Cascade Road Bridge upstream: June 1 through last day in February season. Trout: Trout except Dolly Varden/Bull Trout, minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~

Cases Pond (Pacific County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Cashmere Pond (Chelan County): Juveniles only.

~~((Cassidy Lake (Snohomish County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Castle Lake (Cowlitz County): Selective gear rules. Trout: Daily limit one, minimum length sixteen inches.

Cattail Lake (Grant County): ~~((March))~~ April 1 through ~~((March 31 and September 1 through))~~ September 30 season(s).

Cavanaugh Lake (Skagit County): Chumming permitted.

Cedar Creek (tributary of N.F. Lewis) (Clark County), from mouth to Grist Mill Bridge: From the Grist Mill Bridge to 100 feet upstream of the falls: Closed waters. June 1 through

March 15 season. Trout: Minimum length twelve inches. Release wild cutthroat.

Cedar Creek (Jefferson County): June 1 through last day in February season. Trout: Minimum length fourteen inches. December 1 through last day in February wild steelhead may be retained.

Cedar Creek (Okanogan County), from mouth to Cedar Falls: Closed waters.

Cedar Lake (Stevens County): Last Saturday in April through October 31 season.

Cedar River (King County), from mouth to Cedar Falls: Closed waters.

Chain Lake (Pend Oreille County): Last Saturday in April through October 31 season. Release Kokanee.

Chambers Creek Estuary (downstream from markers 400 feet below the Boise-Cascade Dam to the Burlington Northern Railroad Bridge) (Pierce County): July 1 through November 15 season. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release wild coho.

Chambers Lake (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules, except electric motors allowed. Trout: Release all trout.

~~((Chambers Lake (Thurston County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Chaplain Lake (Snohomish County): Closed waters.

Chapman Lake (Spokane County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Chehalis River (Grays Harbor County), from Highway 101 Bridge in Aberdeen to high bridge on Weyerhaeuser 1000 line (approximately 400 yards downstream from Roger Creek): June 1 through April 15 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only April 16 through July 31 from mouth to high bridge, September 1 through January 31 from mouth to Porter Bridge, and October 16 through February 28 from Porter Bridge to high bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. September 1 through January 31, mouth to Porter Bridge, the daily limit may contain no more than one wild adult coho and one adult chinook, and release all chum. October 16 through November 30, Porter Bridge to High Bridge, the daily limit may contain no more than one wild adult coho, and release chum and adult chinook. December 1 through February 28, Porter Bridge to High Bridge, release chum, adult chinook and wild adult coho. Sturgeon: Open year-round from mouth to high bridge on Weyerhaeuser 1000 line.

Chehalis River, South Fork (Lewis County), from mouth to Highway Bridge at Boistfort: June 1 through April 15 season. Trout: Minimum length fourteen inches.

Chehalis River Potholes (adjacent to the Chehalis River south of Highway 12 in Grays Harbor County, this does not include sloughs or beaver ponds): Last Saturday in April through October 31 season.

Chelan Hatchery Creek (Chelan County): Closed waters.

Chelan Lake (Chelan County): ~~((Year-round season except closed April 1 through June 30 north of a line between Purple Point at Stehekin and Painted Rocks and April 1 through June 30 within 400 feet of the mouths of all tributaries north of Fields Point.))~~ Trout except kokanee and lake trout: Daily limit ~~((two 15 inches minimum except May 15 through September 30 east of Fields Point daily limit))~~ 5 ~~((, minimum length 8 inches no more than 2 over 15 inches in length)).~~ Release wild cutthroat. Lake trout not counted in daily trout limit. Lake trout no minimum size, no daily limit. Kokanee not counted in daily trout limit. Kokanee daily limit five, no minimum length. ~~((Salmon: Landlocked salmon rules apply, except minimum length 15 inches.))~~ Burbot: Set line gear allowed. North of a line between Purple Point at Stehekin and Painted Rocks and within 400 feet of the mouths of all tributaries: April 1 through July 31: All species: Release all fish except lake trout. Salmon: Open only May 1 through May 31 south of a line from Purple Point to Painted Rocks and outside of 400 feet of the mouths of all tributaries: Daily limit 1, minimum length 15 inches.

Chelan Lake Tributaries (Chelan County), from mouths upstream one mile except Stehekin River: ~~((July))~~ August 1 through ((October 31)) September 30 season. Selective gear rules. Trout: Release wild cutthroat.

Chelan River (Chelan County): ~~((Closed waters.))~~ Railroad bridge to PUD safety barrier: Closed waters PUD safety barrier to Chelan Dam. May 1 through August 31 season. Trout: Release all trout.

Chewuch River (Chewack River) (Okanogan County), from mouth to Eight Mile Creek: June 1 through September 30 season. Selective gear rules. All species: Release all fish.

Upstream from Eight Mile Creek to Pasayten Wilderness boundary: Closed waters June 1 through October 31.

From mouth to Pasayten Wilderness boundary: Additional December 1 through March 31 season. ~~((Terminal gear restricted to one single hook, maximum hook size number 14. All species: Release all fish except))~~ Whitefish gear rules apply.

Chimacum Creek (Jefferson County):

From mouth to Ness's Corner Road: June 1 through August 31 season. Trout: Minimum length fourteen inches.

From Ness's Corner Road to headwaters: Trout: Minimum length fourteen inches.

Chiwaukum Creek (Chelan County): Mouth to Fool Hen Creek: Closed waters.

Chiwawa River (Chelan County): Mouth to Buck Creek: Closed waters.

Chopaka Lake (Okanogan County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a

floating device equipped with a motor prohibited. Trout: Daily limit one.

Cispus River (Lewis County), from mouth to North Fork: Trout: Release all cutthroat. Additional season November 1 through May 31, ~~((steelhead only))~~ release all game fish other than steelhead. Salmon: Open year around. Daily limit 6 fish, of which no more than 2 fish may be adult salmon January 1 through September 30 and no more than 4 fish may be adult salmon October 1 through December 31. Salmon minimum size 8 inches. Release wild coho.

Cispus River, North Fork (Lewis County): Trout: No more than one over twelve inches in length.

Clallam River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Clara Lake (Mason County): Last Saturday in April through October 31 season.

Clear Lake (Chelan County): Last Saturday in April through October 31 season. From July 5 through October 31, selective gear rules and all species: Release all fish.

Clear Lake (Pierce County): Last Saturday in April through October 31 season. Chumming permitted. Salmon: Landlocked salmon rules apply.

Clear Lake (Spokane County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Clear Lake (Thurston County): Last Saturday in April through October 31 season.

Clearwater River (Jefferson County):

From mouth to Snahapish River: June 1 through April 15 season. Single point barbless hooks required September 1 through November 30. Trout: Minimum length fourteen inches. December 1 through April 15, one wild steelhead per day may be retained. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon.

From Snahapish River upstream: Trout, minimum length fourteen inches.

Cle Elum Lake (Reservoir) (Kittitas County): Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen, no minimum size. Burbot: Set line gear allowed.

Cle Elum River (Kittitas County), from mouth to Cle Elum Dam: Lawful to fish to base of Cle Elum Dam. Selective gear rules. ~~((Whitefish:))~~ Cle Elum Lake to Salmon La Sac Campground Bridge: Selective gear rules. Additional December 1 through March 31 season mouth to Cle Elum Dam. ((Release all fish except)) Whitefish gear rules apply. ((Terminal gear restricted to one single hook.))

Cliff Lake (Grant County): March 1 through July 31 season.

Cloquallum Creek (Grays Harbor County):

From mouth to second bridge on Cloquallum Road: June 1 through last day in February season. Trout: Minimum length fourteen inches.

From mouth to Highway 8 Bridge: Additional March 1 through March 31 season. Trout: Minimum length fourteen inches.

Clough Creek (North Bend) (King County): Closed waters.

Clover Creek (Pierce County), within the boundaries of McChord Air Force Base: Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Coal Creek (Cowlitz County), from mouth to four hundred feet below falls: June 1 through August 31 and November 1 through last day in February season. Trout: Minimum length fourteen inches. Release wild cutthroat.

Coal Creek (tributary of Lake Washington) (King County): Closed waters.

Coal Creek (near Snoqualmie) (King County), from mouth to Highway I-90: Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Coffee Pot Lake (Lincoln County): March 1 through ~~((August 31))~~ September 15 season. Selective gear rules except motors allowed. Trout: Daily limit two. Bass: Daily limit two, maximum length fourteen inches. Crappie: Daily limit ten.

Coldwater Lake (Cowlitz County): Selective gear rules except use of electric motors allowed. Trout: Daily limit one, minimum length sixteen inches.

Coldwater Lake inlet and outlet streams (Cowlitz County): Closed waters.

Colville River (Stevens County):

From mouth to bridge at Town of Valley: Year-round season. Trout: Daily limit five fish, not more than two of which may be brown trout October 1 through November 30. Walleye: No minimum size. Daily limit eight fish not more than one of which may be longer than 20 inches. Release walleye 16 to 20 inches in length.

From bridge at Valley upstream and tributaries: Selective gear rules.

Columbia Basin Hatchery Creek (Grant County): Hatchery outflow to confluence with mainstem Hatchery Creek: Juveniles and holders of disability licenses only. Mainstem Hatchery Creek: Juveniles and licensed adults accompanied by a juvenile only.

Columbia Park ~~((Family Fishing))~~ Pond (Benton County): Juveniles and ~~((licensed adults accompanied by a juvenile))~~ holders of disability licenses only. All species: Daily limit of five fish combined.

Columbia River, including impoundments and all connecting sloughs, except Wells Ponds: Year-round season unless otherwise provided. General species provisions (unless otherwise provided for in this section): Bass: Below Priest Rapids Dam: Daily limit five fish, not more than three of which may be over 15 inches. Trout: Daily limit two fish, minimum length 12 inches, except release all Dolly Varden/Bull Trout.

Walleye: Daily limit five fish of which not more than one may be over 24 inches, minimum length 18 inches. Whitefish: Daily limit 15 fish. All other gamefish: No daily limit, except release all grass carp.

In the Columbia River between Washington and Oregon, the license of either state is valid. Anglers must comply with the fishing regulations of the state in which they are fishing. This provision does not allow an angler licensed in Oregon to fish on the Washington shore, or in the sloughs or tributaries in Washington.

Anglers fishing the Columbia River are restricted to one daily limit, as defined by the laws of the state in which they are fishing, even if they are licensed by both states.

From a true north-south line through Buoy 10 to a line between Rocky Point in Washington to Tongue Point in Oregon: Trout: Release wild cutthroat. Release all trout April 1 through July 31. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Fishing from the north jetty is allowed during salmon season openings. Salmon: Open only August 1 through March 31. August 1 through August 15 daily limit 2 salmon, except the daily limit may contain no more than 1 chinook. Release chum, sockeye, wild coho, chinook less than 24 inches in length, and coho salmon less than 16 inches in length. August 16 through September 30, daily limit 3 salmon, except the daily limit may contain no more than one chinook. Release chum, sockeye, wild coho, chinook less than 24 inches in length, and coho less than 16 inches in length. October 1 through December 31 daily limit 6 fish of which no more than 3 may be adult salmon and not more than one of the three may be a chinook. Release chum, sockeye, and wild coho. January 1 through March 31 daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, sockeye, and wild coho. Fishing from the north jetty for salmon open during both Area 1 and Buoy 10 fishery openings.

From the Rocky Point - Tongue Point line to the I-5 Bridge: Trout: Release wild cutthroat. Release all trout April 1 through May 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Salmon: Open only (~~August 1~~) May 16 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum, (~~sockeye, and~~) wild coho and adult chinook. Release sockeye August 1 through March 31.

From the I-5 Bridge to the Highway 395 Bridge at Pasco (~~, including Drano Lake~~): Closed waters: (1) From the upstream line of Bonneville Dam to boundary markers located six hundred feet below the fish ladder. (2) Waters from the upstream side of the Interstate Bridge at The Dalles to upper line of The Dalles Dam except that bank fishing is permitted up to the downstream navigation lock wall on the Washington shore. (3) From John Day Dam downstream about three thousand feet except that bank fishing is permitted up to four hundred feet below the fishway entrance on the Washington shore. (4) From McNary Dam downstream to a line across the river from the red and white marker on the Oregon shore on a line that intersects the downstream end of the wing wall of the boat lock near the Washington shore.

September 1 through October 15: Nonbuoyant lure restriction and night closure from Bonneville Dam to The Dalles Dam. Trout: Release wild cutthroat from I-5 Bridge to Bonneville Dam and release all cutthroat in the waters of Drano Lake. Release all trout April 1 through June 15. Walleye: No minimum size. Daily limit ten, of which no more than five may be greater than eighteen inches in length and one greater than twenty-four inches in length. Sturgeon: (1) Sturgeon fishing is closed from Bonneville Dam to a line from a boundary marker on the Washington shore approximately 4,000 feet below the fish ladder to the downstream end of Cascade Island to an Oregon angling boundary on Bradford Island. (2) It is unlawful to fish for sturgeon except with hand-casted lines from shore from Bonneville Dam to a line from the Hamilton Island boat ramp to an Oregon boundary marker on Robins Island. (3) It is unlawful to fish for sturgeon or possess sturgeon taken from a floating device May 1 through July 15 downstream from the Bonneville Dam boating deadline to a line between markers on the shore at Beacon Rock. (4) Release sturgeon September 1 through December 31 from the upstream line of Bonneville Dam and 400 feet below McNary Dam. Salmon: Open only (~~August 1~~) June 16 through December 31 except closed November 1 through December 31 from Beacon Rock to Bonneville Dam. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum (~~, sockeye, and~~). Release wild coho (~~except wild coho may be retained in the daily limit from The Dalles Dam to McNary~~) taken downstream from Bonneville Dam. Release sockeye August 1 through December 31. Release chinook 24 inches and greater in length.

From the Highway 395 Bridge at Pasco to the old Hanford townsite (wooden towers) powerline crossing, in Sec. 30, T13N, R28E except Ringold Hatchery waters: Closed waters: Ringold Springs Creek (Hatchery Creek). Trout: Release all trout. Salmon: Open only August 16 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. (~~Release wild coho~~) Ringold Hatchery waters (from WDFW markers 1/4 mile downstream from the Ringold wasteway outlet to WDFW markers 1/2 mile upstream from Spring Creek): Open only May 15 through July 31 to fishing from the bank on the hatchery side of the river. Trout: Release all fish except hatchery steelhead. Salmon: Daily limit 2 fish.

From the old Hanford townsite (wooden towers) powerline crossing in Sec. 30, T13N, R28E, to Vernita Bridge, (Highway 24): All species: February 1 through October 22 season. Trout: Release all trout. Salmon: Open only August 16 through October 22. Daily limit 6 fish of which no more than 2 fish may be adult salmon. (~~Release wild coho~~)

From Vernita Bridge (Highway 24) to Priest Rapids Dam: Closed waters: (1) Priest Rapids Dam - waters between the upstream line of Priest Rapids Dam downstream to the boundary markers six hundred fifty feet below the fish ladders. (2) Jackson (Moran Creek or Priest Rapids Hatchery outlet) Creek - all waters of the Priest Rapids Hatchery system to the outlet on the Columbia River, extending to mid-stream Columbia between boundary markers located one hundred feet upstream and four hundred feet downstream of the mouth. Trout: Release all trout. Salmon: Open only August 16 through (~~December 31~~) October 22. Daily limit

6 fish of which no more than 2 may be adult salmon(~~(, except November 1 through December 31 release adult salmon)~~). (~~Release wild coho.~~)

From Priest Rapids Dam to Chief Joseph Dam, including up to base of Washburn Pond outlet structure: Closed waters: (1) Wanapum Dam - waters between the upstream line of Wanapum Dam to the boundary markers seven hundred fifty feet downstream of the east fish ladder and five hundred feet downstream of the west fish ladder. (2) Rock Island Dam to boundary markers four hundred feet downstream of the fish ladders. (3) Rocky Reach Dam - waters between the upstream line of Rocky Reach Dam to boundary markers four hundred feet downstream of the fish ladders. (4) Wells Dam - waters between the upstream line of Wells Dam to boundary markers four hundred feet downstream of the spawning channel discharge (Chelan County) and fish ladder (Douglas County). (5) Chief Joseph Dam - closed to fishing from the Okanogan County shore between the dam and the Highway 17 Bridge. Closed to fishing from a floating device from the boundary marker to the Corps of Engineers safety zone marker. Trout: Release all trout. Sturgeon: Release all sturgeon.

Above Chief Joseph Dam: See Lake Roosevelt and Rufus Woods Lake.

Conconully Lake (Okanogan County): Last Saturday in April through October 31 season.

Conconully Reservoir (Okanogan County): Last Saturday in April through October 31 season.

Conger Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Connelly Creek and tributaries (Lewis County), from four hundred feet below the city of Morton Dam to its source: Closed waters.

Conner Lake (Okanogan County): Last Saturday in April through October 31 season.

Cooper River (Kittitas County): Mouth to Cooper Lake: Selective gear rules.

Coot Lake (Grant County): (~~March~~) April 1 through (July 31) September 30 season.

Copalis River (Grays Harbor County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through January 31 from mouth to Carlisle Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon.

Cottage Lake (King County): Last Saturday in April through October 31 season.

Cottonwood Creek (Lincoln County): Year-round season.

Cougar Creek (tributary to Yale Reservoir) (Cowlitz County): June 1 through August 31 season.

Cougar Lake (near Winthrop) (Okanogan County): September 1 through March 31 season.

Coulter Creek (Kitsap/Mason counties): Trout: Minimum length fourteen inches.

County Line Ponds (Skagit County): Closed waters.

~~((Cow Lake (Adams County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Coweeman River (Cowlitz County), from mouth to Mulhol-land Creek: June 1 through March 15 season. Trout: Minimum length twelve inches. Release wild cutthroat.

Cowiche Creek (Yakima County): Selective gear rules.

Cowlitz Falls Reservoir (Lake Scanewa) (Lewis County): June 1 through last day in February season. The upstream boundary of the reservoir in the Cowlitz arm is the posted PUD sign on Peters Road. The upstream boundary of the reservoir in the Cispus arm is the posted markers at the Lewis County PUD kayak launch, approximately 1.5 miles upstream from the confluence of the Cowlitz and Cispus arms. Trout: Daily limit five, minimum length eight inches. Salmon: Landlocked salmon rules apply except October 1 through December 31 daily limit 6 fish, of which not more than 4 may be adult salmon and of which not more than five may be trout.

Cowlitz River (Lewis County):

From mouth to Mayfield Dam: Year-round season. Lawful to fish up to four hundred feet or the posted deadline at barrier dam. From the barrier dam downstream to a line from the mouth of Mill Creek to a boundary marker on the opposite shore, it is unlawful to fish from any floating device. Nonbuoyant lure restriction and night closure April 1 through October 31 from mouth of Mill Creek to the barrier dam. All game fish: Release all fish except steelhead April 1 through May 31. Trout: Daily limit five, minimum length twelve inches, no more than two over twenty inches. Release wild cutthroat. Below Barrier Dam release all steelhead missing right ventral fin. Salmon: Open only August 1 through April 30 mouth to Barrier Dam. Daily limit 6 fish of which no more than 2 may be adult salmon, except September 1 through December 31 daily limit may contain 6 hatchery adult coho. Release chum and wild coho August 1 through April 30. Release chinook August 1 through December 31. Release wild chinook January 1 through July 31.

From Mayfield Dam to mouth of Muddy Fork: Year-round season. Trout: Release cutthroat. Salmon: Open (~~(year-around)~~) year-round from upstream boundary of Lake Scanewa. Daily limit 6 fish of which no more than 2 may be adult salmon, except up to 4 adults may be retained October 1 through December 31. Salmon minimum size 8 inches. Release wild coho. Release wild chinook January 1 through July 31.

Cowlitz River, Clear and Muddy Forks (Lewis County): Trout: Daily limit five, no more than one over twelve inches in length may be retained.

Coyote Creek and Ponds (Adams County): (~~March~~) April 1 through September 30 season. (~~Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.~~)

Crab Creek (Adams/Grant counties):

From Highway 26 to Morgan Lake Road in Section 36: March 1 through September 30 season.

From Morgan Lake Road in Section 36 to O'Sullivan Dam (including Marsh Unit I and II impoundments): Closed waters.

Crab Creek (Lincoln ~~((County))~~/Grant counties) and tributaries: Year-round season. Closed waters: March 1 through May 31 from State Highway 17 to Grant County Road 7.

Crabapple Lake (Snohomish County): Last Saturday in April through October 31 season.

Cranberry Creek (Mason County), mouth to Lake Limerick: Closed waters.

Crawfish Lake (Okanogan County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Crescent Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Crescent Lake (Pierce County): Last Saturday in April through October 31 season.

Crocker Lake (Jefferson County): Closed waters.

Crystal Lake (Grant County): March 1 through July 31 season.

Cup Lake (Grant County): March 1 through July 31 season.

Curl Lake (Columbia County): Last Saturday in April through October 31 season. Fishing from any floating device prohibited.

Curley Creek (Kitsap County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Cushman Reservoir (Mason County): Salmon: Landlocked salmon rules apply.

Dakota Creek (Whatcom County): Salmon: Open only October 1 through December 31 from mouth to Giles Road Bridge. Daily limit 2 salmon.

Damon Lake (Grays Harbor County): June 1 through October 31 season.

Davis Lake (Ferry County): Last Saturday in April through October 31 season.

Davis Lake (Lewis County): Last Saturday in April to last day in February season.

Davis Lake (Okanogan County): April 1 through August 31: Selective gear rules except electric motors allowed, and all species: Release all fish.

Davis Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dayton Pond (Columbia County): Juveniles only.

Deadman Lake (Adams County): ~~((March))~~ April 1 through September 30 season.

De Coursey Pond (Pierce County): Last Saturday in April through November 30 season. Juveniles only. Salmon: Landlocked salmon rules apply.

Deep Creek (Clallam County): ~~((Closed waters:))~~ December 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead may be retained.

Deep Creek (tributary to Bumping Lake) (Yakima County): Mouth to second bridge crossing on USFS Rd. 1808 (approximately 3.7 miles from junction of USFS Rds. 1800 and 1808): Closed waters.

Deep Lake (Grant County): Last Saturday in April through September 30 season.

Deep Lake (Stevens County): Last Saturday in April through October 31 season.

Deep Lake (Thurston County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Deep River (Wahkiakum County): Year-round season. Trout: Minimum length 14 inches. Salmon: Open year-round only from mouth to town bridge. Daily limit 6 fish of which no more than 2 may be adult salmon except September 1 through December 31 daily limit six fish of which no more than two may be adult chinook. Release chum and wild coho. Release wild chinook January 1 through July 31.

Deer Creek (Mason County): Closed waters.

Deer Creek and Little Deer Creek (tributaries to North Fork Stillaguamish) (Skagit County): Closed waters.

Deer Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Deer Lake (Island County): Last Saturday in April through October 31 season.

Deer (Deer Springs) Lake (Lincoln County): Last Saturday in April through September 30 season.

Deer Lake (Mason County): Last Saturday in April through October 31 season.

Deer Lake (Stevens County): Last Saturday in April through October 31 season. Trout: No more than two over twenty inches in length may be retained.

De Roux Creek (Yakima County): Selective gear rules.

Deschutes River (Thurston County), from old U.S. Highway 99 Bridge near Tumwater to Henderson Boulevard Bridge near Pioneer Park, except waters from Old Highway 99 Bridge to four hundred feet below lowest Tumwater Falls fish ladder are closed waters: June 1 through March 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

From Henderson Boulevard Bridge upstream: ~~((June 1 through March 31))~~ year-round season. Selective gear rules. All game fish: Release all fish except hatchery steelhead. Salmon: Open only July 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

~~((Desire Lake (King County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Devereaux Lake (Mason County): Last Saturday in April through October 31 season.

Devil's Lake (Jefferson County): Last Saturday in April through October 31 season.

Dewatto River (Mason County): Mouth to Bear Creek-Dewatto Road June 1 through last day in February season. Selective gear rules except September 16 through October 31 single point barbless hooks only from mouth to Dewatto-Holly Road Bridge. All game fish species: Release all fish. Salmon: Open only September 16 through October 31 mouth to Dewatto-Holly Road Bridge. Daily limit two coho. Release all salmon other than coho.

Upstream from Bear Creek-Dewatto Road: Selective gear rules. Game fish: Release all fish.

Diamond Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Dickey River (includes all forks) (Clallam County): June 1 through April 30 season. Trout: Minimum length fourteen inches. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only July 1 through November 30 from mouth to East Fork Dickey, including Olympic National Park. Daily limit 6 fish of which no more than 2 may be adult salmon. July 1 through August 31 release wild adult coho and wild adult chinook.

~~((Dollar Lake (Grant County): March 1 through July 31 season.))~~

Dosewallips River (Jefferson County), from mouth to Olympic National Park boundary about three-quarters mile downstream of falls: June 1 through last day in February season except closed September 1 through October 31 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only November 1 through December 15 from mouth to Highway 101 Bridge. Daily limit 2 chum salmon.

Dot Lake (Grant County): March 1 through July 31 season.

Downs Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season.

Dry Falls Lake (Grant County): Last Saturday in April through November 30 season. Selective gear rules. Trout: Daily limit one.

Duck Lake (Grays Harbor County): ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~ Crappie: Daily limit ten.

Duckabush River (Jefferson County), from mouth to the Olympic National Park Boundary: June 1 through last day in February season except closed September 1 through October 31 from mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only November 1 through December 15 from

mouth to Mason County P.U.D. No. 1 overhead electrical distribution line. Daily limit 2 chum salmon.

Dungeness River (Clallam County):

From mouth to junction of Gray Wolf and Dungeness rivers, October 16 through last day in February season. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through November 30 from mouth to the hatchery intake pipe at river mile 11.3. Daily limit 4 coho salmon.

From junction of Gray Wolf River upstream to Gold Creek - Closed waters.

From junction of Gold Creek upstream to headwaters: Trout: Minimum length fourteen inches.

Dusty Lake (Grant County): March 1 through July 31 season.

Early Winters Creek (Okanogan County): Closed waters.

East Twin River (Clallam County): Trout: Minimum length fourteen inches.

Easton Lake (Kittitas County): Saturday before Memorial Day through October 31 season. Trout: Daily limit five fish of which no more than 2 may be trout other than Eastern brook trout. Minimum length 8 inches.

Ebey Lake (Little Lake) (Snohomish County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit one, minimum length eighteen inches.

Echo Lake (Snohomish County): Last Saturday in April through June 30 and September 1 through October 31 season.

Eightmile Lake (Chelan County): Trout: Daily limit five, not more than two mackinaw may be retained.

Elbow Lake (Stevens County): Last Saturday in April through October 31 season.

~~((Elbow Lake (Thurston County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Elk River (Grays Harbor County), from the Highway 105 Bridge upstream: June 1 through last day in February season. Single point barbless hooks required August 16 through November 30 downstream of the confluence of the east and middle branches. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30 from Highway 105 Bridge to the confluence of the East and Middle Branches. Daily limit 6 fish of which no more than 2 may be adult salmon, except the daily limit may contain no more than one wild adult coho and one adult chinook. Release chum.

Ell Lake (Okanogan County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit one.

Ellen Lake (Ferry County): Last Saturday in April through October 31 season.

Elochoman River (Wahkiakum County): Closed waters: Waters from 100 feet above the upper hatchery rack downstream to the Elochoman Hatchery Bridge located 400 feet

below the upper hatchery rack; waters from a point 50 feet above to 100 feet below the outlet pipes from the most downstream Elochoman Hatchery rearing pond and extending 30 feet out from the south bank of the river; waters between the department of fish and wildlife temporary rack downstream to Foster (Risk) Road Bridge while rack is installed in the river; mainstem waters from the confluence of the west fork to source.

From mouth to West Fork: June 1 through March 15 season. Nonbuoyant lure restriction and night closure September 1 through October 31. Trout: Minimum length fourteen inches. Release wild cutthroat. Salmon: Open only September 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult chinook. Release chum and wild coho. October 1 through December 31 release chinook upstream of (~~Foster Road~~) Highway 4 Bridge.

Eloika Lake (Spokane County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Elwha River (Clallam County): Closed waters: From south spillway on Aldwell Lake Dam downstream two hundred feet and from approximately fifty yards upstream to fifty yards downstream of Elwha Tribal Hatchery outfall as posted.

From mouth to two hundred feet below the south spillway on the Aldwell Lake Dam: June 1 through last day in February season. Fishing from any floating device prohibited. August 1 through September 30, fly fishing only from mouth to the marker at the outfall of the WDFW rearing channel. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 15. Daily limit 6 coho salmon of which no more than 4 may be adult coho salmon.

From Lake Aldwell upstream to four hundred feet below spillway at Lake Mills Dam, including all tributaries except Indian Creek: Selective gear rules. Trout: Minimum length twelve inches.

Empire Lake (Ferry County): Last Saturday in April through October 31 season.

Enchantment Park Ponds (Chelan County): Juveniles only.

Entiat River (Chelan County), from mouth to Entiat Falls: December 1 through March 31 season. (~~Terminal gear restricted to one single hook, maximum hook size number 14. All species. Release all fish except~~) Whitefish gear rules apply.

Erie Lake (Skagit County): Last Saturday in April through October 31 season.

Failor Lake (Grays Harbor County): Last Saturday in April through October 31 season.

Fan Lake (Pend Oreille County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fazon Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15. Channel catfish: Daily and possession limit two.

Bass: Only bass less than twelve inches or over fifteen inches in length may be retained.

(~~Finnel Lake (Adams County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.~~)

Fio Rito Lakes (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

Fish Lake (Chelan County): Trout: No more than two over fifteen inches in length may be retained.

Fish Lake (Ferry County): Last Saturday in April through October 31 season.

Fish Lake (Okanogan County): Last Saturday in April through October 31 season.

Fish Lake (Spokane County): Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Fisher Slough (Snohomish County):

From mouth to Highway 530 Bridge: Year-round season. Trout: Minimum length fourteen inches. Wild steelhead may be retained December 1 through last day in February.

Upstream from Highway 530 Bridge: Trout: Minimum length fourteen inches.

Fishhook Pond (Walla Walla County): (~~Last Saturday in April~~) March 1 through October 31 season. Fishing from any floating device prohibited.

Fishtrap Creek (Whatcom County): From Koh Road to Bender Road: June 1 through October 31 season. Juveniles only.

Fishtrap Lake (Lincoln/Spokane counties): Last Saturday in April through September 30 season.

(~~Flowing Lake (Snohomish County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.~~)

Forde Lake (Okanogan County): Last Saturday in April through October 31 season.

Fort Borst Park Pond (Lewis County): Last Saturday in April through last day in February season. Juveniles and licensed adults accompanied by a juvenile only.

Fortson Mill Pond # 2 (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Fourth of July Lake (Adams/Lincoln counties): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited. Trout: No more than two over fourteen inches in length may be retained.

Franz Lake (Skamania County): Closed waters.

Frater Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Frenchman Hills Lake (Grant County): February 1 through September 30 season.

Gadwall Lake (Grant County): ~~((March))~~ April 1 through ~~((March 31 and September 1 through))~~ September 30 season((s)).

Garfield Juvenile Pond (Whitman County): Juveniles only.

George Lake (Grant County): March 1 through July 31 season.

Geneva Lake (King County): Last Saturday in April through October 31 season.

Germany Creek (Cowlitz County), from mouth to end of Germany Creek Road (approximately five miles): June 1 through August 31 and November 1 through March 15 season. Trout: Minimum length ~~((twelve))~~ fourteen inches. Release wild cutthroat. Release steelhead June 1 through August 31.

Gibbs Lake (Jefferson County): Selective gear rules except electric motors allowed. Trout: Release all trout.

Gillette Lake (Stevens County): Last Saturday in April through October 31 season.

Gissberg Ponds (Snohomish County): Channel catfish: Daily limit 2, no minimum size.

Goat Creek (Okanogan County): Closed waters.

Gobar Creek (tributary to Kalama River) (Cowlitz County): June 1 through March 15 season. Trout: Minimum length twelve inches. Release wild cutthroat.

Gold Creek, Gold Creek Pond and Outlet Channel (tributary to Keechelus Lake) (Kittitas County): Closed waters.

Gold Creek (Okanogan County): From mouth to confluence north fork Gold Creek: Closed waters.

Goldsborough Creek (Mason County): ~~((June 1 through last day in February season))~~ Trout: Minimum length fourteen inches.

Goodman Creek (Jefferson County) outside Olympic National Park: June 1 through last day in February season. Trout, minimum length fourteen inches. December 1 through last day in February one wild steelhead per day may be retained.

Goodwin Lake (Snohomish County): Chumming permitted. Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Goose Creek (Lincoln County), within the city limits of Wilbur: Year around season. Juveniles and holders of ~~((free))~~ disability licenses only.

Goose Lake, Lower (Adams County): Crappie: Not more than five over eight inches in length: Bluegill: Not more than five over six inches in length. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Gorst Creek (Kitsap County): Closed waters: From lower bridge on the old Belfair Highway upstream to source (including tributaries). From mouth upstream to lower bridge: Trout: Minimum length fourteen inches.

Gosnell Creek and tributaries (tributary to Lake Isabella) (Mason County): Trout: Minimum length fourteen inches.

Goss Lake (Island County): Last Saturday in April through October 31 season.

Grande Ronde River (Asotin County):

From mouth to County Road Bridge about two and one-half miles upstream: Year-round season. Selective gear rules September 1 through May 31. Trout: Minimum length twelve inches, maximum length twenty inches.

From County Road Bridge upstream to Oregon state line and all tributaries: June 1 through ~~((August))~~ October 31 season. Selective gear rules. ~~((Trout: Minimum length twelve inches.))~~ Release steelhead June 1 through August 31. Additional season ~~((September))~~ November 1 through April 15: Barbless hooks required. All tributaries: Closed waters. All species: Release all fish except whitefish and hatchery steelhead ~~((with a missing adipose fin and a healed scar at the fin site)).~~

Granite Creek and tributaries (Pend Oreille County): Closed waters.

Granite Lakes (near Marblemount) (Skagit County): Grayling: Release all grayling.

Grass Lake (Mason County): Last Saturday in April through October 31 season.

Gray Wolf River (Clallam County): From junction with Dungeness River to bridge at river mile 1.0 - Closed waters.

From bridge at river mile 1.0 upstream - selective gear rules. Trout: Minimum length fourteen inches.

Grays River (Wahkiakum County), from mouth to Highway 4 Bridge: September 1 through October 15 and November 15 through March 15 season; and from Highway 4 Bridge to mouth of South Fork: September 1 through October 15 and December 15 through March 15 season. Nonbuoyant lure restriction and night closure September 1 through October 15. All game fish: Release all fish except hatchery steelhead. Salmon: Open only September 1 through October 15 from mouth to South Fork. Daily limit 6 fish. Release chinook, chum, and wild coho.

Grays River, East Fork (Wahkiakum County): Selective gear rules. Trout: Minimum length fourteen inches. Release cutthroat.

Grays River, West Fork (Wahkiakum County), downstream from hatchery intake footbridge: June 1 - August 31 season ~~((except closed from the Hatchery Road Bridge to posted sign at hatchery outlet)).~~ Trout: Additional December 15 through March 15 season downstream from hatchery intake footbridge except closed from Hatchery Road Bridge to posted sign at hatchery outlet. Release all fish other than hatchery steelhead.

Green Lake and Green Lake, Lower (Okanogan County): April 1 through November 30: Selective gear rules except electric motors allowed, and all species: Release all fish.

Green (Duwamish) River (King County):

From the First Avenue South Bridge to South 277th Street Bridge in Auburn: June 1 through ~~((August 15))~~ July 31 and September 15 through last day in February season except waters from the SW 43rd Street/South 180th Street Bridge to the South 277th Street Bridge are closed September 15 through September 30. Nonbuoyant lure restriction and night closure September 15 through November 30. Fishing from any floating device prohibited November 1 through last day in February. Trout: Minimum length fourteen inches. Wild steelhead may be retained July ~~((+))~~ 31 through August 15 and September 15 through ~~((the last day in February))~~ November 30. Salmon: Open only September 15 through December 31. Daily limit 6 fish of which not more than 2 may be adult salmon. Release chinook salmon.

From the 277th Street Bridge to Auburn-Black Diamond Road Bridge: June 1 through July 31 and October 16 through March 15 season. Nonbuoyant lure restriction and night closure October 16 through November 30. Fishing from a floating device prohibited November 1 through March 15. Trout, minimum length fourteen inches. Wild steelhead may be retained July 1 through July 31 and October 16 through ~~((last day in February))~~ November 30. Salmon: Open only October 16 through December 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chinook.

From the Auburn-Black Diamond Road Bridge to the Tacoma Headworks Dam: June 1 through March 15 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Closed waters: Within 150 feet of the Palmer Pond outlet rack and within 150 feet of the mouth of Keta Creek. Trout: Minimum length 14 inches. Wild steelhead may be retained July 1 through ~~((last day in February))~~ November 30. Salmon: Open only November 1 through December 31. Daily limit 2 chum salmon.

Green River (Cowlitz County): Closed waters: All tributaries.

From mouth to 2800 Bridge: June 1 through November 30 season except closed from 400 feet above to 400 feet below the water intake at the upper end of the hatchery grounds during the period September 1 through November 30 and from 400 feet or posted signs above and below the salmon hatchery rack when the rack is installed in the river. Nonbuoyant lure restriction and night closure September 1 through October 31 from mouth to 400 feet below salmon hatchery rack. All game fish: Release all fish except steelhead. Salmon: Open only April 1 through May 31 from mouth to 400 feet below the water intake at the upper end of the hatchery grounds and June 1 through November 30 from mouth to 2800 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon, except September 1 through November 30 the daily limit may contain 4 adult salmon. Release chum and wild coho. April 1 through July 31 release wild chinook. August 1 through November 30 release chinook.

From 2800 Bridge to source: Closed waters.

Greenwater River (King County), from mouth to Greenwater Lakes: Selective gear rules. Trout: Minimum length twelve inches.

Grimes Lake (Douglas County): June 1 through August 31 season. Selective gear rules, except fishing from a floating device equipped with an electric motor allowed. Trout: Daily limit one.

Grizzly Lake (Skamania County): Closed waters.

~~(("H" Lake (Grant County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Halfmoon Lake (Adams County): ~~((March))~~ April 1 through September 30 season.

Halfmoon Lake (Pend Oreille County): Last Saturday in April through October 31 season.

~~((Hallin Lake (Adams County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Hamilton Creek (Skamania County): June 1 through March 15 season. Trout: Minimum length twelve inches. Release wild cutthroat. All tributaries downstream from the Highway 14 Bridge: Closed waters.

Hamma Hamma River (Mason County):

From mouth to four hundred feet below falls: June 1 through August 31 and November 1 through last day in February season. Selective gear rules. All species: Release all fish.

Hammersley Inlet Freshwater Tributaries (Mason County), except Mill Creek: Closed waters.

Hampton Lakes, Lower and Upper (Grant County): ~~((March))~~ April 1 through ~~((July 31))~~ September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Hancock Lake (King County): June 1 through October 31 season. All tributary streams and the upper third of the outlet are closed waters.

Harrison Pond (Skagit County): Closed waters.

~~((Hart Lake (Pierce County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Harvey Creek (tributary to Sullivan Lake) (Pend Oreille County):

From mouth to Bridge 4830 on county road (about one and one-half miles): Closed waters.

From Bridge 4830 upstream: Selective gear rules.

Harvey Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Hatch Lake (Stevens County): December 1 through March 31 season.

Hatchery Lake (Mason County): Last Saturday in April through October 31 season.

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Haven Lake (Mason County): Last Saturday in April through October 31 season.

Hawk Creek and tributaries (Lincoln County): Year-round season.

Hays Creek and Ponds (Adams County): ~~((March))~~ April 1 through September 30 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Headgate Pond (Asotin County): Last Saturday in April through October 31 season. Juveniles, seniors and holders of disability licenses only.

Heart Lake (near Anacortes) (Skagit County): Last Saturday in April through October 31 season.

Heins Lake (Kitsap County): Closed waters.

Hemlock Lake (Trout Creek Reservoir) (Skamania County): Closed waters.

Hen Lake (Grant County): April 1 through September 30 season.

Heritage Lake (Stevens County): Last Saturday in April through October 31 season.

Herman Lake (Adams County): April 1 through September 30 season.

Hicks Lake (Thurston County): Last Saturday in April through October 31 season.

Hog Canyon Lake (Spokane County): December 1 through March 31 season. Trout: No more than two over fourteen inches in length may be retained.

Hoh River (Jefferson County), from mouth to Olympic National Park boundary below mouth of South Fork: June 1 through April 15 season. December 1 through April 15, from DNR Oxbow Campground Boat Launch to mouth of south fork, selective gear rules. Trout: Minimum length fourteen inches. December 1 through April 15, from mouth to DNR Oxbow Campground Boat Launch: Trout: Minimum length fourteen inches and one wild steelhead per day may be retained. Salmon: Open only May 16 through November 30 mouth to Morgan's Crossing Boat Launch and June 1 through August 31 from Morgan's Crossing Boat Launch to Olympic National Park boundary below mouth of South Fork. Daily limit 6 fish of which no more than 2 may be adult salmon except release wild adult chinook salmon May 16 through August 31 upstream from mouth to DNR Oxbow Campground, May 16 through October 15 release adult salmon from DNR Oxbow Campground to Morgan's Crossing Boat Launch and June 1 through August 31 release adult salmon from Morgan's Crossing Boat Launch upstream to Olympic National Park boundary below mouth of South Fork.

Hoh River South Fork (Jefferson County), outside Olympic National Park: June 1 through April 15 season. December 1 through April 15, selective gear rules. Trout: Minimum length fourteen inches.

Hoko River (Clallam County): Trout, minimum length fourteen inches.

From mouth to upper Hoko Bridge: Fly fishing only September 1 through October 31. Additional November 1 through March 15 season. Trout: Minimum length fourteen inches. Wild steelhead may be retained December 1 through March 15.

From upper Hoko Bridge to Ellis Creek Bridge (river mile 18.5): Additional November 1 through March 31 season. Fly fishing only. All species: Release all fish.

Homestead Lake (Grant County): Selective gear rules. Trout: Daily limit one fish.

Hoquiam River, including all forks (Grays Harbor County): June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30 from mouth to bridge on Dekay Road on mainstem and East Fork mouth to the abandoned flat car bridge downstream of the mouth of Berryman Creek. Daily limit 6 fish of which no more than 2 may be adult salmon, except the daily limit may contain no more than one wild adult coho and one adult chinook. Release chum.

Horseshoe Lake (Clark/Cowlitz counties): Trout: No more than 2 trout 20 inches or greater in length may be retained. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Jefferson County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit 1.

Horseshoe Lake (Kitsap County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Horseshoe Lake (Pend Oreille County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit five.

Horsethief Lake (Klickitat County): Last Saturday in April through October 31 season.

Hourglass Lake (Grant County): ~~((March))~~ April 1 through ~~((March 31 and September 1 through))~~ September 30 season(s).

Howard Lake (Snohomish County): Last Saturday in April through October 31 season.

Howell Lake (Mason County): Last Saturday in April through October 31 season.

Hozomeen Lake (Whatcom County): July 1 through October 31 season.

Huff Lake (Pend Oreille County): Closed waters.

Humtulpis River (Grays Harbor County), from mouth to forks: June 1 through ~~((March 31))~~ last day in February season. Nonbuoyant lure restriction, night closure and single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through January 31 from mouth to Highway 101 Bridge. Daily limit 6 fish of which no more than 2 may

be adult salmon. Release chum, adult chinook, and wild adult coho.

Humptulips River, East Fork (Grays Harbor County), from mouth to concrete bridge on Forest Service Road between Humptulips Guard Station and Grisdale: Nonbuoyant lure restriction and night closure August 16 through November 30. Trout: Minimum length fourteen inches.

Humptulips River, West Fork (Grays Harbor County): Nonbuoyant lure restriction and night closure August 16 through November 30. Trout: Minimum length fourteen inches. Mouth to Donkey Creek Road Bridge: Additional November 1 through ~~((March 31))~~ last day in February season. Trout: Minimum length fourteen inches.

Hutchinson Lake (Adams County): ~~((March))~~ April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

I-82 Ponds, 1 and 2 (Yakima County): Walleye: Unlawful to retain walleye.

I-82 Ponds, 1 through 7 (Yakima County): Fishing from vessels equipped with internal combustion engines prohibited. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Icehouse Lake (Skamania County): Trout: No more than 2 trout 20 inches or greater in length may be retained.

Icicle River (Creek) (Chelan County):

From mouth to four hundred feet below Leavenworth National Fish Hatchery rack: Closed waters. From Leavenworth National Fish Hatchery rack upstream to Leland Creek: Selective gear rules.

Indian Creek (tributary to Elwha River) (Clallam County), from mouth upstream to first Highway 101 crossing: Selective gear rules. Trout: Minimum length twelve inches.

Indian Creek (Yakima County): From mouth to waterfall approximately 5 and three-quarters miles upstream: Closed waters.

Indian Heaven Wilderness Lakes (Skamania County): Trout: Daily limit three.

Ingall's Creek (Chelan County): Mouth to Wilderness boundary: Closed waters.

~~((Island Lake (Mason County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

~~Island Lake (Pacific County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Issaquah Creek (King County): Closed waters.

Jackson Lake (Pierce County): Last Saturday in April through October 31 season.

Jameson Lake (Douglas County): Last Saturday in April through July 4 and October 1 through October 31 seasons.

Jasmine Creek (Okanogan County): Year-round season. Juveniles only.

Jefferson Park Pond (Walla Walla County): Juveniles only.

Jennings Park Pond (Snohomish County): Last Saturday in April through October 31 season. Juveniles only.

Jewitt Creek (Klickitat County): Juveniles only. Trout: Daily limit five, no minimum length.

Jimmy-Come-Lately Creek (Clallam County): June 1 through August 31 season. Trout: Minimum length fourteen inches.

Joe Creek (Grays Harbor County): Upstream from State Highway 109 Bridge to Ocean Beach Road Bridge: June 1 through November 30 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30 from Highway 109 Bridge to Ocean Beach Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon.

Johns Creek (Mason County): Closed waters.

Johns River, including North and South Forks (Grays Harbor County): June 1 through last day in February season. Single point barbless hooks required August 16 through November 30 from mouth to Ballon Creek. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30 from mouth to Ballon Creek. Daily limit 6 fish of which no more than 2 may be adult salmon, except the daily limit may contain no more than one wild adult coho and one adult chinook. Release chum.

Johnson Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Johnson Creek (Whatcom County), from Northern Pacific Railroad tracks to the Lawson Street footbridge in Sumas: Juveniles only.

Jump-Off Joe Lake (Stevens County): Last Saturday in April through October 31 season. Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Kachess Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen. Burbot: Set line gear allowed.

Kachess River (Kittitas County): Lawful to fish to base of Kachess Dam. Selective gear rules. From Kachess Lake (Reservoir) upstream to waterfall approximately one-half mile above Mineral Creek: Closed waters.

~~((Kahlotus Lake (Franklin County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Kalaloch Creek (Jefferson County), outside Olympic National Park: June 1 through last day in February season. Trout: Minimum length fourteen inches. Wild steelhead may be retained December 1 through last day in February.

Kalama River (Cowlitz County): Release wild cutthroat.

From mouth upstream to one thousand feet below fishway at upper salmon hatchery: Year-round season except during the period the temporary fish rack is installed. Waters from two hundred feet above to one thousand five hundred feet below the rack are closed waters. Nonbuoyant lure restriction and night closure September 1 through October 31 from mouth to one thousand five hundred feet below the rack. Fishing from a floating device equipped with a motor prohibited upstream of Modrow Bridge. September 1 through October 31: Fly fishing only from the pipeline crossing to the posted deadline at the intake to the lower salmon hatchery. Trout: Minimum length 20 inches. Salmon: Open year-round. Daily limit 6 fish of which no more than 2 may be adult salmon except September 1 through December 31 daily limit 6 fish of which no more than 2 may be adult chinook. Release chum and wild coho. Release wild chinook January 1 through July 31. October 1 through December 31 release chinook upstream from natural gas pipeline crossing.

From one thousand feet below to one thousand feet above the fishway at upper salmon hatchery: Closed waters.

From one thousand feet above the fishway at the upper salmon hatchery to Summers Creek: Year-round season. Fishing from a floating device equipped with a motor prohibited. Selective gear rules. Trout: Minimum length 14 inches.

From Summers Creek upstream to the 6420 Road at about one mile above the gate at the end of the county road: June 1 through March 31 season. Fishing from a floating device equipped with a motor prohibited. Fly fishing only. Trout: Minimum length 14 inches.

From 6420 Road to Kalama Falls: Closed waters.

Kalispell Creek and tributaries (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules.

~~((Kapowsin Lake (Pierce County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.~~

~~Kathleen Lake (King County): Bass: Only bass less than twelve inches or over fifteen inches in length may be retained.~~

Keechelus Lake (Reservoir) (Kittitas County): Chumming permitted. Trout except kokanee: Daily limit two, minimum length twelve inches, additionally up to sixteen kokanee may be retained. Burbot: Set line gear allowed.

Kelsey Creek (tributary of Lake Washington) (King County): Closed waters.

Kennedy Creek (Thurston County), from mouth to four hundred feet below falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure October 1 through December 31. Trout: Minimum length fourteen inches. Salmon: Open only October 1 through November 30 from mouth to northbound Highway 101 Bridge.

Barbless hooks required. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

Kennedy Creek Pond (Thurston County): Last Saturday in April through October 31 season.

Kettle River (Stevens County):

June 1 through October 31 season. Trout: Selective gear rules, minimum length 12 inches.

Additional season: November 1 through May 31. ~~((All species except))~~ Whitefish ~~((= Selective gear rules and release all fish. Whitefish: Single hook only))~~ gear rules apply.

Ki Lake (Snohomish County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Kidney Lake (Skamania County): Last Saturday in April through last day in February season.

Kimball Creek (near Snoqualmie) (King County): Last Saturday in April through October 31 season. Juveniles only. Trout: No minimum length.

Kings Lake and tributaries (Pend Oreille County): Closed waters.

Kings Lake Bog (King County): Closed waters.

~~((Kitsap Lake (Kitsap County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~ Kiwanas Pond (Kittitas County): Juveniles and holders of disability licenses only.

Klaus Lake (King County): Last Saturday in April through October 31 season, except the inlet and outlet to first Weyerhaeuser spur are closed waters.

Klickitat River (Klickitat County):

From mouth to Fisher Hill Bridge: May 1 through January 31 season. Game fish: Closed December 1 through January 31. Trout: Minimum length twelve inches. Steelhead and salmon: May 1 through May 31 daily limit one hatchery steelhead or one salmon. Salmon: June 1 through January 31 daily limit 6 fish of which no more than 2 may be adult salmon except September 1 through January 31 daily limit 6 fish of which no more than 2 may be adult chinook. ~~((Release wild coho.))~~

From Fisher Hill Bridge to four hundred feet above # 5 fishway: Closed waters.

From four hundred feet above # 5 fishway to the Yakama Indian Reservation boundary: June 1 through November 30 season, except waters from boundary markers above Klickitat salmon hatchery to boundary markers below hatchery are closed waters. Trout: Minimum length twelve inches. Salmon: Open only June 1 through November 30 from 400 feet above No. 5 Fishway to boundary markers below Klickitat Salmon Hatchery. Daily limit 6 fish of which no more than 2 may be adult salmon, except June 1 through July 31 release adult salmon and September 1 through November 30 daily limit 6 fish of which no more than 2 may be adult chinook. ~~((Release wild coho. Whitefish.))~~ Additional December 1 through March 31 season. ~~((Release all fish except))~~ Whitefish gear rules apply.

From the Yakama Indian Reservation boundary upstream to source, including all tributaries: Closed waters.

Klineline Ponds (Clark County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Koeneman Lake (Fern Lake) (Kitsap County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Kress Lake (Cowlitz County): Fishing from a floating device equipped with an internal combustion motor prohibited. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~ Trout: No more than 2 trout 20 inches in length or greater may be retained. Salmon: Landlocked salmon rules apply.

Lacamas Creek (Clark County): Lawful to fish upstream to the base of Lacamas Lake Dam.

Lacamas Creek, tributary of Cowlitz River (Lewis County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Release cutthroat.

Lake Creek (Okanogan County): Mouth to Black Lake: Closed waters. Black Lake to Three Prong Creek: Selective gear rules.

Langlois Lake (King County): Last Saturday in April through October 31 season.

Latah (Hangman) Creek (Spokane County): Year-round season.

~~((Lawrence Lake (Thurston County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Leader Lake (Okanogan County): Last Saturday in April through September 30 season.

Ledbetter Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Ledking Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Leech Lake (White Pass area) (Yakima County): Fly fishing only. Fishing prohibited from floating devices equipped with motors. Trout: No more than two over twelve inches in length.

~~((Leland Lake (Jefferson County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Lemna Lake (Grant County): ~~((March))~~ April 1 through ~~((March 31 and September 1 through))~~ September 30 season((s)).

Lenice Lake (Grant County): March 1 through ~~((October 31))~~ November 30 season. Selective gear rules. Trout: Daily limit one.

Lena Lake, Lower (Jefferson County): Closed waters: Inlet stream from mouth upstream to footbridge (about one hundred feet).

Lenore Lake (Grant County): Closed waters: Area within two hundred yard radius of trash rack leading to the irrigation pumping station (south end of lake) and area approximately one hundred yards beyond the mouth of inlet stream to State Highway 17. March 1 through May 31 season: Selective gear rules, except fishing from a floating device equipped with an electric motor permitted. All species: Release all fish. Additional season June 1 through November 30: Selective gear rules, except fishing from a floating device equipped with an electric motor permitted. Trout: Daily limit one.

Leo Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Lewis River (Clark County), from mouth to forks: Year-round season. Trout: Minimum length twelve inches. Release wild cutthroat. Salmon: Open year-round. May 1 through July 31 daily limit one fish. August 1 through April 30 daily limit of 6 fish of which no more than 2 may be adult salmon, except September 1 through December 31 daily limit 6 fish of which no more than 2 may be adult chinook. Release chum and wild coho. Release wild chinook January 1 through July 31.

Lewis River, North Fork (Clark/Skamania counties):

From mouth to Colvin Creek: Year-round season except those waters shoreward of the cable buoy and corkline at the mouth of the Lewis River Salmon Hatchery fish ladder are closed waters. Fishing from a floating device prohibited from May 1 through July 31 from Johnson Creek to Colvin Creek. Nonbuoyant lure restriction and night closure April 1 through October 31 upstream from Johnson Creek. Trout: Minimum length twenty inches. Release wild cutthroat. Salmon: Open year-round. May 1 through July 31 daily limit one fish. August 1 through April 30 daily limit 6 fish of which no more than 2 may be adult salmon, except September 1 through December 31 daily limit 6 fish of which no more than 2 may be adult chinook. Release chum and wild coho. Release wild chinook January 1 through July 31.

From mouth of Colvin Creek to overhead powerlines at Merwin Dam: June 16 through September 30 and December 16 through April 30 season. Nonbuoyant lure restriction and night closure April 1 through October 31. Trout: Minimum length twenty inches. Release wild cutthroat. Salmon: Open only August 1 through September 30 and January 1 through April 30. Daily limit 6 fish of which no more than 2 may be adult salmon except September 1 through September 30 daily limit 6 fish of which no more than two may be adult chinook. Release chum and wild coho. Release wild chinook January 1 through July 31.

From overhead powerlines at Merwin Dam to Merwin Dam: Closed waters.

From the cable crossing 1,300 feet below Yale Dam to Yale Dam: Closed waters.

Within Lewis River Power Canal and old Lewis River streambed between Swift No. 1 powerhouse and Swift No. 2 powerhouse: Last Saturday in April through October 31 season. Fishing from any floating device prohibited. Trout: Daily limit 5 fish.

From Eagle Cliff Bridge to lower falls including all tributaries: Selective gear rules. All species: Release all fish.

Lewis River, East Fork (Clark/Skamania counties): Closed waters: From the posted markers at the lower end of Big Eddy to one hundred feet above Lucia Falls; from four hundred feet below to four hundred feet above Molton Falls; from four hundred feet below Horseshoe Falls upstream.

From mouth to four hundred feet below Horseshoe Falls: June 1 through March 15 season. Trout: Minimum length fourteen inches. Release cutthroat.

Mouth to top boat ramp at Lewisville Park: Trout: Additional April 16 through May 31 season. Release all fish except hatchery steelhead.

Liberty Lake (Spokane County): Last Saturday in April through September 30 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Lilliwaup River (Mason County): Mouth to 200 feet below falls: June 1 through August 31 season. Selective gear rules. All species: Release all fish.

Lilly Lake (Chelan County): Last Saturday in April through October 31 season. July 5 through October 31, selective gear rules, and all species: Release all fish.

Limerick Lake (Mason County): Last Saturday in April through October 31 season.

Lincoln Pond (Clallam County): Juveniles only. Salmon: Landlocked salmon rules apply.

Lions Park Pond (Walla Walla County): Juveniles only.

Little Ash Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Little Bear Creek (tributary of Sammamish River) (Snohomish/King counties): Closed waters.

~~((Little Chambers Lake (Thurston County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Little Hoko River (Clallam County): Selective gear rules. All species: Release all fish.

Little Klickitat River (Klickitat County), within Goldendale city limits: Last Saturday in April through October 31 season. Juveniles only. Trout: Daily limit five, no minimum length.

Little Lost Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Little Naches River (Yakima County): Selective gear rules.

Little Nisqually River (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

Little Pend Oreille River (Stevens County): Selective gear rules. All species: Release all fish except Eastern brook trout.

Little Quilcene River (Jefferson County), from mouth to the Little Quilcene River Bridge on Penny Creek Road, June 1 through last day in February season. Trout: Minimum length fourteen inches.

Little Spokane River (Spokane County):

From mouth to SR 291 Bridge: Year-round season.

From SR 291 Bridge upstream to the West Branch: Last Saturday in April through October 31 season. ~~((Whitefish:))~~ Additional December 1 through March 31 season. ~~((Release all fish except))~~ Whitefish gear rules apply.

Upstream from bridge at Frideger Road: Closed waters: From the inlet to Chain Lake upstream one-quarter mile to the railroad crossing culvert. Trout: Release kokanee taken upstream from bridge.

Little Twin Lake (Okanogan County): April 1 through November 30: Selective gear rules and all species: Release all fish.

Little Twin Lake (Stevens County): Last Saturday in April through October 31.

Little Wenatchee River (Chelan County): From Lake Wenatchee to the falls below U.S. Forest Service Road 6700 Bridge at Riverside Campground: Closed waters.

Little White Salmon River (Skamania County): Closed waters: From the orange fishing boundary markers at Drano Lake upstream to the intake near the Little White Salmon National Fish Hatchery north boundary. Trout: Daily limit five. Drano Lake (waters downstream of markers on point of land downstream and across from Little White Salmon National Fish Hatchery): May 1 through March 15 season, except closed Wednesdays May 1 through May 31. Night closure and nonbuoyant lure restriction May 1 through June 30. Nonbuoyant lure restriction August 1 through December 31. May 1 through June 30 daily limit of two fish, of which two fish one or both may be hatchery steelhead or one or both may be chinook salmon. Trout and salmon: May 1 through June 30 release all fish except hatchery steelhead and chinook salmon. Trout: July 1 through March 15 minimum size twelve inches. Release wild cutthroat. Salmon: Open only August 1 through December 31. Daily limit six fish of which no more than two may be adult salmon, except September 1 through December daily limit six fish of which not more than two may be adult chinook. ~~((Release wild coho at all times.))~~

Lone Lake (Island County): Selective gear rules, except electric motors allowed. Trout: Daily limit one, minimum length 18 inches.

Long Lake (Ferry County): Last Saturday in April through October 31 season. Fly fishing only. Unlawful to fish from floating devices equipped with motors.

~~((Long Lake (Kitsap County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Long Lake (Okanogan County): Last Saturday in April through September 30 season.

Long Lake (Spokane River Reservoir) (Spokane County): Bass: Release all bass May 1 through June 30. ~~((Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Long Lake (Thurston County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17~~

~~inches in length. Only one fish over 17 inches in length may be retained.))~~

Long's Pond (Thurston County): Juveniles only.

Loomis Lake (Pacific County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Loomis Pond (Grays Harbor County): Closed waters.

Loon Lake (Stevens County): Last Saturday in April through October 31 season. Trout except kokanee: Daily limit five, except no more than two over twenty inches in length may be retained. Kokanee not counted in daily trout limit. Kokanee daily limit ten.

Lost Lake (Mason County): Last Saturday in April through October 31 season.

Lost Lake (Okanogan County): Unlawful to fish from a floating device equipped with an internal combustion engine.

Lost River (Okanogan County):

From mouth to mouth of Monument Creek: Closed waters.

From mouth of Monument Creek to outlet of Cougar Lake: Selective gear rules. Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit. Dolly Varden/Bull Trout daily limit two, minimum length fourteen inches.

Love Lake (Clark County): Closed waters.

Lucas Slough (Skagit County): Closed waters.

Ludlow Lake (Jefferson County): Last Saturday in April to October 31 season.

~~((Lyons Park Pond (at College Place) (Walla Walla County): Juveniles only.))~~ Lyle Lake (Adams County): April 1 through September 30 season.

Lyre River (Clallam County):

From mouth to falls near river mile 3: June 1 through last day in February season. Trout: Minimum length fourteen inches. From falls to source: Selective gear rules. All species: Release all fish.

Mad River (Chelan County), from mouth upstream to Jimmy Creek: Closed waters.

Maggie Lake (Mason County): Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

~~((Marie Lake (Hampton Sloughs) (Grant County): March 1 through July 31 season.))~~

Margaret Lake (King County): Last Saturday in April through October 31 season.

Marshal Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Martha Lake (Grant County): March 1 through July 31 season.

Martha Lake (Snohomish County): Last Saturday in April through October 31 season.

~~((Mason Lake (Mason County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~ Mattoon Lake (Kittitas County): Fishing from a floating device equipped with an internal combustion engine prohibited.

May Creek (tributary of Lake Washington) (King County): Closed waters.

Mayfield Lake (Reservoir) (Lewis County): Salmon: Landlocked salmon rules apply.

McAllister Creek (Thurston County): Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30 from mouth to Olympia - Steilacoom Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon.

McCabe Pond (Kittitas County): Fishing from any floating device prohibited. All species: Five fish daily limit for all species combined.

McDonald Creek (Clallam County): Trout: Minimum length fourteen inches.

McDowell Lake (Stevens County): Last Saturday in April through October 31 season. Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

McIntosh Lake (Thurston County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

McLane Creek (Thurston County), from the south bridge on Highway 101 upstream: Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through November 30 from a line 50 feet north of and parallel to Mud Bay Road Bridge to a line 100 feet upstream of and parallel to the south bridge on Highway 101. Daily limit 6 fish of which no more than 2 may be adult salmon. Release coho.

McLane Creek Ponds (Thurston County): Last Saturday in April through October 31 season.

McManaman Lake (Adams County): April 1 through September 30 season.

McMurray Lake (Skagit County): Last Saturday in April through October 31. Salmon: Landlocked salmon rules apply.

Medical Lake (Spokane County): Last Saturday in April through September 30 season. Selective gear rules. Trout: Daily limit two, minimum length fourteen inches.

Medical Lake, West (Spokane County): Last Saturday in April through September 30 season.

Melaney Creek (Mason County): Closed waters.

Melbourne Lake (Mason County): Last Saturday in April through October 31 season.

Mercer Creek (Kittitas County), that portion within Ellensburg city limits: Juveniles only. Trout: Daily limit five, no minimum length.

Mercer Slough (tributary of Lake Washington) (King County): Closed waters.

Merrill Lake (Cowlitz County): Fly fishing only. Unlawful to fish from a floating device equipped with an internal combustion engine. Trout: Daily limit two, maximum length twelve inches.

Merritt Lake (Chelan County): Trout: Daily limit sixteen.

Merry Lake (Grant County): March 1 through ~~((October 31))~~ November 30 season. Selective gear rules. Trout: Daily limit one.

Merwin Lake (Reservoir) (Clark/Cowlitz County): Salmon: Landlocked salmon rules apply.

Methow River (Okanogan County):

Mouth to Gold Creek: Closed waters June 1 through October 31. Gold Creek to Weeman Bridge: June 1 through September 30 season: Selective gear rules. All species: Release all fish. Upstream from Weeman Bridge to the falls above Brush Creek: Closed waters June 1 through October 31: From mouth upstream to the falls above Brush Creek(±). Additional season: December 1 through March 31. ~~((Terminal gear restricted to one single hook, maximum hook size number 14. All species: Release all fish except))~~ Whitefish gear rules apply.

Methow River tributaries not otherwise provided for: Selective gear rules. Trout: Maximum length twenty inches.

Middle Nemah Pond (Pacific County): June 1 through October 31 season.

Mill Creek (Chelan County): Closed waters.

Mill Creek (Cowlitz County): ~~((Closed waters-))~~ June 1 through August 31 and November 1 through March 15 seasons. Trout: Minimum length fourteen inches. Release wild cutthroat.

Mill Creek (Lewis County): Additional season December 1 through December 31, mouth to hatchery road crossing culvert. Nonbuoyant lure restriction and night closure. All species: Release all fish except that up to two hatchery steelhead with intact ventral fins may be retained per day.

Mill Creek (Mason County): ~~((June 1 through last day in February season-))~~ Trout: Minimum length fourteen inches.

Mill Creek (Walla Walla County):

From mouth to 9th St. Bridge: June 1 through April 15 season. All species: Barbless hooks required and release all fish except hatchery steelhead ~~((with a missing adipose fin and a healed scar at the fin site))~~ September 1 through April 15.

From 9th St. Bridge to Roosevelt St. Bridge, within city limits of Walla Walla: Closed waters.

~~((From Roosevelt St. Bridge to Bennington Lake flood diversion dam: Trout: Daily limit five.))~~

From Bennington Lake flood diversion dam upstream, including all tributaries: All tributaries: Closed waters. Selective gear rules. Trout: Maximum length twenty inches.

Mill Creek Pond (Grays Harbor County): Juveniles only.

Mill Pond (Auburn) (King County): Last Saturday in April through October 31 season. Juveniles only.

Mill Pond (Pend Oreille County): Last Saturday in April through October 31 season.

Mineral Creek (tributary to upper Kachess River) (Kittitas County), from mouth to Wilderness Boundary: Closed waters.

Mineral Creek (tributary to Nisqually River), and Mineral Creek, North Fork (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Mineral Lake (Lewis County): Last Saturday in April through September 30 season.

Minter Creek (Pierce/Kitsap counties): Closed waters: Area from department intake dam downstream to mouth. Trout: Minimum length fourteen inches. Salmon: Open only November 1 through December 31 from mouth to 50 feet downstream of the hatchery rack. Daily limit 4 chum. All species: Release all fish except chum.

Mirror Lake (Grant County): Last Saturday in April through September 30 season.

Mission Lake (Kitsap County): Last Saturday in April through October 31 season.

Moclips River (Grays Harbor County), from mouth to outside the Quinault Indian Reservation: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Monte Christo Lake (Snohomish County): June 1 through October 31 season. Selective gear rules.

Mooses Pond (Pacific County): June 1 through October 31 season.

Moran Slough (including inlet and outlet streams) (Grant County): Closed waters.

Morgan Lake (Adams County): ~~((March))~~ April 1 through September 30 season.

Morse Creek (Clallam County), from mouth to Port Angeles Dam: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Moses Lake (Grant County): Crappie: Daily limit five, only crappie more than ten inches in length may be retained. Bluegill: Daily limit five, only bluegill more than eight inches in length may be retained.

Mosquito Creek (Jefferson County) outside Olympic National Park: June 1 through last day in February season. Trout: Minimum length fourteen inches. Wild steelhead may be retained December 1 through last day in February.

Muck Creek and tributaries (within Ft. Lewis Military Reservation) (Pierce County): Selective gear rules. Trout: Release all trout.

Mud Lake (Mason County): Last Saturday in April through October 31 season.

Mud Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mudget Lake (Stevens County): Last Saturday in April through October 31 season.

Munn Lake (Thurston County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Muskegon Lake (Pend Oreille County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two.

Myron Lake (Yakima County): Selective gear rules. Trout: Daily limit one.

Mystic Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Naches River (Yakima/Kittitas counties):

From the mouth to Little Naches River: Selective gear rules. Trout: Minimum length twelve inches, maximum length twenty inches. ~~((Whitefish:))~~ Additional December 1 through March 31 season. ~~((Release all fish except))~~ Whitefish gear rules apply. ~~((Terminal gear restricted to one single hook.))~~

From Little Naches River upstream: Selective gear rules. Trout: Minimum length twelve inches, maximum length twenty inches.

~~((Nahwatzel Lake (Mason County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Naneum Creek (Kittitas County): Selective gear rules.

Naneum Pond (Kittitas County): Juveniles only.

Napeequa River (Chelan County): Mouth to Twin Lakes Creek: Closed waters.

Naselle River (Pacific/Wahkiakum counties), from Highway 101 Bridge upstream including all forks: Closed waters: Area from four hundred feet below falls in Sec. 6, T10N, R8W (Wahkiakum County) to falls, and waters within four hundred feet both upstream and downstream of the entrance to the Naselle Salmon Hatchery attraction channel.

Mainstem: Single point barbless hooks required August 16 through November 30 upstream from Highway 4 Bridge to Crown Main Line (Salme) Bridge. Nonbuoyant lure restriction and night closure August 16 through November 30 downstream from North Fork. Downstream from the Crown Main Line Bridge fishers may not allow their line, lures or bait to remain stationary in the water during the period August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through January 31

from Highway 101 Bridge to Highway 4 Bridge and October 16 through January 31 from the Highway 4 Bridge to the Crown Main Line Bridge. Daily limit 6 fish of which no more than 3 may be adult salmon and of these 3 fish no more than 1 may be a wild adult coho and not more than 2 may be adult chinook or chum.

Sturgeon: Open year-round from mouth to Highway 4 Bridge.

From Highway 101 Bridge to mouth of North Fork: Additional November 1 through March 31 season. All ~~((species))~~ game fish: Release all fish except up to two hatchery steelhead per day may be retained.

From mouth of North Fork to source: Selective gear rules. All species: Release all fish.

South Fork, from mouth to Bean Creek: Selective gear rules. Nonbuoyant lure restriction and night closure August 16 through November 30. All ~~((species))~~ game fish: Release all fish. Additional November 1 through last day in February season. Sturgeon: Open year-round.

Nason Creek (Chelan County): From the mouth upstream to Smith Brook: Closed waters.

From Smith Brook to Stevens Creek: Selective gear rules.

Nason Creek Fish Pond (Chelan County): Juveniles and holders of disability licenses only.

Negro Creek (Lincoln County): Year-round season from mouth at Sprague Lake to town of Sprague.

Negro Creek (Whitman County): Last Saturday in April through July 15 season.

Nemah River, North, Middle, and South: June 1 through March 31 season. Single point barbless hooks required on North Nemah upstream to the lower bridge on dead end lower Nemah Road August 16 through November 30, on Middle Nemah upstream to the Department of Natural Resources Bridge on Middle Nemah A-line Road August 16 through November 30, and on South Nemah upstream to confluence with Middle Nemah August 16 through November 30. Selective gear rules on Middle Nemah above DNR Bridge. Nonbuoyant lure restriction and night closure August 16 through November 30 on North and Middle Nemah and on South Nemah from mouth to confluence with Middle Nemah. On the North Nemah from the mouth to the lower bridge on dead end lower Nemah Road, fishers may not allow their line, lures or bait to remain stationary in the water during the period August 16 through November 30. All game fish: Release all fish except up to two hatchery steelhead per day may be retained in the North Nemah. Salmon: Open only August 1 through January 31 on Middle Nemah from mouth to DNR Bridge and South Nemah from mouth to confluence with Middle Nemah and October 1 through January 31 on North Nemah from mouth to the lower bridge on dead end Lower Nemah Road. Middle and South Nemah: Daily limit 6 fish of which no more than 2 may be adult salmon and of the two adult fish no more than one may be a wild adult coho. North Nemah: Daily limit 6 salmon of which not more than 3 may be adult salmon and of the adult fish no more than one

may be a wild adult coho and no more than two may be adult chinook or adult chum.

Newhalem Ponds (Whatcom County): Closed waters.

Newaukum River, main river and South Fork (Lewis County): June 1 through March 31 season. Night closure and nonbuoyant lure restriction and single point barbless hooks required August 16 through November 30 from mouth to Gheer Creek. Trout: Minimum length fourteen inches mouth to Highway 508 Bridge near Kearny Creek. Salmon: Open only October 16 through February 28 from mouth to Gheer Creek. Daily limit 6 fish of which no more than 2 may be adult salmon, except October 16 through November 30 the daily limit may contain no more than one wild adult coho. Release chum and adult chinook. Release wild adult coho December 1 through February 28.

Newaukum River, Middle Fork, mouth to Taucher Road Bridge (Lewis County): June 1 to March 31 season. Trout: Minimum length fourteen inches.

Newaukum River, North Fork (Lewis County):

From mouth to four hundred feet below Chehalis city water intake: June 1 through March 31 season. Trout: Minimum length fourteen inches.

From Chehalis city water intake upstream: Closed waters.

~~((Newman Lake (Spokane County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Niawiakum River (Pacific County): From Highway 101 Bridge to the South Bend/Palix Road Bridge: Night closure, nonbuoyant lure restriction and single point barbless hooks required August 16 through November 30. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from Highway 101 Bridge to South Bend/Palix Road Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook.

Nile Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Nisqually River (Pierce County), from mouth to four hundred feet below LaGrande Powerhouse: June 1 through January 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30. Game fish: Closed December 1 through January 31. Trout: Minimum length fourteen inches. Salmon: Open only July 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon. Release pink.

Nooksack River (Whatcom County), from mouth to forks, Middle Fork to Dam and North Fork to Nooksack Falls: June 1 through ~~((March 15))~~ last day in February season except closed June 1 through September 30 in mainstem from Mount Baker High School bus barn at Deming to confluence of the North and South Forks. Fishing from floating devices equipped with motors prohibited on the North and Middle Forks November 1 through ~~((March 15))~~ last day in February. Nonbuoyant lure restriction and night closure August 1

through November 30 on mainstem and North Fork to Maple Creek. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through December 31 in mainstem from Lummi Indian Reservation boundary to Mount Baker High School bus barn. Open only October 15 through December 31 in mainstem from the bus barn to the confluence of the North and South Forks, and October 1 through October 31 on the North Fork from confluence to Maple Creek. Daily limit 2 salmon, except release chinook and wild coho.

Nooksack River, South Fork (Skagit/Whatcom counties): From mouth to Skookum Creek: June 1 through ~~((March 15))~~ last day in February season. Selective gear rules. Nonbuoyant lure restriction and night closure August 1 through October 31. Trout: Minimum length fourteen inches. Salmon: Open only October 15 through December 31. Daily limit 2 salmon, except release chinook and wild coho.

From Skookum Creek upstream: Closed waters.

No Name Lake (Pend Oreille County): Last Saturday in April through October 31 season.

North Creek (tributary of Sammamish River) (Snohomish/King counties): Closed waters.

North Elton Ponds (Yakima County): December 1 through March 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Trout: Daily limit two.

North Lake (King County): Last Saturday in April through October 31 season.

North Potholes Reserve Ponds (Grant County): February 1 through the day before opening of waterfowl season. Fishing from any floating device prohibited, except float tubes permitted.

North River (Grays Harbor/Pacific counties), from Highway 105 Bridge upstream to Falls River: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 16 through November 30. Single point barbless hooks required August 16 through November 30 upstream to Salmon Creek. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30 from Highway 105 Bridge to Salmon Creek. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult fish not more than one may be a wild adult coho. Release adult chinook. Sturgeon: Open year-round from Highway 105 Bridge to Salmon Creek.

Upstream from Falls River: Selective gear rules. All species: Release all fish.

Northern State Hospital Pond (Skagit County): Last Saturday in April through October 31 season. Juveniles only.

Northwestern Reservoir (Klickita/Skamania counties): Last Saturday in April through last day in February season.

Nunnally Lake (Grant County): March 1 through ~~((October 31))~~ November 30 season. Closed waters: Outlet stream of Nunnally Lake. Selective gear rules. Trout: Daily limit one.

Oakland Bay freshwater tributaries (Mason County), except Goldsborough Creek (including Shelton Creek, Canyon Creek, Uncle John Creek, Campbell Creek, Melaney Creek, Deer Creek, John's Creek, and Cranberry Creek to Lake Limerrick): Closed waters.

~~((Offut Lake (Thurston County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Ohanapecosh Creek (tributary to Cowlitz River) (Lewis/Pierce counties): Selective gear rules. Trout: Minimum length twelve inches.

Ohop Lake (Pierce County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Okanogan River (Okanogan County):

From the mouth to the highway bridge at Malott: Year-round season. Trout: Release all trout. Upstream from the highway bridge at Malott: June 1 through August 31 season. Trout: Release all trout.

Closed waters: From Zosel Dam downstream to one-quarter mile below the railroad trestle.

Old Fishing Hole Pond (Kent) (King County): Last Saturday in April through October 31 season. Juveniles only.

Olequa Creek (Lewis County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Release cutthroat.

Osborne Lake (Mason County): Last Saturday in April through October 31 season.

Outlet Creek (Klickitat County): Trout: Daily limit five.

Owens Pond (Pacific County): June 1 through October 31 season.

Packwood Lake (Lewis County): Closed waters: All inlet streams and outlet from log boom to dam. Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit five, minimum length ten inches.

Padden Lake (Whatcom County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Palix River, including all forks (Pacific County): June 1 through March 31 season. Single point barbless hooks, non-buoyant lure restriction and night closure August 16 through November 30 upstream to the confluence of the South and Middle Forks. Above the confluence of the South and Middle Forks: Selective gear rules. All game fish: Release all fish. Salmon: Open only September 1 through November 30 from the Highway 101 Bridge to the confluence of the South and Middle Forks. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be a wild adult coho. Release adult chinook.

Sturgeon: Open year-round from the Highway 101 Bridge to the confluence of the South and Middle Forks.

Palouse River and tributaries, except Rock Creek (Whitman County): Year around season.

Palmer Lake (Okanogan County): ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~ Burbot: Set line gear allowed.

Pampa Pond (Whitman County): ~~((Last Saturday in April))~~ March 1 through September 30 season. Fishing from any floating device prohibited.

Panhandle Lake (Mason County): Last Saturday in April through October 31 season.

Panther Creek (Chelan County): Closed waters.

Panther Creek (tributary to Wind River) (Skamania County): Closed waters.

Panther Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Para-Juvenile Lake (Adams/Grant counties): ~~((March))~~ April 1 through ~~((July 31))~~ September 30 season. Juveniles only.

Park Lake (Grant County): Last Saturday in April through September 30 season.

Parker Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Pass Lake (Skagit County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. All species: Release all fish.

Pataha Creek (Garfield County):

Within the city limits of Pomeroy: Juveniles only.

From city limits of Pomeroy upstream: Selective gear rules.

Patterson Lake (Okanogan County): Last Saturday in April through October 31 season.

Pattison Lake (Thurston County): Last Saturday in April through October 31 season. Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Peabody Creek (Clallam County): Juveniles only.

Pearrygin Lake (Okanogan County): Last Saturday in April through September 30 season.

Pend Oreille River (Pend Oreille County): Year-round season. All sloughs within the boundaries of the Kalispell Reservation except Calispell Slough: Closed waters.

Perch Lake (Grant County): Last Saturday in April through September 30 season.

Percival Creek (Thurston County): Trout: Minimum length fourteen inches.

Peshastin Creek (Chelan County): Mouth to Ruby Creek: Closed waters.

Petit Lake (Pend Oreille County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion motor prohibited.

Phalon Lake (Stevens County): Closed waters.

Phantom Lake (King County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Pheasant Lake (Jefferson County): Last Saturday in April to October 31 season.

Philippa Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Phillips Lake (Mason County): Last Saturday in April through October 31 season.

Phillips Lake (Stevens County): Last Saturday in April through October 31 season.

Pilchuck Creek (Snohomish County), mouth to Highway 9 Bridge: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Additional December 1 through last day in February season. Trout: Minimum length fourteen inches. (~~Wild steelhead may be retained.~~)

Pilchuck River (Snohomish County)

From its mouth to five hundred feet downstream from the Snohomish City diversion dam: December 1 through last day in February season. Fishing from any floating device prohibited. Trout: Minimum length fourteen inches. (~~Wild steelhead may be retained.~~)

From 500 feet below diversion dam to diversion dam: Closed waters.

Pillar Lake (Grant County): (~~(March)~~) April 1 through (~~(March 31 and September 1 through)~~) September 30 season(s).

Pine Lake (King County): Last Saturday in April through October 31 season.

Pine Lake (Mason County): Last Saturday in April through October 31 season.

Pioneer Ponds (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Pipers (Carkeek) Creek (King County), from its mouth to its source, including tributaries: Closed waters.

Pit Lake (Douglas County): Juveniles only.

Pleasant Lake (Clallam County): Trout: Kokanee minimum length eight inches, maximum length twenty inches.

Plummer Lake (Lewis County): Last Saturday in April through last day in February season.

Poacher Lake (Grant County): (~~(March)~~) April 1 through (~~(March 31 and September 1 through)~~) September 30 season(s).

Portage Creek (tributary to Stillaguamish River) (Snohomish County): Closed waters.

Potholes Reservoir (Grant County): Crappie and bluegill: Combined daily limit twenty-five fish. Crappie: 8-inch minimum length. Perch: Daily limit twenty-five fish.

Potter's Pond (Stevens County): Last Saturday in April through October 31 season.

Pratt River (tributary to Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Prices Lake (Mason County): Last Saturday in April through October 31 season. Selective gear rules. All species: Release all fish.

Promised Land Pond (Grays Harbor County): June 1 through October 31 season.

Purdy Creek (Mason County): June 1 through August 15 season. Selective gear rules. All species: Release all fish.

Puyallup River (Pierce County):

From mouth to the Electron power plant outlet: June 1 through January 31 season. Nonbuoyant lure restriction and night closure August 1 through November 30 from the mouth to the Carbon River. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to Carbon River. Daily limit 6 fish of which no more than 2 may be adult salmon. Release pink.

From mouth to the Soldier's Home Bridge in Orting: Additional February 1 through March 31 season. Trout: Minimum length fourteen inches.

Pysht River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Wild steelhead may be retained December 1 through last day in February.

Pysht River South Fork (Clallam County): Trout: Minimum length fourteen inches.

Quail Lake (Adams County): Fly fishing only. Fishing from any floating device equipped with a motor prohibited. All species: Release all fish.

Quarry Pond (Walla Walla County): Fishing from any floating device prohibited.

Quillayute River (Clallam County): June 1 through April 30 season. Trout: Minimum length fourteen inches. December 1 through April 30, one wild steelhead per day may be retained. Salmon: Open only March 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon. July 1 through August 31 release wild adult coho and wild adult chinook.

Quinault River, Upper (Jefferson County), from mouth at upper end of Quinault Lake to the National Park boundary: June 1 through March 31 season. Trout: Minimum length fourteen inches. Wild steelhead may be retained December 1 through March 31. Salmon: Open only July 1 through October 31. Daily limit 6 fish except release adult salmon.

Quincy Lake (Grant County): March 1 through July 31 season.

Radar Ponds (Pacific County): Salmon: Landlocked salmon rules apply.

Raging River (King County), from its mouth to the Highway 18 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~

Railroad Pond (Franklin County): Selective gear rules. Trout: Daily limit two.

Rainbow Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Rapjohn Lake (Pierce County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Rat Lake (Okanogan County): April 1 through November 30: Selective gear rules except electric motors allowed, and all species: Release all fish.

Rattlesnake Creek (Yakima County): Selective gear rules. All species: Release all fish.

Rattlesnake Lake (King County): Last Saturday in April through October 31 season. Selective gear rules, except fishing from a floating device equipped with an electric motor allowed.

Ravensdale Lake (King County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length twelve inches.

Reflection Pond (Okanogan County): Last Saturday in April through October 31 season.

Renner Lake (Ferry County): Last Saturday in April through October 31 season.

~~((Ridley Lake (Whatcom County): July 1 through October 31 season. Selective gear rules. Trout: Daily and possession limit one, minimum length eighteen inches.))~~

Riffe Lake (Reservoir) (Lewis County): Lawful to fish up to the base of Swofford Pond Dam. Salmon: Landlocked salmon rules apply.

Rigley Lake (Stevens County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length fourteen inches.

Riley Lake (Snohomish County): Last Saturday in April through October 31 season.

Rimrock Lake (Reservoir) (Yakima County): Chumming permitted. Trout except kokanee: Daily limit five. Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Ringold Springs Creek (Hatchery Creek) (Franklin County): Closed waters.

Robbins Lake (Mason County): Last Saturday in April through October 31 season.

Rock Creek (Adams/Whitman counties): Mouth to Endicott Road year-round season.

Endicott Road to bridge on George Knott Road at Revere: Selective gear rules. All species: Release all fish.

Upstream from bridge on George Knott Road: Year-round season.

Rock Creek (Cedar River tributary below Landsburg Dam) (King County): Closed waters.

Rock Creek (Skamania County): June 1 through March 15 season. Trout: Minimum length twelve inches. Release wild cutthroat.

Rocky Ford Creek and Ponds (Grant County): Fly fishing only. Fishing from bank only (no wading). All species: Release all fish.

Rocky Lake (Stevens County): Last Saturday in April through October 31 season. June 1 through October 31 selective gear rules and all species: Release all fish.

Roosevelt Lake (Ferry/Lincoln/Stevens counties): All species: Closed February 1 through May 31 in San Poil arm upstream from ~~((mouth of Manila Creek))~~ powerline crossing at French Johns Lake, and April 1 through May 31 in Kettle arm upstream to Barstow Bridge. Trout except kokanee: Daily limit five. No more than two over twenty inches in length. Kokanee daily limit two. Walleye: No minimum size. Daily limit 8 fish not more than one of which may be longer than 20 inches. Release walleye 16 to 20 inches in length. Salmon: Landlocked salmon rules apply. Sturgeon: Release all fish.

Rose Lake (Mason County): Last Saturday in April through October 31 season.

Roses Lake (Chelan County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Ross Lake (Reservoir) (Whatcom County): July 1 through October 31 season. Selective gear rules, except fishing from a floating device equipped with a motor allowed. Trout: Daily limit three, possession limit six, minimum length thirteen inches.

Ross Lake tributary streams (Whatcom County), except Big Beaver Creek and Ruby Creek: Closed waters: From closed water markers near mouth upstream for one mile. Above closed water marker in tributaries not listed as closed: July 1 through October 31 season.

Round Lake (Okanogan County): Last Saturday in April through September 30 season.

Rowland Lakes (Klickitat County): Last Saturday in April through last day in February season.

Royal Lake (Adams County): ~~((Last Saturday in April through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited.))~~ Closed waters.

Royal Slough (including Marsh Unit IV impoundments) (Adams County): Closed waters.

Ruby Creek (tributary to Ross Lake) (Whatcom County): Closed waters.

Rufus Woods Lake (Douglas County): Trout: Daily limit two. Sturgeon: Release all fish.

Sacheen Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Saddle Mountain Lake (Grant County): Closed waters.

Sago Lake (Grant County): ~~((March))~~ April 1 through ~~((March 31 and September 1 through))~~ September 30 season(s).

~~((Saint Clair Lake (Thurston County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Salmon Creek (Clark County), from mouth to 72nd Avenue N.E.: June 1 through March 15 season. Trout: Minimum length twelve inches. Release wild cutthroat. Release all steelhead June 1 through October 31.

Salmon Creek, including all forks (Jefferson County): Closed waters.

Salmon Creek, mainstem (Okanogan County): Closed waters.

Salmon Creek, North Fork and West Fork from mouth to South Fork (Okanogan County): Selective gear rules.

Salmon Creek (tributary of Naselle River) (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish.

Salmon River (Jefferson County): June 1 through last day in February season. Trout: Minimum length fourteen inches. Wild steelhead may be retained November 1 through last day in February. Salmon: Open only September 1 through November 30 from mouth to Q 1000 Bridge. Daily limit 6 fish of which no more than 2 may be adult salmon.

Salt Creek (Clallam County): Trout: Minimum length fourteen inches.

From mouth to bridge on Highway 112: Additional November 1 through last day in February season. Trout: Minimum length fourteen inches.

Samish Lake (Whatcom County): Trout: Cutthroat trout daily limit two, minimum length fourteen inches.

Samish River (Whatcom County):

From its mouth to the old Highway 99 Bridge and from the department rack to the Hickson Bridge: June 1 through March 15 season. From Highway 99 Bridge to department salmon rack: Closed waters. Nonbuoyant lure restriction and night closure August 1 through December 31.

Trout: Minimum length fourteen inches. Salmon: Open only July 1 through December 31 from mouth to Thomas Road Bridge and October 1 through December 31 from Thomas Road Bridge to I-5 Bridge. Daily limit two salmon.

Sammamish Lake (King County): Trout: No more than two over fourteen inches in length. Release all kokanee. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon. December 1 through June 30: Release all steelhead and rainbow trout over twenty inches in length.

Sammamish River (Slough) (King County), from the 68th Avenue N.E. Bridge to Lake Sammamish: Closed waters: All tributaries. June 1 through August 31 season. Selective gear rules. Trout: Release all trout.

Sandyshore Lake (Jefferson County): Last Saturday in April to October 31 season.

Sarge Hubbard Park Pond (Yakima County): Juveniles and holders of disability licenses only.

Satsop Lakes (Grays Harbor County): Last Saturday in April through October 31 season.

Satsop River, including all forks (Grays Harbor County): Nonbuoyant lure restriction and night closure August 16 through November 30 except only August 16 through October 31 on East Fork upstream from bridge at Schafer State Park and on Middle and West forks upstream from Cougar Smith Road. Fishing from floating device equipped with a motor prohibited at all times on East, Middle and West Forks. All open periods: Trout: Minimum length fourteen inches.

From mouth to bridge at Schafer Park: Additional November 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Salmon: Open only October 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except that the daily limit may contain no more than one adult chinook and one wild adult coho. Release chum.

East Fork, from bridge at Schafer State Park upstream: Single point barbless hooks required August 16 through October 31.

Middle Fork (Turnow Branch), from mouth to Cougar-Smith Road: Additional November 1 through last day in February season. West Fork, from mouth to Cougar-Smith Road: Additional November 1 through last day in February season.

Sauk River (Skagit/Snohomish counties):

From mouth to the mouth of the White Chuck River: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~

From the mouth of the White Chuck River to headwaters, including North Fork and South Fork upstream to Elliot Creek: Selective gear rules. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

South Fork upstream from Elliot Creek: June 1 through August 31 season. Selective gear rules.

From mouth to the Darrington Bridge: Additional March 1 through April 30 season. Selective gear rules. All species: Release all fish.

Sawyer, Lake (King County): Chumming permitted.

~~((Seabrook Lake (Grant County): March 1 through July 31 season.))~~

Scanewa Lake (Cowlitz County): Trout: Release cutthroat.

Schaefer Lake (Chelan County): Trout: Daily limit sixteen.

~~((Seotoney Reservoir (Franklin County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Sekiu River (Clallam County): All open periods: Trout: Minimum length fourteen inches.

From mouth to forks: Additional November 1 through last day in February season.

Serene Lake (Snohomish County): Last Saturday in April through June 30 and September 1 through October 31 season.

Shady Lake (King County): June 1 through October 31 season. Trout: No more than one over fourteen inches in length.

Shannon, Lake (Skagit County): Last Saturday in April through October 31 season. Chumming permitted. Trout: Minimum length six inches and maximum length eighteen inches.

Shellneck Creek (Yakima County): Closed waters.

Shelton Creek (Mason County): Closed waters.

Sherman Creek (Ferry County):

From the mouth at Lake Roosevelt upstream to four hundred feet above the water diversion dam for the hatchery: Closed waters, except December 1 through August 31 season from the mouth upstream to the hatchery boat dock.

Sherry Lake (Stevens County): Last Saturday in April through October 31 season.

Sherwood Creek (Mason County): Trout: Minimum length fourteen inches.

Sherwood Creek Mill Pond (Mason County): June 1 through October 31 season. Trout: Minimum length 14 inches, daily limit 2 fish.

Shiner Lake (Adams County): ~~((March))~~ April 1 through September 30 season. Fishing from a floating device equipped with an internal combustion motor prohibited. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Shoe Lake (Mason County): Last Saturday in April through October 31 season.

Shoecraft Lake (Snohomish County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Shoveler Lake (Grant County): ~~((March))~~ April 1 through ~~((March 31 and September 1 through))~~ September 30 season(s).

Shye Lake (Grays Harbor County): June 1 through October 31 season.

Sidley Lake (Okanogan County): Trout: Daily limit two.

Siebert Creek (Clallam County): Trout: Minimum length fourteen inches.

Silent Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Silver Creek (tributary to Cowlitz River) (Lewis County), mouth to USFS Road 4778: Selective gear rules. Trout: Minimum length twelve inches.

~~((Silver Lake (Cowlitz County): Use of water dogs or salamanders for fishing prohibited. Bass: Minimum length fourteen inches.))~~

Silver Lake (Pierce County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

~~Silver Lake (Spokane County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Silver Lake, North (Spokane County): Fly fishing only. All species: Release all fish.

Silver Lake (Whatcom County): Last Saturday in April through October 31 season.

Silver Lake (Okanogan County): Juveniles only.

Similkameen River (Okanogan County):

From mouth to Enloe Dam: December 1 through March 31 season. ~~((Terminal gear restricted to one single hook, maximum hook size number 14. All species: Release all fish except))~~ Whitefish gear rules apply.

From Enloe Dam to Canadian border: ~~((Whitefish:))~~ Additional December 1 through March 31 season. ~~((Release all fish except))~~ Whitefish gear rules apply.

Sinlahekin Creek (Okanogan County), from Palmer Lake to Cecile Creek bridge: June 1 through August 31 season. Selective gear rules. ~~((Whitefish:))~~ Additional December 1 through March 31 season. ~~((Release all fish except))~~ Whitefish gear rules apply.

Sixteen Lake (Skagit County): Last Saturday in April through October 31 season.

Skagit River (Skagit/Whatcom counties):

From mouth to the Memorial Highway Bridge (Highway 536 at Mt. Vernon): Year-round season. Selective gear rules March 1 through May 31. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~ Salmon: Open only August 15 through December 31. Daily limit 4 salmon of which no more than two may be coho or two may be chum. Release chinook.

From Memorial Highway Bridge (Highway 536 at Mt. Vernon) upstream to ~~((pipeline crossing at Sedro Woolley))~~ Gilligan Creek: June 1 through March 31 season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~ Salmon: Open only August 15 through December 31. Daily limit 4 salmon of which no more than two may be coho or two may be chum. Release chinook.

From ~~((pipeline crossing at Sedro Woolley)) Gilligan Creek~~ to Bacon Creek: June 1 through March 15 season except closed June 1 through June 30 and August 1 through August 31 between a line 200 feet above the east bank of the Baker River to a line 200 feet below the west bank of the Baker River. Nonbuoyant lure restriction and night closure July 1 through November 30 ~~((upstream from Gilligan Creek))~~. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~ Salmon: Open only July 1 through July 31 from Dalles Bridge to the Baker River~~((:))~~, daily limit 2 sockeye~~((Open only August 15 through December 31 from the pipeline crossing to Gilligan Creek. Daily limit 4 salmon of which not more than two may be coho or two may be chum, except))~~, and Dalles Bridge to Cascade River October 1 through October 31, daily limit two coho. Release chinook at all times.

From Bacon Creek to Gorge Powerhouse: June 1 through last day in February season. Nonbuoyant lure restriction and night closure July 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of the trout daily limit, minimum length twenty inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~

From the Gorge Powerhouse to Gorge Dam: Closed waters.

From the Dalles Bridge at Concrete to the mouth of Bacon Creek: Additional March 16 through April 30 season. Selective gear rules, except lawful to fish from a floating device equipped with a motor but not while under power. All species: Release all fish.

Skamokawa Creek (Wahkiakum County), mouth to forks just below Oatfield and Middle Valley Road: November 1 through March 15 season. All species: Release all fish other than steelhead. Trout: Minimum length twenty inches.

Skate Creek (tributary to Cowlitz River) (Lewis County): Trout: Daily limit five, no more than one over twelve inches in length.

Skokomish River (Mason County), mouth to forks: Night closure, nonbuoyant lure restriction and single point barbless hooks required August 1 through November 30. June 1 through last day in February season. All game fish: Release all fish except that up to two hatchery steelhead per day may be retained. Salmon: Open only August 1 through December 15 mouth to Highway 101 Bridge. Daily limit 1 salmon August 1 through September 30 and 6 salmon October 1 through December 15, except October 1 through December 15 the daily limit may contain no more than 4 adult fish and of these adults not more than one may be an adult chinook. August 1 through October 15 release chum salmon.

Skokomish River, South Fork (Mason County):

From mouth to mouth of Church Creek: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

From mouth of Church Creek to mouth of Rule Creek: Closed waters.

From mouth of ~~((Church)) Rule~~ Creek to headwaters: Selective gear rules. Trout: Minimum length twelve inches.

Skokomish River, North Fork (Mason County):

From mouth to lower dam: June 1 through last day in February season. All species: Release all fish except up to two hatchery steelhead per day may be retained.

Above Lake Cushman, mouth to Olympic National Park boundary: June 1 through August 31 season. Selective gear rules. Trout: Release all fish.

Skookum Creek (Mason County): ~~((June 1 through last day in February season.))~~ Trout: Minimum length fourteen inches.

Skookum Lakes, North and South (Pend Oreille County): Last Saturday in April through October 31 season.

Skookumchuck Reservoir (Thurston County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches.

Skookumchuck River (Thurston County):

From mouth to four hundred feet below the outlet of the PP&L/WDFW steelhead rearing pond located at the base of the Skookumchuck Dam: June 1 through April 30 season. Single point barbless hooks, night closure and nonbuoyant lure restriction August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only October 16 through last day in February. Daily limit 6 fish of which no more than 2 may be adult salmon, except October 16 through November 30 the daily limit may contain no more than one wild adult coho and December 1 through the last day in February release adult wild coho. Release chum and adult chinook.

From Skookumchuck Reservoir upstream and all tributaries: Selective gear rules. Trout: Minimum length twelve inches.

Skykomish River (Snohomish County):

From mouth to mouth of Sultan River: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited November 1 through ~~((April 30)) last day in February~~ from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. ~~((Wild steelhead may be retained December 1 through last day in February. Additional March 1 through April 30 season. Selective gear rules. Nonbuoyant lure restriction and night closure March 1 through April 30. Fishing from any floating device prohibited from the boat ramp below Lewis Street Bridge at Monroe downstream two thousand five hundred feet. All species: Release all fish.))~~ Salmon: Open only September 1 through December 31. Daily limit 2 salmon. Release chinook.

From the mouth of the Sultan River to the forks: June 1 through ~~((March 31)) last day in February~~ season, except closed June 1 to 8:00 a.m. August 1 in those waters one thou-

sand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited in the area one thousand five hundred feet upstream and one thousand feet downstream of the outlet at Skykomish Rearing Ponds. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. (~~Wild steelhead may be retained December 1 through last day in February.~~) Salmon: Open only November 1 through December 31. Daily limit 2 chum salmon.

Skykomish River, North Fork (Snohomish County):

From mouth to one thousand feet downstream from Bear Creek Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. (~~Wild steelhead may be retained December 1 through last day in February.~~)

From one thousand feet below Bear Creek Falls to Deer Falls: Closed waters.

Skykomish River, South Fork (King/Snohomish counties):

From mouth to six hundred feet downstream from the Sunset Falls Fishway: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. (~~Wild steelhead may be retained December 1 through last day in February.~~)

From a point six hundred feet downstream of the Sunset Falls Fishway to the Sunset Falls Fishway: Closed waters.

From Sunset Falls to source: June 1 through November 30 season. Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional December 1 through last day in February season. Release all fish other than whitefish.

Smith Creek (near North River) (Pacific County): June 1 through last day in February season. Single point barbless hooks, nonbuoyant lure restriction and night closure August 16 through November 30 upstream to the Highway 101 Bridge. All game fish: Release all fish except up to two hatchery steelhead per day may be retained. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon and of the adult salmon not more than one may be an adult wild coho. Release adult chinook. Sturgeon: Open year-round from mouth to Highway 101 Bridge.

Snake River: Year-round season. Closed to the taking of all trout April 1 through June 15. Trout: Daily limit six, minimum length ten inches, no more than two over twenty inches. Release all steelhead June 16 through August 31. Barbless hooks required when fishing for steelhead. Sturgeon: Unlawful to retain sturgeon in mainstem and tributaries upstream from Lower Granite Dam.

Closed waters: Within four hundred feet of the base of any dam and within a four hundred foot radius around the fish ladder entrance at Lyons Ferry Hatchery, within a two hundred foot radius upstream of the fish ladder exit above Lower Granite Dam, and within an area one thousand two hundred feet downstream from the base of the west lock gate at Little

Goose Dam on the south bank of the Snake River and one hundred feet out into the river from said river bank.

Snipe Lake (Grant County): (~~March~~) April 1 through (~~March 31 and September 1 through~~) September 30 season(s).

Snohomish River (Snohomish County), including all channels, sloughs, and interconnected waterways, but excluding all tributaries: June 1 through (~~March 31~~) last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. (~~Wild steelhead may be retained December 1 through last day in February.~~) Salmon: Open only September 1 through December 31. Daily limit 2 salmon. Release chinook. Sturgeon: Open year-round from mouth to Highway 2 Bridge.

Snoqualmie River (King County):

From mouth to the falls: June 1 through (~~March 31~~) last day in February season, except waters within the Puget Power tunnel at the falls and within fifty feet of any point on Puget Power's lower Plant # 2 building (north bank) are closed waters. June 1 through November 30 selective gear rules, except fishing from a floating device equipped with a motor allowed. Fishing from any floating device prohibited November 1 through (~~March 31~~) last day in February from the mouth of Tokul Creek downstream to the boat ramp at Plumb access, about one-quarter mile. Night closure September 1 through November 30. Trout: Minimum length fourteen inches. (~~Wild steelhead may be retained December 1 through last day in February.~~) Salmon: Open only September 1 through December 31. Daily limit 2 fish. Release chinook and pink.

From Snoqualmie Falls, including the North and South Forks: Selective gear rules. Trout: Minimum length ten inches. Additional November 1 through May 31 season. Selective gear rules. All species: Release all fish.

Snoqualmie Middle Fork from mouth to source including all tributaries except Pratt and Taylor rivers: June 1 through May 31 season. Selective gear rules. All species: Release all fish.

Snow Creek (Jefferson County), including all tributaries: Closed waters.

Sol Duc River (Clallam County): June 1 through April 30 season. November 1 through April 30, selective gear rules from the concrete pump station at the Soleduck Hatchery to the (~~Highway 101 Bridge downstream from Snider Creek~~) Olympic National Park boundary. November 1 through April 30 from the Highway 101 Bridge downstream from Snider Creek to the Olympic National Park boundary unlawful to fish from a floating device and all species: Release all fish. Trout: Minimum length fourteen inches. December 1 through April 30, from mouth to the concrete pump station at the Soleduck Hatchery, one wild steelhead per day may be retained. Salmon: Open only March 1 through November 30 from mouth to concrete pump station. Daily limit 6 fish of

which no more than 2 may be adult salmon. July 1 through August 31 release wild adult coho and wild adult chinook.

Sooes River (Suez River) (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Soos Creek (King County), from mouth to bridge near hatchery residence: June 1 through August 31 season. September 1 through October 31 - night closure. Trout: Minimum length fourteen inches. Salmon: Open only October 13 through October 28 to fishing by juveniles only. Terminal gear restricted to one single hook. Daily limit two coho salmon.

Bridge near hatchery residence to Salmon hatchery rack: June 1 through August 31 season. Trout: Minimum length fourteen inches.

South Bend Mill Pond (Pacific County): Juveniles only.

South Prairie Creek (Pierce County), mouth to Page Creek: Closed waters.

Spada Lake (Reservoir) (Snohomish County): Last Saturday in April through October 31 season. Selective gear rules except fishing from a floating device equipped with an electric motor permitted. Trout: Maximum length twelve inches.

Spada Lake (Reservoir) tributaries (Snohomish County): Closed waters.

Spanaway Lake and Spanaway Lake outlet downstream to the dam (approximately 800 feet) (Pierce County): Year-round season. Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Spearfish Lake (Klickitat County): Last Saturday in April through last day in February season.

~~((Spectacle Lake (Kittitas County): Trout: Daily limit sixteen.))~~

Spectacle Lake (Okanogan County): March 1 through July 31 season.

~~((Spencer Lake (Mason County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Spirit Lake (Skamania County): Closed waters.

Spokane River (Spokane County):

From SR 25 Bridge upstream to the Seven Mile Bridge, except Long Lake, formed by Long Lake Dam (see also Long Lake): Year-round season except walleye. Trout: Daily limit five, no more than two over twenty inches in length. Walleye: Daily limit eight, no more than one over twenty inches in length. Release walleye sixteen inches to twenty inches in length, and April 1 through May 31 release all walleye. Salmon: Landlocked salmon rules apply.

From Seven Mile Bridge upstream to the Monroe Street Dam: Year-round season. Selective gear rules. Trout: Daily limit one. Release wild trout. Salmon: Landlocked salmon rules apply.

From Monroe Street Dam upstream to Upriver Dam: Year-round season. Salmon: Landlocked salmon rules apply.

From Upriver Dam upstream to the Idaho/Washington state line: Selective gear rules, except fishing from a floating device equipped with a motor permitted. Trout: Daily limit one, minimum length 12 inches. Salmon: Landlocked salmon rules apply.

~~((Sportsman's Lake (San Juan County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Sprague Lake (Adams/Lincoln counties):

~~((Waters northeast of the lakeside edge of the reeds: Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Waters south of the lakeside edge of the reeds and waters of Cow Creek south to Danekas Road: July 1 through September 15 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Spring Creek (Klickitat County): Trout: Daily limit five.

Spring Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

~~((Spring Lake (King County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Spring Lakes (Grant County): March 1 through July 31 season.

Squalicum Lake (Whatcom County): Fly fishing only. Fishing from a floating device equipped with a motor prohibited. Trout: Daily limit two.

Stan Coffin Lake (Grant County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.

Starvation Lake (Stevens County): Last Saturday in April through May 31 season. Additional June 1 through October 31 season. Selective gear rules. All species: Release all fish.

Steel Lake (King County): Last Saturday in April through October 31 season.

Stekin River (Chelan County), from the mouth to Agnes Creek: July 1 through October 31 season. Selective gear rules. Trout: Minimum length fifteen inches. Release cut-throat. Additional March 1 through June 30 season. Selective gear rules. All species: Release all fish.

Stetattle Creek (Whatcom County), from its mouth to mouth of Bucket Creek (one and one-half miles upstream): Closed waters.

Stevens Creek (Grays Harbor County), mouth to Highway 101 Bridge: June 1 through last day in February season. Trout: Minimum length fourteen inches.

Stevens, Lake (Snohomish County): Chumming permitted. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained. Trout: An additional ten kokanee may be retained above the five fish daily limit.))~~ Kokanee: Kokanee not included in trout daily limit. Kokanee daily limit ten fish.

Steves Lake (Mason County): Last Saturday in April through October 31 season.

Stickney Lake (Snohomish County): Last Saturday in April through June 30 and September 1 through October 31 season.

Stillaguamish River (Snohomish County):

From mouth to Warm Beach-Stanwood Highway, including all sloughs: Year-round season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~ Salmon: Open only September 1 through December 31. Daily limit 2 salmon. Release chinook and coho.

From Warm Beach-Stanwood Highway to the forks, except from the barrier dam (downstream of I-5) downstream two hundred feet which is closed waters: June 1 through last day in February season. Night closure August 1 through November 30. Selective gear rules June 1 through November 30 except fishing from a floating device equipped with a motor allowed June 1 through November 30. Trout: June 1 through November 30 release all fish except hatchery steelhead. Minimum length fourteen inches December 1 through last day in February ~~((and wild steelhead may be retained))~~. Salmon: Open only September 1 through December 31. Daily limit 2 salmon. Release chinook and coho. Minimum size 14 inches.

Stillaguamish River, North Fork (Snohomish County), from mouth to Swede Heaven Bridge: Year-round season. Nonbuoyant lure restriction and night closure August 1 through November 30. Fishing from any floating device prohibited upstream of the Highway 530 Bridge at mile post 28.8 (Cicero Bridge). Fishing from any floating device equipped with a motor prohibited downstream from the Highway 530 Bridge. March 1 through November 30: All species: Release all fish except hatchery steelhead. April 16 through November 30 fly fishing only. December 1 through last day in February: Trout: Minimum length fourteen inches ~~((and wild steelhead may be retained))~~.

Stillaguamish River, South Fork (Snohomish County):

From mouth to four hundred feet downstream of the outlet to fishway at Granite Falls: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through November 30. Trout: Minimum length fourteen inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~

From four hundred feet below the outlet of the end of the fishway to Mt. Loop Highway bridge above Granite Falls: Closed waters.

From Mt. Loop Highway Bridge above Granite Falls to source: June 1 through November 30 season. Nonbuoyant lure restriction and night closure August 1 through November 30.

Storm Lake (Snohomish County): Last Saturday in April through October 31 season.

Stratford/Brook Lake (Grant County): February 1 through September 30 season.

Stump Lake (Mason County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Suiattle River (Skagit County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

Sullivan Creek (Pend Oreille County), from Mill Pond upstream: Selective gear rules.

Sultan River (Snohomish County), from its mouth to a point four hundred feet downstream from the diversion dam at river mile 9.7: June 1 through last day in February season. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~

Sultan River, North and South Forks (Snohomish County): Closed waters.

Summit Lake (Stevens County): Last Saturday in April through October 31 season.

Summit Lake (Thurston County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Sunday Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Sutherland Lake (Clallam County): Chumming permitted.

Swamp Creek (tributary to Sammamish River) (Snohomish/King counties): Closed waters.

Swan Lake (Ferry County): Last Saturday in April through October 31 season.

Swan's Mill Pond (Stossel Creek) (King County): June 1 through October 31 season.

Swauk Creek (Kittitas County): Selective gear rules.

Swift Reservoir (Skamania County): Last Saturday in April through October 31 season. From posted markers below Eagle Cliff Bridge to Bridge: Selective gear rules except fishing from a floating device equipped with a motor is allowed. Salmon: Landlocked salmon rules apply.

Swofford Pond (Lewis County): Fishing from a floating device equipped with an internal combustion motor prohibited. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Tahuya River (Mason County): Mouth to Bear Creek-Dewatto Road crossing: June 1 through February 28 season. Game fish: Selective gear rules and release all fish. Salmon: Open only September 16 through October 31 mouth to marker one mile above North Shore Road Bridge. Single point barbless hooks required. Daily limit 2 coho salmon.

Bear Creek-Dewatto Road crossing upstream: Selective gear rules and release all fish.

PROPOSED

Taneum Creek (Kittitas County): Selective gear rules.

Tanwax Lake (Pierce County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Tapps Lake (Reservoir) and Tapps Lake (Reservoir) intake canal (Pierce County), to within four hundred feet of the screen at Dingle Basin: Year-round season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Tarboo Lake (Jefferson County): Last Saturday in April through November 30 season. Fishing from a floating device equipped with an internal combustion engine prohibited. Salmon: Landlocked salmon rules apply.

Tate Creek (tributary to N.F. Snoqualmie River) (King County): Closed waters.

Taylor River (tributary to the Middle Fork Snoqualmie) (King County): Selective gear rules. All species: Release all fish.

Teal Lakes (North and South) (Grant County): April 1 through September 30 season.

Teal Lake (Jefferson County): Last Saturday in April through October 31 season. Fishing from a floating device equipped with an internal combustion engine prohibited.

Teanaway River, including North Fork (Kittitas County): Selective gear rules.

~~((Fee Lake (Mason County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Tenas Lake (Mason County): Last Saturday in April through October 31 season.

Tennant Lake (Whatcom County): Fishing from any floating device prohibited from first Friday in October through January 15.

Terrell, Lake (Whatcom County): Fishing from any floating device prohibited the first Saturday after Labor Day through the following Friday and from October 1 through January 15 except fishing from floating dock permitted. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Thomas Lake (Stevens County): Last Saturday in April through October 31 season.

Thornton Creek (tributary to Lake Washington) (King County): Closed waters.

Thread Lake (Adams County): April 1 through September 30 season.

Tibbetts Creek (tributary to Lake Sammamish) (King County): Closed waters.

Tieton River (Yakima County): Lawful to fish to base of Tieton (Rimrock) Dam. ~~((Trout: Daily limit five, no minimum length. Whitefish.))~~ Additional December 1 through

March 31 season ~~((Release all fish except))~~: Whitefish gear rules apply.

Tieton River, North Fork (Yakima County), upstream from Rimrock Lake: Closed waters: Spillway channel. June 1 through August 15 season.

Tieton River, South Fork (Yakima County): From mouth to bridge on USFS Rd. 1070 (approximately 12.5 miles): Closed waters.

Tiger Lake (Kitsap/Mason counties): Last Saturday in April through October 31 season.

Tilton River (Lewis County), from mouth to West Fork: June 1 through March 31 season. Trout: Daily limit five, no more than one over twelve inches in length. Salmon: Open only June 1 through December 31. Daily limit 6 fish of which no more than 2 may be adult fish, except October 1 through December 31 the daily limit may contain up to 4 adult salmon. Release wild coho.

Tilton River, East, North, South and West Forks (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Toad Lake (Whatcom County): Last Saturday in April through October 31 season.

Tokul Creek (King County):

From mouth to the posted cable boundary marker located approximately seven hundred feet upstream of the mouth: December 1 through ~~((March 31))~~ last day in February season, closed 5:00 p.m. to 7:00 a.m. daily. Nonbuoyant lure restriction. Trout: Minimum length fourteen inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~

From the posted cable boundary marker located approximately seven hundred feet upstream of the mouth to the railroad trestle: Closed waters.

Tolt River (King County):

From mouth to the USGS trolley cable near the confluence of the North and South Forks: June 1 through last day in February season. June 1 through November 30, selective gear rules. Trout: Minimum length fourteen inches. ~~((Wild steelhead may be retained December 1 through last day in February.))~~

From the USGS trolley cable to the falls in Sec. 21, Twp 26N., R 8 E. on the North Fork, and to the dam on the South Fork: Closed waters.

From falls upstream on North Fork: Selective gear rules. ~~((Trout: Minimum length ten inches.))~~ All species: Release all fish.

From dam upstream on South Fork: Selective gear rules. Trout: Minimum length ten inches.

~~((Totem Lakes 1 and 2 (Whatcom County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Touchet River (Columbia/Walla Walla counties):

From mouth to confluence of north and south forks: ~~((June 1 through October 31 season. Trout: Daily limit five.))~~ Additional season: November 1 through April 15. Barbless

hooks required. All species: Release all fish except hatchery steelhead and brown trout. From confluence of north and south forks upstream, including Wolf Fork: ~~((June 1 through October 31 season-))~~ Selective gear rules. Release all steelhead. Tributaries other than North Fork, South Fork and Wolf Fork: Closed waters.

North Fork: Mouth to Spangler Creek June 1 through March 31 season. Upstream of Spangler Creek June 1 through August 15 season.

South Fork: Mouth to Griffin Creek June 1 through March 31 season. Upstream from Griffin Creek June 1 through August 15 season.

Wolf Fork: Mouth to Coates Creek June 1 through March 31 season. Upstream from Coates Creek June 1 through August 15 season.

Toutle River (Cowlitz County):

From mouth to forks, and North Fork from the mouth to the posted deadline below the fish collection facility: June 1 through November 30 season. Nonbuoyant lure restriction and night closure September 1 through October 15 on North Fork from confluence with South Fork to mouth of Green River. All game fish: Release all fish except hatchery steelhead. Salmon: Open only August 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult salmon, except September 1 through November 30 daily limit 6 fish. Release chum and chinook. Release wild coho.

From the posted deadline below the fish collection facility upstream to the headwaters, including all tributaries, but excepting Castle and Coldwater Lakes: Closed waters.

Toutle River, South Fork (Cowlitz County), mouth to source: Closed waters: All tributaries. June 1 through November 30 season. All species: Release all fish except hatchery steelhead. Trout: Minimum length twenty inches. Mouth to 4100 Road Bridge: Additional December 1 through March 31 season. Selective gear rules. All species: Release all fish except hatchery steelhead ~~((with a missing adipose fin and a healed sear at the fin site))~~.

~~((Tradition Lake (King County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Trapper Lake (Chelan County): Trout: Daily limit two.

Trout Creek (tributary to Wind River) (Skamania County): Closed waters.

Trout Lake (Ferry County): Last Saturday in April through October 31 season.

Trout Lake (tributary to Big White Salmon River) (Klickitat County): June 1 through October 31 season.

Tucannon River (Columbia/Walla Walla counties): Closed waters: All tributaries.

From the ~~((Highway 261 Bridge))~~ mouth upstream to Turner Road Bridge: ~~((Trout: Daily limit five, no more than two of which may be steelhead-))~~ Additional November 1 through April 15 season. Barbless hooks required. All species: Release all fish except hatchery steelhead and whitefish.

From the Turner Road Bridge upstream to the Cummings Creek Bridge: Selective gear rules June 1 through October 31. Additional season November 1 through April 15. Barbless hooks required. All species: Release all fish except steelhead and whitefish.

From the Cummings Creek Bridge upstream to a sign referencing Deer Lake about 3/4 mile upstream of the Tucannon hatchery: Closed waters.

From a sign referencing Deer Lake to the ~~((Panjab Creek))~~ Cow Camp Bridge: Selective gear rules.

From Cow Camp Bridge to Panjab Creek Bridge: June 1 through August 15 season.

From the Panjab Creek Bridge upstream: Closed waters. ~~((Tucannon River tributaries (Columbia/Walla Walla counties): Closed waters-))~~

Tunnel Lake (Skamania County): Trout: No more than 2 trout 20 inches in length or greater may be retained.

Twin Lake (Jefferson County): Last Saturday in April through October 31 season.

Twin Lakes (Chelan County) and tributaries and outlet stream to junction with the Napeequa River: Closed waters.

Twisp River (Okanogan County), from mouth to War Creek: June 1 through September 30 season. Selective gear rules. All species: Release all fish. War Creek to South Fork Twisp River: Closed waters.

Tye River (King County): Foss River to Alpine Falls June 1 through October 31 season: Selective gear rules. Trout: Minimum length fourteen inches. Whitefish: Additional November 1 through last day in February season. Release all fish other than whitefish. From Alpine falls upstream: Trout: Minimum size ten inches.

U Lake (Mason County): Last Saturday in April through October 31 season.

Umtanum Creek (Kittitas County): Selective gear rules.

Uncle John Creek (Mason County): Closed waters.

Union Creek (Yakima County): From mouth upstream to falls (approximately 1/4 mile): Closed waters.

Union River (Mason County):

All species: Release all fish except sturgeon may be retained downstream from Highway 300 Bridge. From Highway 300 Bridge upstream to watershed boundary: Selective gear rules.

From Highway 300 Bridge to lower bridge on Old Belfair Highway: Closed waters August 16 through October 31.

From mouth to lower bridge on the Old Belfair Highway, additional November 1 through last day in February season.

From watershed boundary to source, including all tributaries: Closed waters.

Upper Wheeler Reservoir (Chelan County): Closed waters.

Valley Creek (Clallam County): Juveniles only.

Vance Creek (Mason County): Trout: Minimum length fourteen inches.

PROPOSED

Vance Creek/Elma Ponds (Grays Harbor County): Pond One: Last Saturday in April through November 30 season. Juveniles, holders of a senior license and holders of a department disability license only. Salmon: Landlocked salmon rules apply. Pond Two: Last Saturday in April through November 30 season. Salmon: Landlocked salmon rules apply.

Vancouver Lake and all other waters west of Burlington-Northern Railroad from Columbia River drawbridge near Vancouver downstream to Lewis River (Clark County): Closed waters: April 1 through May 30 the Vancouver Lake flushing channel is closed and it is closed to fishing from the lake shoreline within 400 feet east and west of the channel exit. Chumming permitted. Trout: Daily limit two, minimum length twelve inches.

Vanes Lake (Pend Oreille County): Last Saturday in April through October 31 season.

Van Winkle Creek (Grays Harbor County): Mouth to 400 feet below outlet of Lake Aberdeen Hatchery: Game fish: Minimum length 14 inches. Salmon: Open only September 1 through January 31. Daily limit 6 fish of which not more than 2 may be adult fish and of the adult fish not more than one may be a wild adult coho. Release chum and adult chinook.

Vic Meyers (Rainbow) Lake (Grant County): Last Saturday in April through September 30 season.

Vogler Lake (Skagit County): Last Saturday in April through October 31 season. Fly fishing only. All species: Release all fish.

Voight Creek (Pierce County): From mouth to Highway 162 Bridge: Closed waters.

Wagners Lake (Snohomish County): Last Saturday in April through October 31 season.

Waitts Lake (Stevens County): Last Saturday in April through last day in February season.

Walker Lake (King County): Last Saturday in April through October 31 season.

Wallace River (Snohomish County):

From its mouth to the first Burlington-Northern Railroad bridge downstream of the Highway 2 Bridge: June 1 through last day in February season. Closed waters: From the first Burlington-Northern Railroad bridge (below Highway 2) to a point two hundred feet upstream of the water intake of the salmon hatchery. (~~Game fish: Closed September 2 through October 31.~~) Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. Salmon: Open only September 1 through November 30. Daily limit 2 coho.

From the mouth to mouth of Olney Creek: November 1 through last day in February season. Fishing from any floating device prohibited. Trout except Dolly Varden/Bull Trout: Minimum length fourteen inches. Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches. (~~Wild steelhead may be retained December 1 through last day in February.~~)

Walla Walla River (Walla Walla County):

From mouth to the Touchet River: Year-round season. Trout: Barbless hooks required when fishing for steelhead. Release trout April 1 through May 31.

From the Touchet River upstream to state line: Trout: All tributaries except Mill Creek, maximum length twenty inches. Additional season November 1 through April 15. All species: Barbless hooks required and release all fish except steelhead.

Walupt Lake (Lewis County): Closed waters: All inlet streams. Last Saturday in April through October 31 season. Selective gear rules except fishing from devices equipped with motors permitted. Trout: Minimum length ten inches.

Wannacut Lake (Okanogan County): Last Saturday in April through October 31 season.

Wapato Lake (Chelan County): Last Saturday in April through October 31 season. From August 1 through October 31: Selective gear rules except fishing from a device equipped with an internal combustion engine permitted. Trout: Release all trout.

Wapato Lake (Pierce County): Juveniles only.

Ward Lake (Ferry County): Last Saturday in April through October 31 season.

Ward Lake (Thurston County): Last Saturday in April through October 31 season. (~~Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.~~)

Warden Lake and Warden Lake, South (Grant County): Last Saturday in April through September 30 season.

Washburn Island Pond (Okanogan County): April 1 through September 30 season. Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained. Fishing from a floating device equipped with an internal combustion motor prohibited.

Washburn Lake (Okanogan County): Last Saturday in April through October 31 season. Trout: Daily limit two.

Washington, Lake, including that portion of the Sammamish River from the 68th Avenue N.E. Bridge downstream (King County): Fishing from floating device prohibited one hundred yards either side of the floating bridges. Chumming permitted. Trout: December 1 through last day in February: Release all steelhead and rainbow trout over twenty inches in length. March 1 through June 30: Minimum length twelve inches, and release all steelhead and rainbow trout over twenty inches in length. Kokanee/sockeye under fifteen inches are kokanee while those fifteen inches and over are sockeye salmon.

Washington, Lake, Ship Canal (King County) (waters east of a north-south line 400 feet west of the fish ladder at the Chittenden Locks and west of a north-south line at the eastern ends of the concrete abutments east of the Montlake Bridge): West of Fremont Bridge: Fishing from floating device prohibited. East of Fremont Bridge: Chumming permitted.

From west boundary to a north-south line 400 feet east of the eastern end of the northern wing wall of Chittenden Locks: Closed waters.

From 400 feet east of the eastern end of the northern wing wall of Chittenden Locks to the east boundary: Open year-round. Trout: December 1 through last day in February daily limit five, no minimum length. Release steelhead and rainbow trout over twenty inches in length. March 1 through June 30, daily limit five, minimum length twelve inches. Release steelhead and rainbow trout over twenty inches in length. July 1 through November 30, daily limit five, no minimum length. Kokanee/sockeye less than fifteen inches in length are kokanee and fifteen inches and over in length are sockeye salmon.

Washougal River (Clark County):

From mouth to bridge at Salmon Falls: June 1 through March 15 seasons. Nonbuoyant lure restriction and night closure September 1 through October 31. Trout: Minimum length twelve inches. Release wild cutthroat. Salmon: Open only August 1 through March 15. Daily limit 6 fish of which no more than 2 may be adult salmon. Release chum and wild coho.

From mouth to Mt. Norway Bridge: Additional April 16 through May 31 season. All species: Release all fish except hatchery steelhead.

