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OLYMPIA, WASHINGTON

ISSUE 78-06



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This issue contains documents officially
filed no later than June 7, 1978

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 123rd item in the February, 1978, Register would be cited as WSR 78-02-123.

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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

WASHINGTON STATE REGISTER

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

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

3. PRINTING STYLE — INDICATION OF NEW OR DELETED MATTER

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

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

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

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

5. EFFECTIVE DATE OF RULES

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

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

1978

DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION

Issue No.	Distribution Date	First Agency Action Date ²	Closing Dates ¹		
			OTS ³ or 10 pages maximum (14 days)	Non-OTS and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
78-1	Jan 18	Feb 7	Jan 4	— ⁴	— ⁴
78-2	Feb 15	Mar 7	Feb 1	Jan 18	Jan 4
78-3	Mar 15	Apr 4	Mar 1	Feb 15	Feb 1
78-4	Apr 19	May 9	Apr 5	Mar 22	Mar 8
78-5	May 17	Jun 6	May 3	Apr 19	Apr 5
78-6	Jun 21	Jul 11	Jun 7	May 24	May 10
78-7	Jul 19	Aug 8	Jul 5	Jun 21	Jun 7
78-8	Aug 16	Sep 5	Aug 2	Jul 19	Jul 5
78-9	Sep 20	Oct 10	Sep 6	Aug 23	Aug 9
78-10	Oct 18	Nov 7	Oct 4	Sep 20	Sep 6
78-11	Nov 15	Dec 5	Nov 1	Oct 18	Oct 4
78-12	Dec 20	Jan 9, 1979	Dec 6	Nov 22	Nov 8

¹All documents are due at the Code Reviser's Office by 5:00 p.m. on the applicable closing date for inclusion in a particular issue of the Register; see WAC 1-12-035 or 1-13-035.

²"No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained." RCW 28B.19.030(2) and 34.04.025(2). These dates represent the twentieth day after the distribution date of the immediately preceding Register.

³OTS is the acronym used for the Order Typing Service offered by the Code Reviser's Office which is briefly explained in WAC 1-12-220 and WAC 1-13-240.

⁴Material having this quantity of pages will not appear in Register No. 78-1 but will appear in Issue No. 78-2 if filed by the pertinent closing date for that issue.

~~WSR 78-06-001~~ *Codified ahead of publication LKB*
 ADOPTED RULES
 HORSE RACING COMMISSION
 [Order 78-1—Filed May 4, 1978]

Be it resolved by the Washington State Horse Racing Commission, acting at the Holiday Inn, N. 9th Street and East Yakima Avenue, Yakima, WA, that it does promulgate and adopt the annexed rules relating to:

- WAC 260-70-050 Procedure for taking specimens.
- WAC 260-70-060 Effect of laboratory analysis.
- WAC 260-70-070 Persons responsible.
- WAC 260-70-080 Procedure upon positive finding by chief chemist.
- WAC 260-70-170 Veterinarian report.
- WAC 260-70-200 Bandages.
- WAC 260-70-020 Medication permitted—Prohibited.

This action is taken pursuant to Notice No. WSR 78-03-095 filed with the code reviser on 3/1/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 67.16.020 which directs that the Commission to prepare and promulgate a complete set of rules and regulations to govern race-meets in this state.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED April 14, 1978.

Anne McLean, Member
 Gary L. Jackson, Member

By James K. Bender
 Chairman

AMENDATORY SECTION (Amending Order 74.1, filed 5/22/74)

WAC 260-70-050 PROCEDURE FOR TAKING SPECIMENS. All horses from which specimens are to be drawn are to be taken to the detention area at the prescribed time and remain there until released by the ~~((test-barn))~~ commission veterinarian. No person other than the owner, trainer, groom, or hotwalker of a horse to be tested, and no lead pony, shall be admitted to the detention area without permission of the ~~((test-barn))~~ commission veterinarian.

(a) During the taking of specimens from a horse, the owner or responsible trainer (who in the case of a claimed horse shall be the person in whose name such horse raced), or a stable representative designated by such owner or trainer, shall be present and witness the taking of such specimens and so signify in writing.

(b) Samples taken from a horse by the ~~((test-barn))~~ commission veterinarian or his assistant shall be placed in a container and sealed together with a double identification tag. One portion of such tag bearing a printed identification number shall remain with the sealed container; the other portion of such tag bearing the same printed identification number shall be detached in the presence of the witness and the ~~((test-barn))~~ commission veterinarian shall thereon identify the horse from which such specimen was taken, as well as the race and day, verified by such witness, and such detached portion of

identification tag shall be kept by the ~~((test-barn))~~ commission veterinarian for delivery only to the stewards and/or the racing commission. The ~~((test-barn))~~ commission veterinarian shall take every precaution to insure that the commission chemist and no member of the laboratory staff shall know the identity of the horse from which the specimen has been taken prior to the completion of all testing thereon.

(c)(1) If, after a horse remains a reasonable time in the detention area and a specimen may not be taken from such a horse, the ~~((test-barn))~~ commission veterinarian may permit such horse to be returned to its barn in usual surroundings for the taking of the specimen under the supervision of the ~~((test-barn))~~ commission veterinarian.

(2) With the consent of the trainer or attendant the commission veterinarian may administer to the horse a diuretic to facilitate urination. Quantity, identity, and time of administration shall be noted on both portions of the specimen tag by the ~~((test-barn))~~ commission veterinarian.

(d) The ~~((test-barn))~~ commission veterinarian shall be responsible for safeguarding all specimens while in his possession and shall cause such specimens to be delivered only to the chief chemist as soon as possible after sealing, but in such order or in such manner as not to reveal the identity of any horse from which each sample was taken.

(e) All specimens taken by or under the supervision of the ~~((test-barn))~~ commission veterinarian or other authorized representative of the commission shall be delivered to the chief chemist at the laboratory of the commission for official analysis.

(f) Notwithstanding the provisions of these rules requiring certain functions to be performed by the commission veterinarian, he may delegate any of such duties to an authorized representative or representatives, approved by the commission, so long as such delegation is not of a duty which would under the appropriate statutes be defined as the practice of veterinary medicine.

AMENDATORY SECTION (Amending Order 74.1, filed 5/22/74)

WAC 260-70-060 EFFECT OF LABORATORY ANALYSIS. Should the laboratory analysis of any specimen taken from a horse following a race show evidence of medication such shall be deemed prima facie evidence that such was administered and that the horse carried such medication in its body while running in the race.

~~((Should the laboratory analysis of specimen taken from a horse following a race show an absence of medication, such shall be prima facie evidence that such horse was not medicated and did not carry medication in its body while running in a race.))~~

AMENDATORY SECTION (Amending Order 74.1, filed 5/22/74)

WAC 260-70-070 PERSONS RESPONSIBLE. Any person found to have administered a medication or to have failed to have administered a medication which

caused or could have caused a violation of these rules, or who participated or attempted to participate in any way in such administration or failure to administer, shall be subject to disciplinary action.

The licensed trainer of a horse found to have been administered a medication in violation of these rules shall ~~((bear the burden of proof showing freedom from negligence in the exercise of a high degree of care in safeguarding such horse from tampering and, failing to prove such freedom from negligence (or reliance on the professional ability of a licensed veterinarian) shall be subject to disciplinary action))~~ be deemed responsible in accordance with WAC 260-28-180. Mitigating circumstances or exonerating evidence shall be taken into account by the stewards or commissioners in determining the penalty, if any, for any improper administering of or failure to administer medication.

The assistant trainer, groom, stable watchman, or any other person having the immediate care and custody of a horse found to have been administered a medication in violation of these rules, if found negligent in guarding or protecting such horse from tampering shall be subject to disciplinary action.

A licensed veterinarian shall be responsible for any medication he administers, prescribes, or causes to be administered by his direction on a horse, and if found to have made an error in type or quantity of same administered, on the correctness of which act or judgment a trainer relied in racing treated horse in violation of these rules, then such veterinarian shall be subject to disciplinary action.

AMENDATORY SECTION (Amending Order 74.1, filed 5/22/74)

WAC 260-70-080 PROCEDURE UPON POSITIVE FINDING BY CHIEF CHEMIST. Whenever a laboratory analysis of a specimen taken pursuant to these rules shows the presence or absence of medication in apparent violation of these rules, the stewards shall conduct or cause to be conducted a thorough investigation of the incident ~~((so as to determine who is responsible for the apparent rule violation))~~. The stewards may make such temporary orders with respect to the suspension of the trainer, groom, owner, or other person as will protect the public. Such order shall be effective only until the conclusion of a hearing before the stewards which shall be held within three days of request for such hearing. At any such hearing, or, any hearing, held pursuant to these rules before the stewards or the commission, the trainer shall be deemed responsible in accordance with WAC ~~((260-70-070))~~ 260-28-180 and unless evidence of sufficient credibility and weight is presented, the stewards may make a finding in accordance with said rule. The stewards may take such action against the person or persons found responsible as they deem proper, including reference to the commission. If the stewards or commissioners are of the opinion that the evidence proves the ~~((trainer is without fault and was blameless in connection with the administration or absence of administration of medication))~~ proper administration of a permitted medication or the absence of administration of a

prohibited drug, the stewards or commissioners shall exonerate the trainer completely. The stewards or commissioners shall make such further orders suspending or fining, or both, the person or persons found responsible.

In case the finding is of the presence of a prohibited drug, the owner of a horse shall not participate in the purse distribution of such race, and shall be denied or shall promptly return any portion of the purse, or sweepstakes, and any trophy in such race and the same shall be distributed as in the case of a disqualification. If a horse shall be disqualified in a race because of the infraction of this rule, the eligibility of other horses which ran in such race and which have started in a subsequent race before announcement of such disqualification shall not be in any way affected.

AMENDATORY SECTION (Amending Order 74.1, filed 5/22/74)

WAC 260-70-170 VETERINARIAN REPORT. Every veterinarian who treats a horse upon the ~~((ground))~~ approved grounds shall, in writing on a form prescribed by the commission, report to the ~~((test barn))~~ commission veterinarian in a manner prescribed by him, the name of the horse treated, the name of the trainer of the horse, the time of treatment, and any other information requested by the ~~((test barn))~~ commission veterinarian. Detection of any unreported medication, drug, or substance; or failure to detect any permitted medication, drug or substance by the chief chemist in a test may be grounds for disciplinary action. A list of horses on a phenylbutazone program shall be kept in the office of the commission and shall be available for public inspection.

AMENDATORY SECTION (Amending Order 74.1, filed 5/22/74)

WAC 260-70-200 BANDAGES. Only bandages authorized or approved by the ~~((official veterinarian))~~ paddock judge may be used on a horse during a race, and all other bandages or leg coverings shall be removed ~~((at the time the horse reports to the paddock or earlier))~~ fifteen minutes prior to post time, or upon request by the paddock judge.

AMENDATORY SECTION (Amending Order 74.1, filed 5/22/74)

WAC 260-70-020 MEDICATION PERMITTED—PROHIBITED. No horse while participating in a race shall carry in its body any prohibited drug. Subject to the rules set forth herein, medication calculated to improve or protect the health of a horse may be administered to a horse in training: PROVIDED, That no two-year-old horse shall carry any medication except vitamins including but not limited to the medications defined in WAC 260-70-010(1) through (4) in its body while participating in a race: PROVIDED FURTHER, That the provisions of WAC 260-70-030 authorizing the stewards to grant permission for the use of an approved medication to bleeders shall not be applicable to any two-year-old horses. The finding of any medication, as set forth herein, in a two-year-old horse participating

in a race shall disqualify the owner of such two-year-old from participating in the purse distribution, and the stewards may take any authorized action they may consider necessary to preserve the integrity of racing.

WSR 78-06-002

ADOPTED RULES
DEPARTMENT OF FISHERIES
[Order 78-20—Filed May 4, 1978]

*Code book
checked
publication*

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial trolling regulations.

This action is taken pursuant to Notice No. WSR 78-03-093 filed with the code reviser on 3/1/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED April 20, 1978.

By Gordon Sandison
Director

AMENDATORY SECTION (Amending Order 78-11, filed 3/20/78)

WAC 220-44-020 SEASONS. (1) ~~((It shall be lawful to possess for commercial purposes sockeye salmon taken lawfully by treaty Indians from the Quinault and Ozette Rivers.~~

~~((2)))~~ (2) It shall be unlawful to take, fish for or possess salmon taken for commercial purposes in that portion of Coastal Salmon Management and Catch Reporting Area 4 north of Point of the Arches and inside the 3-mile limit during weekly closed periods extending from 11:59 p.m. Friday to 12:01 a.m. Monday.

~~((3)))~~ (2) It shall be unlawful to take, fish for or possess salmon taken for commercial purposes with purse seine, drag seine, or gill net gear from Coastal Salmon Management and Catch Reporting Areas 1, 2, 3 and 4 ~~((except as provided in subsection (1))).~~

~~((4)))~~ (3) It shall be unlawful to take, fish for or possess smelt taken for commercial purposes with purse seine, drag seine, or gill net gear from Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A and that portion of area 58 within the United States 200 mile fishery conservation zone.

~~((5)))~~ (4) It shall be lawful to take, fish for and possess smelt taken for commercial purposes by hand net gear in Marine Fish-Shellfish Management and Catch Reporting Areas 59 and 60A except during weekly closed periods extending from 8:00 a.m. Friday to 8:00 a.m. Sunday.

~~((6)))~~ (5) It shall be lawful to take, fish for and possess for commercial purposes sturgeon, shad, herring, candlefish, anchovies and pilchards taken in Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A, and that portion of area 58 within the United States 200 mile fishery conservation zone with any lawful commercial fishing gear.

~~((7)))~~ (6) It shall be unlawful to transport through Coastal Salmon Management and Catch Reporting Areas 1, 2, 3, and 4 or to land in the state of Washington, any salmon taken for commercial purposes contrary to the provisions of chapter 220-47 WAC relative to seasons and species and as provided in WAC 220-24-020.

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

WSR 78-06-003

EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-23—Filed May 5, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is harvestable numbers of shad should be in these areas during the seasons set. Gear and area restrictions are set to minimize the impact on summer stocks.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 5, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-32-04000B SEASONS AND AREAS—SHAD Notwithstanding the provisions of WAC 220-32-041, it shall be unlawful to take, fish for or possess shad for commercial purposes with gillnets except from the following areas during the specified times for each area as follows:

(a) A line commencing at the white six-second equal-interval light approximately 3/4 mile east of the Washougal Woolen Mill pipe line and projected westerly to the Washougal blinker light; thence continuing westerly to the white four-second blinker light on the east end of Lady Island, thence easterly and northerly along the shore line of Lady Island to the State Highway 14 Bridge, thence easterly across State Highway 14 Bridge to the mainland from 6:00 P.M. June 1 to 12:00 Noon July 1, 1978.

Weekly closed periods shall extend from noon Saturday to 6:00 p.m. Sunday each week.

Lawful gear shall be as defined in WAC 220-32-023, breaking strength shall not exceed 30 pounds.

(b) The waters of Grays River from its mouth upstream to fishing boundary markers located at the Leo Reisticka farm and including the waters of Seal Slough; the waters of Deep River from its mouth upstream to the Highway 4 bridge from May 10 to June 30, 1978.

Lawful gear shall be single-wall set gill net or drift gill net not exceeding 200 feet in length nor of a depth greater than 20 feet. Web of said gill net shall contain meshes of a size not less than 4-1/2 inches nor larger than 6 inches stretch measure and shall not exceed a breaking strength of a 30 pound pull.

(c) Those waters of the Columbia River upstream and easterly of a line projected from the flashing red light No. 52 on the Oregon shore near the downstream end of Gary Island, diagonally north to a white equal-interval light on the Washington shore, and include those waters of the Columbia River downstream and westerly of a line projected across the Columbia River at a point 5-miles below Bonneville Dam; and exclude the waters of Camas Slough upstream from a line projected true north from the most western tip of Lady Island to the mainland.

During the period from 4:00 A.M., June 1, to 10:00 P.M., June 23, 1978 on Monday through Friday of each week, during the daily hours of 4:00 A.M. to 10:00 P.M., with gillnets as defined in WAC 220-32-023.

It shall be unlawful to retain any fish except shad.

WSR 78-06-004

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 78-24—Filed May 5, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the run of 4 year old salmon

and 3 year old "jacks" is very low in abundance. This order is necessary to maximize hatchery egg take potential.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 5, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-57A-06000A **CLOSED SEASON** Notwithstanding the provisions of WAC 220-57A-060, effective May 8 through June 30, 1978 it shall be unlawful to take, fish for or possess salmon for personal use from the waters of the Little White Salmon river or Drano Lake.

WSR 78-06-005

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 78-25—Filed May 5, 1978]

I, Gordon Sandison, director of the State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial herring fishery.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is it is felt that sufficient stocks of herring will have been taken to fill the quota by the closing date.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 5, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-49-02000B CLOSED SEASONS—
HERRING Notwithstanding the provisions of WAC 220-49-020 effective at 11:00 A.M. the 8th day of May, 1978, it shall be unlawful to take, fish for or possess, for commercial purposes, herring, candlefish, anchovy or pilchards, with any type of gear in Marinefish, Shellfish Management and Catch Reporting Areas 20A, 20B, 21A and 21B.

WSR 78-06-006

ADOPTED RULES

EASTERN WASHINGTON UNIVERSITY

[Resolution 78-2—Filed May 5, 1978]

Be it resolved by the board of trustees of the Eastern Washington University, acting at Cheney, Washington, that it does promulgate and adopt the annexed rules relating to delegated authorization to hire, dismiss and discipline classified personnel, chapter 172-180 WAC.

This action is taken pursuant to Notice No. WSR 78-03-028 filed with the code reviser on 2/17/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Eastern Washington University as authorized in RCW 28B.40.120(11).

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED April 27, 1978.

By Mrs. Frederick Wilson Jr.
 Chairman, Board of Trustees

Chapter 172-180 WAC

DELEGATED AUTHORIZATION TO HIRE, DISMISS AND DISCIPLINE CLASSIFIED PERSONNEL

WAC

172-180-010	Introduction and Purpose.
172-180-020	Delegation of Appointing Authority Power.
172-180-030	Scope of Powers Delegated to Appointing Authorities.
172-180-040	Effective Date.

AMENDATORY SECTION (Amending Order 73-7, Filed March 20, 1973)

WAC 172-180-010 INTRODUCTION AND PURPOSE. In accordance with the requirements of WAC 251-12-010, through which the Higher Education Personnel Board of the State of Washington did authorize "appointing authorities" to demote, suspend, and reduce in salary or dismiss any employee under its jurisdiction for the causes stated in such rule, the Board

of Trustees at Eastern Washington (~~State College~~) University hereby promulgates the following rules delegating the powers conferred upon it as an appointing authority. Such power is expressly derived from RCW 28B.40.120, which statute accords the Board of Trustees the power and duty to employ, discipline, and discharge (~~college~~) University employees within the limitations provided by law, and RCW 28B.40.528, which statute expressly accords the Board of Trustees the power, when exercised by resolution, to delegate to any designee powers and duties vested in or imposed upon the Board by law.

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

AMENDATORY SECTION (Amending Order 73-7, Filed March 20, 1973)

WAC 172-180-020 DELEGATION OF APPOINTING AUTHORITY POWER.

In accordance with the statutory powers referred to in WAC 172-180-010 and in accordance with the rules promulgated by the Higher Education Personnel Board, the Board of Trustees of Eastern Washington (~~State College~~) University, in accordance with the resolution adopting this WAC chapter, hereby designates the following positions, and persons occupying such positions, as appointing authorities at Eastern Washington (~~State College~~) University:

- (1) The President;
- (2) The Executive Vice President;
- ~~((2))~~ (3) The (~~Vice President~~) Provost for Academic Affairs;
- (4) The Vice Provost for Graduate and Undergraduate Studies;
- ~~((3))~~ (5) The Vice President for Business and (~~Management~~) Finance;
- ~~((4))~~ (6) The (~~Vice President~~) Provost for Student Services;
- (7) The Director of University Relations;
- ~~((5))~~ (8) The Dean, College of Letters and Sciences;
- ~~((6))~~ (~~The Dean, Division of General and Special Studies~~);
- ~~((7))~~ (9) The Dean, School of Fine Arts;
- ~~((8))~~ (10) The Dean, School of Human Learning and Development;
- ~~((9))~~ (11) The Dean, Division of Health Sciences;
- ~~((10))~~ (12) The Dean, School of Business Administration;
- (13) The Dean, School of Social Work and Human Services
- ~~((11))~~ (~~The Dean of Graduate Studies~~);
- ~~((12))~~ (~~The Dean of Undergraduate Studies~~);
- ~~((13))~~ (~~The Dean of Continuing Education; and~~)
- (14) The (~~College~~) University Librarian; and
- (15) The Business Manager

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 73-7, Filed March 20, 1973)

WAC 172-180-030 SCOPE OF POWERS DELEGATED TO APPOINTING AUTHORITIES. The persons occupying the positions denominated in WAC 172-180-020 are delegated authority to terminate, suspend, or demote any classified service employee at Eastern Washington ((State College)) University without the prior approval of the Board of Trustees. Additionally, such appointing authorities previously denominated are authorized to make such appointments of eligible persons to classified positions at Eastern Washington ((State College)) University.

AMENDATORY SECTION (Amending Order 73-7, Filed March 20, 1973)

WAC 172-180-040 EFFECTIVE DATE. Upon the date this rule becomes effective, in accordance with the Higher Education Personnel Act, this rule shall supercede the resolution adopted by the Board of Trustees of Eastern Washington ((State College)) University dated ((February 20, 1970)) March 20, 1973.

WSR 78-06-007**EMERGENCY RULES****PUBLIC EMPLOYMENT RELATIONS COMMISSION**

[Order 78-2—Filed May 8, 1978]

Be it resolved by the Public Employment Relations Commission, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to collective bargaining rules—Marine employees, chapter 391-70 WAC.

We, the Public Employment Relations Commission, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is continuation of previous emergency rules without change. Commission presently engaged in comprehensive review of these rules and intends to adopt permanent rules in the near future.

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

This rule is promulgated pursuant to RCW 47.64.040 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 41.58.050 which directs that the Public Employment Relations Commission has authority to implement the provisions of chapter 47.64 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED April 14, 1978.

By Marvin L. Schurke
Executive Director

Chapter 391-70 WAC
**RULES OF PRACTICE AND PROCEDURE—
MARINE EMPLOYEES**

WAC

391-70-010	General application.
391-70-020	Special rules.
391-70-030	Modifications and exceptions.
391-70-040	Address for communications—Time of official receipt.
391-70-050	Office hours.
391-70-060	Computation of time.
391-70-070	Definitions.
391-70-080	Informal procedure.
391-70-090	Formal procedure.
391-70-100	Filing and service.
391-70-110	Intervention.
391-70-120	Appearances.
391-70-130	Prehearing conferences.
391-70-140	Voluntary settlement.
391-70-150	Subpoenas.
391-70-160	Depositions.
391-70-170	Hearings.
391-70-180	Continuances.
391-70-190	Stipulation as to facts.
391-70-200	Conduct at hearings.
391-70-210	Testimony under oath.
391-70-220	Order of procedure.
391-70-230	Rules of evidence—Admissibility criteria.
391-70-240	Rules of evidence—Official notice.
391-70-250	Rules of evidence—Exhibits and documentary evidence.
391-70-260	Briefs.
391-70-270	Reconsideration.
391-70-280	No discussion of proceeding until decision.
391-70-290	Administrative rulings.
391-70-300	Compliance with orders—Notification to commission.

NEW SECTION

WAC 391-70-010 GENERAL APPLICATION. These rules of practice and procedure before the public employment relations commission are for general application to proceedings and hearings before the commission pursuant to chapter 47.64 RCW.

NEW SECTION

WAC 391-70-020 SPECIAL RULES. Special rules may in the future be adopted applying to particular proceedings, and in case such special rules are inconsistent with these general rules, the special rules shall govern.

NEW SECTION

WAC 391-70-030 MODIFICATIONS AND EXCEPTIONS. These rules and regulations are subject to such changes, modifications and additions as the commission from time to time may prescribe, and such exceptions as may be just and reasonable in individual cases as determined by the commission.

NEW SECTION

WAC 391-70-040 ADDRESS FOR COMMUNICATIONS—TIME OF OFFICIAL RECEIPT. All written communications and documents should be addressed to "Public Employment Relations Commission, 603 Evergreen Plaza, 711 Capitol Way, Olympia, Washington 98504" and not to individual members of the commission. All communications and documents are deemed to be officially received only when delivered at the office of the commission.

NEW SECTION

WAC 391-70-050 OFFICE HOURS. The office of the commission is open on each business day between the hours of 8:00 a.m. and 5:00 p.m., except Saturday.

NEW SECTION

WAC 391-70-060 COMPUTATION OF TIME. The time within which an act shall be done, as herein provided, shall be computed by excluding the first day and including the last, unless the last day is a holiday or Sunday, and then it is excluded.

NEW SECTION

WAC 391-70-070 DEFINITIONS. (1) "Washington toll bridge authority" and "authority" shall mean the Washington toll bridge authority or the Washington state ferries operated by the director of highways.

(2) "Public employment relations commission" and "commission" shall mean the public employment relations commission of this state or its authorized agents.

(3) "Washington state ferries" or "ferry" shall mean any Puget Sound ferry, ferry system and wharves and terminals operated or constructed by the authority or the director of highways.

(4) "Employee" or "individual" shall mean any person employed aboard any Puget Sound ferry, wharf, or terminal operated or constructed under the authority of the authority or the director of highways.

(5) "Person" or "party" when used in these rules may include a corporation, partnership, labor union, association, the authority, or any public officer or agency.

(6) "Parties to proceedings" before the commission shall be styled petitioners, respondents or interveners, according to the relationship of the parties thereto.

(7) "Petitioner." A person who files a notice of labor dispute with the commission shall be styled "petitioner." In any proceeding which the commission brings on its own motion, it shall be styled "petitioner."

(8) "Respondent." A person against whom any notice of labor dispute is filed shall be styled "respondent."

(9) "Representative" when used in these rules may mean an attorney, a counsel or other person authorized to represent a party to a proceeding before the commission.

(10) "Labor dispute" shall mean a bona fide labor dispute concerning either an employer, employee, labor union, or any other person arising in the operations of the Washington state ferries, or which shall be the subject of a notice of labor dispute, formal or informal, to the commission. To be bona fide, the parties to the labor dispute must have negotiated concerning the same and reach a stalemate making adjudication of the labor dispute necessary. The commission will refuse to consider trivial or frivolous notices of labor disputes as true labor disputes and may demand proof before acceptance of a notice for formal or informal disposal of bona fide efforts on the part of the parties at settlement.

NEW SECTION**WAC 391-70-080 INFORMAL PROCEDURE.**

(1) *Informal notice.* An informal notice to the commission concerning a labor dispute may be given by letter or other writing. Matters thus presented may be taken up by the commission with the parties affected, by correspondence or otherwise, in an endeavor to bring about an adjustment of the subject matter of the notice without formal hearing or order. Informal procedure will be used wherever practicable.

(2) *Informal notices—contents.* No form of informal notice is prescribed, but in substance the letter or other writing should contain all facts essential to a disposition of the matter, including the dates of acts or omissions complained against. Proceedings instituted by informal notice shall be without prejudice to the right of any party or the commission to file a formal notice. Since informal notices are not in themselves a basis of formal action, all parties desiring a formal order of the commission should file a formal notice. Informal procedure is designed to facilitate the amicable adjustment of disputes, and no mandatory or prohibitory order may be issued in an informal proceeding, unless the parties interested stipulate in writing that an order may be entered in such proceeding.

NEW SECTION**WAC 391-70-090 FORMAL PROCEDURE.** (1)

Formal notices. Formal notices are those notices of labor disputes filed in accordance with RCW 47.64.040, and may be required by the commission in cases which indicate to the discretion of the commission that informal procedures would be ineffectual or inadequate.

(2) *Verification.* A formal notice of labor dispute shall be verified by the petitioner in the manner prescribed for verification of the pleadings in the superior court of Washington.

(3) *Defective notice.* Upon the filing of any notice, it will be inspected by the commission and if found to be defective or insufficient, it may be returned to the party filing it for correction.

(4) *Liberal construction.* All notices shall be liberally construed with a view to effect justice between the parties, and the commission will, at every stage of any proceeding, disregard errors or defects in the notice or proceeding which do not affect the substantial rights of the parties.

(5) *Amendments.* The commission may allow amendments to the notice or other relevant documents at any time upon such terms as may be lawful and just, provided that such amendments do not adversely affect the interest of persons who are not parties to the proceeding.

(6) *Consolidation of proceedings.* Two or more proceedings where the facts or principles of law are related may be consolidated and heard together.

(7) *Formal notice—contents.* Formal notice as to any acts or omissions by any person, or for the redress of alleged grievances, must be in writing setting forth clearly and concisely the labor dispute and ground of complaint with a statement of the acts or things done or omitted to be done by any person, if required. Facts constituting such acts or omissions, should be stated, together with the dates on which the acts or omissions occurred. The name of any person complained against must be stated in full, and the address of the person filing the same, together with the name and address of his attorney, if any, must appear upon the notice.

NEW SECTION

WAC 391-70-100 FILING AND SERVICE. (1) *Filing of formal notices.* Formal notices shall be typewritten, mimeographed or printed, and the original and two legible copies shall be filed with the commission, together with one legible copy for service by the commission on each of the other parties to the cause.

(2) *Service by commission.* All notices, findings of fact, opinions and orders required to be served by the commission may be served in person or by mail and service thereof by mail shall be deemed complete when a true copy of such paper or document, properly addressed and stamped, is deposited in the United States mail.

NEW SECTION

WAC 391-70-110 INTERVENTION. (1) *Intervention.* Any person, other than the original parties to the proceedings, who shall desire to appear and participate in any proceeding before the commission, may move in writing for leave to intervene in the proceeding prior to, or at the time it is called for hearing, or may make an oral motion for leave to intervene at the time of the hearing. No such motion shall be filed or made after the proceeding is under way, except for good cause shown. The motion to intervene must disclose the name and address of the party intervening; the name and address of his attorney, if any; his interest in the proceeding; and his position in regard to the matter in controversy.

(2) *Disposition of motions to intervene.* Motions to intervene shall be considered first at all hearings, or may be set for prior hearing, and an opportunity shall be afforded the original parties to be heard thereon. If it appears, after such consideration, that the motion discloses

an interest in the subject matter of the hearing, or that participation by the moving party is in the public interest, the commission shall grant the same, which may be done by oral order at the time of the hearing. Thereafter such person shall become a party to the proceeding and shall be known as an "intervener," with the same right to produce witnesses and of cross-examination as other parties to the proceeding. Whenever it appears, during the course of a proceeding, that an intervener has no substantial interest in the proceeding the commission may dismiss him from the proceeding.

NEW SECTION

WAC 391-70-120 APPEARANCES. (1) *General.* Parties shall enter their appearances at the beginning of any formal hearing by giving their names and addresses in writing to the reporter who will include the same in the minutes of the hearing. Appearance may be made on behalf of any party by his attorney or other authorized representative, and thereupon all future orders may be served upon such attorney or representative, and such service shall be considered valid service for all purposes upon the party represented. The presiding officer conducting the hearing may, in addition, require appearances to be stated orally, so that the identity and interest of all parties present will be known to those at the hearing.

(2) *Answers and replies.* An answer in writing or a reply in writing to an answer may be required by the commission and opportunity to file same will be given on timely request. The same number of copies shall be required as is required for a petition. The commission shall fix the time allowable for filing an answer or reply which, unless otherwise fixed, shall be twenty days.

NEW SECTION

WAC 391-70-130 PREHEARING CONFERENCES. (1) *General.* Before any formal proceeding, the commission may, by written notice, request all interested parties to attend a prehearing conference for the purpose of determining the feasibility of settlement, or of formulating the issues in the proceeding and to determine other matters to aid in its disposition. The commission or a commissioner designated by the commission, shall preside at such conference, to consider:

- (a) Simplification of the issues;
- (b) The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof;
- (c) Limitations on the number and consolidation of the examination of witnesses;
- (d) The procedure at the hearing;
- (e) The distribution of written affidavits, testimony and exhibits to the parties prior to the hearing; and
- (f) Such other matters as may aid in the disposition of the proceeding, or settlement thereof.

(2) *Notice as to simplified issues.* Following the prehearing conference a proposed order, reciting the action taken at the conference, any amendments allowed, and the agreements made by the parties concerning all of the matters considered, shall be submitted to the parties or other authorized representatives, for approval. Unless

the order is objected to within five days or a lesser time in the discretion of the commission after being received, it shall be deemed to be approved. This order shall limit the issues to be heard at the hearing to those not disposed of by admissions or agreements of the parties and will control the subsequent course of the proceeding unless modified at the hearing to prevent manifest injustice.

(3) *Recessing hearing for conference.* In any proceeding the presiding officer may, in his discretion, call the parties together for a conference prior to the taking of testimony, or may recess the hearing for such a conference, with a view to carrying out the purpose of subsection (1) above. The presiding officer shall state on the record the results of such conference.