From bridge at Salmon Falls to its source, including tributaries: Closed waters.

Washougal River, West (North) Fork (Clark/Skamania counties):

From mouth to the water intake at the department hatchery: Closed waters.

From intake at department hatchery to source: June 1 through March 15 season. Trout: Minimum length twelve inches. Release wild cutthroat.

Watson Lake (Columbia County): March 1 through October 31 season. Fishing from any floating device prohibited.

Waughop Lake (Pierce County): ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~ Salmon: Landlocked salmon rules apply.

Wenas Lake (Yakima County): Trout: Daily limit five, of which not more than two may be brown trout.

Wenatchee Lake (Chelan County): Trout except kokanee: Daily limit two, minimum length twelve inches. ~~((Kokanee not counted in daily trout limit.))~~ Release kokanee ~~((daily limit five.))~~ Kokanee/sockeye under sixteen inches will be considered kokanee while those sixteen inches and over will be considered sockeye salmon.

Wenatchee River (Chelan County):

December 1 through March 31 season, from mouth to Highway 2 Bridge at Leavenworth only. ~~((All other areas and times: Closed waters. Terminal gear restricted to one single hook, maximum hook size number 14. All species: Release all fish except))~~ Whitefish gear rules apply.

West Twin River (Clallam County): June 1 through last day in February season. Trout: Minimum length fourteen inches.

Whatcom Creek (Whatcom County):

From mouth to stone bridge at Whatcom Falls Park: June 1 through last day in February season. Nonbuoyant lure restriction and night closure August 1 through December 31. Closed waters: Woburn Street Bridge upstream to the stone bridge. Trout: Minimum length fourteen inches. Salmon: Open only August 1 through December 31 from mouth to markers below Dupont Street. Daily limit 6 fish of which not more than 2 may be adult salmon.

From stone bridge at Whatcom Falls Park upstream to Lake Whatcom: Last Saturday in April through October 31 season. Juveniles only. Nonbuoyant lure restriction and night closure August 1 through December 31. Trout: No minimum length.

Whatcom, Lake (Whatcom County): Last Saturday in April through October 31 season, except those waters between the Electric Avenue Bridge and the outlet dam are closed waters: Trout: Release cutthroat trout.

Whatcom, Lake, tributaries (Whatcom County): Closed waters.

White River (Chelan County), from mouth upstream to White River Falls: Closed waters.

White (Stuck) River (Pierce County):

From mouth to R Street Bridge in Auburn: October 1 through last day in February season: Nonbuoyant lure restriction and night closure October 1 through November 30. Trout: Minimum length fourteen inches.

From R Street Bridge to Highway 410 Bridge at Buckley: October 1 through October 31 season. Closed waters: Puget Power canal, including the screen bypass channel, above the screen at Dingle Basin. Nonbuoyant lure restriction and night closure. Trout: 14 inch minimum size.

From the Weyerhaeuser 6000 Road Bridge (Bridge Camp) to its source: Nonbuoyant lure restriction and night closure August 1 through November 30. Whitefish: Additional November 1 through January 31 season. Release all fish except whitefish.

Whitechuck River (Snohomish County): Trout: Legal to retain Dolly Varden/Bull Trout as part of trout daily limit, minimum length twenty inches.

White Salmon River (Klickitat/Skamania counties):

From mouth to powerhouse: July 1 through March 31 season. Bank fishing only downstream from the Highway 14 Bridge. August 1 through December 31: Nonbuoyant lure restriction. Salmon and steelhead: Open April 1 through June 30, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead. Trout: Minimum length fourteen inches. Salmon: Open July 1 through March 31. Daily limit 6 fish of which no more than 2 may be adult salmon. ~~((Release wild coho.))~~ October 1 through December 31 release chinook upstream from posted markers upstream of Highway 14 Bridge.

From powerhouse to within four hundred feet of Northwestern Dam: November 16 to April 30 season. Trout: Minimum length fourteen inches. Salmon: Open November 16 through March 31. Daily limit 6 fish of which no more than 2

may be adult salmon. ~~((Release wild coho.))~~ November 16 through December 31 release chinook. Salmon and steelhead: Open April 1 through June 15, daily limit two fish, one or both of which may be salmon or hatchery steelhead. Release all fish except salmon or hatchery steelhead.

From gas pipeline crossing above Northwestern Lake to Gilmer Creek: Selective gear rules. Trout: Minimum length twelve inches.

~~((Whitestone Lake (Okanogan County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

~~Whitman Lake (Pierce County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Wide Hollow Creek (Yakima County): Trout: Daily limit five, no minimum length.

Widgeon Lake (Grant County): ~~((March))~~ April 1 through ~~((March 31 and September 1 through))~~ September 30 season(s).

Wildberry Lake (Mason County): Last Saturday in April through October 31 season.

Wildcat Lake (Kitsap County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Wilderness Lake (King County): Last Saturday in April through October 31 season. Salmon: Landlocked salmon rules apply.

Willame Lake (Lewis County): Last Saturday in April through October 31 season. Selective gear rules. Trout: Daily limit two, minimum length fifteen inches.

Willapa River (Pacific County): Mouth to Fork Creek: June 1 through March 31 season. Nonbuoyant lure restriction, night closure and single point barbless hooks required August 16 through November 30. Fishers may not allow their line, lures or bait to remain stationary in the water August 16 through November 30. November 1 through March 31 fishing from any floating device prohibited from the bridge on Willapa Road to Fork Creek.

All game fish: Release all fish except that up to two hatchery steelhead may be retained. Salmon: Open only August 1 through January 31 from mouth to Highway 6 Bridge approximately 2 miles below mouth of Trap Creek and open October 16 through January 31 from Highway 6 Bridge to Fork Creek. Daily limit 6 fish of which no more than 3 may be adult salmon and of the adult salmon not more than one may be a wild adult coho and not more than two may be adult chinook and not more than two may be chum.

Sturgeon: Open year-round from mouth to Highway 6 Bridge.

Upstream from Fork Creek: Selective gear rules. August 16 through October 31, nonbuoyant lure restriction and night closure. All species: Release all fish.

South Fork: Nonbuoyant lure restriction and night closure August 16 through October 31. All species: Release all

fish except up to two hatchery steelhead may be retained. Additional November 1 through last day of February season Nonbuoyant lure restriction and night closure November 1 through November 30. All species: Release all fish except that up to two hatchery steelhead may be retained.

Williams Creek (Pacific County): June 1 through last day in February season. Selective gear rules. All species: Release all fish.

Williams Lake (Spokane County): Last Saturday in April through September 30 season.

Williams Lake (Stevens County): December 1 through March 31 season.

~~((Willow Lake (Whatecom County): July 1 through October 31 season. Selective gear rules. Trout: Daily and possession limit one, minimum length eighteen inches.))~~

Wilson Creek (two branches within Ellensburg city limits) (Kittitas County): Juveniles only. Trout: Daily limit five, no minimum length.

Winchester Wasteway (Grant County): Within Winchester Game Reserve: February 1 through September 30 season.

Wind River (Skamania County):

Mouth to four hundred feet below Shipherd Falls: July 1 through March 15 season. Mouth to High Bridge: May 1 through June 30: Nonbuoyant lure restriction and night closure. Salmon and steelhead: Open May 1 through June 30 daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead. Trout: Minimum length fourteen inches. Salmon: Open August 1 through October 31 from mouth to railroad bridge. Daily limit 6 fish of which no more than 2 may be adult salmon. ~~((Release wild coho.))~~

From four hundred feet below to one hundred feet above Shipherd Falls fish ladder: Closed waters.

From one hundred feet above Shipherd Falls to source, including all tributaries: May 1 through June 30 season. Closed waters: From 400 feet below to 100 feet above the Coffey Dam and from a boundary marker approximately 800 yards downstream from Carson National Fish Hatchery upstream, including all tributaries. Night closure and nonbuoyant lure restriction. Salmon and steelhead: Daily limit 2 fish, one or both of which may be a salmon or hatchery steelhead. Release all fish except salmon and hatchery steelhead.

Winston Creek (tributary to Cowlitz River) (Lewis County): Selective gear rules. Trout: Minimum length ten inches.

~~((Wiser Lake (Whatecom County): Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Wishkah River (Grays Harbor County), including all forks: Closed waters: Mainstem from four hundred feet below outlet of dam at Wishkah Rearing Ponds (formerly Mayr Bros.) to dam. Mouth to West Fork: June 1 through March 31 season. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches. Salmon: Open only September 1 through November 30. Daily limit 6 fish of which no more than 2 may be adult

salmon, except the daily limit may contain no more than one wild adult coho and one adult chinook. Release chum.

From the West Fork to four hundred feet below outlet: June 1 through March 31 season. Trout: Minimum length fourteen inches.

Wolf Creek, mouth to mouth of south fork (Okanogan County): Closed waters.

Wood Lake (Mason County): Last Saturday in April through October 31 season.

Woodland Creek (Thurston County): Trout: Minimum length fourteen inches.

Wooten Lake (Mason County): Last Saturday in April through October 31 season.

Wye Lake (Kitsap County): Last Saturday in April through October 31 season. ~~((Bass: Release fish 12 to 17 inches in length. Only one fish over 17 inches in length may be retained.))~~

Wynoochee River (Grays Harbor County): Mouth to 7400 line bridge above mouth of Schafer Creek: June 1 through March 31 season. Fishing from a floating device equipped with a motor prohibited upstream of the City of Aberdeen water intake dam. Single point barbless hooks required August 16 through November 30. Trout: Minimum length fourteen inches.

7400 line bridge to barrier dam: Additional December 1 through March 31 season. Selective gear rules. All species: Release all fish except up to two hatchery steelhead may be retained. Salmon: Open only September 1 through January 31. Daily limit 6 fish of which no more than 2 may be adult salmon, except the daily limit may contain no more than 1 wild adult coho and 1 adult chinook. Release chum.

Wynoochee Reservoir (Grays Harbor County): June 1 through October 31 season. Trout: Daily limit two, minimum length twelve inches. Salmon: Landlocked salmon rules apply.

Yakima River (Yakima County): Release all steelhead in mainstem and tributaries.

From mouth to Prosser Dam: Chumming permitted. Salmon: Open only September 16 through October 31. Daily limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From mouth to thirty-five hundred feet below Roza Dam: Year-round season. Closed waters: From Yakima Avenue-Terrace Heights Bridge upstream 400 feet. March 1 through November 30, closed from thirty-five hundred feet below Roza Dam to Roza Dam. Trout: Minimum length twelve inches and maximum length twenty inches. Release all trout April 1 through May 31. Thirty-five hundred feet below Roza Dam to four hundred feet below Roza Dam: December 1 through last day in February season. ~~((Terminal gear restricted to bait and one single point barbless hook. Release all fish except))~~ Whitefish gear rules apply.

Highway 223 Bridge to 3,500 feet below Roza Dam: Salmon open only October 1 through November 15. Daily

limit 6 fish of which not more than 2 may be adult salmon. Nonbuoyant lure restriction and night closure.

From Roza Dam to four hundred feet below Easton Dam and from Lake Easton to the base of Keechelus Dam: Year-round season. Fishing from floating devices equipped with motors allowed only from the U.S. Bureau of Reclamation restricted area signs at Roza Dam upstream to the boat launch ramp on the Roza Access Area (approximately one-half mile). Trout: Selective gear rules, and release all trout. Whitefish: ~~((Bait and one single pointed, barbless hook only may be used for))~~ Whitefish gear rules apply December 1 through last day in February.

~~((From Lake Easton to Keechelus Dam: Selective gear rules.))~~

Yakima Sportsmen's Park Ponds (Yakima County): Juveniles only.

Yale Reservoir (Cowlitz County): Trout: Kokanee not counted in daily trout limit. Kokanee daily limit sixteen.

Yellowjacket Creek (tributary to Cispus River) (Lewis County): Selective gear rules. Trout: Minimum length twelve inches.

Yellowjacket Ponds (Lewis County): Last Saturday in April through last day in February season. Trout: No more than one over twelve inches in length.

Yokum Lake (Pend Oreille County): Last Saturday in April through October 31 season.

AMENDATORY SECTION (Amending Order 01-107, filed 6/21/01, effective 7/22/01)

WAC 232-28-621 Puget Sound salmon—Saltwater seasons and daily limits. It is unlawful to fish for or possess salmon taken by angling for personal use except from the following Puget Sound areas, during the seasons, in the quantities, and for the species designated in this section and sizes as defined in WAC 220-56-180. Puget Sound waters west of the mouth of the Sekiu River are managed concurrent with ocean waters as provided for in WAC 232-28-620.

(1) Catch Record Card Area 5:

(a) July 1 through August 31 - Daily limit of 2 salmon, except, release chum and wild coho salmon. Chinook retention will be prohibited when 2000 chinook quota is estimated to be reached.

(b) September 1 through September 30 - Daily limit of 2 salmon, except release chinook and chum.

(c) November 1 through November 30 - Daily limit of 2 salmon of which no more than one may be a chinook salmon.

(d) February 16 through April 10 - Daily limit of 1 salmon.

(2) Catch Record Card Area 6:

(a) August 1 through September 30 - Daily limit of 2 salmon, except release chinook, chum and wild coho salmon.

(b) Dungeness Bay inside a line from Dungeness Spit Light to the No. 2 red buoy and then to the Port Williams boat ramp open only October 1 through October 31 - Daily limit of 2 coho salmon, release all salmon except coho salmon.

(c) November 1 through November 30 - Daily limit of 2 salmon of which no more than one may be a chinook salmon.

- (d) February 16 through April 10 - Daily limit of 1 salmon.
- (3) Catch Record Card Area 7:
- (a) July 1 through July 31 - Daily limit of 2 salmon, not more than 1 of which may be a chinook salmon.
- (b) August 1 through September 30 - Daily limit of 2 salmon, not more than 1 of which may be a chinook salmon, release chum and wild coho.
- (c) October 1 through October 31 - Daily limit of 2 salmon, except release chinook salmon.
- (d) November 1 through November 30 - Daily limit of 2 salmon, no more than one of which may be a chinook salmon.
- (e) February 16 through April 10 - Daily limit of one salmon.
- (f) Notwithstanding the provisions of this subsection, during the period August 16 through October 31 the daily limit in Bellingham Bay and adjacent waters described in WAC 220-56-195(1) is 4 salmon, no more than 1 of which may be chinook.
- (4) Catch Record Card Area 8-1:
- (a) August 1 through September 30 - Daily limit of 4 salmon, no more than two of which may be coho or chum, and release chinook.
- (b) October 1 through October 31 - Daily limit 2 salmon, release chinook.
- (c) November 1 through November 30 - Daily limit of 2 salmon, not more than 1 of which may be a chinook salmon.
- (d) February 16 through April 10 - Daily limit of one salmon.
- (5) Catch Record Card Area 8-2:
- (a) August 1 through September 30 - Daily limit of 4 salmon, no more than two of which may be coho or chum, and release chinook.
- (b) October 1 through October 31 - Daily limit 2 salmon, release chinook.
- (c) Waters adjacent to Tulalip Bay west of a line from Mission Point to Hermosa Point and within 2,000 feet of shore between pilings at Old Bower's Resort on the south and a fishing marker 1.4 miles northwest of Hermosa Point open only 12:01 a.m. each Friday through 11:59 a.m. the following Monday, July 1 through September 30. Daily limit of 2 salmon not more than 1 of which may be a chinook salmon.
- (d) November 1 through November 30 - Daily limit of 2 salmon, not more than 1 of which may be a chinook salmon.
- (e) February 16 through April 10 - Daily limit of one salmon.
- (6) Catch Record Card Area 9:
- (a) August 1 through September 30 - Daily limit of 2 salmon except release chinook and chum salmon.
- (b) October 1 through October 31 - Daily limit of 2 salmon except release chinook.
- (c) November 1 through November 30 - Daily limit of 2 salmon not more than one of which may be a chinook salmon.
- (d) Notwithstanding the provisions of this subsection, salmon fishing is permitted year-round from the Edmonds fishing pier - Daily limit of 2 salmon not more than one of which may be a chinook salmon, release chum August 1 through September 30.
- (e) Notwithstanding the provisions of this section, salmon fishing is permitted year-round from the Hood Canal

Bridge Fishing pontoon - Daily limit of 2 salmon not more than one of which may be a chinook salmon, except release chinook July 1 through August 31 and release chum salmon August 1 through October 15.

(f) February 16 through April 10 - Daily limit of one salmon.

(7) Catch Record Card Area 10:

(a) July 1 through October 31 - Daily limit of 2 salmon except release chinook salmon, release chum July 1 through September 15, and:

(i) During the period July 1 through August 31, Elliott Bay east of a line from West Point to Alki Point is closed, except waters east of a line from Pier 91 to Duwamish Head open July 20 through July 22, July 27 through July 29, August 3 through August 5, and August 10 through August 12 - Daily limit of 2 salmon not more than one of which may be a chinook salmon, release chum.

(ii) During the period July 1 through August 31, Shilshole Bay east of a line from Meadow Point to West Point is closed.

(iii) During the period July 1 through September 15, waters of Sinclair Inlet and Port Orchard south of the Manette Bridge, south of a line projected true west from Battle Point and west of a line projected true south from Point White - Daily limit of 2 salmon, release chum July 1 through September 15.

(b) November 1 through November 30 - Daily limit of 2 salmon, not more than one of which may be a chinook salmon.

(c) December 1 through December 15 - Release all salmon. Only one single pointed hook allowed.

(d) December 16 through December 31 - Daily limit of 2 salmon, not more than one of which may be a chinook salmon.

(e) March 1 through April 10 - Daily limit of 1 salmon.

(f) Notwithstanding the provisions of this subsection, salmon fishing is permitted year-round from the Elliott Bay public fishing pier at Terminal 86, Seacrest pier, Waterman pier, Bremerton boardwalk, and the Illahee State Park pier - Daily limit of 2 salmon not more than one of which may be a chinook salmon, release chum July 1 through September 15.

(g) During all salmon openings in the Duwamish Waterway provided for in this section, it is unlawful to fish with terminal gear other than bait suspended above the bottom on a float. The Duwamish Waterway is defined as those waters downstream from the First Avenue South Bridge to an east-west line through southwest Hanford Street on Harbor Island and parallel to southwest Spokane Street where it crosses Harbor Island.

(8) Catch Record Card Area 11:

(a) June 1 through June 30 - Daily limit of 2 salmon not more than one of which may be a chinook salmon.

(b) July 1 through October 31 - Daily limit of 2 salmon, release pink salmon.

(c) November 1 through December 31 - Daily limit of 2 salmon not more than one of which may be a chinook salmon.

(d) February 16 through April 10 - Daily limit of one salmon.

(e) Notwithstanding the provisions of this subsection, salmon fishing is permitted year-round from the Les Davis

PROPOSED

public fishing pier, Des Moines public fishing pier, Redondo public fishing pier, Dash Point Dock and the Point Defiance Boathouse Dock - Daily limit of 2 salmon, not more than one of which may be a chinook salmon.

(9) Catch Record Card Area 12:

(a) July 1 through September 30 in waters south of Ayock Point - Daily limit of 4 salmon, not more than two of which may be chinook salmon and release chum salmon.

(b) August 16 through October 15 in waters north of a true east-west line from Point Whitney to the Toandos Peninsula - Daily limit of 4 coho salmon only.

(c) September 1 through September 30 in the waters north of Ayock Point - Daily limit of 4 coho salmon only.

(d) October 1 through October 15 - Daily limit of 4 coho only.

(e) October 16 through November 30 - Daily limit of 2 salmon, release chinook salmon.

(f) March 1 through March 31 - Daily limit of 1 salmon.

(g) Waters of the Hoodspout Hatchery Zone are managed separately as provided for in WAC 220-56-124.

(h) The Hood Canal Bridge fishing pier is managed under Area 9.

(10) Catch Record Card Area 13:

(a) May 1 through December 31 - Daily limit of 2 salmon not more than one of which may be a chinook salmon May 1 through June 30 and November 1 through December 31 and release wild coho salmon July 1 through October 31.

(b) January 1 through February 15 - Release all salmon. Only one single pointed hook allowed.

(c) February 16 through April 10 - Daily limit of one salmon.

(d) April 11 through April 30 - Release all salmon. Only one single pointed hook allowed.

(e) Notwithstanding the provisions of this section, salmon fishing is permitted year-round from the Fox Island public fishing pier - Daily limit of 2 salmon, not more than one of which may be a chinook salmon and release wild coho salmon July 1 through October 31.

(11) In the above waters there are specified closures as provided for in WAC 220-56-128 and 220-56-195. Additionally, there are gear and area restrictions at Shilshole Bay, the Duwamish Waterway, Budd Inlet, Titlow Beach and the Elliott Bay, Les Davis, and Des Moines public fishing piers. See specific sections in chapter 220-56 WAC for salmon angling restrictions at these locations.

WSR 01-21-127
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE
 [Filed October 24, 2001, 10:12 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-08-001.

Title of Rule: Commercial fishing rules.

Purpose: Amends coastal shrimp trawl rule.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: Amend coastal shrimp trawl rule to require a fin fish excluder device.

Reasons Supporting Proposal: Reduce by-catch.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The coastal ocean pink shrimp trawl fishery has a by-catch of rockfish. Two of the species encountered, canary rockfish and yellow eye rockfish, have severely depressed populations and the directed rockfish trawl fishery takes the entire allotment. The unintended by-catch in the shrimp fishery puts the harvest level over the threshold where the fisheries must be curtailed. In order to allow the shrimp fishery to continue, it is necessary to reduce or eliminate the rockfish by-catch. This can be accomplished with excluder devices, which will allow rockfish to escape. The proposed rule allows fishers to elect to use one of three different types of excluder devices.

Proposal Changes the Following Existing Rules: Adds excluder devices to coastal shrimp trawl.

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

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping, and Other Compliance Requirements of the Proposed Rule: There is no reporting or record-keeping requirement. The compliance requirement is installation of an excluder device.

2. Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements: Depending on the expertise of the fisher, it may or may not require a net rigger to install the excluder device.

3. Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs: The Fisheye by-catch reduction device cost approximately \$350 per net. The Soft Panel device costs approximately \$750 per net. The Nordmore grate costs approximately \$500 per net.

4. Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue? Failure to comply will result in shutting down the fishery. The Fisheye and Soft Panel have a shrimp escape rate of 5 to 30%. The Nordmore grate increases the shrimp retention rate.

5. Cost of Compliance for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rules Using One or More of the Following as a Basis for Comparing Costs:

- a. Cost per employee;
- b. Cost per hour of labor; or
- c. Cost per one hundred dollars of sales.

At three persons per vessel, and using double net rigging, the one-time installation costs are:

Fisheye - \$233/employee

Soft Panel - \$500/employee
 Nordmore - \$333/employee

The landings are controlled by the amount of time the fisher can remain at sea with fresh shrimp. Accordingly, they cannot offset the loss by fishing longer. Although the shrimp loss varies from 5 to 30% for the Fisheye and Soft Panel devices, a 10% loss is reasonable. For these two devices, a 10% loss per landing would average 2,000 to 3,000 pounds at \$.30/pound, or a cost per employee of \$200 to \$300 per landing.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So: Allowing the industry to select the device they wish to install.

7. A Description of How the Agency Will Involve Small Businesses in the Development of the Rule: This rule was developed with industry participation to allow the fishery to continue.

8. A List of Industries That Will Be Required to Comply with the Rule: Coastal shrimp trawlers.

A copy of the statement may be obtained by writing to Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155.

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 24, 2001

Evan Jacoby
 Rules Coordinator

AMENDATORY SECTION (Amending Order 00-165, filed 8/22/00, effective 9/22/00)

WAC 220-52-050 Ocean pink shrimp trawl fishery—Coastal waters. It is unlawful to fish for, possess or deliver ocean pink shrimp taken for commercial purposes from the waters of the Exclusive Economic Zone except as provided for in this section:

(1) Ocean pink shrimp fishery:

(a) The open season for trawl gear is April 1 through October 31 of each year.

(b) The following gear is prohibited: Trawl gear having a net mesh size greater than two inches in the intermediate or codend, except for net mesh used in fish excluder devices. It is lawful to have net mesh larger than two inches in the wings or body of the trawl.

(i) It is unlawful to fish with trawl gear for pink shrimp for commercial purposes unless an approved by-catch reduction device is used in each net. Approved by-catch reduction devices are:

(A) Fisheye By-catch Reduction Device which functions as a forward facing escape hole in the top of the codend. The escape hole is maintained by a rigid frame that keeps it open at all times. An approved fisheye must meet the following criteria:

(I) The escape hole must be forward facing, meaning that a fish must swim toward the mouth of the net to exit through the fisheye;

(II) The device must be placed on the top half of the codend, with the escape hole located no further forward than 84 codend meshes, counted from the terminal codend pursing rings. The escape hole must be unobstructed at all times;

(III) The escape hole must have a width and length that each exceeds seven inches.

(B) Soft Panel By-catch Reduction Device which uses a mesh panel to guide fish out of an escape hole. An approved soft-panel must meet the following criteria:

(I) The panel must completely cover some portion of the net in cross-section, meaning it must extend completely across the full opening of the net in one continuous piece. The panel must be securely fastened to the net around the entire perimeter, such that a 110 mm diameter sphere cannot pass beyond the panel into the terminal end of the codend;

(II) The panel meshes must be constructed of netting material with individual meshes no larger than 5.5 inches, measured between opposing knots;

(III) The escape hole must, when spread open, expose a hole of at least 100 square inches;

(IV) The escape hole must be forward of the mesh panel and must begin within four meshes of the furthest aft point of attachment of the mesh panel to the net;

(C) Nordmore grate uses a rigid panel of narrowly spaced vertical bars to guide fish out of an escape hole in front of the panel, generally in the top of the net. An approved Nordmore grate must meet the following criteria:

(I) The exterior circumference of the rigid panel must fit completely within the interior circumference of the trawl net, such that there is no space between the panel and the net that will allow a 110 mm sphere to pass beyond the panel, into the terminal area of the codend;

(II) None of the openings between the vertical bars in the rigid panel may exceed two inches in width;

(III) The escape hole must, when spread open, expose a hole of at least 100 square inches;

(IV) The escape hole must be forward of the rigid panel and must begin within four meshes of the furthest aft point of attachment of the rigid panel to the net.

(ii) All by-catch reduction devices and codends used for trawl fishing for pink shrimp must be readily accessible and made available for inspection at the request of an authorized agent of the state. No trawl gear may be removed from the vessel prior to offloading of shrimp.

(iii) It is unlawful to modify by-catch reduction devices in any way that interferes with their ability to allow fish to escape from the trawl, except for the purpose of testing the by-catch reduction device to measure shrimp loss. Authorized testing of by-catch reduction devices must meet the following criteria:

(A) All testing must be conducted between 3:00 p.m. and 6:00 p.m. Pacific Daylight Time;

(B) For vessels fishing two nets simultaneously (double-rigged boats), only one net may contain a disabled by-catch reduction device, the other net must be fishing a fully functional by-catch reduction device as described in (b)(i) of this subsection.

(c) Minimum number of shrimp per pound: The count per pound must average no more than 160 shrimp per pound for a minimum of two samples increasing at a rate of one sample per one thousand pounds landed or in possession up to a maximum requirement of twenty samples. Such samples shall consist of at least one pound of each of whole unbroken shrimp taken at random from throughout the individual load landed or in possession. This shall apply only to loads of 3,000 pounds of shrimp or more.

(d) Incidental catch-finfish: It is unlawful to take salmon incidental to any shrimp fishery. It is unlawful to retain any bottomfish species taken incidental to shrimp trawl fishery except as provided for in WAC 220-44-050.

(e) Incidental catch-shellfish:

(i) It is unlawful to retain any species of shellfish except that it is lawful to retain up to 50 pounds round weight of other shrimp species taken incidentally in the ocean pink shrimp fishery, or octopus or squid.

(ii) It is unlawful to fish for ocean pink shrimp within the territorial boundaries of the state.

(f) An ocean pink shrimp delivery license is the license required to operate the gear provided for in this section, and allows the operator to retain shrimp taken in the waters of the Exclusive Economic Zone.

(2) Fisheries for shrimp species other than ocean pink shrimp or ocean spot shrimp: Species other than ocean pink shrimp and ocean spot shrimp may only be taken incidentally to the ocean pink shrimp and ocean spot shrimp fisheries.

WSR 01-21-128
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed October 24, 2001, 10:13 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-07-069.

Title of Rule: Commercial fishing rules.

Purpose: Establish sea cucumber and sea urchin buy-back programs.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.70.150, 77.70.190.

Summary: Establishes program to reduce the number of sea cucumber and sea urchin licenses.

Reasons Supporting Proposal: Reduction of the number of licenses will provide economic stability in two fisheries that are over-capitalized.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington

Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The sea cucumber and sea urchin fisheries are over subscribed, and a reduction of the number of participants will provide economic stability by providing additional income to fishers who remain in the fishery. In order to reduce the number, the legislature has provided a funding source, and there are currently sufficient funds to reduce the licenses. The department is proposing rules that require the minimum amount of administrative overhead, in order to purchase the maximum number of licenses.

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

1. Description of the Reporting, Record-keeping, and Other Compliance Requirements of the Proposed Rule: No reporting or record keeping is required.

2. Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements: None required.

3. Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs: There is no cost for compliance. The license buy-backs are voluntary.

4. Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue? No.

5. Cost of Compliance for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rules Using One or More of the Following as a Basis for Comparing Costs:

- a. Cost per employee;
 - b. Cost per hour of labor; or
 - c. Cost per one hundred dollars of sales.
- No costs.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So: There are no costs.

7. A Description of How the Agency Will Involve Small Businesses in the Development of the Rule: The department met with a group of industry participants to develop the rules.

8. A List of Industries That Will Be Required to Comply with the Rule: No one is required to comply.

A copy of the statement may be obtained by writing to Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155.

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 24, 2001

Evan Jacoby
Rules Coordinator

PROPOSED

NEW SECTION

WAC 220-95-100 Sea urchin license reduction program. In order to provide for economic stability in the commercial sea urchin fishery, and in accordance with RCW 77.70.150, the department establishes the sea urchin license reduction program (program).

(1) Eligibility: All persons who currently hold a sea urchin commercial fishery license are eligible to offer their license(s) for purchase under the program.

(2) Method of purchase: The department will rank offers to sell sea urchin licenses from the lowest offer to the highest offer. The department will purchase licenses each year from the funds made available under RCW 77.70.150, with a maximum purchase price of \$6,000 per license.

(3) Offer process: For the winter 2001-2002 selection, the department will accept offers to sell during the thirty-day period after these rules go into effect, and will purchase licenses from the funds that were available on December 31, 2001. Thereafter the department will accept offers to sell beginning August 1st of each year and will purchase licenses based on the funds that are available on the following September 30th.

(4) Selection process: The department will select licenses to be purchased beginning with the lowest offer to sell, and continuing until there are insufficient funds to purchase a complete offer. If two or more licenses are offered at the same price, selection will be by random draw.

(5) License reduction process: Upon selection, the department will issue a warrant to the license holder in the amount of the offer. On the date the warrant is mailed to the mailing address of the license holder as shown in their department licensing file, the department will void the license. Upon receipt of the warrant, the license holder is to return the license cards to the department.

(6) No prohibition on reentry: License holders who sell a license under the program may reenter the sea urchin commercial fishery.

(7) Program termination: This program terminates when the number of sea urchin commercial fishery licensees is reduced to twenty-five.

NEW SECTION

WAC 220-95-110 Sea cucumber license reduction program. In order to provide for economic stability in the commercial sea cucumber fishery, and in accordance with RCW 77.70.190, the department establishes the sea cucumber license reduction program (program).

(1) Eligibility: All persons who currently hold a sea cucumber commercial fishery license are eligible to offer their license(s) for purchase under the program.

(2) Method of purchase: The department will rank offers to sell sea cucumber licenses from the lowest offer to the highest offer. The department will purchase licenses each year from the funds made available under RCW 77.70.190, with a maximum purchase price of \$5,000 per license.

(3) Offer process: For the winter 2001-2002 selection, the department will accept offers to sell during the thirty-day period after these rules go into effect, and will purchase licenses from the funds that were available on December 31, 2001. Thereafter the department will accept offers to sell beginning August 1st of each year and will purchase licenses based on the funds that are available on the following September 30th.

(4) Selection process: The department will select licenses to be purchased beginning with the lowest offer to sell, and continuing until there are insufficient funds to purchase a complete offer. If two or more licenses are offered at the same price, selection will be by random draw.

(5) License reduction process: Upon selection, the department will issue a warrant to the license holder in the amount of the offer. On the date the warrant is mailed to the mailing address of the license holder as shown in their department licensing file, the department will void the license. Upon receipt of the warrant, the license holder is to return the license cards to the department.

(6) No prohibition on reentry: License holders who sell a license under the program may reenter the sea cucumber commercial fishery.

(7) Program termination: This program terminates when the number of sea cucumber commercial fishery licensees is reduced to twenty-five.

WSR 01-21-129

PROPOSED RULES

DEPARTMENT OF FISH AND WILDLIFE

[Filed October 24, 2001, 10:14 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-18-075.

Title of Rule: Aquaculture disease control rules.

Purpose: Amend aquaculture rules to refine inspection and quarantine procedures.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: WAC 220-77-020, the definitions are amended to reflect that it is discharge into the waters of the state that causes the concern for aquaria fish; definitions are provided for authorized finfish inspector and laboratory inspection report, and a list of regulated finfish pathogens is established. These new definitions are used in the remainder of the rule proposals.

WAC 220-77-030, the procedure for mandatory reporting of regulated pathogens is clarified, including an in vivo research permit requirement and the appeals process is clarified.

WAC 220-77-070, the emergency quarantine provisions are amended for clarification and certainty, and procedural safeguards are established.

WAC 220-77-080, the fee schedule is modified to reflect current examinations costs, and a fish transport permit fee is established to help defray the costs of the program, as required by chapter 77.115 RCW.

WAC 220-77-100, aquaculture facility inspection authority is clarified. This will allow reasonable inspection of facilities to detect aquaculture diseases.

WAC 220-77-105, a record-keeping requirement is established. The department needs to be able to track the distribution of aquaculture products during the previous twenty-four months, in case an outbreak of disease occurs, or a latent pathogen is discovered.

Reasons Supporting Proposal: See Summary above.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: See Summary above.

Proposal Changes the Following Existing Rules: Amends aquaculture disease control rules to identify certain high-risk pathogens, establish disease control methods and amend fee schedule.

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

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping, and Other Compliance Measures Required by Proposed Rule: Private fin fish farmers under current and proposed rule are required to report to the director the finding of a "regulated pathogen" - no change. Additionally, farmers are required to maintain copies of fish health inspections and transport permits for review by WDFW employee, if requested. These records are maintained as a normal business procedure for this industry. Copies of health certificates are already to be maintained by farmers in order to obtain a fish transport permit from WDFW.

2. Professional Services Required by the Rule: Farmers who wish to transport live eggs or fish are required to have health exams of their fish stocks. This is currently required in existing rule.

3. Costs of Compliance, Costs of Equipment, Labor, Administrative Costs: There are no additional costs except for a \$50 fee for processing the fish transport permits. Costs for supplying fish health diagnostic and inspection services provided by WDFW were increased due to inflation. These prices were last modified in 1998. The farmers are directed for their health services to the Washington Animal Disease and Diagnostic Laboratory at WSU.

4. Will Compliance Cause Businesses to Lose Sales or Revenue? No.

5. Comparison of Costs for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rule: Except for the \$50 transport permit fee, there are no additional costs. All the businesses, except for one, are "small" businesses. The cost of these permits will be of little significance to them in relation to the costs they already have for their health maintenance and inspection programs.

6. Steps Taken by the Agency to Reduce Costs of the Rule on Small Businesses: The rule allows for "blanket permits" which are good for a year, providing certain conditions are met. The blanket permit allows multiple transfers from one site for a period of a year for an annual fee of \$50.

7. Description of How the Agency Will Involve Small Businesses in Rule Development: There exists a "Fish Health Advisory Committee" composed of representatives from the whole fin fish aquaculture community. They played an active role in the rule development and review. Dr. Mead, state veterinarian from the Washington State Department of Agriculture also sits on this advisory committee.

8. List of Industries Required to Comply with the Rule: All private fin fish growers who wish to transport live fish into or within the state of Washington must comply with these rules. These are the same industries who are currently required to comply with chapters 220-76 and 220-77 WAC.

A copy of the statement may be obtained by writing to Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155.

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 24, 2001

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 87-20, filed 3/27/87)

WAC 220-77-010 Intent. The intent of this chapter is to establish rules ~~((to protect the))~~ that promote the health, productivity and well-being of aquaculture ((industry)) products and the wild stock fisheries ~~((from a loss of productivity due to aquatic diseases or maladies))~~. These rules will identify the conditions that will be required for transfer and importation of live aquaculture products and the circumstances when action will be taken to control disease. These rules have been developed jointly by the department and the department of agriculture.

AMENDATORY SECTION (Amending Order 97-56, filed 4/2/97, effective 5/3/97)

WAC 220-77-020 Definitions—Aquaculture disease control. For purposes of this chapter, the following definitions apply:

(1) "Aquaculture products" are defined as private sector cultured aquatic products propagated, farmed, or cultivated on aquatic farms under the supervision and management of an aquatic farmer, or such products naturally set on lands under the active supervision and management of an aquatic farmer.

(2) "Disease" is defined as infection, contagious disease, parasite, or pest, occurring on or within the aquaculture product, or other shellfish or finfish, or on or within the water or substrate associated with the aquaculture product, shellfish, or finfish, or an occurrence of significant mortality suspected of being of an infectious or contagious nature.

(3) "Finfish" is defined as live fish, fish eggs, or fish gametes, but not to include aquaria species commonly sold in the pet store trade when raised in ~~((indoor))~~ containers that do not discharge to the water of the state, indigenous marine baitfish, or mosquito fish.

(4) "Shellfish" is defined as all aquatic invertebrates except insects.

(5) "Epizootic" is defined as the occurrence of a specific disease which can be detected in fifty percent of the mortality or moribund individual fish in an affected container or shellfish on an affected bed or within an affected population, and which results in an average daily mortality of at least one-half of one percent of the affected individual fish for five or more days in any thirty-day period.

(6) "Marine plant" is defined as nonvascular plants belonging to the phyla Chlorophyta, Phaeophyta, or Rhodophyta and vascular plants belonging to the family Zosteraceae when growing in marine or estuarine waters, and includes the seeds, spores, or any life-history phase of the plants.

(7) "Working day" is defined as any day other than Saturday, Sunday, or a Washington state holiday.

(8) "Department" is defined as the department of fish and wildlife.

(9) "Quarantine" is defined as isolation of the organism in a department approved facility.

(10) "Pest" is defined as parasite, parasitoid, predator, or fouling agent.

(11) "Established species" is defined as a species that has been propagated through aquaculture for at least ten years in Washington, or a species naturally reproducing within Washington.

(12) "West coast commerce region" is defined as the states of Alaska, California, Oregon, and Washington and the province of British Columbia.

(13) "Kelp" is defined as any species of brown algae of the order Laminariales.

(14) "Class A shellfish disease" is defined as an infectious disease which can cause significant mortality or loss of condition or quality in affected shellfish.

(15) "Class B shellfish disease" is defined as an infectious disease which is not known to cause significant mortality or loss of condition or quality in affected shellfish.

(16) "Market ready shellfish" are defined as aquatic invertebrate species which are intended for immediate human consumption and will not be placed into or come in contact with state waters.

(17) "Authorized finfish inspector" shall be defined as the individual who conducts or supervises testing in an authorized laboratory and attests to the results obtained. This individual signs/cosigns inspection and diagnostic reports and health certificates. The director shall maintain and provide upon request a roster of authorized finfish inspectors. An authorized finfish inspector shall be currently recognized by one of the following entities: The American Fisheries Society, Fish Health Section (either as Fish Health Inspector or Fish Pathologist); United States Fish and Wildlife Service, Title 50 Inspector; Canadian Department of Fisheries and Oceans, Fish Health Official or Inspector; Supervising veterinarian in a laboratory accredited by the American Association of Veterinary Laboratory Diagnosticians (AAVLD).

(18) "Laboratory inspection report" is defined as the written results of testing conducted by an authorized finfish inspector.

(19) "Lot of fish" shall be defined as a group of fish of the same species and age that originated from the same spawning stock and share a common water supply.

(20) "Regulated finfish pathogens" are defined as the following pathogens which, upon initial detection within Washington state, or detection from a site within Washington state that has been pathogen-free for three or more years, require notification within one working day to the fish health unit of the department, who will, in turn, notify the state veterinarian of the detection:

(a) Viruses:

(i) Infectious hematopoietic virus;

(ii) Infectious pancreatic necrosis virus;

(iii) Viral hemorrhagic septicemia virus;

(iv) Oncorhynchus masou virus; and

(v) Infectious salmon anemia virus.

(b) Parasite: Myxobolus cerebralis.

AMENDATORY SECTION (Amending Order 87-20, filed 3/27/87)

WAC 220-77-030 Finfish aquaculture disease control. (1) It is unlawful for any person to import into or transport within the state of Washington finfish aquaculture products without first having obtained a permit to do so issued by the department. A copy of the transport permit shall accompany the finfish aquaculture products at all times within the state of Washington, and must be presented upon request to authorized department employees.

(2) The director may impose ~~((permit))~~ conditions on a transport permit as necessary to ensure the protection of aquaculture products and native finfish from disease when the director concludes that there is a reasonable risk of disease transmission associated with the finfish aquaculture products.

(3) Upon ~~((confirmed diagnosis))~~ the initial detection of ((viral hemorrhagic septicemia, or confirmed diagnosis of whirling disease, infectious hematopoietic necrosis, or infectious pancreatic necrosis in a previously uninfected lot)) a

regulated pathogen, the department's fish health unit must be notified by the end of the following working day after diagnosis ~~((by an accredited pathologist))~~ is made. The department will confirm or deny the presence of the regulated pathogen. Pending confirmation the department may take action under WAC 220-77-070 (1)(a) or (b).

(4) The director will issue, upon request, ~~((a pamphlet containing policy guidelines for importers and transferors of finfish aquaculture products))~~ copies of the rules and policies dealing with finfish disease control.

(5) The director will issue or deny a transport permit within thirty days after a completed application containing all requested information is received by the department's fish health unit.

(6) Violation of these rules or the conditions of the transport permit may result in the suspension or revocation of the permit.

(7) In the event of denial, suspension, or revocation of ~~((an importation or transfer))~~ a transport permit, the affected person may appeal the decision to the director. The department will advise the person of the appeals process. Additional appeals may be made through the Administrative Procedure Act (chapter 34.04 RCW). A suspended or revoked transport permit will remain suspended or revoked during the appellate process.

(8) Any person desiring to conduct *in vivo* research using a regulated finfish pathogen is required to first obtain permission in writing from the department prior to beginning the research.

AMENDATORY SECTION (Amending Order 87-20, filed 3/27/87)

WAC 220-77-070 Aquaculture disease control—Emergency provisions. (1) The director may take the following emergency enforcement actions when evidence indicates these actions are necessary to protect aquaculture products and native stocks from disease ~~((or))~~ causing severe mortality ~~((from an unexplained source))~~:

(a) Deny issuance of an ~~((import or transfer))~~ transport permit.

(b) Quarantine the aquaculture products.

(c) Confiscate or order the destruction of the aquaculture products.

(d) Require removal of the aquaculture product from state waters.

(2) ~~((Confiscation or destruction will be ordered without a hearing if confirmed diagnosis by an accredited pathologist is made that finfish aquaculture products are infected with the causative agent of viral hemorrhagic septicemia (Egfted virus).))~~

~~((3))~~ For finfish, shellfish, amphibian, and marine plant aquaculture products:

(a) ~~((Isolation))~~ Quarantine may be ordered without a hearing when aquaculture products are transferred without appropriate inspections or permits or transferred in violation of the conditions of a permit.

(b) ~~((Isolation))~~ Quarantine may be ordered without a hearing when evidence demonstrates that aquaculture prod-

ucts, previously imported, may introduce a disease not known to occur in Washington.

~~((4))~~ (3) For finfish aquaculture products, if an epizootic ~~((of whirling disease, infectious hematopoietic necrosis or infectious pancreatic necrosis may result in))~~ caused by a regulated finfish pathogen is detected, quarantine ~~((, confiscation, or destruction, subject to the aquatic farmer's right to an emergency departmental))~~ may be ordered without a hearing ~~((, if confiscation or destruction are ordered)).~~

~~((5))~~ (4) For shellfish aquaculture products, an outbreak of serious mortality in which contagious disease is suspected may result in quarantine or require removal of the suspected diseased shellfish aquaculture products from state waters, subject to the aquatic farmer's right to an emergency departmental hearing, if removal from state waters is ordered.

~~((6))~~ (5) When there is evidence that continued presence of aquaculture products in state waters may cause disease that would harm other aquaculture products or native fauna or flora, the director may order quarantine, confiscation, destruction, or removal from state waters. Except as provided for in subsection ~~((s (2) and))~~ (3) of this section, the aquatic farmer has a right to a departmental hearing. In the event the director has ordered emergency action of confiscation, destruction, or removal from state waters, the director shall give notice to the affected aquatic farmer. At the time of notice of emergency action, the affected aquatic farmer may request an emergency departmental hearing. If requested, the hearing will take place no later than the third working day after notice is received by the aquatic farmer. The hearing will be presided over by a hearing officer appointed by the director, who will consider the severity of the disease outbreak, remedies, and alternate courses of action. The hearing officer shall present a recommendation to the director. The director will then review the emergency action and, if appropriate, order confiscation, destruction, or removal from state waters. If so ordered, the emergency action will take place no sooner ~~((that))~~ than forty-eight hours after service of the order. If no request for an emergency departmental hearing is received, the emergency action of confiscation, destruction, or removal from state waters, may take place immediately after the third working day after the notice is ~~((received by))~~ served on the aquatic farmer.

~~((7))~~ (6) If the department refuses to issue ~~((an import or transfer))~~ a transport permit, or orders quarantine or isolation of aquaculture products, the aquatic farmer has a right to a hearing under the Administrative Procedure Act (chapter 34.04 RCW).

AMENDATORY SECTION (Amending Order 89-06, filed 2/24/89)

WAC 220-77-080 Aquaculture fee schedule. (1) The following is a list of the charges to be assessed for tissue samples submitted to the department for pathogen examination, miscellaneous charges, and the finfish transport permit issuance fee. All samples for stock certification must be collected by department personnel or individuals approved by the department.

PROPOSED

the ninety day public review process. These meetings have either not been attended at all or have been attended by fewer than three - five people. This is an inefficient and wasteful use of state resources. The department will still hold public meetings if they are needed, but will not be required to when there is no public interest in attending.

The bald eagle is currently listed as a state threatened species (WAC 232-12-011). Historically there may have been more than 6,000 eagles in Washington, but persecution, the cutting of forests, commercial exploitation of salmon runs, and finally the use of DDT reduced the state's population to only one hundred five known breeding pairs by 1980. Loss of wetlands, contamination of estuaries, and declines in water quality also probably have reduced the carrying capacity for eagles. The population has recovered dramatically with the ban on DDT use after 1972 and increased protection for eagles and eagle habitat. In the past twenty years, the population of nesting bald eagles grew about 10% per year as eagles reoccupied habitat. In 1998, there were six hundred sixty-four occupied nests.

Although the breeding population of bald eagles in Washington has increased dramatically in the past twenty years, two thirds of nests are on private lands. Only about 10% of eagle nests are on lands where their habitat values could be considered secure in the absence of habitat protection rules. Land near shores is highly desirable for residential development and the human population of Washington is expected to increase by two million to 7.7 million in the next twenty years, and double to eleven million by 2050. Forest near shores is rapidly being cleared, and the needs of eagles and desires of humans are increasingly in conflict. Without protections of nesting and roosting habitat, the bald eagle could again decline dramatically and require relisting as threatened or endangered in the state. For these reasons the department recommends that the bald eagle be downlisted to sensitive, but not delisted, in the state of Washington, and that the bald eagle protection rule (WAC 232-12-292) be amended to apply to a sensitive species.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Program, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Assistant Director, Enforcement, Olympia, (360) 902-2932.

Name of Proponent: Washington Department of Fish and Wildlife, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 232-12-292 identifies procedures for developing bald eagle management plans where actions on state and private land are proposed that include or are adjacent to bald eagle nest or communal roost sites. RCW 77.12.655 requires the department to protect bald eagles. The purpose of the rule is to increase and maintain the population of the bald eagle in Washington by protecting nesting and roosting habitat in the state. Anticipated effects are to maintain habitat protection for bald eagles if they are downlisted to sensitive, to streamline the process for developing bald eagle management plans, and to have an informal and formal appeal process for resolving conflicts with bald eagle management plans.

WAC 232-12-297 identifies procedures for listing species in Washington as endangered, threatened or sensitive. This change makes public meeting requirements discretionary. The ability for the public to review and comment on draft and final status reports and listing recommendations will still be provided through ninety day and thirty day public review periods.

WAC 232-12-011 identifies species of wild animals to be managed by the Department of Fish and Wildlife as protected wildlife, subcategory threatened or sensitive species. This amendment changes the bald eagle from a state threatened species to a state sensitive species. Sensitive species are in need of special management consideration to maintain healthy population levels and prevent them from becoming threatened or endangered. Land managing agencies and local, state and federal governments may use these lists to consider the needs of species of special concern in land management decisions.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule is not related to the hydraulics code.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov Drive, Vancouver, WA 98684, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 30, 2001, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Dave Brittell, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2162, by November 20, 2001.

Date of Intended Adoption: December 7, 2001.

October 23, 2001

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 00-149, filed 8/16/00, effective 9/16/00)

WAC 232-12-011 Wildlife classified as protected shall not be hunted or fished. Protected wildlife are designated into three subcategories: Threatened, sensitive, and other.

(1) Threatened species are any wildlife species native to the state of Washington that are likely to become endangered within the foreseeable future throughout a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as threatened include:

Common Name	Scientific Name
western gray squirrel	<i>Sciurus griseus</i>
Steller (northern) sea lion	<i>Eumetopias jubatus</i>

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Common Name	Scientific Name
North American lynx	<i>Lynx canadensis</i>
Aleutian Canada goose	<i>Branta Canadensis leucopareia</i>
((bald eagle	<i>Haliaeetus leucocephalus</i>))
ferruginous hawk	<i>Buteo regalis</i>
marbled murrelet	<i>Brachyramphus marmoratus</i>
green sea turtle	<i>Chelonia mydas</i>
loggerhead sea turtle	<i>Caretta caretta</i>
sage grouse	<i>Centrocercus urophasianus</i>
sharp-tailed grouse	<i>Phasianus columbianus</i>

(2) Sensitive species are any wildlife species native to the state of Washington that are vulnerable or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. Protected wildlife designated as sensitive include:

Common Name	Scientific Name
Gray whale	<i>Eschrichtius gibbosus</i>
Common Loon	<i>Gavia immer</i>
Larch Mountain salamander	<i>Plethodon larselli</i>
Pygmy whitefish	<i>Prosopium coulteri</i>
Margined sculpin	<i>Cottus marginatus</i>
Olympic mudminnow	<i>Novumbra hubbsi</i>
<u>Bald eagle</u>	<u><i>Haliaeetus leucocephalus</i></u>

(3) Other protected wildlife include:

Common Name	Scientific Name
cony or pika	<i>Ochotona princeps</i>
least chipmunk	<i>Tamias minimus</i>
yellow-pine chipmunk	<i>Tamias amoenus</i>
Townsend's chipmunk	<i>Tamias townsendii</i>
red-tailed chipmunk	<i>Tamias ruficaudus</i>
hoary marmot	<i>Marmota caligata</i>
Olympic marmot	<i>Marmota olympus</i>
Cascade golden-mantled ground squirrel	<i>Spermophilus saturatus</i>
golden-mantled ground squirrel	<i>Spermophilus lateralis</i>
Washington ground squirrel	<i>Spermophilus washingtoni</i>
red squirrel	<i>Tamiasciurus hudsonicus</i>
Douglas squirrel	<i>Tamiasciurus douglasii</i>
northern flying squirrel	<i>Glaucomys sabrinus</i>
wolverine	<i>Gulo gulo</i>
painted turtle	<i>Chrysemys picta</i>
California mountain kingsnake	<i>Lampropeltis zonata;</i>

All birds not classified as game birds, predatory birds or endangered species, or designated as threatened species or sensitive species; all bats, except when found in or immediately adjacent to a dwelling or other occupied building; all wildlife within Titlow Beach Marine Preserve, the Sund Rock Marine Preserve, the Colvos Passage Marine Preserve, and the conservation areas defined in chapter 220-16 WAC; mammals of the order *Cetacea*, including whales, porpoises, and mammals of the order *Pinnipedia* not otherwise classified as endangered species, or designated as threatened species or sensitive species. This section shall not apply to hair seals and sea lions which are threatening to damage or are damaging commercial fishing gear being utilized in a lawful manner or when said mammals are damaging or threatening to damage commercial fish being lawfully taken with commercial gear.

AMENDATORY SECTION (Amending Order 98-17, filed 2/11/98, effective 3/14/98)

WAC 232-12-297 Endangered, threatened, and sensitive wildlife species classification.

Purpose

- 1.1 The purpose of this rule is to identify and classify native wildlife species that have need of protection and/or management to ensure their survival as free-ranging populations in Washington and to define the process by which listing, management, recovery, and delisting of a species can be achieved. These rules are established to ensure that consistent procedures and criteria are followed when classifying wildlife as endangered, or the protected wildlife subcategories threatened or sensitive.

Definitions

For purposes of this rule, the following definitions apply:

- 2.1 "Classify" and all derivatives means to list or delist wildlife species to or from endangered, or to or from the protected wildlife subcategories threatened or sensitive.
- 2.2 "List" and all derivatives means to change the classification status of a wildlife species to endangered, threatened, or sensitive.
- 2.3 "Delist" and its derivatives means to change the classification of endangered, threatened, or sensitive species to a classification other than endangered, threatened, or sensitive.
- 2.4 "Endangered" means any wildlife species native to the state of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.
- 2.5 "Threatened" means any wildlife species native to the state of Washington that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range within the state without cooperative management or removal of threats.

- 2.6 "Sensitive" means any wildlife species native to the state of Washington that is vulnerable or declining and is likely to become endangered or threatened in a significant portion of its range within the state without cooperative management or removal of threats.
- 2.7 "Species" means any group of animals classified as a species or subspecies as commonly accepted by the scientific community.
- 2.8 "Native" means any wildlife species naturally occurring in Washington for purposes of breeding, resting, or foraging, excluding introduced species not found historically in this state.
- 2.9 "Significant portion of its range" means that portion of a species' range likely to be essential to the long term survival of the population in Washington.

Listing criteria

- 3.1 The commission shall list a wildlife species as endangered, threatened, or sensitive solely on the basis of the biological status of the species being considered, based on the preponderance of scientific data available, except as noted in section 3.4.
- 3.2 If a species is listed as endangered or threatened under the federal Endangered Species Act, the agency will recommend to the commission that it be listed as endangered or threatened as specified in section 9.1. If listed, the agency will proceed with development of a recovery plan pursuant to section 11.1.
- 3.3 Species may be listed as endangered, threatened, or sensitive only when populations are in danger of failing, declining, or are vulnerable, due to factors including but not restricted to limited numbers, disease, predation, exploitation, or habitat loss or change, pursuant to section 7.1.
- 3.4 Where a species of the class Insecta, based on substantial evidence, is determined to present an unreasonable risk to public health, the commission may make the determination that the species need not be listed as endangered, threatened, or sensitive.

Delisting criteria

- 4.1 The commission shall delist a wildlife species from endangered, threatened, or sensitive solely on the basis of the biological status of the species being considered, based on the preponderance of scientific data available.
- 4.2 A species may be delisted from endangered, threatened, or sensitive only when populations are no longer in danger of failing, declining, are no longer vulnerable, pursuant to section 3.3, or meet recovery plan goals, and when it no longer meets the definitions in sections 2.4, 2.5, or 2.6.

Initiation of listing process

- 5.1 Any one of the following events may initiate the listing process.

- 5.1.1 The agency determines that a species population may be in danger of failing, declining, or vulnerable, pursuant to section 3.3.
- 5.1.2 A petition is received at the agency from an interested person. The petition should be addressed to the director. It should set forth specific evidence and scientific data which shows that the species may be failing, declining, or vulnerable, pursuant to section 3.3. Within 60 days, the agency shall either deny the petition, stating the reasons, or initiate the classification process.
- 5.1.3 An emergency, as defined by the Administrative Procedure Act, chapter 34.05 RCW. The listing of any species previously classified under emergency rule shall be governed by the provisions of this section.
- 5.1.4 The commission requests the agency review a species of concern.

- 5.2 Upon initiation of the listing process the agency shall publish a public notice in the Washington Register, and notify those parties who have expressed their interest to the department, announcing the initiation of the classification process and calling for scientific information relevant to the species status report under consideration pursuant to section 7.1.

Initiation of delisting process

- 6.1 Any one of the following events may initiate the delisting process:
- 6.1.1 The agency determines that a species population may no longer be in danger of failing, declining, or vulnerable, pursuant to section 3.3.
- 6.1.2 The agency receives a petition from an interested person. The petition should be addressed to the director. It should set forth specific evidence and scientific data which shows that the species may no longer be failing, declining, or vulnerable, pursuant to section 3.3. Within 60 days, the agency shall either deny the petition, stating the reasons, or initiate the delisting process.
- 6.1.3 The commission requests the agency review a species of concern.
- 6.2 Upon initiation of the delisting process the agency shall publish a public notice in the Washington Register, and notify those parties who have expressed their interest to the department, announcing the initiation of the delisting process and calling for scientific information relevant to the species status report under consideration pursuant to section 7.1.

Species status review and agency recommendations

- 7.1 Except in an emergency under 5.1.3 above, prior to making a classification recommendation to the commission, the agency shall prepare a preliminary species status report. The report will include a review of information relevant to the species' status in Washington and address factors affecting its status, including those given under section 3.3. The status report shall be reviewed by the public and scientific community. The

status report will include, but not be limited to an analysis of:

- 7.1.1 Historic, current, and future species population trends
 - 7.1.2 Natural history, including ecological relationships (e.g. food habits, home range, habitat selection patterns).
 - 7.1.3 Historic and current habitat trends.
 - 7.1.4 Population demographics (e.g. survival and mortality rates, reproductive success) and their relationship to long term sustainability.
 - 7.1.5 Historic and current species management activities.
- 7.2 Except in an emergency under 5.1.3 above, the agency shall prepare recommendations for species classification, based upon scientific data contained in the status report. Documents shall be prepared to determine the environmental consequences of adopting the recommendations pursuant to requirements of the State Environmental Policy Act (SEPA).
- 7.3 For the purpose of delisting, the status report will include a review of recovery plan goals.

Public review

- 8.1 Except in an emergency under 5.1.3 above, prior to making a recommendation to the commission, the agency shall provide an opportunity for interested parties to submit new scientific data relevant to the status report, classification recommendation, and any SEPA findings.
- 8.1.1 The agency shall allow at least 90 days for public comment.
 - ~~8.1.2 The agency will hold at least one Eastern Washington and one Western Washington public meeting during the public review period.~~

Final recommendations and commission action

- 9.1 After the close of the public comment period, the agency shall complete a final status report and classification recommendation. SEPA documents will be prepared, as necessary, for the final agency recommendation for classification. The classification recommendation will be presented to the commission for action. The final species status report, agency classification recommendation, and SEPA documents will be made available to the public at least 30 days prior to the commission meeting.
- 9.2 Notice of the proposed commission action will be published at least 30 days prior to the commission meeting.

Periodic species status review

- 10.1 The agency shall conduct a review of each endangered, threatened, or sensitive wildlife species at least every five years after the date of its listing. This review shall include an update of the species status report to determine whether the status of the species warrants its current listing status or deserves reclassification.

- 10.1.1 The agency shall notify any parties who have expressed their interest to the department of the periodic status review. This notice shall occur at least one year prior to end of the five year period required by section 10.1.

- 10.2 The status of all delisted species shall be reviewed at least once, five years following the date of delisting.
- 10.3 The department shall evaluate the necessity of changing the classification of the species being reviewed. The agency shall report its findings to the commission at a commission meeting. The agency shall notify the public of its findings at least 30 days prior to presenting the findings to the commission.
- 10.3.1 If the agency determines that new information suggests that classification of a species should be changed from its present state, the agency shall initiate classification procedures provided for in these rules starting with section 5.1.
 - 10.3.2 If the agency determines that conditions have not changed significantly and that the classification of the species should remain unchanged, the agency shall recommend to the commission that the species being reviewed shall retain its present classification status.

- 10.4 Nothing in these rules shall be construed to automatically delist a species without formal commission action.

Recovery and management of listed species

- 11.1 The agency shall write a recovery plan for species listed as endangered or threatened. The agency will write a management plan for species listed as sensitive. Recovery and management plans shall address the listing criteria described in sections 3.1 and 3.3, and shall include, but are not limited to:
- 11.1.1 Target population objectives
 - 11.1.2 Criteria for reclassification
 - 11.1.3 An implementation plan for reaching population objectives which will promote cooperative management and be sensitive to landowner needs and property rights. The plan will specify resources needed from and impacts to the department, other agencies (including federal, state, and local), tribes, landowners, and other interest groups. The plan shall consider various approaches to meeting recovery objectives including, but not limited to regulation, mitigation, acquisition, incentive, and compensation mechanisms.
 - 11.1.4 Public education needs
 - 11.1.5 A species monitoring plan, which requires periodic review to allow the incorporation of new information into the status report.
- 11.2 Preparation of recovery and management plans will be initiated by the agency within one year after the date of listing.
- 11.2.1 Recovery and management plans for species listed prior to 1990 or during the five years fol-

lowing the adoption of these rules shall be completed within 5 years after the date of listing or adoption of these rules, whichever comes later. Development of recovery plans for endangered species will receive higher priority than threatened or sensitive species.

- 11.2.2 Recovery and management plans for species listed after five years following the adoption of these rules shall be completed within three years after the date of listing.
- 11.2.3 The agency will publish a notice in the Washington Register and notify any parties who have expressed interest to the department interested parties of the initiation of recovery plan development.
- 11.2.4 If the deadlines defined in sections 11.2.1 and 11.2.2 are not met the department shall notify the public and report the reasons for missing the deadline and the strategy for completing the plan at a commission meeting. The intent of this section is to recognize current department personnel resources are limiting and that development of recovery plans for some of the species may require significant involvement by interests outside of the department, and therefore take longer to complete.
- 11.3 The agency shall provide an opportunity for interested public to comment on the recovery plan and any SEPA documents.

Classification procedures review

- 12.1 The agency and an ad hoc public group with members representing a broad spectrum of interests, shall meet as needed to accomplish the following:
- 12.1.1 Monitor the progress of the development of recovery and management plans and status reviews, highlight problems, and make recommendations to the department and other interested parties to improve the effectiveness of these processes.
- 12.1.2 Review these classification procedures six years after the adoption of these rules and report its findings to the commission.

Authority

- 13.1 The commission has the authority to classify wildlife as endangered under RCW 77.12.020. Species classified as endangered are listed under WAC 232-12-014, as amended.
- 13.2 Threatened and sensitive species shall be classified as subcategories of protected wildlife. The commission has the authority to classify wildlife as protected under RCW 77.12.020. Species classified as protected are listed under WAC 232-12-011, as amended.

AMENDATORY SECTION (Amending Order 283, filed 10/3/86)

WAC 232-12-292 Bald eagle protection rules.

Purpose

- 1.1 The purpose of these rules is to protect the habitat and thereby ~~((increase and))~~ maintain the population of the bald eagle so that the species ~~((no longer))~~ is not classified as threatened ~~((or))~~, endangered or sensitive in Washington state. ~~((The "delisting" of the bald eagle for Washington state is a realistic goal which))~~ This can best be accomplished by promoting cooperative efforts to manage for ~~((site specific))~~ eagle habitat needs through a process which is sensitive to the ~~((site specific))~~ landowner goals as well. The following rules are designed to promote such cooperative management.

Authority

- 2.1 These rules are promulgated pursuant to RCW 77.12.655.

Definitions

- 3.1 "Communal roost site" means all of the physical features surrounding trees used for night roosting that are important to the suitability of the roost for eagle use. These features include flight corridors, sources of disturbance, trees in which eagles spend the night, trees used for perching during arrival or departure and other trees or physical features, such as hills, ridges, or cliffs that provide wind protection.
- 3.2 "Cultural activities" means activities conducted to foster the growth of agricultural plants and animals.
- ~~((3.3 "Delist" means to remove a species from the state special species list by action of the game commission or from the federal endangered species list by action of the secretary of the interior.~~
- ~~3.4)~~ 3.3 "Department" means department of ~~((game))~~ fish and wildlife.
- ~~((3.5))~~ 3.4 "Endangered" means a species which is seriously threatened with extirpation throughout all or a significant portion of its range within Washington.
- ~~((3.6))~~ 3.5 "Government entities" means all agencies of federal, state and local governments.
- ~~((3.7))~~ 3.6 "Landowner" means any individual, private, partnership, nonprofit, municipal, corporate, city, county, or state agency or entity which exercises control over a bald eagle habitat whether such control is based on legal or equitable title, or which manages or holds in trust land in Washington state.
- ~~((3.8))~~ 3.7 "Nest tree" means any tree that contains a bald eagle nest or has contained a nest.

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- ~~((3-9))~~ 3.8 "Nest site" means all of the physical features surrounding bald eagle nests that are important to normal breeding behavior. These features include alternate and potential nest trees, perch trees, vegetative screening, foraging area, frequently used flight paths, and sources of disturbance. This site is also referred to as the territory defended by a breeding pair of eagles.
- ~~((3-10))~~ 3.9 "Perch tree" means a tree that is consistently used by eagles. It is often close to a nest or feeding site and is used for resting, hunting, consumption of prey, mating display and as a sentry post to defend the nest.
- ~~((3-11))~~ 3.10 "Predicides" means chemicals used to kill or control problem wildlife.
- ~~((3-12))~~ 3.11 "Region" means an ecological/geographic area that forms a unit with respect to eagles, e.g., Hood Canal, lower Columbia River, outer coast and south Puget Sound.
- ~~((3-13))~~ 3.12 "Site management plan" means a legal agreement between the department and the landowner for management of a bald eagle nest or roost site. This plan may be a list of conditions on a permit or a more detailed, site-specific plan.
- ~~((3-14))~~ 3.13 "Threatened" means a species that could become endangered within Washington without active management or removal of threats.

Applicability and operation

- 4.1 The department ~~((of game))~~ shall make available to other governmental entities, interest groups, landowners and individuals information regarding the location and use pattern of eagle nests and communal roosts.
- 4.2 The department ~~((of game))~~ shall itself and through cooperative efforts (such as memoranda of understandings pursuant to chapter 39.34 RCW) work with other government agencies and organizations to improve the data base for nest and communal roost site activity and productivity and to protect eagle habitats through site management plans. ~~((The department regularly shall confer with other governmental entities to improve the preliminary nest site management information and its accessibility and useability.))~~
- 4.3 The department's goal shall be to identify, catalog and prioritize eagle ~~((nesting))~~ nest or communal roost sites. The department shall ~~((facilitate landowner notification that nesting or roost sites exist on their property and work with landowners to develop a))~~ notify permitting agencies of nesting or roost site ~~((description))~~ locations.
- 4.4 When a ~~((proposed))~~ landowner applies for a permit for a land-use activity that involves land containing or adjacent to an eagle nest or communal roost site, the permitting agency shall ~~((immediately))~~ notify the department ~~((of game of the permit application)).~~

- ~~((4-5~~ When)) If the department determines that ((a) the proposed activity would adversely impact eagle habitat, a ((department representative shall meet on-site with the landowner and, where applicable, a representative of the permitting agency to discuss management options for the protection of eagle habitat. The purpose of these discussions shall be to reach agreement on a site management plan for bald eagle habitat protection)) site management plan shall be required. The department, a permitting agency, or wildlife biologist may work with the landowner to develop a plan. The department has final approval authority on all plans.
- ~~((4-6))~~ 4.5 It is recognized that normal on-going agricultural activities of land preparation, cultivating, planting, harvesting, other cultural activities, grazing and animal-rearing activities in existing facilities do not have significant adverse consequences for eagles and therefore do not require a site management plan. New building construction, conversion of lands from agriculture to other uses, application of predicides and aerial pesticide spraying, may, following a conference with the department ~~((ef game))~~, be subject to the site management planning process described in these rules.
- ~~((4-7))~~ 4.6 Emergency situations, such as insect infestation of crops, requires immediate action on the site management plan or special permission to address the impending crisis by the department ~~((ef game)).~~

Site management plan for bald eagle habitat protection

- 5.1 The purpose of the site management plan is to provide for the protection of specific bald eagle habitat in such a way as to recognize the special characteristics of the site and the landowner's property rights, goals and pertinent options. To this end, every land owner shall have fair access to the process including available incentives and benefits. Any relevant factor ~~((shall))~~ may be considered, including, but not limited to, the following:
 - 5.1.1 The status of the eagle population in the region.
 - 5.1.2 The useful life of the nest or communal roost trees and condition of the surrounding forest; the topography; accessibility and visibility; and existing and alternative flight paths, perch trees, snags and potential alternative nest and communal roost trees.
 - 5.1.3 Eagle behavior and historical use patterns, available food sources, and vulnerability to disturbance.
 - 5.1.4 The surrounding land-use conditions, including degree of development and human use.
 - 5.1.5 Land ownership, landowner ability to manage, and flexibility of available landowner options.
 - 5.1.6 Appropriate and acceptable incentive mechanisms such as conservation easements, transfer or purchase of development rights, leases, mutual covenants, or land trade or purchase.

5.1.7 Published recommendations for eagle habitat protection of other government entities such as the U.S. Fish and Wildlife Service.

5.2 The site management plan (~~shall~~) may provide for

5.2.1 Tailoring the timing, duration or physical extent of activities to minimize disturbance to the existing eagle habitat and, where appropriate, identifying and taking steps to encourage and create alternative eagle habitat; and

5.2.2 Establishing a periodic review of the plan to monitor whether:

- a) The plan requires amendment in response to changing eagle and landowner circumstances
- b) The terms of the plan comply with applicable laws and regulations,
- c) The parties to the plan are complying with its terms.

5.3 The site management plan may also provide for implementing landowner incentive and compensation mechanisms through which the existing eagle habitat can be maintained or enhanced.

Guidelines for acquisition of bald eagle habitat

6.1 Real property interests may be acquired and agreements entered into which could enhance protection of bald eagle habitat. These include fee simple acquisition, land trades, conservation easements, transfer or purchase of development rights, leases, and mutual covenants. Acquisition shall be dependent upon having a willing seller and a willing buyer. Whatever interest or method of protection is preferable will depend on the particular use and ownership characteristics of a site. In discussing conservation objectives with private or public landowners, the department shall explore with the landowner the variety of protection methods which may be appropriate and available.

6.2 The following criteria and priorities shall be considered by the department when it is contemplating acquiring an interest in a bald eagle habitat.

6.2.1 Site considerations:

- a) Relative ecological quality, as compared to similar habitats
- b) Ecological viability—the ability of the habitat and eagle use to persist over time
- c) Defensibility—the existence of site conditions adequate to protect the eagle habitat from unnatural encroachments
- d) Manageability—the ability to manage the site to maintain suitable eagle habitat
- e) Proximity to food source
- f) Proximity to other protected eagle habitat
- g) Proximity to department land or other public land
- h) Eagle population density and history of eagle use in the area

i) The natural diversity of native species, plant communities, aquatic types, and geologic features on the site.

6.2.2 Other considerations

- a) Ownership
- b) Degree of threat
- c) Availability of funding
- d) Existence of willing donor or seller and prior agency interest
- e) Cost

In general, priority shall be given to the most threatened high quality eagle habitats with associated natural values which require the least management.

Resolution of site management plan disputes

7.1 The department(~~(;)~~) and the landowner (~~(and the permitting agency)~~) shall (~~(work)~~) attempt to develop a mutually agreeable site management plan within 30 days of the original notice to the department (~~(of game. This plan shall become a part of the application for a permit)~~).

7.2 Should agreement not be reached, the landowner may (~~(refer the site management plan to the bald eagle oversight committee (paragraph 8). The committee shall have 30 days from the date contacted to bring about agreement among the department, the landowner, and the permitting agency. The committee may use conciliation, mediation and factfinding, or any other method they deem appropriate to bring about a mutually acceptable resolution of the issues)~~) request an informal settlement conference with the department.

7.3 If the landowner chooses not to use the (~~(services of the bald eagle oversight committee)~~) informal settlement conference process or if resolution is not reached, the department (~~(of game)~~) shall within 15 days provide a site management plan to the landowner (~~(and permitting agency)~~).

7.4 Upon issuance of a final site management plan, the landowner may initiate a formal appeal of the ((department of game's) department's decision. ((Formal appeal procedures appear in WAC 232-12-197.)) The appeal shall be conducted according to the Administrative Procedure Act, chapter 34.05 RCW and the model rules of procedure, chapter 10-08 WAC.

A request for an appeal shall be in writing and shall be received by the department during office hours within thirty days of the issuance of the final site management plan. Requests for appeal shall be mailed to Department of Fish and Wildlife, 600 Capitol Way N., Olympia, Washington 98501-1091, or hand delivered to 1111 Washington Street S.E., Wildlife Program, Fifth floor. If there is no timely request for an appeal, the site management plan shall be unappealable.

The written request for an appeal shall be plainly labeled as "request for formal appeal" and shall contain the following:

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- (a) The name, address, and phone number of the person requesting the appeal;
- (b) The specific site management plan that the person contests;
- (c) The date of the issuance of the site management plan;
- (d) Specific relief requested; and
- (e) The attorney's name, address, and phone number, if the person is represented by legal counsel.

The appeal may be conducted by the director, the director's designee, or by an administrative law judge (ALJ) appointed by the office of administrative hearings. If conducted by an ALJ, the ALJ shall issue an initial order pursuant to RCW 34.05.461. The director or the director's designee shall review the initial order and enter a final order as provided by RCW 34.05.464.

~~((Bald eagle oversight committee~~

~~8.1 The director of the department of game shall appoint a five member bald eagle oversight committee with two members representing landowner interests, two members representing wildlife interests and one nonvoting member from the department of game. Members are appointed for three year terms, with the initial terms for one, two or three years so that committee appointments will be staggered over time. The committee shall meet at least quarterly, and as needed, to accomplish the following:~~

~~8.1.1 Monitor the progress of cooperative bald eagle management processes under these regulations and make recommendations to the department and other interested parties to improve the effectiveness of these processes.~~

~~8.1.2 Undertake resolution of site management plan disputes under paragraph 7.2 above.~~

~~8.1.3 protection Coordinate joint efforts on Washington bald eagle.~~

~~8.2 The members of the committee shall not receive compensation but shall be reimbursed under RCW 43.03.050 and 43.03.060 for travel expenses incurred while attending official meetings of the committee.~~

~~Automatic review processes~~

~~9.1 The bald eagle oversight committee will report to the department of game annually regarding its activities under paragraph 8.1. The department of game will conduct an initial review of the bald eagle regulatory process after 3 years which will include a public hearing, and then every five years thereafter.))~~

Penalties

~~((10.1)) 8.1 Failure of a landowner to comply with the processes set forth in these rules or with the provisions of a site management plan approved by the department constitutes a misdemeanor as set forth in RCW ((77.21.040)) 77.15.130.~~

WSR 01-21-131
PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE
[Filed October 24, 2001, 10:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-18-074.

Purpose: To amend WAC 232-28-271 Private lands wildlife management area hunting seasons, rules and boundary descriptions.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: This action will establish hunting seasons on Washington's three private lands wildlife management areas (PLWMAs) for the year 2002.

Reasons Supporting Proposal: The PLWMA program was adopted by the Fish and Wildlife Commission in 1990. The program has been successful in improving wildlife habitat and enhancing wildlife recreation on the private lands under agreement.

Name of Agency Personnel Responsible for Drafting and Implementation: Dave Brittell, Assistant Director, Wildlife Program, Olympia, (360) 902-2504; and Enforcement: Bruce Bjork, Assistant Director, Enforcement, Olympia, (360) 902-2932.

Name of Proponent: Washington Department of Fish and Wildlife, 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 commission action is to continue hunting seasons on PLWMAs in the year 2002. This action will continue wildlife habitat and recreation enhancements on PLWMAs.

Proposal Changes the Following Existing Rules: See above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. This rule does not affect small business.

Section 201, chapter 403, Laws of 1995, does not apply to this rule adoption. This rule is not related to the hydraulics code.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov Drive, Vancouver, WA 98684, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 30, 2001, TDD (360) 902-2207, or (360) 902-2267.

Submit Written Comments to: Washington Department of Fish and Wildlife, Dave Brittell, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2162, by November 20, 2001.

Date of Intended Adoption: December 7, 2001.

October 23, 2001

Evan Jacoby

Rules Coordinator

AMENDATORY SECTION (Amending Order 00-254, filed 1/31/01, effective 3/3/01)

WAC 232-28-271 Private lands wildlife management area hunting seasons, rules and boundary descriptions.

**DEER GENERAL SEASONS ON PRIVATE LANDS
WILDLIFE MANAGEMENT AREAS**

((IP Pacific Timberlands, Inc.)) Rainier Timber Company (PLWMA 401) Kapowsin Tree Farm		
Hunting Method	((2001)) 2002 Dates	Special Restrictions
Archery	((Aug. 27 - Sept. 9)) <u>Aug. 26 - Sept. 8</u> Sept. 30 - Oct. ((8)) <u>10</u>	((2 Pt. Min. or Antlerless)) <u>Any Buck</u> 2 Pt. Min. or Antlerless
Modern Firearm	Oct. ((9-23)) <u>11-24</u>	2 Pt. Min.
Muzzleloader	((Nov. 23 - Dec. 4)) <u>Nov. 22 - Dec. 3</u>	2 Pt. Min. or Antlerless

Merrill and Ring (PLWMA 600) Pysht Tree Farm		
Hunting Method	((2001)) 2002 Dates	Special Restrictions
Archery	Sept. 1-14 and ((Nov. 21 - Dec. 31)) <u>Nov. 25 - Dec. 31</u>	Either Sex South Unit (600B)
Modern Firearm	Oct. ((13-31)) <u>12-31</u> Nov. ((15-18)) <u>21-24</u>	Buck Only South Unit (600B) Buck Only South Unit (600B)
Muzzleloader	Oct. ((1-10)) <u>1-9</u>	Buck Only South Unit (600B)

**~~((2001))~~ 2002 DEER PERMIT SEASONS ON
PRIVATE LANDS WILDLIFE MANAGEMENT AREAS**

~~((2001))~~ 2002 - Mule and Whitetail Deer
Buckrun Limited Permit Draw Permits. Hunters apply to Washington Department of Fish and Wildlife in WDFW permit draw process. Only hunters possessing a modern firearm deer tag are eligible for Buckrun Limited draw hunts. Hunters are limited to one day of hunting during the permit season with written authorization from the PLWMA manager.

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Buckrun A	10	Sept 15-Dec. 31	((3 pt, 2 pt, spike or antlerless only)) <u>Antlerless mule deer, Any whitetail</u>	PLWMA 201
Buckrun B	20	Sept 15-Dec 31	AHE graduates only, ((3 pt, 2 pt, spike or antlerless deer only)) <u>Antlerless mule deer, Any whitetail</u>	PLWMA 201
Buckrun C	20	Sept 15-Dec 31	*Youth hunters, ((3 pt, 2 pt, spike or antlerless deer only)) <u>Antlerless mule deer, Any whitetail</u>	PLWMA 201
Buckrun D	20	Sept 15-Dec 31	Disabled hunters, ((3 pt, 2 pt, spike or antlerless only)) <u>Antlerless mule deer, Any whitetail</u>	PLWMA 201

* Youth hunters on Buckrun must be 12 - 15 years of age and must be accompanied by an adult during the hunt. Hunts are scheduled by the manager. All other hunting regulations apply.

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((2001)) 2002 - Blacktail Deer
~~((IP Pacific Timberlands, Inc.))~~ Rainier Timber Company Kapowsin Tree Farm -
~~((IP Pacific Timberlands, Inc.))~~ Rainier Timber Company Permit Draw Deer Permits - Hunters apply to Washington Department of Fish and Wildlife in WDFW permit draw process.

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
((Kapowsin-North))	30	Dec. ((8-10)) <u>6-8</u>	Antlerless Only, Age 65 and older Hunters	PLWMA 401 ((A-North)) <u>B Central</u>
	20	Dec. ((8-10)) <u>6-8</u>	Antlerless Only, AHE Hunters	PLWMA 401 ((A-North)) <u>B Central</u>
Kapowsin Central	50	Dec. ((8-10)) <u>6-8</u>	Antlerless Only	PLWMA 401B Central
Kapowsin South	50	Dec. ((8-10)) <u>6-8</u>	Antlerless Only, Youth Hunters	PLWMA 401C South
	50	Dec. ((8-10)) <u>6-8</u>	Antlerless Only, Disabled Hunters	PLWMA 401C South

**ACCESS QUOTAS AND RAFFLE SEASONS
ON PRIVATE LANDS WILDLIFE MANAGEMENT AREAS**

((2001)) 2002 - Mule and Whitetail Deer
Buckrun Limited Area - Access Quotas and Seasons
 Only hunters possessing a modern firearm deer tag are eligible for access authorizations on PLWMA 201. You may contact the PLWMA manager, Derek Stevens, at (509) 345-2577 for information on these hunts.

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Buckrun	((150)) <u>100</u>	((Sept 15-Dec. 31)) <u>Sept. 15-Oct. 31</u>	Any Deer (Access Fee)	PLWMA 201
<u>Buckrun</u>	<u>50</u>	<u>Nov. 1-Dec. 31</u>	<u>Mule deer, 3 pt. min. or Antlerless, Any whitetail</u>	<u>PLWMA 201 (access fee)</u>

((2001)) 2002 - Blacktail Deer
~~((IP Pacific Timberlands, Inc.))~~ Rainier Timber Company Kapowsin Tree Farm — Raffle Quotas and Seasons
 Hunter must contact ~~((IP Pacific Timberlands, Inc.))~~ Rainier Timber Company for auction/raffle permit opportunity. Only hunters possessing a valid deer tag (any ~~((2001))~~ 2002 deer tag) are eligible for ~~((IP Pacific Timberlands, Inc.))~~ Rainier Timber Company buck permits. Hunters drawing ~~((an IP Pacific Timberlands, Inc.))~~ a Rainier Timber Company deer raffle permit may purchase a second deer tag for the hunt. Persons interested in these deer permits should contact ~~((IP Pacific Timberlands, Inc.))~~ Rainier Timber Company, 31716 Camp 1 Road, Orting, WA 98360. For more information, please call 1-800-782-1493.

Hunt Name	Permit Number	Raffle Season	Special Restrictions	Boundary Description
Kapowsin North/Buck	8	Nov. ((5-17)) <u>8-21</u>	Buck Only (Raffle)	PLWMA 401A North
Kapowsin Central/Buck	29	Nov. ((5-17)) <u>8-21</u>	Buck Only (Raffle)	PLWMA 401B Central
Kapowsin South/Buck	14	Nov. ((5-17)) <u>8-21</u>	Buck Only (Raffle)	PLWMA 401C South
Kapowsin ((Central)) <u>North</u>	50	Dec. ((8-10)) <u>6-8</u>	Antlerless Only (Raffle)	PLWMA ((401B-Central)) <u>401A North</u>

PROPOSED

((2001)) 2002 - Blacktail Deer

Merrill and Ring's Pysht Tree Farm - Quotas and Seasons

An access fee will be charged by the landowner for hunting on the Pysht Tree Farm. The following hunts are raffle hunts offered by Merrill and Ring. Hunters must possess a valid deer tag when participating in these hunts. Persons interested in these hunts should contact Merrill and Ring, 11 Pysht River Rd., Clallam Bay, WA 98326. For more information, please call Merrill and Ring at 1-800-998-2382.

Hunt Name	Quota	Raffle Season	Special Restrictions	Boundary Description
Pysht North A	15	Sept. 1-14	Raffle, Archery, 3 pt. minimum or Antlerless	PLWMA (600A) North Unit
Pysht North B	20	Oct. ((1-10)) <u>1-9</u>	Raffle, Muzzleloader, 3 pt. minimum or Antlerless	PLWMA (600A) North Unit
Pysht North C	25	Nov. ((10-24)) <u>9-24</u>	Raffle, 3 pt. min. or Antlerless	PLWMA (600A) North Unit
Pysht North D	5	Nov. ((10-24)) <u>9-24</u>	Restricted, 3 pt. minimum or Antlerless	PLWMA (600 A) North Unit

ELK RAFFLE SEASONS ON PRIVATE LANDS WILDLIFE MANAGEMENT AREAS

((2001)) 2002 - Elk

((IP Pacific Timberlands, Inc.)) Rainier Timber Company (PLWMA 401) Kapowsin Tree Farm - Raffle Quotas and Seasons

Only hunters possessing a valid ((2001)) 2002 elk tag and meeting the special restrictions noted for each hunt are eligible for ((IP Pacific Timberlands, Inc.)) Rainier Timber Company access permits on PLWMA 401. Hunters must contact ((IP Pacific Timberlands, Inc.)) Rainier Timber Company for auction/raffle permit opportunity. Hunters drawing ((an IP Pacific Timberlands, Inc.)) a Rainier Timber Company elk raffle permit are eligible to purchase a second elk tag for the hunt. ((IP Pacific Timberlands Inc.)) Rainier Timber Company, 31716 Camp 1 Road, Orting, Washington 98360. For more information, please call 1-800-782-1493.

Hunt Name	Quota	Raffle Season	Special Restrictions	Boundary Descriptions
Kapowsin Bull North	2	Sept. ((14-29)) <u>13-29</u>	Auction/Raffle Any Bull, Any Tag	PLWMA 401A North
Kapowsin Bull Central	2	Sept. ((14-29)) <u>13-29</u>	Auction/Raffle Any Bull, Any Tag	PLWMA 401B Central
Kapowsin Bull South	2	Sept. ((14-29)) <u>13-29</u>	Auction/Raffle Any Bull, Any Tag	PLWMA 401C South
Kapowsin All	<u>2</u>	Sept. <u>13-29</u>	Restricted, Any Bull, Any Tag	PLWMA 401-A, B, or C

((2001)) 2002 - Elk

Merrill and Ring PLWMA 600 Pysht Tree Farm - Raffle Quota and Season

Hunter must contact Merrill and Ring for raffle hunt opportunity. For more information please call Merrill and Ring at 1-800-998-2382 or write to them at Merrill and Ring Tree Farm, 11 Pysht River Rd., Clallam Bay, WA 98326.

Hunt Name	Quota	Raffle Season	Special Restrictions	Boundary Descriptions
Pysht	2	Sept. 15-30	Any Bull Elk, Any Weapon	PLWMA 600

AREA DESCRIPTIONS - PRIVATE LANDS WILDLIFE MANAGEMENT AREAS

PLWMA 201 - Buckrun Limited (Grant County): Beginning at the southwest corner of S27 T23 R27E; 2 miles east, 1/2 mile north, 1 mile east, 1/2 mile south of S25; continuing 2 miles east to the southwest corner of S26 T23 R28E; 1 mile south to the southwest corner of S33 T23 R28E; east 1 mile; thence 1/4 mile north, 1 mile east, 1/4 mile to the intersection with the Stratford Game Reserve; from the southwest corner of S6 T22 R29E; east 1 mile along BNSF right-of-way to the

intersection of S5 T22 R29E; south 1.75 miles to the southwest corner of S8 T22 R29E; east 2 miles to the southeast corner of S9 T22 R29E; north 1.5 miles (except the southeast 1/4 of the southeast 1/4 of S4 T22 R29E); east 1.5 miles to the middle 1/4 corner of S2 T22 R29E; north 1/4 mile, west 1/2 mile, north 1/2 mile; east at the northeast corner of S2 T22 R29E; 1 mile east to the southeast corner of S35 T23 R29E; north 1 mile to the southeast corner of S26 T23 R29E; east 1 mile to the southeast corner of S25 T23 R29E; north 4.25 miles to the northeast 1/4 of the southeast 1/4 of S1 T23 R29E; west 1 mile to the northwest corner of the northwest

1/4 of S1 T23 R29E; south 1 mile to the southwest corner of the northwest 1/4 of the southwest 1/4 of S12 T23 R29E; 1/2 mile east to the northwest corner of the southeast 1/4 of the southwest 1/4 of S12 T23 R29E; south 1/4 mile to the southeast corner of the southwest 1/4 of S12 T23 R29E; west 3 miles to the northwest corner of the east 1/2 of S16 T23 R29E; south 1 mile to the southeast corner of the east 1/2 of S16 T23 R29E; west 1/2 mile to the northeast corner of S20 T23 R29E; north 1 mile to the northwest corner of S16 T23 R29E; east 1 mile to the northeast corner of S9 T23 R29E; north 1 mile to the northeast corner of S9 T23 R29E; west 1 mile to the northeast corner of S8 T23 R29E; north 1 mile to the northeast corner of S5 T23 R29E; west 1/2 mile to the southeast corner of the west 1/2 of S32 T23 R29E; north 1 mile to the corner of the west 1/2 of S32 T23 R29E; 1.5 miles west to the northwest corner of S31 T24 R29E; south 1 mile to the northwest corner of S6 T23 R29E; west 1 mile to the northeast corner of S2 T23 R28E; north 1 mile to the northeast corner of S35 T24 R28E; west 1 mile to the northwest corner of S35 T24 R28E; south 1 mile to the northwest corner of S2 T23 R28E; west 3/4 mile to the northwest corner of the northeast 1/4 of S3 T23 R28E; south 1.5 miles to the intersection with the Stratford Game Reserve; continue from the southeast corner of the southeast 1/4 of the northeast 1/4 of S9 T23 R28E; north 1/2 mile to the northeast corner of S9 T23 R28E; west 1/4 mile north to the intersection of the Pinto Ridge Road; southwest on the Pinto Ridge Road to the northeast corner of the southeast 1/4 of S8 T23 R28E; west 1/2 mile to the northwest corner of the southeast 1/4 of S8 T23 R28E; south 1/4 mile to the intersection with the old NPRR bed. Follow the NPRR bed southwest to the southeast corner of the southwest 1/4 of S13 T23 R27E; northeast along the Dry Coulee Road to the northeast corner of S13 T23 R27E; west 1/4 mile to the southwest corner of the southeast 1/4 of S12 T23 R27E; north 1/4 mile, west 1/2 mile, north 1/4 mile, west 1/4 mile to the corner of the southwest 1/4 of S12 T23 R27E; west 1 mile to the northwest corner of the south 1/2 of S11 T23 R27E; south 1.5 miles to the northwest corner of S23 T23 R27E; west 2 miles to the northwest corner of S22 T23 R27E; south 1 mile to the southwest corner of S21 T23 R27E; east 1 mile, south 1 mile to the point of beginning. Public lands within the external boundaries are not part of the PLWMA. A map of PLWMA 201 is available from WDFW's Region 2 office in Ephrata, (509) 754-4624.

PLWMA 401 - (~~IP Pacific Timberlands, Inc. (IPPTI)~~) Rainier Timber Company RTC (Pierce County): Beginning at the intersection of ((~~IPPTI~~) RTC haul road ((~~IPPTI~~) RTC 1 Rd.) and the Camp One Road near the town of Kapowsin; southwest along the east side of Lake Kapowsin to Ohop Creek; up Ohop Creek to ((~~IPPTI~~) RTC ownership line; along ownership line to S.W. corner of the north half of Section 6, T16N, R5E; easterly along Weyerhaeuser/((~~IPPTI~~) RTC ownership line to the intersection with Busy Wild Creek; up Busy Wild Creek to intersection with ((~~IPPTI~~) RTC ownership on the section line between Sections 10 & 15, T15N, R6E; west and south along DNR/((~~IPPTI~~) RTC ownership line and Plum Creek Timber Co./((~~IPPTI~~) RTC ownership line to most southerly point of ((~~IPPTI~~) RTC ownership (northwest of Ashford, WA); easterly along ((~~IPPTI~~) RTC ownership line to DNR/((~~IPPTI~~)

RTC ownership line; north and east to USFS/((~~IPPTI~~) RTC ownership line; east along USFS/((~~IPPTI~~) RTC ownership line to S.W. corner of Section 31, T16N, R7E; north along USFS/((~~IPPTI~~) RTC ownership line to N.W. corner Section 32, T16N, R7E; east along Plum Creek Timber Co./USFS ownership line to N.E. corner of Section 32, T16N, R7E; south along USFS/((~~IPPTI~~) RTC ownership line to S.E. corner Section 32, T16N, R7E; east along USFS/((~~IPPTI~~) RTC ownership line to Mount Rainier National Park Boundary; north along Mount Rainier National Park Boundary to N.E. corner Section 24, T17N, R7E; northwest along SR 165 to intersection with Carbon River; down Carbon River to the BPA Transmission Line; south and west along the powerline to the Fisk Road; south along the Fisk Road to the King Creek Gate; north and west along the Brooks Road BPA Transmission line; southwest along BPA Transmission line to the Puyallup River (excluding all small, private ownerships); up Puyallup River to intersection with ((~~IPPTI~~) RTC haul road bridge; south along ((~~IPPTI~~) RTC haul road to point of beginning. Another portion of PLWMA 401 ((~~IPPTI~~) RTC is the Buckley block (Kapowsin North described as follows: Beginning at the intersection of the BPA Transmission line and South Prairie Creek; up South Prairie Creek to East Fork South Prairie Creek; up East Fork South Prairie Creek to Plum Creek Timber Co./((~~IPPTI~~) RTC ownership line (on south line of Section 33, T19N, R7E); along ((~~IPPTI~~) RTC ownership line to center line of Section 34, T19N, R7E; north and east along DNR/((~~IPPTI~~) RTC ownership line to S.W. corner of Section 27, T19N, R7E; north along Weyerhaeuser/((~~IPPTI~~) RTC ownership line to White River; down White River to where it crosses west line Section 6, T19N, R7E; south and west along ((~~IPPTI~~) RTC ownership line to intersection with South Prairie Creek; up South Prairie Creek to point of beginning.

PLWMA 401A - Kapowsin North (Buckley): That portion of PLWMA 401 description which includes the Buckley block.

PLWMA 401B - Kapowsin Central (King Creek): That portion of PLWMA 401 description which lies to the north of the Puyallup River, excluding the Buckley block.

PLWMA 401C - Kapowsin South (Kapowsin): That portion of PLWMA 401 description which lies to the south of the Puyallup River.

PLWMA 600 - Merrill and Ring (Clallam County): Beginning at Clallam Bay, east along the Strait of Juan de Fuca to the mouth of Deep Creek, south along Deep Creek to the township line between Townships 30 and 31, west along said township line to Highway 113 (Burnt Mt. Road) and north along Burnt Mt. Road (Highway 112 and 113) to Clallam Bay and point of beginning, except the following described lands: T31N R10W: E 1/2 W 1/2, E 1/2 West of Deep Creek Section 19, Except SW 1/4 NW 1/4, SW 1/4, W 1/2 E 1/2 West of Deep Creek Section 30, Except North & West of Deep Creek Section 31: T31N R11W; Except the SW 1/4 SE 1/4 Section 7, Except that portion of NW 1/4 SE 1/4 which is County Park Section 10, Except the NE 1/4 NE 1/4 Section 14, Except W 1/2, W 1/2 E 1/2, SE 1/4 NE 1/4, NE 1/4 SE 1/4 Section 16, Except SW 1/4 NE 1/4 Section 17,

Except NW 1/4 NW 1/4, SE 1/4 NW 1/4, SE 1/4, NE 1/4, NW 1/4 SE 1/4 Section 18, Except W 1/2 SW 1/4, SW 1/4 NE 1/4 Section 19, Except W 1/2 SW 1/4 Section 27, Except S 1/2 S 1/2, N 1/2 SW 1/4 Section 28, Except E 1/2 SE 1/4, SW 1/4 SE 1/4, NE 1/4, SW 1/4 Section 29, Except SW 1/4 SE 1/4 Section 30, Except NE 1/4 Section 31, Except All Section 32, Except All Section 33, except SW 1/4 NE 1/4, S 1/2 Section 34, T31N R12W; Except SE 1/4 SE 1/4, W 1/2 SE 1/4 East of Highway 112 Section 4, Except All East of Highway 112 Section 9, Except E 1/2 NE 1/4, SW 1/4 NE 1/4, W 1/2, SW 1/4, NW 1/4 SE 1/4 Section 13, Except S 1/2 SE 1/4 Section 14, Except E 1/2 NW 1/4 East of Highway 112 Section 23, Except N 1/2 SW 1/4, SE 1/4 NW 1/4 Section 24, Except SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 26, Except N 1/2 N 1/2, NE 1/4 SW 1/4 Section 35, Except All Section 36: T32N R12W; Except W 1/2 SE 1/4 Section 21, Except All Section 22, Except NW 1/4 Section 27, Except NE 1/4, N 1/2 SE 1/4, E 1/2 W 1/2 East of Highway 112 Section 28, Except E 1/2 W 1/2 East of Highway 112 Section 33, Except S 1/2 Section 36.

PLWMA 600A North - Merrill and Ring North: That portion of PLWMA 600 north of Highway 112.

PLWMA 600B South - Merrill and Ring South: That portion of PLWMA 600 south of Highway 112.

WSR 01-21-132
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
 [Filed October 24, 2001, 10:18 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-16-089.

Title of Rule: Deferred compensation plan, chapter 415-501 WAC.

Purpose: Make changes to deferred compensation under the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA). Some housekeeping changes are also being made, such as putting all definitions into one WAC section.

Statutory Authority for Adoption: RCW 41.50.050(5).

Statute Being Implemented: RCW 41.50.030(2), 41.50.088(2), 41.50.770, and 41.50.780, 26 U.S.C. (Internal Revenue Code) and regulated tax regulations.

Summary: The department is amending, adopting, and repealing deferred compensation plan rules in order to implement EGTRRA and to make some housekeeping changes. Changes will go into effect January 1, 2002.

Reasons Supporting Proposal: These changes will give participants in the deferred compensation program greater flexibility than previously was available.

Name of Agency Personnel Responsible for Drafting: Merry A. Kogut, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7291; Implementation and Enforcement: Anne Holdren, P.O. Box 48380, Olympia, WA 98504-8380, (360) 664-7009.

Name of Proponent: Department of Retirement Systems, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The department is amending, adopting, and repealing deferred compensation plan rules under the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA). Some housekeeping changes are also being made, such as putting all definitions into one WAC section. These changes will give participants in the deferred compensation program greater flexibility than previously was available. For example, participants will be able to use deferred compensation funds to purchase service credit. The amounts that participants will be able to defer will be increasing. All changes will go into effect January 1, 2002.

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 amendments have no effect on businesses.

RCW 34.05.328 does not apply to this rule adoption. The Department of Retirement Systems is not one of the named departments in RCW 34.05.328.

Hearing Location: Department of Retirement Systems, 6835 Capitol Boulevard, Boardroom, Tumwater, WA, on December 4, 2001, at 10:00 a.m.; and at the Department of Social and Health Services, Spokane Valley CSO, Lunch-room, 8517 East Trent, Spokane, WA, on December 6, 2001, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact the rules coordinator by seven days before the hearing, if possible, phone (360) 664-7291, TTY (360) 586-5450, e-mail merryk@drs.wa.gov.

Submit Written Comments to: Identify WAC Numbers, Merry A. Kogut, Rules Coordinator, Department of Retirement Systems, P.O. Box 48380, Olympia, WA 98504-8380, e-mail Merryk@drs.wa.gov, fax (360) 753-3166, by 5:00 p.m. on December 6, 2001.

Date of Intended Adoption: No sooner than December 7, 2001.

October 23, 2001

Merry A. Kogut

Rules Coordinator

DEFERRED COMPENSATION PLAN ESTABLISHED

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-010 Deferred compensation plan established. In accordance with the provisions of RCW 41.50.030(2), 41.50.088(2), 41.50.770, and 41.50.780, and as provided in Section 457 of the Internal Revenue Code, the state of Washington hereby establishes the deferred compensation plan for employees of the state of Washington and approved political subdivisions of the state of Washington, hereinafter referred to as the "plan." Nothing contained in this plan shall be deemed to constitute an employment agreement between the participant and the employer and nothing con-

tained herein shall be deemed to give a participant any right to be retained in the employ of the employer.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-110 Definitions. (1) Accumulated deferrals. ("Accumulated deferrals" means) Compensation deferred under the plan, adjusted by income received, increases or decreases in investment value, fees, and any prior distributions made.

(2) Beneficiary. A beneficiary of a participant, a participant's estate, or any other person whose interest in the plan is derived from the participant.

(3) Compensation. All payments made to a public employee by the employer as remuneration for services rendered.

(4) Deferred compensation. The amount of the participant's compensation which the participant and the employer shall mutually agree (prior to the date on which such compensation is earned) will be deferred.

(5) Department. The department of retirement systems created by RCW 41.50.020.

(6) Eligible employee. Any person who is employed by and receives any type of compensation from the employer for whom services are provided, and who is a full-time, permanent part-time working half-time, or more, or career seasonal employee of the employer, whether or not covered by civil service; an elected or appointed official of the executive branch of the government, including any full-time member of a board, commission, or committee; a justice of the supreme court, or a judge of the court of appeals or of a superior court; or a member of the state legislature.

(7) Eligible rollover distribution. A distribution to a participant of any or all funds from an eligible retirement plan unless it is:

(a) One in a series of substantially equal annuity payments;

(b) One in a series of substantially equal installment payments payable over ten years or more;

(c) Required to meet minimum distribution requirements of the plan; or

(d) Distributed for hardship or unforeseeable emergency from a 457 plan.

(8) Employee retirement benefits board. The board created by RCW 41.50.086.

(9) Employer.

(a) The state of Washington; and

(b) Approved political subdivisions of the state of Washington.

(10) Normal retirement age. The range of ages between:

(a) The earliest age at which an eligible participant has the right to receive retirement benefits without actuarial adjustment under any employer-authorized plan; and

(b) Age seventy and one-half.

(11) Participant. An eligible employee who has submitted a participation agreement that is approved by DRS.

(12) Participation agreement. The agreement executed by an eligible employee pursuant to WAC 415-501-410, in

which the eligible employee chooses to become a plan participant.

(13) Severance of employment. Termination of employment with an employer.

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.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-380 Department may require court order. The department or the employer, if in doubt concerning the correctness of their action in making a distribution of accumulated deferrals, may suspend distribution until satisfied as to the correctness of the distribution or the person to receive the distribution or to allow the filing in any state court of competent jurisdiction of a civil action seeking a determination of the amounts to be paid and the persons to receive them. The department and the employer shall comply with the final orders of the court in any such suit; and the participant, for the participant and the participant's beneficiary or beneficiaries, consents to be bound thereby. Whenever distribution of accumulated deferrals is suspended pursuant to this section, the time for a participant or beneficiary making any ((election under WAC 415-501-490)) choice under WAC 415-501-485 or 415-501-491 through 415-501-494 shall not begin until amount(s) and person(s) entitled are determined either by a written agreement of all parties concerned or by a court judgment that has become final.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-415 ((Plan-to-plan transfers,)) Transfers into plan from eligible retirement plans. ((The only transfers allowable under Section 457 of the Internal Revenue Code are from one eligible Section 457 plan to another eligible Section 457 plan.

(1) Transfers into the plan following a change in employment. If a participant was formerly a participant in an eligible deferred compensation plan (within the meaning of Section 457 of the Internal Revenue Code and its regulations), which permits the direct transfer of the participant's interest to another plan, then this plan shall accept assets representing the value of such interest. However, the department may require in its sole discretion that some or all of such interest be transferred in cash or its equivalent. Such amount shall be held, accounted for, administered, and otherwise treated in the same manner as compensation deferred by the participant under this plan. Only the amount, if any, transferred to the plan which was deferred under the transferor plan in the taxable year when transfer occurs shall be treated as compensation deferred under the plan in such year.

Transfer of the participant's interest will not be allowed if the participant has made any irrevocable distribution election, with respect to such interest, under the transferor plan.

(2) Transfers out of the plan following a change in employment.

If a participant, prior to making an irrevocable distribution election under WAC 415-501-409, accepts employment

with an employer who offers an eligible Section 457 plan, and the participant becomes a participant in that plan, then accumulated deferrals may, at the election of the participant and after written notice to the department, be transferred to the other plan, provided that plan provides for the acceptance of such transfers.

(3) Transfers by employees of participating political subdivisions. Transfers of funds by an employee of a participating political subdivision are allowed to and from other Section 457 plans of the Internal Revenue Code maintained by the political subdivision, but only if the other plan also allows the proposed transfer and the participant has not made an irrevocable distribution election relating to either plan.

(4) Application for transfer. If the conditions in subsection (1), (2), or (3) of this section are met and the participant wishes to transfer his/her account, the participant shall complete the appropriate form and/or other documents as may be required by the department.) (1) Ability to transfer in. A participant may transfer pretax contributions into the department's deferred compensation plan:

(a) Through a direct transfer of an eligible rollover distribution from an individual retirement account (IRA) or from a former employer's retirement plan; or

(b) Through a direct transfer from another 457 plan maintained by a participating political subdivision while the participant remains employed by the political subdivision.

(2) Distributions from the plan attributable to amounts transferred into the plan from non-457 plans may be subject to an additional 10% tax on early distributions. The department will keep a separate accounting of funds rolled into the plan from non-457 eligible retirement plans for this purpose.

(3) Rollover application. To transfer money into a deferred compensation account, a participant must complete the appropriate form. Forms are available through the department or on its website (<http://www.wa.gov/drs/dcp/>).

NEW SECTION

WAC 415-501-416 Transfers from plan into other eligible retirement plans. (1) Ability to transfer out. Subject to the rules of the receiving plan, a participant may transfer funds from the department's deferred compensation plan:

(a) Through a rollover of an eligible rollover distribution into an individual retirement account (IRA) or another employer-sponsored retirement plan after separation from service;

(b) Through a direct transfer into another IRC section 457 plan after the participant severs employment;

(c) Through a direct transfer into another 457 plan maintained by a participating political subdivision made while the participant remains employed by the political subdivision; or

(d) To purchase eligible service credit under WAC 415-501-417.

(2) Ability of surviving spouse to transfer out. As a beneficiary, the surviving spouse of a participant may transfer eligible rollover distributions from the participant's account into his or her own eligible retirement plan.

(3) Funds that are transferred into a non-457 plan will be governed by the rules of the receiving plan.

(4) Rollover application. To transfer money from a deferred compensation account, a participant or the surviving spouse of a participant must complete the appropriate form. Forms are available through department or on its website (<http://www.wa.gov/drs/dcp/>).

NEW SECTION

WAC 415-501-417 Using deferred compensation funds to purchase service credit. (1) What is allowed. Subject to the requirements of the receiving retirement plan, a participant may make a direct transfer of funds from his or her deferred compensation account to purchase, restore, or reinstate eligible service credit in any government retirement plan.

(2) Who is eligible. Any plan participant may transfer funds, whether or not employed at the time of the transfer.

(3) How to request a transfer.

(a) A participant may request a transfer by submitting a completed form to the department.

(b) Forms are available through DRS or on its website (<http://www.wa.gov/drs/dcp/>).

(4) Tax consequences. Participants are advised to consult with a tax professional regarding the tax consequences of this transaction.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-420 Annual deferral limits. ((+) Except as provided in WAC 415-501-430, relating to catch-up, the maximum that may be deferred under the plan for any taxable year of a participant shall not exceed the lesser of eight thousand dollars, adjusted for the calendar year to reflect cost-of-living increases in accordance with Sections 457(e)(15) and 415(d) of the Internal Revenue Code (dollar deferral limit) or thirty three and one third percent of the participant's includible compensation, each reduced:

(a) ~~By any amount excludable from the participant's gross income for that taxable year under Section 403(b) of the Internal Revenue Code; and~~

(b) ~~By any amount:~~

(i) ~~Excluded from gross income under Section 402(e)(3) or 402(h)(1)(B) of the Internal Revenue Code (relating to a participant's elective deferrals to simplified employee pensions) for that taxable year;~~

(ii) ~~For which a deduction is allowable for that taxable year by reason of a contribution to an organization described in Section 501(c)(18) of the Internal Revenue Code (relating to pension trusts created before June 25, 1959, forming part of a plan for payment of benefits under a pension plan funded only by contributions of employees); or~~

(iii) ~~Which is deferred by a participant under Section 401(k) of the Internal Revenue Code (relating to qualified cash or deferred arrangement) during that taxable year; and~~

(c) ~~By any amount the participant contributes to any other Section 457 of the Internal Revenue Code plan (relating to deferred compensation plan(s)) during the taxable year.~~

(2) ~~"Includible compensation" for purposes of this section means includible compensation as defined in Section 457(e)(5) of the Internal Revenue Code and as further~~

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defined by Treasury Department Regulation 1.457-2 (e)(2) interpreting that section, and is determined without regard to community property laws. Includible compensation for a taxable year includes only compensation from the employer that is attributable to services performed for the employer and that is includible in the participant's gross income for the taxable year for federal income tax purposes. Accordingly, a participant's includible compensation for a taxable year does not include an amount payable by the employer that is excludable from the employee's gross income under:

- (a) Section 457 of the Internal Revenue Code;
- (b) Section 403(b) of the Internal Revenue Code (relating to annuity contracts purchased by Section 501 (c)(3) of the Internal Revenue Code organizations or public schools);
- (c) Section 105(d) of the Internal Revenue Code (relating to wage continuation plans);
- (d) Section 911 of the Internal Revenue Code (relating to citizens or residents of the United States living abroad);
- (e) Section 402 (e)(3) or 402 (h)(1)(B) or 402(k) of the Internal Revenue Code (relating to simplified employee pensions);
- (f) Section 501 (e)(18) of the Internal Revenue Code (relating to certain pension trusts); or
- (g) Section 401(k) of the Internal Revenue Code (relating to qualified cash or deferred arrangements).

(3) In computing includible compensation, total gross compensation as shown on earnings statements must be reduced by:

(a) Section 414(h) of the Internal Revenue Code, before tax contributions to retirement plans (including those described in RCW 41.04.440, 41.04.445, and 41.04.450); and

(b) Any Section 125 of the Internal Revenue Code contributions to cafeteria plans (including those which include such items as dependent care salary reduction plans) before excluding the items listed in subsection (2)(a) through (g) of this section.) (1) Except as provided in WAC 415-501-430 (catch-up provisions), the maximum that a participant may defer under the plan for any taxable year shall not exceed the lesser of:

(a) One hundred percent of the participant's includible compensation; or

(b) The annual deferral amount in the following table:

For taxable year beginning in calendar year:	Annual deferral amount:
<u>2001</u>	<u>\$8,500</u>
<u>2002</u>	<u>\$11,000</u>
<u>2003</u>	<u>\$12,000</u>
<u>2004</u>	<u>\$13,000</u>
<u>2005</u>	<u>\$14,000</u>
<u>2006</u>	<u>\$15,000</u>
<u>Beginning January 1, 2007</u>	<u>\$15,000</u>
	plus cost-of-living adjustments, if any, established by the IRS under 26 USC 457

(2) "Includible compensation" for purposes of this section means includible compensation as defined in IRC Section 457 (e)(5), and as further defined by Treasury Department Regulation 1.457-2 (e)(2) interpreting that section, and is determined without regard to community property laws.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-430 "Catch-up" provisions. ((For one or more of the participant's last three taxable years ending before attaining normal retirement age under the plan, the maximum deferral shall be the lesser of:

(1) Fifteen thousand dollars for the taxable year, reduced in the same manner as the dollar deferral limit is reduced in WAC 415-501-420; or

(2) The sum of:

(a) The limits established for purposes of WAC 415-501-420 of the plan for the taxable year (determined without regard to this section), plus

(b) So much of the limit established under WAC 415-501-420 for taxable years before the taxable year as has not theretofore been used under WAC 415-501-420 or 415-501-430. A prior taxable year shall be taken into account only if:

(i) It begins after December 31, 1978;

(ii) The participant was eligible to participate in the plan during all or any portion of the taxable year, and;

(iii) Compensation deferred (if any) under the plan during the taxable year was subject to a maximum limit (as established under WAC 415-501-420).

A prior taxable year includes a taxable year in which the participant was eligible to participate in an eligible plan sponsored by another entity. In no event can the participant elect to have the catch-up provision apply more than once whether or not the full catch-up had been utilized.

"Normal retirement age," as used in chapter 415-501 WAC, means the range of ages:

Ending not later than age seventy and one-half; and

Beginning not earlier than the earliest age at which the participant has the right to retire under an employer authorized pension for which the participant is eligible and under which the participant will receive immediate retirement benefits without actuarial adjustment due to retirement prior to some later specified age in an employer authorized pension plan.

This catch-up provision may not be used in the year in which the participant attains age seventy and one-half, and may not be used in any year thereafter.) Two "catch-up" options allow a participant to defer more than the annual deferral limit set forth in WAC 415-501-420. A participant may not use both catch-up provisions during the same taxable year.

(1) **Age fifty and over:** A participant may defer a higher amount during any plan year in which the participant is age fifty or older. The maximum a participant may defer each year shall be the sum of:

(a) The annual deferral amount in WAC 415-501-420 for the current taxable year; and

(b) The lesser of:

(i) Compensation available for deferral; or

(ii) The amount in the following table:

For taxable year beginning in calendar year:	Annual deferral amount:
2002	\$1,000
2003	\$2,000
2004	\$3,000
2005	\$4,000
2006	\$5,000
Beginning January 1, 2007	\$5,000 plus cost-of-living adjustments, if any, established by the IRS under 26 USC 414

(2) Three years before normal retirement age: A participant may defer a higher amount during a period of three consecutive years immediately preceding any taxable year the participant reaches normal retirement age as defined in WAC 415-501-010(x). The maximum a participant may defer during each of the three years shall be the lesser of:

(a) Twice the annual deferral amount under WAC 415-501-420(1); or

(b) The sum of:

(i) The annual deferral amount in WAC 415-501-420(1); plus

(ii) The portion of the participant's annual deferral amount for any prior taxable year that the participant has not previously used under WAC 415-501-420 or this subsection.

(3) For purposes of subsection (2)(b)(ii) of this section, a prior taxable year shall be taken into account only if:

(a) It begins after December 31, 1978;

(b) The participant was eligible to participate in the plan during any portion of the taxable year, or eligible to participate in an eligible 457 plan sponsored by another entity; and

(c) Compensation deferred under the plan during the taxable year (if any) was subject to a deferral limit under WAC 415-501-420.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-470 Suspension and reinstatement of deferrals. Suspension. A participant may at any time, through the methods established by the department, direct that his/(*h*) or her deferrals cease. The direction to cease deferrals must be provided to the department or its designee no later than the last day of the month prior to the month during which the deferrals are to cease; however, accumulated deferrals shall be paid only as provided in ((WAC 415-501-480 through 415-501-500)) this chapter.

Reinstatement. A participant may reinstate deferrals at any time, except after having ceased deferrals as part of an unforeseeable emergency distribution request. A participant who has directed the cessation of deferrals as part of an unforeseeable emergency distribution request cannot resume deferrals sooner than six months after his/(*h*) or her deferrals

ceased. Deferrals will begin the month immediately following the month that the resumption of deferrals is requested.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-485 Distribution to participant ((after separation from service)). ((After separation from service, the participant shall be paid his/her accumulated deferrals in one or more installments as elected by the participant pursuant to WAC 415-501-490.)) Distribution from the plan is governed by IRC Sections 401 (a)(9) and 457(d), and these rules to the extent they are not inconsistent with the Internal Revenue Code. The options for distribution are set forth in the DCP Distribution Booklet. The booklet will be mailed to the participant upon separation from service.

(1) Date of distribution. A participant may choose the date on which to begin distribution from his or her deferred compensation account, subject to the requirements in (a) through (c) of this subsection. The department must receive the election form at least thirty days prior to the date distribution is to begin.

(a) Earliest date. Distribution to a participant may not begin prior to the participant's severance from employment with the following three exceptions:

(i) A distribution for an unforeseeable emergency under WAC 415-501-510;

(ii) A voluntary in-service distribution under subsection (4) of this section; or

(iii) A distribution from non-457 funds that were rolled into the deferred compensation account.

(b) Latest date. Distribution to a participant must begin on or before April 1st of the calendar year following the latter of:

(i) The calendar year in which the participant reaches age seventy and one-half; or

(ii) The calendar year in which the participant retires.

(c) If a participant does not make a timely choice of distribution date, the department will begin distribution in accordance with the minimum distribution requirements in IRC Section 401 (a)(9).

(2) Method of distribution. The participant may choose a distribution method (amount and frequency) from the payment options outlined in the DCP Distribution Booklet. Payment options include a lump sum payment, periodic payments, or an annuity purchase.

(a) Periodic payments must be at least fifty dollars per month (if paid monthly) or six hundred dollars per year.

(b) Beginning at age seventy and one-half, payment must be in an amount to satisfy minimum distribution requirements in IRC Section 401 (a)(9).

(3) If the participant is rehired and reenrolls in the department's deferred compensation plan, the department will stop distribution to the participant and/or void any choices of distribution date and method made prior to reenrollment.

(4) Voluntary in-service distribution. An active participant may choose to receive an in-service distribution of the total amount payable to the participant under the plan if the following requirements are met:

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(a) The total amount payable to the participant does not exceed five thousand dollars;

(b) The participant has not previously received an in-service distribution; and

(c) The participant's deferrals have been suspended during the preceding two-year period ending on the date of the in-service distribution.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-486 Distribution in the event of participant's death ((~~of participant~~)). ((~~Should the participant die at any time, whether before or after separation from service, accumulated deferrals shall be paid to the beneficiary or beneficiaries designated by the participant pursuant to WAC 415-501-480. The accumulated deferrals shall be paid out as provided in WAC 415-501-480 through 415-501-500. If no beneficiary is designated, or if the designated beneficiary does not survive the participant by a period of thirty days, then a lump sum or series of distributions shall be paid, in accordance with WAC 415-501-480 through 415-501-500, to the surviving spouse, or if none, a lump sum shall be paid to the estate of the participant.~~)) If the participant dies before the entire deferred compensation account has been distributed, accumulated deferrals shall be paid to the beneficiary or beneficiaries designated by the participant pursuant to WAC 415-501-480. If no beneficiary is designated or if the designated beneficiary does not survive the participant by a period of thirty days, then accumulated deferrals shall be paid to the participant's surviving spouse, if any. If the participant has no surviving spouse, accumulated deferrals shall be paid to the participant's estate. Provisions regarding distribution to various classes of beneficiaries are set forth in WAC 415-501-491 through 415-501-494.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-487 Distribution in event of beneficiary's death ((~~of beneficiary~~)). ((~~In the event a beneficiary survives the participant by thirty days and becomes entitled to receive accumulated deferrals, accumulated deferrals shall become payable to the beneficiary's estate in the second month following the beneficiary's death, unless benefits are being paid in the form of an annuity, in which case the disposition of the remaining amount shall be determined by the annuity contract. Such annuity contracts shall be issued pursuant to the rules set forth in WAC 415-501-500.~~)) If a beneficiary becomes entitled to receive accumulated contributions under WAC 415-501-486 but dies before the participant's account is fully distributed, accumulated deferrals shall become payable to the beneficiary's estate in the second month following the notification of the beneficiary's death, unless benefits are being paid under an annuity purchased by the participant. If benefits were being paid under an annuity, distribution shall be governed by the terms of the annuity contract.

NEW SECTION

WAC 415-501-491 Distribution to a beneficiary, if distribution to the participant has previously begun. If a participant dies after distribution has begun but before the entire account has been exhausted, the participant's beneficiary(ies) must receive distribution at least as rapidly as was being paid to the participant. The options for distribution are set forth in the department's *DCP Distribution Booklet*. The booklet will be mailed to beneficiaries upon the notification of death of a participant.

(1) **Date of distribution.** A beneficiary must choose a distribution date that is not less than ninety days from the date the department receives notification of the participant's death.

(2) **Method of distribution.** Subject to the requirements of (a) through (d) of this subsection, the beneficiary may choose a distribution method (amount and frequency) from the payment options outlined in the *DCP Distribution Booklet*. Payment options include a lump sum payment or periodic payments.

(a) The beneficiary must choose an amount and frequency that allows for distribution of the entire DCP account during the beneficiary's projected life expectancy.

(b) Distribution must continue in an amount that is at least equivalent to the amount previously received by the participant.

(c) Periodic payments must be at least fifty dollars per month (if paid monthly) or six hundred dollars per year.

(d) Life expectancies will be computed by the Department of the Treasury and set forth in IRS Regulation 1.72-9.

NEW SECTION

WAC 415-501-492 Distribution to a beneficiary, if distribution to the participant has not begun. If a participant dies before distribution has begun, the participant's beneficiaries will receive payment of the account according to the provisions of this section. The options for distribution are set forth in the *DCP Distribution Booklet*. The booklet will be mailed to beneficiaries upon the notification of death of a participant.

(1) **Date of distribution.** Subject to the requirements of (a) through (c) of this subsection, a beneficiary may choose the date on which to begin distribution from the participant's DCP account. The department must receive the election form at least thirty days prior to the date distribution is to begin.

(a) Distribution to a beneficiary must begin on or before April 1st of the calendar year following the latter of:

(i) The calendar year in which the participant would have reached age seventy and one-half; or

(ii) The calendar year in which the participant dies.

(b) The choice of distribution date may be further limited as set forth in subsection (2)(c) of this section. If a beneficiary does not make a timely choice of distribution date, the department will begin distribution in accordance with the minimum distribution requirements in IRC 401 (a)(9).

(2) **Method of distribution.** Subject to the requirements in subsection (1) of this section, beneficiaries may choose the following methods to receive distribution.

(a) **Spouse as beneficiary.** A spouse-beneficiary may choose to receive distribution over his or her projected life expectancy. Distributions must begin not later than:

(i) December 31st of the year following the year of the participant's death; or

(ii) December 31st of the year following the year the participant would have reached age seventy and one-half.

(b) **Nonspouse as beneficiary.** A nonspouse-beneficiary may choose to receive distribution over his or her lifetime, if the distributions begin not later than December 31st of the year following the year of the participant's death.

(c) **Five-year rule.** If a beneficiary does not begin distribution within the requirements of (a) or (b) of this subsection, distribution of the **entire** account must be completed within five years of the participant's death.

(d) Regardless of the method of distribution chosen, periodic distributions made by the department must be at least fifty dollars per month (if paid monthly) or six hundred dollars per year.

NEW SECTION

WAC 415-501-493 Distribution to an organization, estate, or trust as beneficiary. If the participant's beneficiary is an organization, estate, or trust, the department will make the distribution as a lump sum in the second month following the notification of the participant's death.

NEW SECTION

WAC 415-501-494 Distribution to minor beneficiaries. (1) The department will distribute deferred compensation funds on behalf of a minor beneficiary only if it receives proof that the minor has either a court-appointed guardian or a custodian designated in compliance with RCW 11.114.030.

(2) If the department does not receive the proof in subsection (1) of this section, or if the guardian or custodian is unable or unwilling to serve, the department will request a court of competent jurisdiction to establish a custodianship under the Washington Uniform Transfers to Minors Act. The department will make this request no later than one hundred eighty days after the participant's death, regardless of the amount at issue.

(3) After a custodianship has been established, either by prior designation or by court order, the department will transfer the deferred compensation funds to the named custodian.

(4) If a participant has more than one minor beneficiary, a separate custodianship must be established for each minor. Each minor's interest must be determined in accordance with the governing instrument and applicable law. Only one person may be the custodian for each minor.

(5) Written confirmation from the custodian that the funds have been delivered discharges the department from further liability for the deferred compensation funds transferred to the custodian on behalf of the minor.

(6) The custodian may choose a distribution date and method on behalf of the minor, consistent with the requirements of WAC 415-501-490 and 415-501-500.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-495 Domestic relations orders. ~~((Domestic relations orders establish a right of the (ex) spouse to a portion of a participant's account after the participant separates from service.~~

~~(1) Order requirements. The department may, at its discretion, honor a court ordered or court approved decree of dissolution, decree of legal separation, or property settlement agreement incident to a court decree of dissolution or legal separation. In order for the department to honor the court ordered or court approved document, it must:~~

~~(a) Direct disbursement to (ex) spouse as a specified portion of the proceeds expressed as a current dollar amount or as a percentage of the value of the participant's deferred compensation account as of a specific date; and~~

~~(b) Require the participant to begin receiving distribution of proceeds from the plan not later than the April 1st immediately following the close of the year in which the participant separates from service; and~~

~~(c) Specify whether or not the participant, if he/she goes to work for another employer who offers an eligible Section 457 plan, shall have the right to transfer funds to the employer's Section 457 plan; and~~

~~(d) Be from a court of competent jurisdiction, be certified, and be personally served upon the department in a manner provided by the civil rules of superior court or applicable statute; and~~

~~(e) Provide a limitation, expressed as a cumulative dollar amount, above which the participant may not request and receive hardship withdrawals.~~

~~(2) A separate account for the (ex) spouse will be established for an order that is in compliance with subsection (1) of this section and honored by the department. Such an account will be established with the amount specified in subsection (1)(a) of this section.~~

~~(3) Distribution. If a participant has separated from service and makes an irrevocable distribution date election, distribution to the (ex) spouse will be made when distribution begins to the participant. The (ex) spouse may choose the method of distribution as provided in WAC 415-501-500.~~

~~(4) The department cannot honor an order directing immediate distribution into court, or to the spouse of an employee participant.))~~ (1) The department will honor certain domestic relations orders (DRO) entered by a court of competent jurisdiction.

(2) The department will honor a DRO only if it:

(a) Establishes a right of a spouse or former spouse to a portion of a participant's deferred compensation account pursuant to a division of property;

(b) Clearly states either the dollar amount or a percentage of the account on a specific date to be transferred to the account of the spouse or former spouse from the participant's account; and

(c) Provides the name, address, date of birth, and Social Security number of the participant and the spouse or former spouse.

(3) To implement a DRO, the department will establish a separate account for the spouse or former spouse in the amount specified in subsection (2)(b) of this section. The

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amount will initially be invested in the savings pool. Thereafter, the spouse or former spouse may provide investment instructions under WAC 415-501-450.

(4) The participant's spouse or former spouse may choose a method of distribution, including a direct rollover.

(5) If a DRO filed with the department prior to January 1, 2002, provides that distribution to the former spouse is not available until the participant separates from service, the department will comply with the express terms of the order unless it is subsequently amended.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-530 Termination of plan. The employer or the department may at any time terminate this plan. Upon such termination, accumulated deferrals will be paid pursuant to ~~((WAC 415-501-410 through 415-501-500 of the plan))~~ this chapter. The participants' deferrals will cease.

AMENDATORY SECTION (Amending WSR 00-11-104, filed 5/18/00, effective 6/18/00)

WAC 415-501-600 Employer contributions. The employer may, pursuant to WAC 415-501-450 or 415-501-470, add additional deferred compensation for services to be rendered by the employee to the employer during any calendar month, provided:

(1) The employee has elected to have such additional compensation deferred, invested, and distributed, pursuant to this plan, prior to the calendar month in which the compensation is earned; and

(2) Such additional deferred compensation, when added to all other deferred compensation under the plan, does not exceed the maximum deferral permitted by ~~((WAC 415-501-410 through 415-501-500))~~ this chapter.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 415-501-120 Beneficiary.
- WAC 415-501-130 Compensation.
- WAC 415-501-140 Deferred compensation.
- WAC 415-501-150 Department.
- WAC 415-501-160 Eligible employee.
- WAC 415-501-170 Employee retirement benefits board.
- WAC 415-501-180 Employer.
- WAC 415-501-190 Participant.
- WAC 415-501-200 Participation agreement.
- WAC 415-501-210 Separation from service.
- WAC 415-501-300 Department to adopt rules and regulations.

- WAC 415-501-305 Department to interpret.
- WAC 415-501-490 Elections regarding distribution.
- WAC 415-501-500 Distribution of deferrals.

WSR 01-21-134
PROPOSED RULES
DEPARTMENT OF HEALTH
 (Veterinary Board of Governors)
 [Filed October 24, 2001, 10:27 a.m.]

Original Notice.
 Preproposal statement of inquiry was filed as WSR 99-15-103.

Title of Rule: Animal technician, WAC 246-935-040 Responsibilities of veterinarian supervising an animal technician or an unregistered assistant, 246-935-050 Animal health care tasks, and 246-935-060 Eligibility for examination as animal technician.

Purpose: This proposal will ensure the rules comply with 2000 legislation that changed "animal technician" to "veterinary technician," animal health care tasks are updated, and eligibility requirements are clearer.

Statutory Authority for Adoption: RCW 18.92.030.

Statute Being Implemented: RCW 18.92.030.

Summary: Animal health care tasks have been updated to more accurately reflect actual practice and training. In some cases the level of supervision by a veterinarian also has changed. Language has been added to explain what an American Veterinary Medical Association (AVMA) accredited program means. Language will be changed in all three rules updating "animal technician" to "veterinary technician" to comply with 2000 legislation.

Reasons Supporting Proposal: To comply with 2000 legislation, make rule language clearer and update animal health care tasks to be more in line with actual practice.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Karen Kelley, Program Manager, 1112 Quince Street, Olympia, WA 98504-7868, (360) 236-4876.

Name of Proponent: Department of Health, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: WAC 246-935-040, change language from "animal technician" to "veterinary technician" to comply with 2000 legislation.

WAC 246-935-050, animal health care tasks have been updated to more accurately reflect actual practice and training. In some cases the level of supervision by a veterinarian also has changed. Change language from "animal technician" to "veterinary technician" to comply with 2000 legislation.

WAC 246-935-060, change language from "animal technician" to "veterinary technician" to comply with 2000 legislation. Language has been added to explain what an Ameri-

can Veterinary Medical Association (AVMA) accredited program means.

These proposed changes will assure that rules are consistent with law, and will improve overall clarity.

Proposal Changes the Following Existing Rules: It changes the term "animal technician" to "veterinary technician." It explains what an American Veterinary Medical Association (AVMA) accredited program means. It also changes and adds additional animal health care tasks that a technician can perform.

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

Small Business Economic Impact Statement

I. What do the rule amendments require? These veterinary technician rule amendments update the current animal health care tasks that a technician is allowed to perform. The amended rule will more accurately reflect actual practice and training. Explanatory language has been added to make the rules more clear. The term "animal technician" is being updated to "veterinary technician" pursuant to 2000 legislation.

II. What industries are affected? SIC Industry Code - 0742 Veterinary services, specialties.

Small Companies - 381 businesses and 1,783 employees.

Larger Small Companies - 195 businesses and 3,032 employees.

Average Number of employees for small companies - 4.7.

Average Number of employees for larger small companies - 15.5.

III. What are the costs? The rule is being changed to reflect the actual practices in the field. The Department of Health does not expect any real world change in behavior or costs. The estimated cost to veterinary services or veterinary technicians due to this rule amendment is zero. Therefore, there is no cost for small business.

A copy of the statement may be obtained by writing to Karen Kelley, Program Manager, Veterinary Board of Governors, P.O. Box 47868, Olympia, WA 98504-7868, phone (360) 236-4876, fax (360) 236-4922.

RCW 34.05.328 applies to this rule adoption. Violation of these rules could subject a practitioner to a penalty or sanction.

Hearing Location: Department of Health Conference, Creekside Three at CenterPoint, 20435 72nd Avenue South, Suite 200, Kent, WA 98032, phone (253) 395-7731, fax (253) 395-6759, on December 3, 2001, at 9:00 a.m.

Assistance for Persons with Disabilities: Contact (360) 236-4875 by November 26, 2001, TDD (800) 833-6388.

Submit Written Comments to: Karen Kelley, Program Manager, Veterinary Board of Governors, P.O. Box 47868, Olympia, WA 98504-7868, fax (360) 236-4922, by November 26, 2001.

Date of Intended Adoption: December 3, 2001.

October 23, 2001

Karen Kelley
Program Manager

AMENDATORY SECTION (Amending Order 233B, filed 12/30/91, effective 1/30/92)

WAC 246-935-040 Responsibilities of veterinarian supervising ~~((an animal))~~ a veterinary technician or an unregistered assistant. (1) ~~((No))~~ A veterinarian ~~((shall))~~ must not:

(a) Permit any ~~((registered animal))~~ veterinary technician in his/her employ to perform any animal health care services not authorized by WAC 246-935-040 or 246-935-050.

(b) Permit any unregistered assistant to perform any animal health care services not authorized by WAC 246-935-040 or 246-935-050.

(2) ~~((For purposes of the rules and regulations applicable to animal health care tasks for animal technicians and unregistered assistants,))~~ The supervising veterinarian ~~((of an animal technician or unregistered assistant))~~ shall:

(a) Have legal responsibility for the health, safety and welfare of the animal patient which the ~~((animal))~~ veterinary technician or unregistered assistant serves.

(b) ~~((Not))~~ Delegate ~~((an))~~ animal health care tasks ~~((to an animal))~~ only if the veterinary technician or unregistered assistant ~~((who))~~ is ~~((unqualified))~~ qualified to perform the ~~((particular))~~ task.

(c) ~~((Not))~~ Use ~~((a))~~ the level of supervision ~~((which is lower than that designated))~~ required for a specific task.

(d) Make all decisions relating to the diagnosis, treatment, management, and future disposition of an animal patient.

(e) ~~((Not authorize more than two))~~ Limit the number of unregistered assistants ~~((to aet))~~ under indirect supervision to two at any single time.

~~((f))~~ Allow veterinary technicians and unregistered assistants the right and responsibility to refuse to perform duties they are not legally or technically able to perform.

(3) A supervising veterinarian shall ~~((have examined))~~ examine the animal patient prior to the delegation of any animal health care task to either ~~((an animal))~~ a veterinary technician or unregistered assistant. The examination of the animal patient ~~((shall))~~ must be conducted at ~~((such))~~ the times and in ~~((such))~~ the manner ~~((as acceptable))~~ consistent with veterinary medicine practice ~~((requires)), ~~((consistent with))~~ and the particular delegated animal health care task.~~

(4) ~~((Where an animal))~~ If a veterinary technician is authorized, ~~((pursuant to these regulations,))~~ to provide supervision for an unregistered assistant performing a specified health care task, the ~~((animal))~~ veterinary technician shall be under the same degree of supervision by the veterinarian, ~~((as specified in these regulations,))~~ as if the ~~((animal))~~ veterinary technician were performing the task.

(5) Unless specifically ~~((so provided))~~ allowed by regulation, a veterinarian shall not authorize ~~((an animal))~~ a veterinary technician or an unregistered assistant to perform the following functions:

(a) Surgery, other than ~~((injections or inoculations))~~ outlined in WAC 246-935-050 (1)(a);

(b) Diagnosis and prognosis of animal disease;

(c) Prescribing of drugs, medicines and appliances.

PROPOSED

AMENDATORY SECTION (Amending Order 108B, filed 12/28/90, effective 1/31/91)

WAC 246-935-050 Animal health care tasks. (1)
~~((Animal))~~ Veterinary technicians.

No individual, other than a registered veterinary technician, may advertise or offer her/his services in a manner calculated to lead others to believe that she/he is a trained or registered veterinary technician.

Veterinary technicians are prohibited from performing the following activities: Surgery except as outlined below; diagnosis and prognosis; prescribing drugs, medication or appliances; initiation of treatment without prior instruction by a veterinarian except as outlined under emergency animal care.

(a) Immediate supervision. ~~((An animal))~~ A veterinary technician may perform the following tasks only under the immediate supervision of a veterinarian:

- (i) Assist veterinarian in surgery by tissue handling;
- (ii) Assist veterinarian in surgery by instrument handling;

(iii) Dental extractions.

(b) Direct supervision. ~~((An animal))~~ A veterinary technician may perform the following tasks ~~((only))~~ under the direct supervision of a veterinarian:

- (i) Endotracheal intubation;
- (ii) Blood administration;
- (iii) Fluid aspiration, including cystocentesis;
- (iv) Intraperitoneal injections;
- (v) Monitoring of vital signs of anesthetized patient;
- (vi) Application of splints;
- (vii) Induce anesthesia by intravenous, intramuscular, or subcutaneous injection or by inhalation;

(viii) ~~((When the animal is anesthetized, those tasks listed under subsection (c) "indirect supervision" of this section;~~

~~((ix))~~ Administration of immunological agents including rabies vaccination;

(ix) Catheterization of the unobstructed bladder;

(x) Ophthalmological testing including:

(A) Tear production testing

(B) Topical aesthetic application

(C) Fluorescein staining of the cornea

(D) Tonometry;

(xi) Teeth cleaning, provided an oral examination of the anesthetized patient has been conducted by the veterinarian;

(xii) Microchip implantation;

(xiii) Floating teeth;

(xiv) Removal of partially exposed foxtails and porcupine quills;

(xv) Provide massage.

(c) Indirect supervision. ~~((An animal))~~ A veterinary technician may perform the following tasks ~~((only))~~ under the indirect supervision of a veterinarian. ~~((If the animal is anesthetized, these tasks require the direct supervision of a veterinarian.((?)):~~

(i) ~~((Teeth cleaning;~~

~~((ii))~~ Enema;

~~((iii))~~ (ii) Electrocardiography;

~~((iv))~~ (iii) Application of bandages;

~~((v))~~ Catheterization of the unobstructed bladder;

~~((vi))~~ (iv) Gavage;

~~((vii))~~ (v) Ear flush;

~~((viii))~~ (vi) Radiology;

(A) Patient positioning;

(B) Operation of ~~((X-ray))~~ radiograph machines;

(C) Oral and rectal administration of radio-opaque materials;

(vii) Placement and securing of an intravenous catheter;

~~((ix))~~ (viii) Injections of medications not otherwise prohibited:

(A) Intramuscular, excluding immunological agents

(B) Subcutaneous, excluding immunological agents

(C) Intravenous, including giving medication through an established intravenous catheter;

~~((x))~~ (ix) Oral medications;

~~((xi))~~ (x) Topical medications;

~~((xii))~~ (xi) Laboratory (specimen collections):

(A) Collection of tissue during or after a veterinarian has performed a necropsy

(B) Urine, ~~((if))~~ except cystocentesis((?))

(C) Hematology

(D) Parasitology

(E) Exfoliative cytology

(F) Microbiology

(G) Serology

(H) Chemistries

(I) Endocrinology

(J) Fecal material

(xii) Laboratory (specimen testing):

(A) Urinalysis

(B) Hematology

(C) Serology

(D) Chemistries

(E) Endocrinology

(F) Parasitology

(G) Exfoliative cytology

(H) Microbiology

(I) Fecal analysis;

(xiii) Administration of preanesthetic drugs;

(xiv) Oxygen therapy;

(xv) ~~((Removal of partially exposed foxtails from skin and feet;~~

~~((xvi))~~ Euthanasia ~~((if))~~ in all circumstances((?)) as otherwise allowed by law;

~~((xvii))~~ (xvi) Removal of sutures;

(xvii) Indirect blood pressure measurement;

(xviii) Obtaining a general history from a client of a patient and the client's concerns regarding that patient;

(xix) Preliminary physical examination including temperature, pulse and respiration;

(xx) Behavioral consultation with clients;

(xxi) Dietary consultation with clients.

(2) Unregistered assistants.

Induction of anesthesia by any method is prohibited.

(a) Immediate supervision by veterinarian. An unregistered assistant may perform the following tasks only under the immediate supervision of a veterinarian:

(i) Assist veterinarian in surgery by tissue handling;

(ii) Assist veterinarian in surgery by instrument handling((?);

- ~~(iii) Endotracheal intubation;~~
- ~~(iv) Fluid aspiration;~~
- ~~(v) Intraperitoneal injections).~~

(b) Immediate supervision by veterinarian or ~~((animal))~~ veterinary technician. An unregistered assistant may perform the following tasks only under the immediate supervision of either a veterinarian or ~~((animal))~~ veterinary technician:

- (i) Blood administration;
- (ii) ~~((Catheterization of unobstructed bladder;~~
- ~~(iii) Gavage;~~
- ~~(iv) Radiology;~~
- (A) Patient positioning
- (B) Film exposure
- (C) Rectal and oral administration of radio-opaque materials

~~(v) Intravenous injections of medications not otherwise prohibited;~~

- ~~(vi)) Laboratory (specimen collections):~~
- (A) Hematology
- (B) Exfoliative cytology, including skin scraping
- (C) Microbiology
- (D) Serology;

~~(iii) Placement and securing of an intravenous catheter.~~

(c) Direct supervision by veterinarian. An unregistered assistant may perform the following tasks only under the direct supervision of a veterinarian:

- (i) Monitor vital signs of anesthetized patient;
- (ii) ~~((When the animal is anesthetized, those tasks listed under subsection (e) "indirect supervision" of this section.~~

~~(iii) Laboratory (specimen collection):~~

~~(A) Collection of tissues during or after a veterinarian has performed necropsy~~

~~(iv)) Euthanasia ((f) in all circumstances((g)) as otherwise allowed by law;~~

~~((h)) (iii) Removal of sutures;~~

~~(iv) Teeth cleaning, provided an oral examination of the anesthetized patient has been conducted by the veterinarian;~~

~~(v) Provide massage;~~

~~(vi) Administration of immunological agents including rabies vaccination;~~

~~(vii) Microchip implantation;~~

~~(viii) Enema;~~

~~(ix) Removal of partially exposed foxtails and porcupine quills from skin and feet.~~

(d) Direct supervision by veterinarian or ~~((animal))~~ veterinary technician. An unregistered assistant may perform the following tasks ~~((only))~~ under direct supervision of either a veterinarian or ~~((an animal))~~ veterinary technician. If the animal is anesthetized, these tasks require immediate supervision of a veterinarian or a veterinary technician:

- (i) Application of bandages;
- (ii) Ear flush;
- (iii) Electrocardiography;
- (iv) Intramuscular or subcutaneous injections of medications not otherwise prohibited;

(v) Laboratory (test preparation, not evaluation):

(A) Parasitology

(B) Serology

(C) Urinalysis;

(vi) Preliminary physical examination including temperature, pulse and respiration;

(vii) Radiology:

(A) Patient positioning

(B) Operation of radiograph machines

(C) Rectal and oral administration of radio-opaque materials.

(e) Indirect supervision. An unregistered assistant may perform the following tasks ~~((only))~~ under the indirect supervision of a veterinarian. ~~((f))~~ If the animal is anesthetized, these tasks require the direct supervision of a veterinarian ~~((g))~~:

~~((i)) ((Teeth cleaning (without anesthetic);~~

~~(ii) Enema;~~

~~(iii) Injections of medications not otherwise prohibited;~~

~~(A) Intramuscular~~

~~(B) Subcutaneous~~

~~(iv)) Oral medications;~~

~~((v)) (ii) Topical medications;~~

~~((vi) Administering medication through an established intravenous catheter;~~

~~(vii)) (iii) Laboratory (specimen collection):~~

~~((A)) Collecting of voided urine and fecal material;~~

~~((B) Parasitology (except skin scraping)~~

~~(viii)) (iv) Oxygen therapy;~~

~~((ix) Removal of partially exposed foxtails.) (v) Obtaining a general history from a client of a patient and the client's concerns;~~

(vi) Behavioral consultation with clients;

(vii) Dietary consultation with clients.

(3) Emergency animal care.

(a) Under conditions of an emergency, ~~((an animal))~~ a veterinary technician and unregistered assistant may render ~~((the following))~~ certain life saving aid to an animal:

(i) ~~((Application of))~~ Apply tourniquets and/or pressure bandages to control hemorrhage;

(ii) ~~((Administration of))~~ Administer pharmacologic agents to prevent or control shock ~~((, including))~~. Placement of an intravenous catheter and administering parenteral fluids, ~~((shall))~~ must only be performed after direct communication with a veterinarian, and only if ~~((such))~~ the veterinarian is either present or immediately enroute to the location of the distressed animal;

(iii) Administer resuscitative oxygen procedures;

(iv) ~~((Establishing))~~ Establish open airways including the use of intubation appliances, but excluding surgery;

(v) Administer external cardiac resuscitation;

(vi) ~~((Application of))~~ Apply temporary splints or bandages to prevent further injury to bones or soft tissues;

(vii) ~~((Application of))~~ Apply appropriate wound dressings and external supportive treatment in severe burn cases;

(viii) Apply external supportive treatment ~~((in heat prostration cases))~~ to stabilize body temperature.

(b) ~~((Under conditions of an emergency,))~~ An unregistered assistant may ~~((render the following life saving aid to an animal))~~:

(i) ~~((Application of))~~ Apply tourniquets and/or pressure bandages to control hemorrhage;

(ii) Administer resuscitative oxygen procedures;

(iii) ~~((Establishing))~~ Establish open airways including intubation appliances, but excluding surgery;

(iv) Apply external supportive treatment to stabilize body temperature.

AMENDATORY SECTION (Amending Order 368B, filed 6/2/93, effective 7/3/93)

WAC 246-935-060 Eligibility for examination as ~~((animal))~~ veterinary technician. Applicants must meet one of the following criteria to be eligible for the examination.

(1) Completion of a post ~~((high school course))~~ secondary educational program for animal or veterinary technology approved by the Committee on Veterinary Technician Education and Activities (CVTEA) of the American Veterinary Medical Association (AVMA). The board approves all ~~((these))~~ institutions accredited by, and in good standing with, the AVMA. AVMA-accredited programs in veterinary technology means any postsecondary educational program of two or more academic years that has fulfilled the essential criteria established by the Committee on Veterinary Technician Education and Activities and approved by the AVMA House of Delegates (AVMA/NAVTA Liaison Committee Model Practice Act adopted 1992). Other institutions ~~((which may apply))~~ applying for ~~((the))~~ board~~(('s))~~ approval ~~((and which))~~ must meet the accreditation standards of the CVTEA ~~((to the board's satisfaction may be approved, but)).~~ It is the responsibility of ~~((an))~~ the institution to apply for approval and of a student to ascertain whether or not a school has been approved by the board. The examination may not be taken prior to ~~((two))~~ six months preceding graduation from the course of instruction.

(2) Graduation from a two-year curriculum in animal health or veterinary technology which is not accredited by the CVTEA plus a minimum of thirty-six months of full-time experience under the supervision of a licensed veterinarian(s) who ~~((shall))~~ must attest to the completion of that experience.

(3) Award of a D.V.M. or V.M.D. degree or equivalent from an American Veterinary Medical Association accredited or listed college of veterinary medicine.

(4) ~~((Applicant is registered, certified))~~ Registration, certification, or ~~((licensed))~~ licensure as an animal health or veterinary technician in one or more states and ~~((has obtained))~~ thirty-six months of full-time experience under the supervision of a licensed veterinarian(s).

(5) Completion of a course in veterinary technician education as a member of the United States military and completion of a tour of active duty as a veterinary ~~((animal))~~ technician or specialist.

(6) Five years full-time ~~((animal technician))~~ experience as an unregistered assistant under the supervision of a licensed veterinarian(s) who ~~((shall))~~ must attest to the completion of that experience.

WSR 01-21-135

PROPOSED RULES

DEPARTMENT OF HEALTH

[Filed October 24, 2001, 10:28 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR [98-23-071].

Title of Rule: Standards of conduct or practice for nurses, WAC 246-840-700; functions of registered nurse (RN) and licensed practical nurse (LPN) practice, 246-840-705; violations of standards of nursing conduct or practice, 246-840-710; and repeal standards/competencies.

Purpose: To protect the public by requiring nurses to adhere to standards of competency and delineation of violations of the practice standards for nurses.

Other Identifying Information: Primary components of WAC 246-840-715 are combined into WAC 246-840-700 so WAC 246-840-715 can be repealed.

Statutory Authority for Adoption: RCW 18.79.040 and 18.79.060.

Statute Being Implemented: RCW 18.79.110.

Summary: The proposal clarifies the scope of practice standards for registered nurses and licensed practical nurses by combining the standards and competencies for nurses into one rule, WAC 246-840-700 and repealing WAC 246-840-715 which is now redundant. The revisions to WAC 246-840-705 add a description of the functions of the registered nurse. WAC 246-840-710 uniformly outlines RN and LPN violations of nursing standards.

Reasons Supporting Proposal: The restructuring of the rules provide clearer guidance to nurses and a consistent description of the violations of the practice standards.

Name of Agency Personnel Responsible for Drafting, Implementation and Enforcement: Chuck Cumiskey, RN, P.O. Box 47864, Olympia, WA 98507, (360) 236-4725.

Name of Proponent: Department of Health, Health Professions Quality Assurance Division, 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: The rule revisions are intended to eliminate redundancies in the current WACs. The reformatting of the standards of practice will enable the practitioner to examine the differences in the scope of practice for registered nurses and licensed practical nurses in the context of the nursing process. Combining the LPN competencies under one rule which describes nursing standards will clarify the expectations and streamline the chapter. By expanding the rule related to the functions of a nurse to include a description of the RN function will make the section consistent with the table format to enable side-by-side comparison of the RN and LPN functions. The revised rule relating to violations of the nursing standards help simplify the requirements and to apply the same language to both the RN and LPN.

Proposal Changes the Following Existing Rules: The primary change to WAC 246-840-700 is the format in which the standards are described and expressed. The LPN competencies in WAC 246-840-715 are modified and reordered into the "700" rule. WAC 246-840-715 is repealed as a result.

PROPOSED

WAC 246-840-705 adds the function of the RN and again expresses the functions in a table format to allow side-by-side comparison. WAC 246-840-710 describes violations of the standards uniformly for both RN and LPN practice, thereby eliminating differences in violations for RN and LPN practice.

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

Small Business Economic Impact Statement

In preparing this small business economic impact statement (SBEIS), the department used SIC codes:

8051 Skilled nursing care facilities	\$191.91
8059 Nursing and personal care	\$64.84
8062 General medical and surgical hospital	\$389.01
8082 Home health care services	\$120.59
8099 Health & Allied Services	\$64.84

These five SIC codes indicate a minor impact threshold of \$64.84 - \$389.01. The estimated cost to health care practitioners for amending these rules is zero.

Therefore, there is no disproportionate cost for small businesses.

A copy of the statement may be obtained by writing to Chuck Cumiskey, RN, Department of Health, P.O. Box 47864, Olympia, WA 98507, phone (360) 236-4725, fax (360) 236-4738.

RCW 34.05.328 applies to this rule adoption. Violator will be subject to penalty or sanction.

Hearing Location: Center Point Corporate Park, The Commons, 20415 72nd Avenue South, Kent, WA, on January 11, 2002, at 10:00 a.m.

Assistance for Persons with Disabilities: Contact Kris McLaughlin by January 4, 2002, TDD (360) 664-0064, or (360) 236-4713.

Submit Written Comments to: Chuck Cumiskey, RN, Department of Health, P.O. Box 47864, Olympia, WA 98507, fax (360) 236-4738, by January 9, 2002.

Date of Intended Adoption: January 11, 2002.

October 3, 2001

Paula R. Meyer, RN, MSN
Executive Director

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-700 Standards of nursing conduct or practice. (1) The purpose of defining standards of nursing conduct or practice through WAC 246-840-700 and 246-840-710 is to identify responsibilities of the professional registered nurse and the licensed practical nurse in health care settings and as provided in the Nursing Practice Act, chapter 18.79 RCW. Violation of these standards may be grounds for disciplinary action ((pursuant to)) under chapter 18.130 RCW. Each individual, upon entering the practice of nursing, assumes a measure of responsibility and public trust and the corresponding obligation to adhere to the professional and ethical standards of nursing practice. The nurse shall be responsible and accountable for the quality of nursing care given to clients. This responsibility cannot be avoided by

accepting the orders or directions of another person. The standards of nursing conduct or practice include, but are not limited to the following((:

~~FOR REGISTERED NURSES:~~

(1) ~~Nursing process:~~

(a) ~~The registered nurse shall collect pertinent objective and subjective data regarding the health status of the client.~~

(b) ~~The registered nurse shall plan and implement nursing care which will assist the client to maintain or return to a state of health or will support a dignified death.~~

(c) ~~The registered nurse shall communicate significant changes in the client's status to appropriate members of the health care team. This communication shall take place in a time period consistent with the client's need for care.~~

(d) ~~The registered nurse shall document, on essential client records, the nursing care given and the client's response to that care.~~

(2) ~~Delegation and supervision: The registered nurse shall be accountable for the safety of clients receiving nursing service by:~~

(a) ~~Delegating selected nursing functions to others in accordance with their education, credentials, and demonstrated competence.~~

(b) ~~Supervising others to whom he/she has delegated nursing functions.~~

(3) ~~Other responsibilities:~~

(a) ~~The registered nurse shall have knowledge and understanding of the laws and rules regulating nursing and shall function within the legal scope of nursing practice.~~

(b) ~~The registered nurse shall be responsible and accountable for practice based on and limited to the scope of her/his education, demonstrated competence, and nursing experience.~~

(c) ~~The registered nurse shall obtain instruction, supervision, and consultation as necessary before implementing new or unfamiliar techniques or practices.~~

(d) ~~The registered nurse shall be responsible for maintaining current knowledge in his/her field of practice.~~

(e) ~~The registered nurse shall conduct nursing practice without discrimination.~~

(f) ~~The registered nurse shall respect the client's right to privacy by protecting confidential information.~~

(g) ~~The registered nurse shall report unsafe nursing acts and practices, and illegal acts as defined in WAC 246-840-730.~~

~~FOR PRACTICAL NURSES:~~

(4) ~~The licensed practical nurse, functioning under the direction and supervision of other licensed health care professionals as provided in RCW 18.79.060, shall be responsible and accountable for his or her own nursing judgments, actions and competence.~~

(5) ~~The licensed practical nurse shall practice practical nursing in the state of Washington only with a current Washington license.~~

(6) ~~The licensed practical nurse shall not permit his or her license to be used by another person for any purpose.~~

(7) ~~The licensed practical nurse shall have knowledge of the statutes and rules governing licensed practical nurse pra-~~

and shall function within the legal scope of licensed practical nurse practice.

(8) The licensed practical nurse shall not aid, abet or assist any other person in violating or circumventing the laws or rules pertaining to the conduct and practice of licensed practical nursing.

(9) The licensed practical nurse shall not disclose the contents of any licensing examination or solicit, accept or compile information regarding the contents of any examination before, during or after its administration.

(10) The licensed practical nurse shall delegate activities only to persons who are competent and qualified to undertake and perform the delegated activities, and shall not delegate to unlicensed persons those functions that are to be performed only by licensed nurses.

(11) The licensed practical nurse, in delegating functions, shall supervise the persons to whom the functions have been delegated.

(12) The licensed practical nurse shall act to safeguard clients from unsafe practices or conditions, abusive acts, and neglect.

(13) The licensed practical nurse shall report unsafe acts and practices, unsafe practice conditions, and illegal acts to the appropriate supervisory personnel or to the appropriate state disciplinary board or commission.

(14) The licensed practical nurse shall respect the client's privacy by protecting confidential information, unless required by law to disclose such information.

(15) The licensed practical nurse shall make accurate, intelligible entries into records required by law, employment or customary practice of nursing, and shall not falsify, destroy, alter or knowingly make incorrect or unintelligible entries into client's records or employer or employee records.

(16) The licensed practical nurse shall not sign any record attesting to the wastage of controlled substances unless the wastage was personally witnessed.

(17) The licensed practical nurse shall observe and record the conditions of a client, and report significant changes to appropriate persons.

(18) The licensed practical nurse may withhold or modify client care which has been authorized by an appropriate health care provider, only after receiving directions from an appropriate person, unless in a life threatening situation.

(19) The licensed practical nurse shall leave a nursing assignment only after properly reporting to and notifying appropriate persons and shall not abandon clients.

(20) The licensed practical nurse shall not misrepresent his or her education and ability to perform nursing procedures safely.

(21) The licensed practical nurse shall respect the property of the client and employer and shall not take equipment, materials, property or drugs for his or her own use or benefit nor shall the licensed practical nurse solicit or borrow money, materials or property from clients.

(22) The licensed practical nurse shall not obtain, possess, distribute or administer legend drugs or controlled substances to any person, including self, except as directed by a person authorized by law to prescribe drugs.

(23) The licensed practical nurse shall not practice nursing while affected by alcohol or drugs, or by a mental, physi-

cal or emotional condition to the extent that there is an undue risk that he or she, as a licensed practical nurse, would cause harm to him or herself or other persons.

(24) It is inconsistent for a licensed practical nurse to perform functions below the minimum standards of competency as expressed in WAC 246-840-715.)):

(2) The nursing process is defined as a systematic problem solving approach to nursing care which has the goal of facilitating an optimal level of functioning and health for the client, recognizing diversity. It consists of a series of phases: Assessment and planning, intervention and evaluation with each phase building upon the preceding phases.

(a) Registered Nurse:

Minimum standards registered nurses include the following:

(i) Standard I Initiating the Nursing Process:

(A) Assessment and Analysis: The registered nurse initiates data collection and analysis that includes pertinent objective and subjective data regarding the health status of the clients. The registered nurse is responsible for ongoing client assessment, including assimilation of data gathered from licensed practical nurses and other members of the health care team.

(B) Nursing Diagnosis/Problem Identification: The registered nurse uses client data and nursing scientific principles to identify client problems in order to deliver effective nursing care.

(C) Planning: The registered nurse shall plan nursing care which will assist clients and families with maintaining or restoring health and wellness or supporting a dignified death.

(b) Licensed Practical Nurse:

Minimum standards licensed practical nurses include the following:

(i) Standard I - Implementing the nursing process: The practical nurse assists in implementing the nursing process.

(A) Assessment: The licensed practical nurse makes basic observations, gathers data and assists in identification of needs and problems relevant to the clients, collects specific data as directed, communicates outcomes of the data collection process in a timely fashion to the appropriate supervising person.

(B) Nursing Diagnosis/Problem Identification: The licensed practical nurse provides data to assist in the development of nursing diagnosis which are central to the plan of care.

(C) Planning: The licensed practical nurse contributes to the development of approaches to meet the needs of clients and families. Develops client care plans utilizing a standardized nursing care plan and assists in setting priorities for care.

(D) Implementation: The registered nurse implements the plan of care by initiating nursing interventions through giving direct care and supervising other members of the care team.

(E) Evaluation: The registered nurse evaluates the responses of individuals to nursing interventions and is responsible for the analysis and modification of the nursing care plan consistent with intended outcomes.

(ii) Standard II Delegation and Supervision: The registered nurse is accountable for the safety of clients receiving nursing service by:

(A) Delegating selected nursing functions to others in accordance with their education, credentials, and demonstrated competence as defined in WAC 246-840-010(10).

(B) Supervising others to whom he/she has delegated nursing functions as defined in WAC 246-840-010(10);

(C) Evaluating the outcomes of care provided by licensed and other paraprofessional staff.

(D) The registered nurse may delegate certain additional acts to certain individuals in community-based long-term care settings as provided by WAC 246-840-910 through 246-840-980 and WAC 246-841-405.

(D) Implementation: The licensed practical nurse carries out planned approaches to client care and performs common therapeutic nursing techniques.

(E) Evaluation: The licensed practical nurse, in collaboration with the registered nurse, assists with making adjustments in the care plan. The licensed practical nurse reports outcomes of care to the registered nurse or supervising health care provider.

(ii) Standard II Delegation and Supervision: Under direction, the practical nurse is accountable for the safety of clients receiving nursing care.

(A) The practical nurse may delegate selected nursing tasks to competent individuals in selected situations, in accordance with their education, credentials and competence as defined in WAC 246-840-010(10).

(B) The licensed practical nurse in delegating functions shall supervise the persons to whom the functions have been delegated.

(C) The licensed practical nurse reports outcomes of delegated nursing care tasks to the RN or supervising health care provider.

(D) In community based long-term care settings as provided by WAC 246-840-910 through 246-840-980 and WAC 246-841-405, the practical nurse may delegate only personal care tasks to qualified care givers.

(iii) Standard III Health Teaching. The registered nurse assesses learning needs including learning readiness for patients and families, develops plans to meet those learning needs, implements the teaching plan and evaluates the outcome.

(iii) Standard III Health Teaching. The practical nurse assists in health teaching of clients and provides routine health information and instruction recognizing individual differences.

(3) The following standards apply to registered nurses and licensed practical nurses:

(a) The registered nurse and licensed practical nurse shall communicate significant changes in the client's status to appropriate members of the health care team. This communication shall take place in a time period consistent with the client's need for care. Communication is defined as a process by which information is exchanged between individuals through a common system of speech, symbols, signs, and written or behaviors that serves as both a means of gathering information and of influencing the behavior, actions, attitudes, and feelings of others.

(b) The registered nurse and licensed practical nurse shall document, on essential client records, the nursing care given and the client's response to that care.

(c) The registered nurse and licensed practical nurse act as client advocates in health maintenance and clinical care.

(4) Other responsibilities:

(a) The registered nurses and the licensed practical nurses shall have knowledge and understanding of the laws and rules regulating nursing and shall function within the legal scope of nursing practice.

(b) The registered nurse and the licensed practical nurse shall be responsible and accountable for his or her practice based on and limited to the scope of her/his education, demonstrated competence, and nursing experience consistent with the scope of practice set forth in this document.

(c) The registered nurse and the licensed practical nurse shall obtain instruction, supervision, and consultation as necessary before implementing new or unfamiliar techniques or procedures which are in their scopes of practice.

(d) The registered nurse and the licensed practical nurse shall be responsible for maintaining current knowledge in his/her field of practice.

(e) The registered nurse and the licensed practical nurse shall respect the client's right to privacy by protecting confidential information and shall not use confidential health care information for other than legitimate patient care purposes or as otherwise provided in the Health Care Information Act, chapter 70.02 RCW.

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-705 Functions of a registered nurse and a licensed practical nurse. ((A licensed practical nurse is one who has met the requirements of the Washington state Nurse Practice Act, chapter 18.79 RCW. The licensed practical nurse recognizes and is able to meet the basic needs of the

client, and gives nursing care under the direction and supervision of the registered nurse or licensed physician to clients in routine nursing situations. In more complex situations the licensed practical nurse functions as an assistant to the registered nurse and carries out selected aspects of the designated nursing regimen.

A routine nursing situation is one that is relatively free of scientific complexity. The clinical and behavioral state of the client is relatively stable and requires abilities based upon a comparatively fixed and limited body of knowledge.

In complex situations, the licensed practical nurse facilitates client care by meeting specific nursing requirements to assist the registered nurse in the performance of nursing care.

The functions of the licensed practical nurse makes practical nursing a distinct occupation within the profession of nursing. The licensed practical nurse has specific roles in nursing in direct relation to the length, scope and depth of his or her formal education and experience. In the basic program of practical nursing education, the emphasis is on direct client care.

With additional preparation, through continuing education and practice, the licensed practical nurse prepares to assume progressively more complex nursing responsibilities.)

(1) Registered Nurses:

The registered nurse performs acts that require substantial knowledge, judgment and skill based on the principles of biological, behavioral, health, and nursing sciences. Such acts are grounded in the elements of the nursing process which includes, but is not limited to, the assessment, analysis, diagnosis, planning, implementation and evaluation of nursing care and health teaching in the maintenance and the promotion of health or prevention of illness of others and the support of a dignified death. The registered nurse using specialized knowledge can perform the activities of administration, supervision, delegation and evaluation of nursing practice.

(2) Licensed Practical Nurses:

The licensed practical nurse performs services requiring knowledge, skill and judgment necessary for carrying out selected aspects of the designated nursing regimen. The licensed practical nurse recognizes and is able to meet the basic needs of the client, and gives nursing care under the direction and supervision, to clients in routine nursing situations. A routine nursing situation is one that is relatively free of complexity, and the clinical and behavioral state of the client is relatively stable, requires care based upon a comparatively fixed and limited body of knowledge. In complex nursing care situations the licensed practical nurse functions as an assistant to the registered nurse and facilitates client care by carrying out selected aspects of the designated nursing regimen to assist the registered nurse in the performance of nursing care.

(3) Registered Nurses:

The registered nurse functions in an independent role when utilizing the nursing process as defined in WAC 246-840-700(2) to meet the complex needs of the client.

In an interdependent role as a member of a healthcare team, the registered nurse functions to coordinate and evaluate the care of the client and independently revises the plan and delivery of nursing care.

The registered nurse functions in an interdependent role when executing a medical regimen under the direction of an advanced registered nurse practitioner, licensed physician and/or surgeon, dentist, osteopathic physician and/or surgeon, physician assistant, osteopathic physician assistant, podiatric physician and/or surgeon, or naturopathic physician. A registered nurse may not accept delegation of acts not within his or her scope of practice.

(4) Licensed Practical Nurses:

The licensed practical nurse functions in an interdependent role to deliver care as directed and assists in the revision of care plans in collaboration with the registered nurse.

The licensed practical nurse functions in a dependent role when executing a medical regimen under the direction and supervision of an advanced registered nurse practitioner, licensed physician and/or surgeon, dentist, osteopathic physician and/or surgeon, physician assistant, osteopathic physician assistant, podiatric physician and/or surgeon, or naturopathic physician. A licensed practical nurse may not accept delegation of acts not within his or her scope of practice.

This shall not be construed as authorizing an independent role for the LPN.

AMENDATORY SECTION (Amending WSR 97-13-100, filed 6/18/97, effective 7/19/97)

WAC 246-840-710 Violations of standards of nursing conduct or practice. ((The following will serve as a guideline for the nurse as to the acts, practices, or omissions that are inconsistent with generally accepted standards of nursing conduct or practice. Such conduct or practice may be grounds for action with regard to the license to practice nursing pursuant to chapter 18.79 RCW and the Uniform Disciplinary Act, chapter 18.130 RCW. Such conduct or practice includes, but is not limited to the following:

(1) Failure to adhere to the standards enumerated in WAC 246-840-700(1) which may include:

(a) Failing to assess and evaluate a client's status or failing to institute nursing intervention as required by the client's condition.

(b) Willfully or repeatedly failing to report or document a client's symptoms, responses, progress, medication, or other nursing care accurately and/or intelligibly.

(c) Willfully or repeatedly failing to make entries, altering entries, destroying entries, making incorrect or illegible entries and/or making false entries in records pertaining to the giving of medication, treatments, or other nursing care.

(d) Willfully or repeatedly failing to administer medications and/or treatments in accordance with policy and procedure.

(e) Willfully or repeatedly failing to follow the policy and procedure for the wastage of medications where the nurse is employed or working.

(f) Willfully causing or contributing to physical or emotional abuse to the client.

(2) Failure to adhere to the standards enumerated in WAC 246-840-700(2) which may include:

(a) Delegating nursing care function or responsibilities to a person who the nurse knows or has reason to know lacks the ability or knowledge to perform the function or responsibility, or delegating to unlicensed persons those functions or responsibilities the nurse knows or has reason to know are to be performed only by licensed persons. This section should not be construed as prohibiting delegation to family members and other caregivers exempted by RCW 18.79.040(3), 18.79.050, 18.79.060 or 18.79.240.

(b) Failure to supervise those to whom nursing activities have been delegated. Such supervision shall be adequate to prevent an unreasonable risk of harm to clients.

(3) Failure to adhere to the standards enumerated in WAC 246-840-700(3) which may include:

(a) Performing or attempting to perform nursing techniques and/or procedures for which the nurse lacks the appropriate knowledge, experience, and education and/or failing to obtain instruction, supervision and/or consultation for client safety.

(b) Violating the confidentiality of information or knowledge concerning the client, except where required by law or for the protection of the client.

(c) Writing prescriptions for drugs unless authorized to do so by the board.

(4) Other violations:

(a) Appropriating for personal use medication, supplies, equipment, or personal items of the client, agency, or institution.

(b) Practicing nursing while impaired by any mental, physical and/or emotional condition to the extent that the person may be unable to practice with reasonable skill and safety.

(c) Willfully abandoning clients by leaving a nursing assignment without transferring responsibilities to appropriate personnel or caregiver when continued nursing care is required by the condition of the client(s).

(d) Practicing nursing while impaired by alcohol and/or drugs.

(e) Conviction of a crime involving physical abuse or sexual abuse relating to the practice of nursing.)) The following conduct may subject a nurse to disciplinary action under the Uniform Disciplinary Act, chapter 18.130 RCW:

(1) Engaging in conduct described in RCW 18.130.180.

(2) Failure to adhere to the standards enumerated in WAC 246-840-700 which may include, but are not limited to:

(a) Failing to assess and evaluate a client's status or failing to institute nursing intervention as required by the client's condition;

(b) Willfully or repeatedly failing to report or document a client's symptoms, responses, progress, medication, or other nursing care accurately and/or legibly;

(c) Willfully or repeatedly failing to make entries, altering entries, destroying entries, making incorrect or illegible entries and/or making false entries in employer or employee records or client records pertaining to the giving of medication, treatments, or other nursing care;

(d) Willfully or repeatedly failing to administer medications and/or treatments in accordance with nursing standards;

(e) Willfully or repeatedly failing to follow the policy and procedure for the wastage of medications where the nurse is employed or working;

(f) Nurses shall not sign any record attesting to the wastage of controlled substances unless the wastage was personally witnessed;

(g) Willfully causing or contributing to physical or emotional abuse to the client;

(h) Engaging in sexual misconduct with a client as defined in WAC 246-840-740; or

(i) Failure to protect clients from unsafe practices or conditions, abusive acts, and neglect.

(3) Failure to adhere to the standards enumerated in WAC 246-840-700(2) which may include:

(a) Delegating nursing care function or responsibilities to a person who the nurse knows or has reason to know lacks the ability or knowledge to perform the function or responsibility, or delegating to unlicensed persons those functions or responsibilities the nurse knows or has reason to know are to be performed only by licensed persons. This section should not be construed as prohibiting delegation to family members and other caregivers exempted by RCW 18.79.040(3), 18.79.050, 18.79.060 or 18.79.240.

(b) Failure to supervise those to whom nursing activities have been delegated. Such supervision shall be adequate to prevent an unreasonable risk of harm to clients.

PROPOSED

WSR 01-21-141

PROPOSED RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Filed October 24, 2001, 10:54 a.m.]

(4)(a) Performing or attempting to perform nursing techniques and/or procedures for which the nurse lacks the appropriate knowledge, experience, and education and/or failing to obtain instruction, supervision and/or consultation for client safety.

(b) Violating the confidentiality of information or knowledge concerning the client, except where required by law or for the protection of the client.

(c) Writing prescriptions for drugs unless authorized to do so by the commission.

(5) Other violations:

(a) Appropriating for personal use medication, supplies, equipment, or personal items of the client, agency, or institution. The nurse shall not solicit or borrow money, materials or property from clients.

(b) Practicing nursing while affected by alcohol or drugs, or by a mental, physical or emotional condition to the extent that there is an undue risk that he or she, as a nurse, would cause harm to him or herself or other persons.

(c) Willfully abandoning clients by leaving a nursing assignment, when continued nursing care is required by the condition of the client(s), without transferring responsibilities to appropriate personnel or caregiver.

(d) Conviction of a crime involving physical abuse or sexual abuse including convictions of any crime or plea of guilty, including crimes against persons as defined in chapter 43.830 RCW and crimes involving the personal property of a patient, whether or not the crime relates to the practice of nursing.

(e) Failure to make mandatory reports to the Nursing Care Quality Assurance Commission concerning unsafe or unprofessional conduct as required in WAC 246-840-730.

Other:

(6) The nurse shall only practice nursing in the state of Washington with a current Washington license.

(7) The licensed nurse shall not permit his or her license to be used by another person.

(8) The nurse shall have knowledge of the statutes and rules governing nursing practice and shall function within the legal scope of nursing practice.

(9) The nurse shall not aid, abet or assist any other person in violating or circumventing the laws or rules pertaining to the conduct and practice of professional registered nursing and licensed practical nursing.

(10) The nurse shall not disclose the contents of any licensing examination or solicit, accept or compile information regarding the contents of any examination before, during or after its administration.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 246-840-715

Standards/competencies.

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-07-067.

Title of Rule: Commercial fishing rules.

Purpose: Gear and landing limitations.

Statutory Authority for Adoption: RCW 77.12.047.

Statute Being Implemented: RCW 77.12.047.

Summary: These rules prohibit drift gill net gear and restrict landings of thresher shark.

Reasons Supporting Proposal: Protection of thresher shark.

Name of Agency Personnel Responsible for Drafting: Evan Jacoby, 1111 Washington Street, Olympia, (360) 902-2930; Implementation: Lew Atkins, 1111 Washington Street, Olympia, (360) 902-2651; and Enforcement: Bruce Bjork, 1111 Washington Street, Olympia, (360) 902-2373.

Name of Proponent: Department of Fish and Wildlife.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Thresher sharks are a pelagic shark species that have reduced populations off Washington. In order to help these sharks recover, the department has not allowed a directed fishery by prohibiting the use of draft gill net gear to take sharks. Oregon has an experimental swordfish fishery which encounters thresher sharks, but has limited the thresher shark take by not allowing landings in which the swordfish to thresher shark ratio exceeds 2:1. There are very few if any swordfish off Washington, and prohibiting all use of drift gill nets will primarily protect thresher sharks that cannot be lawfully landed, and would have to be discarded. There are no other species that are taken by drift gill net gear. By prohibiting all thresher shark landings from Washington coastal waters, complete protection is afforded. The department does not want to impact Washington processors, so landings would be allowed if the thresher sharks were lawfully taken in the Oregon experimental fishery.

Proposal Changes the Following Existing Rules: Restrict thresher shark landings.

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

Small Business Economic Impact Statement

1. Description of the Reporting, Record-keeping, and Other Compliance Requirements of the Proposed Rule: There is no reporting or record-keeping requirement.

2. Kinds of Professional Services That a Small Business is Likely to Need in Order to Comply with Such Requirements: None.

3. Costs of Compliance for Businesses, Including Costs of Equipment, Supplies, Labor, and Increased Administrative Costs: No costs.

4. Will Compliance with the Rule Cause Businesses to Lose Sales or Revenue? No. Drift gill net gear is not an approved gear for thresher shark.

5. Cost of Compliance for the 10% of Businesses That are the Largest Businesses Required to Comply with the Proposed Rules Using One or More of the Following as a Basis for Comparing Costs:

- a. Cost per employee;
 - b. Cost per hour of labor; or
 - c. Cost per one hundred dollars of sales.
- No costs.

6. Steps Taken by the Agency to Reduce the Costs of the Rule on Small Businesses or Reasonable Justification for Not Doing So: No costs.

7. A Description of How the Agency Will Involve Small Businesses in the Development of the Rule: This rule has no effect on Washington small businesses.

8. A List of Industries That Will Be Required to Comply with the Rule: Coastal fishers.

A copy of the statement may be obtained by writing to Evan Jacoby, 600 Capitol Way North, Olympia, WA 98501-1091, phone (360) 902-2930, fax (360) 902-2155.

RCW 34.05.328 does not apply to this rule adoption. Not hydraulics rules.

Hearing Location: Best Inn and Suites, 221 N.E. Chkalov, Vancouver, WA, on December 7-8, 2001, at 8:00 a.m.

Assistance for Persons with Disabilities: Contact Debbie Nelson by November 21, 2001, TDD (360) 902-2207, or (360) 902-2226.

Submit Written Comments to: Evan Jacoby, Rules Coordinator, 600 Capitol Way North, Olympia, WA 98501-1091, fax (360) 902-2155, by December 6, 2001.

Date of Intended Adoption: December 7, 2001.

October 24, 2001

Evan Jacoby
Rules Coordinator

NEW SECTION

WAC 220-44-035 Coastal pelagic gear. It is unlawful to use drift gill net gear in state and offshore waters west of the Bonilla-Tatoosh line, north of the Washington-Oregon boundary, and south of the United States-Canada boundary.

AMENDATORY SECTION (Amending Order 01-103, filed 6/6/01, effective 7/7/01)

WAC 220-44-050 Coastal bottomfish catch limits. (1) 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 58B, 59A, 59B, 60A, 61, 62, or 63 in excess of the amounts or less than the minimum sizes, or in violation of any gear handling or landing requirement, established by the Pacific Fisheries Management Council and published in the *Federal Register*, Volume 66, No. 8, published January 11, 2001, except thresher shark are further restricted as provided for in this section. Therefore, persons must consult the federal regulations, which incorporated by reference and made a part of chapter 220-44 WAC. Where rules refer to the fishery management area, that area is extended to include Washing-

ton state waters coterminous with the exclusive economic zone. A copy of the federal rules may be obtained by contacting Evan Jacoby at (360) 902-2930.

(2) At the time of landing of coastal bottomfish into Washington port, the fish buyer receiving the fish is required to clearly mark on the fish receiving ticket in the space reserved for dealer's use all legally defined trawl gear aboard the vessel at the time of delivery. The three trawl gear types are: Midwater trawl, roller trawl and small foot rope trawl (foot rope less than eight inches in diameter). The notation of the gear type(s) aboard the vessel is required prior to the signing of the fish receiving ticket by the vessel representative.

(3) Vessels engaged in chartered research for National Marine Fisheries Service (NMFS) may land and sell bottomfish caught during that research without the catch being counted toward any trip or cumulative limit for the participating vessel. Vessels that have been compensated for research work by NMFS with an exempted fishing permit (EFP) to land fish as payment for such research may land and sell fish authorized under the EFP without the catch being counted toward any trip or cumulative limit for the participating vessel. Any bottomfish landed during authorized NMFS research or under the authority of a compensating EFP for past chartered research work must be reported on a separate fish receiving ticket and not included on any fish receiving ticket reporting bottomfish landed as part of any trip or cumulative limit. Bottomfish landed under the authority of NMFS research work or an EFP compensating research with fish must be clearly marked "NMFS Compensation Trip" on the fish receiving ticket in the space reserved for dealer's use. The NMFS scientist in charge must sign the fish receiving ticket in the area reserved for dealer's use if any bottomfish are landed during authorized NMFS research. If the fish are landed under the authority of an EFP as payment for research work, the EFP number must be listed in the dealer's use space.

(4) It is unlawful for an original receiver to receive whiting and whiting by-catch under the authority of an exempted fishing permit (EFP) issued by the National Marine Fisheries Service through the department unless the original receiver has entered into a signed agreement with the department specifying the responsibilities of the original receiver in conjunction with the whiting EFP fishery. Failure to comply with the terms of the agreement shall be cause to remove the original receiver from the list of original receivers allowed to receive unsorted whiting catches from EFP vessels.

(5) It is unlawful to land thresher shark taken by any means from state and offshore waters of the Pacific Ocean north of the Washington-Oregon boundary and south of the United States-Canada boundary, and it is unlawful to land thresher shark taken south of the Washington-Oregon boundary unless each thresher shark landed is accompanied by a minimum of two swordfish.

PROPOSED

WSR 01-21-142
PROPOSED RULES
HEALTH CARE AUTHORITY

[Order 01-04—Filed October 24, 2001, 11:11 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-19-095 [01-18-095].

Title of Rule: WAC 182-12-118 Insurance eligibility for surviving dependents of emergency service personnel killed in the line of duty.

Purpose: Add a new section to chapter 182-12 WAC, to include eligibility for surviving dependents of emergency service personnel killed in the line of duty as enacted by the 2001 legislature.

Statutory Authority for Adoption: Chapter 41.05 RCW.
 Statute Being Implemented: RCW 41.05.160.

Summary: In 2001, the legislature amended RCW 41.05.011 to define "emergency service personnel killed in the line of duty (RCW 41.05.011(14)) and RCW 41.05.080 to include such persons in PEBB-sponsored coverage at the rate charged to retired or disabled employees on a self-pay basis. These amendments apply to surviving spouses and dependent children of emergency service personnel killed in the line of duty after January 1, 1998.

Reasons Supporting Proposal: WAC 182-12-118 provides details and procedures for applying for this coverage.

Name of Agency Personnel Responsible for Drafting and Implementation: Barbara Scott, Health Care Authority, (360) 923-2642; and Enforcement: MaryAnne Lindeblad, Health Care Authority, (360) 923-2640.

Name of Proponent: Health Care Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The 2001 legislature amended RCW 41.05.011 and 41.05.080 to include "surviving dependents of emergency service personnel killed in the line of duty," as eligible members for participation in PEBB-sponsored medical and dental coverage.

Originally, it seemed appropriate to amend WAC 182-12-119, however, upon further examination it was determined that a separate rule would make it easier for affected persons to find the requirements.

The proposed new section to chapter 182-12 WAC defines eligibility and establishes rules for the surviving dependent's participation in the program.

Proposal Changes the Following Existing Rules: The proposed rule extends eligibility to surviving dependents that are not identified as eligible individuals under the existing rule.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required. The Joint Administrative Rules Review Committee has not requested the filing of a small business economic impact statement, and there will be no costs to small businesses.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Health Care Authority, Executive Conference Room, 4th Floor, 600 Woodland Square Loop, Lacey, WA, on November 27, 2001, at 1:00 p.m. This will be

a teleconference hearing. Please call Cyndi Presnell at (360) 923-2802 for the teleconference number.

Assistance for Persons with Disabilities: Contact Nikki Johnson by November 21, 2001, TDD (888) 923-5622, or (360) 923-2805.

Submit Written Comments to: Barbara Scott, Health Care Authority, 676 Woodland Square Loop S.E., Olympia, WA 98504-2684, fax (360) 923-2602, by close of business on November 27, 2001.

Date of Intended Adoption: November 28, 2001.

October 24, 2001

Cyndi L. Presnell

for Melodie H. Bankers

Rules Coordinator

NEW SECTION

WAC 182-12-118 Insurance eligibility for surviving dependents of emergency service personnel killed in the line of duty. Surviving dependents of emergency service personnel who were killed in the line of duty on or after January 1, 1998, are eligible to participate in medical and dental coverage administered by the health care authority and sponsored by the public employee's benefits board.

(1) This rule applies to the dependents of emergency service personnel "killed in the line of duty" as determined consistent with Title 51 RCW by the department of labor and industries.

(2) "Emergency service personnel" is defined as law enforcement officers, fire fighters and reserve officers, fire fighters as defined in RCW 41.26.030 and 41.24.010.

(3) "Surviving dependent" is defined as:

(a) A lawful spouse or ex-spouse as defined in RCW 41.26.162; and

(b) Dependent children. The term "children" includes unmarried natural children, stepchildren and legally adopted children under the age of twenty or under the age of twenty-four for a dependent student attending high school or an accredited secondary school full-time. Disabled dependents as defined in RCW 41.26.020(7) are eligible at any age.

(4) Premium rates will be subsidized consistent with rates established by the health care authority for non-Medicare retirees under RCW 41.05.022 and for Medicare-eligible retirees under RCW 41.05.085.

(5) Surviving dependents that are Medicare-eligible must enroll in both parts A and B of Medicare.

(6) The surviving dependent must send a completed enrollment application to the health care authority no later than sixty days after:

(a) The last day of any coverage extended by the employing agency of the emergency service employee who died in the line of duty; or

(b) The last day of coverage extended through the Consolidated Omnibus Budget Reconciliation Act (COBRA) from any employing agency.

(7) Surviving dependents must choose one of the following two options for maintaining eligibility for participation under public employee's benefits board sponsored medical and dental coverage:

(a) Enroll in coverage:

PROPOSED

(i) Enrollment in a medical plan is required.

(ii) Enrollment in dental coverage is optional. Once enrolled in dental the member must maintain enrollment in a dental plan for a minimum of two years before dental can be dropped.

(iii) Dental only coverage is not available.

(b) Waive enrollment:

(i) Surviving dependents may waive enrollment in public employee's benefits board sponsored medical and dental coverage if they are enrolled in employer sponsored medical through their employment.

(ii) Surviving dependents may enroll in public employee's benefits board sponsored medical and dental when their employer sponsored coverage ends. Proof of their continuous enrollment in employer sponsored coverage must be submitted with their application for enrollment to the health care authority within sixty days of the date that their coverage ended.

(8) Enrollees may change their medical or dental plan enrollment during the annual open enrollment period held by the health care authority. In addition to the annual open enrollment period, enrollees may change plans if they move out of their plan's service area or into a service area where a plan that was not previously offered is now available.

(9) Surviving dependents will forfeit their right to enroll in public employee's benefits board sponsored medical and dental coverage if they:

(a) Do not make application to the health care authority before the date specified in subsection (6) of this section; or

(b) Do not maintain continuous medical coverage during the waiver period enrollment for public employee's benefits board sponsored medical, as provided in subsection (7)(a)(ii) of this section.

WSR 01-21-143

PROPOSED RULES

HEALTH CARE AUTHORITY

[Order 01-05—Filed October 24, 2001, 11:13 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 01-18-094.

Title of Rule: WAC 182-08-095 Waiver of coverage and new section WAC 182-08-125 PEBB-sponsored medical and dental benefit is limited to one enrollment per individual member.

Purpose: To amend WAC 182-08-095 by striking the words "and dependents." Propose new section WAC 182-08-125 based on 2001 legislation and the vote at the August 7, 2001, PEBB board meeting, which eliminated "dual eligibility" for persons eligible for PEBB-sponsored health coverages. These changes are necessary to effectuate this change.

Statutory Authority for Adoption: RCW 41.05.160.

Statute Being Implemented: RCW 41.05.065.

Summary: WAC 182-08-095 is proposed to be amended by striking the words "and dependents."

New section WAC 182-08-125 is proposed to limited dual-eligibility in PEBB-sponsored coverage.

Reasons Supporting Proposal: These changes are necessary to effectuate the 2001-2003 biennial budget and the August 7, 2001, vote of the PEBB board.

Name of Agency Personnel Responsible for Drafting and Implementation: Barbara Scott, Health Care Authority, (360) 923-2642; and **Enforcement:** MaryAnne Lindeblad, Health Care Authority, (360) 923-2640.

Name of Proponent: Health Care Authority, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: When the 2001 legislature adopted the 2001-2003 biennial budget, assumed elimination of "dual eligibility" for persons eligible for PEBB-sponsored coverage. These changes are necessary to effectuate this change.

- WAC 182-08-095 is proposed to be amended by striking "and dependents." As a result, eligible PEBB active employees will have the ability to waive dental coverage for eligible dependents. The current rule does not permit waiving of dependent dental coverage.
- A new section, WAC 182-08-125, is proposed. This section will limit enrollment in medical and dental coverages to one enrollment, thereby eliminating "dual eligibility." As a result, eligible employees of state government, higher education, and PEBB-participating K-12 school districts, educational school districts, political subdivisions and employee organizations representing state civil service workers, will not be eligible for coverage as both an employee and a dependent of an employee.

Originally, it seemed appropriate to amend WAC 182-08-095, however, upon further examination it was determined that a separate rule would make it easier for affected persons to find the requirement.

Proposal Changes the Following Existing Rules: The current rule does not permit waiving dependent dental and does not preclude multiple enrollments by members with more than one source of eligibility for PEBB-sponsored medical and dental benefits. The new rule allows the employee to waive dependent dental and limits individual members to one PEBB enrollment, effective January 1, 2002.

See Explanation of Rule above.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Not required. The Joint Administrative Rules Review Committee has not requested the filing of a small business economic impact statement, and there will be no costs to small businesses.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Health Care Authority, Executive Conference Room, 4th Floor, 600 Woodland Square Loop, Lacey, WA, on November 27, 2001, at 1:00 p.m. This will be a teleconference hearing. Please call Cyndi Presnell at (360) 923-2802 for the teleconference number.

Assistance for Persons with Disabilities: Contact Nikki Johnson by November 21, 2001, TDD (888) 923-5622, or (360) 923-2805.

Submit Written Comments to: Barbara Scott, Health Care Authority, 676 Woodland Square Loop S.E., Olympia,

PROPOSED

WA 98504-2684, fax (360) 923-2602, by close of business on November 27, 2001.

Date of Intended Adoption: November 28, 2001.

October 24, 2001

Cyndi L. Presnell
for Melodie H. Bankers
Rules Coordinator

PROPOSED

AMENDATORY SECTION (Amending Order 99-03, filed 9/8/99, effective 10/9/99)

WAC 182-08-095 Waiver of coverage. Employees eligible for PEBB health care coverage have the option of waiving medical coverage for themselves and any or all dependents if they are covered by another medical plan. In order to waive medical coverage, the employee must complete an enrollment form that identifies the individuals for whom coverage is being waived. If an employee waives medical coverage for him/herself, coverage is automatically waived for all eligible dependents. An employee may choose to enroll only him/herself, and waive medical coverage for any or all dependents.

Employees ((and dependents)) whose medical coverage is waived will remain enrolled in a PEBB dental plan. Employees will also remain enrolled in PEBB life and long term disability coverage.

If PEBB medical coverage is waived, an otherwise eligible person may not enroll in a PEBB plan until the next open enrollment period, or within 31 days of loss of other medical coverage. Proof of other medical coverage is required to demonstrate that: 1) Coverage was continuous from the date PEBB coverage was waived; and 2) the period between loss of coverage and application for PEBB coverage is 31 days or less. The employee and dependents may have an additional opportunity to enroll in the event of acquisition of a new dependent as a result of marriage, birth, adoption, or placement for adoption, provided that enrollment is requested within 31 days of marriage or within 60 days of birth, adoption or placement for adoption.

NEW SECTION

WAC 182-08-125 PEBB-sponsored medical and dental benefit is limited to one enrollment per individual member. (1) Effective January 1, 2002, individuals that have more than one source of eligibility for enrollment in PEBB-sponsored medical and dental benefits (called "dual eligibility") are limited to one enrollment.

(2) The following three examples describe typical situations of dual eligibility. These are not the only situations where dual eligibility may arise and are provided as illustrations only.

(a) A husband and wife who are both employed by PEBB-participating employers, such as state agencies, may enroll only in medical or dental as an employee and not also as a dependent. That is, the husband may enroll only under his employing agency and the wife may enroll only under her employing agency.

(b) A dependent child that is eligible for coverage under two or more parents or stepparents who are employed by

PEBB-participating employers, may be enrolled as a dependent under the coverage of one parent or stepparent, but not more than one.

(c) An employee employed in an insurance-eligible position by more than one PEBB-participating employer may enroll only under one employer. The employee may choose to enroll in insurance under the employer that:

- (i) Offers the most favorable cost-sharing arrangement;
- or
- (ii) Employed the employee for the longer period of time.

WSR 01-21-145
PROPOSED RULES
SECRETARY OF STATE
[Filed October 24, 2001, 11:16 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 99-19-101.

Title of Rule: Regulations on accessibility of polling places.

Purpose: To conform with changes to state and federal law.

Statutory Authority for Adoption: RCW 29.57.170.

Statute Being Implemented: Chapter 29.57 RCW.

Summary: Counties must submit a report outlining the accessibility of polling place to the secretary of state on an annual basis. Permanent voter registration facilities have been removed from this chapter.

Reasons Supporting Proposal: These changes are as a result of chapter 298, Laws of 1999.

Name of Agency Personnel Responsible for Drafting: Shawn Merchant, Office of the Secretary of State, Legislative Building, Olympia, (360) 902-4154; Implementation and Enforcement: Dean Logan, Office of the Secretary of State, Legislative Building, Olympia, (360) 902-4167.

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

Explanation of Rule, its Purpose, and Anticipated Effects: As a result of chapter 298, Laws of 1999, counties will now be required to submit an annual report to the Secretary of State regarding the accessibility of polling places. The report will include the number of precincts an polling places, which polling places are inaccessible, and what efforts have been made to locate alternative polling places or to make the existing facilities temporarily accessible. Old accessibility regulations have been replaced with an up-to-date accessibility checklist to assist the counties with determining polling place accessibility. If a county shows all polling places as accessible after two consecutive report periods, no further reports need be submitted unless the Secretary of State specifically reinstates the requirement for that county.

Proposal Changes the Following Existing Rules: References to permanent voter registration facilities are removed. References to "elderly or disabled" are removed. Accessibility requirements for polling places now apply to all primaries and elections. A checklist is provided to assist counties in determining the accessibility of their polling places. Coun-

ties are required to submit a report annually to the Secretary of State containing number of precincts and polling places, which polling places are inaccessible, and what efforts have been made to locate alternative polling places or to make the existing facilities temporarily accessible. If a county shows all polling places as accessible after two consecutive report periods, no further reports need be submitted unless the Secretary of State specifically reinstates the requirement for that county.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Does not affect small businesses.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Office of the Secretary of State, 520 Union Avenue, Olympia, WA 98504, on November 27, 2001, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Shawn Merchant, TDD (800) 422-8683, or (360) 902-4151.

Submit Written Comments to: Shawn Merchant, Program Manager, Office of the Secretary of State, P.O. Box 40229, Olympia, WA 98504-0229, fax (360) 586-5629, by November 23, 2001.

Date of Intended Adoption: December 28, 2001.

October 24, 2001

Steve Excell

Assistant Secretary of State

Chapter 434-257 WAC

REGULATIONS ON ACCESSIBILITY OF POLLING PLACES ((AND PERMANENT VOTER REGISTRATION FACILITIES TO ELDERLY VOTERS OR DISABLED VOTERS))

AMENDATORY SECTION (Amending WSR 98-08-010, filed 3/18/98, effective 3/18/98)

WAC 434-257-010 Purpose. These regulations are adopted pursuant to RCW 29.57.170 to implement the provisions of chapter 29.57 RCW ((and the requirements of Public Law 98-435)) regarding the accessibility of polling places ((and voter registration facilities)) for ((federal)) all elections.

AMENDATORY SECTION (Amending WSR 98-08-010, filed 3/18/98, effective 3/18/98)

WAC 434-257-020 Definitions. As used in these regulations:

(1) "Accessible" means the combination of factors which create an environment free of barriers to the mobility or functioning of voters ((who are elderly or disabled)). The environment consists of the routes of travel to and through buildings or facilities used for the purpose of voting ((or voter registration)).

(2) "Alternative polling place" means an accessible location which could be used as a polling place in the event that the existing site is inaccessible and which is reasonably convenient to assigned voters as determined by the county auditor.

(3) "County auditor" means the county auditor or county election official.

(4) "Election" means any primary, special or general election ((for any federal office)).

(5) ("Federal election" means a primary, special or general election for the office of president, vice president, United States senator or United States representative.

(6) "~~Permanent voter registration facilities~~" means ~~any offices or other locations specifically required to provide voter registration services under chapter 29.07 RCW or the location of any deputy registrar appointed by the county auditor to serve for an indefinite period of time.~~

(7) "State of emergency" means any condition which, in the opinion of the county auditor and secretary of state, would interfere with the safe and efficient conduct of an election.

AMENDATORY SECTION (Amending WSR 98-08-010, filed 3/18/98, effective 3/18/98)

WAC 434-257-030 Standards for accessible polling places ((and permanent voter registration facilities)). A polling place is accessible if ((each of)) the ((following)) standards ((is)) of the state building code council are met or exceeded. If ((each of)) the ((following)) standards cannot be met, alternative accommodations may be permitted under RCW 29.57.090. ((A permanent voter registration facility is accessible if each of the following standards is met or exceeded, except in subsections 3 and 4 where the standard specifically applies to a polling place.

(1) **Parking.** Where off-street parking is provided, there is at least one existing or temporary parking place at a polling place designated for use on the day of the election by voters [on the day of the primary or election, for each nine hundred persons registered to vote at that polling place] whose vehicle displays a special card, decal or license plate as required by RCW 64.61.381 [46.16.381]. A polling place, where off-street parking is not available, is considered accessible only if there is no other equally accessible alternative polling place where off-street parking is available which would be suitable for a precinct or group of precincts. Where off-street parking is provided, there is at least one existing parking place at a permanent voter registration facility designated for use by persons who are elderly or disabled. The designated parking place(s) is in close proximity to the accessible entrance to the building containing the polling place or permanent voter registration facility and is no less than twelve feet six inches wide. The area surrounding the [designated] parking place(s) [for voters with disabilities] is a firm, stable surface and generally level, with a maximum slope in any direction of one inch in fifty inches. A slope of one inch in thirty inches in the area surrounding the designated parking place(s) is considered accessible only if all other potential polling places within [the] [a] precinct [or group of precincts] are not and cannot be made to meet this standard.

(2) **Accessible route of travel.** A continuous, unobstructed pathway exists from the accessible parking place(s), where provided, to and through the accessible building entrance and to the polling place or permanent voter registration facility. The accessible route of travel is a minimum of

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thirty six inches of clear width and seventy nine inches in clear height unless otherwise specified in these standards.

(a) ~~Walkways and ramps.~~ Walkways or ramps which occur within the accessible route of travel have a minimum clear width of forty four inches, no abrupt edge over one half inch in height, no grating with openings larger than one half inch, and a maximum slope in the direction of travel less than one inch in twenty inches with a cross slope no more than one inch in fifty inches. The width of walkways and ramps may be thirty six inches only in instances where it is impractical or unreasonable to provide forty four inches. If the slope of the accessible route of travel is between one inch in twenty inches and one inch in twelve inches, a level five foot by five foot landing is provided for each thirty inches of rise. Ramps and curb cuts have a slope no more than one inch in twelve inches. Ramps one inch in twenty or steeper have handrails. Curb cuts have a clear width of thirty six inches and side slopes no more than one inch in six inches.

(b) ~~Entrances.~~ The entrance to the building containing the polling place or permanent voter registration facility is at least thirty two inches of clear width with a threshold no more than one half inch in height. The entrance to the building containing a polling place with a threshold of one and one half inches in height is considered accessible if there is no other equally accessible alternative polling place where the entrance with a threshold of one half inch in height is available which would be suitable for a precinct or a group of precincts. There is a level, firm, stable and slip resistant surface at least fifty inches wide, at least eighteen inches of which is directly adjacent to the latch side of the door, and five feet deep on both the inside and outside of the door. If the entrance to the building containing the polling place remains in an open position during polling hours, the requirement for the eighteen inches adjacent to the latch side of the door does not apply. If the door is power operated, it is equipped with a time delay.

(c) ~~Interior corridors.~~ If the entrance to the building containing the polling place or permanent voter registration facility does not open directly to the polling place or permanent voter registration facility, there is an unobstructed route of travel from the entrance of the building to the entrance of the polling place or permanent voter registration facility which is at least forty four inches wide. If there is an elevator on the only accessible route of travel, it is in close proximity to the entrance to the building, it has a minimum interior depth of forty eight inches, the doors have at least thirty two inches clear width, and the floor has a firm, stable surface.

(3) ~~Polling place.~~ There is seating and adequate, unobstructed space for reasonable movement of voters who are elderly or disabled within the polling place.

(4) ~~Voting equipment.~~ In polling places in which ballots are cast on voting machines or voting devices, there is at least one machine or device which is no higher than thirty inches with at least twenty seven inches minimum height knee clearance under the machine, device or table for a seated person. Voters may also be provided with paper ballots and a voting booth with a horizontal surface which is no higher than thirty inches with at least twenty seven inches minimum height knee clearance under the booth or table.

(5) ~~Illumination.~~ There is sufficient illumination at all points along the accessible route of travel and within the polling place or permanent voter registration facility.

(6) ~~Signs.~~ There are signs with large, high contrast lettering which identify any available accessible parking spaces and the accessible route of travel to the polling place or permanent voter registration facility if it is different from the primary route of travel to the polling place or permanent voter registration facility. Signs shall prominently display the international symbol of access as provided by RCW 70.92.120.)) The following survey form may be used to determine if a polling place is accessible and meets or exceeds the standards of the state building code council.

**CATEGORY I:
PARKING**

	YES	NO	N/A
1. Are there off-street parking spaces either permanently or temporarily designated for the people with disabilities?			
2. With regard to off-street parking:			
a. Are such parking spaces at least 96 inches wide with a 60 inch aisle? (One van accessible space 96 inches width with 96 inch aisle.)			
b. Are such parking spaces on level ground (with a slope no greater than a rise of 1 inch in 48 inches)?			
c. Is the parking area firm, stable, smooth and slip resistant?			
d. Are the parking spaces within the shortest possible accessible route of travel?			
e. Is there a curb-cut to connect these parking spaces to an accessible walk or to the building entrance?			
f. Are these parking spaces designated by post-mounted signs bearing the symbol of accessibility?			
3. Is there a relatively level passenger drop-off zone at least 8 feet wide with a curb-cut connecting it to an accessible walk or to the building entrance?			

**CATEGORY II:
WALKWAYS OR PATHWAYS TO THE BUILDING**

	YES	NO	N/A
1. Is the walkway or pathway to the building paved (concrete, asphalt, macadam, etc.)?			
2. Is the walkway or pathway to the building at least 44 inches wide?			
3. Are all curbs along the pathway to the building cut or ramped with at least 44 inch clear width and with slopes of no more than a 1 inch rise in 20 inches?			
4. Are all stairs or steps along the walkway or pathway to the building either ramped (with a slope of no more than a 1 inch rise in 12 feet) or else provided with a suitable alternative means of access?			
5. Do stair steps along the walkway or pathway to the building have nonslip surfaces and handrails?			
6. Is the walkway or pathway to the building entrance:			
a. Free of protrusions (such as fire hydrants, tree trunks, or other obstacles) which narrow the passage to less than 44 inches?			
b. Free of any abrupt edges or breaks in the surface where the difference is over ½ inch in height (such as where it crosses a driveway, parking lot, or another walkway, etc.)?			

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**CATEGORY II:
WALKWAYS OR PATHWAYS TO THE BUILDING (cont'd)**

	YES	NO	N/A
c. Free of any overhanging objects (such as tree branches, signs, etc.) which hang lower than 79 inches?			
d. Free of any slopes or inclines greater than a 1 inch rise to 20 inches?			
e. Free of any grating with openings of over 1/2 inch wide?			
7. Are walkways always well lighted?			
8. Are provisions made to ensure that walkways are free of such hazards as ice, snow, leaves, or other debris on the day of election?			
9. Are there signs which identify the accessible route of travel if that route is different from the primary route of travel to the building?			

**CATEGORY III:
RAMPS AND ELEVATORS ENTERING OR INSIDE THE BUILDING**

	YES	NO	N/A
1. Are building stairs or steps which are over 30 inches high (either at the entrance or between the entrance and the voting area) provided either with a ramp, with an elevator, or with an alternative means of unassisted passage (such as a chair lift or an alternative route of travel)?			
2. With regard to ramps:			
a. Do all ramps have a slope no greater than a rise of 1 inch high for 20 inches of ramp?			
b. Are ramps provided with non-slip surfaces?			
c. For any ramp rising more than 6 inches or longer than 72 inches, is a hand rail provided? (Note: Any ramp with a slope of 1:20 does not need rails.)			
d. Are handrails 34 inches to 38 inches above the ramp surface?			
e. Can handrails be gripped (should be approx. 1 1/2 inch from wall, but are not more than 2 inches)?			
f. Are ramps and landing areas with drop-offs provided with a least a 2 inch curb at the side to prevent slipping off the ramps?			
g. If there is a door at the top of the ramp, is there a level space of at least 5 feet by 5 feet where a wheelchair can rest while the door is opened?			

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**CATEGORY III:
RAMPS AND ELEVATORS ENTERING OR INSIDE THE BUILDING (Con't)**

	YES	NO	N/A
3. With regard to elevators (if elevators are the only accessible route):			
a. Is the elevator cab at least 54 inches by 68 inches wide?			
b. Do elevator doors provide at least 32 inches clear width?			
c. Are elevator controls less than 54 inches high (i.e. can a person in a chair operate the controls)?			
d. Are control panels marked with raised lettering?			
e. Is the elevator in close proximity to the entrance of the building?			

**CATEGORY IV:
OTHER ARCHITECTURAL FEATURES**

	YES	NO	N/A
1. With regard to doors along the route of travel:			
a. Do all doors have an opening which clears at least 32 inches wide?			
b. Are all door thresholds less than 1/2 inch high?			
c. Are all doors equipped with arch or lever-type handles, push plates, or automatic openers (so that twisting a doorknob is not required)?			
d. Where automatic doors are used, does the door remain open at least 3 seconds?			
f. Are glass doors marked with safety seals?			
2. With regard to stairs along the route:			
a. Do stairs have a non-slip surface?			
b. Do stairs have handrails 34 to 38 inches above step level?			
e. Can handrails be gripped?			
c. Do all steps have risers (the little vertical walls at the back of each step)?			
e. Do all steps have tread areas at least 11 inches deep?			
g. Are all steps less than 7 inches in height?			

Reviser's note: The typographical error in the above illustration occurred in the copy filed by the Secretary of State and appears in the Register pursuant to the requirement of RCW 34.08.040.

**CATEGORY IV:
OTHER ARCHITECTURAL FEATURES (cont'd)**

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	YES	NO	N/A
g. Are stairs well lit?			
h. Are stairs free of obstacles?			
3. With regard to corridors along the route:			
a. Is the corridor at least 44 inches wide?			
b. Is the corridor free of obstacles or protrusions (such as boxes, water fountains, etc.) which extend more than 4 inches from the wall and higher than 17 inches? If so put a box or planter under obstacle so a person with a visual impairment can identify it with a cane.			
c. Is there sufficient lighting at all points along the route?			
d. Does the corridor have a non-slip surface?			
e. Are all rugs and mats securely fastened? If not try to remove them.			

**CATEGORY V:
FEATURES WITHIN THE VOTING AREA**

	YES	NO	N/A
1. Are instructions for voting printed in 12 point or larger type in simple language, and plainly displayed? Is Braille or larger print available upon request?			
2. Is there sufficient unobstructed space for the reasonable movement of voters in wheelchairs that still provides privacy?			
3. Can all necessary parts of the voting equipment be reached by a person seated in a chair or, at least, is an alternative means of casting a ballot provided?			
4. Are magnifying devices available for those who request them?			
5. Is there adequate lighting in the voting area?			
6. Is seating available for elderly or handicapped voters awaiting their turn to vote?			

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SUMMARY OF ACCESSIBILITY BY CATEGORIES

Please review the responses within each category on the previous pages and indicate below whether each category is:

- ?? INACCESSIBLE (If there is a "NO" response in *any* unshaded box in the category.)
- ?? ACCESSIBLE BUT INCONVENIENT (If all "NO" responses in the category are only in *shaded* boxes and all the responses in the *unshaded* boxes are either "YES" or "N/A".)
- ?? FULLY ACCESSIBLE (If *all* responses in the category are either "YES" or "N/A".)

Category	Inaccessible	Accessible But Inconvenient	Fully Accessible
I. Parking			
II. Walkways or pathways to building			
III. Ramps and elevators entering or inside of the building			
IV. Other architectural features			
V. Voting area			
VI. Other			

OVERALL DETERMINATION OF POLLING PLACE ACCESSIBILITY (mark one box only)

If one or more of the categories above is marked "INACCESSIBLE", then the polling place isINACCESSIBLE

If no category is marked "INACCESSIBLE", but one or more is marked "ACCESSIBLE BUT INCONVENIENT", then the polling place isACCESSIBLE BUT INCONVENIENT

If *all* categories above are marked "FULLY ACCESSIBLE", then the polling place isFULLY ACCESSIBLE

DISPOSITION OF INACCESSIBLE POLLING PLACE

- If the polling place is INACCESSIBLE:
- | | | |
|---|--------------------------|--------------------------|
| | Yes | No |
| a. Has an alternative accessible facility been sought? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Are permanent or temporary alterations planned to render the polling place accessible in the coming elections? | <input type="checkbox"/> | <input type="checkbox"/> |

AMENDATORY SECTION (Amending WSR 98-08-010, filed 3/18/98, effective 3/18/98)

WAC 434-257-070 Report of precincts and polling places. (1) No later than April 1 of each even-numbered year, each county auditor shall ~~((report))~~ submit to the secretary of state, ~~((on a form prescribed and provided by the secretary of state,))~~ a ~~((list))~~ report showing the number of ((all)) precincts and assigned polling places within that county. This report shall specify those polling places which are inaccessible, ~~((a summary of the efforts to locate alternative polling places and any measures taken to temporarily modify existing inaccessible polling places))~~ and what efforts have been made to locate alternative polling places or to make the existing facilities temporarily accessible.

(2) ~~((In 1986, the secretary of state may, on the request of a county auditor, extend the deadline of this report to no later than July 1.~~

(3) ~~No later than thirty days before the next election in an even-numbered year, a county auditor shall notify the secretary of state of any changes in polling place locations. No changes in polling place locations may be made after that time except where it has been determined that a state of emergency exists.)~~ If a county shows all polling places as accessible after two consecutive report periods, no further reports need be submitted unless the secretary of state specifically reinstates the requirement for that county. Notice of reinstatement must be in writing and delivered at least sixty days before the reporting date.

(3) The secretary of state shall review and keep on file the reports of polling places submitted by each county auditor.

AMENDATORY SECTION (Amending WSR 98-08-010, filed 3/18/98, effective 3/18/98)

WAC 434-257-090 Accessible polling places—Exceptions. An inaccessible polling place shall not be used in ~~((federal))~~ any election~~((s))~~ unless the following conditions have been met:

(1) ~~((The secretary of state has reviewed and verified the inaccessible polling place, that))~~ The county auditor has made a reasonable effort ~~((has been made))~~ to locate an alternative polling place and that measures to temporarily modify the existing polling place are not feasible, and

(2) The registered voters assigned to such an inaccessible polling place have been notified as required, or

(3) ~~((It))~~ The secretary of state has ~~((been))~~ determined that a state of emergency exists.

AMENDATORY SECTION (Amending WSR 98-08-010, filed 3/18/98, effective 3/18/98)

WAC 434-257-100 Procedures for inaccessible polling places. (1) No later than thirty days before ~~((a special))~~ an election ~~((for a federal office or a primary in each even-numbered year)),~~ the county auditor shall mail a notice to each registered voter assigned to an inaccessible polling place which has been authorized for use under these rules and shall contain the following information:

(a) The polling place for that precinct is inaccessible, for the election or elections indicated in the notice, according to the accessibility standards established for voters ~~((who are elderly and disabled))~~. The extent and nature of inaccessibility shall be specified.

(b) No later than twenty days before the election or elections indicated in the notice, voters ~~((who are elderly or disabled))~~ may request to be assigned to an alternative polling place as listed in the notice, or may request to vote by absentee ballot.

(c) An absentee ballot request form or instructions for requesting an absentee ballot for the specific election or elections indicated in the notice.

(2) Subsequent to the transmittal of a notice under (1) of this section and no later than thirty days before the next election, the county auditor shall also notify any person who registers to vote and is assigned to a precinct for which the polling place is inaccessible.

(3) The county auditor shall make the following accommodations in voting procedures necessary to allow the use of alternative polling places by voters ~~((who are elderly and disabled))~~:

(a) The county auditor shall assemble election materials for voters who request to vote at an alternative polling place. The following materials shall be separated according to the precinct in which the voters are registered and placed into an envelope which clearly identifies that precinct:

(i) A poll book or precinct list which contains the names of only those voters from that precinct assigned to the alternative polling place;

(ii) A ballot for each voter from the precinct in which that voter is registered;

(iii) An envelope for voted ballots which is clearly marked "Ballots for Precinct from Alternative Polling Place ~~((for Elderly and Disabled Voters))~~";

(iv) Instructions for the precinct election officers.

(b) The procedures for voting and ballot tabulation for all ballots cast by a voter ~~((who is elderly or disabled))~~ at an alternative polling place shall be as follows:

(i) The voter shall be given a ballot from the precinct in which that voter is registered and contains all the issues and candidates for which that voter is legally qualified to vote. For lever machine precincts, the voter shall be provided with an appropriate paper ballot.

(ii) After the voter has cast his or her ballot, the ballot shall be placed in a separate ballot box or an envelope designated for ballots cast in an alternative polling place.

(iii) Following the close of the polls, ballots shall be transmitted in the designated envelopes to the county auditor's office. Within each county, all ballots cast at alternative polling places shall be canvassed and reported by legislative district separately from absentee or question ballots.

AMENDATORY SECTION (Amending WSR 98-08-010, filed 3/18/98, effective 3/18/98)

WAC 434-257-130 Voting ~~((and registration))~~ instructions. Each county auditor shall conspicuously display voting instructions, printed in at least 16-point bold type, at each polling place on the day of the election. ~~((Each county~~

~~auditor shall also conspicuously display registration instructions, printed in at least 16 point bold type, at each permanent voter registration facility.)~~

AMENDATORY SECTION (Amending WSR 98-08-010, filed 3/18/98, effective 3/18/98)

WAC 434-257-150 Notice of accessibility. Each county auditor shall include a list of polling places, indicating those polling places which are accessible according to the standards for voters (~~who are elderly or disabled~~), in the notice of election published under RCW 29.27.030 and 29.27.080.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 434-257-050	Assistance from persons with disabilities.
WAC 434-257-080	Examination of inaccessible polling places.
WAC 434-257-120	Accessible permanent voter registration facilities.

WSR 01-21-146
PROPOSED RULES
SECRETARY OF STATE
 [Filed October 24, 2001, 11:19 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 00-09-027.

Title of Rule: Rules for the publication of the voters pamphlet.

Purpose: To conform with changes to chapter 29.81 RCW adopted during the 1999 legislative session.

Statutory Authority for Adoption: RCW 29.81.320.

Statute Being Implemented: Chapter 29.81 RCW.

Summary: Proposal establishes rule for the production of the state voters pamphlet. It clarifies procedures used to form committees who write arguments for and against ballot measures and establishes rules for candidate statements appearing in the pamphlet.

Reasons Supporting Proposal: These changes are a result of chapter 290, Laws of 1999.

Name of Agency Personnel Responsible for Drafting: Shawn Merchant, Office of the Secretary of State, Legislative Building, Olympia, (360) 902-4154; **Implementation and Enforcement:** Dean Logan, Office of the Secretary of State, Legislative Building, Olympia, (360) 902-4167.

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

Explanation of Rule, its Purpose, and Anticipated Effects: Legislative action amending the RCW governing the production of the state voters pamphlet necessitates changing the administrative rules relating to the production of the vot-

ers pamphlet. Changes have been made to statute that make the current rules no longer applicable to the statutes that direct the Office of the Secretary of State. The proposed rules are intended to make the production of the pamphlet more efficient and provide rules that act in concert with instead of in conflict to current statute.

Proposal Changes the Following Existing Rules: The proposed change would repeal all of the existing rules for the production of the voters pamphlet and replace them with new rules that act in concert with current statute. Rules that exist currently do not act in concert with current statute and in some instances are in conflict with the statutes governing the pamphlet. For example, existing rules refer to advisory committee members and their appointment, current statute eliminates the advisory committee and increases the argument drafting committee membership from three to six members. Existing rules provide deadlines for submission of arguments on a timeline that are impossible to maintain and still print the pamphlet prior to the general election.

No small business economic impact statement has been prepared under chapter 19.85 RCW. Does not impact small businesses.

RCW 34.05.328 does not apply to this rule adoption.

Hearing Location: Office of the Secretary of State, 520 Union Avenue, Olympia, WA 98504, on November 27, 2001, at 2:00 p.m.

Assistance for Persons with Disabilities: Contact Shawn Merchant, TDD (800) 422-8683, or (360) 902-4151.

Submit Written Comments to: Shawn Merchant, Program Manager, Office of the Secretary of State, P.O. Box 40229, Olympia, WA 98504-0229, fax (360) 586-5629, by November 23, 2001.

Date of Intended Adoption: December 27, 2001.

October 24, 2001

Steve Excell

Assistant Secretary of State

NEW SECTION

WAC 434-381-110 Committee contacts. Every candidate or committee appearing in the state voters pamphlet shall designate a contact person with whom the secretary shall communicate all matters related to the pamphlet. Within five business days of the appointment of the initial members, the committee shall provide a name, mailing address, telephone number, and fax number and e-mail address as applicable. In the case of candidates the secretary shall use the information on the declaration of candidacy unless the candidate provides different information pursuant to this section.

NEW SECTION

WAC 434-381-120 Deadlines. (1) Candidate statements and photographs shall be submitted to the secretary of state:

(a) For candidates who filed during the regular filing period, within three business days after filing their declaration of candidacy;

(b) For candidates who filed during a special filing period, or were selected by a political party pursuant to either RCW 29.15.150 or 29.15.160, within three business days after the close of the special filing period or selection by the party.

(2) For ballot measures, including initiatives, referendums, alternatives to initiatives to the legislature, and constitutional amendments, the following documents shall be filed with the secretary of state on or before the following deadlines:

(a) Appointments of the initial two members of committees to prepare arguments for and against measures:

(i) For an initiative to the people or referendum measure: Within ten business days after the submission of signed petitions to the secretary of state;

(ii) For an initiative to the legislature, with or without an alternative, constitutional amendment or referendum bill, within ten business days after the adjournment of the regular or special session at which the legislature approved or referred the measure to the ballot:

(b) Appointment of additional members of committees to prepare arguments for and against ballot measures, not later than the date the committee submits its initial argument to the secretary of state;

(c) Arguments for or against a ballot measure, no later than twenty calendar days following appointment of the initial committee members;

(d) Rebuttals of arguments for or against a ballot measure, by no later than fourteen calendar days following the transmittal of the final statement to the committees by the secretary. The secretary shall not transmit arguments to opposing committees for the purpose of rebuttals until both arguments are complete.

(3) If a ballot measure is the product of a special session of the legislature and the secretary of state determines that the deadlines set forth in subsection (2) of this section are impractical due to the timing of that special session, then the secretary of state may establish a schedule of deadlines unique to that measure.

(4) The deadlines stated in this rule are intended to promote the timely publication of the voters pamphlet. Nothing in this rule shall preclude the secretary of state from accepting a late filing when, in the secretary's judgment, it is reasonable to do so.

NEW SECTION

WAC 434-381-130 Size and quality of photographs.

Candidate photographs submitted for inclusion in the voters pamphlet must have been taken within the past five years and should be sized between two and one half inches by three inches and eight by ten inches. The secretary may adjust or crop photos as necessary to fit the publication format.

NEW SECTION

WAC 434-381-140 Restriction on photographs. No photograph submitted for inclusion in the voters pamphlet may reveal clothing or insignia suggesting the holding of a public office. Examples of such clothing or insignia include, but are not limited to, judicial robes, law enforcement or mil-

itary uniforms, official seals or symbols similar thereto other than the flag of the state of Washington, or other similar indicia of public office.

NEW SECTION

WAC 434-381-150 Rejection of photographs. The secretary may reject candidate photographs that do not meet the guidelines outlined by rule.

(1) The secretary will notify candidates whose photographs are being rejected;

(2) Candidates whose photographs are rejected by the secretary will be allowed to submit a new photograph;

(3) Replacement photographs must be submitted by the date specified by the secretary.

NEW SECTION

WAC 434-381-160 Listing committee names and contact information. Committee names and contact information shall be submitted to the secretary of state.

(1) Names for publication in the voters pamphlet shall be listed in the order submitted by the committee;

(2) Each committee member may use up to eight words as a title or identification. "Title or identification" means a formal or informal description of the present or past occupation, role within an organization, educational qualification, or office of an individual, but does not include any expression of opinion or motivation;

(3) The secretary will make every effort to maintain consistency in form and style for publications;

(4) State legislators will be identified in the following manner: State representative or state senator, with each title constituting two words;

(5) State elected officials will be identified as follows: Governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands and insurance commissioner, with each title counting as many words as in that title;

(6) Additional titles or descriptions may be added to reach the maximum title length; and

(7) Each committee may submit contact information for inclusion in the voters pamphlet consisting of: A telephone number, an e-mail, and an Internet address which will not count toward the maximum word allowance.

NEW SECTION

WAC 434-381-170 Statement and argument format.

(1) Statements or arguments submitted for inclusion in the voters pamphlet shall not exceed the word limit set by statute.

(a) Arguments for or against measures may contain up to four headings used to highlight major points in the argument and will not count toward the maximum word count set for arguments;

(b) The initial four headings may not exceed fifteen words for each heading;

(c) Additional headings may be used after the initial four headings in an argument, which will count toward the maximum word count of the argument;

(d) Photographs or charts may be used in candidate statements or arguments substituting fifty words from the statement or argument for each square inch used by the photograph or chart. This subsection does not apply to the photographs submitted pursuant to WAC 434-381-130 (size and quality of photographs).

(2) Statements and arguments submitted to the secretary of state shall be printed in a format that in the opinion of the secretary will provide the best reproduction.

(a) Statements and arguments will be typeset in a standard font without the use of boldface or underlining;

(b) Italics may be used to add emphasis to statements or arguments;

(c) Argument headings will be typeset entirely in boldface capital letters.

NEW SECTION

WAC 434-381-180 Editing statements and arguments. The secretary of state is not responsible for the content of arguments or statements and shall not edit the content of statements or arguments:

(1) The secretary may correct obvious errors in grammar, spelling or punctuation;

(2) The secretary shall promptly attempt to notify any candidate or committee, by any means the secretary deems reasonable under the circumstances, if a statement or argument exceeds the maximum number of words. If the candidate or committee does not provide the secretary with a revised statement or argument that does not exceed the limit within three business days after the deadline for submission of the statement or argument, then the secretary shall modify the statement to fit the limit by removing words or sentences, starting at the end, until the maximum word limit is reached. More words than necessary to achieve the maximum word limit may be removed by the secretary so that the statement or argument ends in a complete sentence;

(3) The secretary shall notify any committee that submits a title or identification for their members that does not conform to WAC 434-381-160(2). If the committee does not provide the secretary with a revised title that meets the requirements established in WAC 434-381-160(2) within three business days, the secretary shall publish the name without any title or identification;

(4) Prior to publishing the pamphlet the secretary shall make a reasonable effort to provide a proof copy to the candidate or committee as it will appear showing any changes to the statement or argument; and

(5) After submission of the statement or argument to the secretary, candidates or committees may only correct obvious errors or inaccuracies discovered in their own proof copy. Changes in content are not allowed.

NEW SECTION

WAC 434-381-190 Prevention of art work, photographs or other material by candidate. (1) The secretary shall be prohibited from using the art work, photography, or other materials provided by candidates for public office in the voters pamphlet in which the candidate's name appears, except that required by law or rule for the candidate's state-

ments or, information provided by the office that publishes the pamphlet;

(2) Prior to final printing of the voters pamphlet a responsible employee of the office of the secretary of state will review complete "camera ready" copies of each edition of the voters pamphlet;

(3) Language shall be placed into contracts, with the office of the secretary of state to produce the voters pamphlet, to certify that those providing content materials for the voters pamphlet are not candidates for public office and those individuals will not run for public office while their materials are being used in a state or local pamphlet produced in conjunction with the state voters pamphlet.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 434-381-010	Committees to write arguments for and against constitutional amendments, referendum bills, and alternatives to initiatives to the legislature.
WAC 434-381-020	Committees to write arguments for and against initiatives, initiatives to the legislature, and referendum measures.
WAC 434-381-030	Additional members on committees to draft arguments for the voters pamphlets.
WAC 434-381-040	Selection of a chairperson for committees to draft arguments for or against measures appearing in the voters pamphlet.
WAC 434-381-050	Advisory committees.
WAC 434-381-060	Length of statements and rebuttals.
WAC 434-381-070	Restrictions on the style of statements in the voters pamphlets.
WAC 434-381-080	Submission of statements and rebuttals.
WAC 434-381-090	Rejection of statements for the voters pamphlet.
WAC 434-381-100	Editing of statements for the voters pamphlet.

WSR 01-21-108

EXPEDITED RULES

DEPARTMENT OF TRANSPORTATION

[Filed October 23, 2001, 9:53 a.m.]

Title of Rule: WAC 468-06-040 Description of central and field organization of the Washington State Department of Transportation.

Purpose: To update the agency's central and field office descriptions.

Statutory Authority for Adoption: RCW 47.01.031.

Summary: The department will make changes to the central and field organization office descriptions to better reflect the agency's organizational structure.

Name of Agency Personnel Responsible for Drafting: Debra L. Gregory, Office of the Secretary, (360) 705-7806; Implementation and Enforcement: Paula J. Hammond, Office of the Secretary, (360) 705-7027.

Name of Proponent: Secretary of Transportation, governmental.

Agency Comments or Recommendations, if any, as to Statutory Language, Implementation, Enforcement, and Fiscal Matters: The agency recommends approval.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The purpose of this rule is to update the description of the Department of Transportation's central and field office organizations to correctly reflect the current organization structure of the agency.

Proposal does not change existing rules. Does not change the substance of the WAC. It does update titles of the agency's executives and reporting structure.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Debra L. Gregory, Washington State Department of Transportation, 310 Maple Park Avenue S.E., Olympia WA 98504, AND RECEIVED BY December 25, 2001.

October 19, 2001

P. J. Hammond, P.E.

Chief of Staff

AMENDATORY SECTION (Amending WSR 99-07-013, filed 3/8/99, effective 4/8/99)

WAC 468-06-040 Description of central and field organization of the Washington state department of transportation. (1) The department of transportation is a statutorily created agency of the state of Washington. The central office of the department of transportation is located in the Transportation Building, Olympia, WA 98504.

(2) The department of transportation is headed by a secretary who is the executive head of the department and is appointed by the Washington state transportation commission.

(a) Serving directly under the secretary are the (~~deputy secretary for operations, deputy secretary for policy~~) chief of staff, audit office, equal opportunity office ((and the ombudsman)), engineering and regional operations division, northwest Washington division, Washington state ferries division and administration and support division. There are also assistant attorney generals assigned to the department who provide legal services in department matters.

(b) Reporting directly to the (~~deputy secretary for operations~~) chief of staff are the following offices: Communications (~~and public involvement~~), governmental liaison office, (~~human resources office and Q2000 office~~) ombudsman, freight strategy and policy, highways and local programs, public transportation and rail, aviation and transportation economic partnerships.

(c) (~~The following service centers report to the deputy secretary for operations depending upon their needs: Environmental and engineering, field operations support, finance and administration, planning and programming and transaid. Also reporting to the deputy secretary are the aviation division, transportation economic partnerships division, highways and local roadways division, public transportation and rail division and Washington state ferries.~~

(~~d~~)) The department field functions are carried out by six regions which are each headed by a region administrator (~~and report directly to the deputy secretary for operations~~). The central regional office locations are: Seattle, Wenatchee, Tumwater, Vancouver, Yakima, and Spokane. The regions have various project and maintenance area offices which are headed by a supervisor. The region administrators for Seattle and Tumwater report directly to the assistant secretary for the northwest Washington division. The region administrators for Wenatchee, Vancouver, Yakima and Spokane report directly to the assistant secretary for the engineering and regional operations division.

WSR 01-21-121

EXPEDITED RULES

OFFICE OF

FINANCIAL MANAGEMENT

[Filed October 24, 2001, 9:10 a.m.]

Title of Rule: Petition process for adoption, repeal or amendment of an agency rule.

Purpose: To establish a petition process for adoption, repeal or amendment of an agency rule.

Statutory Authority for Adoption: RCW 34.05.330.

Statute Being Implemented: RCW 34.05.330.

Summary: This proposed rule making corrects a reference to statute in WAC 82-05-050.

Reasons Supporting Proposal: The WAC as written references an incorrect subsection of RCW 34.05.330.

Name of Agency Personnel Responsible for Drafting: Lynne McGuire, 300 Insurance Building, Olympia, WA

98504-3113, (360) 902-0581; Implementation and Enforcement: Jennifer Strus, 300 Insurance Building, Olympia, WA 98504-3113, (360) 902-0568.

Name of Proponent: Office of Financial Management, governmental.

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

Explanation of Rule, its Purpose, and Anticipated Effects: The rule describes how to appeal the agency denial of a petition to adopt, repeal or amend an agency rule.

Proposal Changes the Following Existing Rules: The proposed change would correct the statutory reference to RCW 34.05.330(3). The rule now incorrectly references RCW 34.05.330(2).

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Lynne McGuire, Office of Financial Management, P.O. Box 43113, Olympia, WA 98504-3113, AND RECEIVED BY December 25, 2001.

October 10, 2001
Lynne A. McGuire
Rules Coordinator

AMENDATORY SECTION (Amending WSR 96-03-048, filed 1/12/96, effective 2/12/96)

WAC 82-05-050 How can I appeal agency denial of a petition? (1) Within thirty days of the denial, you, the petitioner, may appeal the denial to the governor.

(2) The governor will process the appeal according to RCW 34.05.330((2))(3).

**WSR 01-21-122
EXPEDITED RULES**

SECRETARY OF STATE

[Filed October 24, 2001, 9:20 a.m.]

Title of Rule: Restrictions on write-in or sticker votes, WAC 434-208-050.

Purpose: We propose to delete this particular rule.

Summary: No write-in or sticker vote is valid unless it is cast for one of the parties on the ballot. Voters may write in the names of candidates but not political parties.

Reasons Supporting Proposal: This rule is not necessary and could be interpreted to allow write-in votes to be cast by sticker which is contradictory to RCW 29.51.175.

Name of Agency Personnel Responsible for Drafting: Bill Huennekens, Legislative Building, Olympia, 98504,

902-4169; Implementation and Enforcement: Dean Logan, Legislative Building, Olympia, 98504, 902-4167.

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: Delete WAC 434-208-050 because it is not necessary and could be interpreted to allow write-in votes to be cast by sticker which is contradictory to RCW 29.51.175.

Proposal Changes the Following Existing Rules: The change deletes the rule.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Bill Huennekens, Office of the Secretary of State, P.O. Box 40229, Olympia, 98504, AND RECEIVED BY December 25, 2001.

October 24, 2001
Steve Excell
Assistant Secretary of State

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 434-208-050 Restrictions on write-in or sticker votes.

**WSR 01-21-138
EXPEDITED RULES
DEPARTMENT OF
LABOR AND INDUSTRIES**

[Filed October 24, 2001, 10:33 a.m.]

Title of Rule: Chapter 296-78 WAC, Safety standards for sawmills and woodworking operations.

Purpose: Chapter 296-78 WAC, Safety standards for sawmills and woodworking operations:

- WAC 296-78-56501 Log dumps and ponds.
 - Amended to mirror federal rule regarding when buoyant devices must be provided and used.
- WAC 296-78-56505 Boats and mechanical devices on waters.
 - Amended WAC 296-78-56505(8)(f) to remove buoyancy and strength minimums for life rings and attached lines, that are not contained in federal rule.

Statutory Authority for Adoption: RCW 49.17.010, [49.17].040, [49.17].050.

EXPEDITED

Statute Being Implemented: Chapter 49.17 RCW.

Summary: See Purpose above.

Reasons Supporting Proposal: See Purpose above.

Name of Agency Personnel Responsible for Drafting:
Tracy Spencer, Tumwater, (360) 902-5530; Implementation
and Enforcement; Michael A. Silverstein, Tumwater, (360)
902-5495.

Name of Proponent: Department of Labor and Industries, governmental.

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

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

Proposal Changes the Following Existing Rules: WAC 296-78-56501 Log dumps and ponds and 296-78-56505 Boats and mechanical devices on waters, are being amended to make them at-least-as-effective-as corresponding federal requirements (29 C.F.R. 1910.265 (d)(2)(h) and (g), respectively).

- Employees must be issued and wear personal flotation devices; and
- Specifying minimum buoyancy and strength requirements for life rings and attached lines.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Christine Swanson, Department of Labor and Industries, P.O. Box 44001, Olympia, WA 98504-4001, AND RECEIVED BY 5:00 p.m. December 28, 2001.

October 24, 2001

Gary Moore

Director

AMENDATORY SECTION (Amending WSR 01-11-038, filed 5/9/01, effective 9/1/01)

WAC 296-78-56501 Log dumps and ponds. (1) Log dumps, booms, ponds or storage areas, if used at night, shall be illuminated in accordance with the requirements of WAC 296-800-210, safety and health core rules.

(2) A log dump shall be constructed at each log pond or decking ground. Log trucks shall not be unloaded by use of peavies or by hand.

(a) The roadbed shall be of hard packed gravel, heavy planking or equivalent material and shall be maintained at all times. Roadbeds at log dumps shall be of width and evenness to insure safe operation of equipment.

(b) A mechanical unloading device shall be provided and used for unloading logs. Log unloading areas shall be arranged and maintained to provide a safe working area.

(c) Signs prohibiting unauthorized foot or vehicle traffic in log unloading and storage areas shall be posted.

(d) At no time shall one person be permitted to work alone on a log dump, a booming or rafting grounds, or a log pond.

(3) Water log dumps. Ungrounded electrically powered hoists using handheld remote control in grounded locations, such as log dumps or mill log lifts, shall be actuated by circuits operating at less than 50 volts to ground.

(4)(a) A brow log, skid timbers or the equivalent shall be installed on all log dumps.

(b) Where logs are unloaded onto skids, sufficient space shall be provided between the top of the skids and the ground to accommodate the body of a person.

(c) All truck dumps shall be built with not more than six inches variation of level from side to side.

(5)(a) All truck log dumps shall be equipped with a positive safeguard to prevent logs from leaving the load on the side opposite the brow log. Jill pokes shall not be used on truck log dumps.

(b) Unloading lines shall be attached and tightened or other positive safeguard in place before binder chains are released at any log dump.

(c) Stakes and chocks which trip shall be constructed in such manner that the tripping mechanism that releases the stake or chocks is activated at the opposite side of the load being tripped.

(d) Binders shall be released only from the side on which the unloader operates, except when released by remote control devices or except when person making release is protected by racks or stanchions or other equivalent means.

(e) Loads on which a binder is fouled by the unloading machine shall have an extra binder or metal band of equal strength placed around the load, or the load shall be otherwise secured so that the fouled binder can be safely removed.

(f) Unloading lines, crotch lines, or equally effective means shall be arranged and used in a manner to minimize the possibility of any log swinging or rolling back.

(6)(a) In unloading operations, the operator of unloading machine shall have an unobstructed view of the vehicle and the logs being unloaded.

(b) Unloading lines shall be arranged so that it is not necessary for the employees to attach them from the pond or dump site of the load except when entire loads are lifted from the log-transporting vehicle.

(7) All log dumps shall be kept reasonably free of bark and other debris.

(8) Employees shall remain in the clear until all moving equipment has come to a complete stop.

(9) Artificial log ponds subject to unhealthy stagnation shall be drained, cleansed, and water changed at least once every six months.

(10) All employees whose regular work requires walking on logs shall wear spiked or calked shoes, except when working in snow.

(11) Employees (~~working on, over or along water, where the danger of drowning exists, shall be provided with and shall wear approved personal flotation devices~~) whose duties require them to work from boats, floating logs, boom sticks, or walkways along or on water must be provided with

and must wear appropriate buoyant devices while performing such duties.

(a) Employees are not considered exposed to the danger of drowning:

(i) When working behind standard height and strength guardrails;

(ii) When working inside operating cabs or stations which eliminate the possibility of accidentally falling into the water;

(iii) When wearing approved safety belts with lifeline attached so as to preclude the possibility of falling into the water(;

~~(iv) When water depth is known to be chest deep or less).~~

(b) Prior to and after each use, personal floating devices shall be inspected for defects which would reduce their designed effectiveness. Defective personal flotation devices shall not be used.

(c) To meet the approved criteria required by this subsection (11), a personal flotation device shall be approved by the United States Coast Guard as a Type I PFD, Type II PFD, Type III PFD, or Type V PFD, or their equivalent, pursuant to 46 CFR 160 (Coast Guard lifesaving equipment specifications) and 33 CFR 175.23 (Coast Guard table of devices equivalent to personal flotation devices). Ski belt or inflatable type personal flotation devices are specifically prohibited.

(12)(a) Wooden pike poles shall be of continuous, straight grained No. 1 material. Defective poles, blunt or dull pikes shall not be used.

(b) Aluminum or other metal poles shall not be used where hazard of coming in contact with live electric wires exists.

(13)(a) Walkways and floats shall be provided and securely anchored to provide safe passage for workers.

(b) Permanent cable swifters shall be so arranged that it will not be necessary to roll boom sticks in order to attach or detach them.

(c) Inspection of cable or dogging lines shall be made as necessary to determine when repair or removal from service is necessary.

(14)(a) Decks of floats or other walkways shall be kept above the waterline at all times and shall be capable of supporting four times the load to be imposed.

(b) Floating donkeys or other power-driven machinery used on booms shall be placed on a raft or float with enough buoyancy to keep the deck above water.

(15)(a) All regular boom sticks and foot logs shall be reasonably straight, have all protruding knots and bark removed, and shall be capable of supporting above the waterline at either end, any necessary weight of workers and equipment.

(b) Stiff booms shall be two float logs wide secured by boom chains or other connecting devices, and of a width adequate for the working needs. Walking surfaces shall be free of loose material and maintained in good repair.

(c) Boom sticks shall be fastened together with crossties or couplings.

AMENDATORY SECTION (Amending WSR 01-17-033, filed 8/8/01, effective 9/1/01)

WAC 296-78-56505 Boats and mechanical devices on waters. (1) The applicable provisions of the Standard for Fire Protection for Motorcraft, NFPA No. 302-1994, shall be complied with. Prior to starting the boat motor, any spilled fuel shall be removed and vapors shall be exhausted from any area in which they may accumulate.

(2) The bilge area shall be kept clean and oil, grease, fuel, or highly combustible materials shall not be allowed to accumulate.

(3) Adequate ventilation equipment shall be provided and used for the bilge area to prevent the accumulation of toxic or explosive gases or vapors.

(4) Adequate ventilation equipment shall be provided and used for the cabin area on enclosed cabin-type boats to prevent an accumulation of harmful gases or vapors.

(5) Deck and cabin lighting shall be provided and used where necessary to provide safe levels of illumination aboard boats. Boats operated during the period from sunset to sunrise, or in conditions of restricted visibility, shall display navigation lights as required by the United States Coast Guard. Searchlights or floodlights shall be provided to facilitate safe navigation and to illuminate working or boarding areas adjacent to the craft.

(6) Decks of pond boats shall be covered with nonslip material. On craft used by workers wearing calked shoes, all areas where the operator or workers must stand or walk shall be made of or be covered with wood or other suitable matting or nonslip material and such covering shall be maintained in good condition.

(7) Each boat shall be provided with a fire extinguisher and life ring with at least fifty feet of one-fourth inch line attached. On log broncs, boom-scooters, or other small boomboats where all occupants are required to wear life saving devices and a life ring would present a tripping hazard, the life ring may be omitted.

Note: For additional requirements relating to portable fire extinguishers see WAC 296-800-300.

(8)(a) Along docks, walkways, or other fixed installations on or adjacent to open water more than five feet deep, approved life rings with at least ninety feet of one-fourth inch line attached, shall be provided. The life rings shall be spaced at intervals not to exceed two hundred feet and shall be kept in easily visible and readily accessible locations.

(b) When employees are assigned work at other casual locations where exposure to drowning exists, at least one approved life ring with at least ninety feet of line attached, shall be provided in the immediate vicinity of the work assigned.

(c) When work is assigned over water where the vertical drop from the accidental fall would exceed fifty feet, special arrangements shall be made with and approved by the department of labor and industries prior to such assignment.

(d) Lines attached to life rings on fixed locations shall be at least ninety feet in length, at least one-fourth inch in diameter, and have a minimum breaking strength of five hundred pounds. Similar lines attached to life rings on boats shall be at least fifty feet in length.

(e) Life rings must be United States Coast Guard approved thirty-inch size.

(f) Life rings and attached lines shall be provided and maintained to retain ((at least seventy-five percent of)) their ((designed)) buoyancy and strength.

(g) Log broncs, boomscooters, and boomboats shall not be loaded with personnel or equipment so as to adversely affect their stability or seaworthiness.

(h) Boats shall not be operated at an excessive speed or handled recklessly.

(i) Boat fuel shall be transported and stored in approved containers. Refer to WAC 296-24-58501(19) for definition of approved.

of the Secretary of State, P.O. Box 40229, Olympia, WA 98504, AND RECEIVED BY December 25, 2001.

October 24, 2001

Steve Excell

Assistant Secretary of State

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 434-380-010	Deadline for submission of statements and photographs.
WAC 434-380-020	Rejection of statement or photograph.
WAC 434-380-030	Photographs.
WAC 434-380-040	Length of statements.
WAC 434-380-050	Restrictions on style for candidates' statement.
WAC 434-380-060	Content of statements for candidates' pamphlet.
WAC 434-380-070	Editing and review.

WSR 01-21-144

EXPEDITED RULES

SECRETARY OF STATE

[Filed October 24, 2001, 11:16 a.m.]

Title of Rule: Chapter 434-380 WAC, Official candidates pamphlet—Statements and photographs.

Purpose: We propose repealing this rule.

Summary: Similar rules covering candidate statements and photographs are being adopted in chapter 434-381 WAC because the statutes were amended combining the statutes for the candidates and voters pamphlets. These rules would be redundant.

Reasons Supporting Proposal: These rules would be redundant to rules being adopted in chapter 434-381 WAC that cover the same issues.

Name of Agency Personnel Responsible for Drafting: Shawn Merchant, Legislative Building, Olympia, 98504, 902-4154; Implementation and Enforcement: Dean Logan, Legislative Building, Olympia, 98504, 902-4167.

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: Delete chapter 434-380 WAC because it is no longer necessary because the statutes governing the candidates and voters pamphlet were combined and the rules being proposed in chapter 434-381 WAC cover the same issues that these rules do, making chapter 434-380 WAC redundant.

Proposal Changes the Following Existing Rules: The change deletes the rule.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THE USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Shawn Merchant, Office

EXPEDITED



WSR 01-21-023
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Medical Assistance Administration)
[Filed October 8, 2001, 4:31 p.m.]

Date of Adoption: October 5, 2001.

Purpose: Amend WAC 388-502-0160 to add the word "must" to subsection (4)(b) to clarify the intent of the rule. The word was inadvertently omitted from the subsection when the rule was amended recently.

Citation of Existing Rules Affected by this Order: Amending WAC 388-502-0160.

Statutory Authority for Adoption: RCW 74.08.090.

Adopted under notice filed as WSR 01-17-047 on August 9, 2001.

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 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

October 5, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-05-100, filed 2/20/01, effective 3/23/01)

WAC 388-502-0160 Billing a client. (1) A provider may not bill, demand, collect, or accept payment from a client or anyone on the client's behalf for a covered service. The client is not responsible to pay for a covered service even if MAA does not pay the provider because the provider failed to satisfy the conditions of payment in MAA billing instructions, this chapter, and other chapters regulating the specific type of service provided.

(2) The provider is responsible for verifying whether the client has medical coverage for the date of service and to check the limitations of the client's medical program.

(3) A provider may bill a client only if one of the following situations apply:

(a) The client is enrolled in medical assistance managed care and the client and provider comply with the requirements in WAC 388-538-095;

(b) The client is not enrolled in medical assistance managed care, and the client and provider sign an agreement regarding payment for the service. The agreement must be translated or interpreted into the client's primary language

and signed before the service is rendered. The provider must give the client a copy and maintain the original in the client's file for department review upon request. The agreement must include each of the following elements to be valid:

(i) A statement listing the specific service to be provided;

(ii) A statement that the service is not covered by MAA;

(iii) A statement that the client chooses to receive and pay for the specific service; and

(iv) The client is not obligated to pay for the service if it is later found that the service was covered by MAA at the time it was provided, even if MAA did not pay the provider for the service because the provider did not satisfy MAA's billing requirements.

(c) The client or the client's legal guardian was reimbursed for the service directly by a third party (see WAC 388-501-0200);

(d) The client refuses to complete and sign insurance forms, billing documents, or other forms necessary for the provider to bill insurance for the service. This provision does not apply to coverage provided by MAA;

(e) The provider has documentation that the client represented himself/herself as a private pay client and not receiving medical assistance when the client was already eligible for and receiving benefits under a MAA medical program. This documentation must be signed and dated by the client or the client's representative. The provider must give a copy to the client and maintain the original documentation in the client's file for department review upon request. In this case, the provider may bill the client without fulfilling the requirements in subsection (3)(b) of this section regarding the agreement to pay. However, if the patient later becomes eligible for MAA coverage of a provided service, the provider must comply with subsection (4) of this section for that service; or

(f) The bill counts toward a spenddown liability, emergency medical expense requirement, deductible, or copayment required by MAA.

(4) If a client becomes eligible for a covered service that has already been provided because the client:

(a) Applied to the department for medical services later in the same month the service was provided (and is made eligible from the first day of the month), the provider must:

(i) Not bill, demand, collect, or accept payment from the client or anyone on the client's behalf for the service; and

(ii) Promptly refund the total payment received from the client or anyone on the client's behalf, and then bill MAA for the service;

(b) Receives a delayed certification as defined in WAC 388-500-0005, the provider must:

(i) Not bill, demand, collect, or accept payment from the client or anyone on the client's behalf for the service; and

(ii) Promptly refund the total payment received from the client or anyone on the client's behalf, and then bill MAA for the service; or

(c) Receives a retroactive certification as defined in WAC 388-500-0005, the provider:

(i) Must not bill, demand, collect, or accept payment from the client or anyone on the client's behalf for any unpaid charges for the service; and

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(ii) May refund any payment received from the client or anyone on the client's behalf, and after refunding the payment, the provider may bill MAA for the service.

(5) Hospitals may not bill, demand, collect, or accept payment from a medically indigent, GA-U, or ADATSA client, or anyone on the client's behalf, for inpatient or outpatient hospital services during a period of eligibility, except for spenddown.

(6) A provider may not bill, demand, collect, or accept payment from a client, anyone on the client's behalf, or MAA for copying or otherwise transferring health care information, as that term is defined in chapter 70.02 RCW, to another health care provider. This includes, but is not limited to:

- (a) Medical charts;
- (b) Radiological or imaging films; and
- (c) Laboratory or other diagnostic test results.

WSR 01-21-026

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Assistance Programs)

[Filed October 9, 2001, 4:32 p.m., effective November 1, 2001]

Date of Adoption: October 4, 2001.

Purpose: Amend existing rules and create a new rule to implement federal regulations for sponsored aliens. Amending WAC 388-450-0155 How does being a sponsored immigrant affect my eligibility for cash, medical, and food assistance programs?, 388-450-0160 How does the department decide how much of my sponsor's income to count against my benefits? and 388-470-0060 How does the department decide now much of my sponsor's resources affect my eligibility for cash, medical, or food assistance benefits?; and creating WAC 388-450-0156 When am I exempt from the deeming process?

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0155, 388-450-0160, and 388-470-0060.

Statutory Authority for Adoption: RCW 74.04.050, 74.04.057, 74.04.510.

Other Authority: Title 7, Chapter II, Part 273 of the Code of Federal Regulations.

Adopted under notice filed as WSR 01-16-088 on July 25, 2001.

Changes Other than Editing from Proposed to Adopted Version: Changes were made at request of advocates to add emphasis to available exemptions and add clarity to the rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 1, Amended 3, 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 1, Amended 3, 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 1, Amended 3, Repealed 0.

Other Findings Required by Other Provisions of Law as Precondition to Adoption or Effectiveness of Rule: The United States Department of Agriculture, Food and Nutrition Services (FNS) published new regulations on how to count the income of an alien's sponsor to the alien. FNS published these rules in Title 7, Chapter II, Part 273 of the Code of Federal Regulations. States are required to implement these changes by June 1, 2001.

Effective Date of Rule: November 1, 2001.

October 4, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-450-0155 ((~~Deeming income~~—Alien sponsorship.)) How does being a sponsored immigrant affect my eligibility for cash, medical, and food assistance programs? ((This section applies to TANF/SFA and GA programs.

(1) ~~Deeming is the process of determining the amount of an alien's sponsor's income available to the alien.~~

(2) ~~Any alien whose sponsor is a public or private organization is ineligible for assistance for three years from the date of entry for permanent residence into the United States, unless the agency or organization is:~~

- (a) ~~No longer in existence; or~~
- (b) ~~Has become unable to meet the alien's needs.~~

(3) ~~A sponsor is any individual or public or private organization who executes an affidavit or similar agreement on behalf of an alien (who is not the dependent child of the sponsor or the sponsor's spouse) as a condition of the alien's entry into the United States.~~

(a) ~~The affidavit or agreement is irrevocable, and~~

(b) ~~Extends for a minimum of three years after the alien's entry for permanent residence into the United States.~~

(4) ~~For a period of three years following entry for permanent residence into the United States, an individually sponsored alien is responsible for:~~

(a) ~~Providing the department with any information and documentation necessary to determine the income of the sponsor that can be deemed available to the alien; and~~

(b) ~~Obtaining any cooperation necessary from the sponsor.~~

(5) ~~For all subsections in this section, the income of an individual sponsor (and the sponsor's spouse if living with the sponsor) is deemed to be the unearned income of an alien for three years following the alien's entry for permanent residence into the United States.~~

(6) ~~Monthly income deemed available to the alien from the individual sponsor or the sponsor's spouse not receiving TANF/SFA or SSI is:~~

~~(a) The sponsor's total monthly unearned income, added to the sponsor's total monthly earned income reduced by twenty percent (not to exceed one hundred seventy-five dollars) of the total of any amounts received by the sponsor in the month as wages or salary or as net earnings from self-employment, plus the full amount of any costs incurred in producing self-employment income in the month.~~

~~(b) The amount described in (a) of this subsection reduced by:~~

~~(i) The basic requirements standard for a family of the same size and composition as the sponsor and those other persons living in the same household as the sponsor claimed by the sponsor as dependents to determine the sponsor's federal personal income tax liability but who are not TANF/SFA recipients;~~

~~(ii) Any amounts actually paid by the sponsor to persons not living in the household claimed by the sponsor as dependents to determine the sponsor's federal personal income tax liability; and~~

~~(iii) Actual payments of spousal maintenance or child support with respect to persons not living in the sponsor's household.~~

~~(7) In any case where a person is the sponsor of two or more aliens, the sponsor's income is divided equally among the aliens to the extent that the income would be deemed the income of any one of the aliens under provisions of this section.~~

~~(8) The income deemed to a sponsored alien in determining the need of other unsponsored members of the alien's family is not considered except to the extent that the income is actually available.~~

~~(9) For the GA-U program, the alien's sponsor's income is deemed as available to the alien as provided for the TANF/SFA program:~~

~~(a) At application, for applications filed on or after July 8, 1994. For the purposes of this rule, re-application filed following a break in assistance of thirty days or more is considered an application; and~~

~~(b) For all other GA-U clients, the income of an alien's sponsor is not deemed as available to the client)) (1) The following definitions apply to this section:~~

~~(a) "INS" means the United States Immigration and Naturalization Service.~~

~~(b) "Sponsor" means a person who agreed to meet the needs of a sponsored immigrant by signing an INS Affidavit of Support form I-864 or I-864A. This includes a sponsor's spouse if the spouse signed the affidavit of support.~~

~~(c) "Sponsored immigrant" means a person who must have a sponsor under the Immigration and Nationality Act (INA) to be admitted into the United States for residence.~~

~~(d) "Deeming" means the department counts a part of the sponsor's income and resources as available to the sponsored immigrant.~~

~~(e) "Exempt" means you meet one of the conditions of WAC 388-450-0156. If you are exempt:~~

~~(i) You do not need to provide us information about your sponsor's income and resources; and~~

~~(ii) We do not deem your sponsor's income or resources to you.~~

(2) If you are a sponsored immigrant and you are **not** exempt, you must do the following to be eligible for benefits even if your sponsor is not supporting you:

(a) Give us the name and address of your sponsor;

(b) Get your sponsor to provide us the information we need about their income and resources; and

(c) Give us the information and proof we need to decide:

(i) If we must deem income to your assistance unit (AU); and

(ii) The amount of income we deem to your AU.