NEW SECTION

WAC 391-70-140 VOLUNTARY SETTLEMENT. Parties to the proceeding may, with the approval of the commission, enter into a voluntary settlement of the subject matter of the notice prior or subsequent to a formal hearing, and in furtherance of a voluntary settlement, the commission may, in its discretion, invite the parties to confer with it. Such conferences shall be informal and without prejudice to the rights of the parties, and no statement, admission or offer of settlement made at such informal conference shall be admissible in evidence in any formal hearing before the commission.

NEW SECTION

WAC 391-70-150 SUBPOENAS. Subpoenas shall as nearly as practicable follow the form required in superior courts. Subpoenas may be issued by any commissioner and witnesses are required to comply therewith. Parties desiring subpoenas should prepare them for issuance, send them to the commission for signature and upon their return have the same served at their expense. The commission shall be responsible only for paying the witness fees of witnesses subpoenaed by it, and each subpoena shall bear the name of the party responsible for paying the witness fees.

NEW SECTION

WAC 391-70-160 DEPOSITIONS. Any party to a proceeding may request the commission to take by deposition the testimony of any witness. The commission may take the testimony of any witness by deposition and for that purpose the attendance of witnesses and the production of documents, papers and accounts may be enforced in the same manner as in the case of hearing before the commission: **PROVIDED**, That all costs incidental thereto shall be paid by the party desiring such deposition.

NEW SECTION

WAC 391-70-170 HEARINGS. (1) *General.* The time and place of holding formal hearings will be set by the commission and notice thereof served upon all parties at least ten days in advance of the hearing date, unless the commission finds that an emergency exists

requiring the hearing to be held upon less notice. An effort will be made to set all formal hearings sufficiently in advance so that all parties will have a reasonable time to prepare their cases, and so that continuances will be reduced to a minimum.

(2) *Dismissals.* At the time and place set for hearing, if petitioner fails to appear, the commission may recess said hearing for a further period to be set by the presiding officer to enable said petitioner to attend upon said hearing, but if at the time set for the resumption of the hearing said petitioner is not present or represented, the commission may dismiss the petition.

NEW SECTION

WAC 391-70-180 CONTINUANCES. Any party who desires a continuance shall, immediately upon receipt of notice of the hearing, or as soon thereafter as facts requiring such continuance come to his knowledge, notify the commission of said desire, stating in detail the reasons why such continuance is necessary. The commission in passing upon a request for a continuance shall consider whether such request was promptly made. For good cause shown, the commission may grant such a continuance. The commission may at any time order a continuance upon its own motion. During a hearing, if it appears in the public interest that further testimony or argument should be received, a commissioner may in his discretion continue the hearing and fix the date for introduction of additional evidence or presentation of argument. Such oral notice shall constitute final notice of such continued hearing.

NEW SECTION

WAC 391-70-190 STIPULATION AS TO FACTS. The parties to any proceeding before the commission may, by stipulation in writing filed with the commission or entered in the record, agree upon the facts or any portion thereof involved in the controversy, which stipulation shall be binding upon the parties thereto and may be regarded and used by the commission as evidence at the hearing. It is desirable that the facts be thus agreed upon whenever practicable. The commission may, however, require proof by evidence of the facts stipulated to, notwithstanding the stipulation of the parties.

NEW SECTION

WAC 391-70-200 CONDUCT AT HEARINGS. All parties to hearings, their representatives and spectators shall conduct themselves in a respectful and ethical manner. Demonstrations of any kind at hearings shall not be permitted. If any person does not conform to this rule, the commission may decline to permit such person to appear in a representative capacity or take part in proceedings before the commission. Smoking shall not be permitted at formal hearings of the commission while in session: **PROVIDED**, That the presiding officer may relax this provision.

NEW SECTION

WAC 391-70-210 TESTIMONY UNDER OATH. All testimony to be considered by the commission in formal hearings, except matters noticed officially or entered by stipulation, shall be sworn testimony. Before taking the witness stand each person shall swear (or affirm) that the testimony he is about to give in the hearing before the commission shall be the truth, the whole truth and nothing but the truth.

NEW SECTION

WAC 391-70-220 ORDER OF PROCEDURE. (1) *General.* Evidence will ordinarily be received in the following order:

(a) Upon investigation on motion of the commission: (i) Commission's staff, (ii) respondent and (iii) rebuttal by commission's staff.

(b) Upon formal notices of labor dispute: (i) Petitioner, (ii) respondent, (iii) commission's staff and (iv) rebuttal.

(2) *Modification of procedure.* The order of presentation above prescribed shall be followed, except where the presiding officer may otherwise direct. In hearings of several proceedings upon a consolidated record, the presiding officer shall designate who shall open or close. Interveners shall follow the party in whose behalf the intervention is made. If the intervention is not in support of either original party, the presiding officer shall designate at what stage such interveners shall be heard.

NEW SECTION

WAC 391-70-230 RULES OF EVIDENCE—ADMISSIBILITY CRITERIA. All relevant evidence is admissible which, in the opinion of the presiding officer, is the best evidence reasonably obtainable, having due regard to its necessity, availability and trustworthiness.

NEW SECTION

WAC 391-70-240 RULES OF EVIDENCE—OFFICIAL NOTICE. In addition to matters concerning which courts of this state take judicial notice, the commission will take official notice of the following matters: Rules, regulations, administrative rulings and orders of the commission, the Washington toll bridge authority, the Washington department of highways, and other governmental agencies. In addition, the commission may, in its discretion, upon being requested by all parties to the proceeding so to do, take official notice of the results of its own inspection of the conditions involved.

NEW SECTION

WAC 391-70-250 RULES OF EVIDENCE—EXHIBITS AND DOCUMENTARY EVIDENCE. (1) *Designation of part of document as evidence.* When relevant and material matter offered in evidence by any party is embraced in a book, paper or document containing other matter not material or relevant, the party offering the same must plainly designate the matter so

offered. If other matter is in such volume as would necessarily encumber the record, such book, paper or document will not be received in evidence, but may be marked for identification, and, if properly authenticated, the relevant or material matter may be read into the record, or, if the presiding officer so directs, a true copy of such matter in proper form shall be received as an exhibit, and like copies delivered by the party offering the same to all other parties or their attorneys appearing at the hearing, who shall be afforded an opportunity to examine the book, paper or document, and to offer in evidence in like manner other portions thereof if found to be material and relevant.

(2) *Official records.* An official rule, report, order, record or other document, prepared and issued by any governmental authority, when admissible for any purpose may be evidenced by an official publication thereof or by a copy attested by the officer having the legal custody thereof, or his deputy, and accompanied by a certificate that such officer has the custody, made by any public officer having a seal of office and having official duties in the district or political subdivision in which the record is kept, authenticated by the seal of his office. In cases where such official records, otherwise admissible, are contained in the official publications are in general circulation and readily accessible to all parties, they may be introduced by reference: PROVIDED, HOWEVER, That proper and definite reference to the record in question is made by the party offering the same.

(3) *Commission's files.* Papers and documents on file with the commission, if otherwise admissible, and whether or not the commission has authority to take official notice of the same under WAC 391-70-240, may be introduced by reference to number, date or by any other method of identification satisfactory to the presiding officer. If only a portion of any such paper or document is offered in evidence, the part so offered shall be clearly designated.

(4) *Records in other proceedings.* In case any portion of the record in any other proceeding is admissible for any purpose and is offered in evidence, a true copy of such portion shall be presented for the record in the form of an exhibit unless—

(a) The party offering the same agrees to supply such copies later at his own expense, if and when required by the commission; and

(b) The portion is specified with particularity in such manner as to be readily identified; and

(c) The parties represented at the hearing stipulate upon the record that such portion may be incorporated by reference, and that any portion offered by any other party may be incorporated by like reference; and

(d) The presiding officer directs such incorporation.

(5) *Copies of exhibits to opposing party.* When specially prepared exhibits of a documentary character are offered in evidence, copies must be furnished to opposing parties, four to the presiding officer, and one to the reporter, unless the presiding officer otherwise directs. Whenever practicable, the parties should interchange copies of exhibits before, or at the commencement of the hearing.

NEW SECTION

WAC 391-70-260 BRIEFS. Briefs may be filed in any proceeding before the commission by any interested party, and shall be filed by any party to the proceeding upon the request of the commission, and within such time as shall be directed by the commission. The commission may require the filing of all briefs within three days after the close of the hearing if it considers the proceeding to be such that an order should issue promptly; and in the case of matters requiring an immediate decision, may require the parties, or their counsel, to present their arguments and authority orally at the close of the hearing, instead of by written brief. Briefs should set out the leading facts and conclusion which the evidence tends to prove, and point out the particular evidence relied upon to support such conclusion. Three copies of each brief shall be filed with the commission and copies thereof shall be served on all parties to the case, or their counsel, and proof of such service furnished to the commission.

NEW SECTION

WAC 391-70-270 RECONSIDERATION. Application for reconsideration by a party to the proceeding shall be made by a written and signed petition stating specifically the grounds thereof. All petitions for reconsideration shall be filed with the chairman within thirty days after the service of the final decision of the commission. Copies of the petition shall be served upon all parties of record.

NEW SECTION

WAC 391-70-280 NO DISCUSSION OF PROCEEDING UNTIL DECISION. The commission declares its policy to be that after the filing of a petition in a contested formal proceeding and prior to the issuance of an order thereon, no parties to the proceeding, or their counsel, shall discuss the merits of such matter or proceeding with the commissioners, unless reasonable notice is given to all parties who have appeared therein, to enable such parties to be present at the conference. When, after filing of a petition and prior to the issuance of an order thereon, letters are directed to the commission, or any member of its staff, regarding a formal proceeding, copies of such letters shall be mailed to all parties of record and proof of such service furnished to the commission.

NEW SECTION

WAC 391-70-290 ADMINISTRATIVE RULINGS. Upon the motion of any interested person subject to its jurisdiction, or upon its own motion, the commission may, when it appears to be in the public interest, make and issue administrative rulings when necessary to terminate a controversy or to remove a substantial uncertainty as to the application of statutes or rules of the commission.

NEW SECTION

WAC 391-70-300 COMPLIANCE WITH ORDERS—NOTIFICATION TO COMMISSION. When an order has been issued by the commission any party named therein, who is, by such order, required to do or refrain from doing any act or thing, shall notify the commission on or before the date upon which compliance with such order is required, whether or not there has been compliance with said order.

WSR 78-06-008**NOTICE OF PUBLIC MEETINGS
URBAN ARTERIAL BOARD**

[Memorandum—May 9, 1978]

Beginning at 9:30 a.m., Thursday, May 18, 1978

- 1) Minutes of UAB meeting, April 20, 1978
- 2) Report of Chairman
- 3) Review proposal in allowing local agencies to proceed with Right-of-Way Acquisition and Construction on new projects utilizing local funds and that urban arterial trust fund reimbursement would be eligible when future funding is available
- 4) Report on loan request made to the Transportation Commission for financial aid to Non-Federal urban area projects
- 5) Report on State Finance Committee meeting of May 3, 1978, regarding proposed bond sale.
- 6) Review the city of Seattle's solution to ending the delay on the West Seattle Freeway project
- 7) Proposed authorization of urban arterial trust funds for preliminary proposal projects within Federal and Non-Federal urban areas
- 8) Proposed authorization of urban arterial trust funds for construction proposal projects within Federal Urban Areas

WSR 78-06-009**PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES**

[Filed May 9, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning:

- Rep: ch. 248-136 WAC relating to methadone programs for opiate addiction.
Rep: ch. 275-14 WAC relating to certificate of approval to a drug treatment center.

- New: ch. 275-18 WAC relating to standards for certification of approval for drug treatment centers.
- Amd: ch. 275-25 WAC relating to county plans for mental health, drug abuse, developmental disabilities and alcoholism;

that such agency will at 10:00 a.m., Wednesday, July 12, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 26, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 69.54.040.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 10:00 a.m., Wednesday, July 12, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: May 9, 1978

By: Thomas G. Pinnock
Acting Secretary

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

- | | |
|--|--------------------------------------|
| (1) <u>WAC 275-14-010</u> | PURPOSE. |
| (2) <u>WAC 275-14-020</u> | DEFINITIONS. |
| (3) <u>WAC 275-14-030</u> | CERTIFICATE OF APPROVAL. |
| (4) <u>WAC 275-14-035</u> | RENEWAL OF CERTIFICATE OF APPROVAL. |
| (5) <u>WAC 275-14-040</u> | ISSUANCE AND RENEWAL OF CERTIFICATE. |
| (6) <u>WAC 275-14-050</u> | REVOCAION-DENIAL OF CERTIFICATE. |
| (7) <u>WAC 275-14-055</u> | PROVISIONAL CERTIFICATE. |
| (8) <u>WAC 275-14-060</u> | HEARING. |
| (9) <u>WAC 275-14-070</u> | EVALUATION. |
| (10) <u>WAC 275-14-080</u> | DIRECTOR. |
| (11) <u>WAC 275-14-090</u> | STAFFING. |
| (12) <u>WAC 275-14-100</u> | STAFF TRAINING AND QUALIFICATIONS. |
| (13) <u>WAC 275-14-110</u> | SUBMISSION OF APPLICATIONS. |
| (14) <u>WAC 275-14-120</u> | BOARD OF DIRECTORS. |
| (15) <u>WAC 275-14-130</u> | EXPLANATION OF PROGRAM. |
| (16) <u>WAC 275-14-140</u> | MEDICAL. |
| (17) <u>WAC 275-14-150</u> | DRUGS. |
| (18) <u>WAC 275-14-160</u> | TREATMENT OF JUVENILES. |
| (19) <u>WAC 275-14-170</u> | NONDISCRIMINATION. |
| (20) <u>WAC 275-14-180</u> | NONTRANSFERABILITY. |
| (21) <u>WAC 275-14-190</u> | PUBLIC FUNDS. |
| (22) <u>WAC 275-14-200</u> | COMPLIANCE WITH LAWS. |
| (23) <u>WAC 275-14-210</u> | SEVERABILITY. |
| (24) <u>WAC 248-136-110</u> | PURPOSES. |
| (25) <u>WAC 248-136-120</u> | STATE AUTHORITY. |
| (26) <u>WAC 248-136-130</u> | ADJUNCTIVE SERVICES. |
| (27) <u>WAC 248-136-140</u> | INCARCERATED CLIENTS. |
| (28) <u>WAC 248-136-150</u> | CLIENTS' TAKE-HOME MEDICATION. |
| (29) <u>WAC 248-136-160</u> | CLIENT CASELOAD. |
| (30) <u>WAC 248-136-170</u> | EMPLOYMENT AND TRAINING. |
| (31) <u>WAC 248-136-180</u> | MEDICAL TREATMENT. |
| (32) <u>WAC 248-136-990</u> | AUTHORITY. |
| (33) APPENDIX A to CHAPTER 248-136 WAC | |

Chapter 275-18 WAC
STANDARDS FOR CERTIFICATION OF APPROVAL FOR
DRUG TREATMENT CENTERS

NEW SECTION

WAC 275-18-010 AUTHORITY. These regulations are adopted pursuant to and in accordance with Chapter 69.54 RCW.

NEW SECTION

WAC 275-18-020 DEFINITIONS. (1) "Drug abuse treatment professional" shall mean a person who is capable of assessing the emotional, social and behavioral background and status of a client, determining the optimal treatment plan, and providing and supervising the counseling services necessary to carry out the plan. Two years of full-time equivalent experience as a drug treatment staff person under the supervision of a person qualified to be a drug treatment professional, or a masters or doctoral degree in the behavioral sciences and one year of such experience, shall be sufficient to establish a person as qualified to be a drug abuse treatment professional.

(2) "Medical practitioner" shall mean a person licensed by the state pursuant to Chapter 18.71 RCW to practice medicine, or pursuant to Chapter 18.57 RCW to practice osteopathy and surgery, and who is registered with the Drug Enforcement Administration to prescribe controlled substances. The term shall also include a physician's assistant approved by the state pursuant to Chapter 18.71A RCW, an advanced registered nurse or specialized registered nurse with an appropriate speciality licensed pursuant to Chapter 18.88 RCW and approved by the state pursuant to Chapter 308.120 WAC, or an osteopathic physician's assistant approved by the state pursuant to Chapter 18.57A RCW, when practicing within the limits of their profession and under the supervision of a physician or osteopathic physician and surgeon who is registered by the Drug Enforcement Administration to prescribe controlled substances.

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

NEW SECTION

WAC 275-18-030 CERTIFICATION OF APPROVAL. (1) Any agency or organization which receives or intends to receive state or federal funds for the purpose of providing care, treatment or rehabilitation for drug abuse problems, or which advertises or represents itself as providing care, treatment or rehabilitation for drug abuse problems, must apply to the department for approval as a drug treatment center.

(2) No agency or organization may provide drug abuse treatment unless it is approved by the department as a drug treatment center. The department may waive the requirements of this subsection where it determines that such treatment is incidental to the provision of other services, and is not a primary function of the agency.

(3) The department shall visit and examine each facility making application for approval as a drug treatment center.

(4) If the department finds that the applicant organization meets the requirements of this chapter and Chapter 69.54 RCW, based on the application, the site visit and such other reports and information as may be available, it may certify the applicant organization as an approved drug treatment center. Such approval shall be for a period of not more than one year, and may be renewed in the same manner as the original certification of approval. The certification shall specify the modalities of service for which approval is granted.

(5) In individual cases the department may waive, at its discretion, specific rules which are inappropriate because of the cultural patterns of the persons served or for other reasons, and may approve alternate methods of achieving the intent of the specific rule, if such waiver does not endanger the safety or welfare of any persons in care. Such waivers may be granted on a temporary basis to allow reasonable time to achieve compliance, if a plan and timetable for compliance is approved by the department. Approvals granted pursuant to this paragraph shall be provisional on meeting the specifications of the alternate standard or timetable.

(6) The department may deny approval to any applicant, or revoke approval of any drug treatment center, if it determines that the applicant or drug treatment center is not complying with the provisions of this chapter or Chapter 69.54 RCW, or fails to meet the timelines or alternate methods granted under subsection (5). Such denial or revocation may be appealed pursuant to Chapter 34.04 RCW and rules promulgated thereunder. Any such applicant or center may apply again for approval at any time.

NEW SECTION

WAC 275-18-040 TREATMENT CLINICAL REQUIREMENTS. (1) All approved drug treatment centers providing drug treatment services shall provide both individual and group counseling services by a drug abuse treatment professional or qualified treatment staff person under the direct supervision of a drug abuse treatment professional. Except for situations beyond the control of both the client and the program, and so documented in the client record, there shall be at least one face-to-face group or individual event for each client every month, and at least one such event every week for residential and day treatment services, lasting at least 45 minutes.

(2) For all approved drug treatment centers providing drug treatment services, there shall be a review of each case by a drug abuse treatment professional at least every 90 days, assessing the adequacy of the treatment plan in light of the client's current status and progress.

(3) All types of treatment services using chemotherapy, including the use of psychotropics, shall provide the following medication services:

(a) Medication evaluation by a medical practitioner, at least once every 90 days, and

(b) If a detoxification or maintenance service, medication dispensary.

(4) If urinalysis is used, sample collection, analysis and policies regarding use of results shall meet department standards.

(5) Day treatment and residential treatment services shall provide activities therapy on a scheduled basis by a qualified staff person for all clients at least three times a week. Schedules shall allow for adequate exercise and sleep.

(6) Residential treatment services shall provide room, board and client sundries as needed, with the following minimum requirements:

(a) All food service facilities and practices shall comply with Chapter 248-84 WAC, governing food service sanitation.

(b) Foods served shall meet the nutritional needs of clients, considering age, sex, activity level and special medical needs. Meals shall be well-balanced, palatable, properly prepared and sufficient in quality and quantity to meet the 1974 dietary allowances of the food and nutrition board, national research council.

(c) Menus for general diets and any special or modified therapeutic diets shall be prepared at least a week in advance and retained for inspection by the department for at least one year.

(d) Table service shall be available to those who can and will eat at a table. Meals shall be served three times each day, at the customary meal times.

(e) Sundries shall include items reasonably needed for good grooming and personal hygiene, and clothing that is neat, clean and seasonable.

(f) Sleeping arrangements shall provide for separation of sleeping areas from cooking, eating, therapy and administrative activities; adequate heating, ventilation, access to emergency exits and bedding shall be provided to assure the health and safety of the clients.

(7) Approved drug treatment programs shall assure availability, directly or by referral, of employment placement and educational and vocational guidance services and, when necessary, psychiatric services and therapy.

(8) The physical plant, premises and equipment shall be maintained in a clean and sanitary condition, free of hazards and in good repair. The facility shall be located in an area free from hazardous conditions and accessible to other resources necessary to carry out the program. Facilities shall comply with applicable local building, fire and health codes.

NEW SECTION

WAC 275-18-050 TREATMENT INTAKE REQUIREMENTS. (1) Approved drug treatment centers shall provide the following intake services to every client:

(a) An intake interview, conducted by a drug abuse treatment professional or other qualified staff under the close supervision of a drug abuse treatment professional, which shall include a social history, a health history, and a history of drug abuse and previous drug treatment;

(b) A clinical assessment of the applicant's problems, situation and prognosis with and without treatment, signed by the drug abuse treatment professional in subsection (1)(a);

(c) A treatment plan which includes the type and amount of services to be provided the specific problems to be addressed or objectives to be

attained, and the anticipated length of stay, completed or approved by a drug abuse treatment professional and agreed to by the client;

(d) A copy of the policies and rules of the program will be provided to the applicant prior to signing any consent forms, and ample opportunity provided to read the policies and rules and ask pertinent questions.

(2) In inpatient, residential and day treatment services, or where chemotherapy is provided, or in other treatment services where indicated by the client's health history or status, a medical intake must be conducted which shall include:

(a) A face-to-face visit with a medical practitioner as soon as practical, and in no case later than 21 days after admission, with particular attention paid to those conditions which would represent a threat to the health of the client or other clients in light of the treatment methods employed.

(b) A laboratory examination as prescribed by the medical practitioner in accordance with the provisions of the department.

(c) A report by the medical practitioner of current medical findings, diagnosis, and orders for the immediate care of the client.

NEW SECTION

WAC 275-18-060 MEDICATION. (1) When medication is being considered as part of the treatment regimen, the client's treatment plan shall be reviewed by a medical practitioner who is trained in the use of the medication under consideration.

(2) Drugs prescribed pursuant to treatment plans shall be controlled and monitored by drug abuse treatment professionals. Only a medical practitioner, a registered nurse, or the client may administer medication.

(3) Residential and inpatient treatment services shall store all medications in a locked cabinet or similar container.

(4) Methadone treatment clients carrying take-home methadone between the program site and the individual client's residence shall carry such medication properly labeled to include the name and address of the methadone treatment program, the date the medication was prescribed, the name of the person whom the medication is intended, instructions for use of the medication, the name of the prescribing physician, and the name of the drug.

NEW SECTION

WAC 275-18-070 CLIENT CASELOAD. The maximum clientele of any methadone treatment facility shall not exceed 250 persons, except in emergency situations as approved by the department.

NEW SECTION

WAC 275-18-080 INCARCERATED CLIENTS. In those instances where a person, previously accepted as a client in a methadone program, is incarcerated, it shall be permissible for a properly authorized, qualified representative of such methadone program to enter the facility in which the person is incarcerated and to dispense methadone for either detoxification or maintenance purposes during the period of incarceration or until a medically acceptable detoxification has been accomplished; provided, that such entry into an incarcerating facility and dispensing of methadone shall be subject to the permission of the authority operating the facility and shall be made in accordance with regulations of the facility. Proper precautions shall be taken to prevent unauthorized persons from handling methadone or persons other than the intended client from receiving methadone.

NEW SECTION

WAC 275-18-090 DISCHARGE AND FOLLOW-UP. (1) Each approved drug treatment center shall establish criteria and procedures for client completion and termination of treatment. Procedures shall include appeal and a fair and impartial review of involuntary terminations. Completion, once conferred, may not be revoked.

(2) Each approved drug treatment center shall establish a follow-up policy which provides for contact to be attempted after discharge with each client completing treatment.

(3) Clients not seen face to face at least once every thirty days must be discharged effective on the thirtieth day following the last face-to-face contact, unless lack of contact is due to conditions beyond the control of the client and the proved drug treatment center and the reason is documented in the client record. Discharged clients may be seen on an after-care or follow-up basis without readmission, at a frequency less than once every thirty days.

NEW SECTION

WAC 275-18-100 REPORTING (1) Each approved drug treatment center shall submit in a timely and accurate manner such reports as may be required by the county drug abuse coordinator to prepare a county plan or performance and status report, or by the department to prepare the state plan or to effectively administer the drug abuse program.

(2) Each approved drug treatment center shall submit upon request a progress report at least quarterly to approved screening and referral and criminal justice diversion programs on each client referred by such programs, and permit a face-to-face interview at least once every six months of such clients by the referring agency, subject to the provisions of WAC 275-18-130.

NEW SECTION

WAC 275-18-110 INTERVENTION CLINICAL REQUIREMENTS. (1) Approved drug treatment centers providing intervention services shall have a current list of available services, including all approved drug treatment centers in the state, and local services, if any, for legal, employment, education, training, mental health and physical health problems.

(2) All intervention services except casefinding shall be provided by a drug abuse treatment professional or a qualified person under the supervision of a drug abuse treatment professional.

(3) Emergency services shall be available 24 hours a day, seven days a week. Emergency services may include crisis telephone service, emergency medical, and mobile emergency services.

(4) Screening and referral services and criminal justice diversion services shall meet the intake standards of WAC 275-18-050(1)(a), (1)(b) and (1)(c). Clients referred to an approved drug treatment center and returned to the screening and referral service or criminal justice diversion service shall be given priority attention. Every reasonable effort shall be made to handle such clients expeditiously and re-refer within 72 hours of their intake, with close attention to their needs during the re-referral period.

(5) Criminal justice diversion services shall monitor progress of referred clients at least quarterly. A face-to-face interview with the client for the purpose of reviewing the adequacy of current and planned services in light of current client needs shall be conducted at least once every six months. Adequate liaison and client advocacy with appropriate elements of the criminal justice system shall be maintained for each client still active with a treatment program.

NEW SECTION

WAC 275-18-120 CLINICAL RECORDS. (1) Approved drug treatment centers providing treatment services shall maintain a clinical record on each client. Each record shall contain at a minimum the following:

(a) A client history, remote and recent insofar as pertinent to the current need for treatment;

(b) Diagnostic/evaluative statements, including reports of any special studies, psychological testing, laboratory examinations, physical examinations, etc.;

(c) For clients receiving methadone, a "consent to methadone treatment" form signed by the client and a record of medications dispensed;

(d) A treatment plan, describing direct client services and medications to be provided or prescribed to the client in response to problems at intake or arising in the course of therapy;

(e) Any "release of information" consent forms signed by the client;

(f) Progress notes for each occasion of medication adjustment, individual, family or group therapy, and summaries at least weekly for activities therapy;

(g) Reports of case conferences or significant collaborative contacts;

(h) Reports of significant new problems, and modifications needed in treatment plan;

(i) Quarterly summaries of progress and status, including results of quarterly case reviews; and

(j) Reports of follow-up attempts and contacts.

(2) Intervention services shall maintain clinical records as follows:

(a) Casefinding services shall maintain records of the number of contacts made, the ethnic, gender and age distribution of contacts, the number of subsequent admissions and such other data as is pertinent to the objectives of the casefinding program;

(b) Emergency services shall maintain clinical records of each client contact, including where known the name, age, sex and race of the client, the problem presented, the services provided, and the immediate outcome.

(c) Screening and referral services shall maintain clinical records of each client, including subsections (1)(a), (1)(b), (1)(d), (1)(e), and (1)(j).

(d) Criminal justice diversion service shall maintain all record components described in subsection (1), except subsections (1)(c) and (1)(f).

NEW SECTION

WAC 275-18-130 AVAILABILITY OF RECORDS FOR INSPECTION AND CONFIDENTIALITY OF CLINICAL RECORDS. (1) General records of operation of an approved drug treatment center shall be available for inspection by the department on request. Such records shall include all policy and procedure documents required herein, clinical records, fiscal records, personnel records, meeting minutes and such other documents as may be needed to verify the provision of services and compliance with these regulations.

(2) All records relating to the identity, status, whereabouts, diagnosis, treatment, or urinalysis results of a drug abuse client of an approved drug treatment center that are maintained by the department, the approved drug treatment center, or an agency providing services pursuant to WAC 275-18-190, and all information contained in such records, including any indication of whether or not any individual has applied for or received drug abuse related services, shall be confidential and may only be disclosed as expressly authorized in this section.

(3) The records or information described in subsection (2) may be disclosed with the client's written consent to medical personnel or bona-fide treatment staff of an approved drug treatment center for the purpose of diagnosis and treatment of the client, to the client's attorney, or to government or private officials for the purpose of determining the client's right to or eligibility for benefits related to his own drug involvement. Each disclosure under this paragraph shall be made only after a prior written consent is signed and dated by the client, bearing the client's name, the name of the agency or facility disclosing the information, the name of the person to whom the information is disclosed, the purpose of the disclosure, the specific type of information to be disclosed, a statement that the consent is subject to written revocation at any time, an expiration date not later than that reasonably necessary to accomplish the stated purpose of the disclosure, the signature of the parent or legal guardian if client is under age 14, and the signature of the administrator of the program making the disclosure. A copy of such consent forms shall be maintained in the client's record. Only information necessary to satisfy the purpose of the disclosure may be disclosed.

(4) The records or information described in subsection (2) may be disclosed without consent of the client to a qualified medical authority who has determined that the life or health of the client is in danger, that treatment without the records or information could be injurious to the client, and that timely consent of the client is not possible. The disclosure shall be limited to information necessary to meet the medical emergency.

(5) The records or information described in subsection (2) may be disclosed without the consent of the client to persons authorized by the department for the purposes of conducting program evaluation, management or fiscal audit, or scientific research into the causes and treatment of drug abuse. Information or records so disclosed shall not be removed from the agency unless all client identifying information is deleted or disguised.

(6) Where a client commits or threatens to commit a crime on the premises or against staff of the approved drug treatment center, nothing in this section shall be construed as prohibiting staff from seeking the assistance of, or reporting such a crime to, a law enforcement agency, but such report shall not identify any suspect as a client nor disclose any information about any client not essential to the investigation.

(7) In each instance of disclosure, the agency or person making the disclosure shall advise the recipient that such information or records are confidential under federal and state law, and may not be further disclosed to any other person except as provided for in federal and state regulations.

(8) Clinical records described in WAC 275-18-120 shall be maintained a minimum of five years after discharge.

(9) In the event an approved drug treatment center is closed, clinical records may be forwarded to any other approved drug treatment center

with the client's consent. Clinical records still subject to minimum retention requirements, where client consent is not obtained, shall be sealed and labeled as follows: "Records of (insert name of approved drug treatment center) required to be maintained pursuant to WAC 275-18-130, until (insert minimum destruction date)." Sealed records shall be forwarded to the department, and shall be disclosed only under such circumstances and to such extent as would be permissible for the program in which they originated. The department shall destroy the records as soon as possible after the date specified on the label.

NEW SECTION

WAC 275-18-140 GOVERNANCE. (1) Approved drug treatment centers which are private corporations shall have a board of directors that has final authority and responsibility for the program. The board of directors shall meet at least quarterly and keep minutes. No member of the board of directors shall benefit financially from the operation of the agency, or be a spouse, parent, sibling or offspring of a person so benefiting, except for reasonable reimbursement for expenses incurred in performing the duties of a board member. Composition of the board shall reflect the composition of the community from which the program's clients come, to the extent feasible.

(2) Approved drug treatment centers which are public agencies shall have an advisory board that meets the standards set forth in subsection (1) for boards of directors except that advisory boards shall not have final authority and responsibility for the program.

NEW SECTION

WAC 275-18-150 FISCAL MANAGEMENT. (1) Each year there shall be prepared a formal, written budget of expected program revenues, which shall be categorized by source, and expenses, which shall be categorized by program components and/or program services. Said budget must be reviewed and approved by the board of directors of the approved drug treatment center prior to the beginning of each fiscal year of operation, and may not be modified, altered or amended without the board of directors' prior approval.

(2) There shall be a fiscal management system providing for the application of cost accounting procedures. The cost accounting procedures shall produce information that reflects the fiscal experience and current financial position of the approved drug treatment center. The cost accounting procedure shall have the capacity to determine the direct and indirect costs attributable to each program component of the approved drug treatment center. Documentation shall be provided that describes the mechanism used to determine the basis for allocating costs.

(3) Financial records must be available for audit by the department.

(4) Where the clients are charged for services, there shall be a written fee schedule based on ability to pay. The rate and charge policies shall be approved by the board of directors. This fee schedule shall be readily accessible to clients. No client shall be refused service because of inability to pay.

(5) There shall be a reporting mechanism that provides information regarding the fiscal performance of the approved drug treatment center which:

(a) Shows the relationship of budget and actual expenditures, including both revenues and expenses by category;

(b) Includes, based upon the cost accounting system, such information as cost per unit of service, cost per client day and cost per client.