(3) If you are not eligible for benefits because we do not have the information we need about your sponsor, we do not delay benefits to the unsponsored people in your AU who are eligible for benefits. We do not count your needs when we decide if your AU is eligible for benefits, but we count:

(a) All earned or unearned income you have that is not excluded under WAC 388-450-0015; and

(b) All deductions you would be eligible for under chapter 388-450 WAC.

(4) If you refuse to provide us with the information we need about your sponsor, the other adult members in your AU must provide the information. If the same person sponsored everyone in your AU, your AU is not eligible for benefits until someone in your AU provides us the information we need.

(5) If you are an ineligible member of your AU, but you must be the AU under chapter 388-408 WAC, we do not deem your sponsor's income or resources to the AU.

NEW SECTION

WAC 388-450-0156 When am I exempt from the deeming process? (1) If you meet any of the following conditions, you are **permanently** exempt from deeming and we do not count your sponsor's income or resources against your benefits:

(a) The Immigration and Nationality Act (INA) does not require you to have a sponsor. Immigrants who are not required to have a sponsor include those with the following status with Immigration and Naturalization Service (INS):

(i) Refugee;

(ii) Parolee;

(iii) Asylee;

(iv) Cuban entrant; or

(v) Haitian entrant.

(b) You were sponsored by an organization or group as opposed to an individual;

(c) You do not meet the alien status requirements to be eligible for benefits under chapter 388-424 WAC;

(d) You have worked or can get credit for forty qualifying quarters of work under Title II of the Social Security Act. We do not count a quarter of work toward this requirement if the person working received TANF, food stamps, SSI, CHIP, or nonemergency Medicaid benefits. We count a quarter of work by the following people toward your forty qualifying quarters:

(i) Yourself;

(ii) Each of your parents for the time they worked before you turned eighteen years old (including the time they worked before you were born); and

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(iii) Your spouse if you are still married or your spouse is deceased.

(e) You become a United States (U.S.) Citizen;

(f) Your sponsor is dead; or

(g) If INS or a court decides that you, your child, or your parent was a victim of domestic violence from your sponsor and:

(i) You no longer live with your sponsor; and

(ii) Leaving your sponsor caused your need for benefits.

(2) You are exempt from the deeming process while you are in the same AU as your sponsor;

(3) For state family assistance, general assistance, the food assistance program for legal immigrants, and state-funded medical assistance for legal immigrants you are exempt from the deeming process if:

(a) Your sponsor signed the affidavit of support more than five years ago;

(b) Your sponsor becomes permanently incapacitated; or

(c) You are a qualified alien according to WAC 388-424-0005 and you:

(i) Are on active duty with the U.S. armed forces or you are the spouse or unmarried dependent child of someone on active duty;

(ii) Are an honorably-discharged veteran of the U.S. armed forces or you are the spouse or unmarried dependent child of a honorably-discharged veteran;

(iii) Were employed by an agency of the U.S. government or served in the armed forces of an allied country during a military conflict between the U.S. and a military opponent; or

(iv) Are a victim of domestic violence and you have petitioned for legal status under the Violence Against Women Act.

(4) If you, your child, or your parent was a victim of domestic violence, you are exempt from the deeming process for twelve months if:

(a) You no longer live with the person who committed the violence; and

(b) Leaving this person caused your need for benefits.

(5) If your AU has income at or below one hundred thirty percent of the Federal Poverty Level (FPL), you are exempt from the deeming process for twelve months. For this rule, we count the following as income to your AU:

(a) Earned and unearned income your AU receives from any source; and

(b) Any noncash items of value such as free rent, commodities, goods, or services you receive from an individual or organization.

(6) If you are exempt from deeming because your AU does not have income over one hundred thirty percent of the FPL, we give the United States Attorney General the following information:

(a) The names of the sponsored people in your AU;

(b) That you are exempt from deeming due to your income; and

(c) Your sponsor's name.

AMENDATORY SECTION (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

WAC 388-450-0160 ((Sponsored alien—Food assistance)) How does the department decide how much of my sponsor's income to count against my benefits? ((For food assistance, this section applies to aliens for whom a sponsor has signed an affidavit of support or similar statement on or after February 1, 1983:

(1) For the purpose of this rule, income of the sponsor means:

(a) Income of the sponsor; and

(b) Income of the sponsor's spouse when the spouse lives with the sponsor.

(2) Portions of the income of a sponsor is counted as unearned income and applied to the food assistance benefits of a sponsored alien. The income of an alien's sponsor is available for three years following the alien's admission for permanent residence to the U.S.

(3) The income of the alien's sponsor must be verified by the client at application or recertification for food assistance.

(4) The available income is computed as follows:

(a) Total monthly earned and unearned income of the sponsor:

(i) Minus twenty percent of the gross earned income; and

(ii) Minus the amount of the gross income eligibility standard for a household size equal to the sponsor, the sponsor's spouse, and all dependents.

(b) Plus any actual money paid to the alien by the sponsor or sponsor's spouse in excess of the amount computed in subsection (4)(a) of this section is treated as unearned income.

(5) The net income in subsection (4) of this section is available to a sponsored alien who:

(a) Applies for and receives food assistance; or

(b) Is recertified for food assistance.

(6) If the sponsored alien can show the sponsor is also sponsoring other aliens, the available income is divided by the number of sponsored aliens applying for, or receiving food assistance.

(7) If an alien changes sponsors during the certification period, available income is reviewed based on the required information about the new sponsor as soon as possible after the information is supplied and verified by the client)) (1) We must count some of your sponsor's income as unearned income to your assistance unit (AU) if:

(a) Your sponsor signed the INS affidavit of support form I-864 or I-864A; and

(b) You are not exempt from the deeming process under WAC 388-450-0156.

(2) We take the following steps to decide the monthly amount of your sponsor's income we deem as your income and count against your benefits:

(a) We start with your sponsor's earned and unearned income that is not excluded under WAC 388-450-0015;

(b) If your sponsor's spouse signed the affidavit of support, we add all of the spouse's earned and unearned income that is not excluded under WAC 388-450-0015;

(c) We subtract twenty percent of the above amount that is earned income under WAC 388-450-0030;

(d) For cash and medical assistance, we subtract the need standard under WAC 388-478-0015. We count the following people who live in your sponsor's home as a part of your sponsor's AU to decide the need standard:

- (i) Your sponsor;
- (ii) Your sponsor's spouse; and
- (iii) Everyone else in their home that they could claim as a dependent for Federal income tax purposes.

(e) For food assistance, we subtract the maximum gross monthly income under WAC 388-478-0060. We count the following people that live in your sponsor's home as a part of your sponsor's AU to decide the maximum gross monthly income:

- (i) Your sponsor;
- (ii) Your sponsor's spouse; and
- (iii) Everyone else in their home that they could claim as a dependent for Federal income tax purposes.

(f) If you can show that your sponsor has sponsored other people as well, we divide the result by the total number of people who they sponsored.

(3) After we have decided how much income to deem to you, we count the greater amount of the following against your benefits:

- (a) The amount of income calculated from deeming; or
- (b) The amount of money your sponsor actually gives you for your needs.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-470-0060 **How does the department decide how much of my sponsor's resources ((of an alien's sponsor)) affect my eligibility for cash, medical, and food assistance benefits?** (((1) Resources of a sponsor and the spouse who lives with the sponsor affects the eligibility of an alien for three years from the alien's date of entry into the U.S.

(2) A sponsor is any person or organization that signed an affidavit of support on behalf of the alien to allow the alien entry for permanent residence.

(3) The sponsor's countable resources are determined by:

- (a) Totaling the countable resources of the sponsor and the sponsor's spouse (if they are living together); and
- (b) Subtracting fifteen hundred dollars.

(4) Subsection (3) above does not apply when:

- (a) The alien is receiving cash or food assistance as a member of the sponsor's assistance unit;

(b) An alien is sponsored by an organization; or

(c) An alien is not required to have a sponsor.

(5) The sponsor's countable resources are counted towards the alien's resource limit until:

(a) The three-year time period expires; or

(b) The sponsor dies.

(6) For medical programs, the resources of the sponsor are excluded resources unless:

(a) The sponsor is a member of the alien's assistance unit; or

(b) The sponsor actually contributes resources to the alien's assistance unit)) (1) If you are a sponsored immigrant as defined in WAC 388-450-0155, and you are not exempt

from deeming under WAC 388-450-0156, we count part of your sponsor's resources as available to you.

(2) We decide the amount of your sponsor's resources to count by:

(a) Totaling the countable resources of the sponsor and the sponsor's spouse (if the spouse signed the affidavit of support) under chapter 388-470 WAC;

(b) Subtracting fifteen hundred dollars; and

(c) Counting the remaining amount as a resource that is available to you.

(3) If you can show that your sponsor has sponsored other people as well, we divide the result by the total number of people who they sponsored.

(4) We continue to count your sponsor's resources when we determine your eligibility for benefits until you are exempt from deeming under WAC 388-450-0156.

WSR 01-21-051

PERMANENT RULES

PERSONNEL RESOURCES BOARD

[Filed October 15, 2001, 2:27 p.m., effective December 1, 2001]

Date of Adoption: October 11, 2001.

Purpose: These rules pertain to background checks on current employees and applicants for Washington management service positions and appeals for Washington management service employees.

Citation of Existing Rules Affected by this Order: Amending WAC 356-56-600.

Statutory Authority for Adoption: RCW 41.06.150.

Adopted under notice filed as WSR 01-18-097 on September 5, 2001.

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 1, Amended 1, 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 1, Amended 1, Repealed 0.

Effective Date of Rule: December 1, 2001.

October 15, 2001

E. C. Matt

Director

NEW SECTION

WAC 356-56-203 Department of social and health services—Background check requirements. (1) The secretary of the department of social and health services shall con-

duct background checks on all employees in covered positions ("employees") and persons under final consideration for a covered position ("applicants"). A covered position is one in which a person will or may have unsupervised access to children, vulnerable adults, or individuals with mental illness or developmental disabilities. Employees and applicants shall authorize the secretary of the department of social and health services to conduct a background check.

(2) The requirement for background checks shall include the following:

(a) Any employee seeking a covered position because of a reduction-in-force or other movement.

(b) Any applicant prior to appointment into a covered position, except when appointment is made on a conditional basis under subsection (6)(b) of this section.

(3) A background check will be conducted on the final preferred candidate prior to appointment.

(4) The secretary of the department of social and health services shall use the results of a background check solely to determine the character, competence and suitability of a person for a covered position. The background check information shall consist of:

(a) Conviction records, pending charges, and disciplinary board final decisions.

(b) Evidence that substantiates or mitigates convictions, pending charges, and disciplinary board final decisions including, but not limited to:

(i) The employee or applicant's background check authorization and disclosure form;

(ii) The employee or applicant's age at the time of conviction, charge, or disciplinary board final decision;

(iii) The nature and severity of the conviction, charge, or disciplinary board final decision;

(iv) The length of time since the conviction, charge, or disciplinary board final decision;

(v) The nature and number of previous offenses;

(vi) Vulnerability of the child, vulnerable adult, or individual with mental illness or developmental disabilities to which the employee or applicant will or may have unsupervised access; and

(vii) The relationship between the nature of the conviction, pending charge, or disciplinary board final decision and the duties of the employee or applicant.

(5) A permanent employee with a background check disqualification is subject to any of the following actions:

(a) Job restructuring;

(b) Job reassignment;

(c) Movement in accordance with WAC 356-56-205;

(d) Voluntary resignation;

(e) Non-disciplinary separation. The employee shall be separated by the appointing authority after fifteen calendar days written notice unless the employee requests a shorter notice period;

(f) Disciplinary action in accordance with WAC 356-56-500; and/or

(g) Interim measures that may be used while the appointing authority explores the availability of actions (not to exceed 30 calendar days except in cases where there are investigations of pending charges):

(i) Voluntary use of accrued vacation and/or exchange time.

(ii) Authorized leave without pay, if there is no paid leave available, or if the employee chooses not to use paid leave.

(iii) Reassignment to another work location.

(h) When considering the above actions, the agency will consider the least restrictive means necessary to prevent unsupervised access.

(6) The secretary of the department of social and health services shall:

(a) Notify employees and applicants that a background check is required for covered positions;

(b) Develop procedures specifying when employees and applicants may be hired on a conditional basis pending the results of a background check;

(c) Develop policies and procedures pertaining to background checks; and

(d) Notify employees of any general service promotional register rights they may have.

(7) Failure to authorize the secretary of the department of social and health services to conduct a background check disqualifies an employee or applicant from consideration for any covered position including their current covered position.

(8) An applicant for a covered position who is denied employment due to a disqualifying background check may request a review by the appointing authority. Requests for review must be in writing and received by the appointing authority within fifteen calendar days of the postmark date of the notification.

(9) A separation under subsection (5)(e) of this section shall not be considered a disciplinary action as set forth in WAC 356-56-500. A permanent Washington management service employee separated under (5)(e) of this section may appeal to the personnel appeals board in accordance with WAC 356-56-600.

(10) A Washington management service employee who has been separated under subsection (5) of this section, and who has held permanent status in the Washington general service, will be able to apply promotionally for any classes that are at the same salary level or lower than the position from which he/she was separated. Employee's access to the general service promotional register will be governed by the provisions of WAC 356-26-030 (4)(d)(ii).

(11) Nothing in this rule shall limit the secretary of the department of social and health services' use of other authorities to conduct background checks.

(12) Information pertaining to background checks is confidential and shall be used solely for the purpose of determining the character, suitability and competence of the applicant and/or employee. Misuse of background check information is a criminal offense and may result in prosecution and/or disciplinary action as provided under WAC 356-56-500.

(13) The department of social and health services will submit a report to the director by January 31, 2002, reporting actions taken under subsection (5) of this rule and placement of employees into other positions within the agency.

AMENDATORY SECTION (Amending WSR 94-01-126, filed 12/17/93, effective 1/8/94 [1/18/94])

WAC 356-56-600 Appeals. (1) Only disciplinary action as defined in WAC 356-56-500, transfer that is alleged to be an unreasonable commute, disability separation, nondisciplinary separation made under the provisions of WAC 356-56-203 (5)(e) of these rules, or reduction in force action directly affecting a permanent Washington management service employee may be appealable to the personnel appeals board as provided in Title 358 WAC.

(2) Decisions on which Washington management service positions shall be eliminated under reduction in force actions shall not be appealable to the personnel appeals board.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 01-21-053
PERMANENT RULES
PUGET SOUND
CLEAN AIR AGENCY
[Filed October 16, 2001, 8:36 a.m.]

Date of Adoption: October 11, 2001.

Purpose: To remove an outdated section of our regulations that has been superseded by state regulations in chapter 173-425 WAC, Outdoor burning. To adjust some reporting thresholds in the Registration and Operating Permit fee schedules to correspond with EPA reporting requirements. To lower the Operating Permit amendment fees to accurately reflect the cost of the work required for processing amendments.

Citation of Existing Rules Affected by this Order: Repealing Regulation I, Section 4.02; and amending Regulation I, Sections 5.07 and 7.07.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 01-18-084 on September 5, 2001.

Changes Other than Editing from Proposed to Adopted Version: In Section 5.07(c) information on the North American Industry Classification System (NAICS) codes was added.

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.

October 15, 2001

James L. Nolan

Director - Compliance

REPEALER

REGULATION I SECTION 4.02 BURNING OF STORM OR FLOOD-RELATED DEBRIS

AMENDATORY SECTION

REGULATION I SECTION 5.07 REGISTRATION FEES

(a) The Agency shall levy annual fees as set forth in Section 5.07(c) below for services provided in administering the registration program. Fees received under the registration program shall not exceed the cost of administering the program. Registration fees do not apply to sources subject to Article 7 of Regulation I.

(b) Upon assessment by the Agency, registration fees are due and payable within 30 days. They shall be deemed delinquent if not fully paid within 90 days.

(c) Annual registration fees are assessed either by the emission reporting thresholds or, if below emission thresholds, by the primary ((Standard Industrial Classification (SIC) of the source)) North American Industry Classification System (NAICS) codes (North American Industry Classification System Manual, U.S. Executive Office of the President, Office of Management and Budget, 1997) or Standard Industrial Classification (SIC) codes (Standard Industrial Classification Manual, Executive Office of the President, Office of Management and Budget, 1987):

(1) Emission reporting sources under Section 5.05(d) that equal or exceed any of the emission thresholds in this paragraph shall be charged an annual registration fee of \$1,200 plus an additional emission rate fee of:

\$20 for each ton of CO when the CO emissions are equal to or exceed 25 ((~~100~~)) tons in the previous calendar year, and

\$40 for each ton of NOx when the NOx emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of PM10 when the PM10 emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of SOx when the SOx emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of VOC when the VOC emissions are equal to or exceed 25 tons in the previous calendar year, and

\$40 for each ton of HAP when the facility total HAP emissions are equal to or exceed 6 tons in the previous calendar year or when any single individual HAP emissions are equal to or exceed 2 tons in the previous calendar year.

(2) Emission reporting sources under Section 5.05(d) that equal or exceed any of the emission thresholds in this paragraph shall be charged the annual registration fee of \$2,500 plus an additional emission rate fee of:

\$20 for each ton of CO when the CO emissions are equal to or exceed 50 ((~~200~~)) tons in the previous calendar year, and

\$40 for each ton of NOx when the NOx emissions are equal to or exceed 50 tons in the previous calendar year, and

\$40 for each ton of PM10 when the PM10 emissions are equal to or exceed 50 tons in the previous calendar year, and

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\$40 for each ton of SOx when the SOx emissions are equal to or exceed 50 tons in the previous calendar year, and \$40 for each ton of VOC when the VOC emissions are equal to or exceed 50 tons in the previous calendar year, and \$40 for each ton of HAP when the facility total HAP emissions are equal to or exceed 12 tons in the previous calendar year or when any single individual HAP emissions are equal to or exceed 5 ((4)) tons in the previous calendar year.

(3) Automobile body repair and painting (SIC = 7532, NAICS = 811121)

without EnviroStar rating of 4 or 5 stars \$250
with EnviroStar rating of 4 or 5 stars \$50

(4) Perchloroethylene dry-cleaning plants, except rug cleaning (SIC = 7216, NAICS = 812322)

vented \$500
unvented \$50

(5) Gasoline service stations with gasoline annual throughput during the last calendar year (as certified at the time of annual fee payment) of:

(i) more than 1,200,000 gallons \$400
(ii) 840,001 to 1,200,000 gallons in Kitsap County \$250
(iii) 600,001 to 1,200,000 gallons in King, Pierce, or Snohomish County \$250
(iv) 600,001 to 840,000 gallons in Kitsap County . \$150
(v) 200,000 to 600,000 gallons \$150
(vi) less than 200,000 gallons \$100

(6) Sources having 10 or more full-time employees at the facility site (as certified at the time of annual fee payment) and requiring registration under Section 5.03 in the following NAICS or SIC codes, (~~North American Industry Classification System (NAICS) codes (North American Industry Classification System Manual, U.S. Executive Office of the President, Office of Management and Budget, 1997) or Standard Industrial Classification (SIC) codes (Standard Industrial Classification Manual, Executive Office of the President, Office of Management and Budget, 1987))~~) shall be charged an annual registration fee of \$1,200:

NAICS	SIC	NAICS Description
212312	1422	Crushed and Broken Limestone Mining and Quarrying
212319	1429	Other Crushed and Broken Stone Mining and Quarrying
212321	1442	Construction Sand and Gravel Mining
212322	1446	Industrial Sand Mining
221122	4911	Electric Power Distribution
22132	4952	Sewage Treatment Facilities
23411	1611	Highway and Street Construction
311421	2035	Fruit and Vegetable Canning
311613	2077	Rendering and Meat Byproduct Processing
311999	2099	All Other Miscellaneous Food Manufacturing
321114	2491	Wood Preservation
324121	2951	Asphalt Paving Mixture and Block Manufacturing

NAICS	SIC	NAICS Description
324122	2952	Asphalt Shingle and Coating Materials Manufacturing
325311	2873	Nitrogenous Fertilizer Manufacturing
325314	2875	Fertilizer (Mixing Only) Manufacturing
325412	2834	Pharmaceutical Preparation Manufacturing
325612	2842	Polish and Other Sanitation Good Manufacturing
32591	2893	Printing Ink Manufacturing
326291	3061	Rubber Product Manufacturing for Mechanical Use
327211	3211	Flat Glass Manufacturing
32731	3241	Cement Manufacturing
32732	3273	Ready-Mix Concrete Manufacturing
32739	3272	Other Concrete Product Manufacturing
32742	3275	Gypsum Product Manufacturing
32791	3291	Abrasive Product Manufacturing
327992	3295	Ground or Treated Mineral and Earth Manufacturing
327999	3292, 3299	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing
331111	3312	Iron and Steel Mills
331222	3315	Steel Wire Drawing
331312	3334	Primary Aluminum Production
331492	3341	Secondary Smelting, Refining, and Alloying of Nonferrous Metal (except Copper and Aluminum)
331511	3321	Iron Foundries
331512	3324	Steel Investment Foundries
331513	3325	Steel Foundries (except Investment)
331524	3365	Aluminum Foundries (except Die-Casting)
331525	3366	Copper Foundries (except Die-Casting)
331528	3369	Other Nonferrous Foundries (except Die-Casting)
332811	3398	Metal Heat Treating
332812	3479	Metal Coating, Engraving (except Jewelry and Silverware), and Allied Services to Manufacturers
332813	3471	Electroplating, Plating, Polishing, Anodizing, and Coloring
333414	3433	Heating Equipment (except Warm Air Furnaces) Manufacturing
333999	3599	All Other Miscellaneous General Purpose Machinery Manufacturing

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NAICS	SIC	NAICS Description	NAICS	SIC	NAICS Description
334413	3674	Semiconductor and Related Device Manufacturing	321113	2421, 2429	Sawmills
334418	3679	Printed Circuit Assembly (Electronic Assembly) Manufacturing	321213	2439	Engineered Wood Member (except Truss) Manufacturing
335312	7694	Motor and Generator Manufacturing	321219	2493	Reconstituted Wood Product Manufacturing
336611	3731	Ship Building and Repairing	32191	2431	Millwork
42251	5153	Grain and Field Bean Wholesalers	321912	2426	Cut Stock, Resawing Lumber, and Planing
42269	5169	Other Chemical and Allied Products Wholesalers	32192	2441, 2448	Wood Container and Pallet Manufacturing
48691	4613	Pipeline Transportation of Refined Petroleum Products	321992	2452	Prefabricated Wood Building Manufacturing
48821	4013	Support Activities for Rail Transportation	32213	2631	Paperboard Mills
562111	4953	Solid Waste Collection	322211	2653	Corrugated and Solid Fiber Box Manufacturing
62221	8063	Psychiatric and Substance Abuse Hospitals	322212	2657	Folding Paperboard Box Manufacturing
62231	8069	Specialty (except Psychiatric and Substance Abuse) Hospitals	322213	2652	Setup Paperboard Box Manufacturing
81391	8611	Business Associations	322231	2675	Die-Cut Paper and Paperboard Office Supplies Manufacturing
<p>(7) Other sources having 10 or more full-time employees at the facility site (as certified at the time of annual fee payment) and requiring registration under Section 5.03 in the following North American Industry Classification System (NAICS) codes or Standard Industrial Classification (SIC) codes shall be charged an annual registration fee of \$600:</p>			32311	2759	Printing
			323110	2752	Commercial Lithographic Printing
			325188	2819	All Other Basic Inorganic Chemical Manufacturing
			325199	2869	All Other Basic Organic Chemical Manufacturing
			325211	2821	Plastics Material and Resin Manufacturing
212325	1459	Clay and Ceramic and Refractory Minerals Mining	32551	2851	Paint and Coating Manufacturing
22132	4952	Sewage Treatment Facilities	326112	2671	Unsupported Plastics Packaging Film and Sheet Manufacturing
22133	4961	Steam and Air-Conditioning Supply	326199	3089	All Other Plastics Product Manufacturing
23321	1521	Single-Family Housing Construction	326212	7534	Tire Retreading
23499	1629	All Other Heavy Construction	327331	3271	Concrete Block and Brick Manufacturing
23531	1731	Electrical Contractors	332112	3463	Nonferrous Forging
311111	2047	Dog and Cat Food Manufacturing	332116	3469	Metal Stamping
311119	2048	Other Animal Food Manufacturing	332312	3441, 3449	Fabricated Structural Metal Manufacturing
311211	2041	Flour Milling	332322	3444	Sheet Metal Work Manufacturing
311422	2032	Specialty Canning	332323	3446	Ornamental and Architectural Metal Work Manufacturing
311612	2013	Meat Processed from Carcasses	33242	3443	Metal Tank (Heavy Gauge) Manufacturing
311711	2091	Seafood Canning	332618	3496	Other Fabricated Wire Product Manufacturing
311821	2052	Cookie and Cracker Manufacturing			
311822	2045	Flour Mixes and Dough Manufacturing from Purchased Flour			
311823	2098	Dry Pasta Manufacturing			
311919	2096	Other Snack Food Manufacturing			
31192	2095	Coffee and Tea Manufacturing			
312111	2086	Soft Drink Manufacturing			
31212	2082	Breweries			

NAICS	SIC	NAICS Description	NAICS	SIC	NAICS Description
332993	3483	Ammunition (except Small Arms) Manufacturing	422720	5172	Petroleum and Petroleum Products Wholesalers (except Bulk Stations and Terminals)
332996	3498	Fabricated Pipe and Pipe Fitting Manufacturing	42299	5199	Other Miscellaneous Nondurable Goods Wholesalers
332999	3499	All Other Miscellaneous Fabricated Metal Product Manufacturing	44419	5039	Other Building Material Dealers
333294	3556	Food Product Machinery Manufacturing	454312	5984	Liquefied Petroleum Gas (Bottled Gas) Dealers
333515	3545	Cutting Tool and Machine Tool Accessory Manufacturing	481111	4512	Scheduled Passenger Air Transportation
333994	3567	Industrial Process Furnace and Oven Manufacturing	48411	4212	General Freight Trucking, Local
334111	3571	Electronic Computer Manufacturing	48819	4581	Other Support Activities for Air Transportation
33422	3663	Radio and Television Broadcasting and Wireless Communications Equipment Manufacturing	48832	4491	Marine Cargo Handling
334412	3672	Bare Printed Circuit Board Manufacturing	48833	4492	Navigational Services to Shipping
334513	3823	Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	48849	4173	Other Support Activities for Road Transportation
334518	3873	Watch, Clock, and Part Manufacturing	49312	4222	Refrigerated Warehousing and Storage
335129	3648	Other Lighting Equipment Manufacturing	51111	2711	Newspaper Publishers
335228	3639	Other Major Household Appliance Manufacturing	51112	2721	Periodical Publishers
335911	3691	Storage Battery Manufacturing	51113	2731	Book Publishers
335999	3629	All Other Miscellaneous Electrical Equipment and Component Manufacturing	51421	7374	Data Processing Services
336211	3713	Motor Vehicle Body Manufacturing	53111	6513	Lessors of Residential Buildings and Dwellings
336411	3721	Aircraft Manufacturing	54171	8731	Research and Development in the Physical, Engineering, and Life Sciences
336413	3728	Other Aircraft Parts and Auxiliary Equipment Manufacturing	56121	8744	Facilities Support Services
33651	3743	Railroad Rolling Stock Manufacturing	61131	8221	Colleges, Universities, and Professional Schools
33711	2434	Wood Kitchen Cabinet and Countertop Manufacturing	62211	8062	General Medical and Surgical Hospitals
337122	5712	Nonupholstered Wood Household Furniture Manufacturing	62431	8331	Vocational Rehabilitation Services
42132	5032	Brick, Stone, and Related Construction Material Wholesalers	712190	8422	Nature Parks and Other Similar Institutions
42151	5051	Metal Service Centers and Offices	81221	7261	Funeral Homes and Funeral Services
42169	5065	Other Electronic Parts and Equipment Wholesalers	81222	7261	Cemeteries and Crematories
42193	5093	Recyclable Material Wholesalers	812331	7219	Linen Supply
42261	5162	Plastics Materials and Basic Forms and Shapes Wholesalers	812332	7218	Industrial Launderers
42271	5171	Petroleum Bulk Stations and Terminals	922120	9221	Police Protection
			92214	9223	Correctional Institutions
			92811	9711	National Security

(8) All other sources, not listed above in Sections (1) through (7), requiring registration under Section 5.03, shall be charged an annual registration fee of \$300.

AMENDATORY SECTION

REGULATION I SECTION 7.07 OPERATING PERMIT FEES

(a) The Agency shall levy annual operating permit fees as set forth in Section 7.07(b) below to cover the cost of administering the operating permit program.

(b) Upon assessment by the Agency, the following operating permit fees are due and payable within 30 days. They shall be deemed delinquent if not fully paid within 90 days.

(1) Facility Fees:

(i) Operating permit sources with the following North American Industry Classification System (NAICS) codes (*North American Industry Classification System Manual*, U.S. Executive Office of the President, Office of Management and Budget, 1997) or Standard Industrial Classification (SIC) codes:

NAICS	SIC	NAICS Description	
32411	2911	Petroleum Refineries	
32731	3241	Cement Manufacturing	
331111	3312	Iron and Steel Mills	
336411	3721	Aircraft Manufacturing	
336413	3728	Other Aircraft Parts and Auxiliary Equipment Manufacturing	
92811	9711	National Security	
		\$25,000

(ii) Operating permit sources with the following NAICS/SIC codes:

NAICS	SIC	NAICS Description	
23521	1721	Painting and Wall Covering Contractors	
311812	2051	Commercial Bakeries	
321114	2491	Wood Preservation	
32191	2431	Millwork	
321999	2499	All Other Miscellaneous Wood Product Manufacturing	
322222	2672	Coated and Laminated Paper Manufacturing	
32614	3086	Polystyrene Foam Product Manufacturing	
32615	3086	Urethane and Other Foam Product (except Polystyrene) Manufacturing	
327121	3251	Brick and Structural Clay Tile Manufacturing	
332313	3443	Plate Work Manufacturing	
332996	3498	Fabricated Pipe and Pipe Fitting Manufacturing	
333415	3585	Air-Conditioning and Warm Air Heating Equipment and Commercial and Industrial Refrigeration Equipment Manufacturing	

NAICS	SIC	NAICS Description	
33711	2434	Wood Kitchen Cabinet and Counter-top Manufacturing	
81142	7641	Reupholstery and Furniture Repair	

.....\$5,000
 (iii) Operating permit sources with NAICS/SIC codes other than listed above\$10,000

(2) Additional emission rate fees shall be paid in addition to the annual operating permit fees of Section 7.07 (b)(1):

\$20 for each ton of CO when the CO emissions are equal to or exceed 25 (~~(100)~~) tons in the previous calendar year, and \$40 for each ton of NOx when the NOx emissions are equal to or exceed 25 tons in the previous calendar year, and \$40 for each ton of PM10 when the PM10 emissions are equal to or exceed 25 tons in the previous calendar year, and \$40 for each ton of SOx when the SOx emissions are equal to or exceed 25 tons in the previous calendar year, and \$40 for each ton of VOC when the VOC emissions are equal to or exceed 25 tons in the previous calendar year, and \$40 for each ton of HAP when the facility total HAP emissions are equal to or exceed 6 tons in the previous calendar year or when any single individual HAP emissions are equal to or exceed 2 tons in the previous calendar year.

(c) In addition to the fees under Sections 7.07 (b)(1) and (b)(2) above, the Agency shall, on a source-by-source basis, levy the following fees:

(1) \$250 (~~(\$500)~~) for administrative permit amendments, and

(2) for minor permit modifications, a fee equal to 10% of the annual operating permit fee, not to exceed \$5,000, and

(3) for the issuance, significant modification, or renewal of an operating permit, a fee equal to 20% of the annual operating permit fee, not to exceed \$10,000, and

(4) to cover the cost of public involvement under WAC 173-401-800, and

(5) to cover the cost incurred by the Washington State Department of Health in enforcing 40 CFR Part 61, Subpart I and Chapter 246-247 WAC.

(d) In addition to the fees described under Sections 7.07 (b) and (c) above, the Agency shall collect and transfer to the Washington State Department of Ecology a surcharge established by the Department of Ecology under WAC 173-401 to cover the Department of Ecology's program development and oversight costs.

(e) Continued payment to the Agency of the annual operating permit fee maintains the operating permit and the status of the source as an operating facility.

WSR 01-21-054

PERMANENT RULES

DAIRY PRODUCTS COMMISSION

[Filed October 16, 2001, 8:53 a.m., effective January 1, 2002]

Date of Adoption: September 25, 2001.

Purpose: The Washington Dairy Products Commission collects assessments on milk produced to fund programs, which positively affect the demand for dairy products

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through marketing, promotion, and educational endeavors. The increase in the assessment level will allow for implementation of powers and duties vested to the Washington Dairy Products Commission in RCW 15.44.060(10), such as the participation in federal and state agency hearings, meetings, and other proceedings in relation to the regulation of the production, manufacture, distribution, sale or use of dairy products, to provide educational meetings and seminars for the dairy industry on such matters, and to expend commission funds for such activities. The current assessment level falls within the Federal Dairy and Tobacco Adjustment Act of 1983, Title I, Subtitle B-Dairy Promotion Program, Section 113. Section 113(j) prohibits funding for the above-specified activities from assessments collected under the federal program. By increasing the current assessment level beyond the level mandated by the federal program the Washington Dairy Products Commission will be able to implement those activities prohibited under the federal program with these additional funds. Funding of the above-mentioned activities will ensure the industry's viability and create a more positive environment for dairy farming.

Citation of Existing Rules Affected by this Order: Amending WAC 142-30-010.

Statutory Authority for Adoption: RCW 15.44.060(1), 15.44.130, 15.44.080.

Adopted under notice filed as WSR 01-12-058 on June 20 [4], 2001.

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 1, Repealed 0.

Effective Date of Rule: January 1, 2002.

September 25, 2001

Steve Matzen

General Manager

AMENDATORY SECTION (Amending Order 85-4, filed 7/5/85)

WAC 142-30-010 Declaration of purpose—Effective date. To effectuate the purposes of chapter 15.44 RCW there is hereby levied upon all milk produced in this state an assessment of:

(1) 0.75 percent of the Class I price for 3.5% butterfat milk, as established in any market area by a market order in effect in that area or by the state department of agriculture in case there is no market order for that area(~~(, or)~~); or

(2) While the Federal Dairy and Tobacco Adjustment Act of 1983, Title I, Subtitle B-Dairy Promotion Program, is in effect:

(a) An assessment rate not to exceed the rate approved at the most recent referendum that would achieve a ten cent per hundredweight credit to local, state or regional promotion organizations provided by Title I, Subtitle B of the Federal Dairy and Tobacco Adjustment Act of 1983(~~The effective date of WAC 14-30-010 [142-30-010] shall be August 4, 1985~~); and

(b) An additional assessment of .00625 (five-eighths of one cent) per hundredweight.

WSR 01-21-056

PERMANENT RULES

DEPARTMENT OF ECOLOGY

[Order 01-06—Filed October 16, 2001, 2:49 p.m.]

Date of Adoption: October 11, 2001.

Purpose: WAC 173-532-085 is no longer applicable. ESHB 1832, passed by the 2001 legislature and signed by the governor, includes a provision allowing applications for new water rights and those for changes to existing water rights to be processed in separate lines. Although WAC 173-532-085 includes a means for prioritizing competing change applications, it is embedded in the overall approach for establishing two lines and presumably could not be applied to competing change applications in the separate line for change applications established by the new legislation.

Citation of Existing Rules Affected by this Order: Repealing WAC 173-532-085 Water resources program for the Walla Walla River Basin, WRIA 32.

Statutory Authority for Adoption: RCW 43.21A.080.

Adopted under notice filed as WSR 01-16-133 on July 31, 2001.

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 1.

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.

October 11, 2001

Tom Fitzsimmons

Director

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WSR 01-21-058

PERMANENT RULES

DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

(Division of Employment and Assistance Programs)

[Filed October 16, 2001, 3:44 p.m., effective December 1, 2001]

Date of Adoption: October 12, 2001.

Purpose: Adopt the following rules to implement the Washington state combined application project (WASHCAP): WAC 388-492-0010 WASHCAP definitions, 388-492-0020 What is WASHCAP?, 388-492-0030 Who can get WASHCAP?, 388-492-0040 Can I choose whether I get WASHCAP or regular food assistance?, 388-492-0050 How do I apply for WASHCAP benefits?, 388-492-0060 How do I get my WASHCAP benefits?, 388-492-0070 How are my WASHCAP benefits calculated?, 388-492-0080 Where do I report changes?, 388-492-0090 How often does my WASHCAP case need to be reviewed?, 388-492-0100 How is my eligibility for WASHCAP reviewed?, 388-492-0110 What happens if my WASHCAP benefits end?, 388-492-0120 What happens to my WASHCAP benefits if I am disqualified?, and 388-492-0130 What can I do if I disagree with a decision the department made about my WASHCAP benefits?

Statutory Authority for Adoption: RCW 74.04.057, 74.04.500, 74.04.510.

Adopted under notice filed as WSR 01-18-091 on September 5, 2001.

Changes Other than Editing from Proposed to Adopted Version: Two definitions in WAC 388-492-0010 were removed because the information was duplicated in other sections of the chapter. WAC 388-492-0040 and 388-492-0070 were changed from the proposed version to be consistent with the federal waiver between the United States Department of Agriculture, Food and Nutrition Service and DSHS. The department does not count utility costs to decide if a client may opt out of WASHCAP. All WASHCAP clients receive a standard utility allowance even if they do not have utility costs.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 13, 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 13, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 13, 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 13, Amended 0, Repealed 0.

Effective Date of Rule: December 1, 2001.

October 12, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

Chapter 388-492 WAC

WASHINGTON COMBINED APPLICATION
PROJECTNEW SECTION

WAC 388-492-0010 Washington combined application project (WASHCAP) definitions. "Assistance unit" (AU) — A person who gets SSI, meets the definition of living arrangement "A," has no earned income, and states that they buy and cook food on their own.

"Centralized unit" — The unit that handles all WASHCAP cases for the state except for cases that get services from Home and community service office (HCS). The centralized unit or HCS office processes new applications for WASHCAP benefits and handles current WASHCAP cases.

"Pure SSI household" — Every member of the assistance unit is eligible for SSI on their own behalf.

"SSA" — Social Security Administration. A federal agency that issues all SSA and SSI cash benefits.

"SSI" — Supplemental Security Income. The SSA federal cash grant program for aged, blind or disabled clients.

"WASHCAP" — Washington state combined application project. A simplified food assistance program that automatically opens food assistance benefits for certain SSI clients.

NEW SECTION

WAC 388-492-0020 What is WASHCAP? WASHCAP stands for the Washington state combined application project. WASHCAP is a simplified food assistance program for clients that get SSI from SSA and meet some other basic requirements:

(1) If you live in Washington state and get SSI, SSA asks you if you want to get food assistance benefits. If you meet the requirements of WAC 388-492-0030, you will get your food assistance benefits through WASHCAP.

(2) If you are eligible for WASHCAP, SSA electronically sends us the information we need to open your benefits. You do not have to go to your local community services office to apply for food assistance benefits.

(3) If you want food assistance benefits right away, you must apply for regular food assistance benefits at your local community services office.

(4) While you get WASHCAP benefits, you must report all changes to SSA. SSA automatically shares your information with us.

NEW SECTION

WAC 388-492-0030 Who can get WASHCAP? (1) When you apply for food assistance, you can get WASHCAP benefits when you are eighteen years of age or older and:

PERMANENT

(a) Get at least one dollar federal SSI benefits from SSA. We do not consider the state supplement as federal SSI benefits;

(b) Live alone or SSA considers you as a single household;

(c) Buy and cook your food separately from others you live with;

(d) Do not have any earned income; and

(e) If you live in an institution, SSA expects you to be there for less than ninety days.

(2) You are not eligible for WASHCAP if:

(a) You live in an institution for ninety days or longer;

(b) SSA expects you to live in an institution for ninety days or longer;

(c) SSA tells us you have earned income for more than three months in a row; or

(d) You are under age twenty-two and you live in the same home as your parents.

NEW SECTION

WAC 388-492-0040 Can I choose whether I get WASHCAP or regular food assistance? You can choose to have regular food assistance benefits instead of WASHCAP when:

(1) Your shelter costs are more than four hundred eighty dollars a month. We count the following items as a shelter cost:

(a) Rent or mortgage;

(b) Taxes;

(c) Homeowner's insurance (for the building only); and

(d) Mandatory homeowner's association or condo fees.

(2) Your out-of-pocket medical expenses are more than thirty-five dollars a month; or

(3) You would get more benefits from being in the regular food assistance program.

NEW SECTION

WAC 388-492-0050 How do I apply for WASHCAP benefits? (1) You apply for WASHCAP at SSA when you apply for SSI. If you want food assistance, your SSA worker will ask you to complete a one-page application for WASHCAP when you have your SSI interview.

(2) If you are eligible for WASHCAP benefits, your benefits will start the first of the month after the month you start getting on-going SSI benefits.

(3) If you need food assistance in five days or less, you must apply for expedited service at the local CSO or HCS office. SSA may also take your application.

(4) If you want food assistance before you get SSI, you must apply for regular food assistance at:

(a) SSA;

(b) Your local community services office (CSO); or

(c) Your local home and community services (HCS) office if you get long-term care services.

(5) If you get regular food assistance, you will still get these benefits:

(a) Through the end of your certification period; or

(b) Until you are approved for WASHCAP benefits.

(6) If your regular food assistance ends before you are eligible for WASHCAP, you must reapply for these benefits.

(7) If you get regular food assistance and you become eligible for WASHCAP, we will automatically change your benefits to WASHCAP.

NEW SECTION

WAC 388-492-0060 How do I get my WASHCAP benefits? (1) If you are eligible for WASHCAP, you will get your food assistance benefits through electronic benefits transfer (EBT).

(2) The department issues your EBT food assistance benefits according to WAC 388-412-0025.

NEW SECTION

WAC 388-492-0070 How are my WASHCAP benefits calculated? We calculate your WASHCAP benefits as follows:

(1) We begin with your gross income. (Social Security tells us how much income you have.)

(2) We subtract a standard deduction of one hundred thirty-four dollars to get your countable income.

(3) We figure your shelter cost as follows:

(a) If Social Security tells us you pay two hundred ninety dollars or more a month for shelter, we use three hundred dollars as your shelter cost; or

(b) If Social Security tells us you pay less than two hundred ninety dollars a month for shelter, we use one hundred forty-four dollars as your shelter cost; and

(c) We add the current standard utility allowance under WAC 388-450-0195 to determine your total shelter cost.

(4) We figure your shelter deduction by subtracting one half of your countable income from your shelter cost.

(5) We figure your net WASHCAP income by subtracting your shelter deduction from your countable income.

(6) We figure your WASHCAP benefits (allotment) by:

(a) Multiplying your net WASHCAP income by thirty percent and rounding up to the next whole dollar; and

(b) Subtracting the result from the maximum allotment under WAC 388-478-0060.

(c) If you are eligible for WASHCAP, your assistance unit will get at least ten dollars food benefits each month.

NEW SECTION

WAC 388-492-0080 Where do I report changes? You report all changes to Social Security according to their reporting requirements. Social Security reports changes to your worker.

NEW SECTION

WAC 388-492-0090 How often does my WASHCAP case need to be reviewed? Your certification period is the amount of time your AU is eligible for WASHCAP benefits. We certify WASHCAP for up to twenty-four months.

NEW SECTION

WAC 388-492-0100 How is my eligibility for WASHCAP reviewed? (1) If SSA reviews your SSI eligibility, they will also complete your review for WASHCAP benefits. SSA sends us this information electronically.

(2) If SSA does not review your SSI eligibility, we will mail you a one-page application two months before your WASHCAP benefits end. You must complete and return this application to the WASHCAP unit or your local HCS office.

(3) We do WASHCAP reviews by mail.

(4) If we get your completed one-page application after your WASHCAP benefits end, we will reopen your benefits back to the first of the month if:

(a) We get your application form within thirty days from the end of your certification period; and

(b) You are still eligible for WASHCAP.

(5) If you are no longer eligible for WASHCAP benefits, we will decide if you are eligible for regular food assistance. We may ask you to give us more information or verification if we cannot make a decision with the information we have.

(6) If we get your completed one-page application form more than thirty days after your benefits end, we will open your WASHCAP benefits the first of the next month after you turn in your application and SSA shows you are eligible for WASHCAP in their system.

(7) If you want regular food assistance while you are waiting for WASHCAP benefits, you must apply for these benefits.

NEW SECTION

WAC 388-492-0110 What happens if my WASHCAP benefits end? (1) If your WASHCAP benefits end because you did not have the review required under WAC 388-492-0100, you must finish the required review or apply for food assistance benefits at your local office.

(2) If your WASHCAP benefits end because you are disqualified for food assistance under WAC 388-400-0040, you are not eligible for regular food assistance. If you get medical assistance, we will send your medical assistance case to your local office.

(3) If your WASHCAP benefits end because SSA stopped your SSI benefits:

(a) We will send you an application for regular food assistance and information about what you must verify in order to get benefits.

(b) You will still receive the same medical benefits until we decide what medical programs you are eligible for under WAC 388-418-0025.

(c) When we get your completed application, we will interview you over the phone. If we need more information to decide if you are eligible, we will tell you what we need.

(d) After we decide if you are eligible for regular food assistance, we will send your case to the local office.

(4) If your WASHCAP benefits end for any other reason:

(a) We will send you an application for regular food assistance along with:

(i) The address of your local office; and

(ii) Information about what you must verify in order to get benefits.

(b) If you get medical assistance, we will send your medical assistance case to the local office;

(c) For the office to decide if you are eligible for food assistance, you must:

(i) Finish the application process for food assistance under chapter 388-406 WAC; and

(ii) Have an interview for food assistance under WAC 388-452-0005.

NEW SECTION

WAC 388-492-0120 What happens to my WASHCAP benefits if I am disqualified? (1) If you are disqualified from receiving SSI for any reason, you will not be able to get WASHCAP food benefits. See WAC 388-492-0030, Who can get WASHCAP?

(2) If you are disqualified from receiving food assistance for any reason, you will not get WASHCAP food benefits. See WAC 388-400-0040(9) for persons disqualified.

NEW SECTION

WAC 388-492-0130 What can I do if I disagree with a decision the department made about my WASHCAP benefits? (1) If you disagree with a decision about your benefits, you may ask for a fair hearing.

(2) You can ask for a hearing by contacting the central unit, home community service office or any responsible department or office of administrative hearings employee.

(3) See chapter 388-08 WAC for information on the fair hearing process.

WSR 01-21-059**PERMANENT RULES****DEPARTMENT OF****SOCIAL AND HEALTH SERVICES**

(Economic Services Administration)

(Division of Employment and Assistance Programs)

[Filed October 16, 2001, 3:45 p.m., effective December 1, 2001]

Date of Adoption: October 12, 2001.

Purpose: Implement changes to maximum benefit amounts, gross income limits, net income limits, maximum shelter deductions, utility allowances, and the 165% of poverty level for food assistance programs.

Citation of Existing Rules Affected by this Order: Amending WAC 388-450-0190 How does the department figure my shelter cost income deduction for food assistance?, 388-450-0195 Utility allowances for food assistance programs, and 388-478-0060 What are my income limits for food assistance?

Statutory Authority for Adoption: RCW 74.04.057, 74.04.500, 74.04.510.

Adopted under notice filed as WSR 01-18-034 on August 28, 2001.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 3, 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 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 3, Repealed 0.

Effective Date of Rule: December 1, 2001.

October 12, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 00-23-013, filed 11/3/00, effective 12/4/00)

WAC 388-478-0060 What are my income limits for food assistance? ~~((So long as))~~ If your assistance unit (AU) meets all other eligibility requirements for food assistance ~~((benefits))~~, your AU must have income at or below the limits in column (B) and (C) to get food assistance, unless you meet one of the exceptions listed below:

EFFECTIVE 10-1-~~((2000)) 2001~~

Column A ((Household Size)) <u>Number of Eligible AU Members</u>	Column B Maximum Gross Monthly Income	Column C Maximum Net Monthly Income	Column D Maximum Allotment	Column E 165% of Poverty Level
1	\$ ((905)) <u>931</u>	\$ ((696)) <u>716</u>	\$ ((130)) <u>135</u>	\$ ((1,149)) <u>1,182</u>
2	((1,219)) <u>1,258</u>	((938)) <u>968</u>	((238)) <u>248</u>	((1,547)) <u>1,597</u>
3	((1,533)) <u>1,585</u>	((1,180)) <u>1,220</u>	((341)) <u>356</u>	((1,946)) <u>2,012</u>
4	((1,848)) <u>1,913</u>	((1,421)) <u>1,471</u>	((434)) <u>452</u>	((2,345)) <u>2,427</u>
5	((2,162)) <u>2,240</u>	((1,663)) <u>1,723</u>	((515)) <u>537</u>	((2,744)) <u>2,843</u>
6	((2,476)) <u>2,567</u>	((1,905)) <u>1,975</u>	((618)) <u>644</u>	((3,142)) <u>3,258</u>
7	((2,790)) <u>2,894</u>	((2,146)) <u>2,226</u>	((683)) <u>712</u>	((3,541)) <u>3,673</u>
8	((3,104)) <u>3,221</u>	((2,388)) <u>2,478</u>	((781)) <u>814</u>	((3,940)) <u>4,088</u>
9	((3,419)) <u>3,549</u>	((2,630)) <u>2,730</u>	((879)) <u>916</u>	((4,339)) <u>4,504</u>
10	((3,734)) <u>3,877</u>	((2,872)) <u>2,982</u>	((977)) <u>1,018</u>	((4,738)) <u>4,920</u>
Each Additional Member	+ ((315)) <u>328</u>	+ ((242)) <u>252</u>	+ ((98)) <u>102</u>	+ ((399)) <u>416</u>

Exceptions:

(1) If your AU is categorically eligible as ~~((defined in))~~ under WAC 388-414-0001, your ~~((income will))~~ AU does not have to ~~((be below))~~ meet the gross or net income standards in columns (B) and (C) ~~((to decide if you are eligible))~~. However, we ~~((will))~~ do budget ~~((the))~~ your AU's income to decide the amount of food assistance your AU will receive.

(2) If your AU includes a member who is sixty years of age or older or has a disability, your income must be at or below the limit in column (C) only.

(3) If you are sixty years of age or older and ~~((are unable to purchase and prepare))~~ cannot buy and cook your own meals because of a permanent disability, we will use column

(E) to ~~((determine))~~ decide if you can be a separate ~~((food assistance unit))~~ AU.

(4) If your AU has zero income ~~((you will receive))~~, your benefits are the maximum allotment ~~((amount))~~ in column (D), based on ~~((your household size in column (D)))~~ the number of eligible members in your AU.

AMENDATORY SECTION (Amending WSR 01-06-030, filed 3/2/01, effective 4/2/01)

WAC 388-450-0190 How does the department figure my shelter cost income deduction for food assistance? ~~((1) To figure))~~ The department calculates your shelter cost

PERMANENT

~~income deduction (for food assistance, the department first adds up what))~~ as follows:

(1) First, we add up the amounts your assistance unit (AU) ~~(is responsible to)~~ must pay each month for shelter. We do not count any overdue amounts, late fees, penalties(;) or any amount((s)) you pay ahead of time as an allowable cost. ~~(Your)~~ We count the following expenses as an allowable shelter cost((s include your)):

- (a) Ongoing rent, lease, and mortgage payments;
- (b) Property taxes;
- (c) Homeowner's insurance for the building only;
- (d) Utility allowance your AU is eligible for under WAC 388-450-0195;

(e) Out-of-pocket repairs for the home if it was substantially damaged or destroyed due to a natural disaster such as a fire or flood;

(f) Expense of a temporarily unoccupied home because of employment, training away from the home, illness, or abandonment caused by a natural disaster or casualty loss if your:

- (i) AU intends to return to the home;
- (ii) AU has current occupants who are not claiming the shelter costs for food assistance purposes; and
- (iii) AU's home is not being leased or rented during your AU's absence.

(2) Second, we subtract ~~((from your AU's gross income))~~ all deductions your AU is eligible for under WAC 388-450-0185(1) through (5) from your AU's gross income. The result is your AU's net income.

(3) Finally, we subtract ~~((from your AU's total shelter costs))~~ one-half of your AU's net income from your AU's total shelter costs. The result is your excess shelter ~~((cost income deduction. The deduction your AU will get is))~~ costs. Your AU's shelter cost deduction is the excess shelter costs:

- (a) Up to a maximum of three hundred dollars if no one in your AU is elderly or disabled and you were found eligible for benefits prior to March 1, 2001; or
- (b) Up to a maximum of three hundred ~~((forty))~~ fifty-four dollars if no one in your AU is elderly or disabled and you were found eligible for benefits or were recertified for benefits either on or after March 1, 2001; or
- (c) The entire amount if someone in your AU is elderly or disabled, even if the amount ~~((exceeds))~~ is over three hundred ~~((forty))~~ fifty-four dollars.

AMENDATORY SECTION (Amending WSR 00-22-065, filed 10/27/00, effective 11/1/00)

WAC 388-450-0195 Utility allowances for food assistance programs. (1) For food assistance programs, "utilities" include the following:

- (a) Heating and cooking fuel;
- (b) Cooling and electricity;
- (c) Water and sewerage;
- (d) Garbage and trash collection; and
- (e) Basic telephone service.

(2) The department uses the amounts below if you have utility costs separate from your rent or mortgage payment. We add your utility allowance to your rent or mortgage pay-

ment to determine your total shelter costs. We use total shelter costs to determine your food assistance benefits.

(3) If you have heating or cooling costs, you get a standard utility allowance (SUA) that depends on your assistance unit's size.

Assistance Unit (AU) Size	Utility Allowance
1	\$ ((230)) <u>249</u>
2	\$ ((237)) <u>256</u>
3	\$ ((244)) <u>264</u>
4	\$ ((251)) <u>271</u>
5	\$ ((258)) <u>279</u>
6 or more	\$ ((265)) <u>287</u>

(4) If your AU does not qualify For the SUA and you have utility costs other than telephone costs, you get a limited utility allowance (LUA) of one hundred ~~((eighty-five))~~ ninety-eight dollars.

(5) If your AU has only telephone costs and no other utility costs, you get a telephone utility allowance (TUA) of ~~((thirty-one))~~ thirty-three dollars.

WSR 01-21-060
PERMANENT RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Economic Services Administration)

(Division of Employment and Assistance Programs)
[Filed October 16, 2001, 3:47 p.m., effective December 1, 2001]

Date of Adoption: October 12, 2001.

Purpose: Create new WAC section to define an assistance unit for food assistance unit. Implement federal regulations on who must be in an assistance unit and the impact of the income and expenses of an ineligible assistance unit member.

Citation of Existing Rules Affected by this Order: Amending WAC 388-408-0035 Who is in my assistance unit for food assistance?, 388-408-0040 How does living in an institution affect my eligibility for food assistance?, 388-408-0045 Am I eligible for food assistance if I live in a shelter for battered women and children?, 388-408-0050 Does the department consider me homeless for food assistance benefits? and 388-450-0140 How does the income of an ineligible assistance unit member affect my eligibility and benefits for food assistance?

Statutory Authority for Adoption: RCW 74.04.057, 74.04.500, 74.04.510.

Adopted under notice filed as WSR 01-18-035 on August 28, 2001.

Changes Other than Editing from Proposed to Adopted Version: The department amended the proposed text of WAC 388-450-0140 to show that we do not prorate the utility expenses of an ineligible assistance unit member. Federal regulations do not allow the department to prorate the utility expenses of an ineligible assistance unit member.

Number of Sections Adopted in Order to Comply with Federal Statute: New 1, Amended 5, 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 1, Amended 5, 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 1, Amended 5, Repealed 0.

Effective Date of Rule: December 1, 2001.

October 12, 2001

Brian H. Lindgren, Manager

Rules and Policies Assistance Unit

NEW SECTION

WAC 388-408-0034 What is an assistance unit for food assistance? For all sections of this chapter:

"**We**" means the department of social and health services;

"**You**" means the person applying for or receiving benefits from the department;

"**Assistance unit**" or "**AU**" is the group of people who live together and whose income and resources we count to decide if you are eligible for benefits and the amount of benefits you get.

"**Boarder**" means a person who:

(1) We decide pays a reasonable amount for lodging and meals; or

(2) Is in foster care.

"**Live-in attendant**" means a person who lives in the home and provides medical, housekeeping, childcare, or similar personal services an AU member needs because:

(1) A member is aged, incapacitated, or disabled;

(2) A member of the AU is ill; or

(3) A minor child in the AU needs childcare.

"**Parent**" means a natural, step, or adoptive parent. A stepparent is not a parent to a child if the marriage to the child's natural parent ends due to divorce or death.

A person who lives with you pays a "**reasonable amount**" for meals if:

(1) You provide two or more meals a day and they pay at least the maximum allotment under WAC 388-478-0060 for their AU size; or

(2) You provide one meal a day and they pay at least two-thirds the maximum allotment under WAC 388-478-0060 for their AU size.

"**Roomer**" means a person who pays for lodging, but not meals;

A person has a "**separate residence**" from an AU if they have separate living, cooking, and sanitation facilities.

"**Spouse**" means your husband or wife through a legally recognized marriage.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-408-0035 Who is in my assistance unit(s) for food assistance((s))? (1) For food assistance, a ((household is:

(a) A person living alone;

(b) A group of people living together who purchase or prepare meals together;

(c) A group of people living together who are required to be one household because of the relationship to each other as described in subsection (2) of this section; or

(d) An elderly person with permanent disabilities who is unable to prepare meals. The combined income of all others living in the residence (excluding the spouse) cannot exceed the one hundred sixty-five percent standard under WAC 388-478-0060. The person's spouse must be included in the food assistance household.

(2) The following people living together must be one household even if they purchase and prepare meals separately:

(a) Spouses which means persons who are legally married or who present themselves as husband and wife to the community, friends and relatives;

(b) Parents and their children under twenty-two years of age regardless of the child's marital status; and

(c) Children under eighteen years of age and the adult who the child is living with when the adult is not the child's parent. When a minor child lives with an adult who is not the child's parent, the child is considered to be under parental control unless the child receives in their own name:

(i) A TANF grant; or

(ii) Gross income equal to or exceeding the TANF grant standard in WAC 388-478-0020(2).

(3) A household member who is absent from the household a full issuance month, is not eligible for benefits with that household.

(4) The following persons living in the residence are not household members and if eligible may be a separate food assistance household:

(a) Roomers who are persons that pay for lodging but not meals;

(b) Others who purchase and prepare meals separately from the household; or

(c) Live-in attendants regardless of purchase and prepare arrangements.

(5) The following persons living in the residence are not household members and are not eligible for food assistance as a separate household:

(a) Ineligible students; and

(b) Persons eighteen to fifty years old without dependents who are no longer eligible for benefits as specified in chapter 388-444 WAC.

(6) A person who is living in the residence and is not a household member as described in subsection (4) and (5), is not included when household size, income eligibility, and benefit level are determined for the food assistance unit.

(7) A boarder is a person who:

(a) Is paying a reasonable amount for lodging and meals as determined by the department; or

(b) Is in foster care.

~~(8) A client can exclude a boarder at the client's request. If excluded, the boarder cannot be a separate food assistance household. Residents of licensed for profit boarding homes are not eligible for benefits.~~

~~(9) The following household members are ineligible for food assistance and are considered ineligible members:~~

~~(a) Those disqualified for:~~

~~(i) Intentional program violation (IPV) as specified in WAC 388-446-0015;~~

~~(ii) Noncompliance with work requirements as specified in WAC 388-444-0055; or~~

~~(iii) Failure to provide SSN as specified in WAC 388-476-0005;~~

~~(b) Those who fail to sign the application attesting to citizenship or alien status or immigrants not eligible because of alien status;~~

~~(c) Fleeing felons as specified in WAC 388-442-0010(1); or~~

~~(d) Those convicted of drug felonies as described under WAC 388-442-0010(2).~~

~~(10) A person who is living in the residence and is an ineligible household member is not included when household size and benefit level is determined) person must be in your assistance unit (AU) if they:~~

~~(a) Live in the same home as you; and~~

~~(b) Usually purchase and prepare food with you.~~

~~(2) If the following people live with you, they must be in your AU even if you do not usually purchase and prepare food together:~~

~~(a) Your spouse;~~

~~(b) Your parents if you are under age twenty-two (even if you are married);~~

~~(c) Your children under age twenty-two;~~

~~(d) A child under age eighteen who doesn't live with their parent unless the child:~~

~~(i) Is emancipated;~~

~~(ii) Gets a TANF grant in their own name; or~~

~~(iii) Gets income in their own name of at least the TANF payment standard under WAC 388-478-0020(2) before taxes or other withholdings.~~

~~(e) Someone not listed in (a) through (d) above if:~~

~~(i) You provide meals for them; and~~

~~(ii) They pay less than a reasonable amount for meals.~~

~~(3) Anyone who must be in your AU under subsection (2) or (3) is an ineligible AU member if they:~~

~~(a) Are disqualified for an intentional program violation (IPV) under WAC 388-446-0015;~~

~~(b) Did not meet ABAWD work requirements under WAC 388-444-0030.~~

~~(c) Did not meet work requirements under WAC 388-444-0055;~~

~~(d) Did not provide a social security number under WAC 388-476-0005;~~

~~(e) Did not meet the citizenship or alien status requirements under chapter 388-424 WAC;~~

~~(f) Are fleeing a felony charge or violating a condition of parole or probation under WAC 388-442-0010;~~

~~(g) Are disqualified for a drug-related felony under 388-442-0010.~~

~~(4) If your AU has an ineligible member:~~

(a) We count the ineligible member's income to the AU under WAC 388-450-0140;

(b) We count all the ineligible members resources to the AU; and

(c) We do not use the ineligible member to determine the AU's size for the maximum income amount or allotment under WAC 388-478-0060.

(5) If the following people live in the same home as you, you can choose if we include them in the AU:

(a) A permanently disabled person who is age sixty or over and cannot make their own meals if the total income of everyone else in the home (not counting the elderly and disabled person's spouse) is not more than the one hundred sixty-five percent standard under WAC 388-478-0060;

(b) A boarder. If you do not include a boarder in your AU, the boarder cannot get food assistance in a separate AU;

(c) A person placed in your home for foster care. If you do not include this person in your AU, they cannot get food assistance in a separate AU;

(d) Roomers; or

(e) Live-in attendants even if they purchase and prepare food with you.

(6) If someone in your AU is out of your home for a full issuance month, they are not eligible for benefits as a part of your AU.

(7) The following people who live in your home are not members of your AU. If they are eligible for food assistance, they may be a separate AU:

(a) Someone who usually purchases and prepares meals separately from your AU if they are not required to be in your AU; or

(b) Someone who lives in a separate residence.

(8) A student who is ineligible for food assistance under WAC 388-482-0005 is not a member of the AU.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-408-0040 ((Residents of) How does living in an institution((s-)) affect my eligibility for food assistance? (1) For food assistance, an "institution" means a place where people live that provides residents more than half of three meals daily as a part of their normal services.

(2) Most residents of institutions are not eligible for food assistance((-benefits)). ((Residents of the following institutions may be eligible))

(3) If you live in one of the following institutions, you may be eligible for food assistance even if the institution provides the majority of meals:

(a) Federally subsidized housing for the elderly;

(b) Qualified drug and alcohol treatment centers when an employee of the treatment center is the authorized representative;

(c) Qualified group homes for persons with disabilities;

(d) A shelter for battered women and children when the resident left the home that included the abuser; or

(e) Nonprofit shelters for the homeless. ((Homeless clients may use food stamps to purchase prepared meals from meal providers for the homeless.

(2)) (4) A qualified group home is a nonprofit residential facility that:

(a) Houses sixteen or fewer persons with disabilities as defined under WAC 388-400-0040(6); and

(b) Is certified by the division of developmental disabilities (DDD).

~~((3))~~ (5) Elderly or disabled ~~((household members and))~~ individuals and their spouses may use food ~~((stamps to purchase))~~ assistance benefits to buy meals from the following ~~((when approved by))~~ if FNS has approved them to accept food assistance benefits:

(a) Communal dining facility; or

(b) Nonprofit meal delivery service.

(6) If you are homeless, you may use your food assistance benefits to buy prepared meals from meal providers for the homeless.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-408-0045 Am I eligible for food assistance if I live in a shelter((s)) for battered women and children((r))? (1) ~~((Persons living))~~ You may be eligible for food assistance if you live in a shelter for battered women and children ~~((may receive food assistance.~~

(2) A shelter resident who left a food assistance household that included the abuser:

(a) Is certified as a separate household;

(b) May receive an additional allotment even when the resident already received benefits with the abuser; and

(c) Are certified on the basis of:

(i) Income and resources to which they have access; and

(ii) Expenses for which they are responsible).

(2) If you live in a shelter for battered women and children and you left an assistance unit (AU) that included the abuser, we certify you a separate AU for food assistance:

(a) You may get additional amount of food assistance benefits even if you received benefits with the abuser.

(b) The department will decide your eligibility and benefits based on:

(i) The income and resources you have access to; and

(ii) The expenses you are responsible for.

AMENDATORY SECTION (Amending WSR 98-16-044, filed 7/31/98, effective 9/1/98)

WAC 388-408-0050 Does the department consider me homeless ((status)) for food assistance((r)) benefits? ~~((A client is considered))~~ The department considers you as homeless ~~((when they))~~ if you do not have a regular nighttime residence or when ~~((they))~~ you stay primarily in a:

(1) Supervised shelter that provides temporary living or sleeping quarters;

(2) Halfway house ~~((providing))~~ that provides a temporary residence for persons going into or coming out of an institution;

(3) Residence of another person that is temporary and the client has lived there for ninety days or less; or

(4) A place not usually used as sleeping quarters for humans.

AMENDATORY SECTION (Amending WSR 99-16-024, filed 7/26/99, effective 9/1/99)

WAC 388-450-0140 How does the income of an ineligible assistance unit member((s)) affect my eligibility and benefits for food assistance((r))? ~~((1))~~ When a food assistance household contains a person who is disqualified for intentional program violation or failure to meet work requirements as provided in chapter 388-444 WAC, all income of the disqualified person is included as part of the entire household's income:

(a) The standard deduction and allowable deductions for earned income, medical costs, dependent care, and excess shelter costs are applied; and

(b) The household's benefits are not increased as a result of the exclusion of the disqualified person.

(2) When a household contains a person who is ineligible due to alien status, felon status as described in WAC 388-442-0010, failure to sign the application attesting to citizenship or alien status, or who has been disqualified for refusal to obtain or provide a Social Security number:

(a) The income of the ineligible person is prorated among all household members. The ineligible person's share is excluded, and the remainder is counted as income to the eligible household members;

(b) Apply the twenty percent earned income disregard to the ineligible person's earned income attributed to the household; and

(c) Divide the portion of the household's allowable shelter expenses evenly among all members of the household, when the ineligible members have income.

(3) The ineligible or disqualified household member is not counted when determining the household's size for purposes of:

(a) Comparing the household's total monthly income to the income eligibility standards; and

(b) Computing benefits)) The department decides who must be in your assistance unit (AU) under WAC 388-408-0035. If someone who is in your AU is an ineligible AU member, we decide how this affects your AU's eligibility and benefits as follows:

(1) We do not count the ineligible member to determine your AU size for the gross monthly income limit, net monthly income limit, or maximum allotment under WAC 388-478-0060.

(2) If the AU member is ineligible because they are disqualified for an intentional program violation (IPV), they failed to meet work requirements under chapter 388-444 WAC, or they are ineligible felons under WAC 388-442-0010:

(a) We count all of the ineligible member's gross income as a part of your AU's income; and

(b) We count all of the ineligible member's allowable expenses as part of your AU's expenses.

(3) If the AU member is ineligible because they are an ineligible ABAWD under WAC 388-444-0030, ineligible due to their alien status, they failed to sign the application to state their citizenship or alien status, or they refuse to get or provide us a Social Security number:

(a) We prorate the ineligible member's gross income by:

(i) Dividing the ineligible member's income by the total number of people in the AU;

(ii) Subtracting the ineligible member's share of the income; and

(iii) Counting the remaining income to the other members of the AU; and

(iv) Allowing the twenty percent earned income deduction for the ineligible member's countable earned income.

(b) If the AU is eligible for a utility allowance under WAC 388-450-0195, we include the ineligible member to determine the allowance. This includes using the ineligible member to determine the standard utility allowance (SUA).

(c) We prorate the ineligible member's expenses other than utilities by:

(i) Dividing the ineligible member's allowable expenses by the total number of people in the AU;

(ii) Subtracting the ineligible member's share of the expenses; and

(iii) Counting the remaining expenses to the other members of the AU.

WSR 01-21-071

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed October 18, 2001, 9:31 a.m.]

Date of Adoption: October 18, 2001.

Purpose: Meet criteria supporting Governor Locke's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Amending WAC 308-56A-310, 308-93-370, 308-93-380, 308-93-400, 308-93-490, 308-93-500, and 308-93-510.

Statutory Authority for Adoption: RCW 88.02.070 and 88.02.100.

Adopted under notice filed as WSR 01-17-086 on August 17, 2001.

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 1, Amended 7, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 1, Amended 7, 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.

October 18, 2001

Fred Stephens

Director

AMENDATORY SECTION (Amending WSR 01-08-022, filed 3/27/01, effective 4/27/01)

WAC 308-56A-310 Personal property lien—Chattel, landlord. (1) **What is a chattel lien?** For the purposes of this section a "chattel lien" means: A lien obtained by any person, firm or company who provides services or materials for a vehicle at the owner's request, in the event of nonpayment by the owner. A person or firm that provides services or material for a vehicle at the owner's request may obtain a lien on such vehicle. In the event of nonpayment the lien may be foreclosed as provided by law.

(2) **What document(s) does the department require to issue a certificate of ownership for a vehicle (~~which has been processed~~) obtained through the chattel lien (~~procedure~~) process?** (~~The department requires.~~) In addition to other documents required by (~~chapters 46.01 and 46.12 RCW~~) law or rule the department requires:

(a) A completed affidavit of sale chattel/landlord lien form provided or approved by the department; or

(b) A copy of a court order awarding the vehicle to the claimant. (~~The court order must state specifically that the lien shall be removed. The court order is required to complete subsection (3) of this section. If the court order does not indicate removal of the security interest, the new owner may:~~

(i) ~~Negotiate with a secured party to obtain either a release of interest or a new security agreement; or~~

(ii) ~~Petition the original court that issued the order, or higher court, to have the matter of the secured interest resolved; or~~

(b) ~~An affidavit of sale chattel/landlord lien form provided or approved by the department.)~~

(3) **When (~~does the department require~~) is a court order required by the department to issue a certificate of ownership as a result of a chattel lien?** A court order is required when:

(a) The vehicle is no longer in the possession of the person/business who is claiming the chattel/landlord lien; or

(b) Someone other than the owner of record requested the services; or

(c) There is an existing lien holder on record; or

(i) In order to remove an existing lien holder from record, the court order must specifically authorize the removal of the lien. If it does not, the claimant may:

(A) Negotiate with the lien holder to obtain either a release of interest or a new security agreement; or

(B) Petition either the court that issued the original order, or a higher court to have the matter of secured interest resolved.

(d) There is more than one lien claimed against the vehicle.

(i) In order to remove an existing lien holder from record, the court order must specifically authorize the removal of the lien. If it does not, the claimant may:

(A) Negotiate with the lien holder to obtain either a release of interest or a new security agreement; or

(B) Petition either the court that issued the original order, or a higher court to have the matter of secured interest resolved.

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(4) **What is a landlord lien?** For the purposes of vehicle licensing and titling, a landlord lien is an encumbrance on a vehicle as security for the payment of moneys owing for rent.

(5) **What documents does the department require to issue a certificate of ownership for a vehicle, (~~which has been processed~~) obtained through the landlord lien (~~procedure~~) process?** (~~The department requires,~~) In addition to other documents required by (~~chapters 46.01 and 46.12 RCW~~) law or rule the department requires:

(a) A completed affidavit of sale chattel/landlord lien form provided or approved by the department; or

(b) A copy of a court order (~~or~~

~~) An affidavit of sale chattel/landlord lien form provided or approved by the department~~) awarding the vehicle to the claimant.

(6) **When does the department require a court order to issue a certificate of ownership as a result of a landlord lien?** A court order is required when:

(a) The vehicle is no longer in the possession of the person/business who is claiming the landlord lien; or

(b) (~~There is more than one lien claimed against the vehicle; or~~

~~) There is more than one lien claimed against the vehicle~~) The vehicle owner of record is someone other than the person owing for rent; or

(c) There is an existing lien holder on record.

(i) In order to remove an existing lien holder from record, the court order must specifically authorize the removal of the lien. If it does not, the claimant may:

(A) Negotiate with the lien holder to obtain either a release of interest or a new security agreement; or

(B) Petition either the court that issued the original order, or a higher court to have the matter of secured interest resolved.

(d) There is more than one lien against the vehicle.

(i) In order to remove any existing lien holders from the record, the court order must specifically authorize the removal of any lien. If it does not, the claimant may:

(A) Negotiate with the lien holders to obtain either a release of interest or a new security agreement; or

(B) Petition either the court that issued the original order, or a higher court to have the matter of secured interest resolved.

(7) **Why is a court order required for a landlord lien if there is a lien holder on the existing record?** In order to record a secured interest on a Washington certificate of ownership, there must be a security agreement between the registered owner and the legal owner except for government liens as provided in law.

(~~may~~) have been issued using one of these designations, any registered owners (~~se~~) shown are considered to have equal registered owner interest in the vessel and any secured parties (~~se~~) shown are considered to have equal secured party interest in the vessel.

(2) **Will the department use the words "and," "or," or the slash symbol (/) if another jurisdiction has recorded multiple interests on the foreign certificate of ownership using one of these designations?** No. The department does not use these designations when recording ownership interest.

AMENDATORY SECTION (Amending WSR 99-22-059, filed 11/1/99, effective 12/2/99)

WAC 308-93-380 Format required for name and address—Ownership in joint tenancy. (1) **What does joint tenancy with rights of survivorship (JTWROS) mean when noted on a certificate of ownership?** If a vessel certificate of ownership shows the owners are in joint tenancy with rights of survivorship and one of the named parties dies, ownership vests in the surviving joint owner(s). The department will issue a certificate of ownership in the name of the surviving joint owner(s) upon application supported by a copy of the death certificate issued by a government entity and an application for certificate of ownership signed by the surviving owner(s).

(2) **How is joint tenancy with rights of survivorship shown on the application for certificate of ownership?** The application for certificate of ownership (~~shall~~) shows the name of every owner with the phrase "Joint tenants with rights of survivorship" spelled out. The address of only one owner can be accepted on the application. Example 1:

- Doe, John
- Doe, Jane
- Doe, Mary
- Joint tenants with rights of survivorship; or

Example 2:

- Doe, John
- Doe, Jane
- Joint tenants with rights of survivorship.

(3) **How is joint tenancy with rights of survivorship shown on the certificate of ownership?** The certificate of ownership will be printed showing the abbreviation "JTWROS."

(~~4~~) ~~If one of the owners dies, what additional documentation does the department require to transfer the certificate of ownership into the name(s) of the surviving owner(s)?~~ The department requires a copy of the death certificate.)

AMENDATORY SECTION (Amending WSR 99-22-059, filed 11/1/99, effective 12/2/99)

WAC 308-93-400 Multiple security interests. (1) **Will the department issue a certificate of ownership indicating more than one security interest?** Yes, more than one security interest (~~se~~) may be shown on the certificate of ownership.

(2) **How are additional security interests shown on the certificate of ownership?** Additional security interests

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AMENDATORY SECTION (Amending WSR 99-22-059, filed 11/1/99, effective 12/2/99)

WAC 308-93-370 Format required for name and address—Names separated by the words "and," "or," or the slash symbol (/). (1) **Does the department use the words "and," "or," or the slash symbol (/) when recording multiple interests on a certificate of ownership?** The department no longer uses these designations when recording ownership interest. For those certificates of ownership which

are shown on the next name line, directly after the first security interest. Only the address of the first security interest (~~(shall be)~~) is shown on the certificate of ownership.

(3) **If the lien has been satisfied with one of the secured parties shown on a certificate of ownership, how is their interest released?** When the lien has been satisfied with one of the secured parties shown on a certificate of ownership, that secured party's interest (~~(shall)~~) will be released on the certificate of ownership or a department approved release of interest form. The remaining secured party(s) shall, within ten days of receiving the properly released certificate of ownership, apply for reissue of the certificate of ownership showing the remaining secured parties' name and address.

NEW SECTION

WAC 308-93-445 Personal property lien—Chattel, landlord. (1) **What is a chattel lien?** For the purposes of this section, a "chattel lien" means: A lien obtained by any person, firm or company who provides services or materials for a vessel at the owner's request, in the event of nonpayment by the owner. A person or firm that provides services or material for a vessel at the owner's request may obtain a lien on such vessel. In the event of nonpayment the lien may be foreclosed as provided by law.

(2) **What documentation does the department require to issue a certificate of ownership for a vessel obtained through the chattel lien process?** In addition to other documents required by law or rule, the department requires:

- (a) A completed affidavit of sale chattel/landlord lien form provided or approved by the department; or
- (b) A copy of a court order awarding the vessel to the claimant.

(3) **When is a court order required by the department to issue a certificate of ownership as a result of a chattel lien?** A court order is required when:

- (a) The vessel is no longer in the possession of the person/business who is claiming the chattel/landlord lien; or
- (b) Someone other than the owner of record requested the services; or
- (c) There is an existing lien holder on record; or

In order to remove an existing lien holder from the record, the court order must specifically authorize the removal of the lien. If it does not, the claimant may:

- (i) Negotiate with the lien holder to obtain either a release of interest or a new security agreement; or
- (ii) Petition either the court that issued the original order, or a higher court to have the matter of secured interest resolved; or
- (d) There is more than one lien claimed against the vessel.

In order to remove an existing lien holder from record, the court order must specifically authorize the removal of the lien. If it does not, the claimant may:

- (i) Negotiate with the lien holder to obtain either a release of interest or a new security agreement; or
- (ii) Petition either the court that issued the original order, or a higher court to have the matter of secured interest resolved.

(4) **What is a landlord lien?** For the purposes of vessel licensing and titling, a landlord lien is an encumbrance on a vessel as security for the payment of moneys owed for rent.

(5) **Can a landlord lien be attached to a vessel adrift?** Vessels adrift as defined in RCW 88.26.020 do not qualify for landlord liens.

(6) **Can a landlord lien be attached to a vessel moored in a private marina?** No, lien foreclosures are defined in RCW 60.10.020 and 61.10.023.

(7) **What documents does the department require to issue a certificate of ownership for a vessel obtained through the landlord lien procedure?** In addition to other documents required by law or rule the department requires:

- (a) A completed affidavit of sale chattel/landlord lien form provided or approved by the department; or
- (b) A copy of a court order awarding the vessel to the claimant:

In order to remove an existing lien holder from the record, the court order must specifically authorize the removal of the lien. If it does not, the claimant may:

- (i) Negotiate with a secured party to obtain either a release of interest or a new security agreement; or
- (ii) Petition the original court that issued the order, or higher court, to have the matter of secured interest resolved.

(8) **When does the department require a court order to issue a certificate of ownership as a result of a landlord lien?** A court order is required when:

- (a) The vessel is no longer in the possession of the person/business who is claiming the landlord lien; or
- (b) The vessel owner of record is someone other than the person owing for rent; or
- (c) There is an existing lien holder on record.

In order to remove an existing lien holder from the record, the court order must specifically authorize the removal of the lien. If it does not, the claimant may:

- (i) Negotiate with the lien holder to obtain either a release of interest or a new security agreement; or
- (ii) Petition either the court that issued the original order, or a higher court to have the matter of secured interest resolved.

- (d) There is more than one lien against the vessel.

In order to remove an existing lien holder from the record, the court order must specifically authorize the removal of the lien. If it does not, the claimant may:

- (i) Negotiate with the lien holder to obtain either a release of interest or a new security agreement; or
- (ii) Petition either the court that issued the original order, or a higher court to have the matter of secured interest resolved.

(9) **Why is a court order required for a landlord lien if there is a lien holder on the existing record?** In order to record a security interest on a Washington certificate of ownership, there must be a security agreement between the registered owner and the legal owner except for government liens as provided in law. The security agreement on record was not established between the legal owner and the new applicant.

AMENDATORY SECTION (Amending WSR 99-22-059, filed 11/1/99, effective 12/2/99)

WAC 308-93-490 Law enforcement sale. (1) ~~((What documentation will I receive if I purchase a vessel from law enforcement? You will receive:~~

(a) ~~A copy of the court order or a bill of sale from the selling law enforcement agency indicating the vessel was sold in accordance with chapter 63.32, 63.35 or 63.40 RCW; or~~

~~(b) A properly released certificate of ownership; or~~

~~(c) A notarized release of interest and affidavit in lieu of title.~~

(2)) What ownership documents does the department require to issue a certificate of ownership for a vessel, which has been purchased at a law enforcement sale? ((The department requires,)) In addition to other documents and fees required by chapters 46.01 and 88.02 RCW the department requires:

(a) The current certificate of ownership, if it is available; and

(b) A bill of sale from law enforcement to the purchaser stating that the vessel was sold in accordance with chapter 63.32, 63.35 or 63.40 RCW; or

(c) A copy of an order, describing the vessel, from any district or superior court of any county of this state authorizing law enforcement to sell the vessel.

((3)) (2) Does the sale of a vessel at a law enforcement sale remove any previous security interest? Yes, security interests are released upon the sale of a ((vehicle)) vessel at a law enforcement sale. No additional releases of interest are required from the secured party.

AMENDATORY SECTION (Amending WSR 99-22-059, filed 11/1/99, effective 12/2/99)

WAC 308-93-500 Name change. What documentation does the department require to change my name as shown on the certificate of ownership? In addition to other documents required by chapters 88.02 RCW and 308-93 WAC, the department requires:

(1) A copy of a court order from any district or superior court of this state authorizing the change of name if the name was changed by a court action; or

(2) An affidavit signed by you stating:

(a) Your previous and current names; and

(b) The reason for the name change; and

(c) That the purpose of the name change is not to defraud creditors.

(3) What documentation does the department require to change the name of a business or corporation as shown on the certificate of ownership?

(a) If two or more businesses merge and a new UBI number is created, applications for each vessel in the new company name and documentation substantiating the name change and/or merger. All certificates of ownership changing from the previous business name(s) to the new business are processed as transfers.

(b) If two or more businesses merge and one of the UBI numbers is retained for the new business, notarized signatures are required on the new application. The certificate of

ownership transactions for the business whose UBI number is retained will be processed as name change transactions; certificate of ownership transactions from the other business will be processed as transfers.

(c) If a business has changed names without a change in ownership, documentation such as a copy of the new business or corporate license must be submitted with the application for certificate of ownership and the existing ownership document or an affidavit in lieu. The certificate of ownership will be reissued in the new business name.

AMENDATORY SECTION (Amending WSR 99-22-059, filed 11/1/99, effective 12/2/99)

WAC 308-93-510 Transfer by court order. (1) **What does the department require if ownership of a vessel is awarded by court order?** In addition to other documents required by chapters 88.02 RCW and 308-93 WAC, for each of the specific situations the department requires the following:

(a) If the vessel is most recently titled in Washington, a copy of the ((Washington)) court order from any district or superior court of any county of this state ((court order)), or certification from the clerk of the court confirming the courts' action. The court order or certification from the clerk must describe the vessel and to whom the vessel is awarded((, provided the vessel is most recently titled in Washington)); or

(b) ((A copy of the foreign court order if a)) If the vessel for which ownership was most recently established, is in the same jurisdiction as the court action, a copy of the foreign court order is required. For example: A California court order and California vessel ownership documents; or

(c) ((The court order to be filed in accordance with RCW 6.36.025)) If the court order and vessel ((certificate of ownership)) for which ownership was most recently established are not from the same jurisdiction, the court order is required to be filed in accordance with RCW 6.36.025 prior to being submitted with the application for certificate of ownership((, or

(d) The applicant obtains a certificate of ownership in their name from a foreign jurisdiction)).

(2) **What information needs to be on the court order for the department to accept it?** The department requires the court order to contain, at a minimum:

(a) The name of the person to whom the property is awarded;

(b) A description of the vessel(s) awarded, including the hull identification number and/or Washington registration number, if available;

(c) Validation that the court order has been filed;

(d) An indication that the court order is the final judgment of the court in this matter; and

(e) A signature of an authorized representative of the court.

(3) **What does the department require if the court order does not describe the vessel by vessel identification number or Washington registration number?** The department requires a certified or notarized statement from the person awarded the vessel. The statement must describe the vessel in the court order by year, make, and hull identification number as a minimum.

(4) Does the department require all pages of the final court order? No, the department requires only copies of pages of the final court order containing:

(a) The information listed in subsection (2) of this section; and

(b) If the court order identifies any collateral agreements, those portions of the collateral agreement identifying the vessel and its disposition, the first page and the signature page of that collateral agreement; and

(c) The page of the order (~~(actually)~~) signed by the judge/commissioner.

~~((4))~~ **(5) Does the copy of the court order need to be certified?** The copy of the court order does not need to be certified.

~~((5) What does the department require if the court order does not describe the vessel by vessel identification number or Washington registration number? The department requires a certified or notarized statement from the person awarded the vessel. The statement shall describe the vessel in the court order by year, make and hull identification number as a minimum.)~~

~~(6) ((Does the court order allow))~~ **Will the department ((to)) remove the security interest recorded on the current certificate of ownership with a court order?** The department (~~(shall)~~) will:

(a) Remove the security interest if the court order specifically directs the department to do so.

(b) Not remove the security interest if not specified to do so in the court order (~~(-The new owner may:~~

~~(i) Negotiate with a secured party to obtain))~~ **unless the new owner has obtained** either a release of interest or a new security agreement(~~(;))~~ or

~~((;))~~ petition the original court that issued the order, or higher court, to have the matter of the secured interest resolved.

WSR 01-21-072
PERMANENT RULES
DEPARTMENT OF LICENSING

[Filed October 18, 2001, 9:33 a.m.]

Date of Adoption: October 18, 2001.

Purpose: Meet criteria supporting Governor Locke's Executive Order 97-02.

Citation of Existing Rules Affected by this Order: Amending WAC 308-93-010.

Statutory Authority for Adoption: RCW 88.02.070 and 88.02.100.

Adopted under notice filed as WSR 01-17-087 on August 17, 2001.

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.

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Effective Date of Rule: Thirty-one days after filing.

October 18, 2001

Fred Stephens

Director

AMENDATORY SECTION (Amending WSR 01-03-128, filed 1/23/01, effective 2/23/01)

WAC 308-93-010 Definitions. (~~Unless the context clearly indicates otherwise,)~~ The following definitions apply to the rules in this chapter:

(1) "Bare boat" means a vessel rented without a crew.

(2) "Carpenter certificate" means a certificate issued by a manufacturer describing the vessel and certifying the first conveyance of the vessel after its manufacture.

(3) "Certificate of ownership" means the ownership document issued by the department or other (~~(issuing)~~) jurisdiction, sometimes referred to as a title.

(4) "Charter vessel" means a vessel rented with a crew.

(5) "Commercial fishing vessel" means a vessel primarily used for commercial or charter fishing.

(6) "Conveyance" means transfer of title of a vessel from one person to another.

(7) "Declaration of value form" means the department of licensing form used to declare the value for purposes of assessing excise tax when a vessel is acquired by lease, trade, gift, is homemade, or the most recent purchase price is not known (~~(to declare the value for purposes of assessing excise tax)~~).

~~((7))~~ (8) "Director" means the director of the department of licensing.

~~((8))~~ (9) "Display permit" means the document issued by the department, its agents or subagents, for display on the vessel for which it was issued under the authority of WAC 308-93-055 or 308-93-056.

~~((9))~~ (10) "Docking hull" means vessels that are powered by one or more personal watercrafts and are designed for use with personal watercraft (~~(and are designed for use with personal watercraft)~~).

~~((10))~~ (11) "Documented vessel" means a vessel that is documented by the United States Coast Guard and is issued a valid marine certificate.

~~((11))~~ (12) "Exclusively" means solely and without exception.

~~((12))~~ (13) "Foreign vessel" means a vessel registered in accordance with the laws of another state or jurisdiction.

~~((13))~~ (14) "Houseboat" means any vessel as defined in RCW 88.02.010(1). For registration and certificate of ownership purposes, a houseboat does not include any building on a float used in whole or in part for human habitation as a single-family dwelling which is not powered by self propulsion by mechanical means or wind.

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~~((14))~~ (15) "Identification documents" means the registration receipt and display permit issued under the authority of WAC 308-93-055 or 308-93-056.

~~((15))~~ (16) "Issuing authority" means the Coast Guard where a number system has not been approved or it is a state or other jurisdiction that has a vessel identification numbering system approved by the Coast Guard ~~((or by the Coast Guard where a number system has not been approved))~~. (Also see definition for out of country vessel.)

~~((16))~~ (17) "Legal owner/secured party" means a person or business, or institution having a security interest in a vessel perfected in accordance with RCW 88.02.070.

~~((17))~~ (18) "Lifeboat" means watercraft used exclusively for lifesaving purposes.

~~((18))~~ (19) "Manufacturer's certificate of origin" (MCO) or "Manufacturer's statement of origin" (MSO) means a certificate issued by a manufacturer describing the vessel and certifying the first conveyance of the vessel after manufacture.

~~((19))~~ (20) "Out of country vessel" means a vessel registered or numbered by the laws of another country or has a valid United States Customs Service Cruising License.

~~((20))~~ (21) "Overall length" means a straight-line measurement of the overall distance from the foremost point of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bowsprits, bumpkins or boomkins, rudders, outboard motor brackets, outdrive units, propellers, and similar fittings or attachments are not included in the measurement.

~~((21))~~ (22) "Paperless title" means electronic ownership record.

~~((22))~~ (23) "Person" includes every natural person, firm, copartnership, corporation, association or organization.

~~((23))~~ (24) "Personal watercraft" for the purpose of this rule has the same meaning as in RCW 79A.60.010, such as jet ski or wet bike.

~~((24))~~ (25) "Primarily" means the principal purpose for which a vessel is used when considered in conjunction with all of its uses.

~~((25))~~ (26) "Principal use" means when a vessel is used on waters of this state for one hundred eighty-three days or more.

~~((26))~~ (27) "Propulsion machinery" means any device providing motion to a vessel through such means as combustion, steam, or electric machinery.

~~((27))~~ (28) "Release of interest" means the act of signing over any ownership in a vessel. A notarized or certified release of interest is also a document relinquishing interest in a vessel.

~~((28))~~ (29) "Renewal notice" and "special mailer" means the notice to renew a vessel registration mailed by the department to the owner.

~~((29))~~ (30) "Tender" means watercraft used exclusively to furnish transportation from a larger vessel to shore and return.

~~((30))~~ (31) "Time share charters" means leased vessels where none of the parties leasing the vessel under a "time share" option agreement is acquiring an equity in the vessel and there is no option to buy.

~~((31))~~ (32) "United States Customs Service Cruising License" means an annual certificate issued by U.S. Customs Service under 19 C.F.R. Sec. 4.94, which exempts pleasure boats from certain countries from formal entry and clearance procedures, from payment of tonnage tax and clearance fees at all but the first port of entry.

~~((32))~~ (33) "Use of waters" means to navigate, operate, employ, or moor any vessel upon the waters.

~~((33))~~ (34) "Valid marine document" means a document issued by the Coast Guard which declares it to be a United States documented vessel.

~~((34))~~ (35) "Vessel data form" means the form, approved by the department, completed by the applicant describing the vessel.

~~((35))~~ (36) "Waters of this state" means any waters within the territorial limits of this state as defined in U.S. Code: Title 43, Section 1312.

WSR 01-21-073

PERMANENT RULES

DEPARTMENT OF

SERVICES FOR THE BLIND

[Filed October 18, 2001, 11:58 a.m.]

Date of Adoption: October 1, 2001.

Purpose: In the event that the Department of Services for the Blind does not have sufficient vocational rehabilitation funds to serve all eligible participants, the federal Vocational Rehabilitation Act requires that a system be established for giving "the most severely disabled" eligible participants priority for services. The proposed rules would establish the state's definition of "the most severely disabled," as well as priority categories, and would provide a description of how order of selection would be implemented.

Statutory Authority for Adoption: Federal Regulatory Authority for Order of Selection Rehabilitation Act of 1973, as amended, Section 101 (a)(5). 34 Code of Federal Regulations Part 361 Sec. 361.36 Ability to serve all eligible individuals; order of selection for services. Regulatory Authority for Information and Referral Services Rehabilitation Act of 1973, as amended, Section 101 (a)(20) Information and Referral services. 34 Code of Federal Regulations Part 361 Sec. 361.37 Information and referral services. The Rehabilitation Act of 1973, As Amended, Title I - Vocational Rehabilitation Services, Part A - General Provisions, Section 100 - Declaration of Policy.

Adopted under notice filed as WSR 01-14-064 on July 2, 2001.

Changes Other than Editing from Proposed to Adopted Version: Added sentence on authority to revoke order of priority.

Number of Sections Adopted in Order to Comply with Federal Statute: New 3, 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.

October 16, 2001

Rebecca Jensen

Confidential Secretary

NEW SECTION

WAC 67-25-460 What if the department of services for the blind (DSB) vocational rehabilitation (VR) program does not have sufficient resources to serve all eligible individuals? (1) The purpose of an order of priority is to establish an equitable and organized system which, when resources are not sufficient to meet the demand for services, gives the first priority to those eligible VR participants who meet the definition of "most severely disabled," WAC 67-25-470(1).

(2) In the event that sufficient funds or other resources are not available to serve all VR eligible individuals, DSB will use a prioritized order, as established in subsection (3) of this section, for selection of individuals to develop and carry out an individualized plan for employment (IPE) supported by expenditure of VR funds.

(3) When the order of priority is in effect, eligible individuals will be assigned to one of two priority categories:

(a) First priority: New eligible participants who meet the definition of "most severely disabled."

(b) Second priority: New eligible participants who do not meet the definition of "most severely disabled."

(4) Eligible individuals can develop and carry out an IPE based on:

(a) The priority of the category to which they are assigned, and whether or not that category is open for development of new IPEs.

(b) And, the order in which they applied for DSB services as indicated by the date of application.

(5) Individuals who are receiving services under an IPE at the time an order of priority is implemented will continue to receive services as planned. They are not subject to the order of priority and are not a category within that order.

(6) The only services to individuals in a closed order of priority category will be information and referral services. These individuals will not receive counseling and guidance, assessment and training, placement, or other VR services until their category is reopened and they come off the waiting list.

NEW SECTION

WAC 67-25-470 How will DSB determine whether a person meets the definition of "most severely disabled"?

(1) Individuals who meet the definition of "most severely dis-

abled" are: Individuals who have three or more functional limitations (mobility, communication, self-care, self-direction, interpersonal skills, work tolerance; or work skills) related to employment and require services over an extended period of time.

(2) A DSB vocational counselor will gather the information needed to determine whether an eligible participant meets the definition of "most severely disabled." If assessment services are to be purchased, the counselor will provide the participant with information about the providers available, so that the individual can make an informed choice.

NEW SECTION

WAC 67-25-480 How will DSB implement an order of priority? (1) The director of the department of services for the blind will decide when to implement an order of priority, if necessary, and will determine which priority categories will be open or closed for the development of new IPEs. In the event that sufficient funds or other resources become available to serve all eligible individuals, the order of priority will be revoked by the director.

(2) Participants will be notified in writing of their category status when they are notified of their eligibility, as well as of the conditions pertaining to that category:

(a) Whether the category is open or closed.

(b) Their position on any existing waiting list.

(3) Participants will be placed in the highest priority category for which they are qualified. The date of application will be used whenever it is determined that a waiting list is required for a category.

(4) Participants will be notified of the right to appeal the category decision, and of their responsibility to notify the agency if their condition changes in a way that may affect their priority category placement.

(5) The order of priority will not affect the provision of services needed to determine eligibility WAC 67-25-015 through 67-25-110.

(6) Services being authorized or provided to any individual with an active IPE will not be disrupted as a result of the closing of a priority category.

(7) Comparable services and benefits will be applied, as appropriate, for participants with an IPE.

(8) Information and referral services will be provided to all eligible individuals affected by the closure of their priority category.

WSR 01-21-075

PERMANENT RULES

OFFICE OF THE

INSURANCE COMMISSIONER

[Insurance Commissioner Matter No. R 2001-03—Filed October 18, 2001, 2:35 p.m.]

Date of Adoption: October 18, 2001.

Purpose: The adopted rules clarify the filing requirements in WAC 284-07-130. The adopted rules address technical issues that arose after the enactment of RCW 48.05.073 and 48.43.097. The adopted rules harmonize the relationship

between those RCWs and WAC and the *NAIC Accounting Practices and Procedures Manual*.

Citation of Existing Rules Affected by this Order: Amending WAC 284-07-130.

Statutory Authority for Adoption: RCW 48.02.060, 48.05.073, 48.43.097, 48.44.050, 48.46.200.

Adopted under notice filed as WSR 01-11-167 on May 23, 2001.

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 1, 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: Thirty-one days after filing.

October 18, 2001

Mike Kreidler

Insurance Commissioner

AMENDATORY SECTION (Amending Order R 94-2, filed 1/27/94, effective 2/27/94)

WAC 284-07-130 Contents of annual audited financial report. (1) The annual audited financial report shall report the financial position of the insurer as of the end of the most recent calendar year and the results of its operations, cash flows, and changes in capital and surplus for the year then ended in conformity with statutory accounting practices prescribed, or otherwise permitted, by the commissioner.

(2) The annual audited financial report shall include the following:

- (a) Report of independent certified public accountant.
- (b) Balance sheet reporting admitted assets, liabilities, capital, and surplus.
- (c) Statement of operations.
- (d) Statement of cash flows.
- (e) Statement of changes in capital and surplus.
- (f) Notes to financial statements. These notes shall be those required by the appropriate NAIC Annual Statement Instructions and ~~((any other notes required by generally accepted accounting principles and))~~ *NAIC Accounting Practices and Procedures Manual*. The notes shall ~~((also))~~ include(=

(i)) a reconciliation of differences, if any, between the audited statutory financial statements and the annual statement filed pursuant to RCW 48.05.250, 48.05.073, 48.43.050, 48.43.097 48.44.095, or 48.46.080 with a written description of the nature of these differences.

~~((ii) A summary of ownership and relationships of the insurer and all affiliated companies.))~~

(g) The financial statements included in the audited financial report shall be prepared in a form and using language and groupings substantially the same as the relevant sections of the annual statement of the insurer filed with the commissioner, and the financial statements shall be comparative, presenting the amounts as of December 31. However, in the first year in which an insurer is required to file an audited financial report, the comparative data may be omitted.

WSR 01-21-077

PERMANENT RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Aging and Adult Services Administration)

[Filed October 18, 2001, 4:08 p.m.]

Date of Adoption: October 16, 2001.

Purpose: To update the Medicaid payment rates for the July 1, 2001, increases enacted by the legislature in ESSB 6153.

Citation of Existing Rules Affected by this Order: Amending WAC 308-105-0005.

Statutory Authority for Adoption: Section 206, chapter 7, Laws of 2001.

Adopted under notice filed as WSR 01-18-033 on August 28, 2001.

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 1, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

October 16, 2001

Brian H. Lindgren, Manager

Rules and Policies Assistance Unit

AMENDATORY SECTION (Amending WSR 01-14-056, filed 6/29/01, effective 7/30/01)

WAC 388-105-0005 What are the daily Medicaid payment rates for contracted adult family home (AFH), adult residential care (ARC), and enhanced adult residential care (EARC) services? For contracted AFH, ARC, and EARC services, the department pays the following daily rates for care of a Medicaid resident:

Four level payment system rates for AFHs, ARCs, & EARCs

Care Levels	Non-metropolitan	Metropolitan*	King Co.
Level 1	\$((42.4+)) 44.94	\$((41.19)) 43.68	\$((41.19)) 43.68
Level 2	\$((45.06)) 47.84	\$((47.24)) 50.05	\$((52.49)) 55.42
Level 3	\$((52.26)) 55.40	\$((54.64)) 57.80	\$((60.65)) 63.96
Level 4	\$((63.09)) 66.66	\$((66.89)) 70.52	\$((72.90)) 76.67

*Benton, Clark, Franklin, Island, Kitsap, Pierce, Snohomish, Spokane, Thurston, Whatcom, and Yakima Counties.

WSR 01-21-089
PERMANENT RULES
BENTON CLEAN
AIR AUTHORITY

[Filed October 22, 2001, 9:02 a.m.]

Date of Adoption: October 18, 2001.

Purpose: Establish fee schedule for Notice of Construction program; revise fee schedules for Asbestos and Source Registration programs; revise Article 5 to bring into compliance with state law; and general housekeeping throughout regulation.

Statutory Authority for Adoption: Chapter 70.94 RCW.

Adopted under notice filed as WSR 01-16-113 on August 15 [July 30], 2001.

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.

October 19, 2001

David A. Lauer

Control Officer

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 01-22 issue of the Register.

WSR 01-21-090
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed October 22, 2001, 9:18 a.m.]

Date of Adoption: October 14, 2001.

Purpose: Rearranges definitions into one section and puts them into plain English. Adds a definition that a public corporation formed under RCW 35.21.720 is an employer and may be admitted into PERS.

Citation of Existing Rules Affected by this Order: Repealing WAC 415-108-0101; and amending WAC 415-108-010.

Statutory Authority for Adoption: RCW 41.50.050(5).

Other Authority: RCW 35.21.730, 41.40.010(4), chapter 41.40 RCW.

Adopted under notice filed as WSR 01-17-016 on August 3, 2001.

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 11.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 1, 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 0.

Effective Date of Rule: Thirty-one days after filing.

October 14, 2001

John Charles

Director

AMENDATORY SECTION (Amending WSR 98-09-059, filed 4/17/98, effective 5/18/98)

WAC 415-108-010 Definitions in the public employees' retirement system. All definitions in RCW 41.40.010 apply to terms used in this chapter. Other terms relevant to the administration of chapter 41.40 RCW are defined in this chapter.

Annual leave means leave provided by an employer for the purpose of taking regularly scheduled work time off with pay. Annual leave does not usually include leave for illness, personal business if in addition to and different from vacation leave, or other paid time off from work. However, if an employer authorizes only one type of leave, covering paid leave for vacation, illness, and any other excused absence from work, such leave will be considered annual leave for purposes of RCW 41.50.150.

Level of union organization means a union or a lodge or division of a union.

Normally as used in the definition of eligible position under RCW 41.40.010 means a position is eligible if it is

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expected to require at least five months of seventy or more hours of compensated service each month during each of two consecutive years. Once a position is determined to be eligible, it will continue to be eligible if it requires at least five months of seventy or more hours of compensated service during at least one year in any two-year period.

Project position means a position, established by an employer, which has a specific goal and end date.

Public corporation means a public corporation created under RCW 35.21.730. A public corporation may be admitted as an "employer" under the definition in RCW 41.40.010(4).

Report means an employer's reporting of an employee's hours of service, compensation and contributions to the department on the monthly transmittal report.

Reportable compensation means compensation earned as that term is defined in RCW 41.40.010(8).

Retirement plan as used in RCW 41.40.023 and in this chapter, means any plan operated wholly or in part by the state or a political subdivision. This includes, but is not limited to:

- The retirement systems listed under RCW 41.50.030;
- The retirement systems of the cities of Seattle, Spokane and Tacoma; or
- Any higher education plan authorized under RCW 28B.10.400.

System acronyms used in this chapter are defined as follows:

- "PERS" means the public employees' retirement system.
- "TRS" means the teachers' retirement system.
- "SERS" means the school employees' retirement system.

Union means a labor guild, labor association, and/or labor organization.

Union employer means a union or a union lodge or other division of a union which has verified that it meets the definition of a Plan 1 employer in RCW 41.40.010.

Year means any twelve consecutive month period established and applied consistently by an employer to evaluate the eligibility of a specific position. The term may include, but is not limited to, a school year, calendar year or fiscal year.

Example: An employer has used the twelve consecutive month period from July 1 to June 30 to evaluate the eligibility of positions. When the employer hires a new employee to fill an existing position, the employer must continue to use the July 1 through June 30 period to define a year for the position.

Example: If the same employer in the above example hires a person to work in a project position beginning in November, the employer will use the twelve-month period beginning in November to evaluate the eligibility of the new position. The employer must consistently apply this twelve-month period to evaluate the eligibility of this position.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 415-108-0101	Level of union organization—Definition.
WAC 415-108-0102	Normally—Definition.
WAC 415-108-0103	Project position—Definition.
WAC 415-108-0104	Report—Definition.
WAC 415-108-0105	Retirement plan—Definition.
WAC 415-108-0106	Union—Definition.
WAC 415-108-0107	Union employer—Definition.
WAC 415-108-0108	Year—Definition.
WAC 415-108-0109	System acronyms—Definition.
WAC 415-108-0110	Reportable compensation—Definition.
WAC 415-108-0111	Annual leave—Definition.

**WSR 01-21-091
PERMANENT RULES
DEPARTMENT OF
RETIREMENT SYSTEMS**
[Filed October 22, 2001, 9:26 a.m.]

Date of Adoption: October 14, 2001.

Purpose: The department is amending the dependent care assistance salary reduction program (DCAP) rules. The department is repealing all existing DCAP rules (WAC 415-610-010 through 415-695-040), and replacing them with new rules in one chapter (chapter 415-600 WAC). The Department of Retirement Systems (DRS) is also putting the rules into plain English, and making some housekeeping changes such as changing the names of headings to make it easier to find information. No substantive changes are being made.

Citation of Existing Rules Affected by this Order: Repealing WAC 415-610-010 through 415-695-040.

Statutory Authority for Adoption: RCW 41.50.050(5), 41.04.600 through 41.04.645.

Other Authority: 26 U.S.C.

Adopted under notice filed as WSR 01-17-057 on August 14, 2001.

Changes Other than Editing from Proposed to Adopted Version: WAC 415-600-240 corrected as follows: "does not apply to relatives" moved from subsection (8) to subsection (9).

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.

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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 25, Amended 0, Repealed 40.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 25, Amended 0, Repealed 40.

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.

October 14, 2001

John Charles
Director

Chapter 415-600 WAC

DEPENDENT CARE ASSISTANCE SALARY REDUCTION PROGRAM OVERVIEW

NEW SECTION

WAC 415-600-010 Dependent care assistance salary reduction program established. Chapter 415-600 WAC covers the Washington state department of retirement systems (DRS) dependent care assistance salary reduction program (DCAP). The authority for DCAP is provided by RCW 41.04.600 through 41.04.645, and sections 125 and 129 of the Internal Revenue Code.

NEW SECTION

WAC 415-600-020 What is DCAP? The dependent care assistance salary reduction program (DCAP) allows you to set aside a "before tax" portion of your gross earnings to use for eligible dependent care expenses. DCAP reduces the amount of federal withholding and Social Security taxes (OASDI and Medicare or FICA) taken from each paycheck. Salary reduced under the program continues to be included as regular compensation for the purpose of computing state retirement benefits. The amount that may be reduced from your salary and excluded from your income is subject to annual fixed dollar and earned income limitations. When you incur eligible dependent care expenses you will be reimbursed from the amount set aside, consistent with these rules. If any portion of the amount set aside is not used by the end of the plan year, the unused amount will be forfeited.

NEW SECTION

WAC 415-600-030 DCAP is a separate program. The provisions in chapter 415-600 WAC apply only to the dependent care assistance salary reduction program and not to any other program that the department of retirement systems administers.

NEW SECTION

WAC 415-600-040 Interpretation of DCAP. The dependent care assistance salary reduction program is

intended to qualify as a dependent care assistance salary reduction program under sections 125 and 129 of the Internal Revenue Code (IRC) and is to be interpreted in a manner consistent with the requirements of those sections. In case of a discrepancy between the sections in this chapter and the IRC, the IRC takes precedence.

DEFINITIONS

NEW SECTION

WAC 415-600-110 Definitions used in DCAP. (1) **Dependent care account** means a bookkeeping account containing the salary reduction amounts attributable to a participant, less reimbursement for the participant's dependent care expenses.

(2) **Dependent care expenses** means amounts paid for services which, if paid by the employee, would be considered employment related expenses under Internal Revenue Code Section 21 (b)(2) and WAC 415-600-310.

(3) **Eligible employee** means state of Washington employees, officers, and elected officials.

(4) **Employer** means the state of Washington.

(5) **Incurred expenses** means expenses for services that have already been provided.

(6) **Internal Revenue Code (IRC)** means Title 26 of the United States Code (U.S.C.). Reference to a specific provision of the code includes such provision, any associated regulations, and any comparable provision of future legislation that amends, supplements, or supersedes such provision. Copies of the applicable IRC sections are available in law libraries and from the department of retirement systems (DRS). You can also obtain them by searching United States government references on the Internet.

(7) **Participant** means an eligible employee who has submitted a DCAP salary reduction agreement that is approved by DRS.

(8) **Program** means this dependent care assistance salary reduction program (DCAP).

(9) **Plan year** means January 1 through December 31.

(10) **Qualifying person** means:

(a) A dependent of the participant who is twelve years old or younger, for whom the participant is entitled to a deduction under IRC Section 151(c); or

(b) A dependent or spouse of the participant who is mentally or physically incapable of self-care; or

(c) A child of a divorced or separated participant, who is twelve years old or younger, if the participant has custody of the child, even if the participant has released an exemption under IRC Section 152 (e)(2).

PARTICIPATION AND TERMINATION

NEW SECTION

WAC 415-600-210 How do I enroll in DCAP? (1) You enroll in the dependent care salary reduction assistance program (DCAP) by submitting a completed salary reduction agreement (SRA) form to the department of retirement systems (DRS).

(2) SRA forms are available through DRS or its web site at <http://www.wa.gov/drs/forms/>.

(3) You may enroll in DCAP:

- (a) During the open-enrollment period;
- (b) Within sixty days of becoming an eligible employee;

or

(c) At any time you have a qualifying change in status as set forth in WAC 415-600-240.

(4) The open enrollment period is the month of November for the following plan year.

(5) The enrollment process is complete on the date DRS approves your completed SRA.

NEW SECTION

WAC 415-600-220 What is a salary reduction agreement? (1) The salary reduction agreement (SRA) is a contract between you and your employer in which you agree to place a specified amount of future wages into a dependent care account.

(2) The agreement must contain:

- (a) Your Social Security number;
- (b) The names and birth dates of the dependents you will cover with DCAP; and
- (c) Medical, family and other information DRS needs to administer DCAP.

Except as provided in WAC 415-600-230, an SRA agreement cannot be changed.

NEW SECTION

WAC 415-600-230 May I change the terms of my SRA during the plan year? The salary reduction agreement (SRA) cannot be changed during the plan year unless you have a qualifying change in status as defined in WAC 415-600-240. If you have experienced a qualifying change in status and need to change or revoke your SRA, you must fill out a new SRA form and submit it to DRS. Such changes require approval by DRS. An explanation of the requested change may be required.

NEW SECTION

WAC 415-600-240 What is a qualifying change in status? The following are changes in status for purposes of DCAP:

- (1) Marriage;
- (2) Divorce or legal separation;
- (3) Death of a spouse or dependent;
- (4) Addition of a dependent to the eligible employee's household, such as the birth or adoption of a child;
- (5) Termination of spouse's employment;
- (6) Employment of an unemployed spouse;
- (7) A change in the work hours of the eligible employee or spouse that significantly alters the need for dependent care;
- (8) A change in dependent care provider;
- (9) A change in dependent care provider cost (does not apply to relatives); or
- (10) No longer use dependent care services.

NEW SECTION

WAC 415-600-250 How much may I set aside in my dependent care account each plan year? (1) The maximum amount that you may set aside during a plan year is:

(a) Two thousand five hundred dollars, if you are married and filing separately; or

(b) Five thousand dollars, otherwise. However, the total set aside by you and your spouse may not exceed five thousand dollars.

(2) If you are not married, the amount set aside may not exceed your earned income.

(3) If you are married, the amount set aside may not exceed the lesser of your earned income or your spouse's earned income.

NEW SECTION

WAC 415-600-260 What is "earned income" for purposes of DCAP? (1) Except as set forth in subsection (2) of this section, earned income for DCAP purposes includes wages, salaries, tips and other employee compensation, plus the amount of the taxpayer's net earnings from self-employment for the taxable year.

(2) If your spouse is either a full-time student or physically or mentally incapable of self-care, your spouse's earned income is deemed to be:

(a) Two hundred dollars per month, if you have one qualifying person for whom care is provided; or

(b) Four hundred dollars per month, if you have two or more qualifying persons for whom care is provided.

NEW SECTION

WAC 415-600-270 May DRS limit the maximum salary reduction for highly compensated employees? (1) DRS may decrease the salary reduction amount of certain participants to the extent necessary to ensure that the program does not discriminate in favor of "highly compensated employees." "Highly compensated employees" are determined by the nondiscrimination test in Internal Revenue Code sections 125 and 129 and any other applicable provisions of law.

(2) The amounts set aside by highly compensated employees who are subject to the particular nondiscrimination requirement shall be decreased pro rata.

NEW SECTION

WAC 415-600-280 How will DRS process my salary reduction? The salary reduction will be taken in equal amounts for each pay period during that portion of the plan year in which you participate.

NEW SECTION

WAC 415-600-290 When does my participation in DCAP terminate? (1) Your participation in DCAP terminates on:

(a) December 31 of the plan year, unless you reenroll during the open-enrollment period;

- (b) The date you refuse a request for updated information, as set forth in subsection (2) of this section;
- (c) The date the program is terminated by state or federal action; or
- (d) The date you revoke your salary reduction agreement under WAC 415-600-230.

(2) You shall be deemed to have refused a request for updated information thirty days after a letter requesting such information is mailed to you by certified mail, return receipt requested. The letter must notify you of the consequences of a failure to provide such information.

DEPENDENT CARE EXPENSES

NEW SECTION

WAC 415-600-310 Do my expenses qualify for DCAP reimbursement? (1) You may be reimbursed for dependent care expenses for the well-being and protection of a qualifying person, provided that the expenses are incurred to enable you and your spouse to be gainfully employed.

(a) Only expenses incurred on days you work may be reimbursed.

(b) If you are married, only expenses incurred on days you and your spouse both work may be reimbursed, provided that:

(i) If your spouse is a full-time student, expenses incurred on days you work and your spouse attends school may be reimbursed.

(ii) If your spouse is physically or mentally incapable of self-care, expenses incurred on days you work may be reimbursed.

(2) You may be reimbursed only for expenses incurred during the plan year for which you are enrolled. If you enroll after January 1 of the plan year, you may be reimbursed only for expenses incurred from the date DRS approves your salary reduction agreement.

(3) Only the cost of care may be reimbursed. The following expenses may be reimbursed, subject to the limitations stated in subsection (4) of this section.

(a) Expenses for care of a qualifying person in the participant's home, including feeding, administration of medicine, general supervision, and incidental household services; and

(b) Expenses for care of the following qualifying persons outside the participant's home:

(i) A dependent of the participant, age twelve or younger, with respect to whom the participant is entitled to a federal tax deduction.

(ii) Any other qualifying person who regularly spends eight hours or more per day in the participant's home.

(4) The following limitations apply to the reimbursement of expenses:

(a) Expenses for food, clothing, and entertainment are reimbursable ONLY IF these expenses cannot be separated from the cost of care.

(b) Expenses for care in a dependent care center (as defined in Internal Revenue Code (IRC) Section 21(b)) are reimbursable ONLY IF the facility complies with all federal, state, and local laws and regulations.

(c) Expenses for schooling are reimbursable ONLY IF:

- (i) The schooling is at a prekindergarten level; and
- (ii) The expenses cannot reasonably be separated from the cost of care.

(d) Payments to a person for whom you or your spouse may claim a dependency exemption for federal income tax purposes are not reimbursable.

(e) Payments to a nondependent child, as defined in IRC Section 151 (c)(3), are not reimbursable unless the child will be age nineteen or older by December 31 of the plan year.

(f) Summer camp expenses, when the child stays overnight, are not reimbursable.

(g) Amounts paid by an employer of your spouse or by an educational institution where your spouse is enrolled as a student are not reimbursable.

REIMBURSEMENT OF DEPENDENT CARE EXPENSES

NEW SECTION

WAC 415-600-410 How do I request reimbursement for DCAP expenses? (1) You must use the DRS reimbursement claim forms to submit claims for dependent care expenses.

(2) DRS will mail a supply of reimbursement claim forms to you upon confirmation of your enrollment. You can obtain additional forms by phone or on the DRS website, at <http://www.wa.gov/drs/forms/>.

(3) You may submit reimbursement claim forms as often as you wish.

(4) The reimbursement claim form must be completed, signed, and accompanied by bills, invoices, receipts, or a statement signed by the provider. The department cannot accept canceled checks or credit card statements as verification. All documentation must show the amounts of dependent care expenses and periods of service for which you seek reimbursement.

(5) DRS must receive claims for expenses incurred during a given plan year on or before March 31 of the following year.

NEW SECTION

WAC 415-600-420 How does DRS process DCAP reimbursement claims? (1) DRS reviews DCAP claims each week during the plan year.

(2) If funds are available in your dependent care account at the time the claim is reviewed, DRS will reimburse your claim.

(3) If funds are not available at the time your claim is reviewed, DRS will reimburse your claim when money becomes available in your dependent care account. You do not need to resubmit your claim.

(4) You will not be reimbursed for claims that exceed the amount that you set aside for the plan year. You may not resubmit these claims in subsequent plan years.

(5) Unpaid expenses are never your employer's responsibility.

NEW SECTION

WAC 415-600-430 How will I know how much money is available in my dependent care account? (1) DRS will send you a quarterly statement showing your account activities and balance for the quarter.

(2) Shortly after March 31 following the close of a plan year, DRS will send you a written statement showing the reductions from salary and amounts reimbursed through the end of the plan year.

NEW SECTION

WAC 415-600-440 What happens to the balance of my DCAP account at the end of the plan year? If funds remain in your dependent care account after all timely claims for the plan year have been reimbursed, you will forfeit these funds. Unused funds cannot be carried forward to your dependent care account for the subsequent plan year.

NEW SECTION

WAC 415-600-450 What happens to the money in my dependent care account if I terminate employment? You may be reimbursed for dependent care expenses incurred during the remainder of the plan year to the extent you have money in your dependent care account. In the event of death, your personal representative may submit claims on your behalf.

DCAP ADMINISTRATIONNEW SECTION

WAC 415-600-510 DCAP administration. (1) **Administered by department:** The department of retirement systems (DRS) shall administer DCAP.

(2) **Delegation of authority:** DRS may delegate functions to be performed under this program to any designee with legal authority to perform such functions.

(3) **Reliance upon documents:** DRS and the employer may rely upon any document believed by them to be valid.

(4) **Reliance on information:** In administering the program, DRS may rely conclusively on all tables, valuations, certificates, opinions, and reports which are provided by its accountants, counsel, and other professionals.

(5) **Binding nature of decisions:** The DCAP program administrator is authorized to decide any matters concerning your rights under DCAP. Such decision shall be binding. If you disagree with the decision, you may write to the DRS director for consideration.

(6) **Program amendments:** DRS may amend DCAP at any time if the amendment does not affect the rights of the participants to receive eligible reimbursement.

(7) **Communication:** DRS will provide reasonable notification of the availability and terms of the program to eligible employees.

(8) **Program document:** The DCAP program document consists of chapter 415-600 WAC and RCW 41.04.600 through 41.04.645.

NEW SECTION

WAC 415-600-520 What are the limits on my rights under DCAP? (1) You have no claim to any asset of your employer, except as expressly provided by DCAP.

(2) The establishment of any administrative practice shall not vest you with any right not expressly provided by DCAP.

MISCELLANEOUSNEW SECTION

WAC 415-600-610 Can my rights be assigned or attached? Your right to receive any reimbursement cannot be assigned or attached.

NEW SECTION

WAC 415-600-620 Who is responsible for determining my tax liability? You are solely responsible for determining your tax liability under DCAP.

NEW SECTION

WAC 415-600-630 What if I receive more reimbursement than I should? If you receive money from DCAP that is not eligible for reimbursement of dependent care expenses as defined in WAC 415-600-110(2), you must indemnify the employer as follows. You shall pay the employer the amount of federal income tax and Social Security tax that the employer would otherwise have withheld and paid on the money as regular compensation.

WSR 01-21-136
PERMANENT RULES
DEPARTMENT OF HEALTH
 [Filed October 24, 2001, 10:30 a.m.]

Date of Adoption: October 23, 2001.

Purpose: To implement the provisions of 2000 legislation (chapter 93, Laws of 2000). The proposed rules will mandate and define continuing education requirements for licensed respiratory care practitioners.

Statutory Authority for Adoption: RCW 18.89.050(1).

Other Authority: RCW 18.89.140.

Adopted under notice filed as WSR 01-13-117 on June 20, 2001.

Changes Other than Editing from Proposed to Adopted Version: Effective date of the rules is amended to October 2003. New section WAC 246-928-442 Acceptable continuing education, clarified subsection (1)(d) to include initial and renewal certification courses; subsection (1)(e) to include the word "any" accredited college; and subsection (1)(g) clarified passing the National Board for Respiratory Care's self-assessment competency examination with a minimum score of seventy-five. Three hours of continuing education may be applied for successful completion of this examination.

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 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 4, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

October 23, 2001

M. C. Selecky

Secretary

NEW SECTION

WAC 246-928-440 Continuing education requirements. Purposes. The ultimate aim of continuing education is to ensure the highest quality of professional work. Continuing education consists of educational activities designed to review existing concepts and techniques and to convey information and knowledge about advances in respiratory care as applied to the work settings. The objectives are to improve and increase the ability of the respiratory care practitioner to deliver the highest possible quality of respiratory care work and to keep the professional respiratory care practitioner abreast of current developments in a rapidly changing field. All respiratory care practitioners licensed under chapter 18.89 RCW will be required to meet the continuing education requirements set forth in these rules as a prerequisite to license renewal.

NEW SECTION

WAC 246-928-441 Implementation. (1) This rule explains implementation process, the number of hours that are required, the type of continuing education approved by the secretary, how to demonstrate compliance of continuing education to the department, and the auditing of continuing education requirements.

(2) Effective October 2003, renewal of any current license or reinstatement of any license lapsed or on disciplinary status shall require evidence of completion of continuing education which meets the requirements of subsection (3) of this section.

(3) Requirements. RCW 18.89.140 requires that all licensed respiratory care practitioners seeking to renew their license shall acquire thirty credit hours of continuing respiratory care education every two years as required in chapter 246-12 WAC, Part 7.

NEW SECTION

WAC 246-928-442 Acceptable continuing education. (1) Continuing respiratory care education must be a mini-

imum of ten hours of continuing respiratory care education approved by the American Association for Respiratory Care. The remaining twenty hours of continuing respiratory care education may be in any of the following:

(a) Additional courses approved by the American Association for Respiratory Care.

(b) Category I level formal in-service approved by the American Association for Respiratory Care.

(c) Courses in respiratory care approved by the American Medical Association, the American Osteopathic Association and the American Nurses Association.

(d) Initial and renewal certification courses in Advanced Cardiac Life Support, Pediatric Advanced Life Support and Neonatal Resuscitation Program.

(e) Courses in respiratory care at any accredited college.

(f) Self-study courses in respiratory care.

(g) Passing the National Board for Respiratory Care's self-assessment competency examination with a minimum score of 75. Three hours of continuing education may be applied for successful completion of this examination.

(h) Educational offerings in respiratory care which include learning objectives provided by hospitals or health organizations.

(i) Educational offerings in respiratory care which include learning objectives, where the licensee serves as the instructor subject to the limitation described in subsection (3) of this section.

(2) Documentation. Licensees are responsible for acquiring and maintaining all acceptable documentation of their continuing education activities. Acceptable documentation shall include transcripts, letters from course instructors, or certificates of completion or other formal certifications provided by hospitals, course instructors, and health organizations, as required in chapter 246-12 WAC, Part 7. In all cases other than transcripts, the documentation must show the participant's name, activity title, number of continuing education credit hours, date(s) of activity, instructor's name(s) and degree and the signature of the verifying individual program sponsor.