NEW SECTION

WAC 275-18-160 PROGRAM EVALUATION. (1) Approved drug treatment centers shall have an evaluation procedure that measures progress toward predetermined goals and objectives. Each approved drug treatment center shall adopt both short and long-range goals that are realistic and operationally defined.

(2) Evaluation reports shall be made at least annually, and shall be available for inspect by the department.

NEW SECTION

WAC 275-18-170 STAFFING. (1) All approved drug treatment centers shall have, and must adhere to, written personnel policies covering the qualifications of staff, job descriptions, hours of work, rate of pay, personnel benefits, hiring practices, termination procedures, promotional requirements, leave days, evaluation procedures and grievance procedures. Said personnel policies must be provided to all employees.

(2) Approved drug treatment centers must maintain personnel records for each employee, and employees shall have access to his or her own records. Each record shall contain, at a minimum, an employment application, all employee evaluations, all records of pertinent training received, all appropriate consent forms and a statement of reasons for termination if the individual is no longer employed.

(3) Approved drug treatment centers shall comply with federal and state statutory and regulatory provisions regarding nondiscrimination and affirmative action in employment and client services.

(4) All staff of approved drug treatment centers must be evaluated at least annually.

(5) Employees who are present or former clients of the approved drug treatment center shall have personnel records separate from clinical records. No indication of client status or client activity, including urinalysis results, may be entered in the personnel record of such an employee.

(6) Exclusion from employment shall not be based on former drug use, former mental dysfunction or former criminal convictions.

(7) There shall be a formal grievance procedure for staff complaints and appeal of personnel actions, which shall provide for fair and impartial review of personnel policies, actions and other decisions affecting staff.

(8) All approved drug treatment centers shall make available to each staff person with clinical duties a minimum of 100 hours of in-service training, pertinent academic training and case consultation per year. Records of training and case consultation offered and received must be maintained.

(9) Approved drug treatment programs shall provide sufficient staff to permit each staff person at least two days off per week, and at least 25% of their work week in activities other than direct client services.

(10) The ratio of full-time equivalent counseling staff to clients shall not exceed the following:

(a) Outpatient treatment: 35 clients per full-time equivalent counseling staff.

(b) Residential treatment: 15 clients per full-time equivalent counseling staff.

(c) Day treatment: 8 clients per full-time equivalent counseling staff. Follow-up and after-care clients shall not be included in calculating these ratios.

(11) A responsible staff member shall be present and on duty at any time when a client is permitted on the premises of the program.

(12) No addict or ex-addict shall be employed as a counselor in a methadone treatment program from which he is receiving treatment. Treatment shall include receiving medications and/or counseling services.

(13) All clinical services shall be under the direction of a drug abuse treatment professional. All staff who are not themselves drug abuse treatment professionals shall be under the supervision of a drug abuse treatment professional when performing clinical duties.

NEW SECTION

WAC 275-18-180 AVAILABILITY OF SERVICES. (1) Approved drug treatment programs shall provide services at least two hours per weekday outside the usual 9:00 a.m. to 5:00 p.m. work day.

(2) Residential and emergency services must be available 24 hours a day, seven days a week.

(3) No otherwise eligible client may be denied services because of physical or sensory handicap, marital status, religion, race, sex, age, sexual preference, or current legal status. Clients under the age of fourteen may be refused services, or under age eighteen for residential services, if consent of parent or other legal guardian cannot be obtained. Ineligibility for methadone treatment by virtue of age, pursuant to federal law and regulation, shall also constitute an exception to this requirement.

NEW SECTION

WAC 275-18-190 REQUIRED SERVICES PROVIDED BY OTHER AGENCIES. (1) Services required by this chapter of approved drug treatment centers may be provided by an agency not under direct administrative control of the approved drug treatment center, provided that a written agreement is entered into between the approved drug treatment center and that agency, which shall include the services provided, the unit cost and total cost, if any, the duration of the agreement, the minimum and/or maximum available service, the procedures for referral, an assurance of confidentiality, the method for transmitting client information, and the division of responsibility

for care. The approved drug treatment center shall retain responsibility for assuring that these regulations are complied with. Written agreements are not required where the rule permits the service to be provided by referral.

(2) Prior approval of the department of the agreement described in subsection (1) is required when state funds are subcontracted to fulfill such an agreement.

(3) The approved drug treatment center shall inform any agency providing clinical services to program clients, or otherwise able to access confidential client information, of the obligations, restrictions and procedures with respect to disclosure of such information.

(4) If services required by WAC 275-18-040 (1), (2) or (5), WAC 275-18-050 (1) or WAC 275-18-110 (4) or (5) are provided by agreement pursuant to subsection (1), the agency providing such services must be an approved drug treatment center.

NEW SECTION

WAC 275-18-200 CLIENT RIGHTS. (1) All approved drug treatment centers shall adopt and adhere to written policies and procedures to assuring the right of each client to:

- (a) Be treated in a manner that promotes dignity and self-respect;
 - (b) Be protected from invasion of privacy, PROVIDED, that reasonable searches may be conducted in the client's presence to detect and prevent contraband from being brought in or possessed on the premises;
 - (c) Have all clinical and personal information treated confidentially;
 - (d) Actively participate in the development or modification of the client's own treatment regimen;
 - (e) Review his or her own treatment records with the responsible treatment staff person upon request once every three months, except medication records;
 - (f) Be fully informed regarding fees to be charged and methods of payment available;
 - (g) Be provided reasonable opportunity to practice the religion of his or her choice, alone and in private, insofar as such religious practice does not infringe on the rights and treatment of others, and to be excused from any religious practice;
 - (h) Not be denied communication with significant others in emergency situations;
 - (i) Not be subjected to physical abuse, corporal punishment, or denied food, clothing or other basic necessities;
 - (j) Not be denied the choice to enter into or dissolve a marriage, PROVIDED, that the approved drug treatment center is not obligated to make special provisions for conjugal visits or sleeping quarters if the physical facility lacks such capacity.
- (2) No posted mail, telegrams, phone calls or other forms of private communication shall be monitored, censored, opened or otherwise reviewed by anyone other than the addressee or intended resident of same; PROVIDED, that mail, telegrams, phone calls and all other forms of private communication may be prohibited, except as provided in subsection (1)(h), when such prohibition is the policy of the agency. All mail or other tangible forms of communication intended for clients denied said privileges must be returned unopened to the sender, or retained unopened in a secure place for the client when said privileges are reinstated.
- (3) No client shall be used to carry the responsibility for basic maintenance of the facility or treatment. However, household tasks may be performed insofar as they are appropriate to the program and are clearly indicated in the treatment plan as essential for the treatment of the client.
- (4) Policy and procedures for fair and impartial hearing of client grievances regarding these rights and agency decisions affecting the client's welfare or status as a client must be adopted and adhered to.
- (5) A copy of the agency policy regarding subsections (1), (2), (3) and (4) shall be signed by each client and maintained in the clinical record.
- (6) Nothing herein shall restrict or prohibit an agency from providing advice or counsel on matters relating to a client's decision to exercise any of the rights set forth in this section.

Chapter 275-25 WAC
COUNTY PLAN FOR MENTAL HEALTH, DRUG ABUSE DEVELOPMENTAL DISABILITIES, ALCOHOLISM

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-010 DEFINITIONS. (1) All terms used in this chapter which are not defined herein shall have the same meaning as indicated in the act.

- (2) "Act" means:
 - (a) The Alcoholism Act (chapter 70.96 and 70.96A RCW) as now existing or hereafter amended, or
 - (b) The State and Local Services for Mentally Retarded and Developmentally Disabled Act (chapter 71.20 RCW) as now existing or hereafter amended, or
 - (c) The Community Mental Health Services Act (chapter 71.24 RCW) as now existing or hereafter amended(;;), or
 - (d) Drug and Alcohol Rehabilitation, Education Program—Drug Treatment Centers (Chapter 69.54 RCW) as now existing or hereafter amended.
- (3) "County" means each county or two or more counties acting jointly.
- (4) "Department" means the department of social and health services.
- (5) "Indian" shall mean any
 - (a) Person who is enrolled in or who is eligible for enrollment in a recognized Indian tribe; any person determined to be or eligible to be found to be an Indian by the secretary of the interior; and any Eskimo, Aleut or other Alaskan native.
 - (b) Canadian Indian person who is a member of a treaty tribe, Metis community or other nonstatus Indian community from Canada.
 - (c) Unenrolled Indian person who is considered to be an Indian by a federally or non-federally recognized Indian tribe or the urban Indian/Alaska community.
- (6) "Plan" means the application a county submitted to the secretary for review and approval under the act(s); or an annual revision of an existing plan.
- (7) "Population" means the aggregate number of persons located in the designated county as computed by the United States census bureau in accordance with that agency's latest report, or of the office of program planning and fiscal management.
- (8) "Secretary" means the secretary of the department or such employee or such unit of the department as the secretary may designate.

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-020 PLAN DEVELOPMENT AND SUBMISSION. (1) All dates in this section refer to the year preceding the calendar year covered by the plan.

- (2) The requirements of this section shall apply to the following program areas:
 - (a) Mental health;
 - (b) Drug ((treatment)) abuse;
 - (c) Developmental disabilities;
 - (d) Alcoholism.
- (3) The secretary shall announce the amount of funds available to each county for each program area no later than August 1.
- (4) Each county or combination of counties shall submit a preliminary plan for each program area to the secretary no later than October 1, including the following data:
 - (a) A statement of priorities;
 - (b) A precise and definitive work statement, including a listing of all program components, anticipated services and subcontractors; their relationship to the priority statement, and the method(s) for integrating the various program components and services;
 - (c) A forecast of all revenues and expenditures;
 - (d) An evaluation of the current years plan;
 - (e) A county and/or agency client participation schedule based on client ability to pay, PROVIDED that, no client may be denied service because of inability to pay.
- (5) The preliminary plan shall be accompanied by a letter of transmittal signed by the county governing body or county executive. Such transmittal shall not be construed as approval or adoption of the preliminary plan by the county governing body or county executive.
- (6) The secretary shall make written comment to each county regarding the preliminary plan within thirty (30) days after receipt of the plan.
- (7) Each county shall submit its final plan for each program area immediately after its adoption by the county governing body, but in no case later than December 15. The final plan shall include all of the data items in WAC 275-25-020(4) except that the forecast of revenues and expenditures shall be replaced by the adopted budget.

(8) The secretary may request such additional information and documentation, or changes in the plan, as are reasonably necessary prior to granting approval or denial.

(9) The secretary may grant provisional approval of an adopted plan, or portion of an adopted plan, and require the applicant to revise the adopted plan prior to granting approval.

(10) The secretary shall inform the county of the approval, provisional approval, or denial of an adopted plan within thirty (30) days after receipt of the plan.

(11) A county whose adopted plan has been approved by the secretary may submit a modified plan to the secretary for review and approval at any time.

(12) Preparation, submission, and processing of a county's plan shall not be delayed due to any appeal, administrative review, or proceedings pursuant to the Administrative Procedures Act.

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

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-700 MENTAL HEALTH ((AND DRUG TREATMENT)) PROGRAMS—WAC SECTION NUMBERS. WAC 275-25-700 through ((275-25-999)) 275-25-799 shall apply to the mental health ((and drug treatment programs)) program.

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

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-720 PRIORITIES. (1) The plan for the provision of county mental health services shall give priority to the seriously disturbed of all ages and shall also address children and their families, the elderly, the economically disadvantaged, Indians, minorities and high risk groups.

((2) The plan for the provision of drug treatment services shall give priority to serious drug abusers of all ages:))

((3)) (2) The plan shall ensure that appropriate provisions are made to priority groups before state moneys are allocated to other service needs.

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-730 SERVICES—MENTAL HEALTH ((AND DRUGS)). The plan shall address service requirements in each of the following areas. Where direct provision of the service by the county is not appropriate, the plan shall so state and specify what other arrangements are available for county residents.

- (1) Emergency.
- (2) Inpatient.
- (3) Outpatient.
- (4) Day treatment.
- (5) Consultation/education.

((6) Methadone maintenance/detoxification:))

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

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-750 STAFFING REQUIREMENTS. Each agency providing any of the following services shall ensure that:

(1) Mental health service directed primarily to persons under age 18 is provided under the direction of a child mental health specialist;

(2) Mental health service directed primarily to persons ages 18 through 59 is provided under the direction of a community mental health specialist;

(3) Mental health service directed primarily to persons sixty years of age or over is provided under the direction of a geriatric mental health specialist;

(4) Clinical staff, who are not ((drug treatment or)) mental health specialists, receive regular supervision and/or consultation from a ((drug treatment or)) mental health specialist ((respectively));

(5) Of the staff providing direct ((drug treatment or)) mental health services at least one must be a ((drug treatment or)) mental health specialist ((respectively));

(6) Day treatment service has a minimum of one staff for every four clients under age 13, a minimum of one staff for every six clients ages 14 through 17, and a minimum of one staff for every eight clients age 18 or over.

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

AMENDATORY SECTION (Amending Order 1142, filed 8/12/76)

WAC 275-25-770 FUNDING FORMULA—MENTAL HEALTH. The annual allocation of funds to counties shall be based on the following criteria:

(1) The department may withhold up to ten percent of allocated funds to provide funding for new programs, for state-wide priority programs, and for emergency needs.

(2) Each county shall be guaranteed fifteen thousand dollars for basic mental health services, ((and five thousand dollars for basic drug treatment services:)) subject to the availability of state and federal funds.

(3) The remainder of the funds shall be distributed on a county per capita basis, provided that, no county will receive less moneys than it received in calendar year 1976 subject to the availability of funds.

(4) Funds for the administration of the Involuntary Treatment Act shall be disbursed to the counties under a contract separate from the mental health/drug treatment general award. This requirement can be waived at the request of any county.

NEW SECTION

WAC 275-25-800 APPLICABILITY—WAC SECTION NUMBERS. WAC 275-25-800 through 275-25-899 shall apply to drug abuse programs.

NEW SECTION

WAC 275-25-810 DRUG ABUSE SERVICES. (1) The plan for each county or combination of counties shall address service requirements for each of the following modalities:

- (a) Outpatient treatment services,
- (b) Day treatment services,
- (c) Residential treatment services,
- (d) Inpatient treatment services,
- (e) Prison/jail treatment services,
- (f) Rehabilitation services,
- (g) Intervention services,
- (h) Prevention services, and
- (i) Support services.

Where provision of a service within the county is not appropriate, the plan shall specify how the service will be made available to county residents.

(2) Each preliminary and final county plan shall include all of the following services:

- (a) Outpatient individual therapy,
- (b) Emergency treatment for acute toxicity, and
- (c) Screening and referral to appropriate local or statewide facilities.

(3) Each preliminary and final county plan shall include a prevention effort budgeted to be at least 10% of the amount awarded to the county under WAC 275-25-840.

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

NEW SECTION

WAC 275-25-820 ANNUAL PERFORMANCE AND STATUS REPORT. Each county or combination of counties shall submit a performance and status report no later than March 15 of each year, which shall include a report on previous year activity, information on the need for services and descriptions of current service delivery capability.

NEW SECTION

WAC 275-25-830 COUNTY MANAGEMENT. (1) Each county or combination of counties shall designate in the county plan an individual as the county drug abuse coordinator, who shall assist in the preparation of the annual county plan and the annual performance and status report and administer the county drug abuse program.

(2) Each county or combination of counties shall have a county drug abuse board appointed by the county legislative body or bodies, which will advise the county legislative body and the county drug abuse coordinator on preparation and administration of the annual county plan and the preparation of the annual performance and status report. The county drug abuse board may be the same board designated for the mental health program, PROVIDED, that the board shall have standing drug abuse subcommittee and shall have at least 25% of its membership appointed to represent the drug abuse program and its clients.

(3) Appointment, terms, composition and expenses of the county drug abuse board shall be as required for mental health boards by RCW 71.24.060.

NEW SECTION

WAC 275-25-840 FUNDING FORMULAE. The annual allocation of funds appropriated from state revenues shall be based on the following criteria:

(1) The department may withhold up to twenty five percent of allocated state funds for statewide programs, special projects and emergency needs.

(2) Each county shall receive five thousand dollars for basic drug abuse services, subject to availability of state funds.

(3) The remainder of allocated state funds shall be distributed on a per capita basis, based on the most recent estimates of population size by the office of financial management.

WSR 78-06-010
RULES OF COURT
STATE SUPREME COURT
[Order 25700-A-257]

IN THE MATTER OF THE ADOPTION
OF AMENDMENTS TO RULE 77(f)
OF THE SUPERIOR COURT CIVIL
RULES (CR 77(f))

No. 25700-A-257
ORDER

The Court, having considered proposed amendments to CR 77(f), and having determined that the amendment thereto will aid in the improvement of the orderly administration of justice; Now, therefore, it is hereby

ORDERED:

(a) That the amendment to CR 77(f) as attached hereto is adopted.

(b) That the rule shall become effective May 24, 1978.

(c) That the rule shall be published expeditiously in the Washington Reports.

DATED at Olympia, Washington, this 8th day of May, 1978.

Charles T. Wright

Hugh J. Rosellini

Robert F. Brachtenbach

Orris L. Hamilton

Charles Horowitz

Charles F. Stafford

James M. Dolliver

Robert F. Utter

Floyd V. Hicks

RULE 77

SUPERIOR COURTS AND JUDICIAL OFFICERS

(f) Sessions. The superior court shall hold regular and special sessions at the county seats of the several counties at such times as the judges may determine. Special sessions, i.e., mental illness hearings, juvenile hearings and proceedings which are authorized to be held before a court commissioner may be held at such times and places as the judges may authorize.

WSR 78-06-011
ADOPTED RULES
CODE REVISER

[Order 18—Filed May 10, 1978]

I, Dennis W. Cooper, Acting Code Reviser, do promulgate and adopt at Olympia, Washington, the annexed rules relating to chapter 1-06 WAC, by adopting a new form for the request of public records and repealing WAC 1-06-150 and Appendix A, the previous form.

This action is taken pursuant to Notice No. WSR 78-04-057 filed with the code reviser on 3/29/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 42.17.250 and 42.17.300 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 10, 1978.

By Dennis W. Cooper
Acting Code Reviser

NEW SECTION

✓ WAC 1-06-160 REQUEST FOR PUBLIC RECORD FORM.



REQUEST FOR PUBLIC RECORD

REQUESTER: Please complete form and submit to "Public Records Officer" of the state agency identified.

Form with fields for Name of State Agency, Date of Request, Time of Request, Public Records or Information Requested, Requested By, Acknowledgement of Receipt, and Requester Read and Sign.

FORM S.F. 276 (6/75)

Public records of the agency are provided for inspection and copying subject to the following regulations:

- (1) No person shall knowingly alter, deface, or destroy public records of the agency.
(2) Original copies of public records of the agency shall not be removed from the offices of the agency.
(3) Care and safekeeping of public records of the agency, furnished pursuant to a request for inspection or copying, shall be the sole responsibility of the requestor.
(4) Records furnished for public inspection or copying shall be returned in good condition and in the same file sequence or organization as when furnished.
(5) Boisterous or otherwise disruptive conduct by those requesting public records of the agency shall not be permitted.

I have read, understand, and will comply with the above-stated regulations.

(Signature and date)

REPEALER

The following sections of the Washington Administrative Code are each repealed:

- (1) WAC 1-06-150 ADOPTION OF FORM;
(2) APPENDIX A - REQUEST FOR PUBLIC RECORDS—FORM.

WSR 78-06-012
PROPOSED RULES
DEPARTMENT OF LABOR AND INDUSTRIES
(Apprenticeship Council)
[Filed May 10, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 49.04.010, that the Washington State Apprenticeship Council, Dept. of Labor and Industries, intends to adopt, amend, or repeal rules concerning:

- Amd WAC 296-04-160 Apprenticeship committees.
New WAC 296-04-165 Union waiver.
New WAC 296-04-275 Reciprocity.

Written and/or oral submissions may also contain data, views and arguments concerning the effect of the proposed rules or amendments of rules on economic values, pursuant to chapter 43.21H RCW.

The agency reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written or oral comments thereon received prior to or during the public hearing.

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

Apprenticeship and Training Division
Department of Labor and Industries
318 E. 4th Avenue
Olympia, WA 98504;

that such agency will at 10:00 a.m., Thursday, July 20, 1978, in the Haguewood's Restaurant, 221 N. Lincoln, Port Angeles, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, July 20, 1978, in the Haguewood's Restaurant, 221 N. Lincoln, Port Angeles, WA.

The authority under which these rules are proposed is RCW 49.04.010 and 34.04.025.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 20, 1978, and/or orally at 10:00 a.m., Thursday, July 20, 1978, Haguewood's Restaurant, 221 N. Lincoln, Port Angeles, WA.

Dated: May 10, 1978

By: John C. Hewitt
Director

AMENDATORY SECTION (Amending Order No. 76-4, filed 2/20/76)

WAC 296-04-160 APPRENTICESHIP COMMITTEES. (1) Apprenticeship committees shall be appointed in accordance with the provisions of RCW 49.04.040. Such committees shall have the duties prescribed by statute, these rules and the approved standards under which they operate. ((The Council will not approve the creation of any state or local apprenticeship committee in an area already served by such a committee in the same trade or craft, except to consolidate committees.)) Committees shall function, administrate or relinquish authority only with the consent of the Council. On any petition addressed to the Council or the Supervisor, only the signature of the elected chairman and secretary of the committee shall be accepted unless the apprenticeship committee has petitioned the Council to recognize and accept the signature of another person. Such a petition must be signed by a quorum of the members of the petitioning apprenticeship committee. It is the Council's view that joint apprenticeship and training committees are not state agencies but rather only quasi-public entities performing services jointly for management and labor by assistance to the apprenticeship program.

(2) The Council will not approve the creation of a state or local apprenticeship committee in an area already served by such a committee in the same trade or craft except to consolidate committees or unless apprenticeship training needs justify the establishment of an additional state or local committee. Such additional committees will be approved by the Council if:

(a) Participation in the existing program is limited to apprentices employed under the terms of a collective bargaining agreement; or

(b) If the applicant for approval of an additional committee demonstrates that the existing program fails and refuses to provide needed and significant training which, in fact, will be provided under the applicant's program.

(3) Additional committees will be approved if the applicant for approval of such an additional committee proves by a preponderance of the evidence that any of the two conditions set forth above are applicable. With respect to the first exception, it is the intent of these rules to afford non-union employers and their apprenticeable employees an opportunity to participate in existing labor-management programs on a nondiscriminatory basis and to provide for the approval of additional committees where that opportunity does not exist.

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

NEW SECTION

WAC 296-04-165 UNION WAIVER. Under a program proposed for registration by an employer or employers' association, and where the standards, collective bargaining agreement or other instrument provides for participation by a union in any manner in the operation of the substantive matters of the apprenticeship program, and such participation is exercised, written acknowledgement of union agreement or "no objection" to the registration is required. Where no such participation is evidenced and practiced, the employer or employers' association shall simultaneously furnish to the union, if any, which is the collective bargaining agent of the employees to be trained, a copy of its application for registration and of the apprenticeship program. The Apprenticeship Division shall provide a reasonable time period of not less than 30 days nor more than 60 days for receipt of union comments, if any, before final action on the application for registration and/or approval.

NEW SECTION

WAC 296-04-275 RECIPROCITY. Apprenticeship programs and standards of employers and unions in other than the building and construction industry, which jointly form a sponsoring entity on a multistate basis and are registered pursuant to all requirements of Title 29 Code of Federal Regulations, Part 29, as adopted February 15, 1977 by any recognized State Apprenticeship Agency/Council or by the Bureau of Apprenticeship and Training, U.S. Department of Labor, shall be accorded approval reciprocity by the Administrator of Apprenticeship, if such reciprocity is requested by the sponsoring entity.

WSR 78-06-013

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

[Order 1575—Filed May 10, 1978]

I, Bob J. Mickelson, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to WAC 16-316-800, 16-316-810, 16-316-820, 16-316-830 and 16-316-840 relating to varieties eligible for seed certification.

This action is taken pursuant to Notice No. WSR 78-04-108 filed with the code reviser on 4/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 10, 1978.

By Errett Deck
Deputy Director

AMENDATORY SECTION (Order 1568, filed March 1, 1978)

WAC 16-316-800 GRASS VARIETIES ELIGIBLE. (1) Following are the grass varieties eligible and the certifying scheme for each:

Bentgrass:
(subject to poa annua
quarantine)

Astoria Colonial***
Highland Colonial**
Seaside Creeping***
((Smaragd)) ((f))Emerald((f))
Creeping**

Big Bluegrass:

Sherman**

Canada Bluegrass:
(subject to poa annua
quarantine)

Reubens**((Pat)) pat

Kentucky Bluegrass:
(subject to poa annua
quarantine)

A20-6*p
A-34 (Bensun)**((pat))p
Adelphi**pat
Baron**pat
Birka*((pvp))p
Bonnieblue (Pac)**pat
Bono (Birdie)*p
Cheri(Golf)*p
Cougar*
Delta*
Fylking**pat
Georgetown**p
Geronimo*p
Glade**pat
Kenblue*
I-13**p
Majestic**pat
Merion**
Newport**
Nugget*
Parade*((pvp))p
Park**
Plush*p
Prato**p
Ram I*p
S-21**p
Touchdown*pvp
Troy**p
Victoria*p

Mountain Brome:

Bromar**

Smooth Brome:

Baylor*p
Blair*p
Manchar**
Sac**
Saratoga*

Deertongue:
(subject to poa annua
quarantine)

Tioga*

Fescue:
(subject to poa annua
quarantine - except tall
fescue)

Cascade Chewings**
Dawson Red*p
Novorubra Red*p
Pennlawn Red*
Alta Tall**
Wintergreen Red*
((Scators)) Scaldis Hard*pvp
Ruby Red*p
Durar Hard**
Covar Sheep**
Fawn Tall*

Orchardgrass:

Latar**
Pennlate*
Potomac*

Perennial Ryegrass:
(subject to poa annua
quarantine)

Cropper*P
Diplomat*pvpV
NK-100*p
Yorktown*pvpV
Norlea*p
Pennfine*pvpV
Pelo**p

Wheatgrass:

Yorktown II*pvpV

Manhattan*p Timothy: Clair**
Champlain*
Climax*
Pronto*p
Witmar Beardless**
Fairway Crested*
Nordan Crested**
Amur Intermediate***
Greenar
Intermediate**
Oahe Intermediate*
Tegmar Intermediate*
Siberian**
Greenleaf Pubescent*
Luna Pubescent**
Topar Pubescent**
Primar Slender**
Sodar Streambank**
Critana Thickspike**
Alkar Tall**

(2) VARIETY RESTRICTIONS. (a) Pennlate Orchardgrass: Life of stand limited to six years. Maximum of three seed crops on foundation.

(b) Pennfine Perennial Ryegrass: Maximum of two seed crops on foundation, four seed crops on certified.

(c) Deertongue: Life of stand limited to six years.

AMENDATORY SECTION (Order 1568, filed March 1, 1978)

WAC 16-316-810 RED CLOVER VARIETIES ELIGIBLE. (1) Following are the red clover varieties eligible and the certification scheme for each:

Arlington*	Lakeland*
Chesapeake*	
E-688*p	Pennscott*
Florex*pvp	Prosper*p
Florie*p	Redland*pvp
Hamidori*p	
Kenland*	Redman*p
Kenstar*pvpV	

(2) VARIETY RESTRICTIONS. Kenstar: No seed production permitted year of seeding.

AMENDATORY SECTION (Order 1568, filed March 1, 1978)

WAC 16-316-820 ALFALFA VARIETIES ELIGIBLE. (1) Following are the alfalfa varieties eligible and the certification scheme for each:

A-24**p	Saranac*
A-59**p	Saranac AR*pvpV
Agate*	SX10*p
Anchor*pvp	Team*
Apalachee*	Tempo*p
Apollo*pvp	Thor*p
Arc*	Titan*p
Arnim*p	((Travois*))
Atlas*pvp	
Atra-55*p	Vernal*
	Vanguard*pvp
Baker*pvpV	Vista*p
	WL-220*p
((Bonus*p))	Warrior*p
((Chime*p))	Washoe*
Citation*pvp	Weevichek*p
Conquest*p	

Dawson*	((WL-202*p))
Delta**	((WL-210*p))
((Dupuits))Dupuits*p	WL-215*p
G-777*p	WL-219*p
Glacier*p	WL-307*p
Gladiator*p	WL-318*p
Honeoye*pvp	123*p
Iroquois*	((+67*p))
Ladak**	521*p
Ladak 65*p	520*p
Liberty**	
Marathon*p	530*p
Mesilla**	
Narragansett**	
((NCW-20**))	
Nugget*pvp	
Olympic*pvp	
Phytor*p	
Polar 1*p	
((Rambler**))	
Ramsey*p	
Ranger**	
((Reamer**))	

(2) VARIETY RESTRICTION. Baker: The length of stand, including the year of establishment, shall not exceed the following:

- (a) breeder seed, 2 years;
- (b) foundation seed, 3 years with a fourth year option dependent on breeder approval;
- (c) certified seed, 6 years both inside and outside the area of adaptation.

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

AMENDATORY SECTION (Order 1505, filed March 31, 1977)

WAC 16-316-830 BEAN VARIETIES ELIGIBLE. (1) Following are the bean varieties eligible and the certification scheme for each:

Red Mexican:	Bigbend** Rufus**
Pinto:	((U of I 114**)) U of I 114**
Pink:	Gloria** Roza** Sutter** Viva**
Small White:	Chief** Aurora** Bonus**
Kidney:	Royal Red**
Snap Bean:	Yakima** Apollo**

AMENDATORY SECTION (Order 1505, filed March 31, 1977)

WAC 16-316-840 WHITE CLOVER AND TREFOIL VARIETIES ELIGIBLE. (1) Following are the varieties eligible and the certification scheme for each:

- ((Ladino Clover**))
- Merit Ladino Clover*
- Pilgrim Ladino Clover*
- Tillman White Clover**
- ((Louisiana S-1 White Clover**))
- Cascade Birdsfoot Trefoil**
- ((Marshfield Big Trefoil**))
- Viking Birdsfoot Trefoil**

* These varieties are certified on a limited generation basis where: Foundation seed is eligible to produce

certified seed; Certified seed is not eligible for recertification.

** These varieties are certified on the generation basis where:

Foundation seed is eligible to produce registered seed((-);

Registered seed is eligible to produce certified seed;

Certified seed is not eligible for recertification.

*** These varieties are not certified on a generation basis:

Certified seed is eligible to produce certified seed.

- p = Proprietary
- pat = Patent
- pvp = Plant Variety Protected
- pvpV = Plant Variety Protected plus to be sold by variety name only as a class of certified seed

TO BE ENTERED AT THE END OF WAC 16-316-800, WAC 16-316-810, WAC 16-316-820, and WAC 16-316-830 FOOTNOTE:

* These varieties are certified on a limited generation basis where:

Foundation seed is eligible to produce certified seed;

Certified seed is not eligible for recertification.

** These varieties are certified on the generation basis where:

Foundation seed is eligible to produce registered seed;

Registered seed is eligible to produce certified seed;

Certified seed is not eligible for recertification.

*** These varieties are not certified on a generation basis:

Certified seed is eligible to produce certified seed.

- p = Proprietary
- pat = Patent
- pvp = Plant Variety Protected
- pvpV = Plant Variety Protected plus to be sold by variety name only as a class of certified seed

WSR 78-06-014 ADOPTED RULES DEPARTMENT OF AGRICULTURE (Noxious Weed Control Board) [Order 10, Resolution 10—Filed May 10, 1978]

Be it resolved by the State Noxious Weed Control Board, acting at General Administration Building, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to the amending of

WAC 16-750-010, a proposed noxious weed list comprising the names of those plants which are found to be injurious to crops, livestock, or other property.

This action is taken pursuant to Notice No. WSR 78-04-012 filed with the code reviser on 3/9/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 17.10 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 10, 1978.

By Walter D. Wruble
Chairman

AMENDATORY SECTION (Amending Order No. 8, filed March 1, 1977)

WAC 16-750-010 PROPOSED NOXIOUS WEED LIST. In accordance with RCW 17.10.080, a proposed noxious weed list comprising the names of those plants which the Noxious Weed Control Board finds to be injurious to crops, livestock, or other property is hereby adopted as follows:

English or Common Name	Botanical or Scientific Name
Perennial weeds	
((Austrian-Fieldcress))	((<u>Rorippa-austriaca</u>))
Baby's Breath	Gypsophila paniculata
Barberry, European	<u>Berberis vulgaris</u>
Bermudagrass	Cynodon dactylon
((Bitter-Nightshade))	((<u>Solanum-dulcamera</u>))
Bindweed, field	<u>Convolvulus arvensis</u>
Bindweed, hedge	<u>Convolvulus sepium</u>
Blackberry, evergreen	<u>Rubus laciniatus</u>
Blue Lettuce	Lactuca pulchella
Blueweed, Texas	Helianthus ciliaris
Bracken ((Fern)), western	Pteridium aquilinum
Bulrush, spotted	<u>Scirpus validus</u>
Buttercup, creeping	<u>Ranunculus repens</u>
Camelthorn	Alhagi camelorum
Canada Thistle	Cirsium arvense
Chicory	Cichorium intybus
((Common-Barberry))	((<u>Berberis-vulgaris</u>))
((Common-Fansy))	((<u>Tanacetum-vulgare</u>))
((Common-Wormwood))	((<u>Artemisia-absinthium</u>))
((Creeping-Buttercup))	((<u>Ranunculus-repens-L.</u>))
Dalmation Toadflax	Linaria dalmatica ((L.))
((Diffuse-Knapweed))	((<u>Centaurea-diffusa-Lam.</u>))
Docks	Rumex spp.
Dogbane, hemp	Apocynum cannabinum ((L.))
((Evergreen-Blackberry))	((<u>Rubus-spp.</u>))
((Field-Bindweed))	((<u>Convolvulus-arvensis-L.</u>))
Fieldcress, Austrian	<u>Rorippa austriaca</u>
Foxtail Barley	Hordeum jubatum
Gorse	Ulex europaeus
((Hairy-Whitetop))	((<u>Cardaria-pubesces</u>))
((Hedge-Bindweed))	((<u>Convolvulus-septium-L.</u>))
Groundcherry, longleaf	<u>Physalis longifolia</u>
Henbane, black	<u>Hyoscyamus niger</u>
Hoary Cress or White Top	Cardaria draba ((L.))
Horsetail ((Rush)), field	Equisetum arvense ((L.))
((Johnson-Grass)) Johnsongrass	Sorghum halepense
Knapweed, diffuse	<u>Centaurea diffusa</u>
Knapweed, Russian	<u>Centaurea repens</u>
Larkspur	Delphinium spp.
Leafy Spurge	Euphorbia esula ((L.))
Lupine	Lupinus spp.
Milkweed, showy	<u>Asclepias speciosa</u>
Nightshade, bitter	<u>Solanum dulcamara</u>
Nutsedge, purple	<u>Cyperus rotundus</u>

English or Common Name	Botanical or Scientific Name
Nutsedge, yellow	<u>Cyperus esculentus</u>
Oxeye Daisy	Chrysanthemum leucanthemum
((Perennial-Ground-Cherry))	((<u>Physalis-heterophylla</u>))
((Perennial-Pepperweed))	((<u>Lepidium latifolium-L.</u>))
Pepperweed, perennial	<u>Lepidium latifolium</u>
((Perennial-Ragweed))	((<u>Ambrosia-psilostachya</u>))
((Perennial-Sowthistle))	((<u>Gonchus arvensis-L.</u>))
Plantain	Plantago spp.
((Poverty-Weed)) Povertyweed	Iva axillaris
((Purple-Nutgrass))	((<u>Cyperus rotundus-L.</u>))
Quackgrass	Agropyron repens ((L.))
Ragweed, western	<u>Ambrosia psilostachya</u>
((Reed's-Canary-Grass))	((<u>Phalaris canariensis-L.</u>))
Reed canarygrass	Phalaris arundinacea
((Russian-Knapweed))	((<u>Centaurea-repens-L.</u>))
Scotch Broom	Cytisus scoparius
((Sheep)) Sorrel, red	Rumex acetosella ((L.))
((Showy-Milkweed))	((<u>Asclepias speciosa</u>))
Sowthistle, perennial	<u>Sonchus arvensis</u>
((Spotted)) Spurge, spotted	Euphorbia maculata ((L.))
Tansy, common	<u>Tanacetum vulgare</u>
((Tussocks))	((<u>Scirpus validus</u>))
((Water-Hemlock))	((<u>Cicuta maculata-L.</u>))
Waterhemlock, western	<u>Cicuta douglasii</u>
Watermilfoil, Eurasian	<u>Myriophyllum spicatum</u>
Whitetop, hairy	<u>Cardaria pubescens</u>
Wormwood, absinth	<u>Artemisia absinthium</u>
((Yellow-Nutgrass))	((<u>Cyperus esculentus</u>))
Yellow Toadflax	Linaria vulgaris

Biennial Weeds

((African-Sage))	((<u>Salvia aethiops</u>))
Bull Thistle	Cirsium vulgare
Carrot, wild	<u>Daucus carota</u>
Houndstongue	Cynoglossum officinale
Knapweed, spotted	<u>Centaurea maculosa</u>
Poison Hemlock	Conium maculatum ((L.))
Rush skeletonweed	<u>Chondrilla juncea</u>
Sage, Mediterranean	<u>Salvia aethiops</u>
Scotch Thistle	Onopordum acanthium
((Spotted-Knapweed))	((<u>Centaurea maculosa</u>))
Tansy Ragwort	Senecia jacobaea
((Wild-Carrot))	((<u>Daucus carota-L.</u>))
((Yellowflowered-Skeleton-Weed))	((<u>Chondrilla juncea-L.</u>))

Annual Weeds

((Annual-Bluegrass))	((<u>Poa annua</u>))
Barnyard Grass	Echinochloa crusgalli
Bluegrass, annual	<u>Poa annua</u>
Cocklebur	Xanthium spp.
((Common-Purslane))	((<u>Portulaca-oleracea</u>))
Dodder	Cuscuta spp.
Field Pennycress	Thlaspi arvense
((Field-Sandbar))	((<u>Cenchrus pauciflorus</u>))
((Goatweed))	((<u>Hypericum perforatum-L.</u>))
Goatgrass, jointed	<u>Aegilops cylindrica</u>
Halogeton	Halogeton glomeratus
Hemp (Marijuana)	Canabis sativa ((L.))
Horsenettle	<u>Solanum carolinense</u>
Horseweed (marestail)	<u>Conyza canadensis</u>
((Jointed-Goatgrass))	((<u>Aegilops cylindrica</u>))
Kochia	Kochia scoparia
((Marestail (Horseweed))	((<u>Conyza canadensis</u>))
Meadowfoxtail, Pacific	<u>Alopecurus myosuroides</u>
Medusahead	((<u>Elymus caput-medusae-L.</u>))
((Pacific-Meadow-Foxtail))	<u>Taeniatherum asperum</u>
Mustard, wild	((<u>Alopecurus myosuroides</u>))
Nightshade, silverleaf	<u>Brassica kaber</u>
Puncturevine	<u>Solanum elaeagnifolium</u>
Purslane, common	Tribulus terrestris ((L.))
Rattlebox	<u>Portulaca oleracea</u>
St. Johnswort	<u>Crotalaria sagittalis ((L.))</u>
Sandbar, longspine	<u>Hypericum perforatum</u>
((Silverleaf-Nightshade))	<u>Cenchrus longispinus</u>
Smartweed, swamp	((<u>Solanum elaeagnifolium</u>))
Sorghum	<u>Polygonum coccineum</u>
((Swamp-Smartweed))	Sorghum spp.
((White-Horse-Nettle))	((<u>Polygonum coccineum</u>))
((Wild-Mustard))	((<u>Solanum carolinense</u>))
Wild ((Oats)) oat	((<u>Brassica kaber</u>))
Yellow Starthistle	Avena fatua ((L.))
	Centaurea solstitialis ((L.))

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule

published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 78-06-015

PROPOSED RULES

COUNCIL FOR POSTSECONDARY EDUCATION

[Filed May 11, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Council for Postsecondary Education, intends to adopt, amend, or repeal rules concerning state of Washington college work/study program, amending WAC 250-40-050;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Thursday, June 22, 1978, in the Wenatchee Valley College.

The authority under which these rules are proposed is chapter 177, Laws of 1974 ex. sess.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 78-02-084 and 78-05-056 filed with the code reviser's office on April 26, 1978.

Dated: May 10, 1978

By: C. Gail Norris
Executive Coordinator

WSR 78-06-016

EMERGENCY RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Order 78-9—Filed May 11, 1978]

I, John C. Hewitt, director of Department of Labor and Industries, do promulgate and adopt at Office of the Director, Olympia, Washington, the annexed rules relating to:

NEW WAC 296-37-510 through 296-37-585, captioned Commercial diving operations and superseding Safety standards—Scuba diving, submarine diving. Commercial diving operations is identical to 29 CFR 1910.401 through 1910.441; and

REP WAC 296-37-010 through 296-37-460 relating to Safety standards—Scuba diving, submarine diving.

I, John C. Hewitt, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is for the state to keep jurisdiction the attached rules, constituting repeal of WAC 296-37-010 through 296-37-460 and immediate emergency adoption of new sections WAC 296-37-510 through 296-37-585 necessary to conform with 29 CFR 1910.401 through 1910.441.

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

This rule is promulgated pursuant to RCW 34.04.030 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 11, 1978.

By John C. Hewitt
Director

Chapter 296-37 WAC

STANDARDS FOR COMMERCIAL DIVING OPERATIONS

WAC

<u>296-37-510</u>	<u>Scope and Application.</u>
<u>296-37-515</u>	<u>Definitions.</u>
<u>296-37-520</u>	<u>Qualifications of Dive Team.</u>
<u>296-37-525</u>	<u>Medical Requirements.</u>
<u>296-37-530</u>	<u>Safe Practices Manual.</u>
<u>296-37-535</u>	<u>Pre-dive Procedures.</u>
<u>296-37-540</u>	<u>Procedures During Dive.</u>
<u>296-37-545</u>	<u>Post-dive Procedures.</u>
<u>296-37-550</u>	<u>Scuba Diving.</u>
<u>296-37-555</u>	<u>Surface-supplied Air Diving.</u>
<u>296-37-560</u>	<u>Mixed-Gas Diving.</u>
<u>296-37-565</u>	<u>Liveboating.</u>
<u>296-37-570</u>	<u>Equipment.</u>
<u>296-37-575</u>	<u>Recordkeeping Requirements.</u>
<u>296-37-580</u>	<u>Effective Date.</u>
<u>296-37-585</u>	<u>Examples of Conditions Which May Restrict or Limit Exposure to Hyperbaric Conditions.</u>

NEW SECTION

WAC 296-37-510 SCOPE AND APPLICATION.

(1) The requirements included in this vertical chapter shall apply throughout the State wherever commercial diving takes place within the jurisdiction of the Department of Labor and Industries. These requirements shall also be applicable to those diving related and supportive work activities not at the diving site but which have a direct effect on the safety of the diving operations. Examples may include but are not limited to: the supply of breathing air or gas; the supply of materials, equipment or supplies required by this chapter; the maintenance of diving equipment.

(2) This chapter shall augment the requirements of the General Safety and Health Standard, Chapter 296-24 WAC and the General Occupational Health Standard, Chapter 296-62 WAC. In instances where this chapter is in direct conflict with the requirements of any general horizontal standard, the requirements of this chapter shall apply.

(3) Hoisting gear used in diving operations shall be inspected and certified as required by Chapter 296-56 WAC, Safety Standards for Longshore, Stevedore and Related Waterfront Operations.

(4) Application in Emergencies. (a) An employer may deviate from the requirements of this standard to the extent necessary to prevent or minimize a situation

which is likely to cause death, serious physical harm, or major environmental damage, provided that the employer:

(i) Notifies the Assistant Director of the Department of Labor and Industries in Olympia or the Chief Safety Inspector for the Region within 48 hours of the onset of the emergency situation indicating the nature of the emergency and extent of the deviation from the prescribed regulations; and

(ii) Upon request from the authority notified, submits such information in writing.

(5) Employer Obligation. (a) The employer shall be responsible for compliance with:

(i) All provisions of this standard of general applicability; and

(ii) All requirements pertaining to specific diving modes to the extent diving operations in such modes are conducted.

NEW SECTION

WAC 296-37-515 DEFINITIONS. As used in this standard, the listed terms are defined as follows:

(1) "Acfm": Actual cubic feet per minute.

(2) "ASME" Code or equivalent": ASME (American Society of Mechanical Engineers) Boiler and Pressure Vessel Code, Section VIII, or an equivalent code which the employer can demonstrate to be equally effective.

(3) "ATA": Atmosphere absolute.

(4) "Bell": An enclosed compartment, pressurized (closed bell) or unpressurized (open bell), which allows the diver to be transported to and from the underwater work area and which may be used as a temporary refuge during diving operations.

(5) "Bottom time": The total elapsed time measured in minutes from the time when the diver leaves the surface in descent to the time that the diver begins ascent.

(6) "Bursting pressure": The pressure at which a pressure containment device would fail structurally.

(7) "Cylinder": A pressure vessel for the storage of gases.

(8) "Decompression chamber": A pressure vessel for human occupancy such as a surface decompression chamber, closed bell, or deep diving system used to decompress divers and to treat decompression sickness.

(9) "Decompression sickness": A condition with a variety of symptoms which may result from gas or bubbles in the tissues of divers after pressure reduction.

(10) "Decompression table": A profile or set of profiles of depth-time relationships for ascent rates and breathing mixtures to be followed after a specific depth-time exposure or exposures.

(11) "Dive location": A surface or vessel from which a diving operation is conducted.

(12) "Dive-location reserve breathing gas": A supply system of air or mixed-gas (as appropriate) at the dive location which is independent of the primary supply system and sufficient to support divers during the planned decompression.

(13) "Dive team": Divers and support employees involved in a diving operation, including the designated person-in-charge.

(14) "Diver": An employee working in water using underwater apparatus which supplies compressed breathing gas at the ambient pressure.

(15) "Diver-carried reserve breathing gas": A diver-carried supply of air or mixed gas (as appropriate) sufficient under standard operating conditions to allow the diver to reach the surface, or another source of breathing gas, or to be reached by a standby diver.

(16) "Diving mode": A type of diving requiring specific equipment, procedures and techniques (SCUBA, surface-supplied air, or mixed gas).

(17) "Fsw": Feet of seawater (or equivalent static pressure head).

(18) "Heavy gear": Diver-worn deep-sea dress including helmet, breastplate, dry suit, and weighted shoes.

(19) "Hyperbaric conditions": Pressure conditions in excess of surface pressure.

(20) "Inwater stage": A suspended underwater platform which supports a diver in the water.

(21) "Liveboating": The practice of supporting a surfaced-supplied air or mixed gas diver from a vessel which is underway.

(22) "Mixed-gas diving": A diving mode in which the diver is supplied in the water with a breathing gas other than air.

(23) "No-decompression limits": The depth-time limits of the "no-decompression limits and repetitive dive group designation table for no-decompression air dives", U.S. Navy Diving Manual or equivalent limits which the employer can demonstrate to be equally effective.

(24) "Psi(g)": Pounds per square inch (gauge).

(25) "SCUBA diving": A diving mode independent of surface supply in which the diver uses open circuit self-contained underwater breathing apparatus.

(26) "Standby diver": A diver at the dive location available to assist a diver in the water.

(27) "Surface-supplied air diving": A diving mode in which the diver in the water is supplied from the dive location with compressed air for breathing.

(28) "Treatment table": A depth-time and breathing gas profile designed to treat decompression sickness.

(29) "Umbilical": The composite hose bundle between a dive location and a diver or bell, or between a diver and a bell, which supplies the diver or bell with breathing gas, communications, power, or heat as appropriate to the diving mode or conditions, and includes a safety line between the diver and the dive location.

(30) "Volume tank": A pressure vessel connected to the outlet of a compressor and used as an air reservoir.

(31) "Working pressure": The maximum pressure to which a pressure containment device may be exposed under standard operating conditions.

NEW SECTION

WAC 296-37-520 QUALIFICATIONS OF DIVE TEAM. (1) General.

(a) Each dive team member shall have the experience or training necessary to perform assigned tasks in a safe and healthful manner.

(b) Each dive team member shall have experience or training in the following:

(i) The use of tools, equipment and systems relevant to assigned tasks;

(ii) Techniques of the assigned diving mode; and

(iii) Diving operations and emergency procedures.

(c) All dive team members shall be trained in cardiopulmonary resuscitation and first aid (American Red Cross standard course or equivalent).

(d) Dive team members who are exposed to or control the exposure of others to hyperbaric conditions shall be trained in diving-related physics and physiology.

(2) Assignments. (a) Each dive team member shall be assigned tasks in accordance with the employee's experience or training, except that limited additional tasks may be assigned to an employee undergoing training provided that these tasks are performed under the direct supervision of an experienced dive team member.

(b) The employer shall not require a dive team member to be exposed to hyperbaric conditions against the employee's will, except when necessary to complete decompression or treatment procedures.

(c) The employer shall not permit a dive team member to dive or be otherwise exposed to hyperbaric conditions for the duration of any temporary physical impairment or condition which is known to the employer and is likely to affect adversely the safety or health of a dive team member.

(3) Designated Person-In-Charge. (a) The employer or an employee designated by the employer shall be at the dive location in charge of all aspects of the diving operation affecting the safety and health of dive team members.

(b) The designated person-in-charge shall have experience and training in the conduct of the assigned diving operation.

NEW SECTION

WAC 296-37-525 MEDICAL REQUIREMENTS. (1) General. (a) The employer shall determine that dive team members who are, or are likely to be, exposed to hyperbaric conditions are medically fit to perform assigned tasks in a safe and healthful manner.

(b) The employer shall provide each dive team member who is, or is likely to be, exposed to hyperbaric conditions with all medical examinations required by this standard.

(c) All medical examinations required by this standard shall be performed by, or under the direction of, a physician at no cost to the employee.

(2) Frequency of Medical Examinations. Medical examinations shall be provided:

(a) Prior to initial hyperbaric exposure with the employer, unless an equivalent medical examination has been given within the preceding 12 months and the employer has obtained the results of the examination and an opinion from the examining physician of the employee's medical fitness to dive or to be otherwise exposed to hyperbaric conditions;

(b) At one year intervals from the date of initial examination or last equivalent examination; and

(c) After an injury or illness requiring hospitalization of more than twenty-four hours.

(3) Information Provided to Examining Physician. The employer shall provide the following information to the examining physician:

(a) A copy of the medical requirements of this standard; and

(b) A summary of the nature and extent of hyperbaric conditions to which the dive team member will be exposed, including diving modes and types of work to be assigned.

(4) Content of Medical Examinations. (a) Medical examinations conducted initially and annually shall consist of the following:

(i) Medical history;

(ii) Diving-related work history;

(iii) Basic physical examination;

(iv) The tests required by Table I; and

(v) Any additional tests the physician considers necessary.

(b) Medical examinations conducted after an injury or illness requiring hospitalization of more than 24 hours shall be appropriate to the nature and extent of the injury or illness as determined by the examining physician.

TABLE I

TESTS FOR DIVING MEDICAL EXAMINATION

Test	Initial Examination	Annual Reexamination
Chest X-ray	x	
Visual acuity	x	x
Color blindness	x	
EKG: standard 12L ¹		
Hearing test	x	x
Hematocrit or hemoglobin.	x	x
Sickle cell index	x	
White blood count	x	x
Urinalysis	x	x

¹To be given to the employee once, at age 35 or over.

(5) Physician's Written Report. (a) After any medical examination required by this standard, the employer shall obtain a written report prepared by the examining physician containing:

(i) The results of the medical examination; and

(ii) The examining physician's opinion of the employee's fitness to be exposed to hyperbaric conditions, including any recommended restrictions or limitations to such exposure (see WAC 296-37-585).

(b) The employer shall provide the employee with a copy of the physician's written report.

(6) Determination of Employee Fitness. (a) The employer shall determine the extent and nature of the dive team member's fitness to engage in diving or be otherwise exposed to hyperbaric conditions consistent with the recommendations in the examining physician's report.

(b) If the examining physician has recommended a restriction or limitation on the dive team member's exposure to hyperbaric conditions, and the affected employee does not concur, a second physician selected by the employee shall render a medical opinion on the nature and extent of the restriction or limitation, if any.

(c) If the recommendation of the second opinion differs from that of the examining (first) physician, and if the employer and employee are unable to agree on the nature and extent of the restriction or limitation, an opinion from a third physician selected by the first two physicians shall be obtained. The employer's determination of the dive team member's fitness shall be consistent with the medical opinion of the third physician, unless the employer and employee reach an agreement which is otherwise consistent with the recommendation or opinion of at least two of the physicians involved.

(d) Nothing in this procedure shall be construed to prohibit either a dive team member from accepting, or an employer from offering, an assignment which is otherwise consistent with at least one medical opinion while a final determination on the employee's fitness is pending.

NEW SECTION

WAC 296-37-530 SAFE PRACTICES MANUAL. (1) *General.* The employer shall develop and maintain a safe practices manual which shall be made available at the dive location to each dive team member.

(2) *Contents.* (a) The safe practices manual shall contain a copy of this standard and the employer's policies for implementing the requirements of this standard.

(b) For each diving mode engaged in, the safe practices manual shall include:

- (i) Safety procedures and checklists for diving operations;
- (ii) Assignments and responsibilities of the dive team members;
- (iii) Equipment procedures and checklists; and
- (iv) Emergency procedures for fire, equipment failure, adverse environmental conditions, and medical illness and injury.

NEW SECTION

WAC 296-37-535 PRE-DIVE PROCEDURES. (1) *General.* The employer shall comply with the following requirements prior to each diving operation, unless otherwise specified.

(2) *Emergency Aid.* A list shall be kept at the dive location of the telephone or call numbers of the following:

- (a) An operational decompression chamber (if not at the dive location);
- (b) Accessible hospitals;
- (c) Available physicians;
- (d) Available means of transportation; and
- (e) The nearest U.S. Coast Guard Rescue Coordination Center.

(3) *First Aid Supplies.* (a) A first aid kit appropriate for the diving operation and approved by a physician shall be available at the dive location.

(b) When used in a decompression chamber or bell, the first aid kit shall be suitable for use under hyperbaric conditions.

(c) In addition to any other first aid supplies, an American Red Cross standard first aid handbook or equivalent, and a bag-type manual resuscitator with transparent mask and tubing shall be available at the dive location.

(4) *Planning and Assessment.* Planning of a diving operation shall include an assessment of the safety and health aspects of the following:

- (a) Diving mode;
- (b) Surface and underwater conditions and hazards;
- (c) Breathing gas supply (including reserves);
- (d) Thermal protection;
- (e) Diving equipment and systems;
- (f) Dive team assignments and physical fitness of dive team members (including any impairment known to the employer);

(g) Repetitive dive designation or residual inert gas status of dive team members;

(h) Decompression and treatment procedures (including altitude corrections); and

(i) Emergency procedures.

(5) *Hazardous Activities.* To minimize hazards to the dive team, diving operations shall be coordinated with other activities in the vicinity which are likely to interfere with the diving operation.

(6) *Employee Briefing.* (a) Dive team members shall be briefed on:

- (i) The tasks to be undertaken;
- (ii) Safety procedures for the diving mode;
- (iii) Any unusual hazards or environmental conditions likely to affect the safety of the diving operation; and
- (iv) Any modifications to operating procedures necessitated by the specific diving operation.

(b) Prior to making individual dive team member assignments, the employer shall inquire into the dive team member's current state of physical fitness, and indicate to the dive team member the procedure for reporting physical problems or adverse physiological effects during and after the dive.

(7) *Equipment Inspection.* The breathing gas supply system including reserve breathing gas supplies, masks, helmets, thermal protection, and bell handling mechanism (when appropriate) shall be inspected prior to each dive.

(8) *Warning Signal.* When diving from surfaces other than vessels in areas capable of supporting marine traffic, a rigid replica of the international code flag "A" at least one meter in height shall be displayed at the dive location in a manner which allows all-round visibility, and shall be illuminated during night diving operations.

NEW SECTION

WAC 296-37-540 PROCEDURES DURING DIVE. (1) *General.* The employer shall comply with the following requirements which are applicable to each diving operation unless otherwise specified.

(2) *Water Entry and Exit.* (a) A means capable of supporting the diver shall be provided for entering and exiting the water.

(b) The means provided for exiting the water shall extend below the water surface.

(c) A means shall be provided to assist an injured diver from the water or into a bell.

(3) Communications. (a) An operational two-way voice communication system shall be used between:

(i) Each surface-supplied air or mixed-gas diver and a dive team member at the dive location or bell (when provided or required); and

(ii) The bell and the dive location.

(b) An operational, two-way communication system shall be available at the dive location to obtain emergency assistance.

(4) Decompression Tables. Decompression, repetitive, and no-decompression tables (as appropriate) shall be at the dive location.

(5) Dive Profiles. A depth-time profile, including when appropriate any breathing gas changes, shall be maintained for each diver during the dive including decompression.

(6) Hand-held Power Tools and Equipment. (a) Hand-held electrical tools and equipment shall be de-energized before being placed into or retrieved from the water.

(b) Hand-held power tools shall not be supplied with power from the dive location until requested by the diver.

(7) Welding and Burning. (a) A current supply switch to interrupt the current flow to the welding or burning electrode shall be:

(i) Tended by a dive team member in voice communication with the diver performing the welding or burning; and

(ii) Kept in the open position except when the diver is welding or burning.

(b) The welding machine frame shall be grounded.

(c) Welding and burning cables, electrode holders, and connections shall be capable of carrying the maximum current required by the work, and shall be properly insulated.

(d) Insulated gloves shall be provided to divers performing welding and burning operations.

(e) Prior to welding or burning on closed compartments, structures or pipes, which contain a flammable vapor or in which a flammable vapor may be generated by the work, they shall be vented, flooded, or purged with a mixture of gases which will not support combustion.

(8) Explosives. (a) Employers shall transport, store, and use explosives in accordance with this section and applicable provisions of Chapter 296-52 WAC.

(b) Electrical continuity of explosive circuits shall not be tested until the diver is out of the water.

(c) Explosives shall not be detonated while the diver is in the water.

(9) Termination of Dive. The working interval of a dive shall be terminated when:

(a) A diver requests termination;

(b) A diver fails to respond correctly to communications or signals from a dive team member,

(c) Communications are lost and can not be quickly re-established between the diver and a dive team member at the dive location, and between the designated person-in-charge and the person controlling the vessel in liveboating operations; or

(d) A diver begins to use diver-carried reserve breathing gas or the dive-location reserve breathing gas.

NEW SECTION

WAC 296-37-545 POST-DIVE PROCEDURES.

(1) General. The employer shall comply with the following requirements which are applicable after each diving operation, unless otherwise specified.

(2) Precautions. (a) After the completion of any dive, the employer shall:

(i) Check the physical condition of the diver;

(ii) Instruct the diver to report any physical problems or adverse physiological effects including symptoms of decompression sickness;

(iii) Advise the diver of the location of a decompression chamber which is ready for use; and

(iv) Alert the diver to the potential hazards of flying after diving.

(b) For any dive outside the no-decompression limits, deeper than 100 fsw or using mixed gas as a breathing mixture, the employer shall instruct the diver to remain awake and in the vicinity of the decompression chamber which is at the dive location for at least one hour after the dive (including decompression or treatment as appropriate).

(3) Recompression Capability. (a) A decompression chamber capable of recompressing the diver at the surface to a minimum of 165 fsw (6 ATA) shall be available at the dive location for:

(i) Surface-supplied air diving to depths deeper than 100 fsw and shallower than 220 fsw;

(ii) Mixed gas diving shallower than 300 fsw; or

(iii) Diving outside the no-decompression limits shallower than 300 fsw.

(b) A decompression chamber capable of recompressing the diver at the surface to the maximum depth of the dive shall be available at the dive location for dives deeper than 300 fsw.

(c) The decompression chamber shall be:

(i) Dual-lock;

(ii) Multiplace; and

(iii) Located within five minutes of the dive location.

(d) The decompression chamber shall be equipped with:

(i) A pressure gauge for each pressurized compartment designed for human occupancy;

(ii) A built-in-breathing-system with a minimum of one mask per occupant;

(iii) A two-way voice communication system between occupants and a dive team member at the dive location;

(iv) A viewport; and

(v) Illumination capability to light the interior.

(e) Treatment tables, treatment gas appropriate to the diving mode, and sufficient gas to conduct treatment shall be available at the dive location.

(f) A dive team member shall be available at the dive location during and for at least one hour after the dive

to operate the decompression chamber (when required or provided).

(4) Record of Dive. (a) The following information shall be recorded and maintained for each diving operation:

(i) Names of dive team members including designated person-in-charge;

(ii) Date, time, and location;

(iii) Diving modes used;

(iv) General nature of work performed;

(v) Approximate underwater and surface conditions (visibility, water temperature and current); and

(vi) Maximum depth and bottom time for each diver.

(b) For each dive outside the no-decompression limits, deeper than 100 fsw or using mixed gas, the following additional information shall be recorded and maintained:

(i) Depth-time and breathing gas profiles;

(ii) Decompression table designation (including modification); and

(iii) Elapsed time since last pressure exposure if less than 24 hours or repetitive dive designation for each diver.

(c) For each dive in which decompression sickness is suspected or symptoms are evident, the following additional information shall be recorded and maintained:

(i) Description of decompression sickness symptoms (including depth and time of onset); and

(ii) Description and results of treatment.

(5) Decompression Procedure Assessment. The employer shall:

(a) Investigate and evaluate each incident of decompression sickness based on the recorded information, consideration of the past performance of decompression table used, and individual susceptibility;

(b) Take appropriate corrective action to reduce the probability of recurrence of decompression sickness; and

(c) Prepare a written evaluation of the decompression procedure assessment, including any corrective action taken, within 45 days of the incident of decompression sickness.

NEW SECTION

WAC 296-37-550 SCUBA DIVING. (1) General. Employers engaged in SCUBA diving shall comply with the following requirements, unless otherwise specified.

(2) Limits. SCUBA diving shall not be conducted:

(a) At depths deeper than 130 fsw;

(b) At depths deeper than 100 fsw or outside the no-decompression limits unless a decompression chamber is ready for use;

(c) Against currents exceeding one knot unless line-tended; or

(d) In enclosed or physically confining spaces unless line-tended.

(3) Procedures. (a) A standby diver shall be available while a diver is in the water.

(b) A diver shall be line-tended from the surface, or accompanied by another diver in the water in continuous visual contact during the diving operation.

(c) A diver shall be stationed at the underwater point of entry when diving is conducted in enclosed or physically confining spaces.

(d) A diver-carried reserve breathing gas supply shall be provided for each diver consisting of:

(i) A manual reserve (J valve); or

(ii) An independent reserve cylinder with a separate regulator or connected to the underwater breathing apparatus.

(e) The valve of the reserve breathing gas supply shall be in the closed position prior to the dive.

NEW SECTION

WAC 296-37-555 SURFACE-SUPPLIED AIR DIVING. (1) General. Employers engaged in surface-supplied air diving shall comply with the following requirements, unless otherwise specified.

(2) Limits. (a) Surface-supplied air diving shall not be conducted at depths deeper than 190 fsw, except that dives with bottom times of 30 minutes or less may be conducted to depths of 220 fsw.

(b) A decompression chamber shall be ready for use at the dive location for any dive outside the no-decompression limits or deeper than 100 fsw.

(c) A bell shall be used for dives with an inwater decompression time greater than 120 minutes, except when heavy gear is worn or diving is conducted in physically confining spaces.

(3) Procedures. (a) Each diver shall be continuously tended while in the water.

(b) A diver shall be stationed at the underwater point of entry when diving is conducted in enclosed or physically confining spaces.

(c) Each diving operation shall have a primary breathing gas supply sufficient to support divers for the duration of the planned dive including decompression.

(d) For dives deeper than 100 fsw or outside the no-decompression limits:

(i) A separate dive team member shall tend each diver in the water;

(ii) A standby diver shall be available while a diver is in the water;

(iii) A diver-carried reserve breathing gas supply shall be provided for each diver except when heavy gear is worn; and

(iv) A dive-location reserve breathing gas supply shall be provided.

(e) For heavy-gear diving deeper than 100 fsw or outside the no-decompression limits:

(i) An extra breathing gas hose capable of supplying breathing gas to the diver in the water shall be available to the standby diver.

(ii) An inwater stage shall be provided to divers in the water.

(f) Except when heavy gear is worn or where physical space does not permit, a diver-carried reserve breathing gas supply shall be provided whenever the diver is prevented by the configuration of the dive area from ascending directly to the surface.

NEW SECTION

WAC 296-37-560 MIXED-GAS DIVING. (1) General. Employers engaged in mixed-gas diving shall

comply with the following requirements, unless otherwise specified.

(2) Limits. Mixed-gas diving shall be conducted only when:

(a) A decompression chamber is ready for use at the dive location; and

(i) A bell is used at depths greater than 220 fsw or when the dive involves inwater decompression time of greater than 120 minutes, except when heavy gear is worn or when diving in physically confining spaces; or

(ii) A closed bell is used at depths greater than 300 fsw, except when diving is conducted in physically confining spaces.

(3) Procedures. (a) A separate dive team member shall tend each diver in the water.

(b) A standby diver shall be available while a diver is in the water.

(c) A diver shall be stationed at the underwater point of entry when diving is conducted in enclosed or physically confining spaces.

(d) Each diving operation shall have a primary breathing gas supply sufficient to support divers for the duration of the planned dive including decompression.

(e) Each diving operation shall have a dive-location reserve breathing gas supply.

(f) When heavy gear is worn:

(i) An extra breathing gas hose capable of supplying breathing gas to the diver in the water shall be available to the standby diver; and

(ii) An inwater stage shall be provided to divers in the water.

(g) An inwater stage shall be provided for divers without access to a bell for dives deeper than 100 fsw or outside the no-decompression limits.

(h) When a closed bell is used, one dive team member in the bell shall be available and tend the diver in the water.