(3) The licensee who prepares and presents lectures or education courses that contributes to the professional competence of a licensed respiratory care practitioner may accumulate the same number of hours obtained for continuing education purposes by attendees as determined in WAC 246-12-220. The hours for presenting a specific topic lecture or education may only be used for continuing education credit once during each renewal period.

NEW SECTION

WAC 246-928-443 Verification of continuing education. (1) The licensee shall:

(a) Verify on renewal forms provided by the department, that the minimum continuing education has been completed within the two-year renewal cycle prior to the licensee's renewal date; and

(b) Keep records for four years as required in chapter 246-12 WAC, Part 7.

(2) Audits. The department may conduct random compliance audits of continuing education records, as described in chapter 246-12 WAC, Part 7.

(3) Exemptions. In certain emergency situations, the department may excuse all or part of the continuing education requirement as described in chapter 246-12 WAC, Part 7. The department may require verification of the emergency.

WSR 01-21-137

PERMANENT RULES

DEPARTMENT OF HEALTH

[Filed October 24, 2001, 10:31 a.m.]

Date of Adoption: September 28, 2001.

Purpose: The purpose of this rule is to establish the provisions of DWSRF financial assistance to public water systems in the state of Washington for infrastructure costs and capacity building efforts.

Statutory Authority for Adoption: RCW 70.119A.170.

Adopted under notice filed as WSR 01-14-092 on July 5, 2001.

Changes Other than Editing from Proposed to Adopted Version: Two new project-related costs have been added for retroactive financing eligibility in WAC 246-296 [246-296-070] (2)(c) expanding the number of systems eligible for assistance from the DWSRF. The two new eligible costs are for treatment of confirmed GWI sources and projects required by EPA order.

Number of Sections Adopted in Order to Comply with Federal Statute: New 19, Amended 0, Repealed 0; **Federal Rules or Standards:** New 0, Amended 0, Repealed 0; or **Recently Enacted State Statutes:** New 19, 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 19, Amended 0, Repealed 0.

Effective Date of Rule: Thirty-one days after filing.

October 16, 2001

M. C. Selecky

Secretary, DOH

John LaRocque

Interim Executive Director, PWB

Chapter 246-296 WAC

DRINKING WATER STATE REVOLVING FUND LOAN PROGRAM

NEW SECTION

WAC 246-296-010 Purpose and scope. The purpose of this chapter is to:

(1) Define regulatory requirements for the provision of financial assistance to public water systems provided by the drinking water state revolving fund (DWSRF);

(2) Ensure the state's public drinking water supplies are safe and reliable;

(3) Ensure funding is available to eligible public water systems to finance infrastructure costs associated with providing safe and reliable drinking water;

(4) Ensure the department of health utilizes a portion of the capitalization grant for set-aside activities in accordance with the federal rule;

(5) Ensure public water systems receiving funding are properly operated, managed, and maintained consistent with DWSRF capacity requirements;

(6) Ensure permanent institutions exist to manage funds for public water system needs; and

(7) Define the responsibilities of the department of health (DOH); the public works board (board); and the board's agent, the department of community, trade and economic development (CTED) for administering the DWSRF loan program.

NEW SECTION

WAC 246-296-020 Definitions. "Act" means the Federal Safe Drinking Water Act (SDWA).

"Application" means a DWSRF loan application submitted to DOH for DWSRF assistance.

"Application package" means DWSRF loan application form(s), requirements, terms of assistance, and related information jointly developed and published by DOH, the board, and the board's agent, CTED.

"Binding commitment" means a legal obligation by the state to an assistance recipient that defines the terms and the timing for assistance under this chapter.

"Board" means the state of Washington public works board.

"Borrower" means the entity or individual that has the legal and financial responsibility for the loan.

"Certification/certify" means documentation signed by the loan recipient that specific requirements or standards have been or will be met.

"Change orders" means a formal document that alters specific conditions of the original construction contract document including a change in the scope of work, contract price, construction methods, construction schedule, change in location, size, capacity, or quality of major equipment.

"Community water system" means any Group A public water system that regularly serves fifteen or more year-round residential connections, or twenty-five or more year-round residents for one hundred eighty or more days per year.

"Construction documents" means construction documents developed and approved under WAC 246-290-120.

"Construction completion report" means a form provided by DOH to the applicant required to be completed for each specific construction project to document project construction in accordance with chapter 246-290 WAC and general standards of engineering practice. The completed form must be stamped with an engineer's seal, signed, and dated by a professional engineer.

"Cross-cutting authorities" means federal or state laws and authorities that apply to projects or activities receiving federal or state assistance.

"CTED" means the department of community, trade and economic development.

"Debt obligation" means a legal obligation or liability to pay something to someone else.

"Default" means failure to meet a financial obligation such as a loan payment.

"Disadvantaged community" means the service area of a public water system where at least fifty-one percent of the customers are at or below eighty percent of the county median household income as defined annually by the Federal Department of Housing and Urban Development.

"Distressed county" means a county that is designated by the Washington state employment security department as distressed.

"DOH" means the department of health.

"Drinking water state revolving fund (DWSRF)" means the program established to administer the federal funds and other funds deposited in the account authorized to finance water system infrastructure, drinking water program activities, and to meet the applicable requirements of RCW 70.119A.170.

"Eligible system" means Group A community water systems, both privately and publicly owned, and nonprofit Group A noncommunity water systems.

"EPA" means the United States Environmental Protection Agency.

"Group A system" means a public water system that regularly serves fifteen or more residential connections, or twenty-five or more people per day for sixty or more days per year.

"Group B system" means a public water system that serves less than fifteen residential connections and less than twenty-five people per day, or serves twenty-five or more people per day for sixty or fewer days per year.

"Individual water supply system" means any water system that is not subject to the state board of health drinking water regulations, chapter 246-290 WAC; or chapter 246-291 WAC, providing water to one single-family residence, or four or fewer connections all of which serve residences on the same farm.

"Intended use plan (IUP)" means the federally required document prepared each year by the state which identifies the intended uses of the funds in the DWSRF and describes how those uses support the goals of the DWSRF.

"HUD" means the United States Department of Housing and Urban Development.

"Loan" means an agreement between the DWSRF and the assistance recipient through which the DWSRF provides

funds for eligible assistance and the recipient agrees to repay the principle sum to the DWSRF.

"Multiple benefit" means project improvements that address more than one type of health risk.

"Noncommunity water system" means a Group A public water system that is not a community water system.

"Nonprofit organization" means a system that has a federal tax exempt status identification number.

"Nontransient noncommunity system" means a Group A noncommunity water system that serves twenty-five or more of the same people per day for one hundred eighty or more days per year.

"Owner" means any agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, person, or any other entity that holds as property a public water system.

"Project report" means a project report developed and approved under chapter 246-290 WAC.

"Public water system" means any system, providing water for human consumption through pipes or other constructed conveyances excluding systems serving only one single-family residence and systems with four or fewer connections all of which serve residences on the same farm.

"Purveyor" means an agency, subdivision of the state, municipal corporation, firm, company, mutual or cooperative association, institution, partnership, or person, or other entity owning or operating a public water system. Purveyor also means the authorized agents of such entities.

"Regional benefit" means project improvements that affect more than one public water system.

"Restructuring" means changing system operation, management and/or ownership, including, but not limited to:

- (1) Mergers;
- (2) Voluntary transfer of ownership; or
- (3) Receivership (involuntary transfer of operation and/or ownership).

"Safe Drinking Water Act (SDWA)" means the Federal Safe Drinking Water Act, including all amendments.

"Satellite management agency (SMA)" means a person or entity that is approved by the department of health to own or operate public water systems on a regional or county-wide basis, without the necessity for a physical connection between such systems. SMA's are regulated under chapter 246-295 WAC.

"Set-aside" means the use of a portion of DWSRF funds allotted to the state for a range of specific SDWA-related activities as authorized in Section 1452 of the SDWA, to fund new programs, and other drinking water program activities.

"Significant noncomplier (SNC)" means a water system that is violating or has violated department rules and the violations may create or have created an imminent or a significant risk to human health.

"Small water system management program (SWSMP)" means a small water system management program developed and approved under WAC 246-290-105.

"State environmental review process (SERP)" means the environmental review process conducted on all DWSRF projects that ensures compliance with state and federal environmental review through a National Environmental Policy Act (NEPA)-like process.

"**State match**" means funds equaling at least twenty percent of the amount of the federal capitalization grants the state must deposit into the DWSRF loan fund including the necessary match for set-asides.

"**Surface water**" means a body of water open to the atmosphere and subject to surface runoff.

"**System capacity**" means the system's operational, technical, managerial and financial capability to achieve and maintain compliance with all relevant local, state, and federal plans and regulations.

"**Transfer of ownership**" means to convey ownership of a water system from one person or entity to another.

"**Transient noncommunity system**" means a Group A noncommunity water system that serves:

(1) Twenty-five or more different people per day during sixty or more days per year;

(2) Twenty-five or more of the same people per day for less than one hundred eighty days per year and during more than fifty-nine days per year; or

(3) One thousand or more people for two or more consecutive days.

"**Water facilities inventory form (WFI)**" means the DOH form summarizing each public water system's characteristics.

"**Water right**" means a permit, claim, or other authorization, on record with or accepted by the department of ecology, authorizing the beneficial use of water in accordance with all applicable state laws.

"**Water system plan (WSP)**" means a water system plan developed and approved under WAC 246-290-100.

NEW SECTION

WAC 246-296-030 Administration. (1) DOH, the board, and CTED jointly administer the DWSRF.

(2) DOH is responsible for:

(a) Administering the federal DWSRF;

(b) Determining and managing use of DWSRF set-aside funds for drinking water program regulatory and technical assistance purposes as authorized under the SDWA; and

(c) Developing prioritized lists of projects for DWSRF financial assistance.

(3) The board is responsible for the final selection of projects to receive DWSRF financial assistance.

(4) CTED, the board's administrative agent, is responsible for managing DWSRF project loans.

NEW SECTION

WAC 246-296-040 Use of funds. The DWSRF may be used for the following purposes:

(1) To accept and retain funds from capitalization grants provided by the federal government, state matching funds appropriated in accordance with RCW 70.119A.170, payments of principal and interest, fees, and any other funds earned and deposited;

(2) To finance loans for the planning, design, and/or construction costs of water system infrastructure needed to facilitate compliance with the federal, state, and local drinking water standards;

(3) To finance the reasonable costs incurred by DOH, the board and CTED in the administration of the program; or

(4) To fund set-aside activities authorized in categories (b) through (e) of Section 35.3535 of the SDWA including (b) program administration and technical assistance, (c) small systems technical assistance, (d) state program management, and (e) local assistance and other state programs.

NEW SECTION

WAC 246-296-050 Establishing terms of assistance. DWSRF loans shall be provided at or below market rate interest levels. Loans may be made for the useful life of the improvement or for a maximum of twenty years. The assistance recipient shall begin repayment of the principal and interest no later than one year after project completion. A project is complete when operations are initiated or are capable of being initiated. Disadvantaged communities may receive a loan for up to thirty years at an interest rate established at or below market interest rates as long as the loan does not exceed the useful life of the project. The board is responsible for establishing terms that secure the debt and maintain a financially sound revolving loan fund in perpetuity. Specific rates and contract terms shall be published in the annual application package.

NEW SECTION

WAC 246-296-060 Establishing loan fee, loan fee account, and loan fee uses. The board shall establish the terms of a loan fee and assess the fee to each project loan. The loan fee amount is to be established on an annual basis to ensure adequate funding is available to maintain administration of the DWSRF in perpetuity. The loan fee is eligible to be covered by the loan. The amount of the loan fee shall be published in the annual application package. Loan fees shall be deposited into and retained in a dedicated loan fee account and shall only be used for program administration activities unless the board and DOH jointly determine that the loan fee account balance exceeds program administration needs, then a portion of or all of the funds may be transferred to the project loan account to be used for project loans. Information on the loan fee account, including the current fee and account balance, shall be included in the intended use plan. The board and DOH are responsible for jointly determining the amount of the loan fee account funds to be used for current and future program administration.

NEW SECTION

WAC 246-296-070 Projects and project-related costs eligible for assistance from the fund. (1) Projects and project-related costs eligible for assistance from the DWSRF program include those that:

(a) Address violation of applicable federal, state, and local drinking water standards;

(b) Prevent future violations of applicable federal, state, and local drinking water standards; or

(c) Replace aging infrastructure if needed to maintain compliance or further public health protection goals of applicable federal, state, and local drinking water standards;

(2) Specific projects and project-related costs eligible for assistance include those that:

- (a) Are treatment, transmission, distribution, source, or storage projects;
- (b) Consolidate water supplies;
- (c) Retroactively finance municipal projects that are for treatment of surface water, GWI (ground water under the influence of surface water), volatile organic chemicals, inorganic chemicals, or are projects that are required by department or EPA order;
- (d) Acquire real property if it is integral to a project to meet or maintain compliance or further public health protection and the property is being acquired from a willing seller;
- (e) Finance planning or design costs directly related to DWSRF eligible projects;
- (f) Finance costs incurred by publicly owned systems associated with restructuring of systems;
- (g) Acquire, build, or rehabilitate reservoirs, including clear wells, that are part of the treatment process and located on the property where the treatment facility is located; or
- (h) Acquire, build, or rehabilitate distribution reservoirs.

NEW SECTION

WAC 246-296-080 Projects and costs not eligible for assistance from the fund. Projects and project-related costs that are not eligible for assistance from the DWSRF program include:

- (1) Acquisition, construction, or rehabilitation of dams or raw water reservoirs;
- (2) Acquisition of water rights, except if the water rights are owned by a system that is being acquired through consolidation;
- (3) Laboratory fees for monitoring;
- (4) Operation and maintenance expenses;
- (5) Projects needed primarily for fire protection;
- (6) Projects needed primarily to serve future population growth;
- (7) Costs incurred by privately owned systems associated with restructuring systems;
- (8) Projects that have received assistance from the national set-aside for Indian tribes and Alaska native villages under Section 1452(i) of the SDWA;
- (9) Projects for an individual water supply system or a Group B system unless the system is being consolidated into a Group A system. Consolidation may be accomplished by extending a water line from an existing Group A system or by creating a new Group A system under WAC 246-296-120; or
- (10) Projects that are solely for the purpose of installing service meters.

NEW SECTION

WAC 246-296-090 Water system eligibility requirements. (1) Systems eligible for assistance from the fund include:

- (a) Publicly and privately owned community water systems, excluding those systems not eligible for assistance from the fund under WAC 246-296-100; and
- (b) Noncommunity public water systems owned by a nonprofit organization.

(2) Systems not eligible for assistance from the fund include:

- (a) Noncommunity public water systems owned by a for-profit organization;
- (b) State-owned water systems;
- (c) Federally owned water systems; or
- (d) Systems lacking the technical, financial, and managerial capability to ensure compliance with all applicable federal, state, and local drinking water standards, unless the assistance will ensure compliance and the owners and operators of the system(s) agree to undertake feasible and appropriate changes in operation and management to ensure compliance in the future.

NEW SECTION

WAC 246-296-100 Minimum requirements to be eligible for assistance from the fund. To be eligible for assistance from the fund, applicants are responsible for:

- (1) Demonstrating that the water system has the technical, financial, and managerial capability to ensure compliance with applicable federal, state, and local drinking water standards, unless the assistance will ensure compliance and the owners, managers, and operators of the systems agree to undertake feasible changes to ensure compliance over the long term;
- (2) Having a DOH-approved WSP or SWSMP containing the proposed project and addressing any capacity-related deficiencies prior to execution of a loan contract;
- (3) Being in compliance with applicable federal, state, and local drinking water standards or variance unless the use of the DWSRF assistance will ensure compliance;
- (4) Being in compliance with DOH orders;
- (5) Having a source meter on each source or installing source meters as a part of the project;
- (6) Having meters on all services or installing meters on all services as part of the project unless one of the following exceptions apply:
 - (a) The project is for a transient noncommunity water system;
 - (b) The project is for a mobile home park with a master meter;
 - (c) The project is for an apartment building or complex with a master meter; or
 - (d) The department determines that the cost of the meters is prohibitive for the DWSRF project as a whole and waiving the meter requirement is necessary to move the project forward and promote priority public health issues;
- (7) Ensuring no outstanding penalties are owed to DOH unless an appeal of the imposition of those penalties is pending;
- (8) Demonstrating that the project conforms to state water rights laws; and
- (9) Assuring that the project is consistent with local land use plans and policies.

NEW SECTION

WAC 246-296-110 Requirements for using DWSRF to create a new Group A water system. Projects that create

PERMANENT

a new water system are eligible for assistance from the fund if:

- (1) Upon completion of the project, the system conforms to the rules regarding Group A community water systems promulgated under chapter 246-290 WAC;
- (2) The project addresses existing public health problems with serious risks caused by unsafe drinking water;
- (3) The project is limited in scope to the specific geographic area affected by contamination and the project is for the purpose of resolving existing public health problems associated with individual wells or surface water sources, or the project is limited in scope to the service area of the systems being consolidated and the project is for the purpose of creating a new regional system by consolidating existing water systems;
- (4) The applicant gives at least sixty days notice to the public and potentially affected parties. At a minimum, notice must include posting of a legal notice in the local newspaper;
- (5) The applicant has considered alternative solutions to address the problem;
- (6) The project is a cost-effective solution to the public health problem; and
- (7) The project is to protect public health and not solely to accommodate growth.

NEW SECTION

WAC 246-296-120 Annual loan application responsibilities. Annual loan application responsibilities are established as follows:

- (1) Applicants shall develop and submit a DWSRF assistance application to DOH on or before the due date defined in the application package.
- (2) DOH responsibilities are to:
 - (a) Determine the eligibility of the project;
 - (b) Rank the project using the ranking criteria established under WAC 246-296-130;
 - (c) Develop a prioritized list of projects eligible for assistance;
 - (d) Develop an intended use plan by:
 - (i) Publishing a draft intended use plan for public review and comment for a period of thirty days; and
 - (ii) Amending the plan, if necessary, after considering the comments received;
 - (e) Submit a capitalization grant application, including the final intended use plan, to EPA for review and approval;
 - (f) Revise the intended use plan if EPA requests changes; and
 - (g) If necessary, provide for administrative review and dispute resolution in accordance with WAC 246-296-160.
- (3) The board's responsibilities are to:
 - (a) Determine the financial capability and readiness to proceed of each applicant with a project on the prioritized list using the risk assessment criteria established under WAC 246-296-140;
 - (b) Make the final selection of projects to receive assistance from the fund in accordance with the criteria established under WAC 246-296-140; and
 - (c) If necessary, provide for administrative review and dispute resolution in accordance with WAC 246-296-160.

NEW SECTION

WAC 246-296-130 Project priority ranking criteria

- (1) The following criteria are considered when prioritizing projects for DWSRF financial assistance:
 - (a) Priority criteria:
 - (i) Type and significance of public health risk to be addressed;
 - (ii) Compliance status and need to bring the system into compliance with federal, state, and local drinking water standards; and
 - (iii) Affordability on a per household basis for community water systems.
 - (b) Supporting criteria:
 - (i) Type of project;
 - (ii) Restructuring;
 - (iii) Regional benefit;
 - (iv) Multiple benefit;
 - (v) Consistency with the Growth Management Act;
 - (vi) Installation of service meters on existing services not currently metered; and
 - (vii) Size of population affected by the project.
- (2) Values for these criteria shall be developed annually by DOH to ensure projects that resolve the most significant health risks receive the highest values. The values shall be made available to the public in advance of the application cycle and shall be published in the DWSRF application package.

NEW SECTION

WAC 246-296-140 Final project selection criteria.

- The board shall, at a minimum, consider the following in assessing the risk associated with the application:
- (1) Ability to repay;
 - (2) Ability to provide adequate security in case of default; and
 - (3) Readiness to proceed or the ability of the applicant to promptly commence the project.

NEW SECTION

WAC 246-296-150 Loan conditions. (1) Borrowers must comply with applicable laws, regulations, and requirements.

(2) Loans shall include conditions to ensure compliance with the following:

- (a) All applicable federal, state, and local laws, orders, regulations, and permits; including, but not limited to, procurement, discrimination, labor, job safety, and drug-free environments, state and federal and women-owned business regulations. A current list of cross-cutting authorities shall be contained in the application package;
- (b) Maintenance of accounting records in accordance with "generally accepted government accounting standards." These standards are defined as, but not limited to, those contained in the United States General Accounting Office (GAO) publication "*Standards for Audit of Governmental Organizations, Programs, Activities, and Functions*";
- (c) Demonstration of applicant's legal ability to provide a dedicated source of revenue and guarantee the repayment of

their obligations to the fund from that dedicated source. Dedicated sources of revenue could be special assessments, general taxes, or general obligation bonds, revenue bonds, user charges, rates, fees, or other sources; and

(d) Submission of construction completion report(s) for all project components and other documentation required under chapter 246-290 WAC.

(3) Amendments to the loan agreement must be approved by DOH, the board, and the loan recipient.

(a) Amendments to the loan agreement are required when there is a:

(i) Significant change to the project's original ranked application and project scope of work; or

(ii) Need for a time extension beyond the time cited in the original loan agreement to complete project activities.

(b) Amendments to the loan agreement are not required when adjustments are made to reconcile minor differences between the contract and the final project for project close out.

(4) CTED, or another authorized auditor at CTED's discretion, shall audit the financial assistance agreement and records.

(5) If the borrower fails to comply with the terms of the loan under WAC 246-296-150, or fails to use the loan proceeds only for those activities identified in the loan, CTED may terminate the agreement in whole or in part at any time. CTED shall promptly notify the borrower in writing of its determination to terminate, the reason for such termination, and the effective date of the termination. Upon termination of the loan agreement, CTED shall request that the entire remaining balance of the loan together with any interest accrued, be paid immediately.

NEW SECTION

WAC 246-296-160 Dispute resolution. (1) If an applicant does not agree with the DOH decision regarding application eligibility, the applicant may request reconsideration of the decision to the director of the DOH division of drinking water. Requests for reconsideration must be in writing and received within ten working days of the date DOH notifies the applicant of the decision.

(2) If an applicant does not agree with the DOH decision regarding priority ranking of the application, the applicant may submit comments to DOH as part of the public review of the draft intended use plan.

(3) If an applicant does not agree with board staff recommendations regarding the loan application section submitted, the applicant may request a review of the decision by the board. Requests for review must be in writing and received by the board fourteen calendar days in advance of the board meeting.

NEW SECTION

WAC 246-296-170 State environmental review process. (1) Federal law requires that Washington state follow a state environmental review process (SERP) for projects receiving DWSRF assistance. The purpose of the SERP is to identify any significant impact to the environment that may be caused by the implementation of a DWSRF project. This

review must be done in compliance with the National Environmental Policy Act (NEPA) or the State Environmental Policy Act (SEPA) and any other applicable environmental statutes and regulations.

(2) CTED is designated as the lead agency for SERP. CTED shall provide basic guidance to the loan recipient to meet the requirements of this process. Details regarding SERP shall be included in the application package.

NEW SECTION

WAC 246-290-180 Obligation for systems to comply if assistance is not obtained. The inability or failure of any public water system to receive assistance from the DWSRF program, or any delay in obtaining assistance, does not alter the obligation of the water system to comply in a timely manner with all applicable federal, state, and local drinking water standards.

Reviser's note: The above new section was filed by the agency as WAC 246-290-180. This section is placed among sections forming new chapter 246-296 WAC, and therefore should be numbered WAC 246-296-180. 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 246-296-190 Severability. If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances, shall not be affected.

WSR 01-21-140

PERMANENT RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Filed October 24, 2001, 10:35 a.m., effective January 1, 2002]

Date of Adoption: October 24, 2001.

Purpose: To revise the payment methodology for ambulatory surgery centers (ASCs) and other nonhospital surgical suites that provide surgical services to Washington injured workers and crime victims. To define the minimum standards required for an ASC to provide surgical services to Washington injured workers and crime victims.

Statutory Authority for Adoption: RCW 51.36.080, 51.04.030, 51.36.010, 51.04.020.

Adopted under notice filed as WSR 01-14-085 on July 5, 2001.

Changes Other than Editing from Proposed to Adopted Version: WAC 296-23B-0110, in response to testimony the reference to a specific billing form was changed to refer to a national standard form specified by the department.

WAC 296-23B-0120, the paragraphs of this section were rearranged to improve the clarity and understandability of this section. Wording was also added to clarify that the policies of the utilization review program are still applicable to ASC services. In response to testimony a paragraph was added to clarify how a provider may request authorization to perform a procedure not normally allowed in an ASC, that

the provider feels would be more safely performed in an ASC. The details of the process will be written in a provider bulletin and in the *Medical Aid Rules and Fee Schedules*.

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 5, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 5, 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 5, Amended 0, Repealed 0.

Effective Date of Rule: January 1, 2002.

October 24, 2001

Gary Moore
Director

Chapter 296-23B WAC

AMBULATORY SURGERY CENTER PAYMENT

NEW SECTION

WAC 296-23B-0100 Who may bill for ambulatory surgery center services? Only facilities that meet the criteria below may bill for ambulatory surgery center (ASC) services.

An ambulatory surgery center is an outpatient facility where surgical services are provided and that meets the following three requirements:

(1) Must be licensed by the state(s) in which it operates, unless that state does not require licensure.

(2) Must have at least one of the following credentials:

(a) Medicare certification as an ambulatory surgery center; or

(b) Accreditation as an ambulatory surgery center by a nationally recognized agency acknowledged by the Centers for Medicare and Medicaid Services (CMS).

(3) Must have an active ambulatory surgery center provider account with the department of labor and industries.

Note: A provider account application may be obtained from Department of Labor and Industries, Provider Accounts, P.O. Box 44261, Olympia, WA 98504-4261, 360-902-5140. A copy can also be obtained online at www.lni.wa.gov.

NEW SECTION

WAC 296-23B-0110 How does an ambulatory surgery center bill for services? Ambulatory surgery centers must submit bills for services on a national standard form specified by the department of labor and industries. Bills also may be submitted electronically using department file format specifications. Providers must follow the instructions in the *General Provider Billing Manual* and *Billing Instructions*.

Special billing policies for ambulatory surgery centers are in the *Medical Aid Rules and Fee Schedules* under *Ambulatory Surgery Center Payment Policies*.

Note: Copies of billing manuals, billing instructions and the *Medical Aid Rules and Fee Schedules* may be obtained from Department of Labor and Industries, Warehouse, P.O. Box 44843, Olympia, WA 98504-4843 or 360-902-5754. The *Medical Aid Rules and Fee Schedules* may also be viewed online at www.lni.wa.gov.

NEW SECTION

WAC 296-23B-0120 What procedures are covered in an ambulatory surgery center? The department will use the Centers for Medicare and Medicaid Services (CMS) list of procedures covered in an ambulatory surgery center plus additional procedures as determined by the department. All procedures covered in an ambulatory surgery center are listed in the *Medical Aid Rules and Fee Schedules, Ambulatory Surgery Center Payment Policies* section. Certain procedures are still subject to the utilization review program. Procedures that are not listed are not covered in an ambulatory surgery center.

Under certain conditions, the director, the director's designee, or self-insurer, in their sole discretion, may determine that a procedure not on the list may be authorized in an ambulatory surgery center. For example, if the procedure could be harmful to a particular patient unless performed in an ambulatory surgery center. Requests for coverage under these special circumstances require prior authorization. The process for requesting coverage is outlined in the *Medical Aid Rules and Fee Schedules, Ambulatory Surgery Center Payment Policies* section.

The department will allow some procedures to be covered in an outpatient setting that CMS covers only in an inpatient setting. The department will cover these procedures in an ambulatory surgery center if the following criteria are met:

(1) The surgeon deems that it is safe and appropriate to perform such a procedure in an outpatient setting; and

(2) The procedure meets the department's utilization review requirements.

Notes: For information on the utilization review program please see the following:

WAC 296-20-024 for utilization management authority.

WAC 296-20-01002 for definition of utilization review.

WAC 296-20-02700 through 296-20-03002 for medical coverage policies.

Provider bulletins describing the utilization review program.

These may be viewed online at www.lni.wa.gov.

NEW SECTION

WAC 296-23B-0130 What payment can an ambulatory surgery center expect for providing services? The department pays the lesser of the billed charge (the ASC's usual and customary fee) or the fee schedule's maximum allowed rate. The fee schedule for ambulatory surgery centers is in the *Medical Aid Rules and Fee Schedules*.

NEW SECTION

WAC 296-23B-0140 When will the rates and policies for ambulatory surgery centers be updated? The fee schedule, codes, and policies for ambulatory surgery centers will be reviewed periodically. The department will publish provider bulletins to clarify, update, and inform ambulatory surgery centers about changes in policies or fees. They also will be published each July in the *Medical Aid Rules and Fee Schedules*.

PERMANENT

**WSR 01-21-001
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-223—Filed October 3, 2001, 2:51 p.m., effective October 4, 2001, 7:00 a.m.]

Date of Adoption: October 3, 2001.

Purpose: Commercial fishing rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-40100C; and amending WAC 220-47-401.

Statutory Authority for Adoption: RCW 77.12.047.

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: Retention of up to 500 wild coho in the reef net fishery will provide DNA samples for estimates of stock composition and harvestable numbers of coho are available. 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 4, 2001, 7:00 a.m.

October 3, 2001

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-47-40100C Reef net open periods. Notwithstanding the provisions of WAC 220-47-401 it is unlawful to take, fish for or possess salmon taken with reef net gear for commercial purposes in Puget Sound except in the following designated Puget Sound Salmon Management and Catch Reporting Areas, during the periods provided for hereinafter in each respective area:

AREA	TIME	DATE(S)
7, 7A	7:00 a.m. - 7:00 p.m. Daily	10/4 - 11/10

It is unlawful to retain chinook salmon taken with reef net gear. All other saltwater and freshwater areas - closed.

All participating fishers are required to report their catches by 10:00 a.m. following the day of the catch. Reports must include the fishers name, catch area, catch by species including a tally of hatchery (marked) and wild (unmarked) coho and may be made by any one of the following methods:

Call toll free 1-866-791-1279

Fax information to (360) 902-2949

Email information to psfishtickets@dfw.wa.gov

REPEALER

The following section of the Washington Administrative Code is repealed effective 7:01 p.m. November 10, 2001:

WAC 220-47-40100C Reef net open periods.

**WSR 01-21-002
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-224—Filed October 3, 2001, 2:56 p.m., effective October 4, 2001, 12:01 a.m.]

Date of Adoption: October 3, 2001.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 232-28-61900Y; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

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: In-season-updates of the coho run size for Lake Washington indicate the run is returning at higher than predicted harvestable numbers. Spawning ground surveys in Bear Creek have determined that chinook salmon have largely cleared the north end of the lake. There is insufficient time to use the permanent regulation process to effect these changes.

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.

EMERGENCY

- (8) Federal financial aid appeals as provided for by federal law;
- (9) Collection of outstanding debts owed by students or employees; and
- (10) Appeals from areas exempt from the rules requirements of chapter 34.05 RCW including standards of admission, academic advancement, academic credit, graduation and the granting of degrees, employment relationships (except for all aspects of faculty and librarian employment relationships), and fiscal processes.

**Chapter 478-117 WAC
Parking and Traffic Rules of
the University of Washington, Bothell**

NEW SECTION

WAC 478-117-005 Authority. RCW 28B.50.140(10) authorizes the board of trustees of Cascadia Community College to adopt rules for pedestrian and vehicular traffic on the college campus. RCW 28B.10.560 similarly authorizes the board of regents of the University of Washington to adopt rules governing pedestrian and vehicular traffic and parking upon lands and facilities of the university. The rules set forth in this chapter have been jointly developed and agreed upon by the two institutions of higher education, and adopted and codified in separate chapters of the Washington Administrative Code by each of the two institutions.

NEW SECTION

WAC 478-117-010 Objectives of parking and traffic rules. The objectives of these rules are:

- (1) To protect and control pedestrian and vehicular traffic on the campus of University of Washington, Bothell and Cascadia Community College.
- (2) To assure access at all times for emergency equipment.
- (3) To minimize traffic disturbances.
- (4) To facilitate the operation of the institutions by assuring access to vehicles.
- (5) To allocate limited parking space for the most efficient use.
- (6) To protect state property.

NEW SECTION

WAC 478-117-020 Definitions. The following definitions apply to this chapter:

- (1) Campus: The co-located campus of University of Washington, Bothell and Cascadia Community College.
- (2) College: Cascadia Community College, and collectively those responsible for its control and operations.
- (3) Employee: An employee of the college or the university.
- (4) Institutions: The college and the university.
- (5) Public safety officers: Employees of the college or the university who are responsible for campus security, safety, and parking and traffic control.
- (6) Student: A person enrolled in the college or the university.

(7) University: The University of Washington, Bothell, and collectively those responsible for its control and operations.

(8) Vehicle: An automobile, truck, motorcycle, motorized scooter, or bicycle.

(9) Visitor: A person who is neither an employee nor a student of the college or the university.

NEW SECTION

WAC 478-117-030 Applicable parking and traffic rules. The applicable parking and traffic rules upon the campus are:

- (1) The motor vehicle and other traffic laws of the state of Washington, Title 46 RCW.
- (2) The traffic code of the city of Bothell.
- (3) The parking and traffic rules in this chapter. If the Washington laws or the Bothell traffic code conflicts with these rules, the Washington laws or the Bothell traffic code shall govern.

NEW SECTION

WAC 478-117-040 Enforcement of parking and traffic rules. The institutions share responsibility for parking and traffic management on campus. Duly appointed public safety officers or independent contractors hired by the institutions are authorized to enforce these parking and traffic rules.

NEW SECTION

WAC 478-117-050 Permits required for vehicles on campus. No person shall park, or leave any vehicle (other than bicycles), whether attended or unattended, upon the campus without a permit issued by the institutions. Permission to park on campus will be shown by display of a valid permit.

- (1) A valid permit is:
 - (a) A current vehicle permit displayed in accordance with WAC 478-117-110. Vehicle permits are valid until revoked.
 - (b) A temporary permit authorized by the institutions and displayed in accordance with instructions. Temporary permits are valid through the date or time on the permit.
 - (c) A parking permit issued by a gate attendant and displayed on the vehicle in accordance with instructions.
 - (d) A parking permit dispensed by machine at the campus and displayed in accordance with instructions.
- (2) Parking permits are not transferable, except as provided in WAC 478-117-060 and 478-117-090.
- (3) The college and university reserve the right to refuse to issue parking permits.
- (4) This section does not apply to vehicles that the institutions own or operate.
- (5) The institutions may allow persons without permits to drive through the campus without parking.
- (6) A public safety officer may require visitors to wait at the entrances to the campus when pedestrian or vehicular traffic congestion is above normal.

NEW SECTION

WAC 478-117-060 Carpool and disability parking permits. (1) Carpool permits may be issued to employees and students. One transferable permit will be issued by the institutions for each carpool. This permit is transferable only among the registered members of the carpool. This permit must be displayed in accordance with the instructions provided with the permit. A carpool is a group of two or more employees or students who commute to the campus in the same vehicle.

(2) The institutions provide parking for the disabled in accordance with the requirements of federal and state law, including parking spots reserved for persons who display a state of Washington disabled driver permit.

NEW SECTION

WAC 478-117-070 Permit revocations. Parking permits are the property of the institutions, and may be recalled by the issuer for any of the following reasons:

- (1) When the purpose for which the permit was issued changes or no longer exists.
- (2) When a permit is used by an unauthorized individual.
- (3) Falsification on a parking permit application.
- (4) Multiple or continued violations of parking rules.
- (5) Counterfeiting or altering permits.
- (6) Failure to comply with a final decision of the citation review committee, or institutional hearing officer.

NEW SECTION

WAC 478-117-080 Right to appeal revocation. Parking permit revocations under this chapter may be appealed pursuant to the procedures in WAC 478-117-320.

NEW SECTION

WAC 478-117-090 Transfer of permits limited. (1) Permit holders may transfer one permit between motor vehicles when used by the permit holder. Improper transfer of a permit shall include, but is not limited to, the wrongful sale, lending, or transfer of a parking permit.

(2) Permits displaying license plate numbers shall be used only in the vehicles whose license number is written on the permit.

NEW SECTION

WAC 478-117-100 Responsibility of person to whom permit issued. The person to whom a permit is issued is responsible for the vehicle upon which the permit is affixed. He or she shall be held responsible for all violations of this chapter charged to that vehicle. However, the operator of a vehicle will not be relieved of responsibility for violating any rule of this chapter simply because he or she is not also the holder of the permit.

NEW SECTION

WAC 478-117-110 Display of permits. (1) Parking permits shall be displayed by hanging from the rear view mir-

ror or displayed face up on the dashboard of the motor vehicle and shall be fully visible from the exterior of the motor vehicle.

(2) When applicable, the area designator (numeral, letter or combination) shall be affixed to the vehicle permit and shall be fully visible from the exterior of the motor vehicle.

(3) Motorcycle and scooter permits shall be registered with the affiliated institution.

(4) Permits not fully visible from the exterior of a motor vehicle are not valid and are subject to citation for no valid permit displayed.

NEW SECTION

WAC 478-117-200 Parking fees. The institutions' governing boards shall adopt parking fees, specifying the charge per day, quarter, and year. Each institution may set its own rates for quarterly and yearly permits, but the rates for daily parking permits must be uniform for both institutions. Each institution shall sell quarterly and yearly permits to the employees and students only of its own institution. Each institution may also sell quarterly and yearly permits in its discretion to regular visitors to that institution.

NEW SECTION

WAC 478-117-210 Allocation of parking spaces. The parking space available on the campus shall be allocated in a manner that will best attain the objectives of these rules.

During special occasions causing additional or heavy traffic and during emergencies, the institutions may impose additional traffic and parking policies to achieve the specified objectives of this chapter.

NEW SECTION

WAC 478-117-220 Parking within designated spaces. (1) No motor vehicle shall be parked on the campus except in areas designated as parking areas.

(2) No vehicle shall be parked so as to occupy any portion of more than one parking space as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space or stall shall not excuse a violation of this section.

NEW SECTION

WAC 478-117-230 Parking—Operator's responsibility. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first:

(1) Stopping the engine, locking the ignition, and removing the key.

(2) Effectively setting the brake and transmission to prevent movement of the vehicle.

NEW SECTION

WAC 478-117-240 Regulatory signs, markings, barricades, etc. (1) The institutions may erect signs, barricades, and other structures, and paint marks and other directions

upon the streets and parking areas within the campus. Drivers of vehicles shall obey the signs, barricades, structures, markings, and directions. Drivers of vehicles shall comply with directions given to them by public safety officers in the control and regulation of traffic. Drivers shall also comply with directions given to them by the traffic guides or parking checkers in the assignment of parking space and in the collection of parking fees.

(2) No person without authorization from the institutions shall move, deface, or in any way change a sign, barricade, structure, marking, or direction that regulates traffic or parking.

NEW SECTION

WAC 478-117-250 Speed. No vehicle shall be operated on the campus at a speed in excess of posted limits. If no limit is posted, no vehicle shall exceed twenty miles per hour or such lower speed as is reasonable and prudent in the circumstances.

NEW SECTION

WAC 478-117-260 Pedestrian's right of way. (1) The operator of a vehicle shall yield right of way to any pedestrian. However, no pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impossible or unsafe for the driver to yield.

(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass that vehicle.

(3) Where a sidewalk is provided, pedestrians shall proceed upon the sidewalk.

NEW SECTION

WAC 478-117-270 Motorcycles, bicycles, scooters.

(1) Motorcycles, bicycles, and scooters are subject to all traffic rules controlling other motor vehicles.

(2) Motorcycles and motorized scooters may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles and motorized scooters are not permitted on paths, sidewalks, or authorized bicycle or pedestrian areas, or in buildings at any time.

(4) Bicycles shall be parked in designated areas only. Improperly parked bicycles may be impounded and a citation and fine imposed upon the owner.

(5) No bicycles or foot-propelled devices shall be operated on campus corridors, hallways, or buildings unless their use is required as part of the educational process in an authorized program, or authorized by campus personnel. A "foot-propelled device" is a wheeled device designed or used for recreation or transportation, including but not limited to skateboards, roller skates, and roller blades.

NEW SECTION

WAC 478-117-280 Distribution of literature. No person may distribute literature by placing it on motor vehicles

parked on the campus. Literature includes but is not limited to pamphlets, flyers, and stickers.

NEW SECTION

WAC 478-117-300 Issuance of traffic citations. Upon probable cause to believe that a violation of these rules has occurred, a public safety officer or designated contractor may issue a citation setting forth the date, the approximate time, the locality, the nature of the violation, the permit number, license number, infraction, officer, and the amount of fine(s). The citation shall be served on the person responsible for the violation by: attaching a copy of the citation to, or placing it prominently within, the vehicle allegedly involved in the violation; mailing a copy of the citation to the person responsible; or serving a copy of the citation personally on the person responsible.

NEW SECTION

WAC 478-117-310 Fines and impounding. (1) The current schedule of fines shall be published by the institutions and made available for review in the Central Plant Building.

(2) All fines must be paid as designated on the citation within twenty calendar days from the date of the citation. Fines must be delivered in person to the citation hearing office or postmarked on or before the due date specified in these rules to avoid additional penalties. If any citation has neither been paid nor appealed after twenty calendar days from the date of the citation, the institution shall impose an additional fine of ten dollars per offense and may:

(a) Withhold the violator's degrees, transcripts, grades, refunds, or credits until all fines are paid.

(b) Delay registration for the following quarter.

(c) Impound the violator's vehicle.

(d) Deny future parking privileges to the violator.

(e) Refuse to issue keys to a violator who is an employee or student.

(3) In addition to imposing fines, public safety officers may impound or immobilize any vehicle parked on campus in violation of these rules. The expenses of impounding, immobilization, and storage shall be charged to the owner or operator, or both, of the vehicle and must be paid before the vehicle's release. Grounds for impounding vehicles shall include, but not be limited to the following:

(a) Blocking a roadway so as to impede the flow of traffic.

(b) Blocking a walkway so as to impede the flow of pedestrian traffic.

(c) Blocking a fire hydrant or fire lane.

(d) Creating a safety hazard.

(e) Blocking another legally parked vehicle.

(f) Parking in a marked "tow-away" zone.

(g) Leaving a vehicle unattended on campus for longer than two days.

(h) Failing to pay a fine imposed under this chapter.

Not more than twenty-four hours after impoundment of any vehicle, the institution shall mail a notice to the registered owner of the vehicle and to any other person who claims the right to possession of the vehicle, if those persons can be identified. The institutions shall not be liable for loss

or damage of any kind resulting from impounding, immobilization, or storage. Impounding a vehicle does not remove the obligation for any fines associated with the violation.

(4) An accumulation of traffic violations by a student may be cause for discipline under the student conduct code of the student's institution.

NEW SECTION

WAC 478-117-320 Appeals of fines and impoundments. (1) Any impoundment or fine under this chapter may be appealed in writing within twenty calendar days from the date of the citation or the notice of impoundment. The notice of appeal must be addressed to the location indicated on the citation or notice of impoundment. The institutions will make appeal forms available at the university's cashiers office in Room UW1 176 and at the college's cashiers office in Room CC1 103. The notice of appeal must explain the reasons for contesting the citation or impoundment. If the person who files a notice of appeal desires an opportunity to make an oral statement in the appeal, the request to make an oral statement must be included in the notice of appeal.

(2) The hearing on the appeal shall be a brief adjudicative hearing as provided by RCW 34.05.482 et seq. If a request for an oral statement was made, the presiding officer or officers shall provide reasonable notice of the time and place for receiving the oral statement. The presiding officer(s) shall review the notice of appeal and provide a written decision to the person submitting the appeal within ten days of taking action. If the appeal is denied, the decision shall include a brief statement of its reasons and information about the opportunity for further review. Any fine owed on a written decision that is not further appealed as provided in subsection (3) of this section shall be paid within twenty-one days after service of the decision.

(3) A person wishing to contest the written decision may request a review by contacting the institution in writing within twenty-one days after service of the decision. The request for review shall explain why the decision was incorrect. The reviewing officer shall, within twenty days of the date of the request, review the matter and render a final written decision, which shall include a brief statement of its reasons and information about the opportunity to appeal the decision to the district court. Any final decision of the reviewing officer not appealed as provided in subsection (4) of this section shall be paid within ten days after service of the decision.

(4) A person wishing to appeal a final decision of the citation hearing office to the district court may, within ten days of service of the final decision, file a written notice with the institution. Documents relating to the appeal shall immediately be forwarded to the district court, which shall have jurisdiction to hear the appeal de novo. No appeal to the district court may be taken unless the citation has been contested as provided in subsections (2) and (3) of this section.

NEW SECTION

WAC 478-117-400 Report of accident. The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or total or claimed damage to

either or both vehicles of \$500, shall within twenty-four hours report such accident to the campus security department. This does not relieve any person so involved in an accident from his responsibility to file a state of Washington motor vehicle accident report within twenty-four hours after such accident.

NEW SECTION

WAC 478-117-410 Liability of institutions. Except for vehicles that the institutions own or operate, the institutions assume no liability under any circumstances for vehicles on the campus.

WSR 01-21-007

EMERGENCY RULES

DEPARTMENT OF FISH AND WILDLIFE

[Order 01-225—Filed October 4, 2001, 3:27 p.m., effective October 5, 2001, 12:01 a.m.]

Date of Adoption: October 4, 2001.

Purpose: Personal use rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-61900Z; and amending WAC 232-28-619.

Statutory Authority for Adoption: RCW 77.12.047.

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: Adult hatchery coho will be planted in Black Lake to provide additional angling opportunity. These hatchery coho are in excess of hatchery broodstock needs. 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 5, 2001, 12:01 a.m.
 October 4, 2001
 J. P. Koenings
 Director
 by Larry Peck

NEW SECTION

WAC 232-28-61900Z Exceptions to statewide rules—Black Lake (Pacific County) Notwithstanding the provisions of WAC 232-28-619, effective 12:01 a.m. October 5, through November 30, 2001, landlocked salmon rules apply in those waters of Black Lake (Pacific County).

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. December 1, 2001:

WAC 232-28-61900Z Exceptions to statewide rules—Black Lake (Pacific County)

**WSR 01-21-008
 EMERGENCY RULES**

CASCADIA COMMUNITY COLLEGE

[Filed October 5, 2001, 9:57 a.m., effective October 8, 2001]

Date of Adoption: October 3, 2001.

Purpose: To provide the highest level of safety and general welfare to students, faculty, staff and guests of the CCC/UWB campus.

Statutory Authority for Adoption: RCW 28B.50.-140(10).

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: Cascadia Community College files these emergency rules to provide the highest level of safety and general welfare to students, faculty, staff and guests of the campus. The institutions administration need these rules in place immediately to enforce traffic and parking rules on the CCC/UWB campus. With the opening of the lower campus roadway, the amount of traffic has grown significantly. A continued lack of enforcement has resulted in excessive speed on campus roads, endangerment to pedestrians, and illegal access to or use of state property. Consequently, these rules need immediate implementation as we begin the 2001-2002 academic year.

Number of Sections Adopted in Order to Comply with Federal Statute: New 26, 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 26, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 26, 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 8, 2001.

October 3, 2001

Victoria Munoz Richart, Ed.D.
 President

Chapter 132Z-116 WAC

**Parking and Traffic Rules of
 the Cascadia Community College**

NEW SECTION

WAC 132Z-116-005 Authority. RCW 28B.50.140(10) authorizes the board of trustees of Cascadia Community College to adopt rules for pedestrian and vehicular traffic on the college campus. RCW 28B.10.560 similarly authorizes the board of regents of the University of Washington to adopt rules governing pedestrian and vehicular traffic and parking upon lands and facilities of the university. The rules set forth in this chapter have been jointly developed and agreed upon by the two institutions of higher education, and adopted and codified in separate chapters of the Washington Administrative Code by each of the two institutions.

NEW SECTION

WAC 132Z-116-010 Objectives of parking and traffic rules. The objectives of these rules are:

(1) To protect and control pedestrian and vehicular traffic on the campus of University of Washington, Bothell and Cascadia Community College.

(2) To assure access at all times for emergency equipment.

(3) To minimize traffic disturbances.

(4) To facilitate the operation of the institutions by assuring access to vehicles.

(5) To allocate limited parking space for the most efficient use.

(6) To protect state property.

NEW SECTION

WAC 132Z-116-020 Definitions. The following definitions apply to this chapter:

(1) Campus: The co-located campus of University of Washington, Bothell and Cascadia Community College.

(2) College: Cascadia Community College, and collectively those responsible for its control and operations.

(3) Employee: An employee of the college or the university.

(4) Institutions: The college and the university.

(5) Public safety officers: Employees of the college or the university who are responsible for campus security, safety, and parking and traffic control.

(6) Student: A person enrolled in the college or the university.

(7) University: The University of Washington, Bothell, and collectively those responsible for its control and operations.

(8) Vehicle: An automobile, truck, motorcycle, motorized scooter, or bicycle.

(9) Visitor: A person who is neither an employee nor a student of the college or the university.

NEW SECTION

WAC 132Z-116-030 Applicable parking and traffic rules. The applicable parking and traffic rules upon the campus are:

(1) The motor vehicle and other traffic laws of the state of Washington, Title 46 RCW.

(2) The traffic code of the city of Bothell.

(3) The parking and traffic rules in this chapter. If the Washington laws or the Bothell traffic code conflicts with these rules, the Washington laws or the Bothell traffic code shall govern.

NEW SECTION

WAC 132Z-116-040 Enforcement of parking and traffic rules. The institutions share responsibility for parking and traffic management on campus. Duly appointed public safety officers or independent contractors hired by the institutions are authorized to enforce these parking and traffic rules.

NEW SECTION

WAC 132Z-116-050 Permits required for vehicles on campus. No person shall park, or leave any vehicle (other than bicycles), whether attended or unattended, upon the campus without a permit issued by the institutions. Permission to park on campus will be shown by display of a valid permit.

(1) A valid permit is:

(a) A current vehicle permit displayed in accordance with WAC 132Z-116-110. Vehicle permits are valid until revoked.

(b) A temporary permit authorized by the institutions and displayed in accordance with instructions. Temporary permits are valid through the date or time on the permit.

(c) A parking permit issued by a gate attendant and displayed on the vehicle in accordance with instructions.

(d) A parking permit dispensed by machine at the campus and displayed in accordance with instructions.

(2) Parking permits are not transferable, except as provided in WAC 132Z-116-060 and 132Z-116-090.

(3) The college and university reserve the right to refuse to issue parking permits.

(4) This section does not apply to vehicles that the institutions own or operate.

(5) The institutions may allow persons without permits to drive through the campus without parking.

(6) A public safety officer may require visitors to wait at the entrances to the campus when pedestrian or vehicular traffic congestion is above normal.

NEW SECTION

WAC 132Z-116-060 Carpool and disability parking permits. (1) Carpool permits may be issued to employees and students. One transferable permit will be issued by the institutions for each carpool. This permit is transferable only among the registered members of the carpool. This permit must be displayed in accordance with the instructions provided with the permit. A carpool is a group of two or more employees or students who commute to the campus in the same vehicle.

(2) The institutions provide parking for the disabled in accordance with the requirements of federal and state law, including parking spots reserved for persons who display a state of Washington disabled driver permit.

NEW SECTION

WAC 132Z-116-070 Permit revocations. Parking permits are the property of the institutions, and may be recalled by the issuer for any of the following reasons:

(1) When the purpose for which the permit was issued changes or no longer exists.

(2) When a permit is used by an unauthorized individual.

(3) Falsification on a parking permit application.

(4) Multiple or continued violations of parking rules.

(5) Counterfeiting or altering permits.

(6) Failure to comply with a final decision of the citation review committee, or institutional hearing officer.

NEW SECTION

WAC 132Z-116-080 Right to appeal revocation. Parking permit revocations under this chapter may be appealed pursuant to the procedures in WAC 132Z-116-320.

NEW SECTION

WAC 132Z-116-090 Transfer of permits limited. (1) Permit holders may transfer one permit between motor vehicles when used by the permit holder. Improper transfer of a permit shall include, but is not limited to, the wrongful sale, lending, or transfer of a parking permit.

(2) Permits displaying license plate numbers shall be used only in the vehicles whose license number is written on the permit.

NEW SECTION

WAC 132Z-116-100 Responsibility of person to whom permit issued. The person to whom a permit is issued is responsible for the vehicle upon which the permit is affixed. He or she shall be held responsible for all violations of this chapter charged to that vehicle. However, the operator of a vehicle will not be relieved of responsibility for violating any rule of this chapter simply because he or she is not also the holder of the permit.

EMERGENCY

NEW SECTION

WAC 132Z-116-110 Display of permits. (1) Parking permits shall be displayed by hanging from the rear view mirror or displayed face up on the dashboard of the motor vehicle and shall be fully visible from the exterior of the motor vehicle.

(2) When applicable, the area designator (numeral, letter or combination) shall be affixed to the vehicle permit and shall be fully visible from the exterior of the motor vehicle.

(3) Motorcycle and scooter permits shall be registered with the affiliated institution.

(4) Permits not fully visible from the exterior of a motor vehicle are not valid and are subject to citation for no valid permit displayed.

NEW SECTION

WAC 132Z-116-200 Parking fees. The institutions' governing boards shall adopt parking fees, specifying the charge per day, quarter, and year. Each institution may set its own rates for quarterly and yearly permits, but the rates for daily parking permits must be uniform for both institutions. Each institution shall sell quarterly and yearly permits to the employees and students only of its own institution. Each institution may also sell quarterly and yearly permits in its discretion to regular visitors to that institution.

NEW SECTION

WAC 132Z-116-210 Allocation of parking spaces. The parking space available on the campus shall be allocated in a manner that will best attain the objectives of these rules.

During special occasions causing additional or heavy traffic and during emergencies, the institutions may impose additional traffic and parking policies to achieve the specified objectives of this chapter.

NEW SECTION

WAC 132Z-116-220 Parking within designated spaces. (1) No motor vehicle shall be parked on the campus except in areas designated as parking areas.

(2) No vehicle shall be parked so as to occupy any portion of more than one parking space as designated within the parking area. The fact that other vehicles may have been so parked as to require the vehicle parked to occupy a portion of more than one space or stall shall not excuse a violation of this section.

NEW SECTION

WAC 132Z-116-230 Parking—Operator's responsibility. No person driving or in charge of a motor vehicle shall permit it to stand unattended without first:

(1) Stopping the engine, locking the ignition, and removing the key.

(2) Effectively setting the brake and transmission to prevent movement of the vehicle.

NEW SECTION

WAC 132Z-116-240 Regulatory signs, markings, barricades, etc. (1) The institutions may erect signs, barricades, and other structures, and paint marks and other directions upon the streets and parking areas within the campus. Drivers of vehicles shall obey the signs, barricades, structures, markings, and directions. Drivers of vehicles shall comply with directions given to them by public safety officers in the control and regulation of traffic. Drivers shall also comply with directions given to them by the traffic guides or parking checkers in the assignment of parking space and in the collection of parking fees.

(2) No person without authorization from the institutions shall move, deface, or in any way change a sign, barricade, structure, marking, or direction that regulates traffic or parking.

NEW SECTION

WAC 132Z-116-250 Speed. No vehicle shall be operated on the campus at a speed in excess of posted limits. If no limit is posted, no vehicle shall exceed twenty miles per hour or such lower speed as is reasonable and prudent in the circumstances.

NEW SECTION

WAC 132Z-116-260 Pedestrian's right of way. (1) The operator of a vehicle shall yield right of way to any pedestrian. However, no pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close that it is impossible or unsafe for the driver to yield.

(2) Whenever any vehicle slows or stops so as to yield to pedestrian traffic, the operator of any other vehicle approaching from the rear shall not overtake and pass that vehicle.

(3) Where a sidewalk is provided, pedestrians shall proceed upon the sidewalk.

NEW SECTION

WAC 132Z-116-270 Motorcycles, bicycles, scooters. (1) Motorcycles, bicycles, and scooters are subject to all traffic rules controlling other motor vehicles.

(2) Motorcycles and motorized scooters may be parked in designated areas in addition to the regular parking lots.

(3) Motorcycles and motorized scooters are not permitted on paths, sidewalks, or authorized bicycle or pedestrian areas, or in buildings at any time.

(4) Bicycles shall be parked in designated areas only. Improperly parked bicycles may be impounded and a citation and fine imposed upon the owner.

(5) No bicycles or foot-propelled devices shall be operated on campus corridors, hallways, or buildings unless their use is required as part of the educational process in an authorized program, or authorized by campus personnel. A "foot-propelled device" is a wheeled device designed or used for recreation or transportation, including but not limited to skateboards, roller skates, and roller blades.

NEW SECTION

WAC 132Z-116-280 Distribution of literature. No person may distribute literature by placing it on motor vehicles parked on the campus. Literature includes but is not limited to pamphlets, flyers, and stickers.

NEW SECTION

WAC 132Z-116-300 Issuance of traffic citations. Upon probable cause to believe that a violation of these rules has occurred, a public safety officer or designated contractor may issue a citation setting forth the date, the approximate time, the locality, the nature of the violation, the permit number, license number, infraction, officer, and the amount of fine(s). The citation shall be served on the person responsible for the violation by: attaching a copy of the citation to, or placing it prominently within, the vehicle allegedly involved in the violation; mailing a copy of the citation to the person responsible; or serving a copy of the citation personally on the person responsible.

NEW SECTION

WAC 132Z-116-310 Fines and impounding. (1) The current schedule of fines shall be published by the institutions and made available for review in the Central Plant Building.

(2) All fines must be paid as designated on the citation within twenty calendar days from the date of the citation. Fines must be delivered in person to the citation hearing office or postmarked on or before the due date specified in these rules to avoid additional penalties. If any citation has neither been paid nor appealed after twenty calendar days from the date of the citation, the institution shall impose an additional fine of ten dollars per offense and may:

- (a) Withhold the violator's degrees, transcripts, grades, refunds, or credits until all fines are paid.
- (b) Delay registration for the following quarter.
- (c) Impound the violator's vehicle.
- (d) Deny future parking privileges to the violator.
- (e) Refuse to issue keys to a violator who is an employee or student.

(3) In addition to imposing fines, public safety officers may impound or immobilize any vehicle parked on campus in violation of these rules. The expenses of impounding, immobilization, and storage shall be charged to the owner or operator, or both, of the vehicle and must be paid before the vehicle's release. Grounds for impounding vehicles shall include, but not be limited to the following:

- (a) Blocking a roadway so as to impede the flow of traffic.
- (b) Blocking a walkway so as to impede the flow of pedestrian traffic.
- (c) Blocking a fire hydrant or fire lane.
- (d) Creating a safety hazard.
- (e) Blocking another legally parked vehicle.
- (f) Parking in a marked "tow-away" zone.
- (g) Leaving a vehicle unattended on campus for longer than two days.
- (h) Failing to pay a fine imposed under this chapter.

Not more than twenty-four hours after impoundment of any vehicle, the institution shall mail a notice to the registered owner of the vehicle and to any other person who claims the right to possession of the vehicle, if those persons can be identified. The institutions shall not be liable for loss or damage of any kind resulting from impounding, immobilization, or storage. Impounding a vehicle does not remove the obligation for any fines associated with the violation.

(4) An accumulation of traffic violations by a student may be cause for discipline under the student conduct code of the student's institution.

NEW SECTION

WAC 132Z-116-320 Appeals of fines and impoundments. (1) Any impoundment or fine under this chapter may be appealed in writing within twenty calendar days from the date of the citation or the notice of impoundment. The notice of appeal must be addressed to the location indicated on the citation or notice of impoundment. The institutions will make appeal forms available at the university's cashiers office in Room UW1 176 and at the college's cashiers office in Room CC1 103. The notice of appeal must explain the reasons for contesting the citation or impoundment. If the person who files a notice of appeal desires an opportunity to make an oral statement in the appeal, the request to make an oral statement must be included in the notice of appeal.

(2) The hearing on the appeal shall be a brief adjudicative hearing as provided by RCW 34.05.482 et seq. If a request for an oral statement was made, the presiding officer or officers shall provide reasonable notice of the time and place for receiving the oral statement. The presiding officer(s) shall review the notice of appeal and provide a written decision to the person submitting the appeal within ten days of taking action. If the appeal is denied, the decision shall include a brief statement of its reasons and information about the opportunity for further review. Any fine owed on a written decision that is not further appealed as provided in subsection (3) of this section shall be paid within twenty-one days after service of the decision.

(3) A person wishing to contest the written decision may request a review by contacting the institution in writing within twenty-one days after service of the decision. The request for review shall explain why the decision was incorrect. The reviewing officer shall, within twenty days of the date of the request, review the matter and render a final written decision, which shall include a brief statement of its reasons and information about the opportunity to appeal the decision to the district court. Any final decision of the reviewing officer not appealed as provided in subsection (4) of this section shall be paid within ten days after service of the decision.

(4) A person wishing to appeal a final decision of the citation hearing office to the district court may, within ten days of service of the final decision, file a written notice with the institution. Documents relating to the appeal shall immediately be forwarded to the district court, which shall have jurisdiction to hear the appeal de novo. No appeal to the district court may be taken unless the citation has been contested as provided in subsections (2) and (3) of this section.

NEW SECTION

WAC 132Z-116-400 Report of accident. The operator of any vehicle involved in an accident on campus resulting in injury to or death of any person or total or claimed damage to either or both vehicles of \$500, shall within twenty-four hours report such accident to the campus security department. This does not relieve any person so involved in an accident from his responsibility to file a state of Washington motor vehicle accident report within twenty-four hours after such accident.

NEW SECTION

WAC 132Z-116-410 Liability of institutions. Except for vehicles that the institutions own or operate, the institutions assume no liability under any circumstances for vehicles on the campus.

**WSR 01-21-012
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-227—Filed October 5, 2001, 3:19 p.m.]

Date of Adoption: October 5, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-33-01000E; and amending WAC 220-33-010.

Statutory Authority for Adoption: RCW 77.12.047.

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: Sets remainder of late fall coho fishery. Harvestable hatchery coho are available. Impacts to Oregon listed coho are projected to be within the management guidelines. All fisheries are included in the 2001 fall management agreement and are consistent with the preseason plans developed during the North of Falcon process. This rule is consistent with actions of the Columbia River compact on October 5, 2001, and is consistent with requirements of 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: Immediately.

October 5, 2001

Evan Jacoby

for Jeff Koenings

Director

NEW SECTION

WAC 220-33-01000F Columbia River gillnet seasons below Bonneville-select area commercial fisheries. Notwithstanding the provisions of WAC 220-33-010 and WAC 220-33-020, 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, and 1E

SEASON: 7 AM October 8, 2001 to 7 AM October 12, 2001

7 AM October 15, 2001 to 7 AM October 19, 2001

7 AM October 22, 2001 to 7 AM October 26, 2001

GEAR: No minimum mesh restriction. 9 3/4 inch maximum mesh restriction.

ALLOWABLE SALE: salmon

SANCTUARIES: Grays, Elokomina-A, Cowlitz, Kalama-A, Lewis-A, Washougal, Sandy

2) AREA: SMCRA 1B upstream of a line between Harrington Point in Washington to Settler Point in Oregon and 1C, 1D, and 1E.

SEASON: 7 AM October 29, 2001 to 7 PM October 31, 2001

GEAR: No minimum mesh restriction. 9 3/4 inch maximum mesh restriction.

ALLOWABLE SALE: salmon

SANCTUARIES: Elokomina-A, Cowlitz, Kalama-A, Lewis-A, Washougal, Sandy

3) COHO TANGLE NET FISHERY

MAINSTEM COLUMBIA RIVER - TANGLE NET TEST FISHERY

a) AREA: SMCRA 1A, 1B, 1C, 1D, 1E

DATES: 6:00 a.m. October 8 through 6:00 p.m. October 31, 2001

GEAR: 3 1/2 inch mesh to 4 1/2 inch mesh.

ALLOWABLE SALE: Chinook and coho. Release all chum.

SANCTUARIES: Grays River, Elokomina-A, Cowlitz, Kalama-A, Lewis-A, Washougal, Sandy

OTHER: An operating recovery box must be on board. A WDFW staff person must be on board at all times during the fishery.

Only those persons listed below may participate in the fishery:

1) Tim Heuker

2) Mike Heuker

3) Bernie Heuker

4) Dan Heuker

5) Chris Heuker

- 6) Randy Anderson
- 7) Mark Ihander
- 8) Thomas Tarabochia
- 9) Lance Gray
- 10) Steve Gray
- 11) Chuck Yeager
- 12) Les Clark
- 13) Steve Clark
- 14) Marty Budnick
- 15) John Grocott
- 16) Larry Holland
- 17) Del Barendse
- 18) Gary Olson
- 19) Marty Kuller
- 20) Frank Tarabochia

4) BLIND SLOUGH/KNAPPA SLOUGH SELECT AREA

AREA: Blind Slough fishing area includes all waters from markers at the mouth of Gnat Creek located approximately 1/2 mile upstream of the county road bridge downstream to markers at the mouth of Blind Slough. Concurrent waters extend downstream of the railroad bridge. Oregon State waters extend upstream of the railroad bridge.

Knappa Slough fishing area includes all waters bounded by a line from the northerly most marker at the mouth of Blind Slough westerly to a marker on Karlson Island downstream to boundary lines defined by markers on the western end of Minaker Island to markers on Karlson Island and the Oregon shore. An area closure of about a 100' radius at the mouth of Big Creek defined by markers. All waters are under concurrent jurisdiction.

SEASON: Blind Slough and Knappa Slough

Monday, Tuesday, Wednesday, and Thursday nights

6:00 p.m. to 8:00 a.m. October 8, 2001 through October 31, 2001

GEAR: 6 inch maximum mesh

100 fathoms maximum length

The use of monofilament gillnet gear is allowed.

ALLOWABLE SALE: Salmon

5) TONGUE POINT/SOUTH CHANNEL SELECT AREA

AREA: Tongue Point fishing area includes 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 northwest 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. All waters are under concurrent jurisdiction.

South Channel area includes all waters bounded by a line from a marker on John Day Point through the green buoy "7" thence to a marker on the southwest end of Lois Island upstream to an upper boundary line from a marker on Settler Point northwesterly to flashing red marker "10" thence northwesterly to a marker on the sand bar defining the terminus of South Channel. All waters are under concurrent jurisdiction.

SEASON: Tongue Point

Monday, Tuesday, Wednesday, and Thursday nights

6:00 p.m. to 8:00 a.m. October 8, 2001 through October 31, 2001

South Channel

Monday, Tuesday, Wednesday, and Thursday nights

6:00 p.m. to 8:00 a.m. October 8, 2001 through October 31, 2001

GEAR: Tongue Point

6 inch maximum mesh

250 fathoms maximum length

Weight on leadline cannot exceed two pounds per fathom. Fishers participating in the Tongue Point Basin fishery may have stored on board their boats, gill nets with leadline in excess of two pounds per fathom.

The use of monofilament gillnet gear is allowed effective.

South Channel

6 inch maximum mesh

100 fathoms maximum length

The use of monofilament gillnet gear is allowed.

ALLOWABLE SALE: Salmon

6) DEEP RIVER SELECT AREA

AREA: Deep River is open to fishing down river from the town of Deep River to the mouth (a line from navigation marker "16" southwest to a marker on the Washington shore). Concurrent waters extend downstream of the Highway 4 bridge. State waters extend upstream of the Highway 4 bridge.

SEASON: Sunday, Monday, Tuesday, Wednesday, and Thursday nights

6:00 p.m. to 8:00 a.m. October 7, 2001 through October 31, 2001

GEAR: 6 inch maximum mesh

100 fathoms maximum length

The use of monofilament gillnet gear is allowed.

ALLOWABLE SALE: Salmon

7) STEAMBOAT SLOUGH SELECT AREA

AREA: Steamboat Slough is open to fishing in waters bounded by markers on Price Island and the Washington shore, at both upstream and downstream ends of Steamboat Slough. All open waters are under concurrent jurisdiction.

SEASON: Monday, Tuesday, Wednesday, and Thursday nights

6 p.m. to 8 a.m. October 8, 2001 through October 31, 2001

GEAR: 6 inch maximum mesh

100 fathoms maximum length

The use of monofilament gillnet gear is allowed.

ALLOWABLE SALE: Salmon

OTHER: It is unlawful to transport or possess fish outside the fishing area unless by licensed buyer. An exception to the rule allows transportation out of the fishing area with a permit issued by an authorized agency employee after examining the catch.

Reviser's note: The unnecessary underscoring 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:

WAC 220-33-01000E

Columbia River gillnet seasons below Bonneville-select

area commercial fisheries.
(01-209)

WSR 01-21-013
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 01-228—Filed October 5, 2001, 3:22 p.m., effective October 7, 2001, 12:01 a.m.]

Date of Adoption: October 5, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-32-05100J; and amending WAC 220-32-051.

Statutory Authority for Adoption: RCW 77.12.047.

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: Opens the Klickitat River to commercial fishing. Harvestable numbers of salmon are available in the Klickitat River. Consistent with compact action of October 5, 2001. Conforms state rules with tribal rules. There is insufficient time to promulgate permanent regulations.

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 7, 2001, 12:01 a.m.

October 5, 2001

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-32-05100K Columbia River salmon seasons above Bonneville Dam. Notwithstanding the provisions of WAC 220-32-050, WAC 220-32-051, WAC 220-32-052, WAC 220-32-058, effective immediately until further notice, it is unlawful for a person to take or possess salmon, shad, carp, or sturgeon taken for commercial purposes in

Columbia River Salmon Management Catch Reporting Areas 1F, 1G, and 1H, and the Klickitat River except those individuals possessing treaty fishing rights under the Yakima treaty may fish for salmon, shad, carp, or sturgeon under the following provisions pursuant to lawfully enacted tribal rules:

1)

a) Open Periods: Weekly, 12:00 Noon Tuesdays through 12:00 a.m. Midnight Saturdays from October 17, 2001 through December 15, 2001.

b) Open Areas: The Klickitat River from the site of the former Swinging Bridge (RM 1.5) to Fishway Number 5 (RM2.2)

c) Gear: Hoop nets, dip bag nets, or hook and line

d) Allowable sale includes: salmon

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. October 7, 2001:

WAC 220-32-05100J

Columbia River salmon seasons above Bonneville Dam.
(01-213)

WSR 01-21-020
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 01-229—Filed October 8, 2001, 4:01 p.m.]

Date of Adoption: October 5, 2001.

Purpose: Amend hunting rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-27300B; and amending WAC 232-28-270 [232-28-273].

Statutory Authority for Adoption: RCW 77.12.047.

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: Wildfires in the Lake Chelan area have restricted access to and destroyed 70% of the winter range in Goat Unit 2-1. Extending the season will increase the possibility that both available animals are actually taken, and will reduce pressure on the remaining winter range. There is insufficient time to adopt 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.

EMERGENCY

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.

October 5, 2001
Sara G. LaBorde
for Jeff Koenings
Director

NEW SECTION

WAC 232-28-27300B Chelan North mountain goat permit hunt. Notwithstanding the provisions of WAC 232-28-273, the open period for the 2001 Chelan North mountain goat permit hunt in Goat Unit 2-1 is immediately through November 15, 2001.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. November 16, 2001:

WAC 232-28-27300B Chelan North mountain goat permit hunt.

**WSR 01-21-021
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-230—Filed October 8, 2001, 4:04 p.m.]

Date of Adoption: October 5, 2001.

Purpose: Amend hunting rules.

Citation of Existing Rules Affected by this Order: Amending WAC 232-12-267.

Statutory Authority for Adoption: RCW 77.12.047.

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 department will test deer and elk for chronic wasting disease, and may require the heads of animals to conduct the tests. Since persons who surrender the entire heads of animals may not possess proof of sex of the game animal in the field, this allows for a sampling method that legalizes possession of animals without proof of sex. There is insufficient time to promulgate permanent rules prior to the beginning of the sampling program.

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: Immediately.

October 5, 2001
Sara G. LaBorde
for Jeff Koenings
Director

NEW SECTION

WAC 232-12-26700A Field identification of big game—Chronic wasting disease sampling program. Notwithstanding the provisions of WAC 232-12-267, effective immediately until further notice it is lawful for persons who have complied with the chronic wasting disease sampling program to possess deer and elk without proof of sex under the following provisions:

(1) The head of the deer or elk must have been surrendered to an authorized department collection site.

(2) The hunter is in possession of an official department disease testing program identification card, completely filled out and signed and dated by a department employee or department volunteer.

(3) The carcass of the deer or elk is transported directly from where the head has been surrendered to the point of processing or storage.

(4) Failure to comply with sections (1) through (3) of this section constitutes unlawful possession of big game and is punishable under RCW 77.15.410.

**WSR 01-21-027
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-231—Filed October 10, 2001, 8:14 a.m., effective October 15, 2001, 7:00 p.m.]

Date of Adoption: October 9, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-05100W; and amending WAC 220-52-051.

Statutory Authority for Adoption: RCW 77.12.047.

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 2001 state/tribal Puget Sound shrimp harvest management plan requires adoption of harvest seasons, including a general closure on October 15, and the prohibition on night time fishing contained in this rule. However, it was agreed with the tribes that the trawl season in Crustacean Region 3 could be extended until November 30th, or until the quotas are reached given that sampling occurs concurrently. 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 15, 2001, 7:00 p.m.

October 9, 2001

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-52-05100X Puget Sound shrimp pot and beam trawl fishery-seasons & weekly trip limits. Notwithstanding the provisions of WAC 220-52-051, effective 7:00 p.m. October 15, 2001, until further notice it is unlawful to fish for shrimp for commercial purposes in Puget Sound except as provided for in this section:

(1) Shrimp beam trawl gear:

(a) Crustacean management area 3 - Open until further notice.

(2) For purpose of shrimp trawl catch reporting, 23A East is that portion of Marine Fish-Shellfish Management and Catch Reporting Area 23A, east of a line projected true north from the Dungeness lighthouse. 23A West is that portion of Marine Fish-Shellfish Management and Catch Reporting Area 23A, west of the line described herein.

(3) It is unlawful to fish for shrimp in Puget Sound with shrimp beam trawl gear in Port Angeles Shrimp District, the Sequim Bay Shrimp District and the Discovery Bay Shrimp District.

(4) All shrimp taken under this section must be sold to licensed Washington wholesale fish dealers. No fisher may land shrimp without immediate delivery to a licensed wholesale dealer or, if transferred at sea, without transfer to a licensed wholesale dealer.

(5) It is unlawful to harvest shrimp using shrimp beam trawl gear from one hour after official sunset to one hour before official sunrise.

(6) It is unlawful to fish for shrimp in Puget Sound with beam trawl gear in waters shallower than 100 feet.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-52-05100W Puget Sound shrimp pot and beam trawl fishery-seasons and weekly trip limits. (01-189)

**WSR 01-21-028
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-233—Filed October 10, 2001, 8:16 a.m., effective October 11, 2001, 6:00 p.m.]

Date of Adoption: October 9, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04600S; and amending WAC 220-52-046.

Statutory Authority for Adoption: RCW 77.12.047.

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: Closure in Crab Management Region 2E is to protect soft shelled crab. Closure in Crab Management Region 1 is to maintain state commercial quota. 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 11, 2001, 6:00 p.m.

October 9, 2001

Evan Jacoby
for Jeff Koenings
Director

NEW SECTION

WAC 220-52-04600T Crab fishery—Seasons and areas. Notwithstanding the provisions of WAC 220-52-046, it will be lawful to fish for Dungeness Crab for commercial purposes except as provided herein:

(1) Effective immediately until further notice, commercial crab harvest is allowed in those waters of Marine Fish-Shellfish Management and Catch Reporting Area 26A within a line that extends due north from the green number 1 buoy at Scatchet Head to Scatchet Head, thence from the green number 1 buoy at Scatchet Head to the green number 1 buoy at Possession Point, thence due north from the green number 1 buoy at Possession Point to Possession Point.

(2) Effective 12:01 a.m. October 16, 2001 through March 14, 2002, commercial crab harvest is allowed in those waters of 26A north and east of a line from the south end of the Double Bluff State Park seawall (47° 58.78' N, 122° 30.84' W) projected 110° true to the boulder on shore (47° 57.69' N, 122° 26.74' W).

(3) Effective immediately until further notice, commercial harvest will be closed in those Possession Sound waters of Marine Fish-Shellfish Management and Catch Reporting Areas 26A, north of a line that extends from Possession Point to the shipwreck, and all waters of 24B.

(4) Effective 6:00 p.m. October 11, 2001 until further notice, commercial harvest will be closed in those waters of Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, 21B, 22A, and 22B except that for the following 48 hour period, crab fishers may continue to remove their gear from the grounds. No crab may be landed from or possessed from these areas after 6:00 p.m. October 11, 2001.

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:00 p.m. October 11, 2001:

WAC 220-52-04600S Crab fishery—Seasons and areas.. (01-221)

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 01-21-029
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-234—Filed October 10, 2001, 8:18 a.m., effective October 15, 2001, 12:01 a.m.]

Date of Adoption: October 9, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-07300J; and amending WAC 220-52-073.

Statutory Authority for Adoption: RCW 77.12.047.

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: Harvestable numbers of red and green sea urchins exist in the areas described. Prohibition of all diving within two days of scheduled sea urchin openings discourages the practice of fishing on closed days and hiding the unlawful catch underwater until the legal opening. The closures at Eagle Harbor and Sinclair Inlet protect public health and promote an orderly 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.

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 15, 2001, 12:01 a.m.

October 9, 2001

Evan Jacoby

for Jéff Koenings

Director

NEW SECTION

WAC 220-52-07300K Sea urchins Notwithstanding the provisions of WAC 220-52-073, effective October 15, 2001 until further notice, it is unlawful to take or possess sea urchins taken for commercial purposes except as provided for in this section:

(1) Green sea urchins: Sea Urchin Districts 1, 2, 3, 4 and Marine Fish/Shellfish Management and Catch Reporting Areas 24A, 24B, 24C, 24D, 26B, 26C, 26D, and 28A are open only on Monday and Tuesday of each week. The minimum size for green sea urchins is 2.25 inches in diameter, exclusive of the spines.

(2) Red sea urchins: Sea Urchin Districts 1 and 2 are open only on Monday, Tuesday and Wednesday of each week. It is unlawful to harvest red sea urchins larger than 5.5 inches or smaller than 4.0 inches in diameter, exclusive of spines.

(3) It is unlawful to dive for any purpose from a commercially-licensed fishing vessel, except vessels actively fishing geoducks under contract with the Washington Department of Natural Resources on Saturdays and Sundays of each week.

(4) The following areas are closed to the harvest of sea urchins at all times:

(a) Those waters of Eagle Harbor west of a line projected from Wing Point to Eagle Harbor Creosote Light Number 1, then due west to the shore on Bainbridge Island.

(b) The waters of Sinclair Inlet west of a line projected southerly from the easternmost point of Point Turner to landfall directly below the Veteran's Home in Annapolis.

REPEALER

The following section of the Washington Administrative Code is repealed 12:01 a.m. October 15, 2001:

WAC 220-52-07300J Sea urchins (01-211)

WSR 01-21-030 EMERGENCY RULES WASHINGTON STATE PATROL

[Filed October 10, 2001, 10:50 a.m., effective November 1, 2001]

Date of Adoption: September 25, 2001.

Purpose: The Department of Transportation is changing the signage used to communicate under what conditions a vehicle, or vehicle type, can proceed through the mountain passes during winter conditions. The new signage, effective November 1, 2001, provides greater clarity to the motorist and should promote easier enforcement. Existing rules reference the old verbiage and need to be updated to reflect the new verbiage.

Citation of Existing Rules Affected by this Order: Amending WAC 204-24-030 Standards for studded tires and 204-24-050 Use of tire chains.

Statutory Authority for Adoption: RCW 46.37.420.

Other Authority: RCW 46.12.330 and 46.37.005.

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 current rules do not reference the appropriate sign verbiage that will be used in the mountain passes effective November 1, 2001. Without the rule change the new signage will have no basis for enforcement.

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 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 2, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Mak-

ing: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Effective Date of Rule: November 1, 2001.

September 25, 2001

Ronal W. Serpas
Chief

AMENDATORY SECTION (Amending WSR 00-15-009, filed 7/10/00, effective 8/10/00)

WAC 204-24-030 Standards for studded tires. Studded tires shall meet the following specifications:

(1) Studs shall be metal, tipped with tungsten carbide.

(2) Metal studs shall be inserted only in a new tire or a newly-recapped tire which has molded in the tread the "pin-holes" into which metal studs are to be inserted. Studs shall not be inserted in any new tire or newly-recapped tire after it has been driven on a vehicle.

(3) Metal studs may be installed only by the tire manufacturer, or by a tire dealer or tire jobber who shall install the metal studs in conformance with the manufacturer's specifications.

(4) When a tire is sold or offered for sale as a studded tire or when studs are installed in a new tire or a newly-recapped tire, there shall be a minimum of seventy metal studs evenly spaced around the tread of the tire.

(5) A tire shall contain a minimum of fifty-six metal studs at all times in order to qualify as a "studded tire" or as an approved traction device (~~where traffic control signs marked "approved traction tires required" are posted~~).

(6) Metal studs shall not be installed in any tire of a vehicle which has a gross vehicle weight of ten thousand pounds or over.

(7) School buses and fire department equipment tires are exempt from subsection (6) of this section.

AMENDATORY SECTION (Amending WSR 00-03-081, filed 1/19/00, effective 2/19/00)

WAC 204-24-050 Use of tire chains or other traction devices. (1) Vehicles under 10,000 pounds gross vehicle weight.

~~((a))~~ When traffic control signs (~~marked "approved traction tires required"~~) are posted by the department of transportation it shall be unlawful for any vehicle to enter the controlled area without having mounted on its drive tires (~~at least one of~~) the traction device(~~s meeting~~) specified by the sign, which must also meet the requirements of WAC 204-24-040.

~~((b) When traffic control signs marked "chains required" are posted by the department of transportation it shall be unlawful for any vehicle to enter the controlled area without having mounted on its drive tires, tire chains meeting the standards in chapter 204-22 WAC.~~

~~((c))~~ Exception for all wheel drive vehicles. When "chains required" signs are posted, all-wheel drive vehicles shall be exempt from the chain requirement when all wheels are in gear and are equipped with approved traction devices as specified in WAC 204-24-040 provided that tire chains for at least one set of drive tires are carried in the vehicle.

(2) Vehicles or combinations of vehicles over 10,000 pounds gross vehicle weight rating (GVWR).

When traffic control signs marked (~~"approved traction tires required" or~~) "chains required" are posted by the department of transportation it shall be unlawful for any vehicle or combination of vehicles to enter the controlled area without having mounted on its tires, tire chains as follows: Provided, That highway maintenance vehicles operated by the department of transportation for the purpose of snow removal and its ancillary functions are exempt from the following requirements if such vehicle has sanding capability in front of the drive tires.

(a) Vehicles or vehicle combinations with two to four axles including but not limited to trucks, truck-tractors, buses and school buses: For vehicles with a single drive axle, one tire on each side of the drive axle shall be chained. For vehicles with dual drive axles, one tire on each side of one of the drive axles shall be chained. For vehicle combinations including trailers or semi-trailers; one tire on the last axle of the last trailer or semi-trailer, shall be chained. If the trailer or semi-trailer has tandem rear axles, the chained tire may be on either of the last two axles.

(b) Automobile transporters are any vehicle combination designed and used specifically for the transport of assembled (capable of being driven) highway vehicles. For vehicles with single drive axles, one tire on each side of the drive axle shall be chained. For vehicles with dual drive axles, one tire on each side of each of the drive axles shall be chained. For vehicle combinations including trailers or semi-trailers, one tire on the last axle of the last trailer or semi-trailer shall be chained. If the trailer or semi-trailer has tandem rear axles, the chained tire may be on either of the last two axles.

(c) Vehicle combinations with five axles consisting of a truck tractor with dual drive axles and a tandem axled semi-trailer; all tires on one drive axle may be chained or one tire on each side of each of the drive axles may be chained. Chains must be applied to a minimum of four tires on the drive axles. On the tandem axle semi-trailer, the chained tire may be on either of the last two axles.

(d) Vehicle combinations with five axles, consisting of a truck and trailer, or truck tractor and semi-trailer with a single drive axle, or truck tractor, semi-trailer and full trailer: For vehicles with a single drive axle, all tires on the drive axle shall be chained. For vehicles with dual drive axles, all tires on one of the drive axles shall be chained. For vehicle combinations including trailers or semi-trailers, one tire on the last axle of the last trailer or semi-trailer shall be chained. If the trailer or semi-trailer has tandem rear axles, the chained tire may be on either of the last two axles.

(e) Vehicle combinations with six or more axles, including but not limited to truck and trailer or truck tractor and semi-trailer or truck tractor semi-trailer and full trailer: For vehicles with a single drive axle, all tires on the drive axle shall be chained. For vehicles with dual drive axles where traffic control signs marked "approved traction tires required" are posted, all tires on one of the drive axles shall be chained. For vehicles with dual drive axles where traffic control signs marked "chains required" are posted, all tires on one of the drive axles shall be chained. In addition, one tire on each side of the additional drive axle shall be chained. For

vehicle combinations including trailers or semi-trailers, one tire on the last axle shall be chained. For vehicles with tandem axle trailers or semi-trailers, the chained tire may be on either of the last two axles.

(f) All vehicles over 10,000 pounds gross vehicle weight shall carry a minimum of two extra chains for use in the event that road conditions require the use of more chains or in the event that chains in use are broken or otherwise made useless.

(g) Approved chains for vehicles over 10,000 pounds gross vehicle weight shall have at least two side chains to which are attached sufficient cross chains of hardened metal so that at least one cross chain is in contact with the road surface at all times. Plastic chains shall not be allowed. The state patrol may approve other devices as chains if the devices are equivalent to regular chains in performance.

(h) On the following routes all vehicles and combinations of vehicles over 10,000 pounds shall carry sufficient tire chains to meet the requirements of this chapter from November 1 to April 1 of each year or at other times when chains are required for such vehicles:

(i) I-90 - between North Bend (MP 32) and Ellensburg (MP 101).

(ii) SR-97 - between (MP 145) and Junction SR-2.

(iii) SR-2 - between Dryden (MP 108) and Index (MP 36).

(iv) SR-12 - between Packwood (MP 135) and Naches (MP 187).

(v) SR-97 - between the Columbia River (MP 0.00) and Toppenish (MP 59.00).

(vi) SR-410 - from Enumclaw to Naches.

(vii) SR-20 - between Tonasket (MP 262) and Kettle Falls (MP 342); and SR-20 between Newhalem (MP 120) and Winthrop (MP 192).

(viii) SR-155 - between Omak (MP 79) and Nespelem (MP 45).

(ix) SR-970 - between (MP 0) and (MP 10).

(x) SR-14 - between Gibbons Creek (MP 18.00) and (MP 108.40) intersection of Cliffs Road.

(xi) SR-542 - Mt. Baker highway between (MP 22.91) and (MP 57.26).

Vehicles making local deliveries as indicated on bills of lading and not crossing the mountain pass are exempt from this requirement if operating outside of a chain required area.

(3) The Washington state department of transportation or Washington state patrol may prohibit any vehicle from entering a chain/approved traction (~~tire~~) device control area when it is determined that the vehicle will experience difficulty in safely traveling the area.

WSR 01-21-034

EMERGENCY RULES

DEPARTMENT OF TRANSPORTATION

[Filed October 10, 2001, 2:56 p.m., effective November 1, 2001]

Date of Adoption: September 25, 2001.

Purpose: The Department of Transportation is changing the signage used to communicate under what conditions a vehicle, or vehicle type, can proceed through the mountain passes during winter conditions. The new signage, effective

November 1, 2001, provides greater clarity to the motorist and should promote easier enforcement. Existing rules reference the old verbiage and need to be updated to reflect the new verbiage.

Citation of Existing Rules Affected by this Order: Amending WAC 468-38-075 Overlength exemptions and 468-38-390 Winter road restrictions.

Statutory Authority for Adoption: RCW 46.44.090.

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 current rules do not reference the appropriate sign verbiage that will be used in the mountain passes effective November 1, 2001. Without the rule change the new signs will have no basis for enforcement.

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 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, 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: November 1, 2001.

September 25, 2001

John F. Conrad

Assistant Secretary

Engineering and Regional Operations

AMENDATORY SECTION (Amending Order 143, filed 3/11/94, effective 3/11/94)

WAC 468-38-075 Overlength exemptions. Vehicles may move by special motor vehicle permit without regard to **oversize load** signs (WAC 468-38-190), weekend curfew or holiday restrictions (WAC 468-38-230), commuter traffic restrictions (WAC 468-38-235), or night-time movement restrictions (WAC 468-38-260), when they meet the following overlength conditions:

Tractor/trailer combinations with:

- A single trailer not exceeding fifty-six feet (including load)
- Double trailers not exceeding sixty-eight feet (including load)
- Nonreducible loads (including trailer) not exceeding sixty-one feet
- Vehicles with front overhang not exceeding four feet beyond the three foot legal limit set in RCW 46.44.034 (see also bumper criteria set in RCW 46.37.517)

-Single unit fixed load vehicles not exceeding an overall length of forty-five feet including a four foot front overhang beyond the legal three foot limit and a rear overhang not to exceed fifteen feet measured from the center of the last axle.

The aforementioned vehicles, when in compliance with WAC 204-24-050 Use of tire chains or other traction devices, are also exempt from that portion of the winter road restrictions (WAC 468-38-390) prohibiting movement in areas where ~~((any of))~~ the following sign~~((s are))~~ is displayed: ~~(("Traction tires advised," "approved traction tires recommended," "approved traction tires required," or "tire chains required." The signs, however, must be obeyed.))~~ "TRACTION ADVISORY/OVERSIZE VEHICLES PROHIBITED."

AMENDATORY SECTION (Amending Order 132, filed 11/2/92, effective 12/3/92)

WAC 468-38-390 Winter road restrictions. During periods when "emergency load restrictions" or "severe emergency load restrictions" are in effect, only vehicles equipped with tires required by WAC 468-38-080 may operate under permit. ~~((Movement by permit of units whether driven, towed or hauled is prohibited in areas where any of the following signs are displayed: "Traction tires advised," "approved traction tires recommended," "approved traction tires required," or "tire chains required."~~

~~Special permits for movements over mountain passes (Snoqualmie, Stevens, Sherman, Blewett, White and Satus) will not be valid))~~

The department of transportation or the Washington state patrol may prohibit any vehicle, whether moving by special permit for oversize and/or overweight or not, from entering a chain/approved traction device control area when it is determined the vehicle will experience difficulty in safely traveling the area. Prohibitions will generally be communicated by traffic control sign (i.e., "TRACTION ADVISORY/OVERSIZE VEHICLES PROHIBITED," "CHAINS REQUIRED ON ALL VEHICLES EXCEPT ALL-WHEEL DRIVE," "VEHICLES OVER 10,000 GVWR CHAINS REQUIRED," etc.). In addition specific vehicles or vehicle combinations may be required to operate with specified traction devices (i.e., "TRACTORS PULLING DOUBLE TRAILERS MUST CHAIN UP").

Movement into a restricted area when prohibited, or without the specified traction device, will be considered a violation of the permit, which is a traffic infraction, and subject to the penalties set forth in RCW 46.44.105.

When signs, or other traffic control methods are not present, a vehicle, or vehicle combination, operating under a special permit for oversize, must stop movement at the nearest safe location during periods when snow is falling to a degree that visibility is limited to less than 1,000 feet; immediately following a severe storm when snow removal equipment is operating; when fog or rain limits visibility to less than 1,000 feet; or when compact snow and ice conditions require the use of chains. If hazardous conditions are encountered after a move is undertaken, it shall be the responsibility of the permittee to remove the oversize load from the highway, and ~~((he shall))~~ not proceed until conditions have abated and ~~((he has obtained))~~ clearance obtained from the nearest department of transportation office or the Washington state

patrol. Failure to stop is a violation of the special permit and subject to the penalties of RCW 46.44.105.

The secretary of transportation may issue special permits for department vehicles used for snow removal or the sanding of highways during emergency winter conditions. Such permits shall also be valid for vehicles in transit to or from the work site. Limitations on movement during hours of the day or days of the week may be waived. Sign requirements may be waived if weather conditions render such signs ineffectual. Movements at night may be made only by department vehicles whose lights meet the standards for emergency maintenance vehicles established by the commission on equipment.

WSR 01-21-036
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 01-226—Filed October 11, 2001, 8:04 a.m.]

Date of Adoption: October 9, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-47-50000A; and amending WAC 220-47-500.

Statutory Authority for Adoption: RCW 77.12.047.

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: During the North of Falcon pre-season fisheries planning meetings, surplus harvestable coho were identified to be available in South Sound fishing areas. Consistent with this resource status, the pre-season fishing agreement included a limited participation, nontreaty purse seine fishery in Area 11 during weeks 40 and 41 with a 4,000 coho harvest cap, subject to tribal agreement. This two purse seine fishery will help evaluate the potential feasibility of using purse seine gear in conjunction with onboard revival tanks to selectively harvest hatchery coho. It also will support the specific management objective of providing nontreaty harvest access to the nontreaty share of harvestable hatchery coho while protecting natural coho stocks that have been in decline in south Puget Sound. The fishery would be closed if and when the 4,000 coho harvest cap is reached. In addition, if the encounters of coho are very low or the incidence of chum is unacceptably high, such that the objective of the fishery are not being met, the fishery would also be closed. 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: Immediately.

October 9, 2001

Sara G. LaBorde
for Jeff Koening
Director

NEW SECTION

WAC 220-47-50000A Limited participation salmon net fisheries. Notwithstanding the provisions of WAC 220-47-500:

(1) The fishing Vessel "New Oregon" operated by Mr. Andy Blair and the Fishing vessel "Grayling" operated by Mr. Mitchell Beritich are authorized to conduct salmon fishing purse seine operations in Puget Sound Salmon Management and Catch Reporting Area 11 under the following conditions:

(a) Fishing hours 7:00 a.m. October 11 through 7:00 p.m. October 11, 2001.

(b) Participation is contingent on onboard monitoring by a WDFW observer.

(c) Only chum and hatchery coho may be retained.

(d) Wild coho must be placed in a revival tank and held until completion of the next set or 1 hour whichever is less.

(e) Other species of salmon must be released immediately

(f) Departures from these conditions can be authorized on scene by the WDFW observer.

REPEALER

The following section of the Washington Administrative Code is repealed effective 7:01 p.m. October 11, 2001:

WAC 220-47-50000A Limited participation salmon net fisheries.

WSR 01-21-037
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 01-232—Filed October 11, 2001, 8:08 a.m.]

Date of Adoption: October 9, 2001.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-31000S and 220-56-33000A; and amending WAC 220-56-310 and 220-56-330.

Statutory Authority for Adoption: RCW 77.12.047.

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: Day/limit restrictions and closures are needed to stay within state/tribal allocations and quotas as specified by federal court and Fish and Wildlife Commission policies. 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 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.

October 9, 2001
Sara G. LaBorde
for Jeff Koenings
Director

NEW SECTION

WAC 220-56-31000T Shellfish—Daily limits. Notwithstanding the provisions of WAC 220-56-310, effective immediately until further notice, it is unlawful to possess more than three Dungeness crab taken from Marine Area 12 and that portion of Marine Area 9 south of a line from Foulweather Bluff to Olele Point.

NEW SECTION

WAC 220-56-33000B Crab—Areas and seasons. Notwithstanding the provisions of WAC 220-56-330, it is lawful to fish for crab for personal use in Puget Sound in all Marine Areas except as provided below:

(1) Effective immediately, until further notice, it is unlawful to fish for crab for personal use on Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays in Marine Area 12 and that portion of Marine Area 9 south of a line from Foulweather Bluff to Olele Point

(2) Effective 12:01 a.m., October 15, 2001, until further notice, it is unlawful to fish for crab for personal use in all waters of Marine Areas 7, 8-1, and 8-2.

REPEALER

The following section of the Washington Administrative Code is repealed:

- WAC 220-56-31000S Crab—Areas and seasons. (01-220)
- WAC 220-56-33000A Crab—Areas and seasons. (01-220)

**WSR 01-21-039
EMERGENCY RULES
UTILITIES AND TRANSPORTATION
COMMISSION**

[Docket No. UG-010522, General Order No. R-493—Filed October 12, 2001, 10:12 a.m.]

In the matter of adopting WAC 480-93-240 and 480-75-240 relating to pipeline safety funding.

1 This is an emergency rule-making proceeding to adopt rules that will become effective when filed. These emergency rules establish a methodology for collecting pipeline safety fees pursuant to legislative authority to meet the costs of conducting the pipeline safety program established in Title 81 RCW. The commission first adopted emergency rules addressing this topic on June 13, 2001, filed at WSR 01-13-045. Those rules will expire on October 12, 2001. The commission has filed at WSR 01-20-058 proposed permanent rules to address the needs satisfied by the emergency rules. This order adopts rules that are identical with the rules filed at WSR 01-13-045 and that will replace them to protect the public health, safety and general welfare until permanent rules are adopted.

2 The Washington Utilities and Transportation Commission is conducting this rule making pursuant to RCW 80.01.040 and 34.05.350. This proceeding complies with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.05 RCW), the State Register Act (chapter 34.08 RCW), and the State Environmental Policy Act of 1971 (chapter 43.21C RCW).

3 While the emergency rule process set forth in RCW 34.05.350 permits agencies to dispense with the requirements of notice and opportunity to comment, the commission did provide notice of its consideration of these rules, and did receive and consider written and oral comments on the proposal.¹

4 The commission designates the discussion in this order as a concise explanatory statement,² supplemented where not inconsistent by the commission staff memorandum presented at the open meeting³ where the commission considered whether to adopt emergency rules.

5 The purpose of these rules is to ensure a sustainable, comprehensive, pipeline safety program, to protect the health and safety of the citizens of Washington, and maintain the quality of the state's environment. This will be accomplished by securing permanent funding for the pipeline safety program through establishment of a regulatory fee imposed on hazardous liquids and gas pipeline companies.

EMERGENCY

6 The facts requiring emergency action, and the readoption of WAC 480-93-240 and 480-75-240 on an emergency basis, are as follows:

7 Section 2, chapter 238, Laws of 2001 requires that the commission establish in rule a methodology by which fees are set and collected to fund the pipeline safety program. The law became effective on July 1, 2001. Current funding authority for the existing pipeline safety program expired June 30, 2001. Without emergency rules in place, there would not be sufficient funds to meet program needs.

8 The commission filed a notice of proposed rule making (CR-102) on September 28, 2001, under WSR 01-20-058 to adopt the provisions of the rules, on a permanent basis. This filing demonstrates the commission's intention to adopt permanent rules establishing a methodology for collecting pipeline safety fees. The commission has observed, and will continue to observe, the full requirements of notice and opportunity to comment upon adoption of permanent rules in that rule making. The commission provided notice to industry of this proposal, received written and oral comments, and used those comments to develop the first emergency rules, which it readopts by this order. Interested persons have had a reasonable opportunity to comment and participate in the development of the rules.

9 The commission finds that the circumstances that required the initial adoption of WAC 480-93-240 and 480-75-240 are continuing and require that identical rules be adopted on an emergency basis in order to preserve the public health, safety, or general welfare. The emergency rules will remain in effect only until permanent rules are adopted.

10 The Washington Utilities and Transportation Commission finds that an emergency exists. The commission finds that immediate adoption of rules establishing a pipeline fee methodology is necessary. The commission is actively undertaking the appropriate procedures to adopt the rules as permanent rules. When adopted those rules will replace these emergency rules.

¹ Commission staff's open meeting memorandum dated June 13, 2001, sets out a substantial record of notice and comment for the time during which these emergency rules and their predecessors were under consideration. Many of the suggestions made by interested persons were incorporated into the adopted rules.

² A concise explanatory statement as provided for in RCW 34.05.325 is not required in emergency rule makings. Because of the level of interest in this rule and the public involvement, the commission believes that it is appropriate to acknowledge the involvement by describing in a concise explanatory statement how comments affected the development of the rule.

³ June 13, 2001.

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.

ORDER

11 THE COMMISSION ORDERS That WAC 480-93-240 and 480-75-240, as set forth in Appendix A, are readopted to take effect as emergency rules of the Washington Utilities and Transportation Commission pursuant to RCW 34.05.350 and 34.05.380(2), to be effective when filed.

12 THE COMMISSION FURTHER ORDERS That this order and the rules set forth in Appendix A, after being first recorded in the order register of the Washington Utilities and Transportation Commission, be forwarded to the code reviser for filing pursuant to chapters 80.01 and 34.05 RCW and chapter 1-21 WAC.

DATED at Olympia, Washington, this 11th day of October, 2001.

Washington Utilities and Transportation Commission
Marilyn Showalter, Chairwoman
Richard Hemstad, Commissioner
Patrick J. Oshie, Commissioner

Appendix A

NEW SECTION

WAC 480-93-240 Annual pipeline safety fee methodology (1) Every gas company and every interstate gas pipeline company subject to inspection or enforcement by the commission will pay an annual pipeline safety fee as established in the methodology set forth in section (2) below.

(2) The fee will be set by general order of the commission entered before July 1 of each year and will be collected in four equal installments payable on the first day of each calendar quarter, beginning July 1, 2001.

(a) The total of pipeline safety fees will be calculated to recover the costs of the legislatively authorized workload represented by current appropriations, less the amount received in federal funds through the Federal Department of Transportation's Natural Gas Pipeline Safety Program base grant. Federal grants, other than the federal base grant, received by the commission for additional activities not included or anticipated in the legislatively directed workload will not be credited against company pipeline safety fees, nor will the work supported by such grants be considered a cost for purposes of calculating such fees.

(b) Total pipeline fees as determined in subsection (a) will be divided between gas companies and interstate gas pipeline companies based on two components:

(i) The first component is direct assignment of average costs associated with a company's standard inspections, including the average number of inspection days per year, which will be determined annually. Standard inspections are conducted to comply with the state's participation requirement under the "Guidelines for States Participating in the Pipeline Safety Program" of the Federal Department of Transportation, Office of Pipeline Safety.

(ii) The second component is an allocation of the remaining program costs that are not directly assigned in (i). Distribution of these costs between gas companies and interstate gas pipeline companies will be based on miles of transmission lines as defined in WAC 480-93-005(18) and miles of main as defined in WAC 480-93-005(12) operated within Washington state.

(c) The commission general order setting fees pursuant to this rule will detail the allocation of program costs between gas companies and interstate gas pipeline companies, and the specific calculation of each company's pipeline safety fee.

(3) By April 1 of each year every gas company and every interstate gas pipeline company subject to this section must file an annual report as prescribed by the Commission that is necessary to establish the annual pipeline safety fee. By June 1 of each year the commission staff will mail to each company subject to this section an annual invoice showing an estimate of the quarterly amounts.

(4) All pipeline safety fees received from gas companies and interstate gas pipeline companies will be deposited to the pipeline safety account. For those companies subject to RCW 80.24.010, the portion of the company's total regulatory fee applicable to pipeline safety will be transferred from the public service revolving fund to the pipeline safety account.

(5) Any company wishing to contest the amount of the fee imposed under this section must pay the fee and, within 6 months of the due date of the fee, file a petition in writing with the commission requesting a refund. The petition must state the name of the petitioner; the date and the amount paid, including a copy of any receipt, if available; the amount of the fee that is contested; and any reasons why the commission may not impose the fee. The commission may grant the petition administratively or may set the petition for adjudication or for brief adjudication.

NEW SECTION

WAC 480-75-240 Annual pipeline safety fee methodology (1) Every hazardous liquid pipeline company subject to inspection or enforcement by the commission will pay an annual pipeline safety fee as established in the methodology set forth in section (2) below.

(2) The fee will be set by general order of the commission entered before July 1 of each year and will be collected in four equal installments payable on the first day of each calendar quarter, beginning July 1, 2001.

(a) The total of pipeline safety fees will be calculated to recover the costs of the legislatively authorized workload represented by current appropriations, less the amount received in federal funds through the Federal Department of Transportation's Hazardous Liquids Pipeline Safety Program base grant. Federal grants, other than the federal base grant, received by the commission for additional activities not included or anticipated in the legislatively directed workload will not be credited against company pipeline safety fees, nor will the work supported by such grants be considered a cost for purposes of calculating such fees.

(b) Total pipeline fees as determined in (a) will be divided between intrastate hazardous liquid pipeline compa-

nies and interstate hazardous liquid pipeline companies based on two basic components:

(i) The first component is direct assignment of average costs associated with a company's standard inspections, including the average number of inspection days per year which will be determined annually. Standard inspections are conducted to comply with the state's participation requirement under the "Guidelines for States Participating in the Pipeline Safety Program" of the Federal Department of Transportation, Office of Pipeline Safety.

(ii) The second component is an allocation of the remaining program costs that are not directly assigned in (i). Distribution of these costs between interstate and intrastate hazardous liquid pipeline companies will be based on miles of pipeline operated within Washington state.

(c) The commission general order setting fees pursuant to this rule will detail the allocation of program costs between interstate and intrastate hazardous liquid companies and the specific calculation of each company's pipeline fee.

(3) By April 1 of each year every hazardous liquids pipeline company subject to this section must file an annual report as prescribed by the commission that is necessary to establish the annual pipeline safety fee. By June 1 of each year the commission staff will mail to each company subject to this section an annual invoice showing an estimate of the quarterly amounts.

(4) All pipeline safety fees received from hazardous liquid pipeline companies will be deposited to the pipeline safety account. For those companies subject to RCW 81.24.010 the portion of the company's total regulatory fee applicable to pipeline safety will be transferred from the public service revolving fund to the pipeline safety account.

(5) Any company wishing to contest the amount of the fee imposed under this section must pay the fee and, within 6 months of the due date of the fee, file a petition in writing with the commission requesting a refund. The petition shall state the name of the petitioner; the date and the amount paid, including a copy of any receipt, if available; the amount of the fee that is contested; and any reasons why the commission may not impose the fee. The commission may grant the petition administratively or may set the petition for adjudication or for brief adjudication.

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 01-21-044
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-235—Filed October 12, 2001, 4:22 p.m.]

Date of Adoption: October 12, 2001.

Purpose: Amend hunting rules.

Citation of Existing Rules Affected by this Order:
Amending WAC 232-28-619 [232-28-291].

Statutory Authority for Adoption: RCW 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is

EMERGENCY

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 general provisions for special hunting seasons reference weapons in compliance with special hunting seasons, which allow any weapon to be used in the named hunts. However, the specific provisions for other deer and elk special hunting seasons reference weapons in compliance with the hunting tags. Since persons with either muzzleloader or modern firearm tags in these latter hunts are expected to hunt with the respective firearm type, this rule clarifies the intent of the specific rules for special hunts which are not "any-weapon" hunts. There is insufficient time to adopt 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: Immediately.

October 12, 2001

Jeff Koenings

Director

by Larry Peck

NEW SECTION

WAC 232-28-29100A Special hunting season permits—Weapon to comply with tag type. Notwithstanding the provisions of WAC 232-28-291, effective immediately until further notice, a holder of a special hunting season permit may hunt only with a weapon in compliance with the type of tag they are holding, except persons may hunt with any lawful weapon in the following special permit hunts:

(1) Deer:

Blue Mtn. Foothills D, E and F

Mission

Quilomene D

Umtanum D

Toutle

Wind River C

Satsop C

Skookumchuck C

(2) Elk:

Toledo B

Mossyrock B

Randle B

Quinault Ridge

Chehalis Valley A, B, C, D, E, and F

Observatory D

Little Naches C and D

Centralia Mine A and B

North Shore A, B, and C

Skookumchuck A and B

WSR 01-21-045

EMERGENCY RULES

DEPARTMENT OF

FISH AND WILDLIFE

[Order 01-236—Filed October 12, 2001, 4:26 p.m., effective October 16, 2001, 12:01 a.m.]

Date of Adoption: October 12, 2001.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-32500S.

Statutory Authority for Adoption: RCW 77.12.047.

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 needed to close the recreational shrimp season and revert back 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 0, 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 16, 2001, 12:01 a.m.

October 12, 2001

Jeff Koenings

Director

by Larry Peck

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. October 16, 2001:

WAC 220-56-32500S

Shrimp—Areas and seasons. (01-179)

**WSR 01-21-065
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-237—Filed October 17, 2001, 3:42 p.m., effective October 17, 2001, 11:59 p.m.]

Date of Adoption: October 17, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order:

Repealing WAC 220-47-801.

Statutory Authority for Adoption: RCW 77.12.047.

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 remove the 5 1/2 inch maximum gill net mesh size restriction, and it eliminates the purse seine chinook release requirement. Both of these restrictions were intended for chinook protection. Chinook have moved out of the fishing area and into the freshwater streams, and Samish Hatchery has met its chinook escapement goal. So, chinook protection is no longer necessary. Repeal of the gill net maximum mesh size gives fishers the option to employ larger meshed gill nets an target either larger coho (some have been observed in the twenty pound range) or chum salmon. There are harvestable numbers of both species remaining in the nontreaty allocation. Typically, the nontreaty share of both of these species is not fully harvested, but this action may encourage a greater fraction of harvest of the nontreaty chum salmon allocation.

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 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 17, 2001, 11:59 p.m.

October 17, 2001

Evan Jacoby

for Jeff Koenings

Director

REPEALER

The following section of the Washington Administrative Code is repealed effective 11:59 p.m. October 17, 2001:

WAC 220-47-801

Puget Sound all-citizen commercial salmon fishery. (01-205)

**WSR 01-21-076
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-238—Filed October 18, 2001, 2:41 p.m., effective October 19, 2001, 8:00 a.m.]

Date of Adoption: October 18, 2001.

Purpose: Amend personal use fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-31000T and 220-56-33000B; and amending WAC 220-56-330.

Statutory Authority for Adoption: RCW 77.12.047.

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: Current estimates indicate sufficient crab are available for recreational harvest. The reason for the closure in the southern portion of Marine Area 8-2 is to protect soft shelled crab. 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 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: October 19, 2001, 8:00 a.m.

October 18, 2001

J. P. Koenings

Director

by Larry Peck

NEW SECTION

WAC 220-56-33000C Crab—Areas and seasons. Notwithstanding the provisions of WAC 220-56-330, it is lawful to fish for crab for personal use in Puget Sound in all Marine Areas except as provided below:

(1) Effective 8:00 a.m., October 19, 2001, until further notice, it is unlawful to fish for crab for personal use in that

EMERGENCY

portion of Marine Area 8-2, south and east of a line that extends from Camano Head on the southern tip of Camano Island to Sandy Point on Whidbey Island.

REPEALER

The following section of the Washington Administrative Code is repealed effective 8:00 a.m. October 19, 2001:

- WAC 220-56-33000B Crab—Areas and seasons. (01-232)
- WAC 220-56-31000T Shellfish—Daily limits. (01-232)

**WSR 01-21-084
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-239—Filed October 19, 2001, 11:34 a.m.]

Date of Adoption: October 19, 2001.
Purpose: Amend commercial fishing rules.
Citation of Existing Rules Affected by this Order: Amending WAC 220-52-040.

Statutory Authority for Adoption: RCW 77.12.047.

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 permanent rule for reviewing crab pot appeals for extenuating circumstances has an application deadline of October 18, 2001. This rule provides the interim application of this deadline until the permanent rule can take effect.

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: Immediately.

October 19, 2001
J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-52-04000C Crab pot limit assignment appeals. Notwithstanding the provisions of WAC 220-52-040, effective immediately until further notice the Department will not accept appeals of coastal crab pot limit assignments.

**WSR 01-21-095
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 01-241—Filed October 22, 2001, 4:56 p.m., effective October 22, 2001, 6:00 p.m.]

Date of Adoption: October 22, 2001.

Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-40-02700Y; and amending WAC 220-40-027.

Statutory Authority for Adoption: RCW 77.12.047.

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 landings indicate a stronger than forecasted chum run size. Additional commercial fishing time is available, while still meeting interim escapement objectives for natural coho. 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 22, 2001, 6:00 p.m.

October 22, 2001
J. P. Koenings
Director
by Larry Peck

NEW SECTION

WAC 220-40-02700Y Salmon—Willapa Bay fall fishery. Notwithstanding the provisions of WAC 220-40-027, it is unlawful to fish for or possess salmon taken for

EMERGENCY

commercial purposes from the waters of Willapa Bay except as provided for in this section:

(1) Open 6:00 p.m. October 22 through 6:00 p.m. October 25, 2001 in Areas 2G west of a true north-south line drawn through Willapa Channel Marker 10 and east of a line drawn true south from the most waterward exposed end of the rock jetty located near Washaway Beach and excluding the area southerly and easterly of a line from Island Sands Light to Ramsey Point, 2M and 2J north of a true east-west line drawn through the North Entrance Marker to the Nahcotta boat basin (red flasher #2).

REPEALER

The following section of the Washington Administrative Code is repealed effective 6:01 p.m. October 25, 2001:

WAC 220-40-02700Y Salmon—Willapa Bay fall fishery.

**WSR 01-21-120
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

(Medical Assistance Administration)

[Filed October 23, 2001, 4:40 p.m.]

Date of Adoption: October 18, 2001.

Purpose: Adopt a new rule, WAC 388-462-0020, necessary to implement a Medicaid option allowed under Public Law 106-354 and RCW 74.09.510. This option allows uninsured women under the age of sixty-five to receive treatment for breast and cervical cancer when they have been identified as needing treatment through the CDC detection program.

Statutory Authority for Adoption: RCW 74.08.090, 74.04.050, 74.04.057, 74.09.530, and 74.09.510.

Other Authority: Public Law 106.354.

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: This Medicaid expansion is authorized under EHB 1058 which amends RCW 74.09.510.

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 1, 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 1, Amended 0, Repealed 0.

Effective Date of Rule: Immediately.

October 18, 2001

Brian H. Lindgren, Manager
Rules and Policies Assistance Unit

NEW SECTION

WAC 388-462-0020 Breast and cervical cancer treatment program (BCCTP) for women—Client eligibility.

(1) Effective July 1, 2001, a woman is eligible for categorically needy (CN) coverage under the BCCTP only when she:

(a) Has been screened for breast or cervical cancer under the center for disease control (CDC) breast and cervical cancer early detection program (BCCEDP);

(b) Is found to require treatment for either breast or cervical cancer or for a related precancerous condition;

(c) Is under sixty-five years of age;

(d) Is not eligible for another CN Medicaid program;

(e) Is uninsured or does not otherwise have creditable coverage;

(f) Meets residency requirements as described in WAC 388-468-0005;

(g) Meets Social Security Number requirements as described in WAC 388-476-0005; and

(h) Meets citizenship and alien status requirements as described in:

(i) WAC 388-424-0005 (1)(a) and (b); or

(ii) WAC 388-424-0010 (1) or (2)(a) and (b).

(2) The certification periods described in WAC 388-416-0015 (1), (4), and (6) apply to the BCCTP. Eligibility for Medicaid continues throughout the course of treatment as certified by the CDC-BCCEDP.

(3) Income and asset limits are set by the CDC-BCCEDP.

EMERGENCY

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
5780 SOUTH CAMPUS DRIVE
CHICAGO, ILLINOIS 60637

RECEIVED
JAN 15 1964

FROM
DR. ROBERT M. HAYES
DEPARTMENT OF CHEMISTRY
UNIVERSITY OF CHICAGO

TO
DR. J. H. GOLDSTEIN
DEPARTMENT OF CHEMISTRY
UNIVERSITY OF CHICAGO

RE: [Illegible]

Yours very truly,
Robert M. Hayes

WSR 01-21-005
RULES COORDINATOR
WHATCOM COMMUNITY COLLEGE

[Filed October 4, 2001, 11:00 a.m.]

The rules coordinator for Whatcom Community College is Jennifer Dixon. She can be reached at (360) 676-2170 ext. 3275 or via e-mail at jdixon@whatcom.ctc.edu.

Harold Heiner
President

WSR 01-21-006
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
LABOR AND INDUSTRIES
(Advisory Board of Plumbers)
[Memorandum—October 2, 2001]

In accordance with chapter 42.30 RCW, Open Public Meetings Act, the quarterly meetings for the Advisory Board of Plumbers have been scheduled for 2002. The meetings are to begin at 9:30 a.m. on the third Tuesday of January, April, July and October at the following location: January 15, April 16, July 16, and October 15, 2002, Department of Labor and Industries, Rehabilitation Resource Center, 12806 Gateway Drive, Seattle, WA (Tukwila).

WSR 01-21-014
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES
(Board of Natural Resources)
[Memorandum—October 5, 2001]

Board of Natural Resources Special Meetings

Date	Time	Location
November 20, 2001	9:00 a.m.	Natural Resources Building, Room 172
December 18, 2001	9:00 a.m.	Natural Resources Building, Room 172

WSR 01-21-015
RULES OF COURT
STATE SUPREME COURT
[October 4, 2001]

IN THE MATTER OF THE ADOPTION) ORDER
OF THE AMENDMENT TO APR 13) NO. 25700-A-714

The Washington State Bar Association having recommended the adoption of the proposed amendment to APR 13, and the Court having determined that the proposed amendment will aid in the prompt and orderly administration of jus-

tice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendment as attached hereto is adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendment will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 4th day of October 2001.

Alexander, C.J.

Smith, J.

Sanders, J.

Johnson, J.

Bridge, J.

Madsen, J.

Chambers, J.

Ireland, J.

Owens, J.

SUGGESTED AMENDMENT
ADMISSION TO PRACTICE RULES (APR)
APR 13. SIGNING OF PLEADINGS AND OTHER
PAPERS; NOTICE OF CHANGE OF ADDRESS,
TELEPHONE NUMBER, OR NAME

(a) **Signing of Pleadings and Other Papers.** [No change].

(b) **Change of Address.** An attorney whose office address or office telephone number changes shall, within 10 days after the change, notify in writing the Executive Director of the Washington State-Bar Association, who shall forward changes weekly to the Office of the Clerk of the Supreme Court for entry into the state computer system. The notice shall be in a form acceptable to the Bar Association and, in addition to the attorney's full name, the notice shall contain (1) the attorney's Washington State Bar Association membership number, (2) the previous address and telephone number, clearly identified as such, (3) the new address and telephone number, clearly identified as such, and (4) the effective date of the change. The courts of this state may rely on the address information contained in the state computer system in issuing notices in pending actions.

(c) **Change of Name.** An attorney whose name changes shall, within 10 days after the change, notify in writing the Executive Director of the Washington State Bar Association, who shall forward changes weekly to the Office of the Clerk of the Supreme Court for entry into the state computer system. The notice shall be in a form acceptable to the Bar Association and shall contain (1) the full previous name, clearly identified as such, (2) the full new name, clearly identified as such, (3) the attorneys Washington State Bar Association membership number, and (4) the effective date of the change.

(d) **Requirements of Local and Other Court Rules Not Affected.** [No change].

Reviser's note: The brackets and enclosed material in the text above occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

MISC.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 01-21-016
RULES OF COURT
STATE SUPREME COURT

[October 4, 2001]

IN THE MATTER OF THE ADOPTION OF THE) ORDER
AMENDMENTS TO CRLJ 72 AND 75, NEW) NO. 25700-A-715
CRLJ 75A AND RALJ 1.1)

The Board for Judicial Administration having recommended the adoption of the proposed amendments to CRLJ 72 and 75, New CRLJ 75A and RALJ 1.1, and the Court having determined that the proposed amendments and new rule will aid in the prompt and orderly administration of justice and further determined that an emergency exists which necessitates an early adoption;

Now, therefore, it is hereby

ORDERED:

(a) That the amendments and new rule as attached hereto are adopted.

(b) That pursuant to the emergency provisions of GR 9(i), the amendments and new rule will be published expeditiously and become effective upon publication.

DATED at Olympia, Washington this 4th day of October 2001.

Alexander, C.J.

Smith, J.

Sanders, J.

Johnson, J.

Bridge, J.

Madsen, J.

Chambers, J.

Ireland, J.

Owens, J.

[Suggested Changes]

CRLJ 72. APPEAL TO SUPERIOR COURT

(a) Types of Appeals. An appeal from a court of limited jurisdiction is governed by the Rules for Appeal of Decisions of Courts of Limited Jurisdiction. Under RALJ 1.1, the appeal from some courts is an appeal for error on the record, and the appeal from other courts is conducted as a trial de novo or a trial de novo on the record, as set forth in section (b) below. The procedures for an appeal for error on the record are defined by the RALJ. The procedures for a trial de novo and a trial de novo on the record are defined by CRLJ 73 and 75 below.

(b) Small Claims Court Appeals. An appeal from a decision of a small claims court operating under RCW Chapter 12.40 shall be a trial de novo on the record from the court of limited jurisdiction.

[Suggested Changes.]

CRLJ 75. RECORD ON TRIAL DE NOVO

(a) Scope of Rule. [Unchanged.]

(b) Transcript; Procedure in Superior Court; Pleadings in Superior Court. Within 14 days after the notice of appeal has been filed in a civil action or proceeding, including a small claims appeal pursuant to RCW 12.40, the appellant shall file with the clerk of the superior court a transcript of all entries made in the docket of the court of limited jurisdiction relating to the case, together with all the process and other papers relating to the case filed in the court of limited jurisdiction which shall be made and certified by such court to be correct upon the payment of the fees allowed by law therefor, and upon the filing of such transcript the superior court shall become possessed of the cause, and shall proceed in the same manner, as near as may be, as in actions originally commenced in that court, except as provided in these rules. The issue before the court of limited jurisdiction shall be tried in the superior court without other or new pleadings, unless otherwise directed by the superior court.

(c) Small Claims Appeals; Trial De Novo on the Record. Small claims appeals pursuant to RCW 12.40 shall be tried by the superior court de novo on the record. Within 14 days after the notice of appeal has been filed in a small claims proceeding, appellant shall cause to be filed with the clerk of the superior court a verbatim electronic recording of the trial of the matter in district court and any exhibits from the trial. The electronic recording shall be made and certified by the district court to be correct upon the payment of the fees allowed by law therefor.

(d) [Unchanged.]

[Suggested New Rule]

CRLJ 75A

ELECTRONIC RECORDING OF SMALL CLAIMS PROCEEDINGS

(a) Generally. Small claims proceedings in a court of limited jurisdiction shall be recorded by electronic means.

(b) Nonelectronic Record in Emergency. In the event of an equipment failure or other situation making an electronic recording impossible, the court may order the proceeding to be recorded by nonelectronic means. The nonelectronic record must be made at the court's expense, and in the event of an appeal, any necessary transcription of the nonelectronic record must be made at the court's expense.

(c) Statements to Be Made on the Record. At the beginning of the case, the judge of the court of limited jurisdiction shall state on the record the name and number of the case and the names of the parties. During the trial of the case, the judge shall state on the record or have stated on the record the names of any or all witnesses as they appear in the course of the proceeding.

(d) Log. The judge of the court of limited jurisdiction shall cause a written log to be maintained separate from the recording indicating the location on the electronic record of relevant events in the proceedings, including but not limited to the beginning of the proceeding, the beginning and ending of the testimony of each witness, the decision of the court, and the end of the proceeding.

MISC.

(e) Loss or Damage of Electronic Record. In the event of loss or damage of the electronic record, or any significant or material portion thereof, the appellant, upon motion to the superior court, shall be entitled to a new trial, but only if the loss or damage of the record is not attributable to the appellant's malfeasance. The court of limited jurisdiction shall have the authority to determine whether or not significant or material portions of the electronic record have been lost or damaged, subject to review by the superior court upon motion.

[Suggested Changes.]

RALJ 1.1 SCOPE OF RULES

(a) Proceedings Subject to Rules. These rules establish the procedure, called appeal, for review by the superior court of a final decision of a court of limited jurisdiction, subject to the restrictions defined in this rule. These rules apply only to review of (1) district courts operating under RCW 3.30; (2) municipal departments operating under RCW 3.46; (3) alternative municipal courts operating under RCW 3.50 in municipalities exceeding 5,000 in population; (4) municipal courts operating under RCW 35.20; (5) all other courts operating under RCW Title 35 or 35A in municipalities exceeding 5,000 in population; and (6) any other court required by law to have a lawyer-judge. These rules do not apply to review of other courts of limited jurisdiction, do not apply to review of a small claims court operating under RCW 12.40, and do not apply to review of a decision of a judge who is not admitted to the practice of law in Washington. These rules do not supersede the procedure for seeking de novo review when these rules do not apply. These rules do not apply to and do not supercede the procedure for seeking de novo review or de novo review on the record of other decisions of a court of limited jurisdiction.

(b) - (e) [Unchanged.]

Reviser's note: The brackets and enclosed material in the text above occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

Reviser's note: The typographical errors in the above material occurred in the copy filed by the State Supreme Court and appear in the Register pursuant to the requirements of RCW 34.08.040.

WSR 01-21-017

NOTICE OF PUBLIC MEETINGS

BELLINGHAM TECHNICAL COLLEGE

[Memorandum—October 8, 2001]

The board of trustees of Bellingham Technical College will hold a study session to discuss the operating budget on Wednesday, October 17, 2001, 1:30 p.m. to 2:00 p.m., in the College Services Building Board Room on the Bellingham Technical College campus. Call 738-3105 ext. 334 for information.