(i) Except when heavy gear is worn or where physical space does not permit, a diver-carried reserve breathing gas supply shall be provided for each diver:

(i) Diving deeper than 100 fsw or outside the no-decompression limits; or

(ii) Prevented by the configuration of the dive area from directly ascending to the surface.

NEW SECTION

WAC 296-37-565 LIVEBOATING. (1) General. Employers engaged in diving operations involving liveboating shall comply with the following requirements.

(2) Limits. Diving operations involving liveboating shall not be conducted:

(a) With an inwater decompression time of greater than 120 minutes;

(b) Using surface-supplied air at depths deeper than 190 fsw, except that dives with bottom times of 30 minutes or less may be conducted to depths of 220 fsw;

(c) Using mixed gas at depths greater than 220 fsw;

(d) In rough seas which significantly impede diver mobility or work function; or

(e) In other than daylight hours.

(3) Procedures. (a) The propeller of the vessel shall be stopped before the diver enters or exits the water.

(b) A device shall be used which minimizes the possibility of entanglement of the diver's hose in the propeller of the vessel.

(c) Two-way voice communication between the designated person-in-charge and the person controlling the vessel shall be available while the diver is in the water.

(d) A standby diver shall be available while a diver is in the water.

(e) A diver-carried reserve breathing gas supply shall be carried by each diver engaged in liveboating operations.

NEW SECTION

WAC 296-37-570 EQUIPMENT. (1) General. (a) All employers shall comply with the following requirements, unless otherwise specified.

(b) Each equipment modification, repair, test, calibration or maintenance service shall be recorded by means of a tagging or logging system, and include the date and nature of work performed, and the name or initials of the person performing the work.

(2) Air compressor systems. (a) Compressors used to supply air to the diver shall be equipped with a volume tank with a check valve on the inlet side, a pressure gauge, a relief valve, and a drain valve.

(b) Air compressor intakes shall be located away from areas containing exhaust or other contaminants.

(c) Respirable air supplied to a diver shall not contain:

(i) A level of carbon monoxide (CO) greater than 20 ppm;

(ii) A level of carbon dioxide (CO₂) greater than 1,000 ppm;

(iii) A level of oil mist greater than 5 milligrams per cubic meter; or

(iv) A noxious or pronounced odor.

(d) The output of air compressor systems shall be tested for air purity every six months by means of samples taken at the connection to the distribution system, except that non-oil lubricated compressors need not be tested for oil mist.

(3) Breathing Gas Supply Hoses. (a) Breathing gas supply hoses shall:

(i) Have a working pressure at least equal to the working pressure of the total breathing gas system;

(ii) Have a rated bursting pressure at least equal to four times the working pressure;

(iii) Be tested at least annually to 1.5 times their working pressure; and

(iv) Have their open ends taped, capped or plugged when not in use.

(b) Breathing gas supply hose connectors shall:

(i) Be made of corrosion-resistant materials;

(ii) Have a working pressure at least equal to the working pressure of the hose to which they are attached; and

(iii) Be resistant to accidental disengagement.

(c) Umbilicals shall: (i) Be marked in 10-foot increments to 100 feet beginning at the diver's end, and in 50 foot increments thereafter;

(ii) Be made of kink-resistant materials; and
 (iii) Have a working pressure greater than the pressure equivalent to the maximum depth of the dive (relative to the supply source) plus 100 psi.

(f) Buoyancy Control (a) Helmets or masks connected directly to the dry suit or other buoyancy-changing equipment shall be equipped with an exhaust valve.

(b) A dry suit or other buoyancy-changing equipment not directly connected to the helmet or mask shall be equipped with an exhaust valve.

(c) When used for SCUBA diving, a buoyancy compensator shall have an inflation source separate from the breathing gas supply.

(d) An inflatable flotation device capable of maintaining the diver at the surface in a face-up position, having a manually activated inflation source independent of the breathing supply, an oral inflation device, and an exhaust valve shall be used for SCUBA diving.

(5) Compressed Gas Cylinders. (a) Compressed gas cylinders shall:

(i) Be designed, constructed and maintained in accordance with the applicable provisions of WAC 296-24-920 through 296-24-94003.

(ii) Be stored in a ventilated area and protected from excessive heat;

(iii) Be secured from falling; and

(iv) Have shut-off valves recessed into the cylinder or protected by a cap, except when in use or manifolded, or when used for SCUBA diving.

(6) Decompression Chambers. (a) Each decompression chamber manufactured after the effective date of this standard, shall be built and maintained in accordance with the ASME Code or equivalent.

(b) Each decompression chamber manufactured prior to the effective date of this standard shall be maintained in conformity with the code requirements to which it was built, or equivalent.

(c) Each decompression chamber shall be equipped with:

(i) Means to maintain the atmosphere below a level of 25% oxygen by volume;

(ii) Mufflers on intake and exhaust lines, which shall be regularly inspected and maintained;

(iii) Suction guards on exhaust line openings; and

(iv) A means for extinguishing fire, and shall be maintained to minimize sources of ignition and combustible material.

(7) Gauges and Timekeeping Devices. (a) Gauges indicating diver depth which can be read at the dive location shall be used for all dives except SCUBA.

(b) Each depth gauge shall be dead-weight tested or calibrated against a master reference gauge every six months, and when there is a discrepancy greater than two percent (2%) of full scale between any two equivalent gauges.

(c) A cylinder pressure gauge capable of being monitored by the diver during the dive shall be worn by each SCUBA diver.

(d) A timekeeping device shall be available at each dive location.

(8) Masks and Helmets. (a) Surface-supplied air and mixed-gas masks and helmets shall have:

(i) A non-return valve at the attachment point between helmet or mask and hose which shall close readily and positively; and

(ii) An exhaust valve.

(b) Surface-supplied air masks and helmets shall have a minimum ventilation rate capability of 4.5 acfm at any depth at which they are operated or the capability of maintaining the diver's inspired carbon dioxide partial pressure below 0.02 ATA when the diver is producing carbon dioxide at the rate of 1.6 standard liters per minute.

(9) Oxygen Safety. (a) Equipment used with oxygen or mixtures containing over forty percent (40%) by volume oxygen shall be designed for oxygen service.

(b) Components (except umbilicals) exposed to oxygen or mixtures containing over forty percent (40%) by volume oxygen shall be cleaned of flammable materials before use.

(c) Oxygen systems over 125 psig and compressed air systems over 500 psig shall have slow-opening shut-off valves.

(10) Weights and harnesses. (a) Except when heavy gear is worn, divers shall be equipped with a weight belt or assembly capable of quick release.

(b) Except when heavy gear is worn or in SCUBA diving, each diver shall wear a safety harness with:

(i) A positive buckling device;

(ii) An attachment point for the umbilical to prevent strain on the mask or helmet; and

(iii) A lifting point to distribute the pull force of the line over the diver's body.

NEW SECTION

WAC 296-37-575 RECORDKEEPING REQUIREMENTS. (1) Recording and Reporting. (a) The employer shall record and report occupational injuries and illnesses in accordance with requirements of Chapter 296-27 WAC and Chapter 296-350 WAC.

(b) The employer shall record the occurrence of any diving-related injury or illness which requires any dive team member to be hospitalized for 24 hours or more, specifying the circumstances of the incident and the extent of any injuries or illnesses.

(2) Availability of records. (a) Upon the request of the Director of the Department of Labor and Industries or his duly authorized designees, the employer shall make available for inspection and copying any record or document required by this standard.

NOTE: Requests for information or copies of records and reports by OSHA or NIOSH shall be made to the Director of the Department of Labor and Industries.

(b) Upon request of any employee, former employee or authorized representative, the employer shall make available for inspection and copying any record or document required by this standard which pertains to the individual employee or former employee.

(c) Records and documents required by this standard shall be retained by the employer for the following period:

- (i) Dive team member medical records (physician's reports) (WAC 296-37-525) - five years;
 - (ii) Safe practices manual (WAC 296-37-530) - current document only;
 - (iii) Depth-time profile (WAC 296-37-540) - until completion of the recording of dive, or until completion of decompression procedure assessment where there has been an incident of decompression sickness;
 - (iv) Recording dive (WAC 296-37-545) one year, except five years where there has been an incident of decompression sickness;
 - (v) Decompression procedure assessment evaluations (WAC 296-37-545) - five years;
 - (vi) Equipment inspections and testing records (WAC 296-37-570) - current entry or tag, or until equipment is withdrawn from service;
 - (vii) Records of hospitalizations (WAC 296-37-575) - five years.
- (d) After the expiration of the retention period of any record required to be kept for five years, the employer shall forward such records to the National Institute for Occupational Safety and Health, Department of Health, Education, and Welfare.
- (e) In the event the employer ceases to do business:
- (i) The successor employer shall receive and retain all dive and employee medical records required by this standard; or
 - (ii) If there is no successor employer, dive and employee medical records shall be forwarded to the National Institute for Occupational Safety and Health, Department of Health, Education, and Welfare.

NEW SECTION

WAC 296-37-580 EFFECTIVE DATE. This standard shall be effective on December 16, 1977, except that for provisions where decompression chambers or bells are required and such equipment is not yet available, employers shall comply as soon as possible thereafter but in no case later than May 20, 1978.

NEW SECTION

WAC 296-37-585 EXAMPLES OF CONDITIONS WHICH MAY RESTRICT OR LIMIT EXPOSURE TO HYPERBARIC CONDITIONS. (1) The following disorders may restrict or limit occupational exposure to hyperbaric conditions depending on severity, presence of residual effects, response to therapy, number of occurrences, diving mode, or degree and duration of isolation.

- (a) History of seizure disorder other than early febrile convulsions.
- (b) Malignancies (active) unless treated and without recurrence for five years.
- (c) Chronic inability to equalize sinus and/or middle ear pressure.
- (d) Cystic or cavitory disease of the lungs.
- (e) Impaired organ function caused by alcohol or drug use.
- (f) Conditions requiring continuous medication for control (e.g., antihistamines, steroids, barbiturates, moodaltering drugs, or insulin).

- (i) Meniere's disease.
- (ii) Hemoglobinopathies.
- (iii) Obstructive or restrictive lung disease.
- (iv) Vestibular end organ destruction.
- (v) Pneumothorax.
- (vi) Cardiac abnormalities (e.g., pathological heart block, valvular disease, intraventricular conduction defects other than isolated right bundle branch block, angina pectoris, arrhythmia, coronary artery disease).
- (vii) Juxta-articular osteonecrosis.

REPEALER

The following sections of the Washington Administrative Code are each repealed:

- (1) WAC 296-37-010 SCOPE AND APPLICATION.
- (2) WAC 296-37-020 PURPOSE.
- (3) WAC 296-37-030 DEFINITIONS.
- (4) WAC 296-37-040 APPOINTMENT AND DUTIES OF COMMITTEES.
- (5) WAC 296-37-050 CLASSIFICATION OF APPARATUS PERMITTED AND AIR PURITY.
- (6) WAC 296-37-060 APPROVAL OF EQUIPMENT.
- (7) WAC 296-37-070 DIVER REGISTRATION—DIVER TRAINING OR EXPERIENCE PHYSICAL EXAM AND MEDICAL HISTORY RECORD.
- (8) WAC 296-37-071 FORM # 1. REPORT OF MEDICAL EXAMINATION.
- (9) WAC 296-37-072 FORM # 2. MEDICAL HISTORY RECORD.
- (10) WAC 296-37-080 GENERAL REQUIREMENTS, PROCEDURES AND TECHNIQUES.
- (11) WAC 296-37-081 FORM # 3. SCUBA DIVING RECORD.
- (12) WAC 296-37-082 ILLUSTRATIONS OF FLAGS AND SHAPES.
- (13) WAC 296-37-090 RECOMPRESSION CHAMBER—TABLES—ATTENDANT.
- (14) WAC 296-37-100 IDENTIFICATION.
- (15) WAC 296-37-110 WAIVER OR VARIANCE.
- (16) WAC 296-37-300 USE OF COMPRESSORS IN DIVING OPERATIONS.
- (17) WAC 296-37-310 EQUIPMENT REQUIREMENTS—DIVERS AIR LINE, CHECK VALVES, ETC.
- (18) WAC 296-37-320 —BARGE OPERATIONS.
- (19) WAC 296-37-330 —AIR TOOLS USED IN UNDER-WATER OPERATIONS.
- (20) WAC 296-37-340 —INSPECTION.
- (21) WAC 296-37-350 SAFETY RULES—GENERALLY.
- (22) WAC 296-37-360 —SUGGESTIONS MADE BY DIVER CONSIDERED RULE TO GOVERN.
- (23) WAC 296-37-370 CONDITIONS ON BARGE DECK.

- (24) WAC 296-37-380 **USE OF TWO-WAY TELEPHONES.**
- (25) WAC 296-37-390 **DECOMPRESSION CHAMBER—WHEN USED.**
- (26) WAC 296-37-395 **SPECIAL STIPULATION REGARDING INEXPERIENCED DIVERS AND WORKMEN.**
- (27) WAC 296-37-400 **—DIVER MAY CHOOSE TENDER.**
- (28) WAC 296-37-410 **JUDGMENT OF DIVER TO TAKE PRECEDENT.**
- (29) WAC 296-37-420 **REQUIREMENT ON ALL SHIP SURVEYS.**
- (30) WAC 296-37-430 **USE OF FLOOD LIGHTS.**
- (31) WAC 296-37-440 **RULES FOR COMPRESSED AIR OPERATIONS APPLICABLE TO DIVING OPERATIONS.**
- (32) WAC 296-37-450 **AVAILABILITY OF LIFE PRESERVERS.**
- (33) WAC 296-37-460 **CARE AND REPLACEMENT OF EQUIPMENT.**

This rule is promulgated pursuant to RCW 41.06.150(17) and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 11, 1978.

By Leonard Nord
Secretary

AMENDATORY SECTION (Amending Order 109, filed 9/7/77)

WAC 356-14-110 SALARY—ORIGINAL PERIODIC INCREMENT DATE. The original periodic increment date for an employee is:

- (1) Six continuous months from the date ((he)) the employee began work at the first step of a salary range.
- (2) One calendar year from the date on which ((he)) the employee began work at an intervening salary step; provided that in either (1) or (2):
 - (a) Any work period starting before the 16th of the month will count as a full month.
 - (b) Any work period starting after the 15th of the month will not be counted.
- (3) The date shall be recomputed following leave of absence without pay in accordance with the rules governing leave without pay.
- (4) Employees in the maximum step of the salary subrange will lose their periodic increment date.

AMENDATORY SECTION (Amending Order 109A, 10/6/77)

WAC 356-14-140 SALARY—INCREASE ON PROMOTION. An employee who is promoted shall be paid at the first step which represents an increment increase over the basic salary he/she received immediately prior to the promotion, or at the first step of the new subrange, whichever is higher, except:

- (1) When an employee is promoted to a new classification at least three full ranges above his/her former classification, he/she shall receive more than a one-increment increase but no more than a two-increment increase over his/her former basic salary, or the first step in the new subrange, whichever is higher, however;
- (2) When an employee is promoted over an intervening class in the class series or from one class series to a higher class series and passes over a lower classification in the new series, which would still represent a promotion, he/she shall be paid at the closest step in the new subrange that represents at least a two-increment increase over his/her former basic salary, or ((to)) the first step in the new subrange, whichever is higher.
- (3) Whenever a promotion would require an employee to move his/her residence to another geographic area to be within a reasonable commuting distance to the new place of work, he/she shall be paid at the closest step in

WSR 78-06-017

ADOPTED RULES

DEPARTMENT OF PERSONNEL

[Order 120—Filed May 12, 1978]

Be it resolved by the State Personnel Board, acting at Department of Personnel, 600 South Franklin, Olympia, WA, that it does promulgate and adopt the annexed rules relating to:

- Amend: WAC 356-14-110 Salary—Original periodic increment date.
- Amend: WAC 356-14-140 Salary—Increase on promotion.
- Amend: WAC 356-14-180 Salary—Reversion—Computation.
- Amend: WAC 356-14-200 Salary—Interagency movement.
- Amend: WAC 356-14-210 Salary—Accrued leave credits—Transfer—Effect.
- Amend: WAC 356-14-270 Salary—Overtime payment on separation from job.
- Amend: WAC 356-18-040 Holidays—During leave without pay.
- Amend: WAC 356-18-070 Sick leave ((credit))—Reporting.
- Amend: WAC 356-18-080 Sick leave ((credit))—Workmen's compensation—Adjustment.
- Amend: WAC 356-18-100 Vacation leave—Computation—How made.
- Amend: WAC 356-18-160 Military leave—Reemployment.
- Amend: WAC 356-22-070 Applications—Disqualification.
- Amend: WAC 356-22-100 Examinations—Time and place.
- Amend: WAC 356-22-120 Examinations—Promotional—Evaluations—Regulations.
- Amend: WAC 356-22-130 Examinations—Minimum qualifications waived or modified—Examinations modified.
- Amend: WAC 356-22-170 Examination ((ratings)) results—Notice requirements.
- Amend: WAC 356-22-190 Examinations ((ratings))—Physical.
- Amend: WAC 356-22-200 Examination ((ratings))—Verification of application content.
- New: WAC 356-30-005 Appointments—Permitted within rules.
- New: WAC 356-30-143 Intergovernmental mobility.

This action is taken pursuant to Notice No. WSR 78-04-068 filed with the code reviser on 3/31/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

the new subrange that represents at least a two-increment increase over his/her former basic salary or the first step in the new subrange, whichever is higher.

(4) Employees are not entitled to both the increases for promoting over an intervening class and the increase for moving to be within a reasonable commuting distance when they happen within 12 months of each other.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

✓ WAC 356-14-180 SALARY—REVERSION—COMPUTATION. A reverted employee shall be paid at the step of the range which he/she normally would have received had he/she not been promoted.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

✓ WAC 356-14-200 SALARY—INTERAGENCY MOVEMENT. An employee who moves from one agency to another shall remain on his/her present payroll through the final calendar day preceding the change and be entered upon the payroll of the new employing agency upon his/her first work day. If the change occurs following the last day of the month, he/she shall be entered on the new employer's payroll on the first day of the succeeding month.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

✓ WAC 356-14-210 SALARY—ACCRUED LEAVE CREDITS—TRANSFER—EFFECT. When an employee moves from one State agency to another, regardless of status and with no interruption in service, the accrued leave shall be transferred to the new agency even though the employee may not be eligible to use the vacation leave until he/she has completed a total of six months' continuous service. The employee is not entitled to separation pay for the accrued leave as a result of the change. Pay for the accrued vacation leave is due only when an employee separates from State service. Movement from one agency to another is not termination of employment with State government.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

✓ WAC 356-14-270 SALARY—OVERTIME PAYMENT ON SEPARATION FROM JOB. Employees moving from one to another agency or employees leaving State employment shall be compensated in cash for accumulated overtime by the agency from which the employee is being separated. (1) In the event of death of an employee, ((his)) accumulated overtime shall be paid to appropriate persons as provided by law.

(2) If a function or program, together with assigned employees, is transferred from one to another agency, all accumulated overtime shall also be transferred.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

✓ WAC 356-18-040 HOLIDAYS—DURING LEAVE WITHOUT PAY. An employee who would otherwise be entitled to a holiday but is on leave without pay will receive compensation for the holiday provided he/she has been in pay status for ten working days during the month, not counting the holiday.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

✓ WAC 356-18-070 SICK LEAVE ((~~CRED-IT~~))—REPORTING. (1) Absence due to illness or injury shall be reported at the beginning of the absence and in accordance with agency procedure.

(2) Upon ((his)) the return to work the employee shall complete a written statement explaining the nature of ((his)) the absence. The appointing authority may require a medical certificate.

(3) Sick leave shall be charged in units of half or full days or if the agency wishes on an hourly basis.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

✓ WAC 356-18-080 SICK LEAVE ((~~CRED-IT~~))—WORKMEN'S COMPENSATION—ADJUSTMENT. (1) The employee shall file an application for workmen's compensation in accordance with State law for a period of absence from work due to injury or occupational disease resulting from State employment.

(2) An employee may elect to receive only time loss compensation rather than utilize any available sick leave credits. The employing agency shall make such option known to the employee.

(3) Should an employee elect to receive both time loss compensation and paid sick leave, ((his)) sick leave credits may be used only to the following extent:

(a) Total number of hours which would have been charged to sick leave, minus number of hours at regular salary for which payment was made by the workmen's compensation fund.

(4) If an employee has no sick leave accumulated, the words vacation leave may be substituted for sick leave above.

(5) Should any employee apply for time loss compensation and the claim is then or later denied, sick leave and vacation leave may be used for the absence in accordance with other provisions of this rule.

(6) Until eligibility for workmen's compensation is determined by the Department of Labor and Industries, the agency may pay full sick leave, provided that the employee shall return any subsequent overpayment to ((his)) the agency.

AMENDATORY SECTION (Amending Order 109, filed 9/7/77)

✓ WAC 356-18-100 VACATION LEAVE—COMPUTATION—HOW MADE. When an employee separates from service by reason of resignation, layoff, dismissal, retirement or death, and is entitled to

cash credit or payment for any unliquidated vacation leave, compensation shall be computed by using the formula published by the Office of ((~~Program Planning and Fiscal~~)) Financial Management.

(1) Employees may defer the payment of their accumulated vacation leave for which otherwise entitled for a period of 30 working days if the separation resulted from a reduction-in-force and there is a reasonable probability of reemployment, or if the separation resulted from employees returning to classified positions from exempt positions under the provision of RCW 41.06.070(22), RCW 41.06.100, or WAC 356-30-045.

(2) If employees are paid for the accumulated vacation leave and are reemployed within the period of time represented by the number of days for which vacation pay was received, employees must return the payment for the remaining vacation days. Employees will be credited with the number of vacation days represented by the returned payments at the rate of their last salary.

(3) The separation cited in (1) above will not be regarded as a break in service for purposes of computing the rates of crediting vacation leave prescribed in WAC 356-18-090, provided the employees return to employment other than by certification from the open competitive register.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-18-160 MILITARY LEAVE—REEMPLOYMENT. (1) Any person who is a resident of this State and who voluntarily or upon demand vacates a position of employment to determine ((his)) physical fitness to enter or who actually does enter upon active duty or training in the Washington National Guard, the armed forces of the United States or the United States public health service shall be reemployed within 90 days of discharge under the conditions prescribed in WAC 73.16.031 through 73.16.061.

(2) Such persons must return to State service within three months after serving four years or less provided that any additional service imposed by Law will not affect their reemployment rights (RCW 73.16.035).

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

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-22-070 APPLICATIONS—DISQUALIFICATION. The Director is expected to follow accepted standards of personnel practice in screening applicants and may refuse to examine an applicant, or, after examination, may disqualify such applicant or remove his/her name from a register or refuse to certify any person otherwise eligible on a register if:

(1) ((He)) The applicant is found to lack any of the requirements established for the class.

(2) ((He)) The applicant is so disabled as to be rendered unfit to perform the duties of the class.

(3) ((He)) The applicant is addicted to the use of narcotics, or the habitual excessive use of intoxicating liquors.

(4) ((He)) The applicant has been convicted of any infamous crime, a crime involving moral turpitude, or any crime which would be grounds for dismissal from the position for which he/she is applying.

(5) ((He)) The applicant has made a false statement of material fact in ((his)) the application.

(6) ((He)) The applicant has previously been dismissed or requested to resign from private or public service for delinquency, misconduct, inability to do similar work, or any other such cause directly bearing upon ((his)) fitness as an employee.

(7) ((He)) The applicant has used, or attempted to use, bribery to secure an advantage in the examination or appointment.

(8) ((He)) The applicant has directly or indirectly obtained information regarding examinations to which he/she was not entitled.

(9) ((He)) The applicant has otherwise violated provisions of these Rules.

(10) ((He)) The applicant has taken part in the compilation, administration or correction of the examination.

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

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-22-100 EXAMINATIONS—TIME AND PLACE. Examinations shall be held at such times and places as are necessary to meet the requirements of the State service, provide((d)) economical administration, and be generally convenient for applicants.

AMENDATORY SECTION (Amending Order 49, filed 8/17/72)

WAC 356-22-120 EXAMINATIONS—PROMOTIONAL—EVALUATIONS—REGULATIONS. (1) Inter- and intra-agency promotional examinations shall be announced as the Director determines the need and shall be open to permanent and trial service employees and employees who have been separated by reduction-in-force within the last year who meet the minimum requirements of the position. Promotional examinations shall consist of any combination of written, performance or oral test, or rating of training and experience.

(2) The announcement of the promotional examination shall specify the desirable or minimum requirements, the parts of the examination and the method of rating. Announcements shall be prominently posted by all appropriate agencies to ensure that the information is reasonably available to all.

(3) For a class used by only one agency, a promotional evaluation may be used in promotional scores if the class is in workweek group ((N+)) E and all competing employees are employed by the same agency at the time of the examination.

(4) When any of the conditions in (3) above are not met, a promotional evaluation may be used in promotional scores provided that the Director determines such promotional evaluations are practical and necessary to improve the effectiveness of the examination.

AMENDATORY SECTION (Amending Order 80, filed 7/16/75)

WAC 356-22-130 EXAMINATIONS—MINIMUM QUALIFICATIONS WAIVED OR MODIFIED—EXAMINATIONS MODIFIED. (1) Upon the written request of the appointing authority, the Director may waive or modify the minimum qualifications for a class to fill a vacant position on a one-examination basis only when (a) there is an incomplete register following recent recruiting; and (b) an underfill appointment is not feasible in that the position is supervisory or managerial in nature or otherwise requires the full and immediate discharge of duties and responsibilities; and (c) the Director determines the established minimum qualifications to be appropriate under normal conditions and should not be permanently changed.

(2) The Director may admit to an examination an applicant who does not technically meet the published minimum qualifications if the Director determines that the applicant's qualifications exceed the minimum qualifications of the class for which the examination is being conducted.

(3) The Director may modify or substitute, for a handicapped applicant, an examination which in his/her judgment is substantially equivalent to the regular examination for the class and compensates for the handicap of the individual to be tested when, in the judgment of the Director, all or portions of the examination constitutes an artificial barrier to the applicant's fully demonstrating his/her ability through the normal examination process due to the handicap.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-22-170 EXAMINATION ((RATINGS)) RESULTS—NOTICE REQUIREMENTS. Each applicant shall receive written notice of his/her final rating as soon as it is computed. Within 30 calendar days following the test, the applicant may request and receive information regarding his/her score ((in)) on any part of the examination, or may give written authorization for ((his)) the appointing authority, personnel officer, or employee representative to obtain the information ((for him)). The same information may, upon request, be furnished to an agency personnel officer or appointing authority concerning a certified eligible.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-22-190 EXAMINATIONS ((RATINGS))—PHYSICAL. Before appointment, applicants may be required to pass a health examination relevant to the physical demands of the work. The cost of such examination will be borne by the employing agency.

AMENDATORY SECTION (Amending Order 36, filed 7/1/71)

WAC 356-22-200 EXAMINATION ((RATINGS))—VERIFICATION OF APPLICATION CONTENT. The Director may investigate the applicant's training and experience to verify the statements contained in ((his)) the application. If the investigation produces information affecting the rating of training and experience, the Director shall re-rate the applicant's record accordingly and make any necessary adjustments in the register. ((He)) The director shall also promptly notify the applicant of such re-rating within ten calendar days following completion of the investigation.

NEW SECTION

WAC 356-30-005 APPOINTMENTS—PERMITTED WITHIN RULES. No person may be appointed to or within the classified service except as provided by these rules.

NEW SECTION

WAC 356-30-143 INTERGOVERNMENTAL MOBILITY. In accordance with the intent of the Intergovernmental Personnel Act (P.L. 91-648) regarding mobility assignments and/or notwithstanding any other provisions of these rules, the Director may authorize, with subsequent approval of the Personnel Board, appointments into the classified service from other governmental units when such appointments are for purposes of cross-training or sharing of expertise across governmental boundaries. Such appointments shall be time limited.

**WSR 78-06-018
PROPOSED RULES
DEPARTMENT OF PERSONNEL
[Filed May 12, 1978]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 41.06.040, that the State Personnel Board intends to adopt, amend, or repeal rules concerning overtime provisions and compensation, amending WAC 356-15-030;

that such agency will at 10:00 a.m., Thursday, June 8, 1978, in the Board Meeting Room, 600 So. Franklin, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, June 8, 1978, in the Board Meeting Room, 600 So. Franklin, Olympia, WA.

The authority under which these rules are proposed is RCW 41.06.040 and 41.06.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to June 8, 1978, and/or orally at 10:00 a.m., Thursday, June 8, 1978, Board Meeting Room, 600 So. Franklin, Olympia, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-04-018 filed with the code reviser's office on March 10, 1978.

Dated: May 11, 1978
By: Leonard Nord
Secretary

WSR 78-06-019
PROPOSED RULES
DEPARTMENT OF PERSONNEL
[Filed May 12, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 41.06.040, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

- Amend: WAC 356-10-030 Positions—Allocation—Reallocation
- Amend: WAC 356-10-050 Positions—Reallocation upward, incumbents
- Amend: WAC 356-10-030 Positions—Allocation—Reallocation
- Amend: WAC 356-10-050 Positions—Reallocation upward, incumbents
- Amend: WAC 356-10-060 Allocation—Appeals
- Amend: WAC 356-22-230 Examinations—Non-competitive;

that such agency will at 10:00 a.m., Wednesday, May 17, 1978, in the Board Meeting Room, 600 So. Franklin, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, May 17, 1978, in the Board Meeting Room, 600 So. Franklin, Olympia, WA.

The authority under which these rules are proposed is RCW 41.06.040 and 41.06.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 17, 1978, and/or orally at 10:00 a.m., Wednesday, May 17, 1978, Board Meeting Room, 600 So. Franklin, Olympia, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-04-018 filed with the code reviser's office on March 10, 1978.

Dated: May 11, 1978
By: Leonard Nord
Secretary

WSR 78-06-020
PROPOSED RULES
CODE REVISER
[Filed May 15, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Code Reviser intends to adopt, amend, or repeal rules concerning fees for copying public records, WAC 1-06-090;

that such agency will at 10:00 a.m., Tuesday, July 11, 1978, in the Code Reviser's office, Legislative Building, Olympia, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:30 a.m., Tuesday, July 11,

1978, in the Code Reviser's office, Legislative Building, Olympia.

The authority under which these rules are proposed is RCW 42.17.250 and 42.17.300.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 11, 1978, and/or orally at 10:00 a.m., Tuesday, July 11, 1978, in the Code Reviser's office, Legislative Building, Olympia.

Dated: May 15, 1978
By: Dennis W. Cooper
Code Reviser

AMENDATORY SECTION (Amending Order 8, filed 9/25/74)

WAC 1-06-090 COPYING. No fee shall be charged for the inspection of public records. The agency shall charge a fee of ~~((ten))~~ twenty-five cents per page of copy for providing copies of public records and for use of the agency's copy equipment. This charge is the amount necessary to reimburse the agency for its actual costs incident to such copying.

WSR 78-06-021
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1295—Filed May 16, 1978]

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington the annexed rules relating to continuing general assistance—Eligible persons, amending WAC 388-37-030.

This action is taken pursuant to Notice No. WSR 78-03-120 filed with the code reviser on March 1, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED April 26, 1978.

By Gerald E. Thomas
Acting Secretary

AMENDATORY SECTION (Amending Order 1214, filed 6/23/77)

WAC 388-37-030 CONTINUING GENERAL ASSISTANCE—ELIGIBLE PERSONS. When other eligibility has been established, continuing general assistance shall be granted to

- (1) Deleted
- (2) Families ineligible for AFDC-E solely because the father does not meet the work quarters requirement((s)) and one parent/stepparent is regularly attending a vocational ((or-technical)) training course approved by the

ESSO (~~(see WAC 388-24-135 and 388-57-028. WIN registration does not apply.)~~) in accordance with WAC 388-57-028.

~~((a) All training plans for persons receiving continuing general assistance under these circumstances shall be approved or disapproved according to the criteria in WAC 388-57-028(4). The ESSO shall not authorize or continue assistance to such an applicant or recipient when a training plan has been disapproved.))~~

(a) Disapproval of a training plan shall make the family ineligible for GAU.

(b) The ESSO shall approve no more than 24 continuous months of training per family.

(3) A person who at the time of attaining the age of 18 years is a recipient of public assistance and attending a state approved high school or vocational or technical institution.

(a) Assistance is continued while the person (if otherwise eligible) continually attends school on a full-time basis. Assistance is continued through the end of the school year immediately following the person's 18th birthday.

(b) If in the opinion of the ESSO administrator one additional year of schooling will lead to completion of a secondary education, assistance is continued for one additional school year.

(4) Unemployable persons. As used in this section unemployable means a person who is 65 years of age or older or a person who is physically or mentally incapacitated by a condition expected to continue for at least 30 days from date of application. Unemployability refers to the individual's capacity to earn income by employment. It does not refer to the availability or lack of job opportunities. Eligible individuals are

(a) An unemployable single adult,

(b) A married couple if both persons are unemployable.

(c) The unemployable spouse in the case of a married couple when only one person is employable. The income and resources of the employable spouse shall be considered as described in WAC 388-28-500(2)(a) and (b).

(5) The spouse and children of a 65 year old beneficiary of supplemental security income when deprivation due to incapacity or unemployment cannot be established.

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

WSR 78-06-022
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1294—Filed May 16, 1978]

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to noncontinuing general assistance—Exempt and

nonexempt resources and income, amending WAC 388-37-230.

This action is taken pursuant to Notice No. WSR 78-03-121 filed with the code reviser on March 1, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED April 26, 1978.

By Gerald E. Thomas
Acting Secretary

AMENDATORY SECTION (Amending Order 841, filed 8/9/73)

WAC 388-37-230 NONCONTINUING GENERAL ASSISTANCE—EXEMPT AND NONEXEMPT RESOURCES AND INCOME. ((+)) An applicant for or recipient of noncontinuing general assistance shall be eligible for public assistance only when he has applied for and/or utilized any and all types of private nonexempt or public resources (other than general assistance) to the extent available.

(2) Any type of private or public resource shall be utilized to the full extent when available to meet need including any available employment, customary credit, contributions, donations, benefits, entitlements, compensation, etc., available from private welfare agencies, private organizations, firms or individuals, or public agencies other than the local office.))

(1) A person shall be eligible for GAN only when he has applied for and/or utilized to the full extent available any resources including but not limited to:

(a) employment and employment counseling and referral if the person is required to register with WSES as a condition of eligibility;

(b) benefits, entitlements, compensation.

(2) Failure to pursue and/or utilize such resources without good cause shall result in a 30-day period of ineligibility which shall begin the day after the current certifications ends.

(a) The following conditions shall constitute good cause:

(i) Mental, physical, or emotional inability of the person to pursue and/or utilize such resources;

(ii) Inability of the person to get to and from the job, interview, counseling appointment, or application point for such resources without undue cost or hardship to him.

(3) The following types of property shall be considered non-exempt:

(a) Personal property

(i) Cash on hand or deposit,

(ii) The quick sale value of securities, mortgages and sales contracts,

(iii) The loan value on life insurance,

~~((iv)) The equity in an automobile, boat, truck or any other type of conveyance to the extent it can be used to secure a loan.))~~

~~((v)) (iv) The quick sale value of all other personal property except~~

(A) A used and useful vehicle when needed for medical reasons or to seek or retain employment,

~~((A)) (B) Used and useful household furnishings,~~

~~((B)) (C) Used and useful personal effects,~~

~~((C)) (D) Used and useful clothing,~~

~~((D)) (E) Tools and equipment used and useful in the individual's occupation or trade,~~

~~((E)) (F) Livestock, the products of which are consumed by the applicant and his dependents.~~

(b) Real property *[mlw]*
The quick sale of any real property other than the home. The home is exempt.

(c) Net recurring or nonrecurring income

(i) The determination whether a resource is at hand to meet need shall be governed by WAC 388-28-400, 388-28-450 and 388-28-455. Seven days shall ordinarily be considered a reasonable period to convert a resource in the possession and control of an applicant into money or its equivalent. An applicant furnishing satisfactory evidence that a resource cannot be converted into cash in seven days shall be granted a reasonable extension of the time limit by the local office and made known to the applicant.

(ii) WAC 388-28-420 shall apply in determining whether real property is used as a home.

(iii) WAC 388-28-360 through 388-28-380 shall apply in evaluating community, separate and joint property as an available resource.

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

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

WSR 78-06-023
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1293A—Filed May 16, 1978]

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to AFDC and GAU—Eligibility—Need, amending chapter 388-28 WAC.

The purpose of this order is to correct a typographical error in WAC 388-28-464 as filed in Order 1293 on May 3, 1978. The words "as a result of an exception to policy" were not deleted in that order. The remainder of Order 1293 is unaffected.

This action is taken pursuant to Notice Nos. WSR 78-03-055 and 78-05-021 filed with the code reviser on

2/22/78 and 4/13/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED April 21, 1978.
By Gerald E. Thomas
Acting Secretary

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77) *5/3/78*

WAC 388-28-464 TRANSFER OF PROPERTY—ASSISTANCE DURING PERIOD OF INELIGIBILITY. An applicant who transferred nonexempt property to qualify for assistance ~~((or for an inadequate consideration))~~ *as determined by investigation by the department and who has been determined not to be in need for a future period of time, ((may)) not to exceed two years, shall be granted public assistance only if undue hardship exists ((and an exception to policy is approved according to chapter 388-20 WAC)).* Assistance paid ~~((as a result of an exception to policy))~~ *under this rule shall not be considered an overpayment.*

WSR 78-06-024
ADOPTED RULES
UNIVERSITY OF WASHINGTON
[Order 78-2—Filed May 17, 1978]

Be it resolved by the board of regents of the University of Washington, acting at Seattle, Washington, that it does promulgate and adopt the annexed rules relating to fines and penalties, (2)b-1 (new subdivision), (parking and traffic regulations at University of Washington), amending WAC 478-116-600.

This action is taken pursuant to Notice Nos. WSR 78-04-046 and 78-04-085 filed with the code reviser on 3/24/78 and 4/4/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.10-.560 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 12, 1978.
By Elsa Kircher Cole
Assistant Attorney General

AMENDATORY SECTION (Amending Order 75-2, filed June 4, 1975)

WAC 478-116-600 FEES, FINES AND PENALTIES. (1) For purposes of this section the following lots are in:

- (a) Zone A -
 - (i) Central Campus: C1, C3, C6, C7, C8, C9, C10, C12, C13, C14, C15, C16, C17, C18;
 - (ii) East Campus: E3, E6, E7, E8;
 - (iii) North Campus: N2, N3, N4, N6, N7, N8, N9, N10, N11, N12, N13, N14, N15, N16, N18, N20, N21, N22, N23, N24, N26, N27, N28;
 - (iv) South Campus: S1, S4, S5, S6, S7, S8, S9, S10;
 - (v) West Campus: W1, W3, W4, W5, W6, W7, W8, W9, W10, W11, W12, W13, W14, W18, W20, W21, W22, W23, W24, W25, W34, W39, W41, W42.
- (b) Zone B -
 - (i) East Campus: E2, E9, E10, E11, E12;
 - (ii) North Campus: N1, N5, N25;
 - (iii) South Campus: S13;
 - (iv) West Campus: W2, W16, W17, W26, W27, W28, W29, W30, W31, W32, W33, W36, W38, W40.

(2) The following schedule of parking fees is hereby established:

	PER	AMOUNT
(a) Type of Permit -		
(i) Annual Permits		
(A) Zone A Permits (not incl. 24-hour storage)	Year	\$ 72.00
(B) Zone B Permits (not incl. 24-hour storage)	Year	60.00
(C) Reserved - General	Year	144.00
(D) Reserved - Physically Handicapped	Year	72.00
(E) Motorcycle and Scooter	Year	18.00
(F) Drive-through permits (Full-time Faculty and Staff only)	Year	6.00
(G) 24-hour storage, garages	Year	108.00
(H) 24-hour storage, surface lots - Zone A	Year	72.00
(I) 24-hour storage, surface lots - Zone B	Year	60.00
(ii) Quarterly Permits:		
(A) Zone A permits (not incl. 24-hour storage)	Quarter	18.00
(B) Zone B permits (not incl. 24-hour storage)	Quarter	15.00
(C) Reserved - General	Quarter	36.00
(D) Reserved - Physically Handicapped	Quarter	18.00
(E) Drive-through permits (Full-time Faculty and Staff only)	Quarter	2.00
(F) Motorcycle and Scooter	Quarter	5.00
(G) 24-hour storage, garages	Quarter	27.00
(H) 24-hour storage, surface lots - Zone A	Quarter	18.00
(I) 24-hour storage, surface lots - Zone B	Quarter	15.00
(iii) Night Permits (5:00 p.m. to 7:30 a.m. and Saturday a.m. only)		
(A) Zone A annual permits	Year	48.00
(B) Zone B annual permits	Year	24.00
(C) Zone A quarterly permits	Quarter	12.00
(D) Zone B quarterly permits	Quarter	6.00
(iv) Conference Permits	Day	1.25
	Week	6.25
(b) Hourly Parking Rates for Designated Areas on Main Campus and South Campus (6:45 a.m. to 11:00 p.m. only) -		
(i) 0-15 minutes	No charge	
(ii) 15 minutes to 30 minutes		.25
(iii) to 1 hour		.50
(iv) 1 hour to 2 hours		.75

	PER	AMOUNT
(v) 2 hours to 3 hours		1.00
(vi) over 3 hours		1.25

(b-1) Hourly Parking Rates for Designated Areas on the Periphery of Campus (6:45 a.m. to 11:00 p.m. only) -

	PER	AMOUNT
(i) 0-15 minutes		No charge
(ii) 15 minutes to 30 minutes		.25
(iii) to 1 hour		.50
(iv) over 1 hour		.75
(c) Evening Parking (5:00 p.m. to 11:00 p.m.) -		
(i) 0-30 minutes		No charge
(ii) over 30 minutes		.50
(d) Overnight Parking (to 7:30 a.m.)		1.00
(e) Special Permits -		
(i) Short term (24-hour) Zone A (Faculty, Staff and Students)	Week	2.25
	Month	9.00
(ii) Short term (not including 24-hour storage) Zone A (Faculty, Staff, and Students)	Week	1.50
	Month	6.00
	Day	.25
(iii) Short-term Motorcycle		
(iv) Ticket Books (persons identified in WAC 478-116-240(6) and WAC 478-116-250(1) only)		
(A) 5 ticket book	Book	1.75
(B) 10 ticket book	Book	3.50
(C) 25 ticket book	Book	8.75
(f) Mechanically Controlled Parking Areas as Designated (Parking meters, ticket dispensers, automatic gates, etc.)		.10 - .50
(g) Athletic Events -		
(i) Football		
(A) All campus lots		1.00
(B) Buses		5.00
(ii) All other events - Pavilion and Stadium lots		
(A) When staffed by attendants		.75
(B) When controlled by mechanical equipment		.25
(h) Miscellaneous Fees -		
(i) Transfer from one area to another by request of individual		2.00
(ii) Gate keypad replacement		2.50
(iii) Vehicle Gatekey deposit (Amount of deposit will be set by the Manager of the Parking Division. Deposit will be returned to individual when key is returned to Parking Division).		Not to exceed 5.00
(iv) Permit Replacement		
(A) With signed certificate of destruction or theft		No charge
(B) Without certificate of destruction		\$ 2.00
(v) Impound Fee		At cost

(3) The following schedule of fines for violations of these rules is hereby established:

Offense	Maximum Fine
(a) 01 Blocking Traffic WAC 478-116-190	\$ 5.00
(b) 02 Enter/Exit Without Paying WAC 478-116-110	10.00
(c) 03 Failure to Lock Ignition WAC 478-116-200	2.00
(d) 04 Failure to Set Brakes WAC 478-116-200	2.00
(e) 05 Improper Display Area Designator WAC 478-116-340	1.00
(f) 06 Improper Display of Vehicle Permit WAC 478-116-340	1.00
(g) 07 Occupying More than One Stall or Space WAC 478-116-140	1.00

Offense	Maximum Fine
(h) 08 Parking in Restricted Parking Area WAC 478-116-110	2.00
(i) 09 Parking in Prohibited Area WAC 478-116-130	5.00
(j) 10 Parking on Grass WAC 478-116-130	5.00
(k) 11 Parking Out of Assigned Area WAC 478-116-130	2.00
(l) 12 Parking Over Posted Time Limit WAC 478-116-110	2.00
(m) 13 Parking with No Valid Permit Displayed WAC 478-116-060	2.00
(n) 14 Parking within 10 Feet of Fire Hydrant WAC 478-116-130	5.00
(o) 15 Parking at Expired Meter WAC 478-116-350	2.00
(p) 16 Parking Outside Cycle Area WAC 478-116-070	2.00
(q) 17 Parking in Space/Area Not Designated for Parking WAC 478-116-130	1.00
(r) 18 Use of Forged/Stolen Area Designator WAC 478-116-060 and WAC 478-116-370	10.00
(s) 19 Use of Forged/Stolen Vehicle Permit WAC 478-116-060 and WAC 478-116-370	25.00
(t) 20 Impound WAC 478-116-580	At cost
(u) 21 Other Violations of the University Parking and Traffic Regulations	25.00

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

Colin...
1/28

WSR 78-06-025
ADOPTED RULES
DEPARTMENT OF AGRICULTURE
[Order 1578—Filed May 17, 1978]

I, Bob J. Mickelson, director of Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to changes in fees charged with respect to horticultural inspection services provided by the Department of Agriculture, amending WAC 16-400-010, 16-400-020, 16-400-040, 16-400-050, 16-400-070, 16-400-110, 16-400-140, 16-400-150, 16-400-210, 16-400-230, 16-400-235, 16-400-250 and 16-400-270.

This action is taken pursuant to Notice No. WSR 78-04-092 filed with the code reviser on 4/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 15.17.150 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 17, 1978.

By Bob J. Mickelson
Director

AMENDATORY SECTION (Amending Order 1482, filed 8/16/76)

WAC 16-400-010 GRADE AND CONDITION CERTIFICATES.

ALL DISTRICTS.

(1) The minimum charge for a certificate shall be \$6.00 on all fruits and vegetables.

(2) All fresh fruits. (Apples, pears and soft fruits). Fruit in containers. (Wrapped, place pack, face and fill, or loose in bulk, bins, boxes, cartons, crates, or bags). For bulk or bins, divide the net wt. by 40 lbs to determine the number of standard containers for charges.

Under 12 lbs net ((+)) 1 1/4¢ each container
12 to 19 lbs net ((+1/8)) 1 1/4¢ each container
20 to 29 lbs net ((2)) 2 1/4¢ each container

Districts 1 and 3

30 to 65 lbs net 2-3/4¢ each container
(Incl. 1/2 bu. container for prunes)

District 4 (Chelan, Douglas and Okanogan Counties)

30 to 65 lbs net 3-1/4¢ each container
(Incl. 1/2 bu. container for prunes)

District 2 (Yakima, Kittitas, Klickitat, Skamania and a portion of Benton County)

30 to 65 lbs net ((2-1/4)) 2 3/4¢ each container
1/2 bu. container for prunes . . . 2-3/4¢ each container

AMENDATORY SECTION (Amending Order 1402, filed 6/16/75)

WAC 16-400-020 LOOSE APPLES AND/OR PEARS. (In bulk.)

(1) \$((+25)) 1.50 per ton net weight or fraction thereof.

(2) The charge for a mixture of packed and loose apples and pears, shall be based on the total of packed and loose apples and pears under WAC 16-400-010 and ((WAC)) 16-400-020.

AMENDATORY SECTION (Amending Order 1402, filed 6/16/75)

WAC 16-400-040 VEGETABLES.

Asparagus in 12 lb containers ((+1/2))
2¢ each

Asparagus in 26 - 35 lb containers ((2-3/4))
3 1/2¢ each

Corn - crates ((3))
6¢ each

- Cantaloupe (60 lb container unit) ((4))
6¢ each
- Tomatoes - L.A. Lugs or loose in containers ((2=1/2))
3¢ each
- Tomatoes - In flats ((1=7/8))
2 1/4¢ each
- Onions ((4))
5¢ cwt.
- Potatoes and seed potatoes ((3=1/4))
4¢ cwt.
- Potatoes where percentage grade needed or major fraction thereof (diversion program or similar program) ((30))
50¢ per ton
- Processing potatoes ((2=1/4))
3¢ cwt.
Complete inspection
(Rate reduced for service required)

Inspection fees for cabbage, celery, lettuce, cauliflower, grapes, rhubarb, rutabagas, watermelons, squash, carrots, etc., shall be at the regular hourly rate of \$((8-25)) 12.00 per hour, or \$((16-50)) 24.00 for a carload, with a maximum of 2 hours time, for domestic use only.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-050 DEFENSE SUBSISTENCE SUPPLY CENTER OR OTHER FEDERAL AGENCIES. Fees as established by USDA.

(1) For Canadian export inspections only where specific charges are not established by this regulation.

1 - 25 packages	\$((5-25)) 6.00
26 - 50 packages	((7-00)) 10.00
51 - 150 packages	((10-00)) 15.00
151 - 400 packages	((14-75)) 20.00
401 - customary car lot	((23-00)) 30.00

except where specific commodity charges are established.

(2) Terminal wholesale market inspections (domestic) in Tacoma, Seattle and Spokane. Minimum chg., 1 hour ((@ \$8-25 hour)) \$12.00.

(3) State institution inspections . \$ ((8-25 hour)) 12.00 per hour
Minimum fee shall be \$((4-00)) 6.00.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-070 HAY AND STRAW.

(1) Complete inspection ((50¢)) \$1.00 per ton or fraction thereof, but not less than \$((5-00)) 6.00((-)): PROVIDED, That in the case of submitted samples

the fee shall be \$((1-00)) 2.00 per sample.

(2) Partial inspection ((50¢)) \$1.00 per ton or fraction thereof, calculated on the amount to which the inspection is restricted, but shall not be less than \$((5-00)) 6.00.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-110 CONDITION CERTIFICATES. (1) When the lot has been previously certified, the charge shall be 2/3 of the charge schedule of grade and condition certificates, except that the minimum charge shall be \$6.00.

(2) When the lot has no prior inspection for quality or grade, and it is not requested that the certificate carry identification of car, truck, or state lot number, same schedule as above.

(3) On certified lots unloaded for "storage in transit" or for commercial storage, same as above.

(4) When the lot has had no prior inspection for quality or grade and it is requested that certificate carry identifying out-bound car, truck, or state lot number, use same schedule as grade and condition certificates.

(5) Condition certificates on out-of-state products reported on state certificates shall be charged on the applicable grade and condition certificate schedule, except that a minimum charge shall be \$6.00 or \$((8-25)) 12.00 per hour.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-140 SANITARY CERTIFICATES—FRUITS AND VEGETABLES.

(1) When shipment is not covered by federal-state certificates:

(a) \$((2-00)) 3.50 for the first 200 containers or fraction thereof, plus \$((8-25)) 12.00 per hour for necessary inspection.

(2) When shipment is covered by federal-state certificate all sanitary certificates will be at the rate of \$((2-00)) 3.50 per set.

AMENDATORY SECTION (Amending Order 1524, filed 4/20/77)

WAC 16-400-150 SHIPPING PERMITS. By law, each shipment of apples, apricots, Italian prunes, peaches, pears, and certified seed potatoes must be covered by a shipping permit for grade; and cherries for freedom from cherry fruit fly larvae, whether certified or not. Shipments to processors of apricots, cherries, peaches, and prunes do not require a shipping permit. If the lot has been certified for each shipment by car or truck, a permit will be issued without additional charge. If the lot has not been certified, the basis of charges shall be as follows:

(1) Apples, pears, and soft fruits (carlots and trucklots)

(a) 80 or less containers of 28 lbs (~~and over~~) to 65 lbs, 5¢ per container. 81 and over, the shipping permit shall be 2/3 the fee for grade and condition certificate with a minimum fee of \$4.00.

(i) 17 to 27 lbs - two containers - 5¢ up to the \$4.00 minimum. 16 lbs and under - three containers - 5¢ up to the \$4.00 minimum.

(b) Permit to ship apples and/or pears to a by-product plant outside the district - ~~\$(1.50)~~ 2.00.

(Permits to by-product plants are for transportation only in accordance with state law.)

(2) Vegetables.

(a) Potatoes - minimum charge per permit 2/3 of certificate charge or \$4.00 minimum.

(b) Processing plant or live-stock feed shipments - for transportation only, in accordance with state law ~~\$(1.50)~~

2.00 per load

OR where point of origin or out-of-district inspection required

~~\$.40~~ .50 per ton

(c) Certified seed potatoes .. ~~\$(3-1/4)~~ 4¢

PROVIDED, That no charge shall be made for shipping permits when seed potatoes are grown, graded and shipped in full compliance with the provisions of the rules for the certification of seed potatoes, and the grades and standards for certified seed potatoes. Shipments not in compliance with the above shall be charged in accordance with WAC 16-400-150(2)(c).

Container weight, or checkloading certificates shall be 1 cent per container, except that the minimum charge shall be \$12.00.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-210 PLATFORM INSPECTION.

(1) Platform inspections, time taking samples, extra time, FV-294 inspections, and all other services, will be charged at the rate of ~~\$(8.25)~~ 12.00/hr.

(2) Time allowance - Where platform inspector working full time at one house also does certification inspection, he will allow credit for the time according to limits outlined in the schedule for such certification at the rate of ~~\$(8.25)~~ 12.00 per hour and should the certificate charges divided by ~~\$(8.25)~~ 12.00 equal or exceed the number of hours worked, no platform charge will be made, or if it is less than the number of hours worked, the platform charge will be made to bring the total for the day to the proper charge.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-230 FUMIGATION CHARGES.

The rate for supervision of fumigation shall be ~~\$(15.00)~~ 18.00 per fumigation allowing ~~((2))~~ 1 1/2 hours; additional time or unnecessary stand-by time will be charged for at the rate of ~~\$(8.25)~~ 12.00 per hour. No fumigations will be started after 3:00 p.m. from October 1 to May 31, nor after 10:00 p.m. from June 1 to September 30.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-235 FIELD OR ORCHARD INSPECTIONS. Inspections made at applicants' request for determination of presence or absence of disease or insect infestation, or for other reason, shall be at the rate of ~~\$(1.25)~~ 2.00 per acre or fraction thereof.

AMENDATORY SECTION (Amending Order 1482, filed 8/16/76)

WAC 16-400-250 EXTRA CHARGES. (ON ALL ABOVE SERVICES) (1) The minimum inspection charge for each commodity and requested form shall be at the rate of ~~\$(8.25)~~ 12.00 per hour. ~~((Example: An 840 container lot of apples at 2-3/4 cents per container is \$23.10, requiring 2 hours work, no extra charge. If 4 hours is required, add \$16.50 for a total of \$39.60.))~~

(2) If, through no fault of the inspection service, time over the maximum allowance for each commodity and requested form is required, such excess time shall be at the rate of ~~\$(8.25)~~ 12.00 per hour.

(3) For all inspection services performed after 5:00 PM or on Saturdays, or Sundays, or state legal holidays, an hourly charge equivalent of ~~\$(12.38)~~ 18.00 per hour for actual hours spent in performance of duties must be made. This shall include unit charges, plus, if necessary, overtime charges to equal ~~\$(12.38)~~ 18.00 per hour.

(4) When the per unit charge for inspection in any one day equals or exceeds the basic hourly and/or overtime charge, no additional hourly or overtime charges will be made.

~~((Example:~~

8 hours @ \$8.25	\$66.00
2 hours overtime @ \$12.38	24.76
	<u>\$90.76</u>
Unit inspection fees \$95.00 = no extra charges	
Unit inspection fees (6 hrs allowed)	\$70.00
Job required 7-1/2 hrs = add \$12.38	
(1-1/2 hours excess time) for a	
total of	<u>\$82.38</u>)

(5) The following state legal holidays will be observed: New Year's Day, Veteran's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the day following Thanksgiving Day, Christmas Day, Lincoln's Birthday and Washington's Birthday. NO SERVICE will be performed on Thanksgiving Day,

Christmas Day or New Year's Day, beginning at 5:00 PM on the previous day.

(6) Mileage. Whenever necessary, mileage will be charged at the rate ((of 13 cents per mile)) established by the state OFM.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-270 EXTRA COPIES. After original typing of a certificate a charge of \$2.00 per set will be made for extra copies when requested by the original applicant of the certificate or other financially interested party. Copy machine copy of inspectors notes when requested by applicant will be \$1.00 per copy.

WSR 78-06-026
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE
[Order 1577—Filed May 17, 1978]

I, Bob J. Mickelson, director of Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to changes in fees charged with respect to horticultural inspection services provided by the Department of Agriculture, amending WAC 16-400-010, 16-400-020, 16-400-040, 16-400-050, 16-400-070, 16-400-110, 16-400-140, 16-400-150, 16-400-210, 16-400-230, 16-400-235, 16-400-250 and 16-400-270.

I, Bob J. Mickelson, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is inspection of horticultural products promotes the public health and welfare. Due to inflation and rising costs the Department of Agriculture is no longer able to provide inspection services at the level we feel is necessary. Therefore it is necessary to raise the inspection fees. Because of the early crop of cherries, it is necessary to make this rule effective as of the date of filing. This order will be no longer effective as of the effective date of Order No. 1578.

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

This rule is promulgated pursuant to RCW 15.17.150 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 17, 1978.

By Bob J. Mickelson
Director

AMENDATORY SECTION (Amending Order 1482, filed 8/16/76)

WAC 16-400-010 GRADE AND CONDITION CERTIFICATES.

ALL DISTRICTS.

(1) The minimum charge for a certificate shall be \$6.00 on all fruits and vegetables.

(2) All fresh fruits. (Apples, pears and soft fruits). Fruit in containers. (Wrapped, place pack, face and fill, or loose in bulk, bins, boxes, cartons, crates, or bags). For bulk or bins, divide the net wt. by 40 lbs to determine the number of standard containers for charges.

Under 12 lbs net ((+)) 1 1/4¢ each container
12 to 19 lbs net ((+1/8)) 1 1/4¢ each container
20 to 29 lbs net ((2)) 2 1/4¢ each container

Districts 1 and 3

30 to 65 lbs net 2-3/4¢ each container
(Incl. 1/2 bu. container for prunes)

District 4 (Chelan, Douglas and Okanogan Counties)

30 to 65 lbs net 3-1/4¢ each container
(Incl. 1/2 bu. container for prunes)

District 2 (Yakima, Kittitas, Klickitat, Skamania and a portion of Benton County)

30 to 65 lbs net ((2-1/4)) 2 3/4¢ each container
1/2 bu. container for prunes . . . 2-3/4¢ each container

AMENDATORY SECTION (Amending Order 1402, filed 6/16/75)

WAC 16-400-020 LOOSE APPLES AND/OR PEARS. (In bulk.)

(1) \$((+25)) 1.50 per ton net weight or fraction thereof.

(2) The charge for a mixture of packed and loose apples and pears, shall be based on the total of packed and loose apples and pears under WAC 16-400-010 and ((WAC)) 16-400-020.

AMENDATORY SECTION (Amending Order 1402, filed 6/16/75)

WAC 16-400-040 VEGETABLES.

Asparagus in 12 lb containers ((+1/2))
2¢ each

Asparagus in 26 - 35 lb containers ((2-3/4))
3 1/2¢ each

Corn - crates ((3))
6¢ each

Cantaloupe (60 lb container unit) ((4))
6¢ each

Tomatoes - L.A. Lugs or loose in containers ((2-1/2))
3¢ each

Tomatoes - In flats ((+7/8))
2 1/4¢ each

- Onions ((4))
5¢ cwt.
- Potatoes and seed potatoes ((3-1/4))
4¢ cwt.
- Potatoes where percentage grade needed or major fraction thereof (diversion program or similar program) ((30))
50¢ per ton
- Processing potatoes ((2-1/4))
3¢ cwt.
Complete inspection
(Rate reduced for service required)

Inspection fees for cabbage, celery, lettuce, cauliflower, grapes, rhubarb, rutabagas, watermelons, squash, carrots, etc., shall be at the regular hourly rate of \$((8-25)) 12.00 per hour, or \$((16-50)) 24.00 for a carload, with a maximum of 2 hours time, for domestic use only.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-050 DEFENSE SUBSISTENCE SUPPLY CENTER OR OTHER FEDERAL AGENCIES. Fees as established by USDA.

(1) For Canadian export inspections only where specific charges are not established by this regulation.

1 - 25 packages	.....	\$((5-25))	6.00
26 - 50 packages	.....	((7-00))	10.00
51 - 150 packages	.....	((10-00))	15.00
151 - 400 packages	.....	((14-75))	20.00
401 - customary car lot	.....	((23-00))	30.00

except where specific commodity charges are established.

(2) Terminal wholesale market inspections (domestic) in Tacoma, Seattle and Spokane. Minimum chg., 1 hour ((@ \$8-25 hour)) 12.00.

(3) State institution inspections . \$ ((8-25 hour)) 12.00 per hour
Minimum fee shall be \$((4-00)) 6.00.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-070 HAY AND STRAW.

- (1) Complete inspection ((50¢)) \$1.00 per ton or fraction thereof, but not less than \$((5-00)) 6.00((-)); PROVIDED, That in the case of submitted samples the fee shall be \$((1-00)) 2.00 per sample.
- (2) Partial inspection ((50¢)) \$1.00 per ton or fraction thereof, calculated on the amount to which the inspection is restricted, but shall not be less than \$((5-00)) 6.00.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-110 CONDITION CERTIFICATES. (1) When the lot has been previously certified, the charge shall be 2/3 of the charge schedule of grade and condition certificates, except that the minimum charge shall be \$6.00.

(2) When the lot has no prior inspection for quality or grade, and it is not requested that the certificate carry identification of car, truck, or state lot number, same schedule as above.

(3) On certified lots unloaded for "storage in transit" or for commercial storage, same as above.

(4) When the lot has had no prior inspection for quality or grade and it is requested that certificate carry identifying out-bound car, truck, or state lot number, use same schedule as grade and condition certificates.

(5) Condition certificates on out-of-state products reported on state certificates shall be charged on the applicable grade and condition certificate schedule, except that a minimum charge shall be \$6.00 or \$((8-25)) 12.00 per hour.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-140 SANITARY CERTIFICATES—FRUITS AND VEGETABLES.

(1) When shipment is not covered by federal-state certificates:

- (a) \$((2-00)) 3.50 for the first 200 containers or fraction thereof, plus \$((8-25)) 12.00 per hour for necessary inspection.

(2) When shipment is covered by federal-state certificate all sanitary certificates will be at the rate of \$((2-00)) 3.50 per set.

AMENDATORY SECTION (Amending Order 1524, filed 4/20/77)

WAC 16-400-150 SHIPPING PERMITS. By law, each shipment of apples, apricots, Italian prunes, peaches, pears, and certified seed potatoes must be covered by a shipping permit for grade, and cherries for freedom from cherry fruit fly larvae, whether certified or not. Shipments to processors of apricots, cherries, peaches, and prunes do not require a shipping permit. If the lot has been certified for each shipment by car or truck, a permit will be issued without additional charge. If the lot has not been certified, the basis of charges shall be as follows:

- (1) Apples, pears, and soft fruits (carlots and trucklots)
 - (a) 80 or less containers of 28 lbs ((and over)) to 65 lbs, 5¢ per container. 81 and over, the shipping permit shall be 2/3 the fee for grade and condition certificate with a minimum fee of \$4.00.
 - (i) 17 to 27 lbs - two containers - 5¢ up to the \$4.00 minimum. 16 lbs and under - three containers - 5¢ up to the \$4.00 minimum.
 - (b) Permit to ship apples and/or pears to a by-product plant outside the district - \$((1-50)) 2.00.

(Permits to by-product plants are for transportation only in accordance with state law.)

(2) Vegetables.

- (a) Potatoes - minimum charge per permit 2/3 of certificate charge or \$4.00 minimum.
- (b) Processing plant or live-stock feed shipments - for transportation only, in accordance with state law \$((~~1.50~~)) 2.00 per load
OR where point of origin or out-of-district inspection required \$ ((~~.40~~)) .50 per ton
- (c) Certified seed potatoes ((~~3-1/4~~)) 4¢
PROVIDED, That no charge shall be made for shipping permits when seed potatoes are grown, graded and shipped in full compliance with the provisions of the rules for the certification of seed potatoes, and the grades and standards for certified seed potatoes. Shipments not in compliance with the above shall be charged in accordance with WAC 16-400-150(2)(c).

Container weight, or checkloading certificates shall be 1 cent per container, except that the minimum charge shall be \$12.00.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-210 PLATFORM INSPECTION.

(1) Platform inspections, time taking samples, extra time, FV-294 inspections, and all other services, will be charged at the rate of \$((~~8.25~~)) 12.00/hr.

(2) Time allowance - Where platform inspector working full time at one house also does certification inspection, he will allow credit for the time according to limits outlined in the schedule for such certification at the rate of \$((~~8.25~~)) 12.00 per hour and should the certificate charges divided by \$((~~8.25~~)) 12.00 equal or exceed the number of hours worked, no platform charge will be made, or if it is less than the number of hours worked, the platform charge will be made to bring the total for the day to the proper charge.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-230 FUMIGATION CHARGES.

The rate for supervision of fumigation shall be \$((~~15.00~~)) 18.00 per fumigation allowing ((2)) 1 1/2 hours, additional time or unnecessary stand-by time will

be charged for at the rate of \$((~~8.25~~)) 12.00 per hour. No fumigations will be started after 3:00 p.m. from October 1 to May 31, nor after 10:00 p.m. from June 1 to September 30.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-235 FIELD OR ORCHARD INSPECTIONS. Inspections made at applicants' request for determination of presence or absence of disease or insect infestation, or for other reason, shall be at the rate of \$((~~1.25~~)) 2.00 per acre or fraction thereof.

AMENDATORY SECTION (Amending Order 1482, filed 8/16/76)

WAC 16-400-250 EXTRA CHARGES. (ON ALL ABOVE SERVICES) (1) The minimum inspection charge for each commodity and requested form shall be at the rate of \$((~~8.25~~)) 12.00 per hour.