The regularly scheduled meeting of the board of trustees of Bellingham Technical College scheduled for Thursday, October 18, 2001, has been canceled and rescheduled for Wednesday, October 17, 2001, 2:00 p.m. to 4:00 p.m., in the College Services Building Board Room on the Bellingham

Technical College campus. Call 738-3105 ext. 334 for information.

WSR 01-21-018

NOTICE OF PUBLIC MEETINGS BATES TECHNICAL COLLEGE

[Memorandum—October 5, 2001]

The board of trustees of Bates Technical College has rescheduled its regularly scheduled meeting of November 21, 2001, to November 14, 2001. The meeting will begin at 3:00 p.m. in the Clyde Hupp Board Room at Bates Technical College, 1101 South Yakima Avenue, Tacoma, WA 98405.

WSR 01-21-019

REVIEW OF PREVIOUSLY ADOPTED RULES DEPARTMENT OF LABOR AND INDUSTRIES

[Filed October 8, 2001, 3:42 p.m.]

Finding of Joint Administrative Rules Review Committee related to: Rule was not adopted in accordance with all applicable provisions of law.

Hearing on committee's finding will be held: The Department of Labor and Industries will hold public hearings in response to the Joint Administrative Rules Review Committee (JARRC) finding during its meeting on September 10, 2001, concerning the vocational rehabilitation rules, chapter 296-19A WAC. The committee found that "the department violated the public participation provisions of the Administrative Procedure Act by intimidating employees from participating in the rule-making process for the department's rules on vocational rehabilitation."

The department will take oral testimony on JARRC's finding on December 3, 2001, at 11:30 a.m. - 12:30 p.m., Department of Labor and Industries, 901 North Monroe Street, Suite 100, Spokane, WA; on December 4, 2001, at 11:30 a.m. - 12:30 p.m., Department of Labor and Industries, 729 100th Street S.E., Everett, WA; and on December 5, 2001, 11:30 a.m. - 12:30 p.m. and 4:30 p.m. - 5:30 p.m., Department of Labor and Industries, 7273 Linderson Way S.E., Tumwater, WA.

If you require special communication or accommodation arrangements, please contact us at (360) 902-4216 or clah235@lni.wa.gov no later than November 28, 2001.

Send written comments to Beverly Clark, Legislative and Governmental Affairs Office, P.O. Box 44001, Olympia, WA 98504-4001, or by fax (360) 902-4202 (to the attention of Beverly Clark) (comments submitted by fax must be ten pages or less).

Written comments must be received no later than 5 p.m., December 5, 2001.

If you have questions about the hearings or comment period, please check L&I's Laws and Rules website at <http://www.lni.wa.gov/rules/> or contact the Legislative and Governmental Affairs Office at (360) 902-4233.

MISC.

Statement of committee's findings and reasons: The committee finds that the Department of Labor and Industries violated the public participation provisions of the Administrative Procedure Act by intimidating its employees from participating in the rule-making process for the department's rules on vocational rehabilitation.

The committee requests the department to reconsider the adoption of the rule and reopen the rule to public comment.

Other agency comments or information: See hearing information above.

October 8, 2001
 Gary Moore
 Director

WSR 01-21-031
NOTICE OF PUBLIC MEETINGS
BOARD FOR
VOLUNTEER FIRE FIGHTERS
 [Memorandum—October 8, 2001]

The State Board for Volunteer Fire Fighters will meet in the Olympia Forum Building, 605 11th Avenue S.E., Suite 112, on January 18, April 19, July 12, and October 18, 2002, at 9:00 a.m.

WSR 01-21-032
NOTICE OF PUBLIC MEETINGS
CRIMINAL JUSTICE
TRAINING COMMISSION
 [Memorandum—October 9, 2001]

SPECIAL MEETING

Chief Ed Crawford, Chair has called a special meeting of the Washington State Criminal Justice Training Commission which is scheduled for Monday, October 15th, at 10:00 a.m. This special meeting will be conducted by way of a telephone conference call from the Criminal Justice Training Center. You are welcome to attend the meeting in person if you so choose.

If you need additional information before the meeting, please call Sharon Tolton at (206) 835-7345 or call Michael Parsons at (206) 835-7347. Instructions for phoning in to the conference call will be forwarded to you no later than Friday morning. Please call Darlene Tangedahl at (206) 835-7337 or e-mail her at dtangedahl@cjtc.state.wa.us to let her know whether or not you will be available for the conference call.

WSR 01-21-033
NOTICE OF PUBLIC MEETINGS
SEATTLE COMMUNITY COLLEGES
 [Memorandum—October 8, 2001]

Special Board of Trustees Meetings for the
Seattle Community College District VI

The Seattle Community College District VI board of trustees will hold the following special meetings:

- | | | |
|------------------|--|-----------------------|
| October 15, 2001 | Duwamish Branch
6770 East Marginal Way South
Seattle, WA 98108 | 3:00 - 5:00 p.m. |
| November 1, 2001 | GM Nameplate
2040 15th Avenue West
Seattle, WA 98119 | 9:00 a.m. - 4:00 p.m. |

WSR 01-21-038
NOTICE OF PUBLIC MEETINGS
CONVENTION AND TRADE
CENTER
 [Memorandum—October 16, 2001]

A regular meeting of the Washington State Convention and Trade Center board of directors will be held on Tuesday, October 16, 2001, at 2:00 p.m. in Room 401 of the Convention Center, 800 Convention Place, Seattle.

If you have any questions regarding this meeting, please call (206) 694-5000.

WSR 01-21-041
NOTICE OF PUBLIC MEETINGS
SHORELINE COMMUNITY COLLEGE
 [Memorandum—October 9, 2001]

The board of trustees of Shoreline Community College will hold a special meeting on Wednesday, October 17, 2001, beginning at 4:00 p.m. in the Administration Building (1000) Board Room.

Our board of trustees is considering moving their meeting day and time permanently to Wednesday rather than Friday, and will follow the appropriate provisions to do so, finalizing their decision with action at a board of trustees meeting.

Please call (206) 546-4552 or e-mail Michele Foley at mfoley@ctc.edu if you have further information.

WSR 01-21-042
NOTICE OF PUBLIC MEETINGS
STATE INVESTMENT BOARD
 [Memorandum—October 9, 2001]

Pursuant to WAC 287-01-030, the Washington State Investment Board's regular board meetings for 2002 will be held on the third Thursday of each month, beginning at 9:30 a.m. at the board's office at 2424 Heritage Court S.W., Olympia, WA 98504-0916.

MISC.

If you have any questions, please feel free to call Sheila Geisler at (360) 664-8265.

WSR 01-21-043
OFFICE OF THE GOVERNOR

[Filed October 12, 2001, 2:51 p.m.]

October 11, 2001

Mr. Bobby J. Woolley
 4007 S.W. 325th Street
 Federal Way, Washington 98023

Re: Appeal of the August 6, 2001 denial by the Department of Retirement Systems (the "Department") of that certain Petition for repeal of WAC 415-112-0161(1), filed by Bobby J. Wooley (the "Petition")

Dear Mr. Woolley:

Pursuant to RCW 34.05.330(3), I have reviewed your appeal of the Department of Retirement Systems' decision denying your Petition to initiate rule-making proceedings for repeal of WAC 415-112-0161(1). That WAC subsection defines "school year" for Teachers' Retirement System (TRS) Plan I members as the fiscal year running from July 1 to June 30.

While I have denied your appeal for reasons discussed below, you have raised an important issue, and I have requested the Department to investigate legislative solutions.

It is my policy to intervene in matters under RCW 34.05.330(3) only when I believe the administrative agency whose decision is at issue has abused its discretion or acted arbitrarily or capriciously. It is also my policy not to second-guess the thoughtful and deliberate decisions of a state agency, so long as those decisions are well-founded and proper under the law. This is an extremely high standard of review.

Your appeal raises a legal question regarding whether or not the Department's rule, which defines "school year" for TRS Plan I as the fiscal year running from July 1 to June 30, reflects the intent of statutes governing this retirement plan. There are three pertinent statutes related to this issue. They are RCW 41.32.498(2), which describes the retirement allowance for members and references "earnable compensation;" RCW 41.32.010 (10)(a)(i), which defines "earnable compensation" for Plan I members and specifies that it includes salaries and wages for services rendered during a "fiscal year"; and RCW 41.32.010(12), which defines "fiscal year" as a year beginning July 1 and ending June 30 of the following year.

After reviewing these statutes and the implementing rule, the Department's action on your appeal, and the arguments offered in your appeal, I have determined that the Department had a strong legal basis for denying your Petition. In adopting that rule and in denying your Petition for repeal, the Department did not abuse its discretion or act arbitrarily or capriciously. Following are my reasons for this determination.

First, in adopting WAC 415.112.0161(1), the Department was performing its statutory duty to adopt administrative rules to carry out the purposes of the law. In carrying out that duty, the Department must adopt rules that are based on statutes that specifically pertain to the program in question. Chapter 41.32 RCW deals specifically with teachers' retirement and defines the type of year that must be used to calculate Plan I benefits. The Department, therefore, correctly chose to base its rule on the clear and specific language contained in that RCW Chapter.

I do not believe that the Department's decision to base Plan I benefits on language contained by Chapter 41.32 RCW is rooted in false premises, as you argued in your Petition. To do otherwise, such as using the school year definition contained in RCW 28A.150.040, as you proposed in your Petition, would be a misapplication of law, since that definition applies to the allocation and distribution of state funds to school districts. RCW 28A.150.040 was clearly not intended to be used in making administrative decisions for Plan I members regarding earnable compensation, retirement dates, and service credit.

In denying your petition for repeal of WAC 415.112.0161(1), I am not, however, rejecting the possibility that current law may not be adequate, particularly as it is applied to extended school year teachers retiring from schools on a continuous-learning calendar. As you know, for these teachers in TRS Plan I, the typical continuous-learning school calendar extends beyond the end of the fiscal year (June 30th).

For that reason, I have requested the Department to evaluate the relevant statutes. In conducting this evaluation, I expect the Department to review many of the issues and concerns raised in your Petition. The Department will report back to me this year as to the advisability of supporting legislation that will make appropriate changes in law. I understand that the Legislative Joint Committee on Pension Policy is also examining this issue.

While I have denied your petition, I must commend you for your extensive efforts and strong commitment to ensure that important laws are faithfully implemented.

Sincerely,

Gary Locke
 Governor

cc: Dennis W. Cooper, Code Reviser
 Tim Martin, Co-Chief Clerk, House of Representatives
 Cindy Zehnder, Co-Chief Clerk, House of Representatives
 Tony Cook, Secretary of the Senate
 John Charles, Department of Retirement Systems

MISC.

WSR 01-21-046

HOUSING FINANCE COMMISSION

[Filed October 15, 2001, 9:20 am.]

NOTICE OF PUBLIC HEARING

The Washington State Housing Finance Commission (the "commission") will hold an open public hearing for the purpose of accepting public comment on the biennial review of amendments to the commission's housing finance plan, as required by laws governing the commission. The public hearing will be held at 10:00 a.m., Tuesday, November 27, 2001, at the Main Conference Room, East Central Community Center, 500 South Stone, Spokane, WA 99202.

The state housing finance plan provides the general policies of the commission and specific policies with regard to the programs of the commission. The plan outlines the manner in which the commission intends to issue bonds and allocate and use other financial resources during the period in accordance with the goals and objectives of the plan.

The commission is encouraging public comment on the proposed housing finance plan. Interested parties and individuals are encouraged to send written comments to the commission at the address provided below or to attend the public hearing. A copy of the proposed document may be obtained by telephone at 1-800-767-4663; e-mail at bwortley@wshfc.org; or by written request to the commission and will be available at the commission as of October 27, 2001.

Written public comment is invited, but must be received by Tuesday, November 27, 2001, in the offices of the Washington State Housing Finance Commission, 1000 Second Avenue, Suite 2700, Seattle, WA 98104-1046. Verbal testimony will be heard from all interested members of the public attending the hearing. The commission will consider the public testimony and written comments in potential changes made to its housing finance plan.

Kim Herman
Executive Director

WSR 01-21-047

HOUSING FINANCE COMMISSION

[Filed October 15, 2001, 9:20 am.]

NOTICE OF PUBLIC HEARING

The Washington State Housing Finance Commission (the "commission") will hold an open public hearing for the purpose of accepting public comment on the biennial review of amendments to the commission's housing finance plan, as required by laws governing the commission. The public hearing will be held at 2:00 p.m., Tuesday, November 27, 2001, at the Commission Offices, 1000 Second Avenue, in its Board Room, 28th Floor, Seattle, WA.

The state housing finance plan provides the general policies of the commission and specific policies with regard to the programs of the commission. The plan outlines the manner in which the commission intends to issue bonds and allocate and use other financial resources during the period in accordance with the goals and objectives of the plan.

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Kim Herman
Executive Director

WSR 01-21-048

**NOTICE OF PUBLIC MEETINGS
LOWER COLUMBIA COLLEGE**

[Memorandum—October 8, 2001]

Change of Board Meeting Dates

During a recent board meeting, the trustees of Lower Columbia College agreed to change the date of their regularly scheduled November and December board meetings to November 14 and December 12. Time and location will remain the same.

WSR 01-21-049

**NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON
STATE HISTORICAL SOCIETY**

[Memorandum—October 11, 2001]

Following is the schedule for the board of trustees for the Eastern Washington State Historical Society for our fiscal year, July 1, 2001, through June 30, 2002.

Board of Trustees Meeting Schedule

12:00 Noon - 2:00 p.m.

(unless otherwise noted)

Tuesday, June 26, 2002	1020 West Riverside, Johnston Briefing Room
Wednesday, August 8, 2001	Special Meeting - 1020 West Riverside, 5:15 p.m. - 6:30 p.m., Johnston Briefing Room
Tuesday, September 25, 2001	1020 West Riverside, Johnston Briefing Room
Tuesday, October 23, 2001	Art @ Work, 123 North Post
Wednesday, November 28, 2001	2316 West First Avenue, Museum Headquarters, Holiday Social, 6 p.m.

MISC.

Tuesday, January 22, 2002	2316 West First Avenue, Gilkey Community Room
Tuesday, March 26, 2002	2316 West First Avenue, Gilkey Community Room
Tuesday, May 28, 2002	2316 West First Avenue, Gilkey Community Room
Tuesday, June 25, 2002	2316 West First Avenue, Gilkey Community Room

March 7, 2002	Department of Health 1101 Eastside Olympia, WA
May 2, 2002	Center Point 20435 72nd Avenue South Suite 200, Room 1 Kent, WA
June 6, 2002	Center Point 20435 72nd Avenue South Suite 200, Room 1 Kent, WA
September 5, 2002	Center Point 20435 72nd Avenue South Suite 200, Room 1 Kent, WA
November 7, 2002	Department of Health 1101 Eastside Olympia, WA

WSR 01-21-052
NOTICE OF PUBLIC MEETINGS
WORKFORCE TRAINING AND
EDUCATION COORDINATING BOARD

[Memorandum—October 15, 2001]

**2002 Meeting Dates of the Washington State
 Workforce Training and Education Coordinating Board**

At their September 12, 2001, meeting, the Washington State Workforce Training and Education Coordinating Board adopted a meeting schedule for publication in the Washington State Register. Exact locations will be sent as soon as the board makes a decision on this.

Wednesday, January 30, 2002 (Dinner)
 Thursday, January 31, 2002 (Meeting)
 (Olympia)

Wednesday, March 27, 2002 (Dinner)
 Thursday, March 28, 2002 (Meeting)
 (Olympia)

Wednesday, May 29, 2002 (Dinner)
 Thursday, May 30, 2002 (Meeting)
 (Olympia)

Wednesday, July 24, 2002 (Retreat)
 Thursday, July 25, 2002 (Retreat)
 TBA

Wednesday, September 25, 2002 (Dinner)
 Thursday, September 26, 2002 (Meeting)
 TBA

Tuesday, November 19, 2002 (Dinner)
 Wednesday, November 20, 2002 (Meeting)

If you have any questions, please call (360) 753-5677.

WSR 01-21-055
NOTICE OF PUBLIC MEETINGS
CHIROPRACTIC QUALITY
ASSURANCE COMMISSION

[Memorandum—October 16, 2001]

CHIROPRACTIC QUALITY ASSURANCE
COMMISSION MEETING DATES
2002

February 7, 2002	Center Point 20435 72nd Avenue South Suite 200, Room 1 Kent, WA
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WSR 01-21-061
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF
NATURAL RESOURCES

(Board of Natural Resources)
 [Memorandum—October 16, 2001]

**Cancellation of the November 20, 2001,
 BNR Special Meeting**

This is to inform you of the cancellation of the special Board of Natural Resources meeting scheduled for November 20, 2001.

If you have any questions, please contact (360) 902-1005.

WSR 01-21-062
NOTICE OF PUBLIC MEETINGS
UNIVERSITY OF WASHINGTON

[Memorandum—October 16, 2001]

Following are nine regular meeting notices for the University of Washington. Please [note] any dates prior to October 26, were called special meetings, due to the delinquency of this notice.

Regular Meeting Schedule
School of Library and Information Science
(to become The Information School July 1, 2001)

FACULTY MEETINGS

Winter Quarter, 2001		
January 8	420 Mary Gates Hall	1:30-4:30 p.m.
January 22		
February 26		
March 12		

MISC.

Spring Quarter, 2001

April 16 420 Mary Gates Hall 1:30-4:30 p.m.
April 30
May 21
June 4

6/4

6/11

Regular Meeting for
ASUW Finance and Budget Special
Appropriations Committee

Autumn Quarter, 2001

October 12 420 Mary Gates Hall 11:00 a.m.-2:00 p.m.
October 26
November 16
November 30
December 14

Tuesdays, 3:30 p.m., HUB 204M

10/9

10/16

10/23

10/30

11/6

11/13

11/20

11/27

12/4

12/11

12/18

Regular Meeting Schedule for
Asuw Senate Meetings for the
Academic Year 2001-2002

Tuesdays, 5:00 p.m., HUB 310

Fall Quarter 2001

10/9/01

10/16

10/23

10/30

11/6

11/13

11/20

11/27

12/4

12/11

12/18

Winter Quarter 2002

1/8

1/15

1/22

1/29

2/5

2/12

2/19

2/26

3/5

3/12

3/19

3/26

Spring Quarter 2002

4/2

4/9

4/16

4/23

4/30

5/7

5/14

5/21

5/28

Regular Meeting Schedule for
Student Tech Fee Committee Meetings

Fridays, 1:30-4:30 p.m., HUB 204M

10/5

10/12

10/19

10/26

11/2

11/9

11/16

11/30

12/7

12/14

12/21

Regular Meeting Schedule for
ASUW Personnel Committee
for Fall Quarter 2001

Mondays, 3:30 p.m., HUB 204M (ASUW Board Room)

10/8

10/15

10/22

10/29

11/5

11/19

11/26

12/3

12/10

12/17

MISC.

GPSS Senate
Meeting Day, Time and Locations
for the 2001-2002 Year

- Wed. Oct. 10th 4:30-6 p.m. in Room HUB 310
- Wed. Oct. 24th 4:30-6 p.m. in Room HUB 310
- Please note different room here:
- Wed. Nov. 14th 4:30-6 p.m. in Room HUB 106B
- Wed. Dec. 12th 4:30-6 p.m. in Room HUB 310
- Wed. Jan. 9th 4:30-6 p.m. in Room HUB 310
- Wed. Feb. 13th 4:30-6 p.m. in Room HUB 310
- Wed. Mar. 13th 4:30-6 p.m. in Room HUB 310
- Wed. Apr. 10th 4:30-6 p.m. in Room HUB 310
- Wed. Apr. 24th 4:30-6 p.m. in Room HUB 310
- Wed. May 8th 4:30-6 p.m. in Room HUB 310

ASUW BOD Regular Meeting Schedule
Fall Quarter 2001

- Thursdays, 3:30 p.m., HUB Board Room 204 M
- 10/18
 - 10/25
 - 11/1
 - 11/8
 - 11/15
 - 11/29
 - 12/6
 - 12/13
 - 12/20

GPSS Executive Committee Meetings
Fall Quarter 2001
Date, Facility, Times

- Wednesdays, 4:30-6:30 p.m.
- 11/7 HUB 209B
 - 11/21 HUB 309
 - 12/5 HUB 309
 - 12/19 HUB 304F

WSR 01-21-066
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE PATROL
[Memorandum—October 16, 2001]

On Tuesday, November 6, 2001, a meeting will be held in the Department of Information Services Forum Building, 605 East 11th Street, Olympia, WA. The meeting will begin at 3:30 p.m. until 5:00 p.m.

The attendees will discuss the State Interoperability and the Memorandum of Understanding (MOU) will be signed by the State Interoperability Executive Steering Committee (SIESC).

WSR 01-21-067
NOTICE OF PUBLIC MEETINGS
OFFICE OF THE
INTERAGENCY COMMITTEE
(Interagency Committee for Outdoor Recreation)
[Memorandum—October 17, 2001]

The Interagency Committee for Outdoor Recreation (IAC) will meet Thursday, November 15, beginning at 8:00 a.m. in Room 172 of the Natural Resources Building in Olympia.

This one day meeting is a funding recommendation session for projects in the boating facilities program (local funding) and nonhighway off-road vehicle activities program (ORV, NHR, M&O, and E&E funding). Additional agenda items include adoption of the 2001-2007 NOVA Plan, LWCF program guidelines, and management update reports.

If you plan to participate or have materials for committee review, please submit information to IAC no later than November 10, 2001. This will allow for distribution to committee members in a timely fashion.

IAC public meetings are held in locations accessible to people with disabilities. Arrangements for individuals with hearing or visual impairments can be provided by contacting IAC by November 10, at (360) 902-2637 or TDD (360) 902-1996.

WSR 01-21-078
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LOTTERY
(Lottery Commission)
[Memorandum—October 19, 2001]

Following is the year 2002 meeting schedule for the Washington State Lottery Commission:

January 11, 2002	Seattle
March 15, 2002	Olympia
May 17, 2002	Yakima
July 19, 2002	Everett
September 20, 2002	Spokane
November 15, 2002	Vancouver

WSR 01-21-080
NOTICE OF PUBLIC MEETINGS
WESTERN WASHINGTON UNIVERSITY
[Memorandum—October 17, 2001]

Following is the meeting schedule for year 2002 for the Western Washington University board of trustees.

If you have any questions, please contact Suzanne Baker at (360) 650-3117.

- February 7, 8, 2002
- April 11, 12, 2002
- June 13, 14, 2002

MISC.

August 1, 2, 2002
 October 3, 4, 2002
 December 5, 6, 2002, or
 December 12, 13, 2002

WSR 01-21-081
NOTICE OF PUBLIC MEETINGS
SOUTH PUGET SOUND
COMMUNITY COLLEGE
 [Memorandum—October 11, 2001]

To ensure a quorum, the South Puget Sound Community College board of trustees changed their regular Thursday, November 8, 2001, meeting to Thursday, November 15, 2001. If you have any questions, please contact Patty Pynch at 754-7711, ext. 5202.

WSR 01-21-082
NOTICE OF PUBLIC MEETINGS
CENTRAL WASHINGTON UNIVERSITY
 [Memorandum—October 17, 2001]

REVISED CWU Board of Trustees
Meeting Dates for 2001-02

Regular meetings of the Central Washington University board of trustees will be held in Barge Hall, Room 412, on the Central Washington University Ellensburg campus, except where noted, at 1:00 p.m. on the following dates:

December 6, 2001	
February 15, 2002	
March 15, 2002	CWU Wenatchee Center, 604 Ringold, Wenatchee, WA
May 10, 2002	
June 7, 2002	
August 8-9, 2002	Board Retreat, President's Reception Center, 211 East 10th Street, Ellensburg

WSR 01-21-083
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE PATROL
 (Fire Protection Policy Board)
 [Memorandum—October 17, 2001]

A meeting of the Washington State Fire Protection Policy Board will be held at 9:00 a.m. on Friday, December 7, 2001, at the Department of Community, Trade and Economic Development, Conference Room, General Administration Building, Room 101, 210 11th Street S.W., Olympia, WA.

If you have any questions, or require additional information, please contact Ellen Tombleson at (360) 753-0411.

WSR 01-21-087
NOTICE OF PUBLIC MEETINGS
WASHINGTON STATE LIBRARY
 (Library Commission)
 [Memorandum—October 22, 2001]

The Washington State Library Commission will convene on October 26, 2001, at 1:00 in the afternoon in the Pritchard Building's main conference room. The purpose of the meeting is to discuss budget issues, budget priorities, and direction. No agenda is available at this time.

If anyone has any questions, they may call Patricia Davis at 753-2914.

WSR 01-21-088
RULES COORDINATOR
BELLINGHAM TECHNICAL COLLEGE
 [Filed October 22, 2001, 8:57 a.m.]

Pursuant to RCW 34.05.312, following is the name, office location, mailing address and telephone number of the rules coordinator for Bellingham Technical College: Ronda Laughlin, President's Assistant, 3028 Lindbergh Avenue, Bellingham, WA 98225, phone (360) 738-3105 ext. 334, fax (360) 676-2798, e-mail rlaughli@belltc.ctc.edu.

Gerald Pumphrey
 President

WSR 01-21-107
NOTICE OF PUBLIC MEETINGS
EASTERN WASHINGTON UNIVERSITY
 [Memorandum—October 23, 2001]

BOARD OF TRUSTEES
October 26, 2001
Executive Session at 12:00 p.m.
Open Public Meeting at 1:15 p.m.
Spokane Center Second Floor Mall

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 the president's office, (509) 359-6598.

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
- OBJECT = 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 of existing section
- REVIEW = Review of previously adopted rule
- SUSP = Suspending an existing section

Suffixes:

- C = Continuance of previous proposal
- E = Emergency action
- P = Proposed action
- S = Supplemental notice
- W = Withdrawal of proposed action
- X = Expedited rule making
- XA = Expedited adoption
- XR = Expedited repeal
- 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-X	01-16-107	4- 25-630	AMD-P	01-15-087	4- 25-833	AMD-P	01-15-087
1- 21-010	AMD	01-20-090	4- 25-631	PREP	01-06-002	4- 25-910	AMD-P	01-15-087
1- 21-015	NEW-X	01-16-107	4- 25-631	AMD-P	01-15-087	16-143	PREP	01-08-100
1- 21-015	NEW	01-20-090	4- 25-640	AMD-P	01-07-039	16-143	REP-C	01-14-034
1- 21-160	AMD-X	01-16-107	4- 25-640	AMD-W	01-11-123	16-143	REP-C	01-15-050
1- 21-160	AMD	01-20-090	4- 25-640	AMD-P	01-15-087	16-143	AMD-C	01-16-001
1- 21-170	AMD-X	01-16-107	4- 25-650	AMD-P	01-07-040	16-143-005	NEW	01-03-049
1- 21-170	AMD	01-20-090	4- 25-650	AMD-W	01-11-123	16-143-005	REP-P	01-11-144
3- 20-100	NEW-P	01-05-034	4- 25-650	AMD-P	01-15-087	16-143-005	REP	01-16-033
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51-11-2000	REP	01-03-010	51-42-1120	NEW	01-02-098	51-46-0392	REP-W	01-05-029
51-11-2001	REP	01-03-010	51-42-1121	NEW	01-02-098	51-46-0392	REP-P	01-16-122
51-11-2002	REP	01-03-010	51-42-1122	NEW	01-02-098	51-46-0400	REP-W	01-05-029
51-11-2003	REP	01-03-010	51-42-1123	NEW	01-02-098	51-46-0400	REP-P	01-16-122
51-11-2004	REP	01-03-010	51-42-1124	NEW	01-02-098	51-46-0402	REP-W	01-05-029
51-11-2005	REP	01-03-010	51-42-1126	NEW	01-02-098	51-46-0402	REP-P	01-16-122
51-11-2007	REP	01-03-010	51-42-1301	NEW	01-02-098	51-46-0412	REP-W	01-05-029
51-11-2008	REP	01-03-010	51-44-0103	AMD	01-02-096	51-46-0412	REP-P	01-16-122
51-11-2009	REP	01-03-010	51-44-0105	NEW	01-02-096	51-46-0413	REP-W	01-05-029
51-11-99902	AMD	01-03-010	51-44-0200	AMD	01-02-096	51-46-0413	REP-P	01-16-122
51-11-99903	AMD	01-03-010	51-44-1007	AMD	01-02-096	51-46-0500	REP-W	01-05-029
51-11-99904	AMD	01-03-010	51-44-1102	NEW	01-02-096	51-46-0500	REP-P	01-16-122
51-13-101	AMD	01-02-099	51-44-1109	AMD	01-02-096	51-46-0501	REP-W	01-05-029
51-13-301	AMD	01-02-099	51-44-2500	AMD	01-02-096	51-46-0501	REP-P	01-16-122
51-13-302	AMD	01-02-099	51-44-5200	AMD	01-02-096	51-46-0502	REP-W	01-05-029
51-13-303	AMD	01-02-099	51-44-6100	AMD-W	01-05-031	51-46-0502	REP-P	01-16-122
51-13-304	AMD	01-02-099	51-44-6300	AMD-W	01-05-031	51-46-0505	REP-W	01-05-029
51-13-503	AMD	01-02-099	51-44-7900	AMD	01-02-096	51-46-0505	REP-P	01-16-122
51-40-0200	AMD	01-02-095	51-44-8000	AMD-W	01-05-031	51-46-0507	REP-W	01-05-029
51-40-0310	AMD	01-02-095	51-44-8102	NEW-S	01-05-031	51-46-0507	REP-P	01-16-122
51-40-0313	AMD	01-02-095	51-45-10100	NEW-W	01-05-031	51-46-0509	REP-W	01-05-029
51-40-0403	AMD-W	01-05-028	51-46	REP-C	01-18-042	51-46-0509	REP-P	01-16-122
51-40-0804	AMD-W	01-05-028	51-46-001	REP-W	01-05-029	51-46-0512	REP-W	01-05-029
51-40-0902	AMD	01-02-095	51-46-001	REP-P	01-16-122	51-46-0512	REP-P	01-16-122
51-40-1003	AMD	01-02-095	51-46-002	REP-W	01-05-029	51-46-0513	REP-W	01-05-029
51-40-1004	AMD	01-02-095	51-46-002	REP-P	01-16-122	51-46-0513	REP-P	01-16-122
51-40-1103	AMD-W	01-05-028	51-46-003	REP-W	01-05-029	51-46-0514	REP-W	01-05-029
51-40-1104	AMD	01-02-095	51-46-003	REP-P	01-16-122	51-46-0514	REP-P	01-16-122
51-40-1105	AMD	01-02-095	51-46-007	REP-W	01-05-029	51-46-0515	REP-W	01-05-029
51-40-1106	AMD	01-02-095	51-46-007	REP-P	01-16-122	51-46-0515	REP-P	01-16-122
51-40-1202	NEW	01-02-095	51-46-008	REP-W	01-05-029	51-46-0516	REP-W	01-05-029
51-40-1203	AMD	01-02-095	51-46-008	REP-P	01-16-122	51-46-0516	REP-P	01-16-122
51-40-1505	NEW-W	01-05-028	51-46-0100	REP-W	01-05-029	51-46-0517	REP-W	01-05-029
51-40-1600	NEW-W	01-05-028	51-46-0100	REP-P	01-16-122	51-46-0517	REP-P	01-16-122
51-40-1616	AMD-W	01-05-028	51-46-0101	REP-W	01-05-029	51-46-0518	REP-W	01-05-029
51-40-1700	NEW-W	01-05-028	51-46-0101	REP-P	01-16-122	51-46-0518	REP-P	01-16-122
51-40-1800	NEW-W	01-05-028	51-46-0102	REP-W	01-05-029	51-46-0519	REP-W	01-05-029
51-40-1900	NEW-W	01-05-028	51-46-0102	REP-P	01-16-122	51-46-0519	REP-P	01-16-122
51-40-2000	NEW-W	01-05-028	51-46-0103	REP-W	01-05-029	51-46-0520	REP-W	01-05-029
51-40-2100	NEW-W	01-05-028	51-46-0103	REP-P	01-16-122	51-46-0520	REP-P	01-16-122
51-40-2106	NEW-W	01-05-028	51-46-0200	AMD	01-02-097	51-46-0521	REP-W	01-05-029
51-40-2200	NEW-W	01-05-028	51-46-0200	REP-P	01-16-122	51-46-0521	REP-P	01-16-122
51-40-2300	NEW-W	01-05-028	51-46-0205	REP-W	01-05-029	51-46-0522	REP-W	01-05-029
51-40-2900	AMD	01-02-095	51-46-0205	REP-P	01-16-122	51-46-0522	REP-P	01-16-122
51-40-2929	AMD-W	01-05-028	51-46-0215	REP-W	01-05-029	51-46-0523	REP-W	01-05-029
51-40-3102	AMD	01-02-095	51-46-0215	REP-P	01-16-122	51-46-0523	REP-P	01-16-122
51-40-31200	AMD	01-02-095	51-46-0218	REP-W	01-05-029	51-46-0524	REP-W	01-05-029
51-42-0405	NEW	01-02-098	51-46-0218	REP-P	01-16-122	51-46-0524	REP-P	01-16-122
51-42-1101	AMD-W	01-05-030	51-46-0300	REP-W	01-05-029	51-46-0525	REP-W	01-05-029
51-42-1103	AMD	01-02-098	51-46-0300	REP-P	01-16-122	51-46-0525	REP-P	01-16-122
51-42-1105	AMD	01-02-098	51-46-0301	REP-W	01-05-029	51-46-0600	REP-W	01-05-029
51-42-1109	NEW	01-02-098	51-46-0301	REP-P	01-16-122	51-46-0600	REP-P	01-16-122

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
51-46-0603	AMD	01-02-097	51-46-97122	REP-W	01-05-029	51-56-201300	NEW-W	01-05-029
51-46-0603	REP-P	01-16-122	51-46-97122	REP-P	01-16-122	51-56-201300	NEW-P	01-16-122
51-46-0604	REP-W	01-05-029	51-46-97123	REP-W	01-05-029	51-57	AMD-C	01-18-042
51-46-0604	REP-P	01-16-122	51-46-97123	REP-P	01-16-122	51-57-001	NEW-W	01-05-029
51-46-0608	REP-W	01-05-029	51-46-97124	REP-W	01-05-029	51-57-001	NEW-P	01-16-122
51-46-0608	REP-P	01-16-122	51-46-97124	REP-P	01-16-122	51-57-002	NEW-W	01-05-029
51-46-0609	REP-W	01-05-029	51-46-97125	REP-W	01-05-029	51-57-002	NEW-P	01-16-122
51-46-0609	REP-P	01-16-122	51-46-97125	REP-P	01-16-122	51-57-003	NEW-W	01-05-029
51-46-0610	REP-W	01-05-029	51-46-97126	REP-W	01-05-029	51-57-003	NEW-P	01-16-122
51-46-0610	REP-P	01-16-122	51-46-97126	REP-P	01-16-122	51-57-007	NEW-W	01-05-029
51-46-0700	REP-W	01-05-029	51-46-97127	REP-W	01-05-029	51-57-007	NEW-P	01-16-122
51-46-0700	REP-P	01-16-122	51-46-97127	REP-P	01-16-122	51-57-008	NEW-W	01-05-029
51-46-0701	REP-W	01-05-029	51-46-97128	REP-W	01-05-029	51-57-008	NEW-P	01-16-122
51-46-0701	REP-P	01-16-122	51-46-97128	REP-P	01-16-122	51-57-790000	NEW-W	01-05-029
51-46-0704	REP-W	01-05-029	51-46-97129	REP-W	01-05-029	51-57-790000	NEW-P	01-16-122
51-46-0704	REP-P	01-16-122	51-46-97129	REP-P	01-16-122	51-57-895000	NEW-W	01-05-029
51-46-0710	REP-W	01-05-029	51-47	REP-C	01-18-042	51-57-895000	NEW-P	01-16-122
51-46-0710	REP-P	01-16-122	51-47-001	REP-W	01-05-029	67-25-460	NEW-P	01-14-064
51-46-0713	REP-W	01-05-029	51-47-001	REP-P	01-16-122	67-25-460	NEW	01-21-073
51-46-0713	REP-P	01-16-122	51-47-002	REP-W	01-05-029	67-25-470	NEW-P	01-14-064
51-46-0793	REP-W	01-05-029	51-47-002	REP-P	01-16-122	67-25-470	NEW	01-21-073
51-46-0793	REP-P	01-16-122	51-47-003	REP-W	01-05-029	67-25-480	NEW-P	01-14-064
51-46-0800	REP-W	01-05-029	51-47-003	REP-P	01-16-122	67-25-480	NEW	01-21-073
51-46-0800	REP-P	01-16-122	51-47-007	REP-W	01-05-029	72-120-100	AMD-P	01-09-057
51-46-0810	REP-W	01-05-029	51-47-007	REP-P	01-16-122	72-120-100	AMD	01-16-023
51-46-0810	REP-P	01-16-122	51-47-008	REP-W	01-05-029	72-120-200	AMD-P	01-09-057
51-46-0814	REP-W	01-05-029	51-47-008	REP-P	01-16-122	72-120-200	AMD	01-16-023
51-46-0814	REP-P	01-16-122	51-56	AMD-C	01-18-042	72-120-200	AMD-P	01-09-057
51-46-0815	REP-W	01-05-029	51-56-001	NEW-W	01-05-029	72-120-220	AMD	01-16-023
51-46-0815	REP-P	01-16-122	51-56-001	NEW-P	01-16-122	72-120-225	AMD-P	01-09-057
51-46-0900	REP-W	01-05-029	51-56-002	NEW-W	01-05-029	72-120-225	AMD	01-16-023
51-46-0900	REP-P	01-16-122	51-56-002	NEW-P	01-16-122	72-120-230	AMD-P	01-09-057
51-46-0903	REP-W	01-05-029	51-56-003	NEW-W	01-05-029	72-120-230	AMD	01-16-023
51-46-0903	REP-P	01-16-122	51-56-003	NEW-P	01-16-122	72-120-234	AMD-P	01-09-057
51-46-1000	REP-W	01-05-029	51-56-007	NEW-W	01-05-029	72-120-234	AMD	01-16-023
51-46-1000	REP-P	01-16-122	51-56-007	NEW-P	01-16-122	72-120-236	AMD-P	01-09-057
51-46-1003	REP-W	01-05-029	51-56-008	NEW-W	01-05-029	72-120-236	AMD	01-16-023
51-46-1003	REP-P	01-16-122	51-56-008	NEW-P	01-16-122	72-120-300	NEW-P	01-09-057
51-46-1012	REP-W	01-05-029	51-56-0100	NEW-W	01-05-029	72-120-300	NEW	01-16-023
51-46-1012	REP-P	01-16-122	51-56-0100	NEW-P	01-16-122	72-120-301	NEW-P	01-09-057
51-46-1300	REP-W	01-05-029	51-56-0200	NEW-W	01-05-029	72-120-301	NEW	01-16-023
51-46-1300	REP-P	01-16-122	51-56-0200	NEW-P	01-16-122	72-120-302	NEW-P	01-09-057
51-46-1301	REP-W	01-05-029	51-56-0300	NEW-W	01-05-029	72-120-302	NEW	01-16-023
51-46-1301	REP-P	01-16-122	51-56-0300	NEW-P	01-16-122	72-120-303	NEW-P	01-09-057
51-46-1302	REP-W	01-05-029	51-56-0400	NEW-W	01-05-029	72-120-303	NEW	01-16-023
51-46-1302	REP-P	01-16-122	51-56-0400	NEW-P	01-16-122	72-120-304	NEW-P	01-09-057
51-46-1303	REP-W	01-05-029	51-56-0500	NEW-W	01-05-029	72-120-304	NEW	01-16-023
51-46-1303	REP-P	01-16-122	51-56-0500	NEW-P	01-16-122	72-120-305	NEW-P	01-09-057
51-46-1304	REP-W	01-05-029	51-56-0600	NEW-W	01-05-029	72-120-305	NEW	01-16-023
51-46-1304	REP-P	01-16-122	51-56-0600	NEW-P	01-16-122	72-120-306	NEW-P	01-09-057
51-46-1305	REP-W	01-05-029	51-56-0700	NEW-W	01-05-029	72-120-306	NEW	01-16-023
51-46-1305	REP-P	01-16-122	51-56-0700	NEW-P	01-16-122	72-120-307	NEW-P	01-09-057
51-46-1400	REP-W	01-05-029	51-56-0800	NEW-W	01-05-029	72-120-307	NEW	01-16-023
51-46-1400	REP-P	01-16-122	51-56-0800	NEW-P	01-16-122	72-120-308	NEW-P	01-09-057
51-46-1401	REP-W	01-05-029	51-56-0900	NEW-W	01-05-029	72-120-308	NEW	01-16-023
51-46-1401	REP-P	01-16-122	51-56-0900	NEW-P	01-16-122	72-120-309	NEW-P	01-09-057
51-46-1491	REP-W	01-05-029	51-56-1300	NEW-W	01-05-029	72-120-309	NEW	01-16-023
51-46-1491	REP-P	01-16-122	51-56-1300	NEW-P	01-16-122	72-120-310	NEW-P	01-09-057
51-46-97120	REP-W	01-05-029	51-56-1400	NEW-W	01-05-029	72-120-310	NEW	01-16-023
51-46-97120	REP-P	01-16-122	51-56-1400	NEW-P	01-16-122	72-120-311	NEW-P	01-09-057
51-46-97121	REP-W	01-05-029	51-56-1500	NEW-W	01-05-029	72-120-311	NEW	01-16-023
51-46-97121	REP-P	01-16-122	51-56-1500	NEW-P	01-16-122	72-120-312	NEW-P	01-09-057

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
72-120-312	NEW	01-16-023	72-171-601	NEW	01-16-022	132G-120-064	AMD	01-13-065
72-120-313	NEW-P	01-09-057	72-171-605	NEW-P	01-09-019	132G-120-065	AMD-P	01-08-082
72-120-313	NEW	01-16-023	72-171-605	NEW	01-16-022	132G-120-065	AMD	01-13-065
72-120-314	NEW-P	01-09-057	72-171-610	REP-P	01-09-019	132G-120-070	AMD-P	01-08-082
72-120-314	NEW	01-16-023	72-171-610	REP	01-16-022	132G-120-070	AMD	01-13-065
72-171-001	AMD-P	01-09-019	72-171-620	REP-P	01-09-019	132G-120-080	AMD-P	01-08-082
72-171-001	AMD	01-16-022	72-171-620	REP	01-16-022	132G-120-080	AMD	01-13-065
72-171-010	AMD-P	01-09-019	72-171-630	REP-P	01-09-019	132G-120-090	AMD-P	01-08-082
72-171-010	AMD	01-16-022	72-171-630	REP	01-16-022	132G-120-090	AMD	01-13-065
72-171-015	AMD-P	01-09-019	72-171-640	REP-P	01-09-019	132G-120-100	AMD-P	01-08-082
72-171-015	AMD	01-16-022	72-171-640	REP	01-16-022	132G-120-100	AMD	01-13-065
72-171-016	AMD-P	01-09-019	72-171-650	AMD-P	01-09-019	132G-120-110	AMD-P	01-08-082
72-171-016	AMD	01-16-022	72-171-650	AMD	01-16-022	132G-120-110	AMD	01-13-065
72-171-100	REP-P	01-09-019	72-171-700	REP-P	01-09-019	132G-120-120	REP-P	01-08-082
72-171-100	REP	01-16-022	72-171-700	REP	01-16-022	132G-120-120	REP	01-13-065
72-171-110	AMD-P	01-09-019	72-171-710	NEW-P	01-09-019	132G-120-130	AMD-P	01-08-082
72-171-110	AMD	01-16-022	72-171-710	NEW-W	01-10-018	132G-120-130	AMD	01-13-065
72-171-120	AMD-P	01-09-019	72-171-710	NEW	01-16-022	132G-120-140	AMD-P	01-08-082
72-171-120	AMD	01-16-022	82- 05-050	AMD-X	01-21-121	132G-120-140	AMD	01-13-065
72-171-130	REP-P	01-09-019	82- 50-021	AMD-P	01-09-085	132K-122-020	PREP	01-03-125
72-171-130	REP	01-16-022	82- 50-021	AMD	01-12-007	132K-122-020	AMD-P	01-07-062
72-171-131	NEW-P	01-09-019	118- 68-010	NEW	01-09-045	132K-122-020	AMD	01-11-068
72-171-131	NEW	01-16-022	118- 68-020	NEW	01-09-045	132K-122-100	PREP	01-03-126
72-171-140	AMD-P	01-09-019	118- 68-030	NEW	01-09-045	132K-122-100	AMD-P	01-07-061
72-171-140	AMD	01-16-022	118- 68-040	NEW	01-09-045	132K-122-100	AMD	01-11-067
72-171-150	AMD-P	01-09-019	118- 68-050	NEW	01-09-045	132L- 25	PREP	01-20-009
72-171-150	AMD	01-16-022	118- 68-060	NEW	01-09-045	132L- 26	PREP	01-20-009
72-171-200	REP-P	01-09-019	118- 68-070	NEW	01-09-045	132L-108	PREP	01-20-009
72-171-200	REP	01-16-022	118- 68-080	NEW	01-09-045	132L-117	PREP	01-20-009
72-171-210	AMD-P	01-09-019	118- 68-090	NEW	01-09-045	132L-120	PREP	01-20-009
72-171-210	AMD	01-16-022	131	PREP	01-09-061	132L-133-020	PREP	01-20-009
72-171-220	AMD-P	01-09-019	131- 28-005	AMD-P	01-16-119	132L-136	PREP	01-20-009
72-171-220	AMD	01-16-022	131- 28-010	AMD-P	01-16-119	132L-140	PREP	01-20-009
72-171-230	AMD-P	01-09-019	131- 28-015	AMD-P	01-16-119	132L-276	PREP	01-20-009
72-171-230	AMD	01-16-022	131- 28-021	AMD-P	01-16-119	132L-280	PREP	01-20-009
72-171-240	AMD-P	01-09-019	131- 28-025	AMD-E	01-14-017	132L-300	PREP	01-20-009
72-171-240	AMD	01-16-022	131- 28-025	AMD-P	01-16-119	132N-144	PREP	01-18-026
72-171-242	NEW-P	01-09-019	131- 28-02501	AMD-P	01-16-119	132N-150	PREP	01-18-026
72-171-242	NEW	01-16-022	131- 28-029	NEW-P	01-16-119	132V-120-020	AMD-P	01-20-082
72-171-244	NEW-P	01-09-019	132A-120-011	AMD-P	01-03-116	132V-120-030	AMD-P	01-20-082
72-171-244	NEW	01-16-022	132A-120-011	AMD	01-08-071	132V-120-040	AMD-P	01-20-082
72-171-400	REP-P	01-09-019	132A-120-021	AMD-P	01-03-116	132V-120-050	AMD-P	01-20-082
72-171-400	REP	01-16-022	132A-120-021	AMD	01-08-071	132V-120-060	AMD-P	01-20-082
72-171-410	AMD-P	01-09-019	132G-120-010	AMD-P	01-08-082	132V-120-070	AMD-P	01-20-082
72-171-410	AMD	01-16-022	132G-120-010	AMD	01-13-065	132V-120-080	AMD-P	01-20-082
72-171-420	REP-P	01-09-019	132G-120-015	NEW-P	01-08-082	132V-120-090	AMD-P	01-20-082
72-171-420	REP	01-16-022	132G-120-015	NEW	01-13-065	132V-120-100	AMD-P	01-20-082
72-171-430	REP-P	01-09-019	132G-120-020	REP-P	01-08-082	132V-120-110	AMD-P	01-20-082
72-171-430	REP	01-16-022	132G-120-020	REP	01-13-065	132V-120-120	AMD-P	01-20-082
72-171-500	AMD-P	01-09-019	132G-120-030	AMD-P	01-08-082	132V-120-130	AMD-P	01-20-082
72-171-500	AMD	01-16-022	132G-120-030	AMD	01-13-065	132V-120-150	AMD-P	01-20-082
72-171-510	AMD-P	01-09-019	132G-120-040	AMD-P	01-08-082	132V-120-160	AMD-P	01-20-082
72-171-510	AMD	01-16-022	132G-120-040	AMD	01-13-065	132V-120-170	AMD-P	01-20-082
72-171-512	NEW-P	01-09-019	132G-120-060	AMD-P	01-08-082	132V-120-180	AMD-P	01-20-082
72-171-512	NEW	01-16-022	132G-120-060	AMD	01-13-065	132V-120-190	REP-P	01-20-082
72-171-514	NEW-P	01-09-019	132G-120-061	AMD-P	01-08-082	132V-120-200	AMD-P	01-20-082
72-171-514	NEW	01-16-022	132G-120-061	AMD	01-13-065	132V-120-210	AMD-P	01-20-082
72-171-550	NEW-P	01-09-019	132G-120-062	AMD-P	01-08-082	132V-120-220	AMD-P	01-20-082
72-171-550	NEW	01-16-022	132G-120-062	AMD	01-13-065	132V-120-240	AMD-P	01-20-082
72-171-600	REP-P	01-09-019	132G-120-063	AMD-P	01-08-082	132V-120-241	NEW-P	01-20-082
72-171-600	REP	01-16-022	132G-120-063	AMD	01-13-065	132V-120-245	NEW-P	01-20-082
72-171-601	NEW-P	01-09-019	132G-120-064	AMD-P	01-08-082	132V-120-250	REP-P	01-20-082

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132V-120-270	AMD-P	01-20-082	132W-108-010	REP-P	01-04-004	132W-109-010	NEW-P	01-07-058
132V-120-280	AMD-P	01-20-082	132W-108-010	REP	01-07-059	132W-109-010	NEW	01-12-015
132V-120-290	AMD-P	01-20-082	132W-108-080	REP-P	01-04-004	132W-109-020	NEW-P	01-07-058
132V-120-330	REP-P	01-20-082	132W-108-080	REP	01-07-059	132W-109-020	NEW	01-12-015
132V-300-010	AMD-P	01-20-083	132W-108-090	REP-P	01-04-004	132W-109-030	NEW-P	01-07-058
132V-300-020	AMD-P	01-20-083	132W-108-090	REP	01-07-059	132W-109-030	NEW	01-12-015
132V-300-030	AMD-P	01-20-083	132W-108-100	REP-P	01-04-004	132W-109-040	NEW-P	01-07-058
132V-300-035	NEW-P	01-20-083	132W-108-100	REP	01-07-059	132W-109-040	NEW	01-12-015
132V-400-010	AMD-P	01-20-084	132W-108-110	REP-P	01-04-004	132W-109-050	NEW-P	01-07-058
132V-400-020	AMD-P	01-20-084	132W-108-110	REP	01-07-059	132W-109-050	NEW	01-12-015
132V-400-030	AMD-P	01-20-084	132W-108-120	REP-P	01-04-004	132W-109-060	NEW-P	01-07-058
132V-400-040	AMD-P	01-20-084	132W-108-120	REP	01-07-059	132W-109-060	NEW	01-12-015
132W-104	PREP	01-03-103	132W-108-130	REP-P	01-04-004	132W-109-070	NEW-P	01-07-058
132W-104-010	REP-P	01-04-004	132W-108-130	REP	01-07-059	132W-109-070	NEW	01-12-015
132W-104-010	REP	01-07-059	132W-108-140	REP-P	01-04-004	132W-109-085	NEW-P	01-07-058
132W-104-020	REP-P	01-04-004	132W-108-140	REP	01-07-059	132W-109-085	NEW	01-12-015
132W-104-020	REP	01-07-059	132W-108-230	REP-P	01-04-004	132W-112	PREP	01-03-103
132W-104-030	REP-P	01-04-004	132W-108-230	REP	01-07-059	132W-112-001	NEW-P	01-07-058
132W-104-030	REP	01-07-059	132W-108-240	REP-P	01-04-004	132W-112-001	NEW	01-12-015
132W-104-040	REP-P	01-04-004	132W-108-240	REP	01-07-059	132W-112-010	NEW-P	01-07-058
132W-104-040	REP	01-07-059	132W-108-250	REP-P	01-04-004	132W-112-010	NEW	01-12-015
132W-104-050	REP-P	01-04-004	132W-108-250	REP	01-07-059	132W-112-020	NEW-P	01-07-058
132W-104-050	REP	01-07-059	132W-108-260	REP-P	01-04-004	132W-112-020	NEW	01-12-015
132W-104-060	REP-P	01-04-004	132W-108-260	REP	01-07-059	132W-112-030	NEW-P	01-07-058
132W-104-060	REP	01-07-059	132W-108-270	REP-P	01-04-004	132W-112-030	NEW	01-12-015
132W-104-070	REP-P	01-04-004	132W-108-270	REP	01-07-059	132W-112-040	NEW-P	01-07-058
132W-104-070	REP	01-07-059	132W-108-280	REP-P	01-04-004	132W-112-040	NEW	01-12-015
132W-104-080	REP-P	01-04-004	132W-108-280	REP	01-07-059	132W-112-050	NEW-P	01-07-058
132W-104-080	REP	01-07-059	132W-108-290	REP-P	01-04-004	132W-112-050	NEW	01-12-015
132W-104-090	REP-P	01-04-004	132W-108-290	REP	01-07-059	132W-112-060	NEW-P	01-07-058
132W-104-090	REP	01-07-059	132W-108-300	REP-P	01-04-004	132W-112-060	NEW	01-12-015
132W-104-100	REP-P	01-04-004	132W-108-300	REP	01-07-059	132W-112-070	NEW-P	01-07-058
132W-104-100	REP	01-07-059	132W-108-310	REP-P	01-04-004	132W-112-070	NEW	01-12-015
132W-104-110	REP-P	01-04-004	132W-108-310	REP	01-07-059	132W-112-080	NEW-P	01-07-058
132W-104-110	REP	01-07-059	132W-108-320	REP-P	01-04-004	132W-112-080	NEW	01-12-015
132W-104-111	REP-P	01-04-004	132W-108-320	REP	01-07-059	132W-112-090	NEW-P	01-07-058
132W-104-111	REP	01-07-059	132W-108-330	REP-P	01-04-004	132W-112-090	NEW	01-12-015
132W-104-120	REP-P	01-04-004	132W-108-330	REP	01-07-059	132W-112-100	NEW-P	01-07-058
132W-104-120	REP	01-07-059	132W-108-340	REP-P	01-04-004	132W-112-100	NEW	01-12-015
132W-104-130	REP-P	01-04-004	132W-108-340	REP	01-07-059	132W-112-110	NEW-P	01-07-058
132W-104-130	REP	01-07-059	132W-108-350	REP-P	01-04-004	132W-112-110	NEW	01-12-015
132W-105-010	NEW-P	01-07-058	132W-108-350	REP	01-07-059	132W-112-120	NEW-P	01-07-058
132W-105-010	NEW	01-12-015	132W-108-360	REP-P	01-04-004	132W-112-120	NEW	01-12-015
132W-105-020	NEW-P	01-07-058	132W-108-360	REP	01-07-059	132W-112-130	NEW-P	01-07-058
132W-105-020	NEW	01-12-015	132W-108-400	REP-P	01-04-004	132W-112-130	NEW	01-12-015
132W-105-030	NEW-P	01-07-058	132W-108-400	REP	01-07-059	132W-112-140	NEW-P	01-07-058
132W-105-030	NEW	01-12-015	132W-108-410	REP-P	01-04-004	132W-112-140	NEW	01-12-015
132W-105-040	NEW-P	01-07-058	132W-108-410	REP	01-07-059	132W-115	PREP	01-03-103
132W-105-040	NEW	01-12-015	132W-108-420	REP-P	01-04-004	132W-115-010	NEW-P	01-07-058
132W-105-050	NEW-P	01-07-058	132W-108-420	REP	01-07-059	132W-115-010	NEW	01-12-015
132W-105-050	NEW	01-12-015	132W-108-430	REP-P	01-04-004	132W-115-020	NEW-P	01-07-058
132W-105-060	NEW-P	01-07-058	132W-108-430	REP	01-07-059	132W-115-020	NEW	01-12-015
132W-105-060	NEW	01-12-015	132W-108-440	REP-P	01-04-004	132W-115-030	NEW-P	01-07-058
132W-105-070	NEW-P	01-07-058	132W-108-440	REP	01-07-059	132W-115-030	NEW	01-12-015
132W-105-070	NEW	01-12-015	132W-108-450	REP-P	01-04-004	132W-115-040	NEW-P	01-07-058
132W-105-080	NEW-P	01-07-058	132W-108-450	REP	01-07-059	132W-115-040	NEW	01-12-015
132W-105-080	NEW	01-12-015	132W-108-460	REP-P	01-04-004	132W-115-050	NEW-P	01-07-058
132W-108	PREP	01-03-103	132W-108-460	REP	01-07-059	132W-115-050	NEW	01-12-015
132W-108-001	REP-P	01-04-004	132W-108-470	REP-P	01-04-004	132W-115-060	NEW-P	01-07-058
132W-108-001	REP	01-07-059	132W-108-470	REP	01-07-059	132W-115-060	NEW	01-12-015
132W-108-005	REP-P	01-04-004	132W-108-480	REP-P	01-04-004	132W-115-070	NEW-P	01-07-058
132W-108-005	REP	01-07-059	132W-108-480	REP	01-07-059	132W-115-070	NEW	01-12-015

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132W-115-080	NEW-P	01-07-058	132W-117-110	NEW	01-12-015	132W-125-010	NEW	01-12-015
132W-115-080	NEW	01-12-015	132W-117-120	NEW-P	01-07-058	132W-125-020	NEW-P	01-07-058
132W-115-090	NEW-P	01-07-058	132W-117-120	NEW	01-12-015	132W-125-020	NEW	01-12-015
132W-115-090	NEW	01-12-015	132W-117-130	NEW-P	01-07-058	132W-125-030	NEW-P	01-07-058
132W-115-100	NEW-P	01-07-058	132W-117-130	NEW	01-12-015	132W-125-030	NEW	01-12-015
132W-115-100	NEW	01-12-015	132W-117-140	NEW-P	01-07-058	132W-129	PREP	01-06-011
132W-115-110	NEW-P	01-07-058	132W-117-140	NEW	01-12-015	132W-129-001	REP-P	01-10-016
132W-115-110	NEW	01-12-015	132W-117-150	NEW-P	01-07-058	132W-129-001	REP	01-13-073
132W-115-120	NEW-P	01-07-058	132W-117-150	NEW	01-12-015	132W-130	PREP	01-06-010
132W-115-120	NEW	01-12-015	132W-117-160	NEW-P	01-07-058	132W-131-010	NEW-P	01-10-015
132W-115-130	NEW-P	01-07-058	132W-117-160	NEW	01-12-015	132W-131-010	NEW	01-14-016
132W-115-130	NEW	01-12-015	132W-117-170	NEW-P	01-07-058	132W-131-020	NEW-P	01-10-015
132W-115-140	NEW-P	01-07-058	132W-117-170	NEW	01-12-015	132W-131-020	NEW	01-14-016
132W-115-140	NEW	01-12-015	132W-117-180	NEW-P	01-07-058	132W-131-030	NEW-P	01-10-015
132W-115-150	NEW-P	01-07-058	132W-117-180	NEW	01-12-015	132W-131-030	NEW	01-14-016
132W-115-150	NEW	01-12-015	132W-117-190	NEW-P	01-07-058	132W-134	PREP	01-06-010
132W-115-160	NEW-P	01-07-058	132W-117-190	NEW	01-12-015	132W-134-010	NEW-P	01-10-015
132W-115-160	NEW	01-12-015	132W-117-200	NEW-P	01-07-058	132W-134-010	NEW	01-14-016
132W-115-170	NEW-P	01-07-058	132W-117-200	NEW	01-12-015	132W-135-010	REP-P	01-04-004
132W-115-170	NEW	01-12-015	132W-117-210	NEW-P	01-07-058	132W-135-010	REP	01-07-059
132W-115-180	NEW-P	01-07-058	132W-117-210	NEW	01-12-015	132W-140	PREP	01-06-010
132W-115-180	NEW	01-12-015	132W-117-220	NEW-P	01-07-058	132W-140	PREP	01-06-011
132W-115-190	NEW-P	01-07-058	132W-117-220	NEW	01-12-015	132W-140-010	REP-P	01-10-016
132W-115-190	NEW	01-12-015	132W-117-230	NEW-P	01-07-058	132W-140-010	REP	01-13-073
132W-115-200	NEW-P	01-07-058	132W-117-230	NEW	01-12-015	132W-140-011	REP-P	01-10-016
132W-115-200	NEW	01-12-015	132W-117-240	NEW-P	01-07-058	132W-140-011	REP	01-13-073
132W-115-210	NEW-P	01-07-058	132W-117-240	NEW	01-12-015	132W-140-012	REP-P	01-10-016
132W-115-210	NEW	01-12-015	132W-117-250	NEW-P	01-07-058	132W-140-012	REP	01-13-073
132W-115-220	NEW-P	01-07-058	132W-117-250	NEW	01-12-015	132W-140-013	REP-P	01-10-016
132W-115-220	NEW	01-12-015	132W-117-260	NEW-P	01-07-058	132W-140-013	REP	01-13-073
132W-116	PREP	01-03-103	132W-117-260	NEW	01-12-015	132W-141-010	NEW-P	01-10-015
132W-116-010	REP-P	01-04-004	132W-117-270	NEW-P	01-07-058	132W-141-010	NEW	01-14-016
132W-116-010	REP	01-07-059	132W-117-270	NEW	01-12-015	132W-141-020	NEW-P	01-10-015
132W-116-020	REP-P	01-04-004	132W-117-280	NEW-P	01-07-058	132W-141-020	NEW	01-14-016
132W-116-020	REP	01-07-059	132W-117-280	NEW	01-12-015	132W-141-030	NEW-P	01-10-015
132W-116-040	REP-P	01-04-004	132W-120-010	REP-P	01-04-004	132W-141-030	NEW	01-14-016
132W-116-040	REP	01-07-059	132W-120-010	REP	01-07-059	132W-141-040	NEW-P	01-10-015
132W-116-050	REP-P	01-04-004	132W-120-030	REP-P	01-04-004	132W-141-040	NEW	01-14-016
132W-116-050	REP	01-07-059	132W-120-030	REP	01-07-059	132W-141-050	NEW-P	01-10-015
132W-116-065	REP-P	01-04-004	132W-120-040	REP-P	01-04-004	132W-141-050	NEW	01-14-016
132W-116-065	REP	01-07-059	132W-120-040	REP	01-07-059	132W-141-060	NEW-P	01-10-015
132W-117-010	NEW-P	01-07-058	132W-120-050	REP-P	01-04-004	132W-141-060	NEW	01-14-016
132W-117-010	NEW	01-12-015	132W-120-050	REP	01-07-059	132W-141-070	NEW-P	01-10-015
132W-117-020	NEW-P	01-07-058	132W-120-060	REP-P	01-04-004	132W-141-070	NEW	01-14-016
132W-117-020	NEW	01-12-015	132W-120-060	REP	01-07-059	132W-141-080	NEW-P	01-10-015
132W-117-030	NEW-P	01-07-058	132W-120-070	REP-P	01-04-004	132W-141-080	NEW	01-14-016
132W-117-030	NEW	01-12-015	132W-120-070	REP	01-07-059	132W-141-090	NEW-P	01-10-015
132W-117-040	NEW-P	01-07-058	132W-120-100	REP-P	01-04-004	132W-141-090	NEW	01-14-016
132W-117-040	NEW	01-12-015	132W-120-100	REP	01-07-059	132W-149	PREP	01-06-011
132W-117-050	NEW-P	01-07-058	132W-120-130	REP-P	01-04-004	132W-149-010	REP-P	01-10-016
132W-117-050	NEW	01-12-015	132W-120-130	REP	01-07-059	132W-149-010	REP	01-13-073
132W-117-060	NEW-P	01-07-058	132W-120-300	REP-P	01-04-004	132W-164	PREP	01-06-011
132W-117-060	NEW	01-12-015	132W-120-300	REP	01-07-059	132W-164-010	REP-P	01-10-016
132W-117-070	NEW-P	01-07-058	132W-120-310	REP-P	01-04-004	132W-164-010	REP	01-13-073
132W-117-070	NEW	01-12-015	132W-120-310	REP	01-07-059	132W-164-011	REP-P	01-10-016
132W-117-080	NEW-P	01-07-058	132W-120-320	REP-P	01-04-004	132W-164-011	REP	01-13-073
132W-117-080	NEW	01-12-015	132W-120-320	REP	01-07-059	132W-164-012	REP-P	01-10-016
132W-117-090	NEW-P	01-07-058	132W-120-330	REP-P	01-04-004	132W-164-012	REP	01-13-073
132W-117-090	NEW	01-12-015	132W-120-330	REP	01-07-059	132W-164-013	REP-P	01-10-016
132W-117-100	NEW-P	01-07-058	132W-120-400	REP-P	01-04-004	132W-164-013	REP	01-13-073
132W-117-100	NEW	01-12-015	132W-120-400	REP	01-07-059	132W-164-020	REP-P	01-10-016
132W-117-110	NEW-P	01-07-058	132W-125-010	NEW-P	01-07-058	132W-164-020	REP	01-13-073

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
132W-168	PREP	01-06-010	132W-300-020	NEW	01-14-016	136-161-070	AMD	01-05-009
132W-168-010	NEW-P	01-10-015	132W-300-030	NEW-P	01-10-015	136-163-050	AMD	01-05-009
132W-168-010	NEW	01-14-016	132W-300-030	NEW	01-14-016	136-167-040	AMD-P	01-06-017
132W-168-020	NEW-P	01-10-015	132W-300-040	NEW-P	01-10-015	136-167-040	AMD	01-09-077
132W-168-020	NEW	01-14-016	132W-300-040	NEW	01-14-016	136-170-030	AMD	01-05-008
132W-168-030	NEW-P	01-10-015	132W-300-050	NEW-P	01-10-015	136-210-020	AMD-P	01-12-051
132W-168-030	NEW	01-14-016	132W-300-050	NEW	01-14-016	136-210-020	AMD	01-17-104
132W-168-040	NEW-P	01-10-015	132W-300-060	NEW-P	01-10-015	136-210-030	AMD	01-05-009
132W-168-040	NEW	01-14-016	132W-300-060	NEW	01-14-016	136-210-040	AMD	01-05-009
132W-276	PREP	01-03-103	132W-325	PREP	01-03-103	136-210-050	AMD	01-05-009
132W-276-001	REP-P	01-04-004	132W-325-010	NEW-P	01-07-058	137-04-010	AMD	01-03-079
132W-276-001	REP	01-07-059	132W-325-010	NEW	01-12-015	137-04-020	AMD	01-03-079
132W-276-005	REP-P	01-04-004	132Z-116-005	NEW-E	01-21-008	137-52-010	AMD	01-04-001
132W-276-005	REP	01-07-059	132Z-116-010	NEW-E	01-21-008	137-104-010	NEW	01-04-044
132W-276-010	REP-P	01-04-004	132Z-116-020	NEW-E	01-21-008	137-104-020	NEW	01-04-044
132W-276-010	REP	01-07-059	132Z-116-030	NEW-E	01-21-008	137-104-030	NEW	01-04-044
132W-276-060	REP-P	01-04-004	132Z-116-040	NEW-E	01-21-008	137-104-040	NEW	01-04-044
132W-276-060	REP	01-07-059	132Z-116-050	NEW-E	01-21-008	137-104-050	NEW	01-04-044
132W-276-070	REP-P	01-04-004	132Z-116-060	NEW-E	01-21-008	137-104-060	NEW	01-04-044
132W-276-070	REP	01-07-059	132Z-116-070	NEW-E	01-21-008	137-104-070	NEW	01-04-044
132W-276-080	REP-P	01-04-004	132Z-116-080	NEW-E	01-21-008	137-104-080	NEW	01-04-044
132W-276-080	REP	01-07-059	132Z-116-090	NEW-E	01-21-008	137-150-010	NEW	01-17-004
132W-276-090	REP-P	01-04-004	132Z-116-100	NEW-E	01-21-008	137-150-020	NEW	01-17-004
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132W-277-010	NEW	01-12-015	132Z-116-250	NEW-E	01-21-008	139-01-421	NEW-P	01-19-036
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132W-277-020	NEW	01-12-015	132Z-116-270	NEW-E	01-21-008	139-05-810	AMD-P	01-19-036
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175- 20-99001	REP	01-13-074	180- 31-012	NEW	01-08-040	180- 78A-010	AMD	01-19-080
175- 20-99002	REP-XR	01-10-111	180- 32	PREP	01-11-142	180- 78A-015	REP	01-04-021
175- 20-99002	REP	01-13-074	180- 32-012	NEW	01-08-040	180- 78A-125	REP-P	01-10-096
175- 20-99003	REP-XR	01-10-111	180- 32-065	AMD-E	01-14-066	180- 78A-125	REP	01-13-106
175- 20-99003	REP	01-13-074	180- 32-065	AMD-P	01-15-097	180- 78A-209	AMD	01-03-151
175- 20-99004	REP-XR	01-10-111	180- 32-065	AMD	01-19-042	180- 78A-220	PREP	01-15-101
175- 20-99004	REP	01-13-074	180- 33	PREP	01-11-142	180- 78A-225	PREP	01-15-101
180- 16	PREP	01-11-138	180- 33-012	NEW	01-08-040	180- 78A-250	AMD-P	01-10-096
180- 16-200	PREP	01-15-102	180- 33-020	AMD-E	01-14-066	180- 78A-250	AMD	01-13-106
180- 16-200	AMD-P	01-19-043	180- 33-020	AMD-P	01-15-097	180- 78A-255	AMD-P	01-10-096
180- 16-205	PREP	01-15-102	180- 33-020	AMD	01-19-042	180- 78A-255	AMD	01-13-106
180- 16-205	REP-P	01-19-043	180- 33-023	AMD-P	01-05-088	180- 78A-261	PREP	01-15-101
180- 16-215	PREP	01-15-102	180- 33-023	AMD	01-09-012	180- 78A-264	AMD	01-03-153
180- 16-215	AMD-P	01-19-043	180- 33-035	AMD-E	01-14-066	180- 78A-264	PREP	01-15-101
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180- 18-030	AMD-P	01-19-043	180- 33-035	AMD	01-19-042	180- 78A-535	AMD	01-09-004
180- 18-050	PREP	01-15-102	180- 33-042	PREP	01-05-130	180- 78A-545	REP	01-04-021
180- 18-060	PREP	01-15-102	180- 33-042	AMD-E	01-08-039	180- 78A-550	REP	01-04-021
180- 18-060	AMD-P	01-19-043	180- 33-042	AMD-P	01-10-102	180- 78A-555	REP	01-04-021
180- 18-080	PREP	01-15-102	180- 33-042	AMD	01-14-019	180- 78A-560	REP	01-04-021
180- 18-080	REP-P	01-19-043	180- 50-115	AMD-W	01-08-065	180- 78A-565	REP	01-04-021
180- 25-012	NEW	01-08-040	180- 50-117	NEW-W	01-08-065	180- 79A	PREP	01-04-018
180- 26	PREP	01-11-142	180- 51-060	PREP	01-05-124	180- 79A	PREP	01-11-140
180- 26-012	NEW	01-08-040	180- 51-060	AMD-P	01-10-099	180- 79A	PREP	01-19-083
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180- 26-050	AMD-P	01-15-097	180- 51-061	PREP	01-05-125	180- 79A-020	REP-W	01-15-062
180- 26-050	AMD	01-19-042	180- 51-061	AMD-P	01-10-098	180- 79A-022	REP-W	01-15-062
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180- 26-057	AMD-P	01-15-097	180- 51-063	PREP	01-05-092	180- 79A-030	PREP	01-19-057
180- 26-057	AMD	01-19-042	180- 51-063	AMD-E	01-08-042	180- 79A-120	PREP	01-19-041
180- 27	PREP	01-11-142	180- 51-063	AMD-P	01-10-094	180- 79A-124	AMD	01-03-153
180- 27-012	NEW	01-08-040	180- 51-063	AMD	01-13-113	180- 79A-130	AMD-P	01-05-093
180- 27-020	AMD-E	01-14-066	180- 51-075	AMD-W	01-04-025	180- 79A-130	AMD	01-09-005
180- 27-020	AMD-P	01-15-097	180- 52	PREP	01-05-123	180- 79A-140	AMD-E	01-18-062
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180- 27-035	AMD-E	01-14-065	180- 52-041	REP-E	01-09-015	180- 79A-145	AMD-P	01-04-019
180- 27-035	AMD-P	01-15-099	180- 52-041	REP-P	01-10-092	180- 79A-145	AMD	01-09-004
180- 27-035	AMD	01-19-044	180- 52-041	REP	01-13-109	180- 79A-155	AMD-P	01-04-022
180- 27-060	AMD-E	01-14-066	180- 57	PREP	01-14-020	180- 79A-155	AMD	01-09-006
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180- 27-060	AMD	01-19-042	180- 57-005	AMD-W	01-04-024	180- 79A-211	AMD	01-03-152
180- 27-063	AMD-E	01-14-066	180- 57-010	REP-W	01-04-024	180- 79A-231	AMD-E	01-18-062
180- 27-063	AMD-P	01-15-097	180- 57-020	AMD-W	01-04-024	180- 79A-250	AMD-P	01-04-019
180- 27-063	AMD	01-19-042	180- 57-030	REP-W	01-04-024	180- 79A-250	AMD	01-09-004
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180- 27-065	AMD-P	01-15-097	180- 57-050	AMD-W	01-04-024	180- 79A-250	AMD	01-13-111
180- 27-065	AMD	01-19-042	180- 57-050	AMD-P	01-19-045	180- 79A-257	PREP	01-05-126
180- 27-070	AMD-P	01-05-089	180- 57-055	AMD-W	01-04-024	180- 79A-257	AMD-E	01-08-041
180- 27-070	AMD	01-09-011	180- 57-055	AMD-P	01-19-045	180- 79A-257	AMD-P	01-10-093
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180- 27-080	AMD-P	01-15-097	180- 57-070	AMD	01-09-013	180- 79A-257	AMD-P	01-15-098
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180- 27-095	AMD-P	01-15-097	180- 77	PREP	01-19-083	180- 79A-265	REP-E	01-08-041
180- 27-095	AMD	01-19-042	180- 77-120	AMD-P	01-15-098	180- 79A-265	REP-P	01-10-093
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180- 82-130	AMD-C	01-10-100	183- 04-070	NEW-P	01-04-033	192-270-015	NEW-E	01-05-071
180- 82-130	AMD	01-13-110	183- 04-070	NEW	01-12-002	192-270-015	NEW-P	01-05-118
180- 82-135	NEW	01-04-020	183- 04-080	NEW-P	01-04-033	192-270-015	NEW	01-11-085
180- 82-135	NEW-W	01-08-066	183- 04-080	NEW	01-12-002	192-270-020	NEW-E	01-05-071
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180- 82-202	AMD-E	01-08-041	183- 04-090	NEW	01-12-002	192-270-020	NEW	01-11-085
180- 82-202	AMD-P	01-10-093	183- 04-100	NEW-P	01-04-033	192-270-025	NEW-E	01-05-071
180- 82-202	AMD	01-13-108	183- 04-100	NEW	01-12-002	192-270-025	NEW-P	01-05-118
180- 82-204	PREP	01-05-128	183- 04-110	NEW-P	01-04-033	192-270-025	NEW	01-11-085
180- 82-204	AMD-E	01-08-041	183- 04-110	NEW	01-12-002	192-270-030	NEW-E	01-05-071
180- 82-204	AMD-P	01-10-093	183- 06-010	NEW-P	01-04-033	192-270-030	NEW-P	01-05-118
180- 82-204	AMD	01-13-108	183- 06-010	NEW	01-12-002	192-270-030	NEW	01-11-085
180- 82-210	PREP	01-05-129	183- 06-020	NEW-P	01-04-033	192-270-035	NEW-E	01-05-071
180- 82-210	AMD-E	01-08-041	183- 06-020	NEW	01-12-002	192-270-035	NEW-P	01-05-118
180- 82-210	AMD-P	01-10-093	183- 06-030	NEW-P	01-04-033	192-270-035	NEW	01-11-085
180- 82-210	AMD	01-13-108	183- 06-030	NEW	01-12-002	192-270-040	NEW-E	01-05-071
180- 82-346	PREP	01-19-058	192- 16-011	REP-E	01-05-071	192-270-040	NEW-P	01-05-118
180- 85	PREP	01-11-138	192- 16-011	REP-P	01-05-118	192-270-040	NEW	01-11-085
180- 85	PREP	01-19-081	192- 16-011	REP	01-11-085	192-270-045	NEW-E	01-05-071
180- 85-035	AMD-P	01-10-095	192- 16-017	REP-E	01-05-071	192-270-045	NEW-P	01-05-118
180- 85-035	AMD	01-13-111	192- 16-017	REP-P	01-05-118	192-270-045	NEW	01-11-085
180- 85-075	AMD-P	01-04-019	192- 16-017	REP	01-11-085	192-270-050	NEW-E	01-05-071
180- 85-075	AMD	01-09-004	192- 16-021	REP-P	01-05-117	192-270-050	NEW-P	01-05-118
180- 86	PREP	01-11-138	192- 16-021	REP-W	01-18-067	192-270-050	NEW	01-11-085
180- 97-060	AMD-E	01-11-056	192- 16-021	REP-P	01-21-123	192-270-055	NEW-E	01-05-071
180- 97-060	PREP	01-11-143	192- 16-061	REP	01-03-009	192-270-055	NEW-P	01-05-118
182- 08	PREP	01-18-096	192- 16-070	REP-P	01-04-082	192-270-055	NEW	01-11-085
182- 08-095	PREP	01-18-094	192- 16-070	REP	01-12-009	192-270-060	NEW-E	01-05-071
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182- 08-125	NEW-P	01-21-143	192-150-050	NEW-P	01-05-118	192-270-060	NEW	01-11-085
182- 12-117	PREP	01-09-083	192-150-050	NEW	01-11-085	192-270-065	NEW-E	01-05-071
182- 12-117	AMD-P	01-12-092	192-150-060	NEW-P	01-05-117	192-270-065	NEW-P	01-05-118
182- 12-117	AMD-C	01-16-080	192-150-060	NEW-W	01-18-067	192-270-065	NEW	01-11-085
182- 12-117	AMD	01-17-042	192-150-060	NEW-P	01-21-123	192-270-070	NEW-E	01-05-071
182- 12-118	NEW-P	01-21-142	192-150-065	NEW-E	01-05-071	192-270-070	NEW-P	01-05-118
182- 12-119	PREP	01-18-095	192-150-065	NEW-P	01-05-118	192-270-070	NEW	01-11-085
182- 12-200	PREP	01-09-084	192-150-065	NEW	01-11-085	192-320-075	NEW-P	01-05-117
182- 12-200	AMD-P	01-12-091	192-150-085	NEW-E	01-05-071	192-320-075	NEW-W	01-18-067
182- 12-200	AMD-C	01-16-079	192-150-085	NEW-P	01-05-118	196- 12-020	AMD-P	01-20-013
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182- 20-010	AMD	01-04-080	192-150-100	NEW	01-12-009	196- 12-030	AMD-P	01-20-013
182- 20-100	AMD	01-04-080	192-170-050	NEW-P	01-05-117	196- 12-035	NEW-P	01-04-094
182- 20-160	AMD	01-04-080	192-170-050	NEW-W	01-18-067	196- 12-035	NEW	01-09-016
182- 20-200	AMD	01-04-080	192-170-050	NEW-P	01-21-123	196- 23-070	NEW-P	01-04-050
182- 20-400	AMD	01-04-080	192-180-012	NEW-P	01-05-117	196- 23-070	NEW	01-09-017
182- 25-010	AMD-P	01-05-107	192-180-012	NEW-W	01-18-067	196- 33-100	NEW-P	01-05-033
182- 25-010	AMD	01-09-001	192-180-012	NEW-P	01-21-123	196- 33-100	NEW	01-11-102
182- 25-105	AMD-P	01-20-089	192-210-005	PREP	01-10-117	196- 33-200	NEW-P	01-05-033
182- 25-110	AMD-P	01-20-089	192-210-005	AMD-E	01-12-010	196- 33-200	NEW	01-11-102
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183- 04-010	NEW	01-12-002	192-210-015	PREP	01-10-117	196- 33-300	NEW	01-11-102
183- 04-020	NEW-P	01-04-033	192-210-015	AMD-E	01-12-010	196- 33-400	NEW-P	01-05-033
183- 04-020	NEW	01-12-002	192-210-015	AMD-E	01-20-064	196- 33-400	NEW	01-11-102
183- 04-030	NEW-P	01-04-033	192-210-020	NEW-E	01-12-010	196- 33-500	NEW-P	01-05-033
183- 04-030	NEW	01-12-002	192-210-020	NEW-E	01-20-064	196- 33-500	NEW	01-11-102
183- 04-040	NEW-P	01-04-033	192-270-005	NEW-E	01-05-071	204- 24-030	AMD-E	01-21-030
183- 04-040	NEW	01-12-002	192-270-005	NEW-P	01-05-118	204- 24-050	AMD-E	01-21-030
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204-38-030	AMD-P	01-05-097	208-460-100	NEW-P	01-05-072	208-586-140	AMD	01-06-024
204-38-030	AMD	01-11-118	208-460-100	NEW	01-10-084	208-586-140	AMD-P	01-07-081
204-38-040	AMD-P	01-05-097	208-460-110	NEW-P	01-05-072	208-586-140	AMD	01-12-003
204-38-040	AMD	01-11-118	208-460-110	NEW	01-10-084	208-586-150	NEW-P	01-07-081
204-38-050	AMD-P	01-05-097	208-460-120	NEW-P	01-05-072	208-586-150	NEW-W	01-20-079
204-38-050	AMD	01-11-118	208-460-120	NEW	01-10-084	208-620-190	AMD-P	01-07-083
204-82A-060	PREP	01-13-051	208-460-130	NEW-P	01-05-072	208-620-190	AMD	01-12-029
204-91A	PREP	01-11-116	208-460-130	NEW	01-10-084	208-620-191	NEW-P	01-07-083
204-91A-010	AMD-W	01-10-083	208-460-140	NEW-P	01-05-072	208-620-191	NEW	01-12-029
204-91A-010	AMD-P	01-18-089	208-460-140	NEW	01-10-084	208-620-192	NEW-P	01-07-083
204-91A-030	AMD-W	01-10-083	208-460-150	NEW-P	01-05-072	208-620-192	NEW	01-12-029
204-91A-030	AMD-P	01-18-089	208-460-150	NEW	01-10-084	208-630-021	AMD-P	01-07-083
204-91A-060	AMD-W	01-10-083	208-460-160	NEW-P	01-05-072	208-630-021	AMD	01-12-029
204-91A-060	AMD-P	01-18-089	208-460-160	NEW	01-10-084	208-630-022	AMD-P	01-07-083
204-91A-090	AMD-W	01-10-083	208-460-170	NEW-P	01-05-072	208-630-022	AMD	01-12-029
204-91A-090	AMD-P	01-18-089	208-460-170	NEW	01-10-084	208-630-023	AMD-P	01-07-083
204-91A-120	AMD-W	01-10-083	208-512	PREP-W	01-03-106	208-630-023	AMD	01-12-029
204-91A-120	AMD-P	01-18-089	208-512-045	AMD-P	01-03-107	208-630-02303	NEW-P	01-07-083
204-91A-130	AMD-W	01-10-083	208-512-045	AMD	01-06-024	208-630-02303	NEW	01-12-029
204-91A-130	AMD-P	01-18-089	208-512-110	AMD-P	01-03-107	208-630-02305	NEW-P	01-07-083
204-91A-140	AMD-W	01-10-083	208-512-110	AMD	01-06-024	208-630-02305	NEW	01-12-029
204-91A-140	AMD-P	01-18-089	208-512-115	AMD-P	01-03-107	208-660-010	AMD-P	01-07-083
204-91A-170	AMD-W	01-10-083	208-512-115	AMD	01-06-024	208-660-010	AMD	01-12-029
204-91A-170	AMD-P	01-18-089	208-512-116	AMD-P	01-03-107	208-660-060	AMD-P	01-07-083
204-91A-180	AMD-W	01-10-083	208-512-116	AMD	01-06-024	208-660-060	AMD	01-12-029
204-91A-180	AMD-P	01-18-089	208-512-117	AMD-P	01-03-107	208-660-061	NEW-P	01-07-083
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208-418-010	NEW-P	01-07-082	208-512-240	AMD	01-06-024	208-660-062	NEW	01-12-029
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208-418-040	AMD-P	01-07-082	208-512-300	AMD-P	01-03-107	208-680B-020	AMD	01-08-055
208-418-040	AMD	01-12-004	208-512-300	AMD	01-06-024	208-680B-030	AMD	01-08-055
208-418-050	AMD-P	01-07-082	208-514-140	AMD-P	01-03-107	208-680B-050	AMD	01-08-055
208-418-050	AMD	01-12-004	208-514-140	AMD	01-06-024	208-680B-070	AMD	01-08-055
208-418-060	REP-P	01-07-082	208-528-040	AMD-P	01-03-107	208-680B-080	AMD-P	01-07-083
208-418-060	REP	01-12-004	208-528-040	AMD	01-06-024	208-680B-080	AMD	01-12-029
208-418-070	AMD-P	01-07-082	208-532-050	AMD-P	01-03-107	208-680B-081	NEW-P	01-07-083
208-418-070	AMD	01-12-004	208-532-050	AMD	01-06-024	208-680B-081	NEW	01-12-029
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208-418-090	NEW	01-12-004	208-544-025	AMD	01-06-024	208-680B-082	NEW	01-12-029
208-418-100	NEW-P	01-07-082	208-544-037	AMD-P	01-03-107	208-680B-090	AMD	01-08-055
208-418-100	NEW	01-12-004	208-544-037	AMD	01-06-024	208-680B-100	NEW	01-08-055
208-460-010	NEW-P	01-05-072	208-544-037	REP-P	01-07-081	208-680B-110	NEW	01-08-055
208-460-010	NEW	01-10-084	208-544-037	REP	01-12-003	208-680B-120	NEW	01-08-055
208-460-020	NEW-P	01-05-072	208-544-039	AMD-P	01-03-107	208-680C-020	AMD	01-08-055
208-460-020	NEW	01-10-084	208-544-039	AMD	01-06-024	208-680C-040	AMD	01-08-055
208-460-030	NEW-P	01-05-072	208-544-039	AMD-P	01-07-081	208-680C-045	AMD	01-08-055
208-460-030	NEW	01-10-084	208-544-039	AMD	01-12-003	208-680C-050	AMD	01-08-055
208-460-040	NEW-P	01-05-072	208-544-039	AMD	01-20-086	208-680D-010	AMD	01-08-055
208-460-040	NEW	01-10-084	208-544-050	REP-P	01-07-081	208-680D-020	AMD	01-08-055
208-460-050	NEW-P	01-05-072	208-544-050	REP	01-12-003	208-680D-030	AMD	01-08-055
208-460-050	NEW	01-10-084	208-544-065	NEW-P	01-07-081	208-680D-040	AMD	01-08-055
208-460-060	NEW-P	01-05-072	208-544-065	NEW-W	01-20-079	208-680D-050	AMD	01-08-055
208-460-060	NEW	01-10-084	208-556-080	AMD-P	01-03-107	208-680D-060	AMD	01-08-055
208-460-070	NEW-P	01-05-072	208-556-080	AMD	01-06-024	208-680D-080	AMD	01-08-055
208-460-070	NEW	01-10-084	208-586-135	AMD-P	01-03-107	208-680D-090	NEW	01-08-055
208-460-080	NEW-P	01-05-072	208-586-135	AMD	01-06-024	208-680D-100	NEW-W	01-08-067
208-460-080	NEW	01-10-084	208-586-135	REP-P	01-07-081	208-680E-011	AMD-W	01-08-067

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208-680F-020	AMD	01-08-055	220-24-02000X	NEW-E	01-18-058	220-33-01000S	NEW-E	01-10-021
208-680F-040	AMD	01-08-055	220-24-040	NEW-P	01-10-108	220-33-01000S	REP-E	01-11-016
208-680F-060	AMD	01-08-055	220-24-040	NEW	01-13-006	220-33-01000T	NEW-E	01-11-016
208-680F-070	AMD	01-08-055	220-32-05000D	NEW-E	01-16-092	220-33-01000T	REP-E	01-14-018
208-680G-010	NEW	01-08-055	220-32-05000D	REP-E	01-16-092	220-33-01000U	NEW-E	01-14-018
208-680G-020	NEW	01-08-055	220-32-05100A	NEW-E	01-11-042	220-33-01000U	REP-E	01-14-018
208-680G-030	NEW	01-08-055	220-32-05100A	REP-E	01-12-006	220-33-01000U	REP-E	01-14-029
208-680G-040	NEW	01-08-055	220-32-05100B	NEW-E	01-12-006	220-33-01000V	NEW-E	01-14-029
208-680G-050	NEW	01-08-055	220-32-05100B	REP-E	01-12-006	220-33-01000V	REP-E	01-14-029
210-03-010	NEW-P	01-06-060	220-32-05100C	NEW-E	01-14-014	220-33-01000	NEW-E	01-16-082
210-03-010	NEW	01-11-062	220-32-05100C	REP-E	01-14-014	220-33-01000	REP-E	01-16-082
210-03-020	NEW-P	01-06-060	220-32-05100D	NEW-E	01-14-030	220-33-01000X	NEW-E	01-17-037
210-03-020	NEW	01-11-062	220-32-05100D	REP-E	01-14-030	220-33-01000X	REP-E	01-17-037
210-03-030	NEW-P	01-06-060	220-32-05100E	NEW-E	01-16-015	220-33-01000Y	NEW-E	01-17-100
210-03-030	NEW	01-11-062	220-32-05100E	REP-E	01-16-015	220-33-01000Y	REP-E	01-17-100
210-03-040	NEW-P	01-06-060	220-32-05100F	NEW-E	01-17-089	220-33-01000Y	REP-E	01-18-004
210-03-040	NEW	01-11-062	220-32-05100F	REP-E	01-18-003	220-33-01000Z	NEW-E	01-18-004
210-03-050	NEW-P	01-06-060	220-32-05100G	NEW-E	01-18-003	220-33-01000Z	REP-E	01-18-004
210-03-050	NEW	01-11-062	220-32-05100G	REP-E	01-19-016	220-33-03000R	NEW-E	01-11-041
210-03-060	NEW-P	01-06-060	220-32-05100H	NEW-E	01-19-016	220-33-03000R	REP-E	01-11-041
210-03-060	NEW	01-11-062	220-32-05100H	REP-E	01-19-016	220-33-040	AMD-W	01-03-015
210-03-070	NEW-P	01-06-060	220-32-05100I	NEW-E	01-20-005	220-33-04000K	REP-E	01-07-005
210-03-070	NEW	01-11-062	220-32-05100I	REP-E	01-20-005	220-33-04000L	NEW-E	01-07-005
210-03-080	NEW-P	01-06-060	220-32-05100I	REP-E	01-20-052	220-33-04000L	REP-E	01-07-005
210-03-080	NEW	01-11-062	220-32-05100J	NEW-E	01-20-052	220-33-04000L	REP-E	01-07-047
220-16-028	AMD-P	01-21-126	220-32-05100J	REP-E	01-20-052	220-33-04000	NEW-E	01-07-047
220-16-260	AMD	01-03-016	220-32-05100J	REP-E	01-21-013	220-33-04000	REP-E	01-07-047
220-16-270	AMD	01-03-016	220-32-05100K	NEW-E	01-21-013	220-33-050	REP-P	01-21-117
220-16-410	AMD-P	01-16-148	220-32-05100	NEW-E	01-04-042	220-33-060	AMD-S	01-02-082
220-16-760	NEW-P	01-21-126	220-32-05100	REP-E	01-04-042	220-33-060	AMD	01-07-016
220-16-770	NEW-P	01-21-126	220-32-05100	REP-E	01-07-023	220-36-021	AMD-P	01-10-116
220-16-780	NEW-P	01-21-126	220-32-05100X	NEW-E	01-09-067	220-36-021	AMD	01-13-055
220-16-790	NEW-P	01-21-126	220-32-05100X	REP-E	01-09-067	220-36-023	AMD-P	01-10-116
220-16-800	NEW-P	01-21-126	220-32-05100Y	NEW-E	01-10-022	220-36-023	AMD	01-13-055
220-20-010	AMD-P	01-21-126	220-32-05100Y	REP-E	01-10-022	220-40-021	AMD-P	01-10-116
220-20-016	AMD-P	01-02-085	220-32-05100Y	REP-E	01-11-002	220-40-021	AMD	01-13-055
220-20-016	AMD	01-07-015	220-32-05100Z	NEW-E	01-11-002	220-40-027	AMD-P	01-10-116
220-20-020	AMD-P	01-21-117	220-32-05100Z	REP-E	01-11-042	220-40-027	AMD	01-13-055
220-20-025	AMD-P	01-21-126	220-32-05700I	NEW-E	01-12-024	220-40-02700V	NEW-E	01-19-025
220-20-05500A	NEW-E	01-12-038	220-32-05700I	REP-E	01-12-024	220-40-02700V	REP-E	01-19-025
220-20-056	NEW-P	01-16-149	220-32-05700I	REP-E	01-16-083	220-40-02700	NEW-E	01-20-026
220-20-056	NEW	01-20-065	220-32-05700J	NEW-E	01-16-083	220-40-02700	REP-E	01-20-026
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220-22-40000B	NEW-E	01-20-012	220-32-05700K	NEW-E	01-20-053	220-40-02700X	NEW-E	01-20-069
220-24-020	AMD-P	01-10-108	220-32-05700K	REP-E	01-20-053	220-40-02700X	REP-E	01-20-069
220-24-020	AMD	01-13-006	220-33-01000A	NEW-E	01-18-022	220-40-02700Y	NEW-E	01-21-095
220-24-02000Q	NEW-E	01-10-058	220-33-01000A	REP-E	01-18-022	220-40-02700Y	REP-E	01-21-095
220-24-02000Q	REP-E	01-10-058	220-33-01000B	NEW-E	01-18-065	220-44-020	AMD-S	01-02-082
220-24-02000Q	REP-E	01-11-066	220-33-01000B	REP-E	01-18-065	220-44-020	AMD	01-07-016
220-24-02000R	NEW-E	01-11-023	220-33-01000B	REP-E	01-19-049	220-44-035	NEW-P	01-21-141
220-24-02000R	REP-E	01-11-066	220-33-01000C	NEW-E	01-19-049	220-44-045	NEW-P	01-13-094
220-24-02000R	REP-E	01-13-050	220-33-01000C	REP-E	01-20-006	220-44-045	NEW-W	01-17-045
220-24-02000S	NEW-E	01-13-050	220-33-01000D	NEW-E	01-20-006	220-44-050	AMD-P	01-10-115
220-24-02000S	REP-E	01-15-018	220-33-01000D	REP-E	01-20-014	220-44-050	AMD	01-13-002
220-24-02000T	NEW-E	01-15-018	220-33-01000E	NEW-E	01-20-014	220-44-050	AMD-P	01-21-141
220-24-02000T	REP-E	01-16-013	220-33-01000E	REP-E	01-21-012	220-44-05000C	NEW-E	01-03-088
220-24-02000U	NEW-E	01-16-013	220-33-01000F	NEW-E	01-21-012	220-44-05000C	REP-E	01-11-024
220-24-02000U	REP-E	01-17-014	220-33-01000Q	NEW-E	01-05-069	220-44-05000D	NEW-E	01-09-056
220-24-02000V	NEW-E	01-17-014	220-33-01000Q	REP-E	01-05-069	220-44-05000D	REP-E	01-17-044
220-24-02000V	REP-E	01-17-065	220-33-01000Q	REP-E	01-06-004	220-44-05000E	NEW-E	01-11-024
220-24-02000	NEW-E	01-17-065	220-33-01000R	NEW-E	01-06-004	220-44-05000E	REP-E	01-15-002

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220-44-05000G	NEW-E	01-17-044	220-52-04600	REP-E	01-05-044	220-52-07300F	REP-E	01-04-011
220-47-301	AMD-P	01-02-085	220-52-04600N	NEW-E	01-05-044	220-52-07300G	NEW-E	01-04-011
220-47-301	AMD	01-07-015	220-52-04600N	REP-E	01-12-064	220-52-07300G	REP-E	01-04-049
220-47-304	REP-P	01-10-118	220-52-04600P	NEW-E	01-12-064	220-52-07300H	NEW-E	01-04-049
220-47-304	REP	01-13-056	220-52-04600Q	NEW-E	01-13-031	220-52-07300H	REP-E	01-05-011
220-47-311	AMD-P	01-10-118	220-52-04600Q	REP-E	01-13-031	220-52-07300I	NEW-E	01-05-011
220-47-311	AMD	01-13-056	220-52-04600R	NEW-E	01-20-012	220-52-07300J	NEW-E	01-20-051
220-47-401	AMD-P	01-10-118	220-52-04600R	REP-E	01-20-068	220-52-07300J	REP-E	01-21-029
220-47-401	AMD	01-13-056	220-52-04600S	NEW-E	01-20-068	220-52-07300K	NEW-E	01-21-029
220-47-40100C	NEW-E	01-21-001	220-52-04600S	REP-E	01-21-028	220-52-07500C	NEW-E	01-10-040
220-47-40100C	REP-E	01-21-001	220-52-04600T	NEW-E	01-21-028	220-55-115	AMD-P	01-05-112
220-47-411	AMD-P	01-10-118	220-52-04700D	NEW-E	01-20-012	220-55-115	AMD	01-10-030
220-47-411	AMD	01-13-056	220-52-050	AMD-P	01-21-127	220-56-100	AMD-P	01-21-126
220-47-41100B	NEW-E	01-17-076	220-52-051	AMD	01-03-016	220-56-105	AMD-P	01-10-109
220-47-41100B	REP-E	01-17-076	220-52-051	AMD-P	01-21-114	220-56-105	AMD	01-14-001
220-47-428	AMD-P	01-10-118	220-52-05100K	NEW-E	01-09-054	220-56-105	AMD-P	01-21-126
220-47-428	AMD	01-13-056	220-52-05100K	REP-E	01-10-040	220-56-10500C	NEW-E	01-07-022
220-47-42800B	NEW-E	01-17-106	220-52-05100L	NEW-E	01-10-040	220-56-115	AMD	01-06-036
220-47-42800B	REP-E	01-17-106	220-52-05100L	REP-E	01-13-072	220-56-115	AMD-P	01-21-126
220-47-50000A	NEW-E	01-21-036	220-52-05100	NEW-E	01-13-072	220-56-116	AMD-P	01-21-126
220-47-50000A	REP-E	01-21-036	220-52-05100	REP-E	01-14-041	220-56-123	AMD	01-06-036
220-47-801	NEW-E	01-19-050	220-52-05100N	NEW-E	01-14-041	220-56-124	AMD-P	01-10-109
220-47-801	REP-E	01-19-050	220-52-05100N	REP-E	01-15-003	220-56-124	AMD	01-14-001
220-47-801	REP-E	01-21-065	220-52-05100P	NEW-E	01-15-003	220-56-12400G	NEW-E	01-10-038
220-48-00500H	NEW-E	01-08-073	220-52-05100P	REP-E	01-15-033	220-56-126	AMD	01-06-036
220-48-015	AMD-P	01-05-070	220-52-05100Q	NEW-E	01-15-033	220-56-128	AMD-P	01-21-126
220-48-015	AMD	01-10-001	220-52-05100Q	REP-E	01-16-024	220-56-145	AMD	01-06-036
220-48-01500	NEW-E	01-08-011	220-52-05100R	NEW-E	01-16-024	220-56-14500A	NEW-E	01-11-087
220-48-01500N	NEW-E	01-19-026	220-52-05100R	REP-E	01-16-094	220-56-150	AMD-W	01-11-074
220-52-00300N	REP-E	01-14-042	220-52-05100S	NEW-E	01-16-094	220-56-175	AMD	01-06-036
220-52-03000N	NEW-E	01-14-003	220-52-05100S	REP-E	01-16-102	220-56-195	AMD-P	01-10-109
220-52-03000N	REP-E	01-14-003	220-52-05100T	NEW-E	01-16-102	220-56-195	AMD	01-14-001
220-52-03000P	NEW-E	01-15-060	220-52-05100T	REP-E	01-16-129	220-56-19500H	NEW-E	01-10-038
220-52-03000P	REP-E	01-15-060	220-52-05100U	NEW-E	01-16-129	220-56-210	AMD	01-06-051
220-52-03000P	REP-E	01-16-128	220-52-05100U	REP-E	01-17-040	220-56-210	AMD-P	01-21-126
220-52-03000Q	NEW-E	01-16-128	220-52-05100V	NEW-E	01-17-040	220-56-235	AMD	01-06-036
220-52-03000Q	REP-E	01-16-128	220-52-05100V	REP-E	01-18-061	220-56-235	AMD-P	01-21-126
220-52-040	AMD	01-11-009	220-52-05100	NEW-E	01-18-061	220-56-23500K	NEW-E	01-07-009
220-52-040	AMD-P	01-13-081	220-52-05100	REP-E	01-21-027	220-56-240	AMD	01-06-036
220-52-040	AMD-P	01-16-148	220-52-05100X	NEW-E	01-21-027	220-56-24000E	NEW-E	01-03-044
220-52-040	AMD	01-18-005	220-52-071	AMD-P	01-02-086	220-56-25000C	NEW-E	01-07-009
220-52-040	AMD	01-20-066	220-52-071	AMD	01-07-021	220-56-25500U	NEW-E	01-12-005
220-52-04000A	NEW-E	01-17-036	220-52-07100R	NEW-E	01-13-030	220-56-25500U	REP-E	01-12-044
220-52-04000A	REP-E	01-17-050	220-52-07100R	REP-E	01-16-014	220-56-25500V	NEW-E	01-12-044
220-52-04000B	NEW-E	01-17-050	220-52-07100S	NEW-E	01-16-014	220-56-25500V	REP-E	01-13-021
220-52-04000C	NEW-E	01-21-084	220-52-07100S	REP-E	01-17-049	220-56-25500	NEW-E	01-13-021
220-52-04000V	NEW-E	01-04-009	220-52-07100T	NEW-E	01-17-049	220-56-265	AMD-P	01-21-126
220-52-04000	NEW-E	01-04-030	220-52-07100T	REP-E	01-17-075	220-56-270	AMD-P	01-21-126
220-52-04000	REP-E	01-04-030	220-52-07100U	NEW-E	01-17-075	220-56-27000H	REP-E	01-06-005
220-52-04000	REP-E	01-04-076	220-52-07100U	REP-E	01-18-002	220-56-27000I	NEW-E	01-06-005
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220-52-04000Y	NEW-E	01-05-044	220-52-073	AMD-P	01-02-086	220-56-27000J	NEW-E	01-06-050
220-52-04000Y	REP-E	01-05-044	220-52-073	AMD	01-07-021	220-56-27000J	REP-E	01-06-050
220-52-04000Z	NEW-E	01-12-064	220-52-07300B	REP-E	01-03-014	220-56-27000J	REP-E	01-07-046
220-52-043	AMD-P	01-13-081	220-52-07300C	NEW-E	01-03-014	220-56-27000K	NEW-E	01-07-046
220-52-043	AMD	01-18-005	220-52-07300C	REP-E	01-03-043	220-56-27000K	REP-E	01-07-046
220-52-046	AMD	01-11-009	220-52-07300D	NEW-E	01-03-043	220-56-282	AMD	01-06-036
220-52-04600I	REP-E	01-04-030	220-52-07300D	REP-E	01-03-062	220-56-282	AMD-P	01-21-126
220-52-04600K	NEW-E	01-04-030	220-52-07300E	NEW-E	01-03-062	220-56-28200A	NEW-E	01-13-032
220-52-04600K	REP-E	01-04-076	220-52-07300E	REP-E	01-03-093	220-56-28200A	REP-E	01-13-032

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220-56-28200C	NEW-E	01-18-021	220-56-33000R	REP-E	01-14-002	220-77-080	AMD-W	01-15-061
220-56-285	AMD	01-06-036	220-56-33000S	NEW-E	01-14-002	220-77-080	AMD-P	01-21-129
220-56-285	AMD-P	01-21-126	220-56-33000S	REP-E	01-14-028	220-77-090	AMD-P	01-13-121
220-56-28500A	NEW-E	01-10-023	220-56-33000S	REP-E	01-14-050	220-77-090	AMD	01-17-097
220-56-28500A	REP-E	01-10-023	220-56-33000T	NEW-E	01-14-028	220-77-095	NEW-P	01-13-121
220-56-28500Y	NEW-E	01-07-007	220-56-33000T	REP-E	01-14-050	220-77-095	NEW-W	01-15-061
220-56-28500Y	REP-E	01-07-007	220-56-33000U	NEW-E	01-14-050	220-77-095	NEW	01-17-097
220-56-28500Y	REP-E	01-10-002	220-56-33000U	REP-E	01-17-007	220-77-100	NEW-W	01-15-061
220-56-28500Z	NEW-E	01-09-003	220-56-33000V	NEW-E	01-17-007	220-77-100	NEW-P	01-21-129
220-56-28500Z	REP-E	01-16-084	220-56-33000V	REP-E	01-17-073	220-77-105	NEW-P	01-21-129
220-56-290	REP	01-06-036	220-56-33000	NEW-E	01-17-073	220-88B-030	AMD-P	01-21-113
220-56-295	REP	01-06-036	220-56-33000	REP-E	01-18-060	220-88B-040	AMD-P	01-21-113
220-56-305	REP	01-06-036	220-56-33000X	NEW-E	01-18-060	220-88B-050	AMD-P	01-21-113
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230- 08-027	DECOD	01-13-091	230- 40-820	REP	01-13-091	232- 12-271	AMD-P	01-05-144
230- 08-090	AMD-P	01-10-122	230- 40-821	RECOD-P	01-10-122	232- 12-271	AMD	01-10-048
230- 08-090	DECOD-P	01-10-122	230- 40-821	RECOD	01-13-091	232- 12-272	NEW-P	01-21-126
230- 08-090	AMD	01-13-091	230- 40-825	AMD-P	01-10-122	232- 12-292	AMD-P	01-21-130
230- 08-090	DECOD	01-13-091	230- 40-825	AMD	01-13-091	232- 12-297	AMD-P	01-21-130
230- 12-072	AMD-P	01-10-122	230- 40-830	AMD-P	01-10-122	232- 12-619	AMD-W	01-11-074
230- 12-072	DECOD-P	01-10-122	230- 40-830	AMD	01-13-091	232- 12-619	AMD-P	01-21-126

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
232-12-61900R	NEW-E	01-17-066	232-28-425	NEW-P	01-13-120	232-28-61900V	REP-E	01-07-089
232-12-61900R	REP-E	01-17-066	232-28-425	NEW	01-17-092	232-28-61900V	NEW-E	01-19-047
232-28-02203	AMD	01-04-037	232-28-42500A	NEW-E	01-20-003	232-28-61900V	REP-E	01-19-04
232-28-02203	AMD-P	01-05-136	232-28-42500A	REP-E	01-20-003	232-28-61900	NEW-E	01-09-029
232-28-02203	AMD	01-10-048	232-28-515	AMD-P	01-05-135	232-28-61900	NEW-E	01-19-048
232-28-02204	AMD	01-04-037	232-28-515	AMD	01-10-048	232-28-61900	REP-E	01-19-048
232-28-02205	AMD-P	01-05-136	232-28-619	AMD	01-06-036	232-28-61900X	NEW-E	01-09-030
232-28-02205	AMD	01-10-048	232-28-619	AMD-P	01-10-109	232-28-61900X	REP-E	01-09-030
232-28-02206	AMD	01-04-037	232-28-619	AMD	01-14-001	232-28-61900X	REP-E	01-11-066
232-28-02220	AMD-P	01-05-143	232-28-619	AMD-P	01-21-126	232-28-61900X	NEW-E	01-20-024
232-28-02220	AMD	01-10-048	232-28-61900A	NEW-E	01-10-023	232-28-61900Y	NEW-E	01-09-053
232-28-02240	AMD-P	01-05-143	232-28-61900A	REP-E	01-10-023	232-28-61900Y	REP-E	01-09-053
232-28-02240	AMD	01-10-048	232-28-61900B	NEW-E	01-10-046	232-28-61900Y	REP-E	01-12-026
232-28-248	AMD-P	01-05-142	232-28-61900B	REP-E	01-10-046	232-28-61900Y	NEW-E	01-21-002
232-28-248	AMD	01-10-048	232-28-61900C	NEW-E	01-10-057	232-28-61900Y	REP-E	01-21-002
232-28-258	REP-P	01-05-140	232-28-61900C	REP-E	01-10-057	232-28-61900Z	NEW-E	01-09-055
232-28-258	REP	01-10-048	232-28-61900D	NEW-E	01-11-017	232-28-61900Z	REP-E	01-11-088
232-28-260	AMD	01-04-037	232-28-61900D	REP-E	01-11-017	232-28-61900Z	NEW-E	01-21-007
232-28-260	REP-P	01-05-140	232-28-61900E	NEW-E	01-11-066	232-28-61900Z	REP-E	01-21-007
232-28-260	REP	01-10-048	232-28-61900E	REP-E	01-11-066	232-28-620	AMD-P	01-10-109
232-28-271	AMD	01-04-037	232-28-61900F	NEW-E	01-11-065	232-28-620	AMD	01-14-001
232-28-271	AMD-P	01-21-131	232-28-61900F	REP-E	01-11-065	232-28-62000B	NEW-E	01-14-024
232-28-272	AMD-P	01-05-134	232-28-61900G	NEW-E	01-11-057	232-28-62000B	REP-E	01-19-005
232-28-272	AMD	01-10-048	232-28-61900G	REP-E	01-14-049	232-28-62000C	NEW-E	01-19-005
232-28-272	AMD-P	01-13-093	232-28-61900H	NEW-E	01-11-088	232-28-621	AMD-P	01-10-109
232-28-272	AMD	01-20-011	232-28-61900H	REP-E	01-12-025	232-28-621	AMD	01-14-001
232-28-273	AMD-P	01-05-137	232-28-61900I	NEW-E	01-12-025	232-28-621	AMD-P	01-21-126
232-28-273	AMD	01-10-048	232-28-61900I	REP-E	01-17-012	232-28-62100B	NEW-E	01-10-038
232-28-27300B	NEW-E	01-21-020	232-28-61900J	NEW-E	01-12-066	232-28-62100B	REP-E	01-15-004
232-28-27300B	REP-E	01-21-020	232-28-61900J	REP-E	01-12-066	232-28-62100C	NEW-E	01-15-004
232-28-274	REP-W	01-03-077	232-28-61900K	NEW-E	01-14-015	232-28-62100C	REP-E	01-15-036
232-28-274	REP-P	01-05-146	232-28-61900L	NEW-E	01-15-032	232-28-62100D	NEW-E	01-15-036
232-28-274	REP	01-10-048	232-28-61900L	REP-E	01-15-032	232-28-62100D	REP-E	01-16-118
232-28-275	AMD	01-04-037	232-28-61900	NEW-E	01-15-055	232-28-62100E	NEW-E	01-16-118
232-28-276	AMD-P	01-05-141	232-28-61900N	NEW-E	01-03-061	232-28-62100E	REP-E	01-18-064
232-28-276	AMD	01-10-048	232-28-61900N	REP-E	01-03-061	232-28-62100F	NEW-E	01-18-064
232-28-277	AMD	01-04-037	232-28-61900N	REP-E	01-05-043	232-28-62100F	REP-E	01-18-064
232-28-278	AMD-P	01-05-139	232-28-61900P	NEW-E	01-04-011	246-08-400	AMD-P	01-12-097
232-28-278	AMD	01-10-048	232-28-61900P	REP-E	01-04-011	246-08-400	AMD	01-16-009
232-28-27800B	NEW-E	01-17-088	232-28-61900P	NEW-E	01-17-012	246-30	PREP	01-19-076
232-28-27800B	REP-E	01-17-088	232-28-61900P	REP-E	01-17-012	246-100	PREP	01-08-088
232-28-279	AMD-P	01-05-145	232-28-61900Q	NEW-E	01-05-010	246-102-001	NEW	01-04-086
232-28-279	AMD	01-10-048	232-28-61900Q	REP-E	01-05-010	246-102-010	NEW	01-04-086
232-28-280	REP-P	01-05-146	232-28-61900Q	NEW-E	01-17-024	246-102-020	NEW	01-04-086
232-28-280	REP	01-10-048	232-28-61900Q	REP-E	01-17-024	246-102-030	NEW	01-04-086
232-28-281	REP-P	01-05-146	232-28-61900R	NEW-E	01-05-080	246-102-040	NEW	01-04-086
232-28-281	REP	01-10-048	232-28-61900R	REP-E	01-05-080	246-102-050	NEW	01-04-086
232-28-290	NEW-P	01-05-140	232-28-61900R	NEW-E	01-18-027	246-102-060	NEW	01-04-086
232-28-290	NEW	01-10-048	232-28-61900R	REP-E	01-18-027	246-102-070	NEW	01-04-086
232-28-291	NEW-P	01-05-140	232-28-61900R	REP-E	01-19-047	246-205-990	AMD-P	01-11-158
232-28-291	NEW	01-10-048	232-28-61900S	NEW-E	01-06-007	246-205-990	AMD	01-14-047
232-28-29100A	NEW-E	01-21-044	232-28-61900S	REP-E	01-06-007	246-220-010	AMD-P	01-02-087
232-28-292	NEW-P	01-05-140	232-28-61900S	NEW-E	01-19-004	246-220-010	AMD	01-05-110
232-28-292	NEW	01-10-048	232-28-61900S	REP-E	01-19-004	246-221-005	AMD-P	01-02-087
232-28-293	NEW-P	01-05-140	232-28-61900T	NEW-E	01-07-007	246-221-005	AMD	01-05-110
232-28-293	NEW	01-10-048	232-28-61900T	REP-E	01-07-007	246-221-010	AMD-P	01-02-087
232-28-299	NEW-P	01-05-134	232-28-61900T	REP-E	01-10-002	246-221-010	AMD	01-05-110
232-28-299	NEW	01-10-048	232-28-61900T	NEW-E	01-18-059	246-221-015	AMD-P	01-02-087
232-28-424	REP-P	01-13-120	232-28-61900U	NEW-E	01-07-022	246-221-015	AMD	01-05-110
232-28-424	REP	01-17-092	232-28-61900U	REP-E	01-09-055	246-221-030	AMD-P	01-02-087
232-28-42400C	NEW-E	01-03-013	232-28-61900U	NEW-E	01-19-010	246-221-030	AMD	01-05-110
232-28-42400C	REP-E	01-03-013	232-28-61900V	NEW-E	01-07-089	246-221-055	AMD-P	01-02-087

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
246-221-055	AMD	01-05-110	246-282-990	AMD-P	01-11-158	246-322-990	AMD	01-15-092
246-221-090	AMD-P	01-02-087	246-282-990	AMD	01-14-047	246-323-990	AMD-P	01-11-157
246-221-090	AMD	01-05-110	246-290	PREP	01-17-111	246-323-990	AMD	01-15-091
246-221-100	AMD-P	01-02-087	246-290-990	AMD-P	01-20-120	246-324-990	AMD-P	01-11-156
246-221-100	AMD	01-05-110	246-292-160	AMD-P	01-20-120	246-324-990	AMD	01-15-092
246-221-110	AMD-P	01-02-087	246-296-010	NEW-P	01-14-092	246-325-990	AMD-P	01-11-157
246-221-110	AMD	01-05-110	246-296-010	NEW	01-21-137	246-325-990	AMD	01-15-091
246-221-113	AMD-P	01-02-087	246-296-020	NEW-P	01-14-092	246-326-990	AMD-P	01-11-157
246-221-113	AMD	01-05-110	246-296-020	NEW	01-21-137	246-326-990	AMD	01-15-091
246-221-117	AMD-P	01-02-087	246-296-030	NEW-P	01-14-092	246-327-990	PREP	01-10-125
246-221-117	AMD	01-05-110	246-296-030	NEW	01-21-137	246-327-990	AMD-P	01-16-151
246-221-230	AMD-P	01-02-087	246-296-040	NEW-P	01-14-092	246-329-990	AMD-P	01-11-155
246-221-230	AMD	01-05-110	246-296-040	NEW	01-21-137	246-329-990	AMD	01-15-090
246-221-250	AMD-P	01-02-087	246-296-050	NEW-P	01-14-092	246-331-990	PREP	01-10-125
246-221-250	AMD	01-05-110	246-296-050	NEW	01-21-137	246-331-990	AMD-P	01-16-151
246-221-285	AMD-P	01-02-087	246-296-060	NEW-P	01-14-092	246-336-990	PREP	01-10-125
246-221-285	AMD	01-05-110	246-296-060	NEW	01-21-137	246-336-990	AMD-P	01-16-151
246-244-070	AMD-P	01-02-087	246-296-070	NEW-P	01-14-092	246-360-990	AMD-P	01-11-153
246-244-070	AMD	01-05-110	246-296-070	NEW	01-21-137	246-360-990	AMD	01-15-093
246-246-001	AMD-P	01-10-130	246-296-080	NEW-P	01-14-092	246-430-001	REP	01-04-086
246-246-001	AMD	01-14-045	246-296-080	NEW	01-21-137	246-430-010	REP	01-04-086
246-254-053	AMD-P	01-11-163	246-296-090	NEW-P	01-14-092	246-430-020	REP	01-04-086
246-254-053	AMD	01-14-048	246-296-090	NEW	01-21-137	246-430-030	REP	01-04-086
246-254-070	AMD-P	01-11-160	246-296-100	NEW-P	01-14-092	246-430-040	REP	01-04-086
246-254-070	AMD	01-14-046	246-296-100	NEW	01-21-137	246-430-050	REP	01-04-086
246-254-080	AMD-P	01-11-160	246-296-110	NEW-P	01-14-092	246-430-060	REP	01-04-086
246-254-080	AMD	01-14-046	246-296-110	NEW	01-21-137	246-491	PREP	01-08-090
246-254-090	AMD-P	01-11-160	246-296-120	NEW-P	01-14-092	246-650	PREP-W	01-17-027
246-254-090	AMD	01-14-046	246-296-120	NEW	01-21-137	246-650	PREP	01-17-028
246-254-100	AMD-P	01-11-160	246-296-130	NEW-P	01-14-092	246-680	PREP	01-08-091
246-254-100	AMD	01-14-046	246-296-130	NEW	01-21-137	246-680	PREP	01-08-093
246-254-120	AMD-P	01-11-160	246-296-140	NEW-P	01-14-092	246-790	PREP	01-13-115
246-254-120	AMD	01-14-046	246-296-140	NEW	01-21-137	246-809-080	NEW-P	01-13-118
246-260-9901	AMD-P	01-11-158	246-296-150	NEW-P	01-14-092	246-809-080	NEW	01-17-113
246-260-9901	AMD	01-14-047	246-296-150	NEW	01-21-137	246-809-120	NEW-P	01-13-118
246-282-001	AMD	01-04-054	246-296-160	NEW-P	01-14-092	246-809-120	NEW	01-17-113
246-282-005	AMD	01-04-054	246-296-160	NEW	01-21-137	246-809-121	NEW-P	01-13-118
246-282-010	AMD	01-04-054	246-296-170	NEW-P	01-14-092	246-809-121	NEW	01-17-113
246-282-012	NEW	01-04-054	246-296-170	NEW	01-21-137	246-809-130	NEW-P	01-13-118
246-282-014	NEW	01-04-054	246-296-180	NEW-P	01-14-092	246-809-130	NEW	01-17-113
246-282-016	NEW	01-04-054	246-296-180	NEW	01-21-137	246-809-140	NEW-P	01-13-118
246-282-020	AMD	01-04-054	246-296-190	NEW-P	01-14-092	246-809-140	NEW	01-17-113
246-282-030	REP	01-04-054	246-296-190	NEW	01-21-137	246-809-220	NEW-P	01-13-118
246-282-032	NEW	01-04-054	246-305-001	NEW	01-08-023	246-809-220	NEW	01-17-113
246-282-034	NEW	01-04-054	246-305-010	NEW	01-08-023	246-809-221	NEW-P	01-13-118
246-282-036	NEW	01-04-054	246-305-020	NEW	01-08-023	246-809-221	NEW	01-17-113
246-282-040	REP	01-04-054	246-305-030	NEW	01-08-023	246-809-230	NEW-P	01-13-118
246-282-042	NEW	01-04-054	246-305-040	NEW	01-08-023	246-809-230	NEW	01-17-113
246-282-050	AMD	01-04-054	246-305-050	NEW	01-08-023	246-809-240	NEW-P	01-13-118
246-282-060	AMD	01-04-054	246-305-060	NEW	01-08-023	246-809-240	NEW	01-17-113
246-282-070	AMD	01-04-054	246-305-070	NEW	01-08-023	246-809-320	NEW-P	01-13-118
246-282-080	AMD	01-04-054	246-305-080	NEW	01-08-023	246-809-320	NEW	01-17-113
246-282-082	NEW	01-04-054	246-305-090	NEW	01-08-023	246-809-321	NEW-P	01-13-118
246-282-090	REP	01-04-054	246-305-100	NEW	01-08-023	246-809-321	NEW	01-17-113
246-282-092	NEW	01-04-054	246-305-110	NEW	01-08-023	246-809-340	NEW-P	01-13-118
246-282-100	AMD	01-04-054	246-310-990	AMD-P	01-11-154	246-809-340	NEW	01-17-113
246-282-102	NEW	01-04-054	246-310-990	AMD	01-15-094	246-809-990	NEW-P	01-13-118
246-282-104	NEW	01-04-054	246-314-990	PREP	01-10-123	246-809-990	NEW-E	01-13-119
246-282-110	AMD	01-04-054	246-320-990	PREP	01-10-124	246-809-990	NEW	01-17-113
246-282-120	AMD	01-04-054	246-320-990	AMD-P	01-16-150	246-810-320	REP-X	01-20-117
246-282-130	AMD	01-04-054	246-320-990	AMD	01-20-119	246-810-321	REP-X	01-20-117
246-282-990	AMD	01-04-054	246-322-990	AMD-P	01-11-156	246-810-332	REP-X	01-20-117