((Example: An 840 container lot of apples at 2-3/4 cents per container is \$23.10, requiring 2 hours work, no extra charge. If 4 hours is required, add \$16.50 for a total of \$39.60.))

(2) If, through no fault of the inspection service, time over the maximum allowance for each commodity and requested form is required, such excess time shall be at the rate of \$((~~8.25~~)) 12.00 per hour.

(3) For all inspection services performed after 5:00 PM or on Saturdays, or Sundays, or state legal holidays, an hourly charge equivalent of \$((~~12.38~~)) 18.00 per hour for actual hours spent in performance of duties must be made. This shall include unit charges, plus, if necessary, overtime charges to equal \$((~~12.38~~)) 18.00 per hour.

(4) When the per unit charge for inspection in any one day equals or exceeds the basic hourly and/or overtime charge, no additional hourly or overtime charges will be made.

((Example:

8 hours @ \$8.25.....	\$66.00
2 hours overtime @ \$12.38	24.76
	<hr/>
	\$90.76

Unit inspection fees \$95.00 - no extra charges

Unit inspection fees (6 hrs allowed) ----- \$70.00

Job required 7-1/2 hrs - add \$12.38

(1-1/2 hours excess time) for a

total of..... \$82.38))

(5) The following state legal holidays will be observed: New Year's Day, Veteran's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and the day following Thanksgiving Day, Christmas Day, Lincoln's Birthday and Washington's Birthday. NO SERVICE will be performed on Thanksgiving Day, Christmas Day or New Year's Day, beginning at 5:00 PM on the previous day.

(6) Mileage. Whenever necessary, mileage will be charged at the rate ((of 13 cents per mile)) established by the state OFM.

AMENDATORY SECTION (Amending Order 1377, filed 9/12/74)

WAC 16-400-270 EXTRA COPIES. After original typing of a certificate a charge of \$2.00 per set will be made for extra copies when requested by the original applicant of the certificate or other financially interested party. Copy machine copy of inspectors notes when requested by applicant will be \$1.00 per copy.

WSR 78-06-027
ADOPTED RULES
OFFICE OF

FINANCIAL MANAGEMENT

[Order 39—Filed May 18, 1978—Eff. July 1, 1978]

I, Orin C. Smith, director of the Office of Financial Management, do promulgate and adopt at Olympia, Washington, the annexed rules relating to travel regulations, amending WAC 82-28-080.

This action is taken pursuant to Notice No. WSR 78-04-042 filed with the code reviser on 3/21/78. Such rules shall take effect at a later date, such date being July 1, 1978.

This rule is promulgated pursuant to RCW 43.03.050, and 43.03.060 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 17, 1978.

By Orin C. Smith
Director

AMENDATORY SECTION (Amending Order 35, filed 9/1/77)

WAC 82-28-080 REIMBURSEMENT FOR USE OF PRIVATELY-OWNED AUTOMOBILES. (1) Reimbursement shall be allowed at a rate not to exceed 14¢ per mile for official travel. Mileage between points in the State shall be determined on the basis of the distances shown on the latest State Highway Commission map, and the out-of-state mileage on the basis of standard highway mileage guides or by speedometer readings. "Vicinity" miles as determined by speedometer readings shall be shown on the voucher as a separate figure for each day's travel.

(2) When an official or employee requests to use a privately-owned vehicle in lieu of a state-owned or operated passenger motor vehicle that is available for use, and the request is approved by the agency head or his designee, the official or employee shall be reimbursed at a rate not to exceed ~~((\$.11))~~ 12¢ per mile.

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

WSR 78-06-028
PROPOSED RULES
INSURANCE COMMISSIONER
[Filed May 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 that the Insurance Commissioner intends to adopt rules concerning acts and practices in the conduct of the business of insurance which are unfair or deceptive and defining minimum standards relative to claims settlement practices.

A copy of the proposed rule is attached to this notice. Changes in the proposed rules may be made prior to adoption;

that such agency will at 2:00 p.m., Wednesday, July 19, 1978, in the Insurance Commissioner's Office, Insurance Bldg., Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Thursday, July 27, 1978, in the Insurance Commissioner's Office, Insurance Bldg., Olympia, WA.

The authority under which these rules are proposed is RCW 48.02.060, 48.30.010, 48.44.050, 48.46.170 and 48.46.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 19, 1978, and/or orally at 2:00 p.m., Wednesday, July 19, 1978, in the Insurance Commissioner's Office, Insurance Bldg., Olympia, WA.

Dated: May 18, 1978

By: Robert E. Johnson
Deputy Insurance Commissioner

NEW SECTION

WAC 284-30-300 AUTHORITY AND PURPOSE. RCW 48.30.010 authorizes the commissioner to define methods of competition and acts and practices in the conduct of the business of insurance which are unfair or deceptive. RCW 48.44.050, 48.46.170(4) and 48.46.200 authorize the commissioner to issue regulations relative to methods of expediting speedy and fair payments to claimants. The purpose of this regulation, WAC 284-30-300 through 284-30-410, is to define certain minimum standards which, if violated with such frequency as to indicate a general business practice, will be deemed to constitute unfair claims settlement practices.

NEW SECTION

WAC 284-30-310 SCOPE. This regulation applies to all insurers and to all insurance policies and insurance contracts. This regulation is not exclusive, and acts performed, whether or not specified herein, may also be deemed to be violations of specific provisions of the insurance code or other regulations.

NEW SECTION

WAC 248-30-320 DEFINITIONS. When used in this regulation:

(1) "Agent" means any individual, corporation, association, partnership or other legal entity authorized to represent an insurer with respect to a claim;

(2) "Claimant" means either a first party claimant, a third party claimant, or both and includes such claimant's designated legal representative and includes a member of the claimant's immediate family designated by the claimant;

(3) "First party claimant" means an individual, corporation, association, partnership or other legal entity asserting a right to payment under an insurance policy or insurance contract arising out of the occurrence of the contingency or loss covered by such policy or contract;

(4) "Insurance policy" or "insurance contract" mean any contract of insurance, indemnity, health care service contract, health maintenance organization contract, suretyship, or annuity issued, proposed for issuance, or intended for issuance by any insurer;

(5) "Insurer" means any individual, corporation, association, partnership, reciprocal exchange, interinsurer, Lloyds insurer, fraternal mutual insurer, fraternal mutual life insurer, and any other legal entity engaged in the business of insurance, authorized or licensed to issue or who issues any insurance policy or insurance contract in this state, including health care service contractors, as defined in RCW 48.44.010, and health maintenance organizations, as defined in RCW 48.46.020;

(6) "Investigation" means all activities of an insurer directly or indirectly related to the determination of liabilities under coverages afforded by an insurance policy or insurance contract;

(7) "Notification of claim" means any notification, whether in writing or other means acceptable under the terms of an insurance policy or insurance contract, to an insurer or its agent, by a claimant, which reasonably apprises the insurer of the facts pertinent to a claim; and

(8) "Third party claimant" means any individual, corporation, association, partnership or other legal entity asserting a claim against any individual, corporation, association, partnership or other legal entity insured under an insurance policy or insurance contract of an insurer.

NEW SECTION

WAC 284-30-330 UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES DEFINED. The following are hereby defined as unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:

- (1) Misrepresenting pertinent facts or insurance policy provisions.
- (2) Failing to acknowledge and act reasonably promptly upon communications with respect to claims arising under insurance policies.
- (3) Failing to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies.
- (4) Refusing to pay claims without conducting a reasonable investigation based upon all available information.
- (5) Failing to affirm or deny coverage of claims within a reasonable time after proof of loss statements have been completed.
- (6) Not attempting in good faith to effectuate prompt, fair and equitable settlements of claims in which liability has become reasonably clear.
- (7) Compelling insureds to institute litigation to recover amounts due under an insurance policy by offering substantially less than the amounts ultimately recovered in actions brought by such insureds.
- (8) Attempting to settle a claim for less than the amount to which a reasonable man would have believed he was entitled by reference to written or printed advertising material accompanying or made part of an application.
- (9) Making claims payments to insureds or beneficiaries not accompanied by a statement setting forth the coverage under which the payments are being made.
- (10) Asserting to insureds or claimants a policy of appealing from arbitration awards in favor of insureds or claimants for the purpose of compelling them to accept settlements or compromises less than the amount awarded in arbitration.
- (11) Delaying the investigation or payment of claims by requiring an insured, claimant, or the physician of either to submit a preliminary claim report and then requiring the subsequent submission of formal proof of loss forms, both of which submissions contain substantially the same information.
- (12) Failing to promptly settle claims, where liability has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage.
- (13) Failing to promptly provide a reasonable explanation of the basis in the insurance policy in relation to the facts or applicable law for denial of a claim or for the offer of a compromise settlement.
- (14) Unfairly discriminating against claimants because they are represented by a public adjuster.
- (15) Failure to expeditiously honor drafts given in settlement of claims.

NEW SECTION

WAC 284-30-340 FILE AND RECORD DOCUMENTATION. The insurer's claim files shall be subject to examination by the Commissioner or by his duly appointed designees. Such files shall contain

all notes and work papers pertaining to the claim in such detail that pertinent events and the dates of such events can be reconstructed.

NEW SECTION

WAC 284-30-350 MISREPRESENTATION OF POLICY PROVISIONS. (1) No insurer shall fail to fully disclose to first party claimants all pertinent benefits, coverages or other provisions of an insurance policy or insurance contract under which a claim is presented.

(2) No agent shall conceal from first party claimants benefits, coverages or other provisions of any insurance policy or insurance contract when such benefits, coverages or other provisions are pertinent to a claim.

(3) No insurer shall deny a claim for failure to exhibit the property without proof of demand and unfounded refusal by a claimant to do so.

(4) No insurer shall, except where there is a time limit specified in the policy, make statements, written or otherwise, requiring a claimant to give written notice of loss or proof of loss within a specified time limit and which seek to relieve the company of its obligations if such a time limit is not complied with unless the failure to comply with such time limit prejudices the insurer's rights.

(5) No insurer shall request a first party claimant to sign a release that extends beyond the subject matter that gave rise to the claim payment.

(6) No insurer shall issue checks or drafts in partial settlement of a loss or claim under a specific coverage which contain language which release the insurer or its insured from its total liability.

NEW SECTION

WAC 284-30-360 FAILURE TO ACKNOWLEDGE PERTINENT COMMUNICATIONS. (1) Every insurer, upon receiving notification of a claim shall, within ten working days, acknowledge the receipt of such notice unless payment is made within such period of time. If an acknowledgement is made by means other than writing, an appropriate notation of such acknowledgement shall be made in the claim file of the insurer and dated. Notification given to an agent of an insurer shall be notification to the insurer.

(2) Every insurer, upon receipt of any inquiry from the office of the insurance commissioner respecting a claim shall, within fifteen working days of receipt of such inquiry, furnish the department with an adequate response to the inquiry.

(3) An appropriate reply shall be made within ten working days on all other pertinent communications from a claimant which reasonably suggest that a response is expected.

(4) Every insurer, upon receiving notification of claim, shall promptly provide necessary claim forms, instructions, and reasonable assistance so that first party claimants can comply with the policy conditions and the insurer's reasonable requirements. Compliance with this paragraph within ten working days of notification of a claim shall constitute compliance with subsection (1) of this section.

NEW SECTION

WAC 284-30-370 STANDARDS FOR PROMPT INVESTIGATION OF CLAIMS. Every insurer shall complete investigation of a claim within thirty days after notification of claim, unless such investigation cannot reasonably be completed within such time.

NEW SECTION

WAC 284-30-380 STANDARDS FOR PROMPT, FAIR AND EQUITABLE SETTLEMENTS APPLICABLE TO ALL INSURERS. (1) Within fifteen working days after receipt by the insurer of properly executed proofs of loss, the first party claimant shall be advised of the acceptance or denial of the claim by the insurer. No insurer shall deny a claim on the grounds of a specific policy provision, condition, or exclusion unless reference to such provision, condition, or exclusion is included in the denial. The denial must be given to the claimant in writing and the claim file of the insurer shall contain a copy of the denial.

(2) If a claim is denied for reasons other than those described in subsection (1) and is made by any other means than writing, an appropriate notation shall be made in the claim file of the insurer.

(3) If the insurer needs more time to determine whether a first party claim should be accepted or denied, it shall so notify the first party claimant within fifteen working days after receipt of the proofs of loss giving the reasons more time is needed. If the investigation remains incomplete, the insurer shall, within forty-five days from the date of

the initial notification and no later than every thirty days thereafter, send to such claimant a letter setting forth the reasons additional time is needed for investigation.

(4) Insurers shall not fail to settle first party claims on the basis that responsibility for payment should be assumed by others except as may otherwise be provided by policy provisions.

(5) Insurers shall not continue negotiations for settlement of a claim directly with a claimant who is neither an attorney nor represented by an attorney until the claimant's rights may be affected by a statute of limitations or a policy or contract time limit, without giving the claimant written notice that the time limit may be expiring and may affect the claimant's rights. Such notice shall be given to first party claimants thirty days and to third party claimants sixty days before the date on which such time limit may expire.

(6) No insurer shall make statements which indicate that the rights of a third party claimant may be impaired if a form or release is not completed within a given period of time unless the statement is given for the purpose of notifying the third party claimant of the provision of a statute of limitations.

NEW SECTION

WAC 284-30-390 STANDARDS FOR PROMPT, FAIR AND EQUITABLE SETTLEMENTS APPLICABLE TO AUTOMOBILE INSURANCE. (1) When the insurance policy provides for the adjustment and settlement of first party automobile total losses on the basis of actual cash value or replacement with another of like kind and quality, one of the following methods must apply:

(a) The insurer may elect to offer a replacement automobile which is a specific comparable automobile available to the insured, with all applicable taxes, license fees and other fees incident to transfer of evidence of ownership of the automobile paid, at no cost other than any deductible provided in the policy. The offer and any rejection thereof must be documented in the claim file.

(b) The insurer may elect a cash settlement based upon the actual cost, less any deductible provided in the policy, to purchase a comparable automobile including all applicable taxes, license fees and other fee incident to transfer of evidence of ownership of a comparable automobile. Such cost may be determined by

(i) The cost of a comparable automobile in the local market area when a comparable automobile is available in the local market area.

(ii) One of two or more quotations obtained by the insurer from two or more qualified dealers located within the local market area when a comparable automobile is not available in the local market area.

(c) When a first party automobile total loss is settled on a basis which deviates from the methods described in subsections (1)(a) and (1)(b) of this section, the deviation must be supported by documentation giving particulars of the automobile condition. Any deductions from such cost, including deduction for salvage, must be measurable, discernible, itemized and specified as to dollar amount and shall be appropriate in amount. The basis for such settlement shall be fully explained to the first party claimant.

(2) Where liability and damages are reasonably clear, insurers shall not recommend that third party claimants make claim under their own policies solely to avoid paying claims under such insurer's insurance policy or insurance contract.

(3) Insurers shall not require a claimant to travel unreasonably either to inspect a replacement automobile, to obtain a repair estimate or to have the automobile repaired at a specific repair shop, or to obtain a temporary rental or loaner automobile.

(4) Insurers shall, upon the claimant's request, include the first party claimant's deductible, if any, in subrogation demands. Subrogation recoveries shall be shared on a proportionate basis with the first party claimant, unless the deductible amount has been otherwise recovered. No deduction for expenses can be made from the deductible recovery unless an outside attorney is retained to collect such recovery. The deduction may then be for only a pro rata share of the allocated loss adjustment expense.

(5) If an insurer prepares an estimate of the cost of automobile repairs, such estimate shall be in an amount for which it may be reasonably expected the damage can be satisfactorily repaired. The insurer shall give a copy of the estimate to the claimant and may furnish to the claimant the names of one or more conveniently located repair shops.

(6) Deductions for betterment and depreciation are permitted only for parts normally subject to repair and replacement during the useful

life of the insured motor vehicle. Deductions for betterment and depreciation shall be limited to the lesser of an amount equal to the proportion that the expired life of the part to be repaired or replaced bears to the normal useful life of that part, or the amount which the resale value of the vehicle is increased by the repair or replacement. Calculations for betterment, depreciation, and normal useful life must be included in the insurer's claim file.

(7) When the insurer elects to repair and designates a specific repair shop for automobile repairs, the insurer shall cause the damaged automobile to be restored to its condition prior to the loss at no additional cost to the claimant other than as stated in the policy and within a reasonable period of time.

(8) The insurer shall not use as a basis for cash settlement with a first party claimant an amount which is less than the amount which the insurer would pay if repairs were made, other than in total loss situations, unless such amount is agreed to by the insured.

NEW SECTION

WAC 284-30-400 ENFORCEMENT. (1) Violations of the standards imposed by WAC 284-30-330 through 284-30-390 shall be subject to the enforcement provisions set forth in RCW 48.30.010 and shall also constitute a failure to comply with a regulation pursuant to RCW 48.05.140(1).

(2) With respect to health care service contractors, violations of this regulation shall constitute a failure to comply with a regulation of the commissioner pursuant to RCW 48.44.160.

(3) With respect to a health maintenance organization, violations of this regulation shall constitute a violation of rules and regulations promulgated under chapter 48.46 RCW, pursuant to RCW 48.46.130(1)(c).

NEW SECTION

WAC 284-30-410 EFFECTIVE DATE. This regulation, WAC 284-30-300 through 284-30-410, shall take effect September 1, 1978.

WSR 78-06-029

PROPOSED RULES

DEPARTMENT OF PERSONNEL

[Filed May 18, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 41.06.040, that the State Personnel Board, intends to adopt, amend, or repeal rules concerning:

- Amend: WAC 356-10-030 Positions—Allocation—Reallocation.
- Amend: WAC 356-10-050 Positions—Reallocation upward, incumbents.
- Amend: WAC 356-10-030 Positions—Allocation—Reallocation.
- Amend: WAC 356-10-050 Positions—Reallocation upward, incumbents.
- Amend: WAC 356-10-060 Allocation—Appeals;

that such agency will at 10:00 a.m., Thursday, June 8, 1978, in the Board Meeting Room, 600 So. Franklin, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, June 8, 1978, in the Board Meeting Room, 600 So. Franklin, Olympia, WA.

The authority under which these rules are proposed is RCW 41.06.040 and 41.06.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to June 8, 1978, and/or orally at 10:00 a.m., Thursday, June 8, 1978, Board Meeting Room, 600 So. Franklin, Olympia, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-06-019 filed with the code reviser's office on May 12, 1978.

Dated: May 17, 1978
 By: Leonard Nord
 Secretary

WSR 78-06-030
EMERGENCY RULES
DEPARTMENT OF LICENSING
 [Order 497-DOL—Filed May 18, 1978]

I, R. Y. Woodhouse, director of the Department of Licensing, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the amending of WAC 308-08-005, by providing that WAC 308-08-010 through 308-08-590 shall apply to administrative procedure under chapters 82.36 and 82.38 RCW.

I, R. Y. Woodhouse, Director, Department of Licensing, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is a number of contested cases arising under chapter 82.36 and 82.38 RCW have been and soon will be initiated under the provisions of those chapters and the parties to such action should benefit by clarification of the practice and procedure rules governing these proceedings.

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

This rule is promulgated pursuant to RCW 34.04.022 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 18, 1978.

By R. Y. Woodhouse
 Director

AMENDATORY SECTION (Reg. 08.005; Eff. 3/23/60)

WAC 308-08-005 PORTIONS OF UNIFORM PROCEDURAL RULES APPLICABLE TO VARIOUS SUBAGENCIES. *With the purpose of uniformity in mind, the director, under authority granted by statute and pursuant to RCW 34.04 et. seq., does hereby adopt the rules of practice and procedure in the subsequent sections:*

(1) Rules WAC 308-08-010 through 308-08-590 apply to administrative procedure in reference to:

RCW Chapter

- 18.32 Dentists
- 18.78 Practical nurses
- 18.85 Real estate brokers and salesmen
- 18.92 Veterinarians
- 21.20 Securities act of the state of Washington
- 46.70 Dealers' licenses (Motor vehicles)
- 82.36 Liquid fuel tax
- 82.38 Special fuel tax

(2) Rules WAC 308-08-540 through 308-08-590 do not apply to the following agencies:

- 18.08 Architects
- 18.36 Drugless healing
- 18.57 Osteopathy
- 18.33 Psychologists
- 46.82 Commercial driver training schools

(3) Rules WAC 308-08-150 through 308-08-220 do not apply to the following agencies:

- 18.15 Barbers
- 18.18 Beauty culture
- 18.22 Chiropodists
- 18.39 Embalmers
- 18.74 Physical therapy
- 46.80 Motor vehicle wreckers
- 81.72 Passenger for hire licenses

(4) Rules WAC 308-08-150 through 308-08-220 and WAC 308-08-540 through 308-08-590 do not apply to the following agencies:

- 18.25 Chiropractors
- 18.29 Dental hygienists
- 18.34 Dispensing opticians
- 18.50 Midwifery
- 18.53 Optometry
- 18.90 Sanitarians
- 43.74 Basic science committee

(5) Only rules WAC 308-08-540 through 308-08-590 apply to the following license procedures under the motor vehicle laws:

- 46.12 Certificates of ownership
- 46.16 Vehicle licenses
- 46.24(7) Financial and safety responsibility
- 46.28
- 46.76 Motor vehicle transporters
- 46.84 Reciprocity
- ((82.36—Liquid fuel tax))
- ((82.48—Use fuel tax))

The exclusion of certain rules or the applicability of certain rules under this section is based upon the statutory authority given to the director of ~~((licenses))~~ licensing by the legislature of the state of Washington. The word agency as used in these sections is interchangeable used with the word department, commission, or board.

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

WSR 78-06-031
NOTICE OF PUBLIC MEETINGS
CLARK COMMUNITY COLLEGE
[Memorandum—May 19, 1978]

The members of the Board of Trustees of Clark Community College District #14 will hold a special meeting on Tuesday, May 23, at 4 p.m. in Room 011 of the Administration Building on the Clark College Campus.

At 4 p.m., the Board will consider the priority of capital projects requests for Clark College. At 5 p.m., the Board will take action on the approval and submission of these requests to the State Board for Community College Education for funding.

Immediately following the business session, the Board will convene in a work session to discuss and review the proposed policies and procedures manual for Clark College.

WSR 78-06-032
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-26—Filed May 19, 1978]

I, Gordon Sandison, director of the Washington State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial salmon fishing.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is the Puget Sound spring chinook stocks are not returning in sufficient quantities to support a harvest. This Order is necessary to preserve all returning fish for spawning. Analysis shows a less restrictive closure than WAC 220-28-008F0A can accomplish these goals.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 18, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-008F0B CLOSED AREA Effective 12 noon, April 26, 1978 and through those times and in

those areas of the Skagit River listed below, it shall unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes, with any type of gear:

(a) 12 noon April 26, 1978 through June 15, 1978 from the mouth upstream to Gilligan Creek.

(b) 12 noon April 26, 1978 through June 19, 1978 from Gilligan Creek upstream to Hamilton.

(c) 12 noon April 26, 1978 through July 7, 1978 from Hamilton upstream to "Old Faber Ferry Landing", above Concrete.

(d) 12 noon April 26, 1978 through September 16, 1978 from "Old Faber Ferry Landing", above Concrete upstream including all tributaries.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-28-008F0A CLOSED AREA (78-19)

WSR 78-06-033
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-27—Filed May 19, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is sturgeon in the Columbia River are of sufficient stocks to allow a commercial fishing pursuant to regulations passed by the Columbia River Compact.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 18, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-32-05700B SEASON - STURGEON Notwithstanding the provisions of WAC 220-32-057, it shall be unlawful to take, fish for, or possess sturgeon for

commercial purposes in Columbia River Management and Catch Reporting Areas 1F, 1G, and 1H, except those individuals possessing treaty fishing rights pursuant to the Yakima, Warm Springs, Umatilla, and Nez Perce treaties may fish 12 noon February 1 to 12 noon May 31, 1978 and 12 noon August 1 to 12 noon October 31, 1978. Setline gear shall be limited to no more than 1,500 hooks.

Fishermen must register with their respective tribes before participating in the fishery. The tribes shall provide these lists to the respective states.

WSR 78-06-034
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-28—Filed May 19, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use salmon angling regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is spring chinook jack salmon and some adults are being released in these areas that are not needed for artificial production. This regulation allows personal use harvest of these fish. Return of spring chinook to the Wenatchee River is expected to be large enough to support a sport fishery without impairing escapement requirements.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 18, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-57-17500B COWLITZ AND TILTON RIVER Notwithstanding the provisions of WAC 220-57-175, it shall be lawful to take, fish for and possess salmon for personal use by angling in that portion of the Cowlitz River from the confluence of the Muddy Fork and Ohanapecosh Rivers downstream to Davisson (Riffe) Lake from May 27 to December 31, 1978, and

from the Tilton River from May 27 to November 30, 1978. BAG LIMIT: A

NEW SECTION

WAC 220-57-49700A WENATCHEE RIVER It shall be unlawful to take, fish for or possess salmon, for personal use by angling, from the Wenatchee River, except it shall be lawful to fish downstream of the mouth of the Icicle River to the mouth of the Wenatchee River from May 20 through June 30, 1978. BAG LIMIT: A

Hook restrictions as defined in WAS 220-56-061 shall be in effect for this fishing.

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

WSR 78-06-035
PROPOSED RULES
PARKS AND RECREATION COMMISSION
[Filed May 19, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 that the Washington State Parks and Recreation Commission intends to adopt, amend, or repeal rules concerning notice regarding recreational facility certification requirements, new section WAC 352-44-025;

that such agency will at 9:00 a.m., Monday, July 24, 1978, in the Moran Room, Rosairo Resort, East Sound, Washington conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Monday, July 24, 1978, in the Moran Room, Rosairo Resort, East Sound, Washington.

The authority under which these rules are proposed is RCW 43.51.040(2) and 70.88.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 21, 1978, and/or orally at 9:00 a.m., Monday, July 24, 1978, Moran Room, Rosairo Resort, East Sound, Washington.

Dated: May 18, 1978
By: James H. Davenport
Assistant Attorney General

NEW SECTION

WAC 352-44-025 NOTICE OF CERTIFICATION REQUIREMENT. The Director or his designee shall notify in writing, every operator of a recreational conveyance by November 15 of each year (1) that a certificate for operation is required by WAC 352-44-020, (2) that that certificate applies to an annual term beginning January 1 of each year, (3) that operation of a recreational facility without certification constitutes a misdemeanor (RCW 70.88.040, WAC 352-44-120) punishable in accordance with RCW 9A.20.020(3), and (4) that the Director will seek injunction against the operation of any recreational facility which shall be in operation following January 1 of any year when no certificate has been issued.

WSR 78-06-036
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed May 19, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning the amending of chapter 388-95 WAC relating to persons in mental institutions;

that such agency will at 10:00 a.m., Wednesday, July 12, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 19, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 10:00 a.m., Wednesday, July 12, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: May 18, 1978
 By: Thomas G. Pinnock
 Acting Secretary

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-95-005 DEFINITIONS. (1) "Admission notification" - ~~The ((MHSR)) facility provides the ((hospital and local office)) ESSO with written notification that an eligible patient has been admitted.~~

(2) "Alternate care" - Care outside the psychiatric hospital, such as care in own or relative's home with necessary home services, foster family home, nursing home, or other social care facility.

(3) "Benefit" - Amount received from supplemental security income, administered by social security administration.

(4) "Case record" - The case records used in administering the program including:

(a) ~~((local office)) ESSO case record;~~

(b) Hospital medical record.

~~((c)) Mental health services representative's case record at the hospital.~~

(5) "Chief of social services" - Supervisor of a department of social services of the hospital.

(6) "Clinical staff" - Staff located at the hospital, including representation from medical, psychiatric and social services staff ~~((and the DSHS MHSR)).~~

(7) "Clinical staff review" - Review by clinical staff for the purpose of evaluating the progress of the patient/recipient and developing treatment and/or release plans.

(a) "Initial review" - an interdisciplinary staff review:

(i) For persons 65 or over, made within 30 days of admission to the hospital or after attaining age 65, or within 30 days of referral for application for Title XIX medical assistance.

(ii) For persons under 21, made within fourteen days after admission to hospital.

(b) "Periodic review" - Made every thirty days or more often following initial review of person under 21 years of age.

(c) "Post hospital review" - Review held by clinical staff to assess reason for patient leaving against medical advice and the effectiveness of treatment plan.

(d) "Quarterly review" - Made every ninety days or more often following initial review for person 65 or over.

(8) "County of residence" - ~~((local office)) ESSO~~ where the case is in active status.

(9) "Facility" - see "hospital".

(10) ~~((Format))~~ Written referral - A formal request for Title XIX coverage made by the hospital in behalf of the patient 65 or over.

(11) "Hospital" - A mental or psychiatric institution or hospital approved for the provision of inpatient psychiatric care to recipients 65 years of age or older and those under 21 years of age.

(12) "Hospital daily population report" - Official hospital report on patient movement which serves as the individual notification of patient admission and discharge.

(13) "Legal dependents" - Spouse and minor children living in the family home for whom the patient is financially responsible.

(14) "Legal status of patient" -

(a) Voluntary admission - Patient admitted voluntarily by self, parents, or guardian.

(b) 72-Hour evaluation and treatment - Patient admitted for evaluation and treatment by court order activated by the mental health professional.

(c) Involuntary admission - Patient committed by court order for a specified treatment period of 14 days, 90 days, or 180 days.

(d) Observation - Patient admitted by court order for a specified period of observation for determination of mental illness.

~~((15)) ((Local office hospital unit)) - Service workers assigned by the local office in the county in which the hospital is located to take applications and interview patient applicants and recipients regardless of their county of residence.~~

~~((16)) ((Local office)) ESSO service workers - Social service workers in a ((local office)) ESSO assigned service cases of patient/recipients.~~

~~((17))~~ (16) "Medical assistance" - As used in this chapter means essential medical care, including psychiatric services, for chronic, emergent, and acute conditions furnished to needy persons sixty-five years of age or over or under age 21 in a facility.

~~((18))~~ (17) "Mental health professional" - A professional person designated by the county's administrative mental health body and charged with the responsibility to investigate and evaluate the presence of mental illness.

~~((19))~~ (18) "Mental health services representative" (MHSR) - Employee of the health services division, office of medical assistance, ~~((stationed in the hospital))~~ who is responsible ~~((for working directly with the hospital and local office staff in the development of individual treatment plans for patient/recipients))~~ to see that requirements of the 65 and over and under 21 programs are carried out within the regulations established in Title XIX of the Social Security Act.

~~((20))~~ (19) "Patient" - Individual who is the responsibility of the hospital only.

~~((21))~~ (20) "Patient/recipient" - Individual in the hospital who is the joint responsibility of the divisions of community services, health services, and management and budget services.

~~((22))~~ (21) "Psychiatric facility" - A JCAH approved psychiatric hospital treating persons for mental diseases.

~~((23))~~ (22) "Psychiatric hospital social worker" - Social worker employed by the hospital.

~~((24))~~ (23) "Recipient" - As used in this chapter is:

(a) Any individual age sixty-five years or older who has been determined eligible for service under Title XIX, assistance to aged individuals in institutions for mental diseases, and

(b) An AFDC recipient under 18 years of age or SSI beneficiary under 21 years of age (except that if receiving services prior to 21st birthday may be continued eligible until 22nd birthday).

~~((25)) "Sixty caseload" - Special caseload for service to recipients age 65 or over who have been released from a facility and for service to such other aged recipients in need of alternate care services in the community.~~

~~((26))~~ (24) ~~((Social care))~~ Residential facilities - Group homes providing personal care services.

~~((27)) "Time Limited visit" - A time limited leave granted by the hospital to enable a patient/recipient to visit the community, usually his family. Return to the facility is expected by a specified time.~~

~~((28))~~ (25) Types of releases from state mental institutions.

(a) "Discharge" -

(i) The legal procedure which terminates a legal commitment to a mental hospital or a court order for observation.

(ii) The release from treatment of the voluntary patient.

~~((b)) "Conditional release" - When in the professional opinion of the hospital staff the person can be appropriately served by out-patient care prior to expiration of the period of commitment, the outpatient care can be required as a condition for early release. The period of~~

conditional release, when added to an in-patient treatment period, cannot exceed the period of commitment. The out-patient facility designated to provide out-patient care must agree in writing to assume such responsibility:))

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-010 ELIGIBILITY FOR AGED PERSON. (1) The department shall provide medical care within the limitations set forth in these rules and regulations to any individual residing in a hospital who has been certified to receive medical assistance under conditions specified in subsection (2).

(2) The individual shall:

(a) Be sixty-five years of age or older;

(b) Be a resident of the state of Washington - no durational requirement;

(c) Be in a hospital after voluntary or involuntary admission;

(d) ~~((Not have transferred property contrary to law or to WAC 388-26-200 through 388-26-250;~~

~~((e))) Be financially eligible according to chapter 388-92 WAC including consideration of individual's;~~

(i) Needs according to the institutional monthly maintenance standard in WAC 388-92-035;

(ii) Medical care requirements -

(A) Monthly charge for care in the facility,

(B) Deductible for Part A medicare, less any part already paid during the current spell of illness,

(C) Deductible for Part B medicare, less any part already paid during the current calendar year((:)),

(D) Health and accident insurance premium payments, other payments for medical care not provided by the department, and payments being made for medical costs incurred within three months prior to date of application.