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246-810-340	REP-X	01-20-117	246-853-227	NEW	01-16-008	246-928-140	REP	01-11-165
246-810-520	REP-X	01-20-117	246-869-220	AMD	01-04-055	246-928-150	REP-P	01-07-086
246-810-521	REP-X	01-20-117	246-879-090	PREP	01-09-087	246-928-150	REP	01-11-165
246-810-532	REP-X	01-20-117	246-887-100	AMD	01-03-108	246-928-160	REP-P	01-07-086
246-810-540	REP-X	01-20-117	246-907	PREP	01-05-109	246-928-160	REP	01-11-165
246-810-720	REP-X	01-20-117	246-907-030	AMD-P	01-09-088	246-928-170	REP-P	01-07-086
246-810-721	REP-X	01-20-117	246-907-030	AMD	01-12-052	246-928-170	REP	01-11-165
246-810-732	REP-X	01-20-117	246-907-030	AMD-P	01-19-077	246-928-180	REP-P	01-07-086
246-810-740	REP-X	01-20-117	246-918-005	AMD-P	01-12-095	246-928-180	REP	01-11-165
246-817-440	NEW-P	01-11-164	246-918-005	AMD	01-18-085	246-928-190	REP-P	01-07-086
246-817-440	NEW	01-16-007	246-918-007	AMD-P	01-12-095	246-928-190	REP	01-11-165
246-817-990	AMD-P	01-08-086	246-918-007	AMD	01-18-085	246-928-200	REP-P	01-07-086
246-817-990	AMD-C	01-09-086	246-918-050	AMD-P	01-12-095	246-928-200	REP	01-11-165
246-817-990	AMD	01-11-166	246-918-050	AMD	01-18-085	246-928-210	REP-P	01-07-086
246-834-990	AMD-P	01-19-077	246-918-080	AMD-P	01-12-095	246-928-210	REP	01-11-165
246-836-060	REP-XR	01-10-126	246-918-080	AMD	01-18-085	246-928-220	REP-P	01-07-086
246-836-060	REP	01-14-091	246-918-120	PREP	01-15-089	246-928-220	REP	01-11-165
246-840-421	NEW-P	01-10-127	246-919-330	AMD-P	01-12-098	246-928-310	NEW-P	01-07-086
246-840-421	NEW	01-16-011	246-919-330	AMD	01-18-087	246-928-310	NEW	01-11-165
246-840-422	NEW-P	01-10-127	246-919-340	AMD-P	01-12-096	246-928-320	NEW-P	01-07-086
246-840-422	NEW	01-16-011	246-919-340	AMD	01-18-086	246-928-320	NEW	01-11-165
246-840-423	NEW-P	01-10-127	246-919-475	NEW	01-03-115	246-928-410	NEW-P	01-07-086
246-840-423	NEW	01-16-011	246-919-840	NEW-P	01-10-129	246-928-410	NEW	01-11-165
246-840-424	NEW-P	01-10-127	246-919-840	NEW	01-16-010	246-928-420	NEW-P	01-07-086
246-840-424	NEW	01-16-011	246-919-841	NEW-P	01-10-129	246-928-420	NEW	01-11-165
246-840-425	NEW-P	01-10-127	246-919-841	NEW	01-16-010	246-928-430	NEW-P	01-07-086
246-840-425	NEW	01-16-011	246-919-842	NEW-P	01-10-129	246-928-430	NEW	01-11-165
246-840-426	NEW-P	01-10-127	246-919-842	NEW	01-16-010	246-928-440	NEW-P	01-13-117
246-840-426	NEW	01-16-011	246-919-843	NEW-P	01-10-129	246-928-440	NEW	01-21-136
246-840-427	NEW-P	01-10-127	246-919-843	NEW	01-16-010	246-928-441	NEW-P	01-13-117
246-840-427	NEW	01-16-011	246-919-844	NEW-P	01-10-129	246-928-441	NEW	01-21-136
246-840-700	AMD-W	01-15-063	246-919-844	NEW	01-16-010	246-928-442	NEW-P	01-13-117
246-840-700	AMD-P	01-21-135	246-919-845	NEW-P	01-10-129	246-928-442	NEW	01-21-136
246-840-705	AMD-W	01-15-063	246-919-845	NEW	01-16-010	246-928-443	NEW-P	01-13-117
246-840-705	AMD-P	01-21-135	246-919-846	NEW-P	01-10-129	246-928-443	NEW	01-21-136
246-840-710	AMD-W	01-15-063	246-919-846	NEW	01-16-010	246-928-450	NEW-P	01-07-086
246-840-710	AMD-P	01-21-135	246-922-990	AMD-P	01-19-077	246-928-450	NEW	01-11-165
246-840-715	REP-W	01-15-063	246-924-990	AMD-P	01-19-077	246-928-510	NEW-P	01-07-086
246-840-715	REP-P	01-21-135	246-928	PREP	01-14-043	246-928-510	NEW	01-11-165
246-840-910	AMD-P	01-19-078	246-928-015	REP-P	01-07-086	246-928-520	NEW-P	01-07-086
246-840-920	AMD-P	01-19-078	246-928-015	REP	01-11-165	246-928-520	NEW	01-11-165
246-840-930	AMD-P	01-19-078	246-928-020	REP-P	01-07-086	246-928-530	NEW-P	01-07-086
246-840-940	AMD-P	01-19-078	246-928-020	REP	01-11-165	246-928-530	NEW	01-11-165
246-840-950	AMD-P	01-19-078	246-928-030	REP-P	01-07-086	246-928-540	NEW-P	01-07-086
246-840-960	AMD-P	01-19-078	246-928-030	REP	01-11-165	246-928-540	NEW	01-11-165
246-840-970	AMD-P	01-19-078	246-928-040	REP-P	01-07-086	246-928-550	NEW-P	01-07-086
246-840-980	REP-P	01-19-078	246-928-040	REP	01-11-165	246-928-550	NEW	01-11-165
246-843-072	REP	01-03-114	246-928-050	REP-P	01-07-086	246-928-560	NEW-P	01-07-086
246-843-074	REP	01-03-114	246-928-050	REP	01-11-165	246-928-560	NEW	01-11-165
246-853-221	NEW-P	01-10-128	246-928-060	REP-P	01-07-086	246-928-570	NEW-P	01-07-086
246-853-221	NEW	01-16-008	246-928-060	REP	01-11-165	246-928-570	NEW	01-11-165
246-853-222	NEW-P	01-10-128	246-928-080	REP-P	01-07-086	246-928-610	NEW-P	01-07-086
246-853-222	NEW	01-16-008	246-928-080	REP	01-11-165	246-928-610	NEW-W	01-20-080
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246-853-224	NEW	01-16-008	246-928-110	REP	01-11-165	246-928-710	NEW	01-11-165
246-853-225	NEW-P	01-10-128	246-928-120	REP-P	01-07-086	246-928-720	NEW-P	01-07-086
246-853-225	NEW	01-16-008	246-928-120	REP	01-11-165	246-928-720	NEW	01-11-165
246-853-226	NEW-P	01-10-128	246-928-130	REP-P	01-07-086	246-928-730	NEW-P	01-07-086
246-853-226	NEW	01-16-008	246-928-130	REP	01-11-165	246-928-730	NEW	01-11-165
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246-976-510	PREP	01-10-131	263- 12-059	NEW	01-09-032	284- 43-615	NEW	01-03-033
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246-976-550	PREP	01-10-131	275- 25-500	REP	01-15-077	284- 43-630	NEW	01-03-033
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246-976-610	PREP	01-10-131	284- 04-200	NEW	01-03-034	284- 43-821	NEW	01-03-035
246-976-650	PREP	01-10-131	284- 04-205	NEW	01-03-034	284- 43-821	REP-P	01-15-084
246-976-720	PREP	01-10-131	284- 04-205	NEW	01-03-034	284- 43-821	REP	01-19-001
246-976-730	PREP	01-10-131	284- 04-210	NEW	01-03-034	284- 43-822	NEW-W	01-12-083
246-976-770	PREP	01-10-131	284- 04-215	NEW	01-03-034	284- 43-822	NEW-P	01-15-084
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246-976-810	PREP	01-10-131	284- 04-225	NEW	01-03-034	284- 43-822	NEW	01-19-001
246-976-820	PREP	01-10-131	284- 04-225	NEW	01-03-034	284- 43-823	NEW	01-03-035
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248-554-010	REP	01-07-053	284- 04-500	NEW	01-03-034	284- 43-824	REP-P	01-15-084
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248-554-018	REP	01-07-053	284- 04-510	NEW	01-03-034	284- 43-899	NEW	01-03-033
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248-554-030	REP	01-07-053	284- 04-520	NEW	01-03-034	284- 66-030	AMD-W	01-12-084
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250- 44-120	AMD-P	01-06-065	284- 04-615	NEW	01-03-034	284- 66-110	AMD-W	01-12-084
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286-06-100	AMD	01-17-056	292-100-200	AMD	01-13-033	296-04-430	REP-P	01-16-159
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286-40-020	AMD	01-17-056	292-110-060	AMD	01-13-080	296-05-009	NEW-P	01-16-159
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292-09-050	AMD-P	01-14-025	292-120-030	AMD-P	01-20-087	296-05-013	NEW-P	01-16-159
292-09-060	AMD-P	01-14-025	292-120-035	NEW-P	01-20-087	296-05-100	NEW-P	01-16-159
292-100-007	AMD-P	01-08-080	292-130-020	AMD-P	01-08-080	296-05-103	NEW-P	01-16-159
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292-100-010	AMD-P	01-08-080	292-130-030	AMD-P	01-08-080	296-05-107	NEW-P	01-16-159
292-100-010	AMD	01-13-033	292-130-030	AMD	01-13-033	296-05-109	NEW-P	01-16-159
292-100-020	AMD-P	01-08-080	292-130-040	AMD-P	01-08-080	296-05-200	NEW-P	01-16-159
292-100-020	AMD	01-13-033	292-130-040	AMD	01-13-033	296-05-203	NEW-P	01-16-159
292-100-030	AMD-P	01-08-080	292-130-060	AMD-P	01-08-080	296-05-205	NEW-P	01-16-159
292-100-030	AMD	01-13-033	292-130-060	AMD	01-13-033	296-05-207	NEW-P	01-16-159
292-100-040	AMD-P	01-08-080	292-130-065	NEW-P	01-08-080	296-05-209	NEW-P	01-16-159
292-100-040	AMD	01-13-033	292-130-065	NEW	01-13-033	296-05-211	NEW-P	01-16-159
292-100-041	NEW-P	01-08-080	292-130-070	AMD-P	01-08-080	296-05-213	NEW-P	01-16-159
292-100-041	NEW	01-13-033	292-130-070	AMD	01-13-033	296-05-300	NEW-P	01-16-159
292-100-042	NEW-P	01-08-080	292-130-080	AMD-P	01-08-080	296-05-302	NEW-P	01-16-159
292-100-042	NEW	01-13-033	292-130-080	AMD	01-13-033	296-05-303	NEW-P	01-16-159
292-100-045	NEW-P	01-08-080	292-130-130	AMD-P	01-08-080	296-05-305	NEW-P	01-16-159
292-100-045	NEW	01-13-033	292-130-130	AMD	01-13-033	296-05-307	NEW-P	01-16-159
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292-100-050	AMD-P	01-08-080	296-04-040	REP-P	01-16-159	296-05-316	NEW-P	01-16-159
292-100-050	AMD	01-13-033	296-04-042	REP-P	01-16-159	296-05-317	NEW-P	01-16-159
292-100-060	AMD-P	01-08-080	296-04-045	REP-P	01-16-159	296-05-318	NEW-P	01-16-159
292-100-060	AMD	01-13-033	296-04-05001	REP-P	01-16-159	296-05-319	NEW-P	01-16-159
292-100-070	REP-P	01-08-080	296-04-060	REP-P	01-16-159	296-05-321	NEW-P	01-16-159
292-100-070	REP	01-13-033	296-04-090	REP-P	01-16-159	296-05-323	NEW-P	01-16-159
292-100-080	AMD-P	01-08-080	296-04-105	REP-P	01-16-159	296-05-325	NEW-P	01-16-159
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292-100-100	AMD-P	01-08-080	296-04-125	REP-P	01-16-159	296-05-400	NEW-P	01-16-159
292-100-100	AMD	01-13-033	296-04-160	REP-P	01-16-159	296-05-402	NEW-P	01-16-159
292-100-110	AMD-P	01-08-080	296-04-165	REP-P	01-16-159	296-05-403	NEW-P	01-16-159
292-100-110	AMD	01-13-033	296-04-260	REP-P	01-16-159	296-05-405	NEW-P	01-16-159
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292-100-130	AMD	01-13-033	296-04-275	REP-P	01-16-159	296-05-409	NEW-P	01-16-159
292-100-140	AMD-P	01-08-080	296-04-280	REP-P	01-16-159	296-05-411	NEW-P	01-16-159
292-100-140	AMD	01-13-033	296-04-295	REP-P	01-16-159	296-05-413	NEW-P	01-16-159
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292-100-150	AMD	01-13-033	296-04-310	REP-P	01-16-159	296-05-417	NEW-P	01-16-159
292-100-160	AMD-P	01-08-080	296-04-330	REP-P	01-16-159	296-05-419	NEW-P	01-16-159
292-100-160	AMD	01-13-033	296-04-340	REP-P	01-16-159	296-05-427	NEW-P	01-16-159
292-100-170	AMD-P	01-08-080	296-04-350	REP-P	01-16-159	296-05-429	NEW-P	01-16-159
292-100-170	AMD	01-13-033	296-04-351	REP-P	01-16-159	296-05-431	NEW-P	01-16-159
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292-100-175	NEW	01-13-033	296-04-370	REP-P	01-16-159	296-05-435	NEW-P	01-16-159
292-100-180	AMD-P	01-08-080	296-04-380	REP-P	01-16-159	296-05-437	NEW-P	01-16-159
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296-05-449	NEW-P	01-16-159	296-23-165	AMD-C	01-13-079	296-24-073	REP	01-11-038
296-05-451	NEW-P	01-16-159	296-23-165	AMD	01-18-041	296-24-075	REP	01-11-038
296-05-453	NEW-P	01-16-159	296-23-170	AMD-P	01-08-092	296-24-07501	REP	01-11-038
296-05-455	NEW-P	01-16-159	296-23-170	AMD-C	01-13-079	296-24-078	REP	01-11-038
296-05-457	NEW-P	01-16-159	296-23-170	AMD	01-18-041	296-24-07801	REP	01-11-038
296-14	PREP	01-20-091	296-23-220	AMD-P	01-05-113	296-24-084	REP	01-11-038
296-17	PREP	01-03-157	296-23-220	AMD	01-10-026	296-24-086	REP	01-11-038
296-17	PREP	01-11-149	296-23-230	AMD-P	01-05-113	296-24-088	REP	01-11-038
296-17	PREP	01-11-150	296-23-230	AMD	01-10-026	296-24-090	REP	01-11-038
296-17-31013	AMD-P	01-19-069	296-23-245	AMD-P	01-08-092	296-24-092	REP	01-11-038
296-17-35203	AMD-P	01-19-069	296-23-245	AMD-C	01-13-079	296-24-094	REP	01-11-038
296-17-52116	REP-P	01-19-069	296-23-245	AMD	01-18-041	296-24-096	REP	01-11-038
296-17-52118	REP-P	01-19-069	296-23A	PREP	01-14-084	296-24-098	REP	01-11-038
296-17-52119	REP-P	01-19-069	296-23A-0220	AMD-P	01-18-082	296-24-10203	AMD	01-11-038
296-17-52120	REP-P	01-19-069	296-23A-0221	NEW-P	01-18-082	296-24-12001	AMD	01-11-038
296-17-52121	REP-P	01-19-069	296-23A-0700	NEW-P	01-18-082	296-24-12003	REP	01-11-038
296-17-52122	REP-P	01-19-069	296-23A-0710	NEW-P	01-18-082	296-24-12005	REP	01-11-038
296-17-52123	REP-P	01-19-069	296-23A-0720	NEW-P	01-18-082	296-24-12006	AMD-W	01-11-039
296-17-52124	REP-P	01-19-069	296-23A-0730	NEW-P	01-18-082	296-24-12007	REP	01-11-038
296-17-52125	REP-P	01-19-069	296-23A-0740	NEW-P	01-18-082	296-24-12009	REP	01-11-038
296-17-52126	REP-P	01-19-069	296-23A-0750	NEW-P	01-18-082	296-24-12010	NEW	01-11-038
296-17-52140	NEW-P	01-19-069	296-23A-0770	NEW-P	01-18-082	296-24-12019	REP	01-11-038
296-17-52141	NEW-P	01-19-069	296-23A-0780	NEW-P	01-18-082	296-24-12021	REP	01-11-038
296-17-52150	NEW-P	01-19-069	296-23B	PREP	01-14-084	296-24-14007	AMD	01-11-038
296-17-52151	NEW-P	01-19-069	296-23B-0100	NEW-P	01-14-085	296-24-20700	AMD-W	01-11-039
296-17-855	AMD-P	01-19-070	296-23B-0100	NEW	01-21-140	296-24-21503	REP	01-11-038
296-17-875	AMD-P	01-19-070	296-23B-0110	NEW-P	01-14-085	296-24-21505	REP	01-11-038
296-17-880	AMD-P	01-19-070	296-23B-0110	NEW	01-21-140	296-24-21507	REP	01-11-038
296-17-885	AMD-P	01-19-070	296-23B-0120	NEW-P	01-14-085	296-24-23001	AMD-W	01-11-039
296-17-890	AMD-P	01-19-070	296-23B-0120	NEW	01-21-140	296-24-23007	AMD-W	01-11-039
296-17-895	AMD-P	01-19-070	296-23B-0130	NEW-P	01-14-085	296-24-23007	AMD-W	01-11-039
296-17-89502	AMD-P	01-19-070	296-23B-0130	NEW	01-21-140	296-24-23503	AMD	01-11-038
296-17-90409	AMD-P	01-19-072	296-23B-0140	NEW-P	01-14-085	296-24-23505	AMD-P	01-12-103
296-17-90421	AMD-P	01-19-072	296-23B-0140	NEW	01-21-140	296-24-23505	AMD	01-17-033
296-17-90447	NEW-P	01-19-072	296-23B-0140	NEW	01-21-140	296-24-23507	AMD	01-11-038
296-17-90492	AMD-P	01-19-070	296-23C	PREP	01-14-084	296-24-23513	AMD	01-11-038
296-17-90493	AMD-P	01-19-070	296-24	PREP	01-07-102	296-24-23533	AMD-W	01-11-039
296-17-90494	AMD-P	01-19-070	296-24	PREP	01-09-093	296-24-260	AMD-P	01-12-103
296-17-90495	AMD-P	01-19-070	296-24-001	REP	01-11-038	296-24-260	AMD	01-17-033
296-17-90496	AMD-P	01-19-070	296-24-005	AMD	01-11-038	296-24-31503	AMD-W	01-11-039
296-17-90497	AMD-P	01-19-070	296-24-006	REP	01-11-038	296-24-31505	AMD-W	01-11-039
296-17-920	AMD-P	01-19-070	296-24-007	REP	01-11-038	296-24-32003	AMD-W	01-11-039
296-19A	REVIEW	01-21-019	296-24-008	REP	01-11-038	296-24-32003	AMD-P	01-12-103
296-20	PREP	01-02-091	296-24-008	REP	01-11-038	296-24-33009	AMD	01-17-033
296-20	PREP	01-14-084	296-24-010	REP	01-11-038	296-24-33009	AMD	01-17-033
296-20-01002	AMD-P	01-08-092	296-24-015	REP	01-11-038	296-24-33011	AMD-W	01-11-039
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296-20-01002	AMD	01-18-041	296-24-025	REP	01-11-038	296-24-33015	AMD-P	01-12-103
296-20-03001	AMD-P	01-08-092	296-24-040	REP	01-11-038	296-24-33015	AMD	01-17-033
296-20-03001	AMD-C	01-13-079	296-24-045	REP	01-11-038	296-24-33017	AMD-W	01-11-039
296-20-03001	AMD	01-18-041	296-24-055	REP	01-11-038	296-24-37005	AMD-W	01-11-039
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296-20-091	AMD-C	01-13-079	296-24-06105	REP	01-11-038	296-24-37023	AMD-W	01-11-039
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296-20-303	NEW-P	01-08-092	296-24-06125	REP	01-11-038	296-24-47509	AMD	01-17-033
296-20-303	NEW-C	01-13-079	296-24-06130	REP	01-11-038	296-24-47513	AMD-P	01-12-103
			296-24-06135	REP	01-11-038	296-24-47513	AMD	01-17-033
			296-24-06140	REP	01-11-038	296-24-47517	AMD-P	01-12-103

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296-24-550	REP	01-11-038	296-24-73509	REP	01-11-038	296-27-041	NEW-P	01-19-066
296-24-55001	AMD-P	01-12-103	296-24-73513	REP	01-11-038	296-27-04101	NEW-P	01-19-066
296-24-55001	AMD	01-17-033	296-24-75001	AMD-W	01-11-039	296-27-04103	NEW-P	01-19-066
296-24-55003	REP	01-11-038	296-24-75003	REP-W	01-11-039	296-27-050	REP-P	01-19-066
296-24-55005	REP	01-11-038	296-24-75003	AMD-P	01-12-103	296-27-051	NEW-P	01-19-066
296-24-55007	REP	01-11-038	296-24-75003	AMD	01-17-033	296-27-05101	NEW-P	01-19-066
296-24-55009	REP	01-11-038	296-24-75005	AMD-W	01-11-039	296-27-060	REP-P	01-19-066
296-24-565	REP	01-11-038	296-24-75007	AMD-P	01-12-103	296-27-070	REP-P	01-19-066
296-24-56501	REP	01-11-038	296-24-75007	AMD	01-17-033	296-27-075	REP-P	01-19-066
296-24-56503	REP	01-11-038	296-24-75009	REP-P	01-12-103	296-27-077	REP-P	01-19-066
296-24-56505	REP	01-11-038	296-24-75009	REP	01-17-033	296-27-078	REP-P	01-19-066
296-24-56507	REP	01-11-038	296-24-76505	REP	01-11-038	296-27-080	REP-P	01-19-066
296-24-56509	REP	01-11-038	296-24-76507	REP-W	01-11-039	296-27-090	REP	01-11-038
296-24-56511	REP	01-11-038	296-24-76509	REP-W	01-11-039	296-27-100	REP-P	01-19-066
296-24-56513	REP	01-11-038	296-24-76517	REP	01-11-038	296-27-110	REP-P	01-19-066
296-24-56515	REP	01-11-038	296-24-780	AMD-W	01-11-039	296-27-120	REP-P	01-19-066
296-24-56517	REP	01-11-038	296-24-78003	AMD-P	01-12-103	296-27-121	REP-P	01-19-066
296-24-56519	REP	01-11-038	296-24-78003	AMD	01-17-033	296-27-130	REP-P	01-19-066
296-24-56521	REP	01-11-038	296-24-78005	AMD-P	01-12-103	296-27-140	REP-P	01-19-066
296-24-56523	REP	01-11-038	296-24-78005	AMD	01-17-033	296-27-15501	REP	01-11-038
296-24-56529	REP	01-11-038	296-24-78009	AMD-P	01-12-103	296-27-15503	REP	01-11-038
296-24-56531	REP	01-11-038	296-24-78009	AMD	01-17-033	296-27-15505	REP	01-11-038
296-24-567	AMD	01-11-038	296-24-79501	AMD-W	01-11-039	296-27-210	REP	01-11-038
296-24-58513	AMD	01-11-038	296-24-79507	REP	01-11-038	296-27-21001	REP	01-11-038
296-24-58517	AMD	01-11-038	296-24-81003	AMD-W	01-11-039	296-27-21005	REP	01-11-038
296-24-59201	AMD	01-11-038	296-24-95605	AMD-W	01-11-039	296-27-21010	REP	01-11-038
296-24-59203	REP-P	01-12-103	296-24-95607	AMD	01-11-038	296-27-21015	REP	01-11-038
296-24-59203	REP	01-17-033	296-24-980	AMD	01-11-038	296-27-21020	REP	01-11-038
296-24-59205	REP	01-11-038	296-27	PREP	01-16-144	296-27-21025	REP	01-11-038
296-24-59207	REP	01-11-038	296-27-00101	NEW-P	01-19-066	296-27-21030	REP	01-11-038
296-24-59209	REP	01-11-038	296-27-00103	NEW-P	01-19-066	296-27-21035	REP	01-11-038
296-24-59211	REP	01-11-038	296-27-00105	NEW-P	01-19-066	296-27-21040	REP	01-11-038
296-24-59212	NEW	01-11-038	296-27-00107	NEW-P	01-19-066	296-27-21045	REP	01-11-038
296-24-59213	REP	01-11-038	296-27-00109	NEW-P	01-19-066	296-27-21050	REP	01-11-038
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296-24-62203	AMD	01-11-038	296-27-01101	NEW-P	01-19-066	296-30-130	REP-XR	01-09-094
296-24-631	REP-P	01-12-103	296-27-01103	NEW-P	01-19-066	296-30-130	REP	01-13-013
296-24-631	REP	01-17-033	296-27-01105	NEW-P	01-19-066	296-31-030	AMD-X	01-17-109
296-24-63101	REP-P	01-12-103	296-27-01107	NEW-P	01-19-066	296-31-06903	AMD-X	01-17-109
296-24-63101	REP	01-17-033	296-27-01109	NEW-P	01-19-066	296-32	PREP	01-07-102
296-24-63103	REP-P	01-12-103	296-27-01111	NEW-P	01-19-066	296-32	PREP	01-09-093
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296-24-63105	REP	01-17-033	296-27-01117	NEW-P	01-19-066	296-32-230	AMD	01-11-038
296-24-63107	REP-P	01-12-103	296-27-01119	NEW-P	01-19-066	296-32-240	AMD-E	01-04-090
296-24-63107	REP	01-17-033	296-27-020	REP-P	01-19-066	296-32-240	AMD-P	01-04-091
296-24-63109	REP-P	01-12-103	296-27-021	NEW-P	01-19-066	296-32-240	AMD	01-07-075
296-24-63109	REP	01-17-033	296-27-02101	NEW-P	01-19-066	296-32-250	AMD	01-11-038
296-24-63199	REP-P	01-12-103	296-27-02103	NEW-P	01-19-066	296-32-250	AMD-X	01-18-083
296-24-63199	REP	01-17-033	296-27-02105	NEW-P	01-19-066	296-32-260	AMD	01-11-038
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296-24-68215	AMD	01-17-033	296-27-02117	NEW-P	01-19-066	296-37-510	AMD	01-11-038
296-24-68503	AMD	01-11-038	296-27-030	REP-P	01-19-066	296-37-575	AMD	01-11-038
296-24-68505	AMD	01-11-038	296-27-031	NEW-P	01-19-066	296-45	PREP	01-07-102
296-24-69001	AMD	01-11-038	296-27-03101	NEW-P	01-19-066	296-45	PREP	01-09-093
296-24-70003	AMD	01-11-038	296-27-03103	NEW-P	01-19-066	296-45-015	AMD	01-11-038
296-24-70005	AMD	01-11-038	296-27-03105	NEW-P	01-19-066	296-45-035	AMD	01-11-038

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296-45-075	AMD	01-11-038	296-52-60010	NEW-P	01-16-145	296-52-64075	NEW-P	01-16-145
296-45-125	AMD	01-11-038	296-52-60015	NEW-P	01-16-145	296-52-64080	NEW-P	01-16-145
296-45-25505	AMD	01-11-038	296-52-60020	NEW-P	01-16-145	296-52-64085	NEW-P	01-16-145
296-45-275	AMD	01-11-038	296-52-60025	NEW-P	01-16-145	296-52-64090	NEW-P	01-16-145
296-45-285	AMD	01-11-038	296-52-60030	NEW-P	01-16-145	296-52-64095	NEW-P	01-16-145
296-45-45510	AMD	01-11-038	296-52-60035	NEW-P	01-16-145	296-52-64100	NEW-P	01-16-145
296-45-48535	AMD	01-11-038	296-52-60040	NEW-P	01-16-145	296-52-65005	NEW-P	01-16-145
296-45-52530	AMD-E	01-04-090	296-52-60045	NEW-P	01-16-145	296-52-65010	NEW-P	01-16-145
296-45-52530	AMD-P	01-04-091	296-52-60050	NEW-P	01-16-145	296-52-65015	NEW-P	01-16-145
296-45-52530	AMD	01-07-075	296-52-60055	NEW-P	01-16-145	296-52-65020	NEW-P	01-16-145
296-45-67545	AMD-P	01-12-103	296-52-60060	NEW-P	01-16-145	296-52-65025	NEW-P	01-16-145
296-45-67545	AMD	01-17-033	296-52-60065	NEW-P	01-16-145	296-52-65030	NEW-P	01-16-145
296-46A	PREP	01-05-116	296-52-60070	NEW-P	01-16-145	296-52-66005	NEW-P	01-16-145
296-46A	PREP	01-15-104	296-52-60075	NEW-P	01-16-145	296-52-66010	NEW-P	01-16-145
296-46A-900	AMD-E	01-14-051	296-52-60080	NEW-P	01-16-145	296-52-66015	NEW-P	01-16-145
296-46A-910	AMD-P	01-09-090	296-52-60085	NEW-P	01-16-145	296-52-66020	NEW-P	01-16-145
296-46A-910	AMD	01-12-035	296-52-60090	NEW-P	01-16-145	296-52-66025	NEW-P	01-16-145
296-46A-910	AMD-E	01-14-051	296-52-60095	NEW-P	01-16-145	296-52-66030	NEW-P	01-16-145
296-46A-915	AMD-P	01-09-090	296-52-60100	NEW-P	01-16-145	296-52-66035	NEW-P	01-16-145
296-46A-915	AMD	01-12-035	296-52-60105	NEW-P	01-16-145	296-52-66040	NEW-P	01-16-145
296-50	PREP	01-07-102	296-52-60110	NEW-P	01-16-145	296-52-66045	NEW-P	01-16-145
296-52	PREP	01-07-102	296-52-60115	NEW-P	01-16-145	296-52-66050	NEW-P	01-16-145
296-52-401	REP-P	01-16-145	296-52-60120	NEW-P	01-16-145	296-52-66055	NEW-P	01-16-145
296-52-405	REP-P	01-16-145	296-52-60125	NEW-P	01-16-145	296-52-66060	NEW-P	01-16-145
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296-52-423	REP-P	01-16-145	296-52-61030	NEW-P	01-16-145	296-52-67030	NEW-P	01-16-145
296-52-425	REP-P	01-16-145	296-52-61035	NEW-P	01-16-145	296-52-67035	NEW-P	01-16-145
296-52-429	REP-P	01-16-145	296-52-61040	NEW-P	01-16-145	296-52-67040	NEW-P	01-16-145
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296-52-465	REP-P	01-16-145	296-52-62045	NEW-P	01-16-145	296-52-67090	NEW-P	01-16-145
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296-52-477	REP-P	01-16-145	296-52-63010	NEW-P	01-16-145	296-52-67100	NEW-P	01-16-145
296-52-481	REP-P	01-16-145	296-52-63015	NEW-P	01-16-145	296-52-67105	NEW-P	01-16-145
296-52-485	REP-P	01-16-145	296-52-63020	NEW-P	01-16-145	296-52-67110	NEW-P	01-16-145
296-52-487	REP-P	01-16-145	296-52-63025	NEW-P	01-16-145	296-52-67115	NEW-P	01-16-145
296-52-489	AMD	01-11-038	296-52-63030	NEW-P	01-16-145	296-52-67120	NEW-P	01-16-145
296-52-489	REP-P	01-16-145	296-52-64005	NEW-P	01-16-145	296-52-67125	NEW-P	01-16-145
296-52-493	REP-P	01-16-145	296-52-64010	NEW-P	01-16-145	296-52-67130	NEW-P	01-16-145
296-52-497	AMD	01-11-038	296-52-64015	NEW-P	01-16-145	296-52-67135	NEW-P	01-16-145
296-52-497	REP-P	01-16-145	296-52-64020	NEW-P	01-16-145	296-52-67140	NEW-P	01-16-145
296-52-501	AMD	01-11-038	296-52-64025	NEW-P	01-16-145	296-52-67145	NEW-P	01-16-145
296-52-501	REP-P	01-16-145	296-52-64030	NEW-P	01-16-145	296-52-67150	NEW-P	01-16-145
296-52-505	REP-P	01-16-145	296-52-64035	NEW-P	01-16-145	296-52-67155	NEW-P	01-16-145
296-52-509	REP-P	01-16-145	296-52-64040	NEW-P	01-16-145	296-52-67160	NEW-P	01-16-145
296-52-510	REP-P	01-16-145	296-52-64045	NEW-P	01-16-145	296-52-67165	NEW-P	01-16-145
296-52-550	REP-P	01-16-145	296-52-64050	NEW-P	01-16-145	296-52-67170	NEW-P	01-16-145
296-52-552	REP-P	01-16-145	296-52-64055	NEW-P	01-16-145	296-52-67175	NEW-P	01-16-145
296-52-555	REP-P	01-16-145	296-52-64060	NEW-P	01-16-145	296-52-67180	NEW-P	01-16-145
296-52-600	NEW-P	01-16-145	296-52-64065	NEW-P	01-16-145	296-52-67185	NEW-P	01-16-145

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296-52-67195	NEW-P	01-16-145	296-52-70040	NEW-P	01-16-145	296-59-050	AMD	01-11-038
296-52-67200	NEW-P	01-16-145	296-52-70045	NEW-P	01-16-145	296-59-065	AMD	01-11-038
296-52-67205	NEW-P	01-16-145	296-52-70050	NEW-P	01-16-145	296-59-070	AMD	01-11-038
296-52-67210	NEW-P	01-16-145	296-52-70055	NEW-P	01-16-145	296-59-085	AMD	01-11-038
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296-52-67225	NEW-P	01-16-145	296-52-70070	NEW-P	01-16-145	296-61	PREP	01-07-102
296-52-67230	NEW-P	01-16-145	296-52-70075	NEW-P	01-16-145	296-62	PREP	01-04-089
296-52-67235	NEW-P	01-16-145	296-52-70080	NEW-P	01-16-145	296-62	PREP	01-07-102
296-52-67240	NEW-P	01-16-145	296-52-70085	NEW-P	01-16-145	296-62	PREP	01-09-093
296-52-67245	NEW-P	01-16-145	296-52-71005	NEW-P	01-16-145	296-62	PREP	01-11-151
296-52-67250	NEW-P	01-16-145	296-52-71010	NEW-P	01-16-145	296-62	PREP	01-20-092
296-52-68005	NEW-P	01-16-145	296-52-71015	NEW-P	01-16-145	296-62-010	AMD	01-11-038
296-52-68010	NEW-P	01-16-145	296-52-71020	NEW-P	01-16-145	296-62-050	AMD	01-11-038
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296-52-68025	NEW-P	01-16-145	296-52-71035	NEW-P	01-16-145	296-62-05209	AMD-P	01-12-103
296-52-68030	NEW-P	01-16-145	296-52-71040	NEW-P	01-16-145	296-62-05209	AMD	01-17-033
296-52-68035	NEW-P	01-16-145	296-52-71045	NEW-P	01-16-145	296-62-05301	NEW	01-11-038
296-52-68040	NEW-P	01-16-145	296-52-71050	NEW-P	01-16-145	296-62-05305	NEW	01-11-038
296-52-68045	NEW-P	01-16-145	296-52-71055	NEW-P	01-16-145	296-62-05310	NEW	01-11-038
296-52-68050	NEW-P	01-16-145	296-52-71060	NEW-P	01-16-145	296-62-05315	NEW	01-11-038
296-52-68055	NEW-P	01-16-145	296-52-71065	NEW-P	01-16-145	296-62-05320	NEW	01-11-038
296-52-68060	NEW-P	01-16-145	296-52-71070	NEW-P	01-16-145	296-62-05325	NEW	01-11-038
296-52-68065	NEW-P	01-16-145	296-52-71075	NEW-P	01-16-145	296-62-054	AMD	01-11-038
296-52-68070	NEW-P	01-16-145	296-52-71080	NEW-P	01-16-145	296-62-05402	NEW	01-11-038
296-52-68075	NEW-P	01-16-145	296-52-71085	NEW-P	01-16-145	296-62-05403	REP	01-11-038
296-52-68080	NEW-P	01-16-145	296-52-71090	NEW-P	01-16-145	296-62-05404	NEW	01-11-038
296-52-68085	NEW-P	01-16-145	296-52-71095	NEW-P	01-16-145	296-62-05405	REP	01-11-038
296-52-69005	NEW-P	01-16-145	296-52-71100	NEW-P	01-16-145	296-62-05406	NEW	01-11-038
296-52-69010	NEW-P	01-16-145	296-52-71105	NEW-P	01-16-145	296-62-05407	REP	01-11-038
296-52-69015	NEW-P	01-16-145	296-52-720	NEW-P	01-16-145	296-62-05408	NEW	01-11-038
296-52-69020	NEW-P	01-16-145	296-54	PREP	01-07-102	296-62-05409	REP	01-11-038
296-52-69025	NEW-P	01-16-145	296-54	PREP	01-09-093	296-62-05410	NEW	01-11-038
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296-52-69040	NEW-P	01-16-145	296-54-51120	AMD	01-11-038	296-62-05413	REP	01-11-038
296-52-69045	NEW-P	01-16-145	296-54-51160	AMD	01-11-038	296-62-05415	REP	01-11-038
296-52-69050	NEW-P	01-16-145	296-54-521	AMD-P	01-12-103	296-62-05417	REP	01-11-038
296-52-69055	NEW-P	01-16-145	296-54-521	AMD	01-17-033	296-62-05419	REP	01-11-038
296-52-69060	NEW-P	01-16-145	296-54-59330	AMD-P	01-12-103	296-62-05421	REP	01-11-038
296-52-69065	NEW-P	01-16-145	296-54-59330	AMD	01-17-033	296-62-05423	REP	01-11-038
296-52-69070	NEW-P	01-16-145	296-54-59340	AMD	01-11-038	296-62-05425	REP	01-11-038
296-52-69075	NEW-P	01-16-145	296-56	PREP	01-07-102	296-62-05427	REP	01-11-038
296-52-69080	NEW-P	01-16-145	296-56	PREP	01-09-093	296-62-05429	REP	01-11-038
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296-52-69090	NEW-P	01-16-145	296-56-60003	AMD	01-11-038	296-62-07306	AMD	01-11-038
296-52-69095	NEW-P	01-16-145	296-56-60009	AMD	01-11-038	296-62-07308	AMD	01-11-038
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296-52-69125	NEW-P	01-16-145	296-56-60207	AMD	01-17-033	296-62-07373	AMD	01-11-038
296-52-700	NEW-P	01-16-145	296-59	PREP	01-07-102	296-62-07385	AMD	01-11-038
296-52-70005	NEW-P	01-16-145	296-59-001	AMD	01-11-038	296-62-07417	AMD	01-11-038
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296-52-70025	NEW-P	01-16-145	296-59-025	AMD	01-11-038	296-62-07470	AMD	01-11-038
296-52-70030	NEW-P	01-16-145	296-59-030	AMD	01-11-038	296-62-07473	AMD	01-11-038

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296-62-07521	AMD	01-11-038	296-78-71001	AMD	01-11-038	296-104-055	AMD-P	01-09-091
296-62-07523	AMD	01-11-038	296-78-71003	AMD	01-11-038	296-104-055	PREP	01-10-034
296-62-07540	AMD	01-11-038	296-78-71009	AMD	01-11-038	296-104-055	AMD	01-12-034
296-62-07601	AMD	01-11-038	296-78-71011	AMD	01-11-038	296-104-060	PREP	01-10-034
296-62-07617	AMD	01-11-038	296-78-71015	AMD	01-11-038	296-104-060	AMD-P	01-16-158
296-62-07619	AMD-P	01-12-103	296-78-71017	AMD	01-11-038	296-104-065	PREP	01-10-034
296-62-07619	AMD	01-17-033	296-78-71019	AMD	01-11-038	296-104-065	AMD-P	01-16-158
296-62-07621	AMD	01-11-038	296-78-71023	AMD	01-11-038	296-104-100	PREP	01-10-034
296-62-07631	AMD	01-11-038	296-78-730	AMD	01-11-038	296-104-100	AMD-P	01-16-158
296-62-07717	AMD	01-11-038	296-78-735	AMD	01-11-038	296-104-102	PREP	01-10-034
296-62-07719	AMD-P	01-12-103	296-78-795	AMD	01-11-038	296-104-102	AMD-P	01-16-158
296-62-07719	AMD	01-17-033	296-78-84005	AMD	01-11-038	296-104-105	PREP	01-10-034
296-62-07721	AMD	01-11-038	296-79	PREP	01-07-102	296-104-110	PREP	01-10-034
296-62-08001	AMD-P	01-09-089	296-79	PREP	01-20-092	296-104-115	PREP	01-10-034
296-62-08001	AMD	01-13-078	296-79-010	AMD	01-11-038	296-104-125	PREP	01-10-034
296-62-09001	AMD-P	01-12-103	296-79-020	AMD	01-11-038	296-104-130	PREP	01-10-034
296-62-09001	AMD	01-17-033	296-79-040	AMD	01-11-038	296-104-130	AMD-P	01-16-158
296-62-09003	REP	01-11-038	296-79-050	AMD	01-11-038	296-104-135	PREP	01-10-034
296-62-11021	AMD	01-11-038	296-79-090	AMD	01-11-038	296-104-140	PREP	01-10-034
296-62-12000	REP	01-11-038	296-79-100	AMD	01-11-038	296-104-145	PREP	01-10-034
296-62-12003	REP	01-11-038	296-79-120	AMD	01-11-038	296-104-150	PREP	01-10-034
296-62-12005	REP	01-11-038	296-79-300	AMD	01-11-038	296-104-151	PREP	01-10-034
296-62-12009	REP	01-11-038	296-96	PREP	01-05-116	296-104-151	AMD-P	01-16-158
296-62-14533	AMD-P	01-14-052	296-96-01010	AMD-P	01-09-090	296-104-155	PREP	01-10-034
296-62-14533	AMD	01-19-065	296-96-01010	AMD	01-12-035	296-104-160	PREP	01-10-034
296-62-20013	AMD	01-11-038	296-96-01027	AMD-P	01-09-090	296-104-165	PREP	01-10-034
296-62-20015	AMD	01-11-038	296-96-01027	AMD	01-12-035	296-104-170	PREP	01-10-034
296-62-30001	AMD	01-11-038	296-96-01030	AMD-P	01-09-090	296-104-180	PREP	01-10-034
296-62-30230	AMD	01-11-038	296-96-01030	AMD	01-12-035	296-104-200	PREP	01-10-034
296-62-30235	AMD	01-11-038	296-96-01035	AMD-P	01-09-090	296-104-200	AMD-P	01-16-158
296-62-30425	AMD	01-11-038	296-96-01035	AMD	01-12-035	296-104-205	PREP	01-10-034
296-62-30435	AMD	01-11-038	296-96-01040	AMD-P	01-09-090	296-104-205	AMD-P	01-16-158
296-62-30605	AMD	01-11-038	296-96-01040	AMD	01-12-035	296-104-210	PREP	01-10-034
296-62-3090	AMD	01-11-038	296-96-01045	AMD-P	01-09-090	296-104-215	PREP	01-10-034
296-62-31335	AMD-P	01-12-103	296-96-01045	AMD	01-12-035	296-104-220	PREP	01-10-034
296-62-31335	AMD	01-17-033	296-96-01050	AMD-P	01-09-090	296-104-230	PREP	01-10-034
296-62-31410	AMD	01-11-038	296-96-01050	AMD	01-12-035	296-104-235	PREP	01-10-034
296-62-3195	AMD	01-11-038	296-96-01055	AMD-P	01-09-090	296-104-240	PREP	01-10-034
296-62-40003	AMD	01-11-038	296-96-01055	AMD	01-12-035	296-104-245	PREP	01-10-034
296-62-40015	AMD	01-11-038	296-96-01060	AMD-P	01-09-090	296-104-255	PREP	01-10-034
296-62-40025	AMD-P	01-12-103	296-96-01060	AMD	01-12-035	296-104-256	PREP	01-10-034
296-62-40025	AMD	01-17-033	296-96-01065	AMD-P	01-09-090	296-104-256	AMD-P	01-16-158
296-62-41031	AMD	01-11-038	296-96-01065	AMD	01-12-035	296-104-260	PREP	01-10-034
296-62-41086	AMD	01-11-038	296-99-010	AMD	01-11-038	296-104-265	PREP	01-10-034
296-63-009	AMD	01-11-038	296-99-040	AMD	01-11-038	296-104-265	AMD-P	01-16-158
296-67	PREP	01-20-092	296-104	PREP	01-05-131	296-104-502	PREP	01-10-034
296-67-005	AMD	01-11-038	296-104-001	PREP	01-10-034	296-104-502	AMD-P	01-16-158
296-67-053	AMD	01-11-038	296-104-010	PREP	01-10-034	296-104-700	AMD-P	01-09-091
296-67-061	AMD	01-11-038	296-104-010	AMD-P	01-16-158	296-104-700	PREP	01-10-034
296-67-291	AMD	01-11-038	296-104-015	PREP	01-10-034	296-104-700	AMD	01-12-034
296-78	PREP	01-07-102	296-104-017	PREP	01-10-034	296-104-700	AMD-P	01-16-158
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296-78-500	AMD	01-11-038	296-104-020	PREP	01-10-034	296-125	PREP	01-19-071
296-78-515	AMD	01-11-038	296-104-020	AMD-P	01-16-158	296-131	PREP	01-05-114
296-78-540	AMD	01-11-038	296-104-025	PREP	01-10-034	296-131-117	NEW-P	01-09-092
296-78-545	AMD	01-11-038	296-104-030	PREP	01-10-034	296-131-117	NEW	01-13-012
296-78-56501	AMD	01-11-038	296-104-035	PREP	01-10-034	296-150C	PREP	01-03-070
296-78-56501	AMD-X	01-21-138	296-104-040	PREP	01-10-034	296-150C	PREP	01-05-116
296-78-56505	AMD-P	01-12-103	296-104-040	AMD-P	01-16-158	296-150C-3000	AMD-P	01-09-090
296-78-56505	AMD	01-17-033	296-104-045	PREP	01-10-034	296-150C-3000	AMD	01-12-035
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296-150F-3000	AMD-P	01-09-090	296-155-575	AMD	01-17-033	296-307-07013	AMD-P	01-12-103
296-150F-3000	AMD	01-12-035	296-155-605	PREP	01-05-115	296-307-07013	AMD	01-17-033
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296-150M	PREP	01-05-116	296-155-625	AMD	01-04-015	296-307-12040	AMD	01-17-033
296-150M	PREP	01-13-098	296-155-655	PREP	01-05-115	296-307-13025	AMD-P	01-12-103
296-150M-0020	AMD-P	01-20-093	296-155-730	AMD-P	01-12-103	296-307-13025	AMD	01-17-033
296-150M-0049	NEW-E	01-08-010	296-155-730	AMD	01-17-033	296-307-14505	AMD-P	01-12-103
296-150M-0049	NEW-E	01-16-019	296-155-745	AMD-P	01-12-103	296-307-14505	AMD	01-17-033
296-150M-0049	NEW-P	01-20-093	296-155-745	AMD	01-17-033	296-307-550	NEW-P	01-12-103
296-150M-0140	AMD-E	01-08-010	296-200A	PREP	01-05-116	296-307-550	NEW	01-17-033
296-150M-0140	AMD-E	01-16-019	296-200A	PREP	01-13-097	296-307-55005	NEW-P	01-12-103
296-150M-0140	AMD-P	01-20-093	296-200A-900	AMD-P	01-09-090	296-307-55005	NEW	01-17-033
296-150M-0302	NEW-P	01-20-093	296-200A-900	AMD	01-12-035	296-307-55010	NEW-P	01-12-103
296-150M-0304	NEW-P	01-20-093	296-301	PREP	01-07-102	296-307-55010	NEW	01-17-033
296-150M-3000	AMD-P	01-09-090	296-301-010	AMD	01-11-038	296-307-55015	NEW-P	01-12-103
296-150M-3000	AMD	01-12-035	296-301-020	AMD	01-11-038	296-307-55015	NEW	01-17-033
296-150P	PREP	01-03-070	296-301-215	AMD	01-11-038	296-307-55020	NEW-P	01-12-103
296-150P	PREP	01-05-116	296-301-220	AMD	01-11-038	296-307-55020	NEW	01-17-033
296-150P-3000	AMD-P	01-09-090	296-302	PREP	01-07-102	296-307-55025	NEW-P	01-12-103
296-150P-3000	AMD	01-12-035	296-302-010	AMD	01-11-038	296-307-55025	NEW	01-17-033
296-150R	PREP	01-03-070	296-302-02501	AMD	01-11-038	296-307-55030	NEW-P	01-12-103
296-150R	PREP	01-05-116	296-302-050	AMD	01-11-038	296-307-55030	NEW	01-17-033
296-150R-3000	AMD-P	01-09-090	296-302-060	AMD	01-11-038	296-307-55035	NEW-P	01-12-103
296-150R-3000	AMD	01-12-035	296-302-06513	AMD	01-11-038	296-307-55035	NEW	01-17-033
296-150T	PREP	01-03-070	296-303	PREP	01-07-102	296-307-55040	NEW-P	01-12-103
296-150T-3000	AMD-P	01-09-090	296-303-01001	AMD	01-11-038	296-307-55040	NEW	01-17-033
296-150T-3000	AMD	01-12-035	296-304	PREP	01-07-102	296-307-55045	NEW-P	01-12-103
296-150V	PREP	01-03-070	296-304-010	AMD	01-11-038	296-307-55045	NEW	01-17-033
296-150V	PREP	01-05-116	296-304-06013	AMD	01-11-038	296-307-55050	NEW-P	01-12-103
296-150V-3000	AMD-P	01-09-090	296-305	PREP	01-07-102	296-307-55050	NEW	01-17-033
296-150V-3000	AMD	01-12-035	296-305	PREP	01-20-092	296-307-55055	NEW-P	01-12-103
296-155	PREP	01-07-102	296-305-01003	AMD	01-11-038	296-307-55055	NEW	01-17-033
296-155	PREP	01-09-093	296-305-01005	AMD	01-11-038	296-307-55060	NEW-P	01-12-103
296-155	PREP	01-21-139	296-305-01009	AMD	01-11-038	296-307-55060	NEW	01-17-033
296-155-005	AMD	01-11-038	296-305-01509	AMD	01-11-038	296-307-570	NEW-P	01-12-103
296-155-110	AMD	01-11-038	296-305-01515	AMD	01-11-038	296-307-570	NEW	01-17-033
296-155-120	AMD	01-11-038	296-305-01517	AMD	01-11-038	296-307-57005	NEW-P	01-12-103
296-155-125	AMD	01-11-038	296-305-04511	AMD	01-11-038	296-307-57005	NEW	01-17-033
296-155-130	AMD	01-11-038	296-305-05503	AMD	01-11-038	296-307-590	NEW-P	01-12-103
296-155-140	AMD	01-11-038	296-305-06005	AMD	01-11-038	296-307-590	NEW	01-17-033
296-155-17321	AMD	01-11-038	296-305-06007	AMD	01-11-038	296-307-59005	NEW-P	01-12-103
296-155-17323	AMD	01-11-038	296-305-06503	AMD	01-11-038	296-307-59005	NEW	01-17-033
296-155-174	AMD	01-11-038	296-305-06511	AMD	01-11-038	296-307-59010	NEW-P	01-12-103
296-155-17609	AMD	01-11-038	296-305-06515	AMD	01-11-038	296-307-59010	NEW	01-17-033
296-155-17615	AMD	01-11-038	296-307	PREP	01-09-093	296-350	PREP	01-09-093
296-155-17625	AMD	01-11-038	296-307	PREP	01-20-092	296-350-60025	REP-P	01-12-103
296-155-180	AMD	01-11-038	296-307-018	AMD-P	01-12-103	296-350-60025	REP	01-17-033
296-155-200	PREP	01-05-115	296-307-018	AMD	01-17-033	296-400A	PREP	01-05-116
296-155-200	AMD	01-11-038	296-307-039	AMD-P	01-12-103	296-400A	PREP	01-13-099
296-155-20301	AMD	01-11-038	296-307-039	AMD	01-17-033	296-401B	PREP	01-05-116
296-155-205	AMD	01-04-015	296-307-03905	NEW-P	01-12-103	296-401B	PREP	01-15-104
296-155-260	AMD	01-11-038	296-307-03905	NEW	01-17-033	296-401B-700	AMD-P	01-09-090
296-155-260	AMD-X	01-18-083	296-307-03910	NEW-P	01-12-103	296-401B-700	AMD	01-12-035
296-155-270	AMD-P	01-12-103	296-307-03910	NEW	01-17-033	296-402A	PREP	01-15-103
296-155-270	AMD	01-17-033	296-307-03915	NEW-P	01-12-103	296-403	PREP	01-15-103
296-155-275	AMD-P	01-12-103	296-307-03915	NEW	01-17-033	296-800	PREP	01-09-093
296-155-275	AMD	01-17-033	296-307-03920	NEW-P	01-12-103	296-800-100	NEW	01-11-038
296-155-305	AMD	01-04-015	296-307-03920	NEW	01-17-033	296-800-100	AMD-X	01-18-083
296-155-407	AMD	01-11-038	296-307-03925	NEW-P	01-12-103	296-800-110	NEW	01-11-038
296-155-525	AMD-P	01-12-103	296-307-03925	NEW	01-17-033	296-800-110	AMD-X	01-18-083
296-155-525	AMD	01-17-033	296-307-042	REP-P	01-12-103	296-800-11005	NEW	01-11-038

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296-800-11010	NEW	01-11-038	296-800-17030	NEW	01-11-038	296-800-26010	AMD-X	01-18-083
296-800-11015	NEW	01-11-038	296-800-17030	AMD-X	01-18-083	296-800-270	NEW	01-11-038
296-800-11020	NEW	01-11-038	296-800-17035	NEW	01-11-038	296-800-27005	NEW	01-11-038
296-800-11020	AMD-X	01-18-083	296-800-17035	AMD-X	01-18-083	296-800-27010	NEW	01-11-038
296-800-11025	NEW	01-11-038	296-800-17040	NEW	01-11-038	296-800-27015	NEW	01-11-038
296-800-11030	NEW	01-11-038	296-800-17040	AMD-X	01-18-083	296-800-27020	NEW	01-11-038
296-800-11035	NEW	01-11-038	296-800-17045	NEW	01-11-038	296-800-27020	AMD-X	01-18-083
296-800-120	NEW	01-11-038	296-800-17050	NEW	01-11-038	296-800-27025	NEW-W	01-14-071
296-800-120	AMD-X	01-18-083	296-800-17055	NEW	01-11-038	296-800-280	NEW	01-11-038
296-800-12005	NEW	01-11-038	296-800-180	NEW	01-11-038	296-800-280	AMD-X	01-18-083
296-800-12005	AMD-X	01-18-083	296-800-180	AMD-X	01-18-083	296-800-28005	NEW	01-11-038
296-800-130	NEW	01-11-038	296-800-18005	NEW	01-11-038	296-800-28005	AMD-X	01-18-083
296-800-13005	NEW	01-11-038	296-800-18010	NEW	01-11-038	296-800-28010	NEW	01-11-038
296-800-13005	AMD-X	01-18-083	296-800-18015	NEW	01-11-038	296-800-28010	AMD-X	01-18-083
296-800-13010	NEW	01-11-038	296-800-18015	AMD-X	01-18-083	296-800-28015	NEW	01-11-038
296-800-13010	AMD-X	01-18-083	296-800-18020	NEW	01-11-038	296-800-28020	NEW	01-11-038
296-800-13015	NEW	01-11-038	296-800-18020	AMD-X	01-18-083	296-800-28020	AMD-X	01-18-083
296-800-140	NEW	01-11-038	296-800-190	NEW	01-11-038	296-800-28022	NEW	01-11-038
296-800-14005	NEW	01-11-038	296-800-19005	NEW	01-11-038	296-800-28025	NEW	01-11-038
296-800-14015	NEW-W	01-14-071	296-800-200	NEW	01-11-038	296-800-28025	AMD-X	01-18-083
296-800-14020	NEW	01-11-038	296-800-20005	NEW	01-11-038	296-800-28030	NEW	01-11-038
296-800-14025	NEW	01-11-038	296-800-20005	AMD-X	01-18-083	296-800-28030	AMD-X	01-18-083
296-800-150	NEW	01-11-038	296-800-210	NEW	01-11-038	296-800-28035	NEW	01-11-038
296-800-15005	NEW	01-11-038	296-800-21005	NEW	01-11-038	296-800-28040	NEW	01-11-038
296-800-15005	AMD-X	01-18-083	296-800-21005	AMD-X	01-18-083	296-800-28040	AMD-X	01-18-083
296-800-15010	NEW	01-11-038	296-800-220	NEW	01-11-038	296-800-28045	NEW	01-11-038
296-800-15010	AMD-X	01-18-083	296-800-22005	NEW	01-11-038	296-800-290	NEW	01-11-038
296-800-15015	NEW	01-11-038	296-800-22010	NEW	01-11-038	296-800-29005	NEW	01-11-038
296-800-15020	NEW	01-11-038	296-800-22015	NEW	01-11-038	296-800-29010	NEW	01-11-038
296-800-15025	NEW	01-11-038	296-800-22020	NEW	01-11-038	296-800-29015	NEW	01-11-038
296-800-160	NEW	01-11-038	296-800-22020	AMD-X	01-18-083	296-800-29015	AMD-X	01-18-083
296-800-160	AMD-X	01-18-083	296-800-22022	NEW	01-11-038	296-800-29020	NEW	01-11-038
296-800-16005	NEW	01-11-038	296-800-22025	NEW	01-11-038	296-800-29025	NEW	01-11-038
296-800-16010	NEW	01-11-038	296-800-22030	NEW	01-11-038	296-800-29025	AMD-X	01-18-083
296-800-16015	NEW	01-11-038	296-800-22035	NEW	01-11-038	296-800-29030	NEW	01-11-038
296-800-16015	AMD-X	01-18-083	296-800-22040	NEW	01-11-038	296-800-29030	AMD-X	01-18-083
296-800-16020	NEW	01-11-038	296-800-230	NEW	01-11-038	296-800-29035	NEW	01-11-038
296-800-16020	AMD-X	01-18-083	296-800-230	AMD-X	01-18-083	296-800-29040	NEW	01-11-038
296-800-16025	NEW	01-11-038	296-800-23005	NEW	01-11-038	296-800-29045	NEW-W	01-14-071
296-800-16025	AMD-X	01-18-083	296-800-23005	AMD-X	01-18-083	296-800-300	NEW	01-11-038
296-800-16030	NEW	01-11-038	296-800-23010	NEW	01-11-038	296-800-300	AMD-X	01-18-083
296-800-16035	NEW	01-11-038	296-800-23010	AMD-X	01-18-083	296-800-30005	NEW	01-11-038
296-800-16040	NEW	01-11-038	296-800-23015	NEW	01-11-038	296-800-30010	NEW	01-11-038
296-800-16045	NEW	01-11-038	296-800-23020	NEW	01-11-038	296-800-30010	AMD-X	01-18-083
296-800-16050	NEW	01-11-038	296-800-23025	NEW	01-11-038	296-800-30015	NEW	01-11-038
296-800-16050	AMD-X	01-18-083	296-800-23025	AMD-X	01-18-083	296-800-30020	NEW	01-11-038
296-800-16055	NEW	01-11-038	296-800-23030	NEW	01-11-038	296-800-30020	AMD-X	01-18-083
296-800-16060	NEW	01-11-038	296-800-23035	NEW	01-11-038	296-800-30025	NEW	01-11-038
296-800-16065	NEW	01-11-038	296-800-240	NEW	01-11-038	296-800-310	NEW	01-11-038
296-800-16070	NEW	01-11-038	296-800-24005	NEW	01-11-038	296-800-310	AMD-X	01-18-083
296-800-170	NEW	01-11-038	296-800-24010	NEW	01-11-038	296-800-31005	NEW	01-11-038
296-800-170	AMD-X	01-18-083	296-800-24010	AMD-X	01-18-083	296-800-31010	NEW	01-11-038
296-800-17005	NEW	01-11-038	296-800-250	NEW	01-11-038	296-800-31010	AMD-X	01-18-083
296-800-17005	AMD-X	01-18-083	296-800-250	AMD-X	01-18-083	296-800-31015	NEW	01-11-038
296-800-17010	NEW	01-11-038	296-800-25005	NEW	01-11-038	296-800-31020	NEW	01-11-038
296-800-17010	AMD-X	01-18-083	296-800-25005	AMD-X	01-18-083	296-800-31025	NEW	01-11-038
296-800-17015	NEW	01-11-038	296-800-25010	NEW	01-11-038	296-800-31030	NEW	01-11-038
296-800-17015	AMD-X	01-18-083	296-800-25015	NEW	01-11-038	296-800-31035	NEW	01-11-038
296-800-17020	NEW	01-11-038	296-800-25015	AMD-X	01-18-083	296-800-31035	AMD-X	01-18-083
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296-800-31053	NEW	01-11-038	296-800-35076	NEW	01-11-038	308- 29-060	AMD	01-11-132
296-800-31055	NEW	01-11-038	296-800-35078	NEW	01-11-038	308- 29-070	AMD-P	01-03-130
296-800-31060	NEW	01-11-038	296-800-35080	NEW	01-11-038	308- 29-070	AMD	01-11-132
296-800-31065	NEW	01-11-038	296-800-35082	NEW	01-11-038	308- 29-080	AMD-P	01-03-130
296-800-31067	NEW	01-11-038	296-800-35084	NEW	01-11-038	308- 29-080	AMD	01-11-132
296-800-31070	NEW	01-11-038	296-800-35084	AMD-X	01-18-083	308- 29-090	NEW-P	01-03-130
296-800-31075	NEW	01-11-038	296-800-360	NEW	01-11-038	308- 29-090	NEW	01-11-132
296-800-31080	NEW	01-11-038	296-800-36005	NEW	01-11-038	308- 29-100	NEW-P	01-03-130
296-800-320	NEW	01-11-038	296-800-370	NEW	01-11-038	308- 29-100	NEW	01-11-132
296-800-320	AMD-X	01-18-083	296-800-370	AMD-X	01-18-083	308- 29-100	NEW-P	01-03-130
296-800-32005	NEW	01-11-038	308- 08-085	AMD	01-03-129	308- 29-110	NEW	01-11-132
296-800-32005	AMD-X	01-18-083	308- 08-600	AMD-P	01-21-109	308- 29-110	NEW	01-11-132
296-800-32010	NEW	01-11-038	308- 13-150	AMD	01-04-002	308- 29-120	NEW-P	01-03-130
296-800-32015	NEW	01-11-038	308- 13-150	PREP	01-09-026	308- 29-120	NEW	01-11-132
296-800-32020	NEW	01-11-038	308- 13-150	AMD-P	01-12-063	308- 32-100	REP	01-03-065
296-800-32025	NEW	01-11-038	308- 13-150	AMD	01-15-034	308- 32-110	REP	01-03-065
296-800-32030	NEW-W	01-14-071	308- 14	PREP	01-20-102	308- 32-120	REP	01-03-065
296-800-330	NEW	01-11-038	308- 15-010	NEW-P	01-07-101	308- 56A	PREP	01-17-060
296-800-340	NEW	01-11-038	308- 15-010	NEW	01-12-023	308- 56A-021	AMD-P	01-03-072
296-800-350	NEW	01-11-038	308- 15-020	NEW-P	01-07-101	308- 56A-021	AMD	01-08-022
296-800-350	AMD-X	01-18-083	308- 15-020	NEW	01-12-023	308- 56A-065	AMD-P	01-03-072
296-800-35002	NEW	01-11-038	308- 15-030	NEW-P	01-07-101	308- 56A-065	AMD	01-08-022
296-800-35004	NEW	01-11-038	308- 15-030	NEW	01-12-023	308- 56A-090	AMD-P	01-21-086
296-800-35006	NEW	01-11-038	308- 15-040	NEW-P	01-07-101	308- 56A-095	REP-P	01-21-086
296-800-35008	NEW	01-11-038	308- 15-040	NEW	01-12-023	308- 56A-115	AMD-E	01-14-062
296-800-35010	NEW	01-11-038	308- 15-050	NEW-P	01-07-101	308- 56A-115	AMD-P	01-15-083
296-800-35010	AMD-X	01-18-083	308- 15-050	NEW	01-12-023	308- 56A-115	AMD	01-20-010
296-800-35012	NEW	01-11-038	308- 15-060	NEW-P	01-07-101	308- 56A-150	PREP	01-11-083
296-800-35012	AMD-X	01-18-083	308- 15-060	NEW	01-12-023	308- 56A-150	AMD-E	01-14-062
296-800-35016	NEW	01-11-038	308- 15-070	NEW-P	01-07-101	308- 56A-150	AMD-P	01-15-083
296-800-35018	NEW	01-11-038	308- 15-070	NEW	01-12-023	308- 56A-150	AMD	01-20-010
296-800-35020	NEW	01-11-038	308- 15-075	NEW-P	01-07-101	308- 56A-270	AMD-P	01-21-086
296-800-35022	NEW	01-11-038	308- 15-075	NEW	01-12-023	308- 56A-310	AMD-P	01-03-072
296-800-35024	NEW	01-11-038	308- 15-080	NEW-P	01-07-101	308- 56A-310	AMD	01-08-022
296-800-35026	NEW	01-11-038	308- 15-080	NEW	01-12-023	308- 56A-310	AMD-P	01-17-086
296-800-35026	AMD-X	01-18-083	308- 15-090	NEW-P	01-07-101	308- 56A-310	AMD	01-21-071
296-800-35028	NEW	01-11-038	308- 15-090	NEW	01-12-023	308- 56A-335	AMD	01-03-002
296-800-35030	NEW	01-11-038	308- 15-100	NEW-P	01-07-101	308- 56A-355	REP	01-03-002
296-800-35030	AMD-X	01-18-083	308- 15-100	NEW	01-12-023	308- 56A-460	AMD-E	01-14-062
296-800-35032	NEW	01-11-038	308- 15-101	NEW-P	01-07-101	308- 56A-460	AMD-P	01-15-083
296-800-35038	NEW	01-11-038	308- 15-101	NEW	01-12-023	308- 56A-460	AMD	01-20-010
296-800-35040	NEW	01-11-038	308- 15-102	NEW-P	01-07-101	308- 56A-500	PREP	01-17-060
296-800-35040	AMD-X	01-18-083	308- 15-102	NEW	01-12-023	308- 56A-505	AMD-P	01-06-018
296-800-35042	NEW	01-11-038	308- 15-103	NEW-P	01-07-101	308- 56A-505	AMD	01-11-069
296-800-35044	NEW	01-11-038	308- 15-103	NEW	01-12-023	308- 57-005	AMD-P	01-05-106
296-800-35046	NEW	01-11-038	308- 15-150	NEW-P	01-07-100	308- 57-005	AMD-W	01-07-029
296-800-35048	NEW	01-11-038	308- 15-150	NEW	01-12-022	308- 57-005	AMD-P	01-08-051
296-800-35048	AMD-X	01-18-083	308- 20	PREP	01-14-089	308- 57-005	AMD	01-12-099
296-800-35049	NEW	01-11-038	308- 20	PREP	01-20-100	308- 57-010	AMD-P	01-05-106
296-800-35050	NEW	01-11-038	308- 29-010	AMD-P	01-03-130	308- 57-010	AMD-W	01-07-029
296-800-35050	AMD-X	01-18-083	308- 29-010	AMD	01-11-132	308- 57-010	AMD-P	01-08-051
296-800-35052	NEW	01-11-038	308- 29-020	AMD-P	01-03-130	308- 57-010	AMD	01-12-099
296-800-35056	NEW	01-11-038	308- 29-020	AMD	01-11-132	308- 57-020	AMD-P	01-05-106
296-800-35062	NEW	01-11-038	308- 29-025	NEW-P	01-03-130	308- 57-020	AMD-W	01-07-029
296-800-35062	AMD-X	01-18-083	308- 29-025	NEW	01-11-132	308- 57-020	AMD-P	01-08-051
296-800-35063	NEW	01-11-038	308- 29-030	AMD-P	01-03-130	308- 57-020	AMD	01-12-099
296-800-35064	NEW	01-11-038	308- 29-030	AMD	01-11-132	308- 57-030	AMD-P	01-05-106
296-800-35064	AMD-X	01-18-083	308- 29-045	AMD-P	01-03-130	308- 57-030	AMD-W	01-07-029
296-800-35065	NEW	01-11-038	308- 29-045	AMD	01-11-132	308- 57-030	AMD-P	01-08-051
296-800-35066	NEW	01-11-038	308- 29-050	AMD-P	01-03-130	308- 57-030	AMD	01-12-099
296-800-35066	AMD-X	01-18-083	308- 29-050	AMD	01-11-132	308- 57-110	AMD-P	01-05-106
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308-57-110	AMD	01-12-099	308-72-700	REP-P	01-17-011	308-77-220	REP-P	01-17-010
308-57-120	REP-P	01-05-106	308-72-710	REP-P	01-17-011	308-77-225	REP-P	01-17-010
308-57-120	REP-W	01-07-029	308-72-800	NEW-P	01-17-011	308-77-230	REP-P	01-17-010
308-57-120	REP-P	01-08-051	308-72-805	NEW-P	01-17-011	308-77-250	REP-P	01-17-010
308-57-120	REP	01-12-099	308-72-810	NEW-P	01-17-011	308-77-260	REP-P	01-17-010
308-57-130	REP-P	01-05-106	308-72-815	NEW-P	01-17-011	308-78-010	AMD-P	01-03-083
308-57-130	REP-W	01-07-029	308-72-820	NEW-P	01-17-011	308-78-010	AMD	01-08-083
308-57-130	REP-P	01-08-051	308-72-830	NEW-P	01-17-011	308-78-020	AMD-P	01-03-083
308-57-130	REP	01-12-099	308-72-835	NEW-P	01-17-011	308-78-020	AMD	01-08-083
308-57-135	REP-P	01-05-106	308-72-840	NEW-P	01-17-011	308-78-030	AMD-P	01-03-083
308-57-135	REP-W	01-07-029	308-72-845	NEW-P	01-17-011	308-78-030	AMD	01-08-083
308-57-135	REP-P	01-08-051	308-72-850	NEW-P	01-17-011	308-78-035	NEW-P	01-03-083
308-57-135	REP	01-12-099	308-72-855	NEW-P	01-17-011	308-78-035	NEW	01-08-083
308-57-140	AMD-P	01-05-106	308-72-860	NEW-P	01-17-011	308-78-040	AMD-P	01-03-083
308-57-140	AMD-W	01-07-029	308-72-865	NEW-P	01-17-011	308-78-040	AMD	01-08-083
308-57-140	AMD-P	01-08-051	308-72-870	NEW-P	01-17-011	308-78-045	AMD-P	01-03-083
308-57-140	AMD	01-12-099	308-72-875	NEW-P	01-17-011	308-78-045	AMD	01-08-083
308-57-210	A/R-P	01-05-106	308-72-880	NEW-P	01-17-011	308-78-046	NEW-P	01-03-083
308-57-210	AMD-W	01-07-029	308-72-885	NEW-P	01-17-011	308-78-046	NEW	01-08-083
308-57-210	AMD-P	01-08-051	308-72-890	NEW-P	01-17-011	308-78-060	REP-P	01-03-083
308-57-210	AMD	01-12-099	308-72-895	NEW-P	01-17-011	308-78-060	REP	01-08-083
308-57-230	AMD-P	01-05-106	308-72-900	NEW-P	01-17-011	308-78-070	AMD-P	01-03-083
308-57-230	AMD-W	01-07-029	308-72-905	NEW-P	01-17-011	308-78-070	AMD	01-08-083
308-57-230	AMD-P	01-08-051	308-72-910	NEW-P	01-17-011	308-78-075	NEW-P	01-03-083
308-57-230	AMD	01-12-099	308-72-915	NEW-P	01-17-011	308-78-075	NEW	01-08-083
308-57-240	AMD-P	01-05-106	308-72-920	NEW-P	01-17-011	308-78-080	AMD-P	01-03-083
308-57-240	AMD-W	01-07-029	308-72-925	NEW-P	01-17-011	308-78-080	AMD	01-08-083
308-57-240	AMD-P	01-08-051	308-72-930	NEW-P	01-17-011	308-78-090	AMD-P	01-03-083
308-57-240	AMD	01-12-099	308-77-005	NEW-P	01-17-010	308-78-090	AMD	01-08-083
308-57-500	REP-P	01-05-106	308-77-010	REP-P	01-17-010	308-90	PREP	01-19-002
308-57-500	REP-W	01-07-029	308-77-015	NEW-P	01-17-010	308-93	PREP	01-05-076
308-57-500	REP-P	01-08-051	308-77-020	REP-P	01-17-010	308-93-010	AMD	01-03-128
308-57-500	REP	01-12-099	308-77-025	NEW-P	01-17-010	308-93-010	PREP	01-14-078
308-63-010	AMD	01-03-141	308-77-035	NEW-P	01-17-010	308-93-010	AMD-P	01-17-087
308-63-040	AMD	01-03-141	308-77-040	REP-P	01-17-010	308-93-010	AMD	01-21-072
308-63-070	AMD	01-03-141	308-77-050	REP-P	01-17-010	308-93-030	AMD	01-03-128
308-63-100	AMD	01-03-141	308-77-075	NEW-P	01-17-010	308-93-050	AMD	01-03-128
308-72-500	REP-P	01-17-011	308-77-085	NEW-P	01-17-010	308-93-055	AMD	01-03-128
308-72-501	REP-P	01-17-011	308-77-091	REP-P	01-17-010	308-93-056	AMD	01-03-128
308-72-503	REP-P	01-17-011	308-77-092	NEW-P	01-17-010	308-93-060	AMD-P	01-03-017
308-72-505	REP-P	01-17-011	308-77-093	NEW-P	01-17-010	308-93-060	AMD	01-08-021
308-72-509	REP-P	01-17-011	308-77-095	REP-P	01-17-010	308-93-069	AMD-P	01-03-017
308-72-50901	NEW-X	01-20-070	308-77-097	NEW-P	01-17-010	308-93-069	AMD	01-08-021
308-72-512	REP-P	01-17-011	308-77-099	NEW-P	01-17-010	308-93-070	AMD-P	01-03-017
308-72-540	REP-P	01-17-011	308-77-101	NEW-P	01-17-010	308-93-070	AMD	01-08-021
308-72-542	REP-P	01-17-011	308-77-102	NEW-P	01-17-010	308-93-071	AMD-P	01-03-017
308-72-550	REP-P	01-17-011	308-77-103	NEW-P	01-17-010	308-93-071	AMD	01-08-021
308-72-555	REP-P	01-17-011	308-77-104	NEW-P	01-17-010	308-93-073	REP-P	01-03-017
308-72-557	REP-P	01-17-011	308-77-105	REP-P	01-17-010	308-93-073	REP	01-08-021
308-72-560	REP-P	01-17-011	308-77-106	NEW-P	01-17-010	308-93-078	AMD-P	01-03-017
308-72-570	REP-P	01-17-011	308-77-107	NEW-P	01-17-010	308-93-078	AMD	01-08-021
308-72-610	REP-P	01-17-011	308-77-109	NEW-P	01-17-010	308-93-079	AMD	01-03-128
308-72-615	REP-P	01-17-011	308-77-110	REP-P	01-17-010	308-93-087	AMD-P	01-11-084
308-72-620	REP-P	01-17-011	308-77-112	NEW-P	01-17-010	308-93-087	AMD	01-16-105
308-72-630	REP-P	01-17-011	308-77-114	NEW-P	01-17-010	308-93-088	AMD-P	01-11-084
308-72-640	REP-P	01-17-011	308-77-115	REP-P	01-17-010	308-93-088	AMD	01-16-105
308-72-650	REP-P	01-17-011	308-77-116	NEW-P	01-17-010	308-93-089	NEW-P	01-11-084
308-72-660	REP-P	01-17-011	308-77-150	REP-P	01-17-010	308-93-089	NEW	01-16-105
308-72-665	REP-P	01-17-011	308-77-160	REP-P	01-17-010	308-93-090	AMD	01-03-128
308-72-670	REP-P	01-17-011	308-77-165	REP-P	01-17-010	308-93-145	PREP	01-05-076
308-72-680	REP-P	01-17-011	308-77-190	REP-P	01-17-010	308-93-145	AMD-P	01-08-052

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308-93-145	AMD	01-11-100	308-96A-068	REP-P	01-04-017	308-96A-560	AMD-P	01-04-017
308-93-160	AMD	01-03-128	308-96A-068	REP	01-10-069	308-96A-560	AMD	01-10-069
308-93-285	AMD-P	01-03-017	308-96A-070	AMD-P	01-04-017	308-97-230	AMD-P	01-05-106
308-93-285	AMD	01-08-021	308-96A-070	AMD	01-10-069	308-97-230	AMD-W	01-07-029
308-93-350	AMD-P	01-03-017	308-96A-071	AMD-P	01-04-017	308-97-230	AMD-P	01-13-061
308-93-350	AMD	01-08-021	308-96A-071	AMD	01-10-069	308-97-230	AMD	01-17-085
308-93-360	AMD-P	01-03-017	308-96A-072	AMD-P	01-04-017	308-100-140	AMD-P	01-04-075
308-93-360	AMD	01-08-021	308-96A-072	AMD	01-10-069	308-100-140	AMD	01-09-062
308-93-370	AMD-P	01-17-086	308-96A-073	AMD-P	01-04-017	308-100-140	AMD-P	01-21-112
308-93-370	AMD	01-21-071	308-96A-073	AMD	01-10-069	308-103-010	NEW-P	01-21-109
308-93-380	AMD-P	01-17-086	308-96A-074	AMD-P	01-04-017	308-103-020	NEW-P	01-21-109
308-93-380	AMD	01-21-071	308-96A-074	AMD	01-10-069	308-103-030	NEW-P	01-21-109
308-93-390	AMD-P	01-03-072	308-96A-099	AMD-P	01-05-106	308-103-040	NEW-P	01-21-109
308-93-390	AMD	01-08-022	308-96A-099	AMD-W	01-07-029	308-103-050	NEW-P	01-21-109
308-93-400	AMD-P	01-17-086	308-96A-099	AMD-P	01-08-051	308-103-060	NEW-P	01-21-109
308-93-400	AMD	01-21-071	308-96A-099	AMD	01-12-099	308-103-070	NEW-P	01-21-109
308-93-445	NEW-P	01-17-086	308-96A-135	REP-P	01-05-106	308-103-080	NEW-P	01-21-109
308-93-445	NEW	01-21-071	308-96A-135	REP-W	01-07-029	308-103-090	NEW-P	01-21-109
308-93-490	AMD-P	01-17-086	308-96A-135	AMD-P	01-08-051	308-103-100	NEW-P	01-21-109
308-93-490	AMD	01-21-071	308-96A-135	AMD	01-12-099	308-103-110	NEW-P	01-21-109
308-93-500	AMD-P	01-17-086	308-96A-145	AMD-P	01-05-106	308-103-120	NEW-P	01-21-109
308-93-500	AMD	01-21-071	308-96A-145	AMD-W	01-07-029	308-103-130	NEW-P	01-21-109
308-93-510	AMD-P	01-17-086	308-96A-145	AMD-P	01-08-051	308-103-140	NEW-P	01-21-109
308-93-510	AMD	01-21-071	308-96A-145	AMD	01-12-099	308-103-150	NEW-P	01-21-109
308-93-640	AMD-P	01-03-017	308-96A-175	AMD-P	01-04-017	308-103-160	NEW-P	01-21-109
308-93-640	AMD	01-08-021	308-96A-175	AMD	01-10-069	308-103-170	NEW-P	01-21-109
308-93-660	REP-P	01-11-084	308-96A-176	AMD-P	01-04-017	308-103-180	NEW-P	01-21-109
308-93-660	REP	01-16-105	308-96A-176	AMD	01-10-069	308-103-190	NEW-P	01-21-109
308-94-030	AMD-P	01-06-049	308-96A-177	NEW-P	01-04-017	308-104-018	AMD-P	01-21-110
308-94-030	AMD	01-11-070	308-96A-177	NEW	01-10-069	308-124A-460	PREP	01-17-058
308-94-050	AMD-P	01-06-049	308-96A-202	AMD-P	01-05-106	308-124B-050	PREP	01-08-095
308-94-050	AMD	01-11-070	308-96A-202	AMD-W	01-07-029	308-124H-061	PREP	01-08-096
308-94-080	AMD-P	01-06-049	308-96A-202	AMD-P	01-08-051	308-125-120	PREP	01-16-004
308-94-080	AMD	01-11-070	308-96A-202	AMD	01-12-099	308-125-200	AMD-P	01-21-024
308-94-100	AMD-P	01-06-049	308-96A-203	AMD-P	01-05-106	308-127	PREP	01-20-101
308-94-100	AMD	01-11-070	308-96A-203	AMD-W	01-07-029	308-330-305	AMD-P	01-21-111
308-94-105	NEW-P	01-06-049	308-96A-203	AMD-P	01-08-051	308-330-307	AMD-P	01-21-111
308-94-105	NEW	01-11-070	308-96A-203	AMD	01-12-099	308-330-320	AMD-P	01-21-111
308-94A-005	AMD-P	01-08-050	308-96A-260	AMD-P	01-11-090	308-330-464	AMD-P	01-21-111
308-94A-005	AMD	01-13-008	308-96A-260	AMD	01-17-017	308-330-481	AMD-P	01-21-111
308-94A-010	AMD-P	01-08-050	308-96A-295	AMD-P	01-04-062	308-330-705	AMD-P	01-21-111
308-94A-010	AMD	01-13-008	308-96A-295	AMD	01-09-079	308-390-100	NEW-P	01-07-084
308-94A-015	AMD-P	01-08-050	308-96A-300	AMD-P	01-11-090	308-390-100	NEW	01-10-056
308-94A-015	AMD	01-13-008	308-96A-300	AMD	01-17-017	308-390-101	NEW-P	01-07-084
308-94A-020	AMD-P	01-08-050	308-96A-345	REP-P	01-11-090	308-390-101	NEW	01-10-056
308-94A-020	AMD	01-13-008	308-96A-345	REP	01-17-017	308-390-102	NEW-P	01-07-084
308-94A-025	AMD-P	01-08-050	308-96A-350	AMD-P	01-13-060	308-390-102	NEW	01-10-056
308-94A-025	AMD	01-13-008	308-96A-350	AMD	01-17-091	308-390-103	NEW-P	01-07-084
308-94A-030	AMD-P	01-08-050	308-96A-355	AMD-P	01-13-060	308-390-103	NEW	01-10-056
308-94A-030	AMD	01-13-008	308-96A-355	AMD	01-17-091	308-390-104	NEW-P	01-07-084
308-96A-005	AMD-P	01-11-090	308-96A-365	AMD-P	01-13-060	308-390-104	NEW	01-10-056
308-96A-005	AMD	01-17-017	308-96A-365	AMD	01-17-091	308-390-105	NEW-P	01-07-084
308-96A-015	AMD-P	01-11-090	308-96A-400	AMD-P	01-05-106	308-390-105	NEW	01-10-056
308-96A-015	AMD	01-17-017	308-96A-400	AMD-W	01-07-029	308-390-106	NEW-P	01-07-084
308-96A-026	AMD-P	01-11-090	308-96A-400	AMD-P	01-08-051	308-390-106	NEW	01-10-056
308-96A-026	AMD	01-17-017	308-96A-400	AMD	01-12-099	308-390-107	NEW-P	01-07-084
308-96A-065	AMD-P	01-04-017	308-96A-410	REP-P	01-05-106	308-390-107	NEW	01-10-056
308-96A-065	AMD	01-10-069	308-96A-410	REP-W	01-07-029	308-390-108	NEW-P	01-07-084
308-96A-066	REP-P	01-04-017	308-96A-410	REP-P	01-08-051	308-390-108	NEW	01-10-056
308-96A-066	REP	01-10-069	308-96A-410	REP	01-12-099	308-390-109	NEW-P	01-07-084
308-96A-067	REP-P	01-04-017	308-96A-550	AMD-P	01-04-017	308-390-109	NEW	01-10-056
308-96A-067	REP	01-10-069	308-96A-550	AMD	01-10-069	308-390-200	NEW-P	01-07-084

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308-390-200	NEW	01-10-056	308-390-600	NEW	01-10-056	314-08-020	REP-S	01-06-062
308-390-201	NEW-P	01-07-084	308-390-601	NEW-P	01-07-084	314-08-020	REP	01-11-058
308-390-201	NEW	01-10-056	308-390-601	NEW	01-10-056	314-08-030	REP-S	01-06-062
308-390-202	NEW-P	01-07-084	308-390-602	NEW-P	01-07-084	314-08-030	REP	01-11-058
308-390-202	NEW	01-10-056	308-390-602	NEW	01-10-056	314-08-040	REP-S	01-06-062
308-390-203	NEW-P	01-07-084	308-390-603	NEW-P	01-07-084	314-08-040	REP	01-11-058
308-390-203	NEW	01-10-056	308-390-603	NEW	01-10-056	314-08-050	REP-S	01-06-062
308-390-204	NEW-P	01-07-084	308-400	REP-P	01-07-084	314-08-050	REP	01-11-058
308-390-204	NEW	01-10-056	308-400-010	REP-P	01-07-084	314-08-070	REP-S	01-06-062
308-390-300	NEW-P	01-07-084	308-400-010	REP	01-10-056	314-08-070	REP	01-11-058
308-390-300	NEW	01-10-056	308-400-020	REP-P	01-07-084	314-08-080	REP-S	01-06-062
308-390-301	NEW-P	01-07-084	308-400-020	REP	01-10-056	314-08-080	REP	01-11-058
308-390-301	NEW	01-10-056	308-400-025	REP-P	01-07-084	314-08-090	REP-S	01-06-062
308-390-302	NEW-P	01-07-084	308-400-025	REP	01-10-056	314-08-090	REP	01-11-058
308-390-302	NEW	01-10-056	308-400-030	REP-P	01-07-084	314-08-100	REP-S	01-06-062
308-390-303	NEW-P	01-07-084	308-400-030	REP	01-10-056	314-08-100	REP	01-11-058
308-390-303	NEW	01-10-056	308-400-030	REP	01-10-056	314-08-100	REP	01-11-058
308-390-304	NEW-P	01-07-084	308-400-053	REP-P	01-07-084	314-08-110	REP-S	01-06-062
308-390-304	NEW	01-10-056	308-400-053	REP	01-10-056	314-08-110	REP	01-11-058
308-390-304	NEW	01-10-056	308-400-056	REP-P	01-07-084	314-08-120	REP-S	01-06-062
308-390-305	NEW-P	01-07-084	308-400-056	REP	01-10-056	314-08-120	REP	01-11-058
308-390-305	NEW	01-10-056	308-400-058	REP	01-10-056	314-08-130	REP-S	01-06-062
308-390-306	NEW-P	01-07-084	308-400-058	REP-P	01-07-084	314-08-130	REP	01-11-058
308-390-306	NEW	01-10-056	308-400-058	REP	01-10-056	314-08-130	REP	01-11-058
308-390-307	NEW-P	01-07-084	308-400-059	REP-P	01-07-084	314-08-140	REP-S	01-06-062
308-390-307	NEW	01-10-056	308-400-059	REP	01-10-056	314-08-140	REP	01-11-058
308-390-308	NEW-P	01-07-084	308-400-060	REP-P	01-07-084	314-08-150	REP-S	01-06-062
308-390-308	NEW	01-10-056	308-400-060	REP	01-10-056	314-08-150	REP	01-11-058
308-390-309	NEW-P	01-07-084	308-400-060	REP	01-10-056	314-08-160	REP-S	01-06-062
308-390-309	NEW	01-10-056	308-400-062	REP-P	01-07-084	314-08-160	REP	01-11-058
308-390-310	NEW-P	01-07-084	308-400-062	REP	01-10-056	314-08-170	REP-S	01-06-062
308-390-310	NEW	01-10-056	308-400-062	REP	01-10-056	314-08-170	REP	01-11-058
308-390-311	NEW-P	01-07-084	308-400-080	REP-P	01-07-084	314-08-180	REP-S	01-06-062
308-390-311	NEW	01-10-056	308-400-080	REP	01-10-056	314-08-180	REP	01-11-058
308-390-312	NEW-P	01-07-084	308-400-092	REP-P	01-07-084	314-08-190	REP-S	01-06-062
308-390-312	NEW	01-10-056	308-400-092	REP	01-10-056	314-08-190	REP	01-11-058
308-390-313	NEW-P	01-07-084	308-400-095	REP-P	01-07-084	314-08-190	REP	01-11-058
308-390-313	NEW	01-10-056	308-400-095	REP	01-10-056	314-08-200	REP-S	01-06-062
308-390-314	NEW-P	01-07-084	308-400-100	REP-P	01-07-084	314-08-200	REP	01-11-058
308-390-314	NEW	01-10-056	308-400-100	REP	01-10-056	314-08-210	REP-S	01-06-062
308-390-315	NEW-P	01-07-084	308-400-110	REP-P	01-07-084	314-08-210	REP	01-11-058
308-390-315	NEW	01-10-056	308-400-110	REP	01-10-056	314-08-220	REP-S	01-06-062
308-390-400	NEW-P	01-07-084	308-400-120	REP-P	01-07-084	314-08-220	REP	01-11-058
308-390-400	NEW	01-10-056	308-400-120	REP	01-10-056	314-08-230	REP-S	01-06-062
308-390-401	NEW-P	01-07-084	308-410	REP-P	01-07-084	314-08-230	REP	01-11-058
308-390-401	NEW	01-10-056	308-410-010	REP-P	01-07-084	314-08-230	REP	01-11-058
308-390-402	NEW-P	01-07-084	308-410-010	REP	01-10-056	314-08-240	REP-S	01-06-062
308-390-402	NEW	01-10-056	308-410-010	REP	01-10-056	314-08-240	REP	01-11-058
308-390-403	NEW-P	01-07-084	308-410-020	REP-P	01-07-084	314-08-250	REP-S	01-06-062
308-390-403	NEW	01-10-056	308-410-020	REP	01-10-056	314-08-250	REP	01-11-058
308-390-500	NEW-P	01-07-084	308-410-030	REP-P	01-07-084	314-08-260	REP-S	01-06-062
308-390-500	NEW	01-10-056	308-410-030	REP	01-10-056	314-08-260	REP	01-11-058
308-390-501	NEW-P	01-07-084	308-410-040	REP-P	01-07-084	314-08-270	REP-S	01-06-062
308-390-501	NEW	01-10-056	308-410-040	REP	01-10-056	314-08-270	REP	01-11-058
308-390-502	NEW-P	01-07-084	308-410-060	REP-P	01-07-084	314-08-280	REP-S	01-06-062
308-390-502	NEW	01-10-056	308-410-060	REP	01-10-056	314-08-280	REP	01-11-058
308-390-503	NEW-P	01-07-084	308-410-070	REP-P	01-07-084	314-08-290	REP-S	01-06-062
308-390-503	NEW	01-10-056	308-410-070	REP	01-10-056	314-08-290	REP	01-11-058
308-390-504	NEW-P	01-07-084	308-420	PREP	01-20-103	314-08-300	REP-S	01-06-062
308-390-504	NEW	01-10-056	314-01-005	NEW	01-06-016	314-08-300	REP	01-11-058
308-390-505	NEW-P	01-07-084	314-04-005	REP	01-03-086	314-08-310	REP-S	01-06-062
308-390-505	NEW	01-10-056	314-04-006	REP	01-03-086	314-08-310	REP	01-11-058
308-390-600	NEW-P	01-07-084	314-04-007	REP	01-03-086	314-08-320	REP-S	01-06-062
			314-08-001	REP-S	01-06-062	314-08-320	REP	01-11-058
			314-08-001	REP	01-11-058	314-08-330	REP-S	01-06-062
			314-08-010	REP-S	01-06-062	314-08-330	REP	01-11-058
			314-08-010	REP	01-11-058			

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314-08-340	REP-S	01-06-062	314-11-030	NEW	01-06-014	314-16-160	AMD	01-06-014
314-08-340	REP	01-11-058	314-11-035	NEW	01-06-014	314-17-005	NEW	01-03-085
314-08-350	REP-S	01-06-062	314-11-040	NEW	01-06-014	314-17-010	NEW	01-03-085
314-08-350	REP	01-11-058	314-11-045	NEW	01-06-014	314-17-015	NEW	01-03-085
314-08-360	REP-S	01-06-062	314-11-050	NEW	01-06-014	314-17-020	NEW	01-03-085
314-08-360	REP	01-11-058	314-11-055	NEW	01-06-014	314-17-025	NEW	01-03-085
314-08-370	REP-S	01-06-062	314-11-060	NEW	01-06-014	314-17-030	NEW	01-03-085
314-08-370	REP	01-11-058	314-11-065	NEW	01-06-014	314-17-035	NEW	01-03-085
314-08-380	REP-S	01-06-062	314-11-070	NEW	01-06-014	314-17-040	NEW	01-03-085
314-08-380	REP	01-11-058	314-11-080	NEW	01-06-014	314-17-045	NEW	01-03-085
314-08-390	REP-S	01-06-062	314-11-085	NEW	01-06-014	314-17-050	NEW	01-03-085
314-08-390	REP	01-11-058	314-11-090	NEW	01-06-014	314-17-055	NEW	01-03-085
314-08-400	REP-S	01-06-062	314-11-095	NEW	01-06-014	314-17-060	NEW	01-03-085
314-08-400	REP	01-11-058	314-11-100	NEW	01-06-014	314-17-065	NEW	01-03-085
314-08-410	REP-S	01-06-062	314-11-105	NEW	01-06-014	314-17-070	NEW	01-03-085
314-08-410	REP	01-11-058	314-11-110	NEW	01-06-014	314-17-075	NEW	01-03-085
314-08-415	REP-S	01-06-062	314-12-020	AMD	01-03-087	314-17-080	NEW	01-03-085
314-08-415	REP	01-11-058	314-12-115	REP	01-06-014	314-17-085	NEW	01-03-085
314-08-420	REP-S	01-06-062	314-12-120	REP	01-06-014	314-17-090	NEW	01-03-085
314-08-420	REP	01-11-058	314-12-125	REP	01-06-014	314-17-095	NEW	01-03-085
314-08-430	REP-S	01-06-062	314-12-130	REP	01-06-014	314-17-100	NEW	01-03-085
314-08-430	REP	01-11-058	314-12-140	AMD	01-06-015	314-17-105	NEW	01-03-085
314-08-440	REP-S	01-06-062	314-12-195	REP	01-06-014	314-17-110	NEW	01-03-085
314-08-440	REP	01-11-058	314-13-005	NEW	01-06-015	314-17-115	NEW	01-03-085
314-08-450	REP-S	01-06-062	314-13-010	NEW	01-06-015	314-24-170	REP	01-06-015
314-08-450	REP	01-11-058	314-13-015	NEW	01-06-015	314-29-005	NEW	01-03-086
314-08-460	REP-S	01-06-062	314-13-020	NEW	01-06-015	314-29-010	NEW	01-03-086
314-08-460	REP	01-11-058	314-13-025	NEW	01-06-015	314-42-010	PREP	01-06-061
314-08-470	REP-S	01-06-062	314-13-030	NEW	01-06-015	314-42-010	AMD-P	01-11-059
314-08-470	REP	01-11-058	314-13-040	NEW	01-06-015	314-42-010	AMD	01-15-049
314-08-480	REP-S	01-06-062	314-13-040	NEW	01-06-015	314-42-020	NEW-S	01-06-062
314-08-480	REP	01-11-058	314-14-010	REP	01-03-085	314-42-020	NEW	01-11-058
314-08-490	REP-S	01-06-062	314-14-020	REP	01-03-085	314-42-025	NEW-S	01-06-062
314-08-490	REP	01-11-058	314-14-030	REP	01-03-085	314-42-025	NEW	01-11-058
314-08-490	REP	01-11-058	314-14-040	REP	01-03-085	314-42-030	NEW-S	01-06-062
314-08-500	REP-S	01-06-062	314-14-050	REP	01-03-085	314-42-030	NEW	01-11-058
314-08-500	REP	01-11-058	314-14-060	REP	01-03-085	314-42-040	NEW-S	01-06-062
314-08-510	REP-S	01-06-062	314-14-070	REP	01-03-085	314-42-040	NEW	01-11-058
314-08-510	REP	01-11-058	314-14-080	REP	01-03-085	314-42-040	NEW-S	01-11-058
314-08-520	REP-S	01-06-062	314-14-090	REP	01-03-085	314-42-045	NEW-S	01-06-062
314-08-520	REP	01-11-058	314-14-100	REP	01-03-085	314-42-045	NEW	01-11-058
314-08-530	REP-S	01-06-062	314-14-110	REP	01-03-085	314-42-050	NEW-S	01-06-062
314-08-530	REP	01-11-058	314-14-120	REP	01-03-085	314-42-050	NEW	01-11-058
314-08-540	REP-S	01-06-062	314-14-130	REP	01-03-085	314-42-055	NEW-W	01-11-075
314-08-540	REP	01-11-058	314-14-140	REP	01-03-085	314-42-060	NEW-S	01-06-062
314-08-550	REP-S	01-06-062	314-14-150	REP	01-03-085	314-42-060	NEW	01-11-058
314-08-550	REP	01-11-058	314-14-160	REP	01-03-085	314-42-065	NEW-S	01-06-062
314-08-560	REP-S	01-06-062	314-14-165	REP	01-03-085	314-42-065	NEW	01-11-058
314-08-560	REP	01-11-058	314-14-170	REP	01-03-085	314-42-070	NEW-S	01-06-062
314-08-570	REP-S	01-06-062	314-16-020	AMD	01-06-014	314-42-070	NEW	01-11-058
314-08-570	REP	01-11-058	314-16-025	REP	01-06-014	314-42-075	NEW-S	01-06-062
314-08-580	REP-S	01-06-062	314-16-030	REP	01-06-014	314-42-075	NEW	01-11-058
314-08-580	REP	01-11-058	314-16-040	AMD	01-06-014	314-42-080	NEW-S	01-06-062
314-08-590	REP-S	01-06-062	314-16-050	REP	01-06-014	314-42-080	NEW	01-11-058
314-08-590	REP	01-11-058	314-16-060	REP	01-06-014	314-42-085	NEW-S	01-06-062
314-09-005	NEW	01-03-087	314-16-070	REP	01-06-014	314-42-085	NEW	01-11-058
314-09-010	NEW	01-03-087	314-16-075	REP	01-06-014	314-42-090	NEW-S	01-06-062
314-09-015	NEW	01-03-087	314-16-090	REP	01-06-014	314-42-090	NEW	01-11-058
314-10-020	REP	01-06-014	314-16-120	REP	01-06-014	314-42-100	NEW-S	01-06-062
314-11-005	NEW	01-06-014	314-16-122	REP	01-06-014	314-42-100	NEW	01-11-058
314-11-015	NEW	01-06-014	314-16-125	REP	01-06-014	314-42-105	NEW-S	01-06-062
314-11-020	NEW	01-06-014	314-16-145	REP	01-06-014	314-42-105	NEW	01-11-058
314-11-025	NEW	01-06-014	314-16-150	REP-W	01-12-082	314-60-040	PREP	01-21-147

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
314- 70-020	REP	01-06-014	332- 10-020	AMD	01-07-049	356- 30-140	AMD-P	01-16-130
314- 70-040	REP	01-06-014	332- 10-040	AMD-P	01-04-061	356- 30-140	AMD-C	01-19-031
314- 70-050	REP	01-06-014	332- 10-040	AMD	01-07-049	356- 30-140	AMD-W	01-21-050
315- 04-085	NEW-S	01-08-037	332- 30	PREP	01-10-068	356- 30-260	AMD-P	01-12-076
315- 04-085	NEW	01-12-039	352	PREP	01-12-077	356- 30-260	AMD-W	01-17-080
315- 06-040	PREP	01-04-040	352- 32-340	NEW-P	01-16-147	356- 30-260	AMD-P	01-20-104
315- 06-040	AMD-P	01-08-038	352- 32-340	NEW	01-20-036	356- 30-305	AMD-P	01-12-076
315- 06-040	AMD	01-12-040	356- 05-415	AMD-P	01-16-130	356- 30-305	AMD-W	01-17-080
315- 20	PREP	01-18-023	356- 05-415	AMD-C	01-19-031	356- 30-305	AMD-P	01-20-104
315- 34	PREP	01-07-013	356- 05-415	AMD-W	01-21-050	356- 30-320	AMD-C	01-02-088
315- 34	PREP	01-21-079	356- 06-045	AMD-C	01-02-088	356- 30-320	AMD	01-07-055
315- 34-040	AMD-P	01-11-082	356- 06-045	AMD	01-07-055	356- 30-330	AMD-P	01-16-095
315- 34-040	AMD	01-17-022	356- 10-040	AMD-C	01-02-089	356- 30-330	AMD-E	01-16-096
315- 34-050	AMD-P	01-11-082	356- 10-040	AMD	01-07-057	356- 30-330	AMD	01-19-032
315- 34-050	AMD	01-17-022	356- 14-067	AMD-C	01-02-089	356- 30-331	AMD-C	01-02-088
315- 34-057	AMD-P	01-11-082	356- 14-067	AMD	01-07-057	356- 30-331	AMD	01-07-055
315- 34-057	AMD	01-17-022	356- 14-075	AMD-C	01-02-089	356- 30-331	AMD-P	01-08-062
315- 36	PREP	01-07-004	356- 14-075	AMD	01-07-057	356- 30-331	AMD	01-11-113
315- 36-010	AMD-P	01-11-081	356- 14-085	AMD-C	01-02-089	356- 34-090	AMD-P	01-16-095
315- 36-010	AMD	01-17-021	356- 14-085	AMD	01-07-057	356- 34-090	AMD-E	01-16-096
315- 36-030	AMD-P	01-11-081	356- 14-110	AMD-C	01-02-089	356- 34-090	AMD	01-19-032
315- 36-030	AMD	01-17-021	356- 14-110	AMD	01-07-057	356- 46-150	NEW-P	01-08-062
315- 36-050	AMD-P	01-11-081	356- 14-120	AMD-C	01-02-089	356- 46-150	NEW	01-11-113
315- 36-050	AMD	01-17-021	356- 14-120	AMD	01-07-057	356- 49-040	AMD-C	01-02-089
315- 36-090	AMD-P	01-11-081	356- 15-061	AMD-P	01-20-107	356- 49-040	AMD	01-07-057
315- 36-090	AMD	01-17-021	356- 15-125	AMD-E	01-04-051	356- 56-203	NEW-E	01-18-051
315- 36-110	AMD-P	01-11-081	356- 15-125	AMD-P	01-04-079	356- 56-203	NEW-P	01-18-097
315- 36-110	AMD	01-17-021	356- 15-125	AMD	01-08-005	356- 56-203	NEW	01-21-051
317- 21-010	REP	01-05-036	356- 15-140	AMD-C	01-02-089	356- 56-210	AMD	01-03-003
317- 21-020	REP	01-05-036	356- 15-140	AMD	01-07-057	356- 56-220	AMD	01-03-003
317- 21-030	REP	01-05-036	356- 18-112	AMD-P	01-16-130	356- 56-600	AMD-E	01-18-051
317- 21-040	REP	01-05-036	356- 18-112	AMD-C	01-19-031	356- 56-600	AMD-P	01-18-097
317- 21-050	REP	01-05-036	356- 18-112	AMD-W	01-21-050	356- 56-600	AMD	01-21-051
317- 21-060	REP	01-05-036	356- 18-140	AMD-C	01-02-089	359- 07	AMD-P	01-20-105
317- 21-070	REP	01-05-036	356- 18-140	AMD	01-07-057	359- 09	AMD-P	01-20-105
317- 21-100	REP	01-05-036	356- 18-220	AMD-C	01-02-089	359- 14	AMD-P	01-20-105
317- 21-110	REP	01-05-036	356- 18-220	AMD	01-07-057	359- 39	AMD-P	01-20-105
317- 21-120	REP	01-05-036	356- 22-160	AMD-P	01-12-074	359- 40	AMD-P	01-20-105
317- 21-140	REP	01-05-036	356- 22-160	AMD	01-17-081	359- 48	AMD-P	01-20-105
317- 21-300	REP	01-05-036	356- 22-170	REP-P	01-12-074	363-116-185	AMD-P	01-10-072
317- 21-305	REP	01-05-036	356- 22-170	REP	01-17-081	363-116-185	AMD	01-13-066
317- 21-310	REP	01-05-036	356- 22-220	AMD-W	01-07-056	363-116-185	AMD-P	01-14-086
317- 21-315	REP	01-05-036	356- 26-030	AMD-P	01-16-095	363-116-185	AMD-P	01-14-087
317- 21-320	REP	01-05-036	356- 26-030	AMD-E	01-16-096	363-116-185	AMD-W	01-18-048
317- 21-325	REP	01-05-036	356- 26-030	AMD	01-19-032	363-116-185	AMD	01-18-049
317- 21-330	REP	01-05-036	356- 26-040	AMD-P	01-12-075	363-116-300	AMD-P	01-08-081
317- 21-335	REP	01-05-036	356- 26-040	AMD	01-17-082	363-116-300	AMD	01-12-032
317- 21-340	REP	01-05-036	356- 26-140	AMD-P	01-16-095	363-116-300	AMD-P	01-14-088
317- 21-345	REP	01-05-036	356- 26-140	AMD-E	01-16-096	363-116-300	AMD	01-18-050
317- 21-400	REP	01-05-036	356- 26-140	AMD	01-19-032	365-120-080	PREP	01-11-137
317- 21-410	REP	01-05-036	356- 30-012	NEW-P	01-16-095	365-120-080	AMD-E	01-14-035
317- 21-500	REP	01-05-036	356- 30-012	NEW-E	01-16-096	365-120-080	AMD-E	01-17-063
317- 21-510	REP	01-05-036	356- 30-012	NEW	01-19-032	365-195-900	AMD-P	01-03-166
317- 21-520	REP	01-05-036	356- 30-025	REP-P	01-16-130	365-195-900	AMD	01-08-056
317- 21-530	REP	01-05-036	356- 30-025	REP-C	01-19-031	365-197-010	NEW-P	01-03-165
317- 21-550	REP	01-05-036	356- 30-025	REP-W	01-21-050	365-197-010	NEW	01-13-039
317- 21-560	REP	01-05-036	356- 30-065	AMD-P	01-16-130	365-197-020	NEW-P	01-03-165
317- 21-900	REP	01-05-036	356- 30-065	AMD-C	01-19-031	365-197-020	NEW	01-13-039
317- 21-910	REP	01-05-036	356- 30-065	AMD-W	01-21-050	365-197-030	NEW-P	01-03-165
326- 40-010	REP-X	01-16-156	356- 30-067	AMD-P	01-16-130	365-197-030	NEW	01-13-039
326- 40-020	REP-X	01-16-156	356- 30-067	AMD-C	01-19-031	365-197-040	NEW-P	01-03-165
332- 10-020	AMD-P	01-04-061	356- 30-067	AMD-C	01-19-031	365-197-040	NEW	01-13-039
			356- 30-067	AMD-W	01-21-050			

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365-197-050	NEW-P	01-03-165	388-06-0525	NEW	01-15-019	388-14-220	REP	01-03-089
365-197-050	NEW	01-13-039	388-06-0530	NEW-P	01-10-064	388-14-250	REP	01-03-089
365-197-060	NEW-P	01-03-165	388-06-0530	NEW	01-15-019	388-14-260	REP	01-03-089
365-197-060	NEW	01-13-039	388-06-0535	NEW-P	01-10-064	388-14-270	REP	01-03-089
365-197-070	NEW-P	01-03-165	388-06-0535	NEW	01-15-019	388-14-271	REP	01-03-089
365-197-070	NEW	01-13-039	388-06-0540	NEW-P	01-10-064	388-14-272	REP	01-03-089
365-197-080	NEW-P	01-03-165	388-06-0540	NEW	01-15-019	388-14-273	REP	01-03-089
365-197-080	NEW	01-13-039	388-11-011	REP	01-03-089	388-14-274	REP	01-03-089
371-08-320	AMD-P	01-20-017	388-11-015	REP	01-03-089	388-14-276	REP	01-03-089
371-08-450	AMD-P	01-20-019	388-11-045	REP	01-03-089	388-14-300	REP	01-03-089
371-08-485	AMD-P	01-20-020	388-11-048	REP	01-03-089	388-14-310	REP	01-03-089
388-05-0001	NEW-P	01-08-077	388-11-065	REP	01-03-089	388-14-350	REP	01-03-089
388-05-0001	NEW	01-12-071	388-11-067	REP	01-03-089	388-14-360	REP	01-03-089
388-05-0005	NEW-P	01-08-077	388-11-100	REP	01-03-089	388-14-365	REP	01-03-089
388-05-0005	NEW	01-12-071	388-11-120	REP	01-03-089	388-14-370	REP	01-03-089
388-05-0010	NEW-P	01-08-077	388-11-135	REP	01-03-089	388-14-376	REP	01-03-089
388-05-0010	NEW	01-12-071	388-11-140	REP	01-03-089	388-14-385	REP	01-03-089
388-06-0010	NEW-P	01-10-062	388-11-143	REP	01-03-089	388-14-386	REP	01-03-089
388-06-0010	NEW	01-18-025	388-11-145	REP	01-03-089	388-14-387	REP	01-03-089
388-06-0020	NEW-P	01-10-062	388-11-150	REP	01-03-089	388-14-388	REP	01-03-089
388-06-0020	NEW	01-18-025	388-11-155	REP	01-03-089	388-14-390	REP	01-03-089
388-06-0100	NEW-P	01-10-062	388-11-170	REP	01-03-089	388-14-395	REP	01-03-089
388-06-0100	NEW	01-18-025	388-11-180	REP	01-03-089	388-14-410	REP	01-03-089
388-06-0110	NEW-P	01-10-062	388-11-205	REP	01-03-089	388-14-415	REP	01-03-089
388-06-0110	NEW	01-18-025	388-11-210	REP	01-03-089	388-14-420	REP	01-03-089
388-06-0120	NEW-P	01-10-062	388-11-215	REP	01-03-089	388-14-421	REP	01-03-089
388-06-0120	NEW	01-18-025	388-11-220	REP	01-03-089	388-14-422	REP	01-03-089
388-06-0130	NEW-P	01-10-062	388-11-280	REP	01-03-089	388-14-423	REP	01-03-089
388-06-0130	NEW	01-18-025	388-11-300	REP	01-03-089	388-14-424	REP	01-03-089
388-06-0140	NEW-P	01-10-062	388-11-305	REP	01-03-089	388-14-427	REP	01-03-089
388-06-0140	NEW	01-18-025	388-11-310	REP	01-03-089	388-14-427	REP	01-03-089
388-06-0150	NEW-P	01-10-062	388-11-320	REP	01-03-089	388-14-435	REP	01-03-089
388-06-0150	NEW	01-18-025	388-11-325	REP	01-03-089	388-14-440	REP	01-03-089
388-06-0160	NEW-P	01-10-062	388-11-330	REP	01-03-089	388-14-450	REP	01-03-089
388-06-0160	NEW	01-18-025	388-11-335	REP	01-03-089	388-14-460	REP	01-03-089
388-06-0170	NEW-P	01-10-062	388-11-340	REP	01-03-089	388-14-480	REP	01-03-089
388-06-0170	NEW	01-18-025	388-13-010	REP	01-03-089	388-14-490	REP	01-03-089
388-06-0180	NEW-P	01-10-062	388-13-020	REP	01-03-089	388-14-495	REP	01-03-089
388-06-0180	NEW	01-18-025	388-13-030	REP	01-03-089	388-14-496	REP	01-03-089
388-06-0190	NEW-P	01-10-062	388-13-040	REP	01-03-089	388-14-500	REP	01-03-089
388-06-0190	NEW	01-18-025	388-13-050	REP	01-03-089	388-14-510	REP	01-03-089
388-06-0200	NEW-P	01-10-062	388-13-060	REP	01-03-089	388-14-520	REP	01-03-089
388-06-0200	NEW	01-18-025	388-13-070	REP	01-03-089	388-14-530	REP	01-03-089
388-06-0210	NEW-P	01-10-062	388-13-085	REP	01-03-089	388-14-540	REP	01-03-089
388-06-0210	NEW	01-18-025	388-13-090	REP	01-03-089	388-14-550	REP	01-03-089
388-06-0220	NEW-P	01-10-062	388-13-100	REP	01-03-089	388-14-560	REP	01-03-089
388-06-0220	NEW	01-18-025	388-13-110	REP	01-03-089	388-14-570	REP	01-03-089
388-06-0230	NEW-P	01-10-062	388-13-120	REP	01-03-089	388-14A-1000	NEW	01-03-089
388-06-0230	NEW	01-18-025	388-14-010	REP	01-03-089	388-14A-1005	NEW	01-03-089
388-06-0240	NEW-P	01-10-062	388-14-020	REP	01-03-089	388-14A-1010	NEW	01-03-089
388-06-0240	NEW	01-18-025	388-14-030	REP	01-03-089	388-14A-1015	NEW	01-03-089
388-06-0250	NEW-P	01-10-062	388-14-035	REP	01-03-089	388-14A-1020	NEW	01-03-089
388-06-0250	NEW	01-18-025	388-14-040	REP	01-03-089	388-14A-1025	NEW	01-03-089
388-06-0260	NEW-P	01-10-062	388-14-045	REP	01-03-089	388-14A-1025	PREP	01-13-049
388-06-0260	NEW	01-18-025	388-14-050	REP	01-03-089	388-14A-1025	AMD-P	01-21-103
388-06-0500	NEW-P	01-10-064	388-14-100	REP	01-03-089	388-14A-1030	NEW	01-03-089
388-06-0500	NEW	01-15-019	388-14-200	REP	01-03-089	388-14A-1035	NEW	01-03-089
388-06-0510	NEW-P	01-10-064	388-14-201	REP	01-03-089	388-14A-1036	NEW	01-03-089
388-06-0510	NEW	01-15-019	388-14-202	REP	01-03-089	388-14A-1040	NEW	01-03-089
388-06-0520	NEW-P	01-10-064	388-14-203	REP	01-03-089	388-14A-1045	NEW	01-03-089
388-06-0520	NEW	01-15-019	388-14-205	REP	01-03-089	388-14A-1050	NEW	01-03-089
388-06-0525	NEW-P	01-10-064	388-14-210	REP	01-03-089	388-14A-1055	NEW	01-03-089
						388-14A-1060	NEW	01-03-089

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 14A-2000	NEW	01-03-089	388- 14A-3320	NEW	01-03-089	388- 14A-5001	NEW	01-03-089
388- 14A-2005	NEW	01-03-089	388- 14A-3350	NEW	01-03-089	388- 14A-5001	PREP	01-09-043
388- 14A-2010	NEW	01-03-089	388- 14A-3370	NEW	01-03-089	388- 14A-5001	AMD-P	01-21-104
388- 14A-2015	NEW	01-03-089	388- 14A-3375	NEW	01-03-089	388- 14A-5002	NEW	01-03-089
388- 14A-2020	NEW	01-03-089	388- 14A-3400	NEW	01-03-089	388- 14A-5002	PREP	01-09-043
388- 14A-2025	NEW	01-03-089	388- 14A-3500	NEW	01-03-089	388- 14A-5003	NEW	01-03-089
388- 14A-2030	NEW	01-03-089	388- 14A-3600	NEW	01-03-089	388- 14A-5003	PREP	01-09-043
388- 14A-2035	NEW	01-03-089	388- 14A-3600	PREP	01-09-042	388- 14A-5003	AMD-P	01-21-104
388- 14A-2036	NEW	01-03-089	388- 14A-3600	AMD-P	01-21-100	388- 14A-5004	NEW	01-03-089
388- 14A-2037	NEW	01-03-089	388- 14A-3700	NEW	01-03-089	388- 14A-5004	PREP	01-09-043
388- 14A-2038	NEW	01-03-089	388- 14A-3800	NEW	01-03-089	388- 14A-5005	NEW	01-03-089
388- 14A-2040	NEW	01-03-089	388- 14A-3810	NEW	01-03-089	388- 14A-5005	PREP	01-09-043
388- 14A-2041	NEW	01-03-089	388- 14A-3900	NEW	01-03-089	388- 14A-5006	NEW	01-03-089
388- 14A-2045	NEW	01-03-089	388- 14A-3900	PREP	01-13-020	388- 14A-5006	PREP	01-09-043
388- 14A-2050	NEW	01-03-089	388- 14A-3901	NEW	01-03-089	388- 14A-5006	AMD-P	01-21-104
388- 14A-2060	NEW	01-03-089	388- 14A-3901	PREP	01-13-020	388- 14A-5007	NEW	01-03-089
388- 14A-2065	NEW	01-03-089	388- 14A-3902	NEW	01-03-089	388- 14A-5007	PREP	01-09-043
388- 14A-2065	PREP	01-13-049	388- 14A-3902	PREP	01-13-020	388- 14A-5007	AMD-P	01-21-104
388- 14A-2065	AMD-P	01-21-103	388- 14A-3903	NEW	01-03-089	388- 14A-5008	NEW	01-03-089
388- 14A-2070	NEW	01-03-089	388- 14A-3903	PREP	01-13-020	388- 14A-5050	NEW	01-03-089
388- 14A-2075	NEW	01-03-089	388- 14A-3904	NEW	01-03-089	388- 14A-5100	NEW	01-03-089
388- 14A-2080	NEW	01-03-089	388- 14A-3904	PREP	01-13-020	388- 14A-5200	NEW	01-03-089
388- 14A-2085	NEW	01-03-089	388- 14A-3905	NEW	01-03-089	388- 14A-5300	NEW	01-03-089
388- 14A-2090	NEW	01-03-089	388- 14A-3905	PREP	01-13-020	388- 14A-5400	NEW	01-03-089
388- 14A-2095	NEW	01-03-089	388- 14A-3906	NEW	01-03-089	388- 14A-5500	NEW	01-03-089
388- 14A-2097	NEW	01-03-089	388- 14A-3906	PREP	01-13-020	388- 14A-5505	NEW	01-03-089
388- 14A-2099	NEW	01-03-089	388- 14A-3907	NEW	01-03-089	388- 14A-5510	NEW	01-03-089
388- 14A-2105	NEW	01-03-089	388- 14A-3907	PREP	01-13-020	388- 14A-5515	NEW	01-03-089
388- 14A-2105	PREP	01-09-027	388- 14A-3925	NEW	01-03-089	388- 14A-5520	NEW	01-03-089
388- 14A-2105	AMD-P	01-21-105	388- 14A-3925	PREP	01-13-020	388- 14A-5525	NEW	01-03-089
388- 14A-2107	NEW-P	01-21-105	388- 14A-4000	NEW	01-03-089	388- 14A-5530	NEW	01-03-089
388- 14A-2110	NEW	01-03-089	388- 14A-4010	NEW	01-03-089	388- 14A-5535	NEW	01-03-089
388- 14A-2110	PREP	01-09-027	388- 14A-4020	NEW	01-03-089	388- 14A-5540	NEW	01-03-089
388- 14A-2110	AMD-P	01-21-105	388- 14A-4030	NEW	01-03-089	388- 14A-6000	NEW	01-03-089
388- 14A-2112	NEW-P	01-21-105	388- 14A-4040	NEW	01-03-089	388- 14A-6100	NEW	01-03-089
388- 14A-2114	NEW-P	01-21-105	388- 14A-4100	NEW	01-03-089	388- 14A-6150	PREP	01-13-048
388- 14A-2115	NEW	01-03-089	388- 14A-4110	NEW	01-03-089	388- 14A-6150	NEW-P	01-21-102
388- 14A-2115	PREP	01-09-027	388- 14A-4115	NEW	01-03-089	388- 14A-6200	NEW	01-03-089
388- 14A-2115	AMD-P	01-21-105	388- 14A-4120	NEW	01-03-089	388- 14A-6200	PREP	01-09-041
388- 14A-2116	NEW-P	01-21-105	388- 14A-4130	NEW	01-03-089	388- 14A-6200	AMD-P	01-21-101
388- 14A-2120	NEW	01-03-089	388- 14A-4200	NEW	01-03-089	388- 14A-6205	NEW-P	01-21-101
388- 14A-2120	PREP	01-09-027	388- 14A-4300	NEW	01-03-089	388- 14A-6210	NEW-P	01-21-101
388- 14A-2120	AMD-P	01-21-105	388- 14A-4301	NEW	01-03-089	388- 14A-6215	NEW-P	01-21-101
388- 14A-2125	NEW	01-03-089	388- 14A-4302	NEW	01-03-089	388- 14A-6220	NEW-P	01-21-101
388- 14A-2125	PREP	01-09-027	388- 14A-4303	NEW	01-03-089	388- 14A-6300	NEW	01-03-089
388- 14A-2125	AMD-P	01-21-105	388- 14A-4304	NEW	01-03-089	388- 14A-6400	NEW	01-03-089
388- 14A-2130	NEW-P	01-21-105	388- 14A-4500	NEW	01-03-089	388- 14A-6405	NEW	01-03-089
388- 14A-2135	NEW-P	01-21-105	388- 14A-4505	NEW	01-03-089	388- 14A-6410	NEW	01-03-089
388- 14A-2140	NEW-P	01-21-105	388- 14A-4510	NEW	01-03-089	388- 14A-6415	NEW	01-03-089
388- 14A-2150	NEW	01-03-089	388- 14A-4515	NEW	01-03-089	388- 14A-6500	NEW	01-03-089
388- 14A-2150	AMD-P	01-21-105	388- 14A-4520	NEW	01-03-089	388- 14A-7100	NEW	01-03-089
388- 14A-2155	NEW	01-03-089	388- 14A-4525	NEW	01-03-089	388- 14A-7200	NEW	01-03-089
388- 14A-2160	NEW	01-03-089	388- 14A-4530	NEW	01-03-089	388- 14A-8100	NEW	01-03-089
388- 14A-3131	PREP	01-13-048	388- 14A-4600	NEW	01-03-089	388- 14A-8105	NEW	01-03-089
388- 14A-3131	AMD-P	01-21-102	388- 14A-4605	NEW	01-03-089	388- 14A-8110	NEW	01-03-089
388- 14A-3132	PREP	01-13-048	388- 14A-4605	PREP	01-13-047	388- 14A-8120	NEW	01-03-089
388- 14A-3132	AMD-P	01-21-102	388- 14A-4605	AMD-P	01-21-099	388- 14A-8200	NEW	01-03-089
388- 14A-3275	NEW	01-03-089	388- 14A-4610	NEW	01-03-089	388- 14A-8300	NEW	01-03-089
388- 14A-3300	NEW	01-03-089	388- 14A-4615	NEW	01-03-089	388- 14A-8400	NEW	01-03-089
388- 14A-3304	NEW	01-03-089	388- 14A-4620	NEW	01-03-089	388- 14A-8500	NEW	01-03-089
388- 14A-3310	NEW	01-03-089	388- 14A-5000	NEW	01-03-089	388- 15-001	NEW-W	01-07-072
388- 14A-3315	NEW	01-03-089	388- 14A-5000	PREP	01-09-043	388- 15-005	NEW-W	01-07-072

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-27-0275	NEW	01-08-045	388-60-0085	NEW	01-08-046	388-60-0705	NEW	01-08-046
388-27-0280	NEW	01-08-045	388-60-0095	NEW	01-08-046	388-60-0715	NEW	01-08-046
388-27-0285	NEW	01-08-045	388-60-0105	NEW	01-08-046	388-60-0725	NEW	01-08-046
388-27-0290	NEW	01-08-045	388-60-0115	NEW	01-08-046	388-60-0735	NEW	01-08-046
388-27-0295	NEW	01-08-045	388-60-0125	NEW	01-08-046	388-60-0745	NEW	01-08-046
388-27-0300	NEW	01-08-045	388-60-0135	NEW	01-08-046	388-60-0755	NEW	01-08-046
388-27-0305	NEW	01-08-045	388-60-0145	NEW	01-08-046	388-60-120	REP	01-08-046
388-27-0310	NEW	01-08-045	388-60-0155	NEW	01-08-046	388-60-130	REP	01-08-046
388-27-0315	NEW	01-08-045	388-60-0165	NEW	01-08-046	388-60-140	REP	01-08-046
388-27-0320	NEW	01-08-045	388-60-0175	NEW	01-08-046	388-60-150	REP	01-08-046
388-27-0325	NEW	01-08-045	388-60-0185	NEW	01-08-046	388-60-160	REP	01-08-046
388-27-0330	NEW	01-08-045	388-60-0195	NEW	01-08-046	388-60-170	REP	01-08-046
388-27-0335	NEW	01-08-045	388-60-0205	NEW	01-08-046	388-60-180	REP	01-08-046
388-27-0340	NEW	01-08-045	388-60-0215	NEW	01-08-046	388-60-190	REP	01-08-046
388-27-0345	NEW	01-08-045	388-60-0225	NEW	01-08-046	388-60-200	REP	01-08-046
388-27-0350	NEW	01-08-045	388-60-0235	NEW	01-08-046	388-60-210	REP	01-08-046
388-27-0355	NEW	01-08-045	388-60-0245	NEW	01-08-046	388-60-220	REP	01-08-046
388-27-0360	NEW	01-08-045	388-60-0255	NEW	01-08-046	388-60-230	REP	01-08-046
388-27-0365	NEW	01-08-045	388-60-0265	NEW	01-08-046	388-60-240	REP	01-08-046
388-27-0370	NEW	01-08-045	388-60-0275	NEW	01-08-046	388-60-250	REP	01-08-046
388-27-0375	NEW	01-08-045	388-60-0285	NEW	01-08-046	388-60-260	REP	01-08-046
388-27-0380	NEW	01-08-045	388-60-0295	NEW	01-08-046	388-61A-0005	NEW	01-07-053
388-27-0385	NEW	01-08-045	388-60-0305	NEW	01-08-046	388-61A-0010	NEW	01-07-053
388-27-0390	NEW	01-08-045	388-60-0315	NEW	01-08-046	388-61A-0015	NEW	01-07-053
388-31-010	REP-P	01-04-070	388-60-0325	NEW	01-08-046	388-61A-0020	NEW	01-07-053
388-31-010	REP	01-09-023	388-60-0335	NEW	01-08-046	388-61A-0025	NEW	01-07-053
388-31-015	REP-P	01-04-070	388-60-0345	NEW	01-08-046	388-61A-0030	NEW	01-07-053
388-31-015	REP	01-09-023	388-60-0355	NEW	01-08-046	388-61A-0035	NEW	01-07-053
388-31-020	REP-P	01-04-070	388-60-0365	NEW	01-08-046	388-61A-0040	NEW	01-07-053
388-31-020	REP	01-09-023	388-60-0375	NEW	01-08-046	388-61A-0045	NEW	01-07-053
388-31-025	REP-P	01-04-070	388-60-0385	NEW	01-08-046	388-61A-0050	NEW	01-07-053
388-31-025	REP	01-09-023	388-60-0395	NEW	01-08-046	388-61A-0055	NEW	01-07-053
388-31-030	REP-P	01-04-070	388-60-0405	NEW	01-08-046	388-61A-0060	NEW	01-07-053
388-31-030	REP	01-09-023	388-60-0415	NEW	01-08-046	388-61A-0065	NEW	01-07-053
388-31-035	REP-P	01-04-070	388-60-0425	NEW	01-08-046	388-61A-0070	NEW	01-07-053
388-31-035	REP	01-09-023	388-60-0435	NEW	01-08-046	388-61A-0075	NEW	01-07-053
388-32-0005	NEW	01-08-047	388-60-0445	NEW	01-08-046	388-61A-0080	NEW	01-07-053
388-32-0010	NEW	01-08-047	388-60-0455	NEW	01-08-046	388-61A-0085	NEW	01-07-053
388-32-0015	NEW	01-08-047	388-60-0465	NEW	01-08-046	388-61A-0090	NEW	01-07-053
388-32-0020	NEW	01-08-047	388-60-0475	NEW	01-08-046	388-61A-0095	NEW	01-07-053
388-32-0025	NEW	01-08-047	388-60-0485	NEW	01-08-046	388-61A-0100	NEW	01-07-053
388-32-0030	NEW	01-08-047	388-60-0495	NEW	01-08-046	388-61A-0105	NEW	01-07-053
388-39A-010	NEW	01-06-041	388-60-0505	NEW	01-08-046	388-61A-0110	NEW	01-07-053
388-39A-030	NEW	01-06-041	388-60-0515	NEW	01-08-046	388-61A-0115	NEW	01-07-053
388-39A-035	NEW	01-06-041	388-60-0525	NEW	01-08-046	388-61A-0120	NEW	01-07-053
388-39A-040	NEW	01-06-041	388-60-0535	NEW	01-08-046	388-61A-0125	NEW	01-07-053
388-39A-045	NEW	01-06-041	388-60-0545	NEW	01-08-046	388-61A-0130	NEW	01-07-053
388-39A-050	NEW	01-06-041	388-60-0555	NEW	01-08-046	388-61A-0135	NEW	01-07-053
388-39A-055	NEW	01-06-041	388-60-0565	NEW	01-08-046	388-61A-0140	NEW	01-07-053
388-39A-060	NEW	01-06-041	388-60-0575	NEW	01-08-046	388-61A-0145	NEW	01-07-053
388-46-010	REP	01-06-044	388-60-0585	NEW	01-08-046	388-61A-0150	NEW	01-07-053
388-46-100	REP	01-06-044	388-60-0595	NEW	01-08-046	388-61A-0155	NEW	01-07-053
388-46-110	REP	01-06-044	388-60-0605	NEW	01-08-046	388-61A-0160	NEW	01-07-053
388-46-120	REP	01-06-044	388-60-0615	NEW	01-08-046	388-61A-0165	NEW	01-07-053
388-60-0015	NEW	01-08-046	388-60-0625	NEW	01-08-046	388-61A-0170	NEW	01-07-053
388-60-0025	NEW	01-08-046	388-60-0635	NEW	01-08-046	388-61A-0175	NEW	01-07-053
388-60-0035	NEW	01-08-046	388-60-0645	NEW	01-08-046	388-61A-0180	NEW	01-07-053
388-60-0045	NEW	01-08-046	388-60-0655	NEW	01-08-046	388-61A-0185	NEW	01-07-053
388-60-005	REP	01-08-046	388-60-0665	NEW	01-08-046	388-61A-0190	NEW	01-07-053
388-60-0055	NEW	01-08-046	388-60-0675	NEW	01-08-046	388-61A-0195	NEW	01-07-053
388-60-0065	NEW	01-08-046	388-60-0685	NEW	01-08-046	388-70-010	REP	01-08-047
388-60-0075	NEW	01-08-046	388-60-0695	NEW	01-08-046	388-70-012	REP	01-08-047

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388- 70-013	REP	01-08-047	388- 71-0550	REP-P	01-07-045	388- 73-01950	REP-W	01-08-064
388- 70-022	REP	01-08-047	388- 71-0550	REP	01-11-019	388- 73-01950	REP-P	01-12-101
388- 70-024	REP	01-08-047	388- 71-0551	NEW-P	01-07-045	388- 73-01950	REP	01-18-037
388- 70-031	REP	01-08-047	388- 71-0551	NEW	01-11-019	388- 73-020	REP-W	01-08-064
388- 70-032	REP	01-08-047	388- 71-0555	REP-P	01-07-045	388- 73-020	REP-P	01-12-101
388- 70-033	REP	01-08-047	388- 71-0555	REP	01-11-019	388- 73-020	REP	01-18-037
388- 70-034	REP	01-08-047	388- 71-0556	NEW-P	01-07-045	388- 73-022	REP-W	01-08-064
388- 70-035	REP	01-08-047	388- 71-0556	NEW	01-11-019	388- 73-022	REP-P	01-12-101
388- 70-036	REP	01-08-047	388- 71-0560	AMD-P	01-07-045	388- 73-022	REP	01-18-037
388- 70-037	REP	01-08-047	388- 71-0560	AMD	01-11-019	388- 73-024	REP-W	01-08-064
388- 70-041	REP	01-08-047	388- 71-0580	AMD-P	01-07-045	388- 73-024	REP-P	01-12-101
388- 70-042	REP	01-08-047	388- 71-0580	AMD	01-11-019	388- 73-024	REP	01-18-037
388- 70-044	REP	01-08-047	388- 71-0605	AMD-P	01-03-155	388- 73-026	REP-W	01-08-064
388- 70-048	REP	01-08-047	388- 71-0605	AMD	01-14-055	388- 73-026	REP-P	01-12-101
388- 70-051	REP	01-08-047	388- 71-0613	NEW-P	01-03-155	388- 73-026	REP	01-18-037
388- 70-054	REP	01-08-047	388- 71-0613	NEW	01-14-055	388- 73-028	REP-W	01-08-064
388- 70-058	REP	01-08-047	388- 71-0900	NEW-P	01-07-044	388- 73-028	REP-P	01-12-101
388- 70-062	REP	01-08-047	388- 71-0900	NEW	01-11-018	388- 73-028	REP	01-18-037
388- 70-066	REP	01-08-047	388- 71-0905	NEW-P	01-07-044	388- 73-030	REP-W	01-08-064
388- 70-068	REP	01-08-047	388- 71-0905	NEW	01-11-018	388- 73-030	REP-P	01-12-101
388- 70-069	REP	01-08-047	388- 71-0910	NEW-P	01-07-044	388- 73-030	REP	01-18-037
388- 70-075	REP	01-08-047	388- 71-0910	NEW	01-11-018	388- 73-032	REP-W	01-08-064
388- 70-078	REP	01-08-047	388- 71-0915	NEW-P	01-07-044	388- 73-032	REP-P	01-12-101
388- 70-080	REP	01-08-047	388- 71-0915	NEW	01-11-018	388- 73-032	REP	01-18-037
388- 70-082	REP	01-08-047	388- 71-0920	NEW-P	01-07-044	388- 73-034	REP-W	01-08-064
388- 70-084	REP	01-08-047	388- 71-0920	NEW	01-11-018	388- 73-034	REP-P	01-12-101
388- 70-170	REP	01-08-047	388- 71-0925	NEW-P	01-07-044	388- 73-034	REP	01-18-037
388- 70-410	REP	01-08-047	388- 71-0925	NEW	01-11-018	388- 73-036	REP-W	01-08-064
388- 70-420	REP	01-08-047	388- 71-0930	NEW-P	01-07-044	388- 73-036	REP-P	01-12-101
388- 70-430	REP	01-08-047	388- 71-0930	NEW	01-11-018	388- 73-036	REP	01-18-037
388- 70-440	REP	01-08-047	388- 71-0935	NEW-P	01-07-044	388- 73-038	REP-W	01-08-064
388- 70-460	REP	01-08-047	388- 71-0935	NEW	01-11-018	388- 73-038	REP-P	01-12-101
388- 70-470	REP	01-08-047	388- 71-0940	NEW-P	01-07-044	388- 73-038	REP	01-18-037
388- 70-480	REP	01-08-047	388- 71-0940	NEW	01-11-018	388- 73-040	REP-W	01-08-064
388- 70-510	REP	01-08-045	388- 71-0945	NEW-P	01-07-044	388- 73-040	REP-P	01-12-101
388- 70-520	REP	01-08-045	388- 71-0945	NEW	01-11-018	388- 73-040	REP	01-18-037
388- 70-530	REP	01-08-045	388- 71-0950	NEW-P	01-07-044	388- 73-042	REP-W	01-08-064
388- 70-540	REP	01-08-045	388- 71-0950	NEW	01-11-018	388- 73-042	REP-P	01-12-101
388- 70-550	REP	01-08-045	388- 71-0955	NEW-P	01-07-044	388- 73-042	REP	01-18-037
388- 70-560	REP	01-08-045	388- 71-0955	NEW	01-11-018	388- 73-044	REP-W	01-08-064
388- 70-570	REP	01-08-045	388- 71-0960	NEW-P	01-07-044	388- 73-044	REP-P	01-12-101
388- 70-580	REP	01-08-045	388- 71-0960	NEW	01-11-018	388- 73-044	REP	01-18-037
388- 70-590	REP	01-08-045	388- 71-0965	NEW-P	01-07-044	388- 73-046	REP-W	01-08-064
388- 70-595	REP	01-08-045	388- 71-0965	NEW	01-11-018	388- 73-046	REP-P	01-12-101
388- 70-700	REP	01-08-047	388- 73-010	REP-W	01-08-064	388- 73-046	REP	01-18-037
388- 71	PREP	01-11-095	388- 73-010	REP-P	01-12-101	388- 73-048	REP-W	01-08-064
388- 71-0500	AMD-P	01-07-045	388- 73-010	REP	01-18-037	388- 73-048	REP-P	01-12-101
388- 71-0500	AMD	01-11-019	388- 73-012	REP-W	01-08-064	388- 73-048	REP	01-18-037
388- 71-0505	AMD-P	01-07-045	388- 73-012	REP-P	01-12-101	388- 73-050	REP-W	01-08-064
388- 71-0505	AMD	01-11-019	388- 73-012	REP	01-18-037	388- 73-050	REP-P	01-12-101
388- 71-0510	AMD-P	01-07-045	388- 73-014	REP-W	01-08-064	388- 73-050	REP	01-18-037
388- 71-0510	AMD	01-11-019	388- 73-014	REP-P	01-12-101	388- 73-052	REP-W	01-08-064
388- 71-0513	NEW-P	01-07-045	388- 73-014	REP	01-18-037	388- 73-052	REP-P	01-12-101
388- 71-0513	NEW	01-11-019	388- 73-016	REP-W	01-08-064	388- 73-052	REP	01-18-037
388- 71-0515	AMD-P	01-07-045	388- 73-016	REP-P	01-12-101	388- 73-054	REP-W	01-08-064
388- 71-0515	AMD	01-11-019	388- 73-016	REP	01-18-037	388- 73-054	REP-P	01-12-101
388- 71-0540	AMD-P	01-07-045	388- 73-018	REP-W	01-08-064	388- 73-054	REP	01-18-037
388- 71-0540	AMD	01-11-019	388- 73-018	REP-P	01-12-101	388- 73-056	REP-W	01-08-064
388- 71-0545	REP-P	01-07-045	388- 73-018	REP	01-18-037	388- 73-056	REP-P	01-12-101
388- 71-0545	REP	01-11-019	388- 73-018	REP	01-18-037	388- 73-056	REP	01-18-037
388- 71-0546	NEW-P	01-07-045	388- 73-019	REP-W	01-08-064	388- 73-057	REP-W	01-08-064
388- 71-0546	NEW	01-11-019	388- 73-019	REP-P	01-12-101	388- 73-057	REP-P	01-12-101

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-73-357	REP	01-18-037	388-73-504	REP-P	01-12-101	388-73-800	REP-W	01-08-064
388-73-361	REP-W	01-08-064	388-73-504	REP	01-18-037	388-73-800	REP-P	01-12-101
388-73-361	REP-P	01-12-101	388-73-506	REP-W	01-08-064	388-73-800	REP	01-18-037
388-73-361	REP	01-18-037	388-73-506	REP-P	01-12-101	388-73-802	REP-W	01-08-064
388-73-363	REP-W	01-08-064	388-73-506	REP	01-18-037	388-73-802	REP-P	01-12-101
388-73-363	REP-P	01-12-101	388-73-508	REP-W	01-08-064	388-73-802	REP	01-18-037
388-73-363	REP	01-18-037	388-73-508	REP-P	01-12-101	388-73-803	REP-W	01-08-064
388-73-365	REP-W	01-08-064	388-73-508	REP	01-18-037	388-73-803	REP-P	01-12-101
388-73-365	REP-P	01-12-101	388-73-510	REP-W	01-08-064	388-73-803	REP	01-18-037
388-73-365	REP	01-18-037	388-73-510	REP-P	01-12-101	388-73-804	REP-W	01-08-064
388-73-367	REP-W	01-08-064	388-73-510	REP	01-18-037	388-73-804	REP-P	01-12-101
388-73-367	REP-P	01-12-101	388-73-512	REP-W	01-08-064	388-73-804	REP	01-18-037
388-73-367	REP	01-18-037	388-73-512	REP-P	01-12-101	388-73-805	REP-W	01-08-064
388-73-369	REP-W	01-08-064	388-73-512	REP	01-18-037	388-73-805	REP-P	01-12-101
388-73-369	REP-P	01-12-101	388-73-600	REP-W	01-08-064	388-73-805	REP	01-18-037
388-73-369	REP	01-18-037	388-73-600	REP-P	01-12-101	388-73-810	REP-W	01-08-064
388-73-371	REP-W	01-08-064	388-73-600	REP	01-18-037	388-73-810	REP-P	01-12-101
388-73-371	REP-P	01-12-101	388-73-602	REP-W	01-08-064	388-73-810	REP	01-18-037
388-73-371	REP	01-18-037	388-73-602	REP-P	01-12-101	388-73-815	REP-W	01-08-064
388-73-373	REP-W	01-08-064	388-73-602	REP	01-18-037	388-73-815	REP-P	01-12-101
388-73-373	REP-P	01-12-101	388-73-604	REP-W	01-08-064	388-73-815	REP	01-18-037
388-73-373	REP	01-18-037	388-73-604	REP-P	01-12-101	388-73-820	REP-W	01-08-064
388-73-375	REP-W	01-08-064	388-73-604	REP	01-18-037	388-73-820	REP-P	01-12-101
388-73-375	REP-P	01-12-101	388-73-606	REP-W	01-08-064	388-73-820	REP	01-18-037
388-73-375	REP	01-18-037	388-73-606	REP-P	01-12-101	388-73-821	REP-W	01-08-064
388-73-377	REP-W	01-08-064	388-73-606	REP	01-18-037	388-73-821	REP-P	01-12-101
388-73-377	REP-P	01-12-101	388-73-610	REP-W	01-08-064	388-73-821	REP	01-18-037
388-73-377	REP	01-18-037	388-73-610	REP-P	01-12-101	388-73-822	REP-W	01-08-064
388-73-379	REP-W	01-08-064	388-73-610	REP	01-18-037	388-73-822	REP-P	01-12-101
388-73-379	REP-P	01-12-101	388-73-700	REP-W	01-08-064	388-73-822	REP	01-18-037
388-73-379	REP	01-18-037	388-73-700	REP-P	01-12-101	388-73-823	REP-W	01-08-064
388-73-381	REP-W	01-08-064	388-73-700	REP	01-18-037	388-73-823	REP-P	01-12-101
388-73-381	REP-P	01-12-101	388-73-702	REP-W	01-08-064	388-73-823	REP	01-18-037
388-73-381	REP	01-18-037	388-73-702	REP-P	01-12-101	388-73-825	REP-W	01-08-064
388-73-383	REP-W	01-08-064	388-73-702	REP	01-18-037	388-73-825	REP-P	01-12-101
388-73-383	REP-P	01-12-101	388-73-704	REP-W	01-08-064	388-73-825	REP	01-18-037
388-73-383	REP	01-18-037	388-73-704	REP-P	01-12-101	388-73-900	REP-W	01-08-064
388-73-385	REP-W	01-08-064	388-73-704	REP	01-18-037	388-73-900	REP-P	01-12-101
388-73-385	REP-P	01-12-101	388-73-706	REP-W	01-08-064	388-73-900	REP	01-18-037
388-73-385	REP	01-18-037	388-73-706	REP-P	01-12-101	388-73-901	REP-W	01-08-064
388-73-387	REP-W	01-08-064	388-73-706	REP	01-18-037	388-73-901	REP-P	01-12-101
388-73-387	REP-P	01-12-101	388-73-708	REP-W	01-08-064	388-73-901	REP	01-18-037
388-73-387	REP	01-18-037	388-73-708	REP-P	01-12-101	388-73-902	REP-W	01-08-064
388-73-389	REP-W	01-08-064	388-73-708	REP	01-18-037	388-73-902	REP-P	01-12-101
388-73-389	REP-P	01-12-101	388-73-710	REP-W	01-08-064	388-73-902	REP	01-18-037
388-73-389	REP	01-18-037	388-73-710	REP-P	01-12-101	388-73-904	REP-W	01-08-064
388-73-391	REP-W	01-08-064	388-73-710	REP	01-18-037	388-73-904	REP-P	01-12-101
388-73-391	REP-P	01-12-101	388-73-712	REP-W	01-08-064	388-73-904	REP	01-18-037
388-73-391	REP	01-18-037	388-73-712	REP-P	01-12-101	388-74-010	REP	01-06-041
388-73-393	REP-W	01-08-064	388-73-712	REP	01-18-037	388-74-030	REP	01-06-041
388-73-393	REP-P	01-12-101	388-73-714	REP-W	01-08-064	388-76-765	PREP	01-18-053
388-73-393	REP	01-18-037	388-73-714	REP-P	01-12-101	388-86-071	REP	01-05-040
388-73-395	REP-W	01-08-064	388-73-714	REP	01-18-037	388-86-085	REP	01-06-029
388-73-395	REP-P	01-12-101	388-73-718	REP-W	01-08-064	388-86-086	REP	01-03-084
388-73-395	REP	01-18-037	388-73-718	REP-P	01-12-101	388-86-100	REP-W	01-03-001
388-73-500	REP-W	01-08-064	388-73-718	REP	01-18-037	388-86-100	REP	01-06-028
388-73-500	REP-P	01-12-101	388-73-720	REP-W	01-08-064	388-87-027	REP	01-06-032
388-73-500	REP	01-18-037	388-73-720	REP-P	01-12-101	388-87-035	REP	01-06-029
388-73-502	REP-W	01-08-064	388-73-720	REP	01-18-037	388-87-036	REP	01-03-084
388-73-502	REP-P	01-12-101	388-73-722	REP-W	01-08-064	388-87-060	REP	01-06-033
388-73-502	REP	01-18-037	388-73-722	REP-P	01-12-101	388-96	PREP	01-16-136
388-73-504	REP-W	01-08-064	388-73-722	REP	01-18-037	388-96-010	AMD-P	01-06-057

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-96-010	AMD	01-12-037	388-146-0110	NEW-W	01-07-071	388-148-0085	NEW	01-18-037
388-96-218	AMD-P	01-06-057	388-146-0120	NEW-W	01-07-071	388-148-0090	NEW-W	01-08-064
388-96-218	AMD	01-12-037	388-146-0130	NEW-W	01-07-071	388-148-0090	NEW-P	01-12-101
388-96-310	AMD-P	01-06-057	388-146-0140	NEW-W	01-07-071	388-148-0090	NEW	01-18-037
388-96-310	AMD-W	01-12-036	388-146-0150	NEW-W	01-07-071	388-148-0095	NEW-W	01-08-064
388-96-369	AMD-P	01-06-057	388-146-0160	NEW-W	01-07-071	388-148-0095	NEW-P	01-12-101
388-96-369	AMD	01-12-037	388-146-0170	NEW-W	01-07-071	388-148-0095	NEW	01-18-037
388-96-384	AMD-P	01-06-057	388-146-0180	NEW-W	01-07-071	388-148-0100	NEW-W	01-08-064
388-96-384	AMD	01-12-037	388-146-0190	NEW-W	01-07-071	388-148-0100	NEW-P	01-12-101
388-96-559	AMD-P	01-06-057	388-146-0200	NEW-W	01-07-071	388-148-0100	NEW	01-18-037
388-96-559	AMD	01-12-037	388-146-0210	NEW-W	01-07-071	388-148-0100	NEW-W	01-08-064
388-96-708	AMD-P	01-06-057	388-146-0220	NEW-W	01-07-071	388-148-0105	NEW-W	01-08-064
388-96-708	AMD	01-12-037	388-148-0005	NEW-W	01-08-064	388-148-0105	NEW-P	01-12-101
388-96-709	AMD-P	01-06-057	388-148-0005	NEW-P	01-12-101	388-148-0105	NEW	01-18-037
388-96-709	AMD	01-12-037	388-148-0005	NEW	01-18-037	388-148-0110	NEW-W	01-08-064
388-96-710	AMD-P	01-06-057	388-148-0010	NEW-W	01-08-064	388-148-0110	NEW-P	01-12-101
388-96-710	AMD	01-12-037	388-148-0010	NEW-P	01-12-101	388-148-0110	NEW	01-18-037
388-96-713	AMD-P	01-06-057	388-148-0010	NEW	01-18-037	388-148-0115	NEW-W	01-08-064
388-96-713	AMD	01-12-037	388-148-0015	NEW-W	01-08-064	388-148-0115	NEW-P	01-12-101
388-96-714	AMD-P	01-06-057	388-148-0015	NEW-P	01-12-101	388-148-0115	NEW	01-18-037
388-96-714	AMD	01-12-037	388-148-0015	NEW	01-18-037	388-148-0120	NEW-W	01-08-064
388-96-723	AMD-P	01-06-057	388-148-0020	NEW-W	01-08-064	388-148-0120	NEW-P	01-12-101
388-96-723	AMD	01-12-037	388-148-0020	NEW-P	01-12-101	388-148-0120	NEW	01-18-037
388-96-732	NEW-P	01-06-057	388-148-0020	NEW	01-18-037	388-148-0125	NEW-W	01-08-064
388-96-732	NEW	01-12-037	388-148-0025	NEW-W	01-08-064	388-148-0125	NEW-P	01-12-101
388-96-740	AMD-P	01-06-057	388-148-0025	NEW-P	01-12-101	388-148-0125	NEW	01-18-037
388-96-740	AMD	01-12-037	388-148-0030	NEW-W	01-08-064	388-148-0130	NEW-W	01-08-064
388-96-776	AMD-P	01-06-057	388-148-0030	NEW-P	01-12-101	388-148-0130	NEW-P	01-12-101
388-96-776	AMD	01-12-037	388-148-0030	NEW	01-18-037	388-148-0130	NEW	01-18-037
388-96-777	AMD-P	01-06-057	388-148-0035	NEW-W	01-08-064	388-148-0135	NEW-W	01-08-064
388-96-777	AMD	01-12-037	388-148-0035	NEW-P	01-12-101	388-148-0135	NEW-P	01-12-101
388-96-780	AMD-P	01-06-057	388-148-0035	NEW	01-18-037	388-148-0135	NEW	01-18-037
388-96-780	AMD	01-12-037	388-148-0035	NEW-P	01-12-101	388-148-0140	NEW-W	01-08-064
388-96-802	NEW-P	01-06-057	388-148-0040	NEW-W	01-08-064	388-148-0140	NEW-P	01-12-101
388-96-802	NEW	01-12-037	388-148-0040	NEW-P	01-12-101	388-148-0140	NEW	01-18-037
388-96-803	NEW-P	01-06-057	388-148-0040	NEW	01-18-037	388-148-0145	NEW-W	01-08-064
388-96-803	NEW	01-12-037	388-148-0045	NEW-W	01-08-064	388-148-0145	NEW-P	01-12-101
388-96-901	AMD-P	01-06-057	388-148-0045	NEW-P	01-12-101	388-148-0145	NEW	01-18-037
388-96-901	AMD	01-12-037	388-148-0045	NEW	01-18-037	388-148-0150	NEW-W	01-08-064
388-105-0005	NEW-P	01-10-103	388-148-0050	NEW-W	01-08-064	388-148-0150	NEW-P	01-12-101
388-105-0005	NEW	01-14-056	388-148-0050	NEW-P	01-12-101	388-148-0150	NEW	01-18-037
388-105-0005	AMD-P	01-18-033	388-148-0050	NEW	01-18-037	388-148-0155	NEW-W	01-08-064
388-105-0005	AMD	01-21-077	388-148-0055	NEW-W	01-08-064	388-148-0155	NEW-P	01-12-101
388-105-0010	NEW-P	01-10-103	388-148-0055	NEW-P	01-12-101	388-148-0155	NEW	01-18-037
388-105-0010	NEW	01-14-056	388-148-0055	NEW	01-18-037	388-148-0160	NEW-W	01-08-064
388-105-0015	NEW-P	01-10-103	388-148-0060	NEW-W	01-08-064	388-148-0160	NEW-P	01-12-101
388-105-0015	NEW	01-14-056	388-148-0060	NEW-P	01-12-101	388-148-0160	NEW	01-18-037
388-105-0020	NEW-P	01-10-103	388-148-0065	NEW-W	01-08-064	388-148-0165	NEW-W	01-08-064
388-105-0020	NEW	01-14-056	388-148-0065	NEW-P	01-12-101	388-148-0165	NEW-P	01-12-101
388-105-0025	NEW-P	01-10-103	388-148-0065	NEW	01-18-037	388-148-0165	NEW	01-18-037
388-105-0025	NEW	01-14-056	388-148-0070	NEW-W	01-08-064	388-148-0170	NEW-W	01-08-064
388-146-0010	NEW-W	01-07-071	388-148-0070	NEW-P	01-12-101	388-148-0170	NEW-P	01-12-101
388-146-0020	NEW-W	01-07-071	388-148-0070	NEW	01-18-037	388-148-0170	NEW	01-18-037
388-146-0030	NEW-W	01-07-071	388-148-0075	NEW-W	01-08-064	388-148-0175	NEW-W	01-08-064
388-146-0040	NEW-W	01-07-071	388-148-0075	NEW-P	01-12-101	388-148-0175	NEW-P	01-12-101
388-146-0045	NEW-W	01-07-071	388-148-0075	NEW	01-18-037	388-148-0175	NEW	01-18-037
388-146-0050	NEW-W	01-07-071	388-148-0075	NEW	01-18-037	388-148-0180	NEW-W	01-08-064
388-146-0060	NEW-W	01-07-071	388-148-0080	NEW-W	01-08-064	388-148-0180	NEW-P	01-12-101
388-146-0070	NEW-W	01-07-071	388-148-0080	NEW-P	01-12-101	388-148-0185	NEW-W	01-08-064
388-146-0080	NEW-W	01-07-071	388-148-0085	NEW	01-18-037	388-148-0185	NEW-P	01-12-101
388-146-0090	NEW-W	01-07-071	388-148-0085	NEW-W	01-08-064	388-148-0185	NEW	01-18-037
388-146-0100	NEW-W	01-07-071	388-148-0085	NEW-P	01-12-101	388-148-0190	NEW-W	01-08-064

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-148-1125	NEW-W	01-08-064	388-155-670	AMD	01-17-084	388-160-0185	NEW	01-15-001
388-148-1125	NEW-P	01-12-101	388-155-680	AMD-P	01-07-052	388-160-0195	NEW-W	01-07-070
388-148-1125	NEW	01-18-037	388-155-680	AMD	01-17-084	388-160-0195	NEW-P	01-10-063
388-148-1130	NEW-W	01-08-064	388-160-0005	NEW-W	01-07-070	388-160-0195	NEW	01-15-001
388-148-1130	NEW-P	01-12-101	388-160-0005	NEW-P	01-10-063	388-160-020	REP-W	01-07-070
388-148-1130	NEW	01-18-037	388-160-0005	NEW	01-15-001	388-160-020	REP-P	01-10-063
388-148-1135	NEW-W	01-08-064	388-160-0015	NEW-W	01-07-070	388-160-020	REP	01-15-001
388-148-1135	NEW-P	01-12-101	388-160-0015	NEW-P	01-10-063	388-160-0205	NEW-W	01-07-070
388-148-1135	NEW	01-18-037	388-160-0015	NEW	01-15-001	388-160-0205	NEW-P	01-10-063
388-148-1140	NEW-W	01-08-064	388-160-0025	NEW-W	01-07-070	388-160-0205	NEW	01-15-001
388-148-1145	NEW-W	01-08-064	388-160-0025	NEW-P	01-10-063	388-160-0215	NEW-W	01-07-070
388-155-040	AMD-P	01-07-052	388-160-0025	NEW	01-15-001	388-160-0215	NEW-P	01-10-063
388-155-040	AMD	01-17-084	388-160-0035	NEW-W	01-07-070	388-160-0215	NEW	01-15-001
388-155-050	AMD-P	01-07-052	388-160-0035	NEW-P	01-10-063	388-160-0225	NEW-W	01-07-070
388-155-050	AMD	01-17-084	388-160-0035	NEW	01-15-001	388-160-0225	NEW-P	01-10-063
388-155-060	AMD-P	01-07-052	388-160-0045	NEW-W	01-07-070	388-160-0225	NEW	01-15-001
388-155-060	AMD	01-17-084	388-160-0045	NEW-P	01-10-063	388-160-0235	NEW-W	01-07-070
388-155-080	AMD-P	01-07-052	388-160-0045	NEW	01-15-001	388-160-0235	NEW-P	01-10-063
388-155-080	AMD	01-17-084	388-160-0055	NEW-W	01-07-070	388-160-0235	NEW	01-15-001
388-155-085	AMD-P	01-07-052	388-160-0055	NEW-P	01-10-063	388-160-0245	NEW-W	01-07-070
388-155-085	AMD	01-17-084	388-160-0055	NEW	01-15-001	388-160-0245	NEW-P	01-10-063
388-155-090	AMD-P	01-07-052	388-160-0065	NEW-W	01-07-070	388-160-0245	NEW	01-15-001
388-155-090	AMD	01-17-084	388-160-0065	NEW-P	01-10-063	388-160-0255	NEW-W	01-07-070
388-155-092	AMD-P	01-07-052	388-160-0065	NEW	01-15-001	388-160-0255	NEW-P	01-10-063
388-155-092	AMD	01-17-084	388-160-0075	NEW-W	01-07-070	388-160-0255	NEW	01-15-001
388-155-093	AMD-P	01-07-052	388-160-0075	NEW-P	01-10-063	388-160-0265	NEW-W	01-07-070
388-155-093	AMD	01-17-084	388-160-0075	NEW	01-15-001	388-160-0265	NEW-P	01-10-063
388-155-094	AMD-P	01-07-052	388-160-0085	NEW-W	01-07-070	388-160-0265	NEW	01-15-001
388-155-094	AMD	01-17-084	388-160-0085	NEW-P	01-10-063	388-160-0275	NEW-W	01-07-070
388-155-095	AMD-P	01-07-052	388-160-0085	NEW	01-15-001	388-160-0275	NEW-P	01-10-063
388-155-095	AMD	01-17-084	388-160-0095	NEW-W	01-07-070	388-160-0275	NEW	01-15-001
388-155-160	AMD-P	01-07-052	388-160-0095	NEW-P	01-10-063	388-160-0285	NEW-W	01-07-070
388-155-160	AMD	01-17-084	388-160-0095	NEW	01-15-001	388-160-0285	NEW-P	01-10-063
388-155-190	AMD-P	01-07-052	388-160-010	REP-W	01-07-070	388-160-0285	NEW	01-15-001
388-155-190	AMD	01-17-084	388-160-010	REP-P	01-10-063	388-160-0295	NEW-W	01-07-070
388-155-270	AMD-P	01-07-052	388-160-010	REP	01-15-001	388-160-0295	NEW-P	01-10-063
388-155-270	AMD	01-17-084	388-160-0105	NEW-W	01-07-070	388-160-0295	NEW	01-15-001
388-155-330	AMD-P	01-07-052	388-160-0105	NEW-P	01-10-063	388-160-030	REP-W	01-07-070
388-155-330	AMD	01-17-084	388-160-0105	NEW	01-15-001	388-160-030	REP-P	01-10-063
388-155-370	AMD-P	01-07-052	388-160-0115	NEW-W	01-07-070	388-160-030	REP	01-15-001
388-155-370	AMD	01-17-084	388-160-0115	NEW-P	01-10-063	388-160-0305	NEW-W	01-07-070
388-155-380	AMD-P	01-07-052	388-160-0115	NEW	01-15-001	388-160-0305	NEW-P	01-10-063
388-155-380	AMD	01-17-084	388-160-0125	NEW-W	01-07-070	388-160-0305	NEW	01-15-001
388-155-420	AMD-P	01-07-052	388-160-0125	NEW-P	01-10-063	388-160-0315	NEW-W	01-07-070
388-155-420	AMD	01-17-084	388-160-0125	NEW	01-15-001	388-160-0315	NEW-P	01-10-063
388-155-480	AMD-P	01-07-052	388-160-0135	NEW-W	01-07-070	388-160-0315	NEW	01-15-001
388-155-480	AMD	01-17-084	388-160-0135	NEW-P	01-10-063	388-160-0325	NEW-W	01-07-070
388-155-605	AMD-P	01-07-052	388-160-0135	NEW	01-15-001	388-160-0325	NEW-P	01-10-063
388-155-605	AMD	01-17-084	388-160-0145	NEW-W	01-07-070	388-160-0325	NEW	01-15-001
388-155-610	AMD-P	01-07-052	388-160-0145	NEW-P	01-10-063	388-160-0335	NEW-W	01-07-070
388-155-610	AMD	01-17-084	388-160-0145	NEW	01-15-001	388-160-0335	NEW-P	01-10-063
388-155-620	AMD-P	01-07-052	388-160-0155	NEW-W	01-07-070	388-160-0335	NEW	01-15-001
388-155-620	AMD	01-17-084	388-160-0155	NEW-P	01-10-063	388-160-0345	NEW-W	01-07-070
388-155-630	AMD-P	01-07-052	388-160-0155	NEW	01-15-001	388-160-0345	NEW-P	01-10-063
388-155-630	AMD	01-17-084	388-160-0165	NEW-W	01-07-070	388-160-0345	NEW	01-15-001
388-155-640	AMD-P	01-07-052	388-160-0165	NEW-P	01-10-063	388-160-0355	NEW-W	01-07-070
388-155-640	AMD	01-17-084	388-160-0165	NEW	01-15-001	388-160-0355	NEW-P	01-10-063
388-155-650	AMD-P	01-07-052	388-160-0175	NEW-W	01-07-070	388-160-0355	NEW	01-15-001
388-155-650	AMD	01-17-084	388-160-0175	NEW-P	01-10-063	388-160-0365	NEW-W	01-07-070
388-155-660	AMD-P	01-07-052	388-160-0175	NEW	01-15-001	388-160-0365	NEW-P	01-10-063
388-155-660	AMD	01-17-084	388-160-0185	NEW-W	01-07-070	388-160-0365	NEW	01-15-001
388-155-670	AMD-P	01-07-052	388-160-0185	NEW-P	01-10-063	388-160-0375	NEW-W	01-07-070

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-160-380	REP-W	01-07-070	388-222-020	REP	01-03-066	388-290-0255	NEW-P	01-20-077
388-160-380	REP-P	01-10-063	388-273-0010	NEW-P	01-04-070	388-290-0260	NEW-P	01-20-077
388-160-380	REP	01-15-001	388-273-0010	NEW	01-09-023	388-290-0265	NEW-P	01-20-077
388-160-390	REP-W	01-07-070	388-273-0020	NEW-P	01-04-070	388-290-0270	NEW-P	01-20-077
388-160-390	REP-P	01-10-063	388-273-0020	NEW	01-09-023	388-290-075	REP-P	01-20-077
388-160-390	REP	01-15-001	388-273-0020	PREP	01-21-057	388-290-125	REP-P	01-20-077
388-160-400	REP-W	01-07-070	388-273-0025	NEW-P	01-04-070	388-290-150	REP-P	01-20-077
388-160-400	REP-P	01-10-063	388-273-0025	NEW	01-09-023	388-290-200	REP-P	01-20-077
388-160-400	REP	01-15-001	388-273-0030	NEW-P	01-04-070	388-290-270	REP-P	01-20-077
388-160-410	REP-W	01-07-070	388-273-0030	NEW	01-09-023	388-290-280	REP-P	01-20-077
388-160-410	REP-P	01-10-063	388-273-0035	NEW-P	01-04-070	388-290-300	REP-P	01-20-077
388-160-410	REP	01-15-001	388-273-0035	NEW	01-09-023	388-290-350	REP-P	01-20-077
388-160-420	REP-W	01-07-070	388-290-0001	NEW-P	01-20-077	388-290-375	REP-P	01-20-077
388-160-420	REP-P	01-10-063	388-290-0005	NEW-P	01-20-077	388-290-400	REP-P	01-20-077
388-160-420	REP	01-15-001	388-290-0010	NEW-P	01-20-077	388-290-450	REP-P	01-20-077
388-160-430	REP-W	01-07-070	388-290-0015	NEW-P	01-20-077	388-290-475	REP-P	01-20-077
388-160-430	REP-P	01-10-063	388-290-0020	NEW-P	01-20-077	388-290-500	REP-P	01-20-077
388-160-430	REP	01-15-001	388-290-0025	NEW-P	01-20-077	388-290-525	REP-P	01-20-077
388-160-440	REP-W	01-07-070	388-290-0030	NEW-P	01-20-077	388-290-600	REP-P	01-20-077
388-160-440	REP-P	01-10-063	388-290-0035	NEW-P	01-20-077	388-290-650	REP-P	01-20-077
388-160-440	REP	01-15-001	388-290-0040	NEW-P	01-20-077	388-290-700	REP-P	01-20-077
388-160-460	REP-W	01-07-070	388-290-0045	NEW-P	01-20-077	388-290-750	REP-P	01-20-077
388-160-460	REP-P	01-10-063	388-290-0050	NEW-P	01-20-077	388-290-800	REP-P	01-20-077
388-160-460	REP	01-15-001	388-290-0055	NEW-P	01-20-077	388-290-850	REP-P	01-20-077
388-160-470	REP-W	01-07-070	388-290-0060	NEW-P	01-20-077	388-290-854	REP-P	01-20-077
388-160-470	REP-P	01-10-063	388-290-0065	NEW-P	01-20-077	388-290-858	REP-P	01-20-077
388-160-470	REP	01-15-001	388-290-0070	NEW-P	01-20-077	388-290-862	REP-P	01-20-077
388-160-480	REP-W	01-07-070	388-290-0075	NEW-P	01-20-077	388-290-866	REP-P	01-20-077
388-160-480	REP-P	01-10-063	388-290-0080	NEW-P	01-20-077	388-290-870	REP-P	01-20-077
388-160-480	REP	01-15-001	388-290-0085	NEW-P	01-20-077	388-290-874	REP-P	01-20-077
388-160-490	REP-W	01-07-070	388-290-0090	NEW-P	01-20-077	388-290-878	REP-P	01-20-077
388-160-490	REP-P	01-10-063	388-290-0095	NEW-P	01-20-077	388-290-882	REP-P	01-20-077
388-160-490	REP	01-15-001	388-290-010	REP-P	01-20-077	388-290-886	REP-P	01-20-077
388-160-500	REP-W	01-07-070	388-290-0100	NEW-P	01-20-077	388-290-888	REP-P	01-20-077
388-160-500	REP-P	01-10-063	388-290-0105	NEW-P	01-20-077	388-290-900	REP-P	01-20-077
388-160-500	REP	01-15-001	388-290-0110	NEW-P	01-20-077	388-290-905	REP-P	01-20-077
388-160-510	REP-W	01-07-070	388-290-0115	NEW-P	01-20-077	388-290-910	REP-P	01-20-077
388-160-510	REP-P	01-10-063	388-290-0120	NEW-P	01-20-077	388-290-915	REP-P	01-20-077
388-160-510	REP	01-15-001	388-290-0125	NEW-P	01-20-077	388-290-920	REP-P	01-20-077
388-160-520	REP-W	01-07-070	388-290-0130	NEW-P	01-20-077	388-290-925	REP-P	01-20-077
388-160-520	REP-P	01-10-063	388-290-0135	NEW-P	01-20-077	388-290-930	REP-P	01-20-077
388-160-520	REP	01-15-001	388-290-0140	NEW-P	01-20-077	388-290-935	REP-P	01-20-077
388-160-530	REP-W	01-07-070	388-290-0145	NEW-P	01-20-077	388-290-940	REP-P	01-20-077
388-160-530	REP-P	01-10-063	388-290-015	REP-P	01-20-077	388-290-945	REP-P	01-20-077
388-160-530	REP	01-15-001	388-290-0150	NEW-P	01-20-077	388-290-950	REP-P	01-20-077
388-160-540	REP-W	01-07-070	388-290-0155	NEW-P	01-20-077	388-310-0600	AMD-E	01-15-010
388-160-540	REP-P	01-10-063	388-290-0160	NEW-P	01-20-077	388-310-0800	AMD-P	01-12-056
388-160-540	REP	01-15-001	388-290-0165	NEW-P	01-20-077	388-310-0800	AMD	01-17-053
388-160-550	REP-W	01-07-070	388-290-0180	NEW-P	01-20-077	388-310-0900	AMD-P	01-03-060
388-160-550	REP-P	01-10-063	388-290-0185	NEW-P	01-20-077	388-310-0900	AMD-E	01-03-132
388-160-550	REP	01-15-001	388-290-0190	NEW-P	01-20-077	388-310-0900	AMD	01-15-009
388-160-560	REP-W	01-07-070	388-290-0195	NEW-P	01-20-077	388-310-1000	AMD-P	01-03-060
388-160-560	REP-P	01-10-063	388-290-0200	NEW-P	01-20-077	388-310-1000	AMD-E	01-03-132
388-160-560	REP	01-15-001	388-290-0205	NEW-P	01-20-077	388-310-1000	AMD	01-15-009
388-200-1050	REP-P	01-07-051	388-290-0210	NEW-P	01-20-077	388-310-1050	AMD-P	01-03-060
388-200-1050	REP	01-10-104	388-290-0220	NEW-P	01-20-077	388-310-1050	AMD-E	01-03-132
388-200-1300	REP-P	01-07-051	388-290-0225	NEW-P	01-20-077	388-310-1050	AMD	01-15-009
388-200-1300	REP	01-10-104	388-290-0230	NEW-P	01-20-077	388-310-1300	AMD-E	01-05-007
388-200-1350	REP-P	01-07-051	388-290-0235	NEW-P	01-20-077	388-310-1300	AMD-P	01-19-022
388-200-1350	REP	01-10-104	388-290-0240	NEW-P	01-20-077	388-310-2000	NEW	01-03-042
388-222-001	REP	01-03-066	388-290-0245	NEW-P	01-20-077	388-330-010	REP-W	01-07-071
388-222-010	REP	01-03-066	388-290-0250	NEW-P	01-20-077	388-330-010	REP-P	01-10-062

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WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
388-330-010	REP	01-18-025	388-412-0025	AMD-P	01-13-068	388-450-0155	AMD	01-21-026
388-330-020	REP-W	01-07-071	388-412-0025	AMD	01-18-054	388-450-0156	NEW-E	01-12-055
388-330-020	REP-P	01-10-062	388-412-0040	AMD-P	01-13-068	388-450-0156	NEW-P	01-16-087
388-330-020	REP	01-18-025	388-412-0040	AMD	01-18-054	388-450-0156	NEW	01-21-026
388-330-030	REP-W	01-07-071	388-412-0045	REP-P	01-13-068	388-450-0160	AMD-E	01-12-057
388-330-030	REP-P	01-10-062	388-412-0045	REP	01-18-054	388-450-0160	AMD-P	01-16-088
388-330-030	REP	01-18-025	388-414	PREP	01-06-027	388-450-0160	AMD	01-21-026
388-330-035	REP-W	01-07-071	388-414-0001	AMD-P	01-04-074	388-450-0190	AMD-P	01-03-038
388-330-035	REP-P	01-10-062	388-414-0001	AMD	01-07-054	388-450-0190	AMD-E	01-03-039
388-330-035	REP	01-18-025	388-416	PREP	01-06-027	388-450-0190	AMD	01-06-030
388-330-040	REP-W	01-07-071	388-416-0005	AMD-P	01-08-058	388-450-0190	AMD-P	01-18-034
388-330-040	REP-P	01-10-062	388-416-0005	AMD	01-11-107	388-450-0190	AMD-E	01-18-092
388-330-040	REP	01-18-025	388-418	PREP	01-06-027	388-450-0190	AMD	01-21-059
388-330-050	REP-W	01-07-071	388-418-0005	AMD-S	01-08-059	388-450-0195	AMD-P	01-18-034
388-330-050	REP-P	01-10-062	388-418-0005	AMD	01-11-109	388-450-0195	AMD-E	01-18-092
388-330-050	REP	01-18-025	388-418-0007	NEW-S	01-08-059	388-450-0195	AMD	01-21-059
388-330-060	REP-W	01-07-071	388-418-0007	NEW	01-11-109	388-452	PREP	01-06-027
388-330-060	REP-P	01-10-062	388-422-0005	PREP	01-13-025	388-452-0005	AMD-P	01-10-065
388-330-060	REP	01-18-025	388-422-0005	AMD-P	01-16-139	388-452-0005	AMD	01-14-060
388-400-0005	AMD	01-03-121	388-422-0005	AMD-W	01-18-090	388-454	PREP	01-08-029
388-400-0015	REP	01-03-121	388-432-0005	NEW	01-03-066	388-454-0005	AMD	01-03-121
388-400-0020	REP-P	01-03-120	388-434	PREP	01-06-027	388-454-0006	NEW-E	01-06-025
388-400-0020	REP	01-07-001	388-434-0010	AMD-P	01-11-037	388-454-0006	NEW-E	01-14-058
388-400-0030	AMD-P	01-03-040	388-434-0010	AMD	01-15-011	388-454-0006	NEW-P	01-20-049
388-400-0030	AMD-E	01-03-041	388-434-0010	AMD-P	01-19-019	388-454-0006	NEW-E	01-20-050
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388-408-0005	AMD	01-03-121	388-448-0070	AMD	01-14-059	388-458-0006	NEW-P	01-12-055
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388-408-0020	AMD	01-03-121	388-448-0130	AMD-P	01-11-106	388-458-0010	REP	01-16-087
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388-408-0030	AMD	01-03-121	388-448-0140	AMD-P	01-11-106	388-458-0011	NEW	01-16-087
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388-408-0035	AMD	01-21-060	388-448-0180	AMD	01-14-059	388-458-0016	NEW	01-16-087
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388-408-0040	AMD	01-21-060	388-448-0200	AMD	01-14-059	388-458-0020	NEW-P	01-12-055
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388-408-0045	AMD	01-21-060	388-450-0015	AMD-P	01-13-086	388-458-0020	NEW	01-16-087
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388-478-0055	AMD	01-08-015	388-492-0120	NEW	01-21-058	388-535A-0040	NEW-P	01-20-110
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388-478-0055	AMD-P	01-16-086	388-492-0130	NEW	01-21-058	388-535A-0060	NEW-P	01-20-110
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388-478-0060	AMD-E	01-18-092	388-502-0160	AMD	01-05-100	388-538-067	NEW-P	01-20-113
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388-478-0065	PREP	01-08-027	388-502-0160	AMD-P	01-17-047	388-538-068	NEW-P	01-20-113
388-478-0065	AMD-E	01-08-032	388-502-0160	AMD	01-21-023	388-538-070	AMD-P	01-20-113
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388-478-0070	AMD	01-12-073	388-512-1210	REP-W	01-06-046	388-538-130	AMD-P	01-20-113
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388-478-0075	AMD-P	01-14-079	388-512-1225	REP	01-06-042	388-539-0550	REP-X	01-18-057
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388-543-1150	PREP	01-05-027	388-561-0100	NEW	01-06-043	388-820-080	AMD-P	01-09-081
388-543-1150	NEW-P	01-11-105	388-561-0200	NEW	01-06-043	388-820-085	REP-XR	01-10-061
388-543-1150	NEW	01-16-141	388-561-0300	NEW	01-06-043	388-820-085	REP	01-16-016
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388-545-900	NEW-P	01-16-138	388-815-030	REP-XR	01-07-019	388-820-110	AMD-P	01-09-081
388-545-900	NEW	01-20-114	388-815-030	REP	01-13-026	388-820-115	REP-XR	01-10-061
388-546-0001	NEW	01-03-084	388-815-100	REP-XR	01-07-019	388-820-115	REP	01-16-016
388-546-0100	NEW	01-03-084	388-815-100	REP	01-13-026	388-820-120	AMD-P	01-09-081
388-546-0150	NEW	01-03-084	388-815-110	REP-XR	01-07-019	388-820-125	REP-XR	01-10-061
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388-546-0250	NEW	01-03-084	388-815-120	REP-XR	01-07-019	388-820-130	AMD-P	01-09-081
388-546-0300	NEW	01-03-084	388-815-120	REP	01-13-026	388-820-140	NEW-P	01-09-081
388-546-0400	NEW	01-03-084	388-815-130	REP-XR	01-07-019	388-820-150	NEW-P	01-09-081
388-546-0450	NEW	01-03-084	388-815-130	REP	01-13-026	388-820-160	NEW-P	01-09-081
388-546-0500	NEW	01-03-084	388-815-140	REP-XR	01-07-019	388-820-170	NEW-P	01-09-081
388-546-0600	NEW	01-03-084	388-815-140	REP	01-13-026	388-820-180	NEW-P	01-09-081
388-546-0700	NEW	01-03-084	388-815-160	REP-XR	01-07-019	388-820-190	NEW-P	01-09-081
388-546-0800	NEW	01-03-084	388-815-160	REP	01-13-026	388-820-200	NEW-P	01-09-081
388-546-1000	NEW	01-03-084	388-815-200	REP-XR	01-07-019	388-820-210	NEW-P	01-09-081
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388-546-5100	NEW	01-06-029	388-815-205	REP-XR	01-07-019	388-820-230	NEW-P	01-09-081
388-546-5200	NEW	01-06-029	388-815-205	REP	01-13-026	388-820-240	NEW-P	01-09-081
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388-546-5400	NEW	01-06-029	388-815-210	REP	01-13-026	388-820-260	NEW-P	01-09-081
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388-550-1050	AMD-P	01-09-070	388-815-220	REP-XR	01-07-019	388-820-290	NEW-P	01-09-081
388-550-1050	AMD	01-16-142	388-815-220	REP	01-13-026	388-820-300	NEW-P	01-09-081
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388-550-2700	REP	01-16-142	388-815-250	REP-XR	01-07-019	388-820-350	NEW-P	01-09-081
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388-550-2900	AMD	01-16-142	388-820-010	AMD-P	01-09-081	388-820-390	NEW-P	01-09-081
388-550-3300	AMD-P	01-09-070	388-820-015	REP-XR	01-10-061	388-820-400	NEW-P	01-09-081
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388-550-3800	AMD-P	01-09-070	388-820-035	REP-XR	01-10-061	388-820-460	NEW-P	01-09-081
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388-550-4300	AMD	01-16-142	388-820-045	REP-XR	01-10-061	388-820-490	NEW-P	01-09-081
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388-820-570	NEW-P	01-09-081	388-835-010	REP	01-10-013	388-835-0380	NEW	01-10-013
388-820-580	NEW-P	01-09-081	388-835-0100	NEW	01-10-013	388-835-0385	NEW	01-10-013
388-820-590	NEW-P	01-09-081	388-835-0105	NEW	01-10-013	388-835-0390	NEW	01-10-013
388-820-600	NEW-P	01-09-081	388-835-0110	NEW	01-10-013	388-835-0395	NEW	01-10-013
388-820-610	NEW-P	01-09-081	388-835-0115	NEW	01-10-013	388-835-040	REP	01-10-013
388-820-620	NEW-P	01-09-081	388-835-0120	NEW	01-10-013	388-835-0400	NEW	01-10-013
388-820-630	NEW-P	01-09-081	388-835-0125	NEW	01-10-013	388-835-0405	NEW	01-10-013
388-820-640	NEW-P	01-09-081	388-835-0130	NEW	01-10-013	388-835-0410	NEW	01-10-013
388-820-650	NEW-P	01-09-081	388-835-0135	NEW	01-10-013	388-835-0415	NEW	01-10-013
388-820-660	NEW-P	01-09-081	388-835-0140	NEW	01-10-013	388-835-0420	NEW	01-10-013
388-820-670	NEW-P	01-09-081	388-835-0145	NEW	01-10-013	388-835-0425	NEW	01-10-013
388-820-680	NEW-P	01-09-081	388-835-015	REP	01-10-013	388-835-0430	NEW	01-10-013
388-820-690	NEW-P	01-09-081	388-835-0150	NEW	01-10-013	388-835-0435	NEW	01-10-013
388-820-700	NEW-P	01-09-081	388-835-0155	NEW	01-10-013	388-835-0440	NEW	01-10-013
388-820-710	NEW-P	01-09-081	388-835-0160	NEW	01-10-013	388-835-0445	NEW	01-10-013
388-820-720	NEW-P	01-09-081	388-835-0165	NEW	01-10-013	388-835-045	REP	01-10-013
388-820-730	NEW-P	01-09-081	388-835-0170	NEW	01-10-013	388-835-0450	NEW	01-10-013
388-820-740	NEW-P	01-09-081	388-835-0175	NEW	01-10-013	388-835-0455	NEW	01-10-013
388-820-750	NEW-P	01-09-081	388-835-0180	NEW	01-10-013	388-835-0460	NEW	01-10-013
388-820-760	NEW-P	01-09-081	388-835-0185	NEW	01-10-013	388-835-0465	NEW	01-10-013
388-820-770	NEW-P	01-09-081	388-835-0190	NEW	01-10-013	388-835-0470	NEW	01-10-013
388-820-780	NEW-P	01-09-081	388-835-0195	NEW	01-10-013	388-835-0475	NEW	01-10-013
388-820-790	NEW-P	01-09-081	388-835-020	REP	01-10-013	388-835-0480	NEW	01-10-013
388-820-800	NEW-P	01-09-081	388-835-0200	NEW	01-10-013	388-835-0485	NEW	01-10-013
388-820-810	NEW-P	01-09-081	388-835-0205	NEW	01-10-013	388-835-0490	NEW	01-10-013
388-820-820	NEW-P	01-09-081	388-835-0210	NEW	01-10-013	388-835-0495	NEW	01-10-013
388-820-830	NEW-P	01-09-081	388-835-0215	NEW	01-10-013	388-835-050	REP	01-10-013
388-820-840	NEW-P	01-09-081	388-835-0220	NEW	01-10-013	388-835-0500	NEW	01-10-013
388-820-850	NEW-P	01-09-081	388-835-0225	NEW	01-10-013	388-835-0505	NEW	01-10-013
388-820-860	NEW-P	01-09-081	388-835-0230	NEW	01-10-013	388-835-0510	NEW	01-10-013
388-820-870	NEW-P	01-09-081	388-835-0235	NEW	01-10-013	388-835-0515	NEW	01-10-013
388-820-880	NEW-P	01-09-081	388-835-0240	NEW	01-10-013	388-835-0520	NEW	01-10-013
388-820-890	NEW-P	01-09-081	388-835-0245	NEW	01-10-013	388-835-0525	NEW	01-10-013
388-820-900	NEW-P	01-09-081	388-835-025	REP	01-10-013	388-835-0530	NEW	01-10-013
388-820-910	NEW-P	01-09-081	388-835-0250	NEW	01-10-013	388-835-0535	NEW	01-10-013
388-820-920	NEW-P	01-09-081	388-835-0255	NEW	01-10-013	388-835-0540	NEW	01-10-013
388-820-930	NEW-P	01-09-081	388-835-0260	NEW	01-10-013	388-835-0545	NEW	01-10-013
388-825-020	PREP	01-03-059	388-835-0265	NEW	01-10-013	388-835-055	REP	01-10-013
388-825-205	PREP	01-03-059	388-835-0270	NEW	01-10-013	388-835-0550	NEW	01-10-013
388-825-226	AMD-P	01-21-011	388-835-0275	NEW	01-10-013	388-835-0555	NEW	01-10-013
388-825-228	AMD-P	01-21-011	388-835-0280	NEW	01-10-013	388-835-0560	NEW	01-10-013
388-825-238	AMD-P	01-21-011	388-835-0285	NEW	01-10-013	388-835-0565	NEW	01-10-013
388-825-254	AMD-P	01-21-011	388-835-0290	NEW	01-10-013	388-835-0570	NEW	01-10-013
388-835-0005	NEW	01-10-013	388-835-0295	NEW	01-10-013	388-835-0575	NEW	01-10-013
388-835-0010	NEW	01-10-013	388-835-030	REP	01-10-013	388-835-0580	NEW	01-10-013
388-835-0015	NEW	01-10-013	388-835-0300	NEW	01-10-013	388-835-0585	NEW	01-10-013
388-835-0020	NEW	01-10-013	388-835-0305	NEW	01-10-013	388-835-0590	NEW	01-10-013
388-835-0025	NEW	01-10-013	388-835-0310	NEW	01-10-013	388-835-0595	NEW	01-10-013
388-835-0030	NEW	01-10-013	388-835-0315	NEW	01-10-013	388-835-060	REP	01-10-013
388-835-0035	NEW	01-10-013	388-835-0320	NEW	01-10-013	388-835-0600	NEW	01-10-013
388-835-0040	NEW	01-10-013	388-835-0325	NEW	01-10-013	388-835-0605	NEW	01-10-013
388-835-0045	NEW	01-10-013	388-835-0330	NEW	01-10-013	388-835-0610	NEW	01-10-013
388-835-0050	NEW	01-10-013	388-835-0335	NEW	01-10-013	388-835-0615	NEW	01-10-013
388-835-0055	NEW	01-10-013	388-835-0340	NEW	01-10-013	388-835-0620	NEW	01-10-013
388-835-0060	NEW	01-10-013	388-835-0345	NEW	01-10-013	388-835-0625	NEW	01-10-013
388-835-0065	NEW	01-10-013	388-835-035	REP	01-10-013	388-835-0630	NEW	01-10-013
388-835-0070	NEW	01-10-013	388-835-0350	NEW	01-10-013	388-835-0635	NEW	01-10-013
388-835-0075	NEW	01-10-013	388-835-0355	NEW	01-10-013	388-835-0640	NEW	01-10-013
388-835-0080	NEW	01-10-013	388-835-0360	NEW	01-10-013	388-835-0645	NEW	01-10-013
388-835-0085	NEW	01-10-013	388-835-0365	NEW	01-10-013	388-835-065	REP	01-10-013

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388-865-0482	NEW-P	01-07-116	388-880-045	NEW-P	01-18-047	390-17-060	AMD-X	01-19-079
388-865-0482	NEW	01-12-047	388-880-050	AMD-P	01-18-047	390-17-302	NEW-P	01-19-012
388-865-0484	NEW-P	01-07-116	388-880-110	AMD-P	01-18-047	390-17-315	AMD-X	01-19-079
388-865-0484	NEW	01-12-047	388-881-010	NEW-P	01-18-047	390-18-040	AMD-X	01-19-079
388-865-0500	NEW-P	01-07-116	388-881-015	NEW-P	01-18-047	390-19-010	NEW-P	01-19-017
388-865-0500	NEW	01-12-047	388-881-020	NEW-P	01-18-047	390-19-020	NEW-P	01-19-017
388-865-0501	NEW-P	01-07-116	388-881-025	NEW-P	01-18-047	390-19-030	NEW-P	01-19-017
388-865-0501	NEW	01-12-047	388-881-030	NEW-P	01-18-047	390-19-040	NEW-P	01-19-017
388-865-0502	NEW-P	01-07-116	388-881-035	NEW-P	01-18-047	390-19-050	NEW-P	01-19-017
388-865-0502	NEW	01-12-047	390	PREP	01-16-127	390-20-020	AMD-X	01-19-079
388-865-0504	NEW-E	01-06-040	390-05-200	AMD-X	01-19-079	390-20-105	AMD-X	01-19-079
388-865-0504	NEW-S	01-09-078	390-05-205	AMD-X	01-19-079	390-20-110	AMD-X	01-19-079
388-865-0504	NEW	01-12-047	390-05-400	AMD-P	01-19-012	390-20-111	AMD-X	01-19-079
388-865-0505	NEW-P	01-07-116	390-12-040	AMD-X	01-19-079	390-20-120	AMD-X	01-19-079
388-865-0505	NEW	01-12-047	390-13-010	AMD-X	01-19-079	390-20-125	AMD-X	01-19-079
388-865-0510	NEW-P	01-07-116	390-13-100	AMD-X	01-19-079	390-20-130	AMD-X	01-19-079
388-865-0510	NEW	01-12-047	390-14-025	AMD-X	01-19-079	390-24-200	PREP	01-03-160
388-865-0515	NEW-P	01-07-116	390-14-045	AMD-X	01-19-079	390-24-200	AMD-P	01-07-109
388-865-0515	NEW	01-12-047	390-16-011	PREP	01-03-164	390-24-200	AMD	01-10-053
388-865-0525	NEW-P	01-07-116	390-16-011	AMD-P	01-07-105	390-24-200	AMD-X	01-19-079
388-865-0525	NEW	01-12-047	390-16-011	AMD	01-10-049	391-08-001	AMD-P	01-10-112
388-865-0530	NEW-P	01-07-116	390-16-012	PREP	01-03-163	391-08-001	AMD	01-14-009
388-865-0530	NEW	01-12-047	390-16-012	AMD-P	01-07-110	391-25	PREP	01-04-073
388-865-0535	NEW-P	01-07-116	390-16-012	AMD	01-10-054	391-25-001	AMD-P	01-10-112
388-865-0535	NEW	01-12-047	390-16-031	AMD-P	01-19-013	391-25-001	AMD	01-14-009
388-865-0540	NEW-P	01-07-116	390-16-032	AMD-X	01-19-079	391-25-002	AMD-P	01-10-112
388-865-0540	NEW	01-12-047	390-16-033	AMD-X	01-19-079	391-25-002	AMD	01-14-009
388-865-0545	NEW-P	01-07-116	390-16-034	AMD-P	01-19-013	391-25-010	AMD-P	01-10-112
388-865-0545	NEW	01-12-047	390-16-038	AMD-X	01-19-079	391-25-010	AMD	01-14-009
388-865-0546	NEW-P	01-07-116	390-16-041	PREP	01-07-111	391-25-030	AMD-P	01-10-112
388-865-0546	NEW	01-12-047	390-16-041	AMD-P	01-19-013	391-25-030	AMD	01-14-009
388-865-0550	NEW-P	01-07-116	390-16-050	AMD-X	01-19-079	391-25-050	AMD-P	01-10-112
388-865-0550	NEW	01-12-047	390-16-060	AMD-X	01-19-079	391-25-050	AMD	01-14-009
388-865-0555	NEW-P	01-07-116	390-16-071	AMD-P	01-19-061	391-25-070	AMD-P	01-10-112
388-865-0555	NEW	01-12-047	390-16-105	PREP	01-03-161	391-25-070	AMD	01-14-009
388-865-0557	NEW-P	01-07-116	390-16-105	AMD-P	01-07-106	391-25-090	AMD-P	01-10-112
388-865-0557	NEW	01-12-047	390-16-105	AMD	01-10-050	391-25-090	AMD	01-14-009
388-865-0560	NEW-P	01-07-116	390-16-105	AMD-X	01-19-079	391-25-110	AMD-P	01-10-112
388-865-0560	NEW	01-12-047	390-16-111	PREP	01-03-159	391-25-110	AMD	01-14-009
388-865-0565	NEW-P	01-07-116	390-16-111	AMD-P	01-07-107	391-25-130	AMD-P	01-10-112
388-865-0565	NEW	01-12-047	390-16-111	AMD	01-10-051	391-25-130	AMD	01-14-009
388-865-0600	NEW-P	01-07-116	390-16-115	PREP	01-07-113	391-25-140	AMD-P	01-10-112
388-865-0600	NEW	01-12-047	390-16-115	AMD-E	01-14-036	391-25-140	AMD	01-14-009
388-865-0610	NEW-P	01-07-116	390-16-115	AMD-P	01-19-013	391-25-190	AMD-P	01-10-112
388-865-0610	NEW	01-12-047	390-16-120	PREP	01-07-104	391-25-190	AMD	01-14-009
388-865-0620	NEW-P	01-07-116	390-16-120	REP-E	01-14-039	391-25-210	AMD-P	01-10-112
388-865-0620	NEW	01-12-047	390-16-120	REP-P	01-19-013	391-25-210	AMD	01-14-009
388-865-0630	NEW-P	01-07-116	390-16-125	PREP	01-07-114	391-25-220	AMD-P	01-10-112
388-865-0630	NEW	01-12-047	390-16-125	AMD-E	01-14-037	391-25-220	AMD	01-14-009
388-865-0640	NEW-P	01-07-116	390-16-125	AMD-P	01-19-013	391-25-230	AMD-P	01-10-112
388-865-0640	NEW	01-12-047	390-16-150	PREP	01-03-162	391-25-230	AMD	01-14-009
388-880-005	AMD-P	01-18-047	390-16-150	REP-P	01-07-108	391-25-250	AMD-P	01-10-112
388-880-007	NEW-P	01-18-047	390-16-150	REP	01-10-052	391-25-250	AMD	01-14-009
388-880-010	AMD-P	01-18-047	390-16-155	PREP	01-07-112	391-25-270	AMD-P	01-10-112
388-880-020	AMD-P	01-18-047	390-16-155	REP-E	01-14-038	391-25-270	AMD	01-14-009
388-880-030	AMD-P	01-18-047	390-16-155	REP-P	01-19-013	391-25-290	AMD-P	01-10-112
388-880-031	NEW-P	01-18-047	390-16-190	PREP	01-07-115	391-25-290	AMD	01-14-009
388-880-032	NEW-P	01-18-047	390-16-190	REP-P	01-19-017	391-25-299	AMD-P	01-10-112
388-880-040	AMD-P	01-18-047	390-16-226	AMD-X	01-19-079	391-25-299	AMD	01-14-009
388-880-042	NEW-P	01-18-047	390-16-308	AMD-X	01-19-079	391-25-350	AMD-P	01-10-112
388-880-043	NEW-P	01-18-047	390-16-309	PREP	01-03-081	391-25-350	AMD	01-14-009
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391-25-390	AMD-P	01-10-112	391-65-001	AMD	01-14-009	392-138-050	REP	01-16-078
391-25-390	AMD	01-14-009	391-95-001	AMD-P	01-10-112	392-138-055	REP-P	01-12-048
391-25-410	AMD-P	01-10-112	391-95-001	AMD	01-14-009	392-138-055	REP	01-16-078
391-25-410	AMD	01-14-009	392-121-210	AMD	01-08-048	392-138-060	REP-P	01-12-048
391-25-420	NEW-P	01-10-112	392-121-550	REP-X	01-16-116	392-138-060	REP	01-16-078
391-25-420	NEW	01-14-009	392-121-552	REP-X	01-16-116	392-138-065	REP-P	01-12-048
391-25-430	AMD-P	01-10-112	392-121-554	REP-X	01-16-116	392-138-065	REP	01-16-078
391-25-430	AMD	01-14-009	392-121-556	REP-X	01-16-116	392-138-070	REP-P	01-12-048
391-25-450	AMD-P	01-10-112	392-121-558	REP-X	01-16-116	392-138-070	REP	01-16-078
391-25-450	AMD	01-14-009	392-121-560	REP-X	01-16-116	392-138-071	REP-P	01-12-048
391-25-470	AMD-P	01-10-112	392-121-562	REP-X	01-16-116	392-138-071	REP	01-16-078
391-25-470	AMD	01-14-009	392-121-564	REP-X	01-16-116	392-138-075	REP-P	01-12-048
391-25-490	AMD-P	01-10-112	392-121-566	REP-X	01-16-116	392-138-075	REP	01-16-078
391-25-490	AMD	01-14-009	392-121-568	REP-X	01-16-116	392-138-080	REP-P	01-12-048
391-25-510	AMD-P	01-10-112	392-122-205	AMD-P	01-17-013	392-138-080	REP	01-16-078
391-25-510	AMD	01-14-009	392-122-207	REP-P	01-17-013	392-138-085	REP-P	01-12-048
391-25-610	AMD-P	01-10-112	392-122-220	AMD-P	01-17-013	392-138-085	REP	01-16-078
391-25-610	AMD	01-14-009	392-122-221	AMD-P	01-17-013	392-138-100	REP-P	01-12-048
391-25-650	AMD-P	01-10-112	392-122-322	PREP	01-03-099	392-138-100	REP	01-16-078
391-25-650	AMD	01-14-009	392-122-900	PREP	01-03-099	392-138-105	NEW-P	01-12-048
391-35	PREP	01-04-073	392-125-080	AMD-E	01-03-098	392-138-105	NEW	01-16-078
391-35-001	AMD-P	01-10-112	392-125-080	AMD-P	01-06-063	392-138-110	NEW-P	01-12-048
391-35-001	AMD	01-14-009	392-125-080	AMD	01-11-099	392-138-110	NEW	01-16-078
391-35-002	AMD-P	01-10-112	392-136-020	AMD-P	01-06-064	392-138-115	NEW-P	01-12-048
391-35-002	AMD	01-14-009	392-136-020	AMD	01-11-098	392-138-115	NEW	01-16-078
391-35-020	AMD-P	01-10-112	392-138-003	AMD-P	01-12-048	392-138-120	NEW-P	01-12-048
391-35-020	AMD	01-14-009	392-138-003	AMD	01-16-078	392-138-120	NEW	01-16-078
391-35-030	AMD-P	01-10-112	392-138-005	AMD-P	01-12-048	392-138-125	NEW-P	01-12-048
391-35-030	AMD	01-14-009	392-138-005	AMD	01-16-078	392-138-125	NEW	01-16-078
391-35-050	AMD-P	01-10-112	392-138-010	AMD-P	01-12-048	392-138-130	NEW-P	01-12-048
391-35-050	AMD	01-14-009	392-138-010	AMD	01-16-078	392-138-130	NEW	01-16-078
391-35-080	REP-P	01-10-112	392-138-011	NEW-P	01-12-048	392-138-200	NEW-P	01-12-048
391-35-080	REP	01-14-009	392-138-011	NEW	01-16-078	392-138-200	NEW	01-16-078
391-35-090	AMD-P	01-10-112	392-138-012	REP-P	01-12-048	392-138-205	NEW-P	01-12-048
391-35-090	AMD	01-14-009	392-138-012	REP	01-16-078	392-138-205	NEW	01-16-078
391-35-099	AMD-P	01-10-112	392-138-013	NEW-P	01-12-048	392-138-210	NEW-P	01-12-048
391-35-099	AMD	01-14-009	392-138-013	NEW	01-16-078	392-138-210	NEW	01-16-078
391-35-110	AMD-P	01-10-112	392-138-014	NEW-P	01-12-048	392-139	PREP	01-10-033
391-35-110	AMD	01-14-009	392-138-014	NEW	01-16-078	392-139-008	AMD-P	01-16-108
391-35-170	AMD-P	01-10-112	392-138-016	REP-P	01-12-048	392-139-110	AMD-P	01-16-108
391-35-170	AMD	01-14-009	392-138-016	REP	01-16-078	392-139-241	NEW-P	01-16-108
391-35-190	AMD-P	01-10-112	392-138-017	NEW-P	01-12-048	392-139-300	AMD-P	01-16-108
391-35-190	AMD	01-14-009	392-138-017	NEW	01-16-078	392-139-310	AMD-P	01-16-108
391-35-320	NEW-P	01-10-112	392-138-018	NEW-P	01-12-048	392-139-312	NEW-P	01-16-108
391-35-320	NEW	01-14-009	392-138-018	NEW	01-16-078	392-140	PREP	01-17-034
391-35-330	NEW-P	01-10-112	392-138-019	NEW-P	01-12-048	392-140-570	REP-X	01-16-115
391-35-330	NEW	01-14-009	392-138-019	NEW	01-16-078	392-140-571	REP-X	01-16-115
391-35-340	NEW-P	01-10-112	392-138-021	NEW-P	01-12-048	392-140-572	REP-X	01-16-115
391-35-340	NEW	01-14-009	392-138-021	NEW	01-16-078	392-140-573	REP-X	01-16-115
391-35-342	NEW-P	01-10-112	392-138-025	REP-P	01-12-048	392-140-574	REP-X	01-16-115
391-35-342	NEW	01-14-009	392-138-025	REP	01-16-078	392-140-575	REP-X	01-16-115
391-35-343	NEW-P	01-10-112	392-138-030	REP-P	01-12-048	392-140-576	REP-X	01-16-115
391-35-343	NEW	01-14-009	392-138-030	REP	01-16-078	392-140-577	REP-X	01-16-115
391-35-350	NEW-P	01-10-112	392-138-035	REP-P	01-12-048	392-140-578	REP-X	01-16-115
391-35-350	NEW	01-14-009	392-138-035	REP	01-16-078	392-140-580	REP-X	01-16-115
391-45-001	AMD-P	01-10-112	392-138-040	REP-P	01-12-048	392-140-581	REP-X	01-16-115
391-45-001	AMD	01-14-009	392-138-040	REP	01-16-078	392-140-582	REP-X	01-16-115
391-45-002	AMD-P	01-10-112	392-138-045	REP-P	01-12-048	392-140-583	REP-X	01-16-115
391-45-002	AMD	01-14-009	392-138-045	REP	01-16-078	392-140-584	REP-X	01-16-115
391-55-001	AMD-P	01-10-112	392-138-047	REP-P	01-12-048	392-140-585	REP-X	01-16-115
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392-140-592	REP-X	01-16-115	392-140-908	PREP	01-16-109	392-153-023	NEW-P	01-11-064
392-140-594	REP-X	01-16-115	392-140-910	PREP	01-16-109	392-153-023	NEW	01-16-003
392-140-600	AMD	01-04-023	392-140-911	PREP	01-16-109	392-153-024	NEW-P	01-11-064
392-140-600	PREP	01-17-035	392-140-912	PREP	01-16-109	392-153-024	NEW	01-16-003
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392-140-602	PREP	01-17-035	392-140-920	REP-X	01-16-117	392-153-025	AMD	01-16-003
392-140-605	AMD	01-04-023	392-140-922	REP-X	01-16-117	392-153-032	AMD-P	01-11-064
392-140-605	PREP	01-17-035	392-140-924	REP-X	01-16-117	392-153-032	AMD	01-16-003
392-140-608	PREP	01-17-035	392-140-925	REP-X	01-16-117	392-153-035	AMD-P	01-11-064
392-140-609	AMD	01-04-023	392-140-926	REP-X	01-16-117	392-153-035	AMD	01-16-003
392-140-609	PREP	01-17-035	392-140-927	REP-X	01-16-117	392-153-040	AMD-P	01-11-064
392-140-610	PREP	01-17-035	392-140-928	REP-X	01-16-117	392-153-040	AMD	01-16-003
392-140-613	AMD	01-04-023	392-140-929	REP-X	01-16-117	392-153-045	NEW-P	01-11-064
392-140-613	PREP	01-17-035	392-140-930	REP-X	01-16-117	392-153-045	NEW	01-16-003
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392-140-616	PREP	01-17-035	392-140-937	REP-X	01-16-117	392-172-030	AMD-P	01-11-129
392-140-620	PREP	01-17-035	392-140-938	REP-X	01-16-117	392-172-035	AMD-P	01-11-129
392-140-625	AMD	01-04-023	392-140-950	PREP	01-16-110	392-172-045	AMD-P	01-11-129
392-140-625	PREP	01-17-035	392-140-951	PREP	01-16-110	392-172-080	NEW-P	01-11-129
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392-140-806	REP-X	01-16-114	392-143-010	AMD-P	01-13-058	392-172-232	AMD-P	01-11-129
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392-140-810	REP-X	01-16-114	392-151-090	AMD-P	01-03-097	392-172-23605	AMD-P	01-11-129
392-140-812	REP-X	01-16-114	392-151-090	AMD-W	01-15-029	392-172-23610	AMD-P	01-11-129
392-140-814	REP-X	01-16-114	392-151-095	AMD-P	01-03-097	392-172-238	AMD-P	01-11-129
392-140-816	REP-X	01-16-114	392-151-095	AMD-W	01-15-029	392-172-239	AMD-P	01-11-129
392-140-818	REP-X	01-16-114	392-153-001	NEW-P	01-11-064	392-172-241	NEW-P	01-11-129
392-140-820	REP-X	01-16-114	392-153-001	NEW	01-16-003	392-172-242	AMD-P	01-11-129
392-140-822	REP-X	01-16-114	392-153-005	AMD-P	01-11-064	392-172-338	AMD-P	01-11-129
392-140-824	REP-X	01-16-114	392-153-005	AMD	01-16-003	392-172-344	AMD-P	01-11-129
392-140-826	REP-X	01-16-114	392-153-010	AMD-P	01-11-064	392-172-377	AMD-P	01-11-129
392-140-828	REP-X	01-16-114	392-153-010	AMD	01-16-003	392-172-38410	AMD-P	01-11-129
392-140-830	REP-X	01-16-114	392-153-014	AMD-P	01-11-064	392-172-404	AMD-P	01-11-129
392-140-832	REP-X	01-16-114	392-153-014	AMD	01-16-003	392-172-424	AMD-P	01-11-129
392-140-834	REP-X	01-16-114	392-153-015	AMD-P	01-11-064	392-172-426	AMD-P	01-11-129
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399- 30-042	AMD	01-09-014	415-108-0107	REP	01-21-090	415-113-0303	AMD-P	01-21-070
399- 50-040	AMD-P	01-03-143	415-108-0108	REP-P	01-17-016	415-113-0310	REP-P	01-21-070
399- 50-040	AMD	01-09-014	415-108-0108	REP	01-21-090	415-113-041	AMD-P	01-21-070
415- 02-030	PREP	01-05-074	415-108-0109	REP-P	01-17-016	415-113-042	AMD-P	01-21-070
415- 02-060	AMD-P	01-05-096	415-108-0109	REP	01-21-090	415-113-065	AMD-P	01-21-070
415- 02-060	AMD	01-08-043	415-108-0110	REP-P	01-17-016	415-113-070	AMD-P	01-21-070
415- 02-130	AMD-P	01-20-037	415-108-0110	REP	01-21-090	415-113-090	AMD-P	01-21-070
415- 04-010	AMD-P	01-15-028	415-108-0111	REP-P	01-17-016	415-113-200	AMD-P	01-21-070
415- 04-010	AMD	01-18-018	415-108-0111	REP	01-21-090	415-200-030	AMD-P	01-21-070
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415- 04-015	NEW	01-18-018	415-108-324	AMD-P	01-20-037	415-501	PREP	01-16-089
415- 04-017	NEW-P	01-15-028	415-108-326	AMD-P	01-07-079	415-501-010	AMD-P	01-21-132
415- 04-017	NEW	01-18-018	415-108-326	AMD	01-10-045	415-501-110	AMD-P	01-21-132
415- 04-020	AMD-P	01-15-028	415-108-340	AMD-P	01-20-037	415-501-120	REP-P	01-21-132
415- 04-020	AMD	01-18-018	415-108-441	AMD-P	01-20-037	415-501-130	REP-P	01-21-132
415- 04-025	NEW-P	01-15-028	415-108-443	AMD-P	01-20-037	415-501-140	REP-P	01-21-132
415- 04-025	NEW	01-18-018	415-108-445	AMD-P	01-18-072	415-501-150	REP-P	01-21-132
415- 04-030	AMD-P	01-15-028	415-108-456	AMD-P	01-20-037	415-501-160	REP-P	01-21-132
415- 04-030	AMD	01-18-018	415-108-458	AMD-P	01-20-037	415-501-170	REP-P	01-21-132
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415- 04-035	NEW	01-18-018	415-108-465	AMD-P	01-20-037	415-501-190	REP-P	01-21-132
415- 04-037	NEW-P	01-15-028	415-108-466	AMD-P	01-18-072	415-501-200	REP-P	01-21-132
415- 04-037	NEW	01-18-018	415-108-467	AMD-P	01-05-077	415-501-210	REP-P	01-21-132
415- 04-040	AMD-P	01-15-028	415-108-467	AMD	01-08-057	415-501-300	REP-P	01-21-132
415- 04-040	AMD	01-18-018	415-108-480	AMD-P	01-18-072	415-501-305	REP-P	01-21-132
415- 04-050	AMD-P	01-15-028	415-108-491	AMD-P	01-21-070	415-501-380	AMD-P	01-21-132
415- 04-050	AMD	01-18-018	415-108-550	PREP	01-15-031	415-501-415	AMD-P	01-21-132
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415- 06-100	AMD-P	01-15-037	415-108-570	AMD-P	01-21-070	415-501-417	NEW-P	01-21-132
415- 06-100	AMD	01-18-017	415-108-640	AMD-P	01-21-070	415-501-420	AMD-P	01-21-132
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415- 10-020	AMD-P	01-18-072	415-108-690	AMD-P	01-21-070	415-501-470	AMD-P	01-21-132
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415- 10-080	AMD-P	01-20-037	415-108-720	AMD-P	01-21-070	415-501-486	AMD-P	01-21-132
415- 10-100	AMD-P	01-20-037	415-108-727	NEW-P	01-21-070	415-501-487	AMD-P	01-21-132
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415-108-0101	REP	01-21-090	415-111-400	NEW-P	01-21-070	415-600-030	NEW-E	01-17-043
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415-108-0104	REP	01-21-090	415-112-400	AMD-P	01-21-070	415-600-110	NEW-E	01-17-043
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415-108-0105	REP	01-21-090	415-112-413	AMD-P	01-21-070	415-600-110	NEW	01-21-091
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415-600-220	NEW-E	01-17-043	415-610-015	REP-P	01-17-057	415-640-020	REP-E	01-17-043
415-600-220	NEW-P	01-17-057	415-610-015	REP	01-21-091	415-640-020	REP-P	01-17-057
415-600-220	NEW	01-21-091	415-610-020	REP-E	01-17-043	415-640-020	REP	01-21-091
415-600-230	NEW-E	01-17-043	415-610-020	REP-P	01-17-057	415-640-030	REP-E	01-17-043
415-600-230	NEW-P	01-17-057	415-610-020	REP	01-21-091	415-640-030	REP-P	01-17-057
415-600-230	NEW	01-21-091	415-610-030	REP-E	01-17-043	415-640-030	REP	01-21-091
415-600-240	NEW-E	01-17-043	415-610-030	REP-P	01-17-057	415-650	PREP	01-04-028
415-600-240	NEW-P	01-17-057	415-610-030	REP	01-21-091	415-650-010	REP-E	01-17-043
415-600-240	NEW	01-21-091	415-620	PREP	01-04-028	415-650-010	REP-P	01-17-057
415-600-250	NEW-E	01-17-043	415-620-010	REP-E	01-17-043	415-650-010	REP	01-21-091
415-600-250	NEW-P	01-17-057	415-620-010	REP-P	01-17-057	415-650-020	REP-E	01-17-043
415-600-250	NEW	01-21-091	415-620-010	REP	01-21-091	415-650-020	REP-P	01-17-057
415-600-260	NEW-E	01-17-043	415-620-015	REP-E	01-17-043	415-650-020	REP	01-21-091
415-600-260	NEW-P	01-17-057	415-620-015	REP-P	01-17-057	415-650-030	REP-E	01-17-043
415-600-260	NEW	01-21-091	415-620-015	REP	01-21-091	415-650-030	REP-P	01-17-057
415-600-270	NEW-E	01-17-043	415-620-020	REP-E	01-17-043	415-650-030	REP	01-21-091
415-600-270	NEW-P	01-17-057	415-620-020	REP-P	01-17-057	415-650-040	REP-E	01-17-043
415-600-270	NEW	01-21-091	415-620-020	REP	01-21-091	415-650-040	REP-P	01-17-057
415-600-280	NEW-E	01-17-043	415-620-025	REP-E	01-17-043	415-650-040	REP	01-21-091
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468-300-020	AMD	01-11-010	478-117-220	NEW-E	01-21-004	480-14-390	AMD	01-20-061
468-300-040	AMD-P	01-04-078	478-117-230	NEW-E	01-21-004	480-14-400	AMD-P	01-17-110
468-300-040	AMD	01-11-010	478-117-240	NEW-E	01-21-004	480-14-400	AMD	01-20-061
468-300-220	AMD-P	01-04-078	478-117-250	NEW-E	01-21-004	480-14-999	NEW-P	01-17-110
468-300-220	AMD	01-11-010	478-117-260	NEW-E	01-21-004	480-14-999	NEW	01-20-061
478-108-010	AMD-E	01-21-004	478-117-270	NEW-E	01-21-004	480-15	PREP	01-13-125
478-116	AMD-C	01-13-015	478-117-280	NEW-E	01-21-004	480-15-040	REP-P	01-17-110
478-116	AMD	01-20-030	478-117-300	NEW-E	01-21-004	480-15-040	REP	01-20-061
478-116-010	AMD-P	01-08-074	478-117-310	NEW-E	01-21-004	480-15-050	REP-P	01-17-110
478-116-010	AMD	01-20-030	478-117-320	NEW-E	01-21-004	480-15-050	REP	01-20-061
478-116-040	REP-P	01-08-074	478-117-400	NEW-E	01-21-004	480-15-560	AMD-P	01-17-110
478-116-040	REP	01-20-030	478-117-410	NEW-E	01-21-004	480-15-560	AMD	01-20-061
478-116-046	REP-P	01-08-074	478-136	PREP	01-21-069	480-15-570	AMD-P	01-17-110
478-116-046	REP	01-20-030	478-136-030	AMD-P	01-06-009	480-15-570	AMD	01-20-061
478-116-051	AMD-P	01-08-074	478-136-030	AMD	01-11-135	480-15-999	NEW-P	01-17-110
478-116-051	AMD	01-20-030	478-136-030	AMD-E	01-20-029	480-15-999	NEW	01-20-061
478-116-101	AMD-P	01-08-074	478-156-014	REP-XR	01-07-064	480-30	PREP	01-13-125
478-116-101	AMD	01-20-030	478-156-014	REP-P	01-19-060	480-30-010	AMD-P	01-17-110
478-116-111	AMD-P	01-08-074	478-160	PREP	01-21-040	480-30-010	AMD	01-20-061
478-116-111	AMD	01-20-030	478-250-050	AMD-P	01-07-014	480-30-015	REP-P	01-17-110
478-116-114	AMD-P	01-08-074	478-250-050	AMD	01-11-136	480-30-015	REP	01-20-061
478-116-114	AMD	01-20-030	478-250-070	AMD-P	01-07-014	480-30-030	AMD-P	01-17-110
478-116-121	AMD-P	01-08-074	478-250-070	AMD	01-11-136	480-30-030	AMD	01-20-061
478-116-121	AMD	01-20-030	478-276-020	AMD-P	01-07-014	480-30-035	REP-P	01-17-110
478-116-145	AMD-P	01-08-074	478-276-020	AMD	01-11-136	480-30-035	REP	01-20-061
478-116-145	AMD	01-20-030	478-276-060	AMD-P	01-07-014	480-30-095	AMD-P	01-17-110
478-116-151	AMD-P	01-08-074	478-276-060	AMD	01-11-136	480-30-095	AMD	01-20-061
478-116-151	AMD	01-20-030	478-276-070	AMD-P	01-07-014	480-30-097	AMD-P	01-17-110
478-116-163	AMD-P	01-08-074	478-276-070	AMD	01-11-136	480-30-097	AMD	01-20-061
478-116-163	AMD	01-20-030	478-276-080	AMD-P	01-07-014	480-30-100	AMD-P	01-17-110
478-116-201	AMD-P	01-08-074	478-276-080	AMD	01-11-136	480-30-100	AMD	01-20-061
478-116-201	AMD	01-20-030	478-276-100	AMD-P	01-07-014	480-30-999	NEW-P	01-17-110
478-116-211	AMD-P	01-08-074	478-276-100	AMD	01-11-136	480-30-999	NEW	01-20-061
478-116-211	AMD	01-20-030	478-276-120	AMD-P	01-07-014	480-31	PREP	01-13-125
478-116-245	AMD-P	01-08-074	478-276-120	AMD	01-11-136	480-31-020	AMD-P	01-17-110
478-116-245	AMD	01-20-030	478-276-140	AMD-P	01-07-014	480-31-020	AMD	01-20-061
478-116-255	AMD-P	01-08-074	478-276-140	AMD	01-11-136	480-31-030	AMD-P	01-17-110
478-116-255	AMD	01-20-030	478-276-140	AMD	01-11-136	480-31-030	AMD	01-20-061
478-116-291	AMD-P	01-08-074	478-355-010	AMD-P	01-03-122	480-31-050	AMD-P	01-17-110
478-116-291	AMD	01-20-030	478-355-010	AMD	01-08-007	480-31-050	AMD	01-20-061
478-116-291	AMD	01-20-030	478-355-030	AMD-P	01-03-122	480-31-060	REP-P	01-17-110
478-116-301	AMD-P	01-08-074	478-355-030	AMD	01-08-007	480-31-060	REP	01-20-061
478-116-301	AMD	01-20-030	478-355-040	AMD-P	01-03-122	480-31-100	AMD-P	01-17-110
478-116-311	AMD-P	01-08-074	478-355-040	AMD	01-08-007	480-31-100	AMD	01-20-061
478-116-311	AMD	01-20-030	479-05-240	AMD-P	01-13-126	480-31-100	AMD-P	01-17-110
478-116-411	AMD-P	01-08-074	479-05-240	AMD	01-19-040	480-31-120	AMD-P	01-17-110
478-116-411	AMD	01-20-030	480-09	PREP	01-12-053	480-31-120	AMD	01-20-061
478-116-605	AMD-P	01-08-074	480-14	PREP	01-13-125	480-31-130	AMD-P	01-17-110
478-116-605	AMD	01-20-030	480-14-040	AMD-P	01-17-110	480-31-130	AMD	01-20-061
478-117-005	NEW-E	01-21-004	480-14-040	AMD	01-20-061	480-31-140	AMD-P	01-17-110
478-117-010	NEW-E	01-21-004	480-14-060	REP-P	01-17-110	480-31-140	AMD	01-20-061
478-117-020	NEW-E	01-21-004	480-14-060	REP	01-20-061	480-31-999	NEW-P	01-17-110
478-117-030	NEW-E	01-21-004	480-14-070	AMD-P	01-17-110	480-31-999	NEW	01-20-061
478-117-040	NEW-E	01-21-004	480-14-070	AMD	01-20-061	480-40	PREP	01-13-125
478-117-050	NEW-E	01-21-004	480-14-250	AMD-P	01-17-110	480-40-015	REP-P	01-17-110
478-117-060	NEW-E	01-21-004	480-14-250	AMD	01-20-061	480-40-015	REP	01-20-061
478-117-070	NEW-E	01-21-004	480-14-360	AMD-P	01-17-110	480-40-065	AMD-P	01-17-110
478-117-080	NEW-E	01-21-004	480-14-360	AMD	01-20-061	480-40-065	AMD	01-20-061
478-117-090	NEW-E	01-21-004	480-14-370	AMD-P	01-17-110	480-40-075	AMD-P	01-17-110
478-117-100	NEW-E	01-21-004	480-14-370	AMD	01-20-061	480-40-075	AMD	01-20-061
478-117-110	NEW-E	01-21-004	480-14-380	AMD-P	01-17-110	480-40-999	NEW-P	01-17-110
478-117-200	NEW-E	01-21-004	480-14-380	AMD	01-20-061	480-40-999	NEW	01-20-061
478-117-210	NEW-E	01-21-004	480-14-390	AMD-P	01-17-110	480-62-010	REP	01-04-026

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480- 62-020	REP	01-04-026	480- 70-071	NEW	01-08-012	480- 70-270	REP	01-08-012
480- 62-030	REP	01-04-026	480- 70-076	NEW	01-08-012	480- 70-271	NEW	01-08-012
480- 62-040	REP	01-04-026	480- 70-080	REP	01-08-012	480- 70-276	NEW	01-08-012
480- 62-050	REP	01-04-026	480- 70-081	NEW	01-08-012	480- 70-280	REP	01-08-012
480- 62-060	REP	01-04-026	480- 70-086	NEW	01-08-012	480- 70-281	NEW	01-08-012
480- 62-070	REP	01-04-026	480- 70-090	REP	01-08-012	480- 70-286	NEW	01-08-012
480- 62-080	REP	01-04-026	480- 70-091	NEW	01-08-012	480- 70-290	REP	01-08-012
480- 62-085	REP	01-04-026	480- 70-096	NEW	01-08-012	480- 70-291	NEW	01-08-012
480- 62-090	REP	01-04-026	480- 70-100	REP	01-08-012	480- 70-296	NEW	01-08-012
480- 62-100	REP	01-04-026	480- 70-101	NEW	01-08-012	480- 70-300	REP	01-08-012
480- 62-120	REP	01-04-026	480- 70-106	NEW	01-08-012	480- 70-301	NEW	01-08-012
480- 62-125	NEW	01-04-026	480- 70-110	REP	01-08-012	480- 70-306	NEW	01-08-012
480- 62-130	NEW	01-04-026	480- 70-111	NEW	01-08-012	480- 70-310	REP	01-08-012
480- 62-135	NEW	01-04-026	480- 70-116	NEW	01-08-012	480- 70-311	NEW	01-08-012
480- 62-140	NEW	01-04-026	480- 70-120	REP	01-08-012	480- 70-316	NEW	01-08-012
480- 62-145	NEW	01-04-026	480- 70-121	NEW	01-08-012	480- 70-320	REP	01-08-012
480- 62-150	NEW	01-04-026	480- 70-126	NEW	01-08-012	480- 70-321	NEW	01-08-012
480- 62-155	NEW	01-04-026	480- 70-130	REP	01-08-012	480- 70-325	REP	01-08-012
480- 62-160	NEW	01-04-026	480- 70-131	NEW	01-08-012	480- 70-326	NEW	01-08-012
480- 62-165	NEW	01-04-026	480- 70-136	NEW	01-08-012	480- 70-330	REP	01-08-012
480- 62-170	NEW	01-04-026	480- 70-140	REP	01-08-012	480- 70-331	NEW	01-08-012
480- 62-200	NEW	01-04-026	480- 70-141	NEW	01-08-012	480- 70-335	REP	01-08-012
480- 62-205	NEW	01-04-026	480- 70-146	NEW	01-08-012	480- 70-336	NEW	01-08-012
480- 62-210	NEW	01-04-026	480- 70-150	REP	01-08-012	480- 70-339	NEW	01-08-012
480- 62-215	NEW	01-04-026	480- 70-151	NEW	01-08-012	480- 70-340	REP	01-08-012
480- 62-220	NEW	01-04-026	480- 70-155	REP	01-08-012	480- 70-341	NEW	01-08-012
480- 62-225	NEW	01-04-026	480- 70-156	NEW	01-08-012	480- 70-346	NEW	01-08-012
480- 62-230	NEW	01-04-026	480- 70-160	REP	01-08-012	480- 70-350	REP	01-08-012
480- 62-235	NEW	01-04-026	480- 70-161	NEW	01-08-012	480- 70-351	NEW	01-08-012
480- 62-240	NEW	01-04-026	480- 70-166	NEW	01-08-012	480- 70-356	NEW-W	01-12-085
480- 62-245	NEW	01-04-026	480- 70-170	REP	01-08-012	480- 70-360	REP	01-08-012
480- 62-250	NEW	01-04-026	480- 70-171	NEW	01-08-012	480- 70-361	NEW	01-08-012
480- 62-300	NEW	01-04-026	480- 70-176	NEW	01-08-012	480- 70-366	NEW	01-08-012
480- 62-305	NEW	01-04-026	480- 70-180	REP	01-08-012	480- 70-370	REP	01-08-012
480- 62-310	NEW	01-04-026	480- 70-181	NEW	01-08-012	480- 70-371	NEW	01-08-012
480- 62-315	NEW	01-04-026	480- 70-186	NEW	01-08-012	480- 70-376	NEW	01-08-012
480- 62-320	NEW	01-04-026	480- 70-190	REP	01-08-012	480- 70-380	REP	01-08-012
480- 62-325	NEW	01-04-026	480- 70-191	NEW	01-08-012	480- 70-381	NEW	01-08-012
480- 62-999	NEW	01-04-026	480- 70-196	NEW	01-08-012	480- 70-386	NEW	01-08-012
480- 70	PREP	01-13-125	480- 70-200	REP	01-08-012	480- 70-390	REP	01-08-012
480- 70-001	NEW	01-08-012	480- 70-201	NEW	01-08-012	480- 70-391	NEW	01-08-012
480- 70-006	NEW	01-08-012	480- 70-206	NEW	01-08-012	480- 70-396	NEW	01-08-012
480- 70-010	REP	01-08-012	480- 70-210	REP	01-08-012	480- 70-400	REP	01-08-012
480- 70-011	NEW	01-08-012	480- 70-211	NEW	01-08-012	480- 70-401	NEW	01-08-012
480- 70-016	NEW	01-08-012	480- 70-216	NEW	01-08-012	480- 70-405	REP	01-08-012
480- 70-020	REP	01-08-012	480- 70-220	REP	01-08-012	480- 70-406	NEW	01-08-012
480- 70-021	NEW	01-08-012	480- 70-221	NEW	01-08-012	480- 70-410	REP	01-08-012
480- 70-026	NEW	01-08-012	480- 70-226	NEW	01-08-012	480- 70-411	NEW	01-08-012
480- 70-030	REP	01-08-012	480- 70-230	REP	01-08-012	480- 70-416	NEW	01-08-012
480- 70-031	NEW	01-08-012	480- 70-231	NEW	01-08-012	480- 70-420	REP	01-08-012
480- 70-036	NEW	01-08-012	480- 70-236	NEW	01-08-012	480- 70-421	NEW	01-08-012
480- 70-040	REP	01-08-012	480- 70-240	REP	01-08-012	480- 70-426	NEW	01-08-012
480- 70-041	NEW	01-08-012	480- 70-241	NEW	01-08-012	480- 70-430	REP	01-08-012
480- 70-046	NEW	01-08-012	480- 70-245	REP	01-08-012	480- 70-431	NEW	01-08-012
480- 70-050	REP	01-08-012	480- 70-246	NEW	01-08-012	480- 70-436	NEW	01-08-012
480- 70-051	NEW	01-08-012	480- 70-250	REP	01-08-012	480- 70-440	REP	01-08-012
480- 70-055	REP	01-08-012	480- 70-251	NEW	01-08-012	480- 70-441	NEW	01-08-012
480- 70-056	NEW	01-08-012	480- 70-256	NEW	01-08-012	480- 70-446	NEW	01-08-012
480- 70-060	REP	01-08-012	480- 70-260	REP	01-08-012	480- 70-451	NEW	01-08-012
480- 70-061	NEW	01-08-012	480- 70-261	NEW	01-08-012	480- 70-456	NEW	01-08-012
480- 70-066	NEW	01-08-012	480- 70-262	NEW	01-08-012	480- 70-461	NEW	01-08-012
480- 70-070	REP	01-08-012	480- 70-266	NEW	01-08-012	480- 70-466	NEW	01-08-012

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-70-471	NEW	01-08-012	480-90-016	REP-P	01-02-084	480-90-118	NEW	01-11-003
480-70-476	NEW	01-08-012	480-90-016	REP	01-11-003	480-90-121	REP-P	01-02-084
480-70-481	NEW	01-08-012	480-90-018	NEW-P	01-02-084	480-90-121	REP-W	01-15-066
480-70-486	NEW	01-08-012	480-90-018	NEW	01-11-003	480-90-121	REP-S	01-15-088
480-70-500	REP	01-08-012	480-90-021	REP-P	01-02-084	480-90-123	NEW-P	01-02-084
480-70-510	REP	01-08-012	480-90-021	REP	01-11-003	480-90-123	NEW-S	01-11-148
480-70-530	REP	01-08-012	480-90-023	NEW-P	01-02-084	480-90-126	REP-P	01-02-084
480-70-540	REP	01-08-012	480-90-023	NEW	01-11-003	480-90-126	REP	01-11-003
480-70-550	REP	01-08-012	480-90-026	REP-P	01-02-084	480-90-128	NEW-P	01-02-084
480-70-560	REP	01-08-012	480-90-026	REP	01-11-003	480-90-128	NEW	01-11-003
480-70-570	REP	01-08-012	480-90-028	NEW-P	01-02-084	480-90-131	REP-P	01-02-084
480-70-700	REP	01-08-012	480-90-028	NEW	01-11-003	480-90-131	REP	01-11-003
480-70-710	REP	01-08-012	480-90-031	REP-P	01-02-084	480-90-133	NEW-P	01-02-084
480-70-720	REP	01-08-012	480-90-031	REP	01-11-003	480-90-133	NEW	01-11-003
480-70-730	REP	01-08-012	480-90-032	REP-P	01-02-084	480-90-136	REP-P	01-02-084
480-70-740	REP	01-08-012	480-90-032	REP	01-11-003	480-90-136	REP	01-11-003
480-70-750	REP	01-08-012	480-90-033	NEW-P	01-02-084	480-90-138	NEW-P	01-02-084
480-70-760	REP	01-08-012	480-90-033	NEW	01-11-003	480-90-138	NEW	01-11-003
480-70-770	REP	01-08-012	480-90-036	REP-P	01-02-084	480-90-141	REP-P	01-02-084
480-70-780	REP	01-08-012	480-90-036	REP	01-11-003	480-90-141	REP	01-11-003
480-70-790	REP	01-08-012	480-90-041	REP-P	01-02-084	480-90-143	NEW-P	01-02-084
480-70-999	NEW	01-08-012	480-90-041	REP	01-11-003	480-90-143	NEW	01-11-003
480-70-999	AMD-P	01-17-110	480-90-043	REP-P	01-02-084	480-90-146	REP-P	01-02-084
480-70-999	AMD	01-20-061	480-90-043	REP	01-11-003	480-90-146	REP	01-11-003
480-75	PREP	01-13-125	480-90-046	REP-P	01-02-084	480-90-148	NEW-P	01-02-084
480-75-005	AMD-E	01-13-044	480-90-046	REP	01-11-003	480-90-148	NEW	01-11-003
480-75-005	AMD-P	01-17-110	480-90-051	REP-P	01-02-084	480-90-151	REP-P	01-02-084
480-75-005	AMD	01-20-061	480-90-051	REP	01-11-003	480-90-151	REP	01-11-003
480-75-240	NEW-E	01-13-045	480-90-056	REP-P	01-02-084	480-90-153	NEW-P	01-02-084
480-75-240	NEW-P	01-20-058	480-90-056	REP-S	01-11-148	480-90-153	NEW-S	01-11-148
480-75-240	NEW-E	01-21-039	480-90-061	REP-P	01-02-102	480-90-153	NEW	01-20-059
480-75-999	NEW-P	01-17-110	480-90-061	REP	01-09-002	480-90-156	REP-P	01-02-084
480-75-999	NEW	01-20-061	480-90-066	REP-P	01-02-084	480-90-156	REP	01-11-003
480-80	AMD	01-09-002	480-90-066	REP	01-11-003	480-90-158	NEW-P	01-02-084
480-80-010	AMD-P	01-02-102	480-90-071	REP-P	01-02-084	480-90-158	NEW	01-11-003
480-80-010	AMD	01-09-002	480-90-071	REP	01-11-003	480-90-161	REP-P	01-02-084
480-80-035	NEW-P	01-02-102	480-90-072	REP-P	01-02-084	480-90-161	REP	01-11-003
480-80-035	NEW	01-09-002	480-90-072	REP	01-11-003	480-90-163	NEW-P	01-02-084
480-80-047	REP-P	01-02-102	480-90-076	REP-P	01-02-084	480-90-163	NEW	01-11-003
480-80-047	REP	01-09-002	480-90-076	REP	01-11-003	480-90-166	REP-P	01-02-084
480-80-048	REP-P	01-02-102	480-90-081	REP-P	01-02-084	480-90-166	REP	01-11-003
480-80-048	REP	01-09-002	480-90-081	REP	01-11-003	480-90-168	NEW-P	01-02-084
480-80-049	REP-P	01-02-102	480-90-086	REP-P	01-02-084	480-90-168	NEW	01-11-003
480-80-049	REP	01-09-002	480-90-086	REP	01-11-003	480-90-171	REP-P	01-02-084
480-80-120	REP-P	01-02-102	480-90-091	REP-P	01-02-084	480-90-171	REP	01-11-003
480-80-120	REP	01-09-002	480-90-091	REP	01-11-003	480-90-173	NEW-P	01-02-084
480-80-325	NEW-P	01-02-102	480-90-096	REP-P	01-02-084	480-90-173	NEW	01-11-003
480-80-325	NEW	01-09-002	480-90-096	REP	01-11-003	480-90-176	REP-P	01-02-084
480-80-326	NEW-P	01-02-102	480-90-101	REP-P	01-02-084	480-90-176	REP	01-11-003
480-80-326	NEW	01-09-002	480-90-101	REP	01-11-003	480-90-178	NEW-P	01-02-084
480-80-390	REP-P	01-02-102	480-90-103	NEW-P	01-02-084	480-90-178	NEW	01-11-003
480-80-390	REP	01-09-002	480-90-103	NEW	01-11-003	480-90-181	REP-P	01-02-084
480-90-001	NEW-P	01-02-084	480-90-106	REP-P	01-02-084	480-90-181	REP	01-11-003
480-90-001	NEW	01-11-003	480-90-106	REP	01-11-003	480-90-183	NEW-P	01-02-084
480-90-003	NEW-P	01-02-084	480-90-108	NEW-P	01-02-084	480-90-183	NEW	01-11-003
480-90-003	NEW	01-11-003	480-90-108	NEW	01-11-003	480-90-188	NEW-P	01-02-084
480-90-008	NEW-P	01-02-084	480-90-113	NEW-P	01-02-084	480-90-188	NEW	01-11-003
480-90-008	NEW	01-11-003	480-90-113	NEW	01-11-003	480-90-191	REP-P	01-02-084
480-90-011	REP-P	01-02-084	480-90-116	REP-P	01-02-084	480-90-191	REP	01-11-003
480-90-011	REP	01-11-003	480-90-116	REP	01-11-003	480-90-193	NEW-P	01-02-102
480-90-013	NEW-P	01-02-084	480-90-116	REP-S	01-11-148	480-90-193	NEW	01-09-002
480-90-013	NEW	01-11-003	480-90-118	NEW-P	01-02-084	480-90-203	NEW-P	01-02-084

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-90-203	NEW	01-11-003	480-93-999	NEW	01-20-061	480-100-103	NEW	01-11-004
480-90-208	NEW-P	01-02-084	480-100-001	NEW-P	01-02-083	480-100-108	NEW-P	01-02-083
480-90-208	NEW	01-11-003	480-100-001	NEW	01-11-004	480-100-108	NEW	01-11-004
480-90-211	REP-P	01-02-084	480-100-003	NEW-P	01-02-083	480-100-111	REP-P	01-02-083
480-90-211	REP	01-11-003	480-100-003	NEW	01-11-004	480-100-111	REP	01-11-004
480-90-213	NEW-P	01-02-084	480-100-008	NEW-P	01-02-083	480-100-113	NEW-P	01-02-083
480-90-213	NEW	01-11-003	480-100-008	NEW	01-11-004	480-100-113	NEW	01-11-004
480-90-218	NEW-P	01-02-084	480-100-011	REP-P	01-02-083	480-100-116	REP-P	01-02-083
480-90-218	NEW	01-11-003	480-100-011	REP	01-11-004	480-100-116	REP-S	01-11-147
480-90-223	NEW-P	01-02-084	480-100-013	NEW-P	01-02-083	480-100-118	NEW-P	01-02-083
480-90-223	NEW	01-11-003	480-100-013	NEW	01-11-004	480-100-118	NEW	01-11-004
480-90-228	NEW-P	01-02-084	480-100-016	REP-P	01-02-083	480-100-121	REP-P	01-02-083
480-90-228	NEW	01-11-003	480-100-016	REP	01-11-004	480-100-121	REP	01-11-004
480-90-233	NEW-P	01-02-084	480-100-018	NEW-P	01-02-083	480-100-123	NEW-P	01-02-083
480-90-233	NEW	01-11-003	480-100-018	NEW	01-11-004	480-100-123	NEW-S	01-11-147
480-90-238	NEW-P	01-02-084	480-100-021	REP-P	01-02-083	480-100-126	REP-P	01-02-083
480-90-238	NEW	01-11-003	480-100-021	REP	01-11-004	480-100-126	REP	01-11-004
480-90-303	NEW-P	01-02-084	480-100-023	NEW-P	01-02-083	480-100-128	NEW-P	01-02-083
480-90-303	NEW	01-11-003	480-100-023	NEW	01-11-004	480-100-128	NEW	01-11-004
480-90-308	NEW-P	01-02-084	480-100-026	REP-P	01-02-083	480-100-131	REP-P	01-02-083
480-90-308	NEW	01-11-003	480-100-026	REP	01-11-004	480-100-131	REP	01-11-004
480-90-313	NEW-P	01-02-084	480-100-028	NEW-P	01-02-083	480-100-133	NEW-P	01-02-083
480-90-313	NEW	01-11-003	480-100-028	NEW	01-11-004	480-100-133	NEW	01-11-004
480-90-323	NEW-P	01-02-084	480-100-031	REP-P	01-02-083	480-100-136	REP-P	01-02-083
480-90-323	NEW	01-11-003	480-100-031	REP	01-11-004	480-100-136	REP	01-11-004
480-90-328	NEW-P	01-02-084	480-100-032	REP-P	01-02-083	480-100-138	NEW-P	01-02-083
480-90-328	NEW	01-11-003	480-100-032	REP	01-11-004	480-100-138	NEW	01-11-004
480-90-333	NEW-P	01-02-084	480-100-033	NEW-P	01-02-083	480-100-141	REP-P	01-02-083
480-90-333	NEW	01-11-003	480-100-033	NEW	01-11-004	480-100-141	REP	01-11-004
480-90-338	NEW-P	01-02-084	480-100-036	REP-P	01-02-083	480-100-143	NEW-P	01-02-083
480-90-338	NEW	01-11-003	480-100-036	REP	01-11-004	480-100-143	NEW	01-11-004
480-90-343	NEW-P	01-02-084	480-100-041	REP-P	01-02-083	480-100-146	REP-P	01-02-083
480-90-343	NEW	01-11-003	480-100-041	REP	01-11-004	480-100-146	REP	01-11-004
480-90-348	NEW-P	01-02-084	480-100-043	REP-P	01-02-083	480-100-148	NEW-P	01-02-083
480-90-348	NEW	01-11-003	480-100-043	REP	01-11-004	480-100-148	NEW	01-11-004
480-90-353	NEW-P	01-02-084	480-100-046	REP-P	01-02-083	480-100-151	REP-P	01-02-083
480-90-353	NEW	01-11-003	480-100-046	REP	01-11-004	480-100-151	REP	01-11-004
480-90-999	NEW-P	01-02-084	480-100-051	REP-P	01-02-083	480-100-153	NEW-P	01-02-083
480-90-999	NEW	01-11-003	480-100-051	REP	01-11-004	480-100-153	NEW-S	01-11-147
480-93	PREP	01-13-125	480-100-056	REP-P	01-02-083	480-100-153	NEW	01-20-060
480-93	PREP	01-17-048	480-100-056	REP-S	01-11-147	480-100-156	REP-P	01-02-083
480-93-005	AMD-P	01-17-110	480-100-061	REP-P	01-02-102	480-100-156	REP	01-11-004
480-93-005	AMD	01-20-061	480-100-061	REP	01-09-002	480-100-161	REP-P	01-02-083
480-93-010	AMD-E	01-13-044	480-100-066	REP-P	01-02-083	480-100-161	REP	01-11-004
480-93-010	AMD-P	01-17-110	480-100-066	REP	01-11-004	480-100-163	NEW-P	01-02-083
480-93-010	AMD	01-20-061	480-100-071	REP-P	01-02-083	480-100-163	NEW	01-11-004
480-93-015	AMD-P	01-17-110	480-100-071	REP	01-11-004	480-100-166	REP-P	01-02-083
480-93-015	AMD	01-20-061	480-100-072	REP-P	01-02-083	480-100-166	REP	01-11-004
480-93-110	AMD-P	01-17-110	480-100-072	REP	01-11-004	480-100-168	NEW-P	01-02-083
480-93-110	AMD	01-20-061	480-100-076	REP-P	01-02-083	480-100-168	NEW	01-11-004
480-93-124	AMD-P	01-17-110	480-100-076	REP	01-11-004	480-100-171	REP-P	01-02-083
480-93-124	AMD	01-20-061	480-100-081	REP-P	01-02-083	480-100-171	REP	01-11-004
480-93-155	AMD-P	01-17-110	480-100-081	REP	01-11-004	480-100-173	NEW-P	01-02-083
480-93-155	AMD	01-20-061	480-100-086	REP-P	01-02-083	480-100-173	NEW	01-11-004
480-93-180	AMD-P	01-17-110	480-100-086	REP	01-11-004	480-100-176	REP-P	01-02-083
480-93-180	AMD	01-20-061	480-100-091	REP-P	01-02-083	480-100-176	REP	01-11-004
480-93-220	AMD-P	01-17-110	480-100-091	REP	01-11-004	480-100-178	NEW-P	01-02-083
480-93-220	AMD	01-20-061	480-100-096	REP-P	01-02-083	480-100-178	NEW	01-11-004
480-93-240	NEW-E	01-13-045	480-100-096	REP	01-11-004	480-100-181	REP-P	01-02-083
480-93-240	NEW-P	01-20-058	480-100-101	REP-P	01-02-083	480-100-181	REP	01-11-004
480-93-240	NEW-E	01-21-039	480-100-101	REP	01-11-004	480-100-183	NEW-P	01-02-083
480-93-999	NEW-P	01-17-110	480-100-103	NEW-P	01-02-083	480-100-183	NEW	01-11-004

TABLE

Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
480-100-186	REP-P	01-02-083	480-100-388	NEW	01-08-009	480-120-543	NEW	01-09-002
480-100-186	REP	01-11-004	480-100-393	NEW-P	01-04-081	480-120-544	NEW-P	01-02-102
480-100-188	NEW-P	01-02-083	480-100-393	NEW	01-08-009	480-120-544	NEW	01-09-002
480-100-188	NEW	01-11-004	480-100-398	NEW-P	01-04-081	480-120-545	NEW-P	01-03-100
480-100-191	REP-P	01-02-083	480-100-398	NEW	01-08-009	480-120-545	NEW	01-15-022
480-100-191	REP	01-11-004	480-100-999	NEW-P	01-02-083	480-121-061	NEW-P	01-02-102
480-100-193	NEW-P	01-02-102	480-100-999	NEW	01-11-004	480-121-061	NEW	01-09-002
480-100-193	NEW	01-09-002	480-120-011	AMD-P	01-03-100	480-121-062	NEW-P	01-02-102
480-100-201	REP-P	01-02-083	480-120-011	AMD	01-15-022	480-121-062	NEW	01-09-002
480-100-201	REP	01-11-004	480-120-015	NEW-P	01-03-100	480-121-063	NEW-P	01-02-102
480-100-203	NEW-P	01-02-083	480-120-015	NEW	01-15-022	480-121-063	NEW	01-09-002
480-100-203	NEW	01-11-004	480-120-016	AMD-P	01-03-100	480-121-064	NEW-P	01-02-102
480-100-206	REP-P	01-02-083	480-120-016	AMD	01-15-022	480-121-064	NEW	01-09-002
480-100-206	REP	01-11-004	480-120-022	REP-P	01-02-102	480-122-010	AMD-P	01-16-152
480-100-208	NEW-P	01-02-083	480-120-022	REP	01-09-002	480-122-020	AMD-P	01-16-152
480-100-208	NEW	01-11-004	480-120-022	REP-P	01-02-102	480-122-030	REP-P	01-16-152
480-100-211	REP-P	01-02-083	480-120-023	REP	01-09-002	480-122-040	REP-P	01-16-152
480-100-211	REP	01-11-004	480-120-023	REP	01-02-102	480-122-060	AMD-P	01-16-152
480-100-213	NEW-P	01-02-083	480-120-024	REP-P	01-09-002	480-122-070	REP-P	01-16-152
480-100-213	NEW	01-11-004	480-120-024	REP	01-02-102	480-122-080	AMD-P	01-16-152
480-100-218	NEW-P	01-02-083	480-120-025	REP-P	01-09-002	480-122-090	REP-P	01-16-152
480-100-218	NEW	01-11-004	480-120-025	REP	01-09-002	484- 20-010	AMD-X	01-18-099
480-100-223	NEW-P	01-02-083	480-120-026	AMD-P	01-03-100	484- 20-080	AMD-X	01-18-099
480-100-223	NEW-P	01-11-004	480-120-026	AMD	01-15-022	484- 20-086	AMD-X	01-18-099
480-100-228	NEW-P	01-02-083	480-120-027	REP-P	01-02-102	484- 20-090	AMD-X	01-18-099
480-100-228	NEW	01-11-004	480-120-027	REP	01-09-002	484- 20-095	AMD-X	01-18-099
480-100-233	NEW-P	01-02-083	480-120-028	NEW-P	01-03-100	484- 20-135	AMD-X	01-18-099
480-100-233	NEW-W	01-15-064	480-120-028	NEW	01-15-022	484- 20-145	AMD-X	01-18-099
480-100-238	NEW	01-11-004	480-120-029	NEW-P	01-03-100	490-105-080	AMD-X	01-18-081
480-100-251	REP-P	01-02-083	480-120-029	NEW	01-15-022	490-105-170	AMD-X	01-18-081
480-100-251	REP	01-11-004	480-120-032	AMD-P	01-03-100	504- 14-010	NEW-P	01-15-075
480-100-308	NEW-P	01-02-083	480-120-032	AMD	01-15-022	504- 14-010	NEW	01-18-015
480-100-308	NEW	01-11-004	480-120-033	AMD-P	01-03-100	504- 14-020	NEW-P	01-15-075
480-100-311	REP-P	01-02-083	480-120-033	AMD	01-15-022	504- 14-020	NEW	01-18-015
480-100-311	REP	01-11-004	480-120-036	REP-P	01-03-100	504- 14-030	NEW-P	01-15-075
480-100-313	NEW-P	01-02-083	480-120-036	REP	01-15-022	504- 14-030	NEW	01-18-015
480-100-313	NEW	01-11-004	480-120-043	NEW-P	01-02-102	504- 14-040	NEW-P	01-15-075
480-100-318	NEW-P	01-02-083	480-120-043	NEW	01-09-002	504- 14-040	NEW	01-18-015
480-100-318	NEW	01-11-004	480-120-049	NEW-P	01-03-100	504- 14-050	NEW-P	01-15-075
480-100-328	NEW-P	01-02-083	480-120-049	NEW-W	01-17-023	504- 14-050	NEW	01-18-015
480-100-328	NEW	01-11-004	480-120-066	REP-P	01-02-102	504- 14-080	NEW-P	01-15-075
480-100-333	NEW-P	01-02-083	480-120-066	REP	01-09-002	504- 14-080	NEW	01-18-015
480-100-333	NEW	01-11-004	480-120-076	REP-P	01-03-100	504- 14-080	NEW	01-18-015
480-100-338	NEW-P	01-02-083	480-120-076	REP	01-15-022	504- 14-100	NEW-P	01-15-075
480-100-338	NEW	01-11-004	480-120-083	NEW-E	01-11-048	504- 14-100	NEW	01-18-015
480-100-343	NEW-P	01-02-083	480-120-083	PREP	01-12-102	504- 14-200	NEW-P	01-15-075
480-100-343	NEW	01-11-004	480-120-083	NEW-P	01-18-098	504- 14-200	NEW	01-18-015
480-100-353	NEW-P	01-02-083	480-120-083	NEW-E	01-19-009	504- 14-210	NEW-P	01-15-075
480-100-353	NEW	01-11-004	480-120-091	REP-P	01-03-100	504- 14-210	NEW	01-18-015
480-100-358	NEW-P	01-02-083	480-120-091	REP	01-15-022	504- 14-220	NEW-P	01-15-075
480-100-358	NEW	01-11-004	480-120-096	REP-P	01-03-100	504- 14-220	NEW	01-18-015
480-100-363	NEW-P	01-02-083	480-120-096	REP	01-15-022	504- 14-250	NEW-P	01-15-075
480-100-363	NEW	01-11-004	480-120-136	AMD-P	01-03-100	504- 14-250	NEW	01-18-015
480-100-368	NEW-P	01-02-083	480-120-136	AMD	01-15-022	504- 14-300	NEW-P	01-15-075
480-100-368	NEW	01-11-004	480-120-530	AMD-P	01-03-100	504- 14-300	NEW	01-18-015
480-100-373	NEW-P	01-02-083	480-120-530	AMD	01-15-022	504- 14-350	NEW-P	01-15-075
480-100-373	NEW	01-11-004	480-120-531	NEW-P	01-03-100	504- 14-350	NEW	01-18-015
480-100-378	NEW-P	01-02-083	480-120-531	NEW	01-15-022	504- 14-360	NEW-P	01-15-075
480-100-378	NEW	01-11-004	480-120-541	NEW-P	01-02-102	504- 14-360	NEW	01-18-015
480-100-383	NEW-P	01-02-083	480-120-541	NEW	01-09-002	504- 14-410	NEW-P	01-15-075
480-100-383	NEW	01-11-004	480-120-542	NEW-P	01-02-102	504- 14-410	NEW	01-18-015
480-100-388	NEW-P	01-04-081	480-120-542	NEW	01-09-002	504- 14-420	NEW-P	01-15-075
			480-120-543	NEW-P	01-02-102	504- 14-420	NEW	01-18-015

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Table of WAC Sections Affected

WAC #	ACTION	WSR #	WAC #	ACTION	WSR #	WAC #	ACTION	WSR #
504- 14-430	NEW-P	01-15-075	504- 21-050	AMD	01-19-027			
504- 14-430	NEW	01-18-015	504- 40-010	AMD-P	01-15-025			
504- 14-440	NEW-P	01-15-075	504- 40-010	AMD	01-19-029			
504- 14-440	NEW	01-18-015	504- 50-010	NEW-P	01-08-084			
504- 14-450	NEW-P	01-15-075	504- 50-010	NEW	01-13-103			
504- 14-450	NEW	01-18-015	504- 50-020	NEW-P	01-08-084			
504- 14-460	NEW-P	01-15-075	504- 50-020	NEW	01-13-103			
504- 14-460	NEW	01-18-015	504- 50-030	NEW-P	01-08-084			
504- 14-470	NEW-P	01-15-075	504- 50-030	NEW	01-13-103			
504- 14-470	NEW	01-18-015	504- 50-040	NEW-P	01-08-084			
504- 14-510	NEW-P	01-15-075	504- 50-040	NEW	01-13-103			
504- 14-510	NEW	01-18-015	504- 50-050	NEW-P	01-08-084			
504- 14-520	NEW-P	01-15-075	504- 50-050	NEW	01-13-103			
504- 14-520	NEW	01-18-015	504- 50-060	NEW-P	01-08-084			
504- 14-540	NEW-P	01-15-075	504- 50-060	NEW	01-13-103			
504- 14-540	NEW	01-18-015	504- 50-070	NEW-P	01-08-084			
504- 14-560	NEW-P	01-15-075	504- 50-070	NEW	01-13-103			
504- 14-560	NEW	01-18-015	504- 50-080	NEW-P	01-08-084			
504- 14-580	NEW-P	01-15-075	504- 50-080	NEW	01-13-103			
504- 14-580	NEW	01-18-015	508- 64-010	REP-P	01-16-131			
504- 14-600	NEW-P	01-15-075	508- 64-020	REP-P	01-16-131			
504- 14-600	NEW	01-18-015	508- 64-030	REP-P	01-16-131			
504- 14-650	NEW-P	01-15-075	508- 64-040	REP-P	01-16-131			
504- 14-650	NEW	01-18-015	508- 64-050	REP-P	01-16-131			
504- 14-810	NEW-P	01-15-075	508- 64-060	REP-P	01-16-131			
504- 14-810	NEW	01-18-015	508- 64-070	REP-P	01-16-131			
504- 14-830	NEW-P	01-15-075	508- 64-080	REP-P	01-16-131			
504- 14-830	NEW	01-18-015	516- 12	PREP	01-11-115			
504- 14-860	NEW-P	01-15-075	516- 13	PREP	01-11-115			
504- 14-860	NEW	01-18-015	516- 14	PREP	01-11-115			
504- 14-900	NEW-P	01-15-075	516- 15	PREP	01-13-067			
504- 14-900	NEW	01-18-015	516- 24-001	AMD-P	01-05-086			
504- 14-920	NEW-P	01-15-075	516- 24-001	AMD	01-09-052			
504- 14-920	NEW	01-18-015	516- 24-050	REP-P	01-05-086			
504- 14-930	NEW-P	01-15-075	516- 24-050	REP	01-09-052			
504- 14-930	NEW	01-18-015	516- 24-060	REP-P	01-05-086			
504- 14-940	NEW-P	01-15-075	516- 24-060	REP	01-09-052			
504- 14-940	NEW	01-18-015	516- 24-110	AMD-P	01-05-086			
504- 15-650	AMD-P	01-08-085	516- 24-110	AMD	01-09-052			
504- 15-650	AMD	01-13-102	516- 24-115	REP-P	01-05-086			
504- 18-100	AMD-P	01-15-074	516- 24-115	REP	01-09-052			
504- 18-100	AMD	01-18-019	516- 24-130	AMD-P	01-05-086			
504- 18-110	AMD-P	01-15-074	516- 24-130	AMD	01-09-052			
504- 18-110	AMD	01-18-019	516- 25-001	NEW-P	01-05-086			
504- 18-120	AMD-P	01-15-074	516- 25-001	NEW	01-09-052			
504- 18-120	AMD	01-18-019	516- 60-001	REP-W	01-08-031			
504- 18-130	AMD-P	01-15-074	516- 60-002	REP-W	01-08-031			
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