(iii) Monthly maintenance requirements of the applicant's legal dependents according to WAC 388-92-030 and 388-92-055(2)(b).

(3) An applicant determined to be eligible shall be informed by means of an award letter of the action taken by the department ~~((and the amount of participation, if any. The award letter shall be sent to the mental health services representative))~~.

(4) If the nonexempt resources and income of the applicant, excluding medicare benefits available, will meet the needs listed in subdivision (2)(e), for a period of two months or more following the date of admission, the applicant is ineligible and the application shall be denied. The applicant shall be notified in writing of the denial and reason for the action and informed of the right to a fair hearing. ~~((The mental health service representative shall be provided with the letter of denial to the patient:))~~

(5) If the nonexempt resources and income of the applicant, including medicare benefits available, will not meet these needs for a period of two months, then the applicant is financially eligible.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-025 NOTIFICATION AND APPLICATION PROCESS. ~~((+))~~ The facility shall notify the MHSR of the daily admission of any potential patient/recipient sixty-five years of age or older, of aged patients in the facility whose private funds are depleted, or of the attainment of age sixty-five by any patient residing in the facility, in need of medical assistance. If application is made after the sixty-fifth birthday, retroactive certification up to three months would apply, but not for any period prior to the 65th birthday.

(2) The patient's name submitted to the MHSR by the facility constitutes notification, and shall be processed in accordance with WAC 388-92-020. The MHSR shall send the notification to the local office of the patient's county of residence which shall be responsible for processing the application for medical assistance under this program. Applications for money benefits shall be referred to the nearest social security administration office.

(3) Disposition of the application shall be according to WAC 388-92-020(4).

(4) Decision on an application shall be made on a timely basis as stated in WAC 388-92-020(3)(a:)) Medical assistance is available to those patients in the facility who meet eligibility requirements.

(1) Eligibility shall be established for patients who are 65 years of age or over and:

(a) On active recipient status at the time of admission;

(b) Not active at time of admission, but financially eligible;

(c) Financially eligible and attains age 65; or a

(d) Patient whose private funds are depleted.

(2) Notification of a recipient's admission or a patient's need to apply for medical assistance shall be provided to the ESSO in a timely manner.

(3) Application shall be processed according to WAC 388-92-020.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-030 CERTIFICATION OF ELIGIBILITY. Eligibility shall be certified according to WAC 388-92-060~~((+)(b))~~. All ~~((subsequent))~~ pertinent information from the facility relating to the case shall be transmitted ~~((by the mental health services representative))~~ to the ~~((local office))~~ ESSO of residence.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-055 DEPARTMENT RESPONSIBILITIES FOR PATIENT/RECIPIENT ENTERING PSYCHIATRIC FACILITY. ~~((1))~~ When a recipient enters a facility, all pertinent medical and social information about the individual in the department record shall be supplied without delay to the MHSR at the facility. "Pertinent medical and social information" means information that will aid joint planning within the department for the best treatment and/or release plans for a patient/recipient. This may include

~~((a))~~ Medical reports from patient's physician(s);

~~((b))~~ Recent contacts with the patient/recipient family yielding information which might influence planning for the patient/recipient;

~~((c))~~ Other information deemed important by the department and requested by MHSR at the facility such as presenting behavior prior to admission to care.

~~((2))~~ A mental health services representative is stationed at each facility and has liaison responsibility between the facility and the local office.

~~((3))~~ The local office of residence shall determine the eligibility of the applicant and the patient/recipient referred by the mental health services representative. The local office where the facility is located will determine the eligibility for individuals without other county of residence and will assist the local office of residence upon request:)) The department is responsible for ESSO and facility joint planning in the provision of services to patient/recipients entering the facility.

(1) The ESSO of residence shall determine eligibility of an applicant referred by the facility.

(2) Information pertinent to the development of a plan of care and treatment shall be provided to the facility by the ESSO.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-060 SERVICES TO PATIENT/RECIPIENT IN PSYCHIATRIC FACILITY. ~~((+))~~ The social service staff of the facility shall provide social services to the patient/recipient as part of the treatment plan while he is in the facility.

~~((2))~~ The patient/recipient shall be entitled to the same scope and content of medical care for nonpsychiatric disorders as other recipients of medical assistance. See WAC 388-86-005 through 388-86-120.

~~((3))~~ Joint planning and assessment by the facility staff and MHSR shall begin at time of admission. Planning and reassessment of the care, treatment, and progress of each patient/recipient shall take place at intervals not to exceed three months:)) (1) The patient/recipient shall be entitled to the same scope and content of medical care for nonpsychiatric disorders as other recipients of medical assistance. (See WAC 388-86-005 through 388-86-120.)

(2) The patient/recipient shall be entitled to psychiatric services as federally required. (See definitions 388-95-005(6) and (7)(a)(i) and (c).)

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-065 COORDINATION OF SERVICES FOR PATIENT/RECIPIENT. ~~((+))~~ The facility has responsibility for providing initial and current medical examinations, psychiatric evaluations and social summary of each patient/recipient within thirty days of his referral to the program.

~~((2))~~ The local office has the responsibility to provide the facility with social information and to assist in release planning:)) Patient/recipient shall be provided services based on inter-divisional agreements which designate methods of sharing information pertinent to admission, treatment and discharge planning.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-070 DEPARTMENT RESPONSIBILITIES—PATIENT/RECIPIENT SCHEDULED FOR RELEASE. ~~((+))~~ A patient/recipient shall be released to alternate care only on the basis of joint planning and agreement between the staffs of the ~~((various))~~ appropriate divisions within the department. ~~((The release plan shall include a recommendation for the kind of alternate care needed by the patient/recipient. The facility shall furnish the MHSR with information pertinent to the patient/recipient's potential adjustment to alternate care.~~

~~(2) When the decision has been made that the patient/recipient may leave the facility, the MHSR notifies the local office maintaining the case and forwards the facility referral material. The local office shall transfer the case to a service ~~((6))~~ case load and complete plans for the patient/recipient's return to the community:))~~

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-075 ((LOCAL OFFICE)) ESSO RESPONSIBILITY FOR SOCIAL SERVICES. (1) The ~~((local office))~~ ESSO shall assume primary responsibility for providing social services to the aged recipient released from ~~((a))~~ the mental facility. ~~((The))~~ Need for financial assistance is not a prerequisite for providing social services.

~~(2) ((The following)) Prescribed services shall ~~((be provided))~~ include at least:~~

Casework, counseling, and other services to assist the recipient in ~~((his))~~ understanding ~~((of, and ability to))~~ and carrying out the facility's recommendations for continued needed care and services ~~((regardless of whether he is receiving financial assistance. Although the frequency of contact will vary depending upon the care provided, less than one contact per month shall be justified in the case record on the basis of the recipient's need for supportive casework. In seeking a supportive services relationship in behalf of the individual, the service worker shall~~

~~(a) Secure and use appropriately such services and resources available from the alternate care facility or the community as prescribed by the individual case plan;~~

~~(b) Seek to develop and/or maintain the recipient's family and community ties and to encourage his participation;~~

~~(c) Secure needed medical care, including assistance in locating a physician and obtaining drugs. For former hospital patients, see WAC 388-91-016(2) concerning drug and pharmaceutical supplies. The service worker shall inform the recipient's personal physician of this rule.~~

~~(3) All appropriate measures shall be taken to prevent the necessity of hospitalization of a recipient in a facility for mental illness.~~

~~(4) When social services are not being provided or have been discontinued, the case record must contain fully documented reasons, such as client refusal or inability to use social services or no further need for social services:))~~

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-210 ELIGIBILITY FOR PERSON UNDER AGE 21. (1) The department shall provide for inpatient psychiatric care within the limitations set forth in these rules and regulations to any individual who is a patient in a JCAH approved psychiatric ~~((hospital))~~ facility program and who has been certified to receive medical assistance (MA) under conditions specified in subsection (2).

(2) The individual shall be:

(a) Under age 21 (except that if receiving services just prior to 21st birthday, eligibility may continue until age 22); and an

(b) AFDC recipient; or

(c) SSI beneficiary.

(3) ~~((Any patient whose status upon admission involves a legal procedure other than civil commitment is not eligible:))~~ Civil commitment due to mental illness is an allowable legal procedure because it is medical in nature. Any patient whose status upon admission involves a legal procedure other than civil commitment, including a legally adjudicated "delinquent" placed in the facility or a patient admitted and detained in connection with a violation of the law whether the offense is a misdemeanor, a felony or in the nature of a delinquent act, is not eligible.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-225 NOTIFICATION PROCESS. ~~((+))~~ The hospital shall promptly notify mental health services representative of admission of the patient by means of hospital daily population report or other administrative processes.

(2) MHSR will determine if the patient is an AFDC recipient or SSI beneficiary and obtain written confirmation from the local office of residence.

(3) MHSR will notify the hospital and appropriate DSHS offices in writing when an eligible Title XIX recipient is admitted:)) The bureau of mental health and the reimbursement section of the office of staff services will develop and implement by agreement a notification process to assure that confirmation of a patient/recipient's admission is shared with appropriate persons in the facility, ESSO and office of medical assistance.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-255 DEPARTMENT RESPONSIBILITY—ADMISSION. ~~((+))~~ When a recipient enters a hospital, all pertinent medical and social information about the individual in the department record shall be supplied without delay to the MHSR at the hospital: "Pertinent medical and social information" means information that will aid joint planning within the department for the best treatment and/or release plans for a patient/recipient. This may include:

(a) Copies of social assessment from record;

(b) Medical reports from patient's physician(s);

(c) Recent contacts with the patient/recipient family yielding information which might influence planning for the patient/recipient;

(d) Other information deemed important by the department and requested by MHSR at the hospital such as presenting behavior prior to admission to care.

(2) A MHSR is stationed at each hospital and has liaison responsibility between the hospital and the local office.

(3) The local office in the county of residence of the AFDC or SSI recipient shall be responsible for service to the client:)) The appropriate ESSO of the AFDC or SSI recipient shall be responsible for determining eligibility on a continuing basis, following the patient/recipient's progress in the facility and collaborating in efforts to maintain and/or develop family relationships as appropriate.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-260 SERVICES IN ((HOSPITAL)) FACILITY. ~~((+))~~ The social service staff of the hospital shall provide social services to the patient/recipient as part of the treatment plan while he is in the hospital:

(2) The patient/recipient shall be entitled to full scope care only for the period of time when he is under active treatment for the condition for which he was hospitalized:

(3) Joint planning and assessment by the hospital staff and MHSR shall begin at time of admission. Planning and reassessment of the care, treatment and progress of each patient/recipient shall take place at intervals not to exceed thirty days:)) The patient/recipient shall be entitled to the facility's full scope care only for the period of active treatment for the condition which resulted in hospitalization.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-265 COORDINATION OF SERVICES. ~~((+))~~ The ~~((hospital))~~ facility has responsibility for providing initial and current medical examination~~((s))~~ reports, psychiatric evaluations, individual treatment plans, ~~((and))~~ social ~~((summary))~~ summaries and discharge plans of each patient/recipient to the ~~((MHSR within 14 days of admission))~~ ESSO.

~~((2) Copies of reviews will be furnished local office by MHSR:))~~

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-270 DEPARTMENT RESPONSIBILITIES—RELEASE. ~~((+))~~ A patient/recipient shall be released to alternate care only on the basis of joint planning and agreement between the staff of various divisions within the department:

(2) There shall be a discharge planning review to evaluate the patient/recipient's readiness for release:

(3) The release plan shall include a recommendation for the kind of alternate care needed by the patient/recipient, recommendations as relates to the residual problems, and recommendations for follow-up services to assure continuity of care.

(4) When the decision has been made that the patient/recipient may leave the hospital, the MHSR notifies the local office maintaining the case and forwards the referral material.

(5) There shall be a post-hospital review held at the hospital (within 7 days) for those patient/recipients who leave against medical advice. Necessary referral material will be furnished to the MHSR. (1) To assure appropriate release, the facility shall provide notification and referral material to the ESSO.

(2) A patient/recipient, to be released to alternate care, shall be provided such release based on joint planning agreement of the facility and ESSO.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-275 SUPPORTIVE SOCIAL SERVICE BY ((LOCAL OFFICE)) ESSO. (1) The ((local office)) ESSO shall assume primary responsibility for providing social services to the under 21 recipient after discharge from the ((hospital)) facility. The need for financial assistance is not a prerequisite for providing social services. The ((local office)) ESSO has the responsibility to provide direct services when feasible or be responsible for procuring and coordinating the use of other community services such as: Mental health centers, juvenile court, group homes, education and training, etc.

(2) Continuity of care is essential although the frequency of contact will vary depending upon the care provided and the needs of the individual.

(3) In providing supportive services, the service worker shall:

(a) Include casework, counseling and other services to assist the individual in understanding of, and ability to carry out the ((hospital's)) facility's recommendations for follow-up services.

(b) Seek to develop and/or maintain the recipient's family and community ties and to encourage individual participation.

(c) Secure needed medical care, including assistance in locating a physician and obtaining medication. See WAC 388-91-016(2) concerning drug and pharmaceutical supplies for discharged patients.

(4) All available necessary services shall be provided in order to prevent the recipient's readmission to a psychiatric ((hospital)) facility.

(5) When social services are not being provided, the case record must contain fully documented reasons such as: Client refusal, inability to use services, or services being provided by another agency, or no further need for services.

AMENDATORY SECTION (Amending Order 1044, filed 8/14/75)

WAC 388-95-280 CONDITIONS FOR PAYMENT. (1) The department shall pay for medical care provided to a patient/recipient certified as eligible under this program.

(a) Medical care services provided to a patient/recipient within the psychiatric ((hospital)) facility shall be the responsibility of the ((hospital)) facility until the patient/recipient is discharged. Claim for payment shall be on forms provided by the department.

(b) Leaves of absence, temporary visits, and unauthorized absences for periods exceeding twenty-four hours shall not be counted as inpatient days and shall not be billed. It is not necessary to submit a new admission and billing each time the patient is absent twenty-four hours or more. The hospital may bill on a monthly basis for covered days, excluding the days absent.

(2) Payment for medical care shall be according to chapter 388-87 WAC.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 388-95-050 TIME-LIMITED VISIT.
- (2) WAC 388-95-250 THERAPEUTIC VISIT.

WSR 78-06-037
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed May 19, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning the amending of WAC 388-48-020 relating to information not confidential.

It is the intention of the Department to file these rules on an emergency basis prior to the hearing;

that such agency will at 10:00 a.m., Wednesday, July 12, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 19, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 10:00 a.m., Wednesday, July 12, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: May 18, 1978

By: Thomas G. Pinnock
Acting Secretary

AMENDATORY SECTION (Amending Order 541, filed 3/31/71)

WAC 388-48-020 INFORMATION NOT CONFIDENTIAL. (1) General information not identified with any particular individual such as total expenditures, number of recipients, other statistical and social data obtained from studies, reports or surveys, is not deemed to be confidential and may be released for any purpose.

(2) General information concerning coverage, conditions of eligibility, scope, related services available, and the rights and responsibilities of applicants for and recipients of public assistance programs must be made available to all persons, whether they are actual or potential applicants or merely persons seeking information.

WSR 78-06-038
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1296—Filed May 19, 1978]

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to information not confidential, amending WAC 388-48-020.

I, Gerald E. Thomas, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the

facts constituting such emergency is federal regulations require these rules to be adopted on or before May 18, 1978.

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

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED May 18, 1978.

By Thomas G. Pinnock
Acting Secretary

AMENDATORY SECTION (Amending Order 541, filed 3/31/71)

WAC 388-48-020 INFORMATION NOT CONFIDENTIAL. (1) General information not identified with any particular individual such as total expenditures, number of recipients, other statistical and social data obtained from studies, reports or surveys, is not deemed to be confidential and may be released for any purpose.

(2) General information concerning coverage, conditions of eligibility, scope, related services available, and the rights and responsibilities of applicants for and recipients of public assistance programs must be made available to all persons, whether they are actual or potential applicants or merely persons seeking information.

WSR 78-06-039

PROPOSED RULES

STATE EMPLOYEES INSURANCE BOARD

[Filed May 19, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 41.05 RCW, that the State Employees Insurance Board intends to adopt, amend, or repeal rules concerning:

- Amend: 182-12-115 Eligible employees and retirees.
- New: 182-08-131 Dependent medical coverage under self payment.
- New: 182-08-171 Change in employment status.
- New: 182-08-175 Self payment of premium while receiving worker's compensation.
- New: 182-12-122 Surviving dependents eligibility;

and that the adoption, amendment, or repeal of such rules will take place at 1:00 p.m., Friday, June 2, 1978, in the Washington Education Assoc. Bldg., 319 E. 7th, Olympia, WA.

The authority under which these rules are proposed is chapter 41.05 RCW.

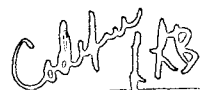
Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to June 1, 1978, and/or orally at 1:00 p.m., Friday, June 2, 1978, Washington Education Assoc. Bldg., 319 E. 7th, Olympia, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-04-107 filed with the code reviser's office on 4/5/78.

Dated: May 19, 1978

By: C. H. Shay

Group Insurance Analyst



WSR 78-06-040

ADOPTED RULES

DEPARTMENT OF TRANSPORTATION

[Order 2, Resolution 21—Filed May 19, 1978]

Be it resolved by the Washington State Transportation Commission, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to the adoption of a new Schedule of Tolls for the Washington State Ferry System and the repealing of the existing Schedule of Tolls as last amended by Order 11, Resolution 379, 380, filed June 28, 1977.

This action is taken pursuant to Notice Nos. WSR 78-02-097 and WSR 78-04-103 filed with the code on Jan. 31, 1978 and April 5, 1978. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.60.325 which directs that the Department of Transportation has authority to implement the provisions of RCW 47.60.325.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED MAY 16, 1978.

By Ray A. Aardal
Chairman

EXHIBIT A

CHAPTER 468-300

FERRIES AND TOLL BRIDGES—TOLL SCHEDULES

WAC

- 468-300-010 FERRY PASSENGER TOLLS
- 468-300-020 AUTO, MOTORCYCLE AND BI-CYCLE FERRY TOLLS
- 468-300-030 OVERSIZED VEHICLE, STAGE AND BUS, NEWSPAPER AND EXPRESS SHIPMENT FERRY TOLLS
- 468-300-040 TRUCK FERRY TOLLS
- 468-300-050 TRAILER FERRY TOLLS
- 468-300-060 ROUND TRIP PARTY FERRY TOLLS

NEW SECTION

WAC 468-300-010 FERRY PASSENGER TOLLS

ROUTES	PASSENGER						
	Full Fare One Way	Half Fare** One Way	COMMUTATION 20 Rides *****	SCHOOL 20 Rides Ages	COMMUTATION**** 20 Rides Ages	EXCURSION-ROUND TRIP*** Full Fare Half Fare	
Fauntleroy-Southworth } Seattle-Bremerton } Seattle-Winslow } Edmonds-Kingston } Pt. Townsend-Keystone }	.85	.45	10.20	12-20 8.50	5-11 4.25	1.20	.60
Fauntleroy-Vashon } Southworth-Vashon } Pt. Defiance-Tahlequah }	*1.10	.55	6.60 *****	5.50	2.75	N/A	N/A
Mukilteo-Columbia Beach -----	.55	.30	6.60	5.50	2.75	.75	.40
Anacortes to Lopez -----	1.00	.50	12.00	10.00	5.00		
Shaw or Orcas -----	1.15	.60	13.80	11.50	5.75	N/A	N/A
Friday Harbor -----	1.30	.65	15.60	13.00	6.50		
Sidney -----	3.50	1.75	N/A	N/A	N/A	4.00	2.00
Friday Harbor to Lopez, Shaw or Orcas -----	.85	.45	10.20	8.50	4.25	N/A	N/A
Between Lopez, Shaw, or Orcas ----	.55	.30	6.60	5.50	2.75	N/A	N/A
Sidney to Lopez -----	2.50	1.25	} N/A	} N/A	} N/A	} N/A	} N/A
Shaw or Orcas -----	2.35	1.20					
Friday Harbor -----	2.20	1.10					

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*These routes operate on one-way only toll collection system. ! p
 **Half Fare ! p
 Senior Citizens - Passengers and driver, age 65 and over, with proper identification establishing proof of age, may travel at half-fare tolls on any route. NOTE: Half-fare privilege does not include vehicle. R

Children - Children under five years of age will be carried free when accompanied by parent or guardian. Children five through eleven years of age will be charged half-fare. Children twelve years of age will be charged full-fare. N Q

Handicapped - Any individual who, by reason of illness, injury, congenital malfunction, or other incapacity or disability is unable without special facilities or special planning or design to utilize Ferry System services, may travel at half-fare tolls on any route upon presentation of a WSF Handicapped Travel Permit at time of travel. NOTE: Half-fare privilege does not include vehicle.

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 ***One day excursion for walk-on passengers with limited time ashore. Special stay aboard excursion rate (one-half of amounts shown) effective only during designated special events on routes and at times as determined by the Secretary of Transportation (not to exceed 14 days per year on any route).

****School Commutation Tickets - Tickets are for the exclusive use of bona fide students under twenty-one years of age attending grade, junior high, and high schools. Student shall be required to present credentials at time of purchase. A letter indicating school attendance signed by school principal or authorized representative shall be considered proper credentials. Tickets are valid for transportation on school days only.

*****A combination Ferry/Bus Public Transit Passenger Ticket Book Rate may be available for a particular route in conjunction with a public transit operating authority whenever it is determined by the Transportation Commission that said ticket book is a necessary element of a Transit Operating Plan designed to eliminate the necessity for assigning an additional ferry to such particular route; and that the resulting savings in Ferry System operating and amortized capital costs exceed the total revenue lost as a result of this reduced rate as projected during the period of time during which such transit operating plan is projected to eliminate the need for an additional ferry. The equivalent ferry fare per ride with this special rate shall be one-half the equivalent fare per ride with the standard commutation book. The assigning of an additional ferry to such particular route may be cause for removal of the special rate.

*****On the Fauntleroy-Vashon route, a combination Ferry/Bus Public Transit Ticket Book Rate shall apply. 20 ride combination Ferry/Bus Public Transit Ticket Books shall be sold for \$16.60, effective upon appropriate fare adjustment by the public transit operating authority. @59

NEW SECTION

WAC 468-300-020 AUTO, MOTORCYCLE AND BICYCLE FERRY TOLLS

	AUTO** INCL. DRIVER		MOTORCYCLE INCL. DRIVER		BICYCLE & RIDER			Excursion Round Trip***	
	One Way	Commutation 20 Rides	One Way	Commutation 20 Rides	Full Fare One Way	Half-Fare One Way	Commutation 20 Rides	Full Fare	Half Fare
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston Pt. Townsend-Keystone	2.85	45.60	1.50	20.00	1.20	.80	12.00	1.90	1.30
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	*3.80	30.40	2.00	13.35	1.60	1.05	8.00	N/A	N/A
Mukilteo-Columbia Beach	1.90	30.40	1.00	13.35	.80	.55	8.00	1.25	.90
		10 Rides							
Anacortes to Lopez	3.10	24.50	1.80	24.00	1.40	.90	14.00		
Shaw or Orcas	3.50	28.00	2.10	28.00	1.60	1.05	16.00	N/A	N/A
Friday Harbor	4.00	31.50	2.40	32.00	1.80	1.15	18.00		
Sidney	15.00	N/A	7.50	N/A	4.90	3.50	N/A	6.80	4.80
Friday Harbor to Lopez, Shaw or Orcas	2.50	20.00	1.50	20.00	1.20	.80	12.00	N/A	N/A
Between Lopez, Shaw, or Orcas	1.70	13.30	1.00	13.35	.80	.55	8.00	N/A	N/A
Sidney to Lopez	11.90	} N/A	5.70	} N/A	3.50	2.25	} N/A	N/A	N/A
Shaw or Orcas	11.50		5.40		2.15				
Friday Harbor	11.00		5.10		2.00				

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11/7/1 *These routes operate on one-way only toll collection system. !p
26,1 **Stages - option of paying Auto rate plus full fare for passengers (See Stages and Busses). A charge of \$25.00 will be assessed for an emergency trip during non-operating hours at locations where a crew is on duty.
06,1 ***Vanpools - A commuter vanpool which carries nine or more persons on a regular and expense-sharing basis for the purpose of travel to or from work or school and which is certified as such by a local organization approved by the Washington State Ferry System, may purchase for a \$10 fee, a permit valid for a three-month period on Mondays through Fridays only and valid only during the hours shown on the permit. These hours are selectable by the purchaser but shall designate two periods of use each day not to exceed two hours per period. The permit so purchased shall allow passage of the vehicle only during the valid periods. All riders in the van, including the driver, shall pay the applicable passenger fare.
15,1 ***One day excursion for bicycle and rider with limited time ashore. !p

11 PENALTY CHARGES
12 Owner of vehicle without driver will be assessed a \$25.00 penalty charge. !p
12 Overhang on passenger vehicles will be assessed a penalty charge of 10¢ per lineal foot of overhang in addition to regular applicable tolls, except that no charge for overhang will be assessed when overall length of vehicle and overhang is less than twenty feet. A fraction of a foot of overhang in excess of six inches will be counted as one foot in assessment of charge for overhang. @59

NEW SECTION

WAC 468-300-030 **OVERSIZED VEHICLE, STAGE AND BUS, NEWSPAPER AND EXPRESS SHIPMENT FERRY TOLLS**

ROUTES	OVERSIZED VEHICLES**		STAGES AND BUSES INCL. DRIVER***		BULK NEWSPAPERS Per 100 Lbs.	EXPRESS SHIPMENTS Per 100 Lbs.
	One Way	Commutation 20 Rides	One Way	Each**** Passenger		
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston Pt. Townsend-Keystone	----- 4.50	72.00	6.25	.45	(1) \$1.10 Per 100 Pounds (Shipments exceeding 60,000 lbs. in any month shall be assessed 55¢ per 100 lbs.)	(2) \$9.00 Per 100 Lbs. (Shipments exceeding 100 lbs. assessed \$2.25 for each 25 lbs. or fraction thereof.)
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	*----- 6.00	48.00	8.00	.55		
Mukilteo-Columbia Beach	----- 3.00	48.00	4.00	.30		
Anacortes to Lopez Shaw or Orcas	----- 6.25	10 Rides 50.00	8.50	.50		
Friday Harbor				.65		
Sidney	-----20.50	N/A	28.00	1.75		
Friday Harbor to Lopez, Shaw or Orcas	----- 4.50	36.00	6.25	.45		
Between Lopez, Shaw or Orcas	----- 3.00	24.00	4.00	.30		} Inter-Island Express shipments will be handled @ \$1.10 per 100 lbs.
Sidney to Lopez Shaw or Orcas Friday Harbor	-----14.25	N/A	19.50	1.25 1.20 1.10		

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*These routes operate on one-way only toll collection system. !P

**Includes Motor Homes, and Mobile Campers that exceed eight feet in height. Excludes trucks licensed over 8,000, passenger busses and stages. !P

***Stages - Option of paying Auto-driver rate plus full fare for each passenger. !P

!tl - A public transportation operator providing regularly scheduled week-day service for public necessity and convenience may pay a \$10 annual fee for each scheduled vehicle. This fee covers the fare for each trip of the vehicle and operator only. All occupants shall be assessed the applicable passenger rate per trip. The \$10 annual fee does not apply to vehicles providing chartered service or vehicles providing service for special events such as trips for recreational purposes. !P

!tl - For vanpool fares, see Page 2 under Auto. !P

!tl Half fare. !P

!tl PENALTY CHARGES !P

!tl Owner of vehicle without driver will be assessed a \$25.00 penalty charge. !P

!tl (1) Daily Newspapers, in bundles, to be received and delivered without receipt and subject to owner's risk, will be transported between ferry terminals on regular scheduled sailings. !P

!tl (2) Emergency shipments will be handled on scheduled sailings when no other means of shipment is available to shipper. Shipments must be of a size and weight requiring a minimum of handling by carrier's employees. Carrier reserves the right to refuse shipment of any item. Carrier assumes no liability for loss or damage to any shipment. Minimum rate for any shipment shall be the rate for 100 pounds. @59

[WAC 468-300-020]

NEW SECTION

WAC 468-300-040 TRUCK FERRY TOLLS

423

ROUTES	TRUCK, INCL. DRIVER								
	***8,001 to 10,000	10,001 to 16,000	16,001 to 22,000	22,001 to 28,000 ***	28,001 to 36,000	36,001 to 48,000	48,001 to 60,000	60,001 to 72,000	Over 72,000 Per 1,000 lbs
Fauntleroy-Southworth Seattle-Bremerton Seattle-Kingston Edmonds-Kingston Pt. Townsend-Keystone	----- 4.50	6.25	8.00	9.75	12.00	15.75	19.50	23.25	.45
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	----- 6.00	8.00	10.00	12.00	15.00	20.00	25.00	30.00	.55
Mukilteo-Columbia Beach	----- 3.00	4.00	5.00	6.00	7.50	10.00	12.50	15.00	.30
**Anacortes to Lopez Shaw or Orcas Friday Harbor Sidney	----- 6.25 ----- 20.50	8.50 28.00	10.75 35.50	13.00 43.00	16.00 52.00	21.00 69.00	26.00 86.00	31.00 103.00	.60 1.90
**Friday Harbor to Lopez, Shaw or Orcas	----- 4.50	6.25	8.00	9.75	12.00	15.75	19.50	23.25	.45
**Between Lopez, Shaw or Orcas	-- 3.00	4.00	5.00	6.00	7.50	10.00	12.50	15.00	.30
**Sidney to Lopez Shaw or Orcas Friday Harbor	----- 14.25	19.50	25.00	30.00	36.00	48.00	60.00	72.00	1.30

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 These routes operate on one-way only toll collection system. *!p*
 Commercial trucks are allowed stop-over at intermediate points upon payment of \$2.00 per stop-over. *!p*
 Trucks under 8,001 lbs. will be classified as automobiles, unless over 8' in overall height. (See Oversized Vehicles.) *!p*
 ***UNITED STATES GOVERNMENT SPECIAL RATE - Special rates are available to the United States Government through advance, bulk ticket purchase at the general offices of Washington State Ferries. The per unit price is the same as the "22,001 to 28,000" rate. Semi-trucks are considered two truck units. *!p*
 PENALTY CHARGES - *!p*
 Owner of vehicle without driver will be assessed a \$25.00 penalty charge. *!p*
 DISCOUNT PERCENTAGES FROM REGULAR TOLL - *!p*
 12 to 23, inclusive, one-way unit crossings within any consecutive six (6) day period ----- 25% *!p*
 24 or more one-way unit crossings with any consecutive six (6) day period ----- 33-1/3% *!p*
 Semi-trucks are considered two truck units. *@ 59*

NEW SECTION

WAC 468-300-050 TRAILER FERRY TOLLS

JLB ✓

ROUTES	T R A I L E R					
	UNDER 10' One Way	10'-0" to Under 20' One Way	20'-0" to Under 30' One Way	30'-0" to Under 40' One Way	40'-0" to Under 50" One Way	50'-0" & Over One Way
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston Pt. Townsend-Keystone	----- 1.50	2.85	4.50	9.75	15.75	19.50
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	----- 2.00	3.80	6.00	12.00	20.00	25.00
Mukilteo-Columbia Beach	----- 1.00	1.90	3.00	6.00	10.00	12.50
Anacortes to Lopez	----- 1.80	3.10				
Shaw or Orcas	----- 2.10	3.50	6.25	13.00	21.00	26.00
Friday Harbor	----- 2.40	4.00				
Sidney	----- 7.50	15.00	20.50	43.00	69.00	86.00
Friday Harbor to Lopez, Shaw or Orcas	----- 1.50	2.50	4.50	9.75	15.75	19.50
Between Lopez, Shaw, or Orcas	---- 1.00	1.70	3.00	6.00	10.00	12.50
Sidney to Lopez	----- 5.70	11.90				
Shaw or Orcas	----- 5.40	11.50	14.25	30.00	48.00	60.00
Friday Harbor	----- 5.10	11.00				

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 *These routes operate on one-way only toll collection system. *!p*

NEW SECTION

WAC 468-300-060 ROUND TRIP PARTY FERRY TOLLS

ROUTES	ROUND TRIP PARTY							
	10 - 24 Persons		25 - 49 Persons		50 - 74 Persons		75 or More Persons	
	Adults	Students	Adults	Students	Adults	Students	Adults	Students
Fauntleroy-Southworth Seattle-Bremerton Seattle-Winslow Edmonds-Kingston Pt. Townsend-Keystone	1.55	.80	1.45	.75	1.40	.70	1.30	.65
Fauntleroy-Vashon Southworth-Vashon Pt. Defiance-Tahlequah	1.00	.50	.95	.50	.90	.45	.85	.45
Mukilteo-Columbia Beach	1.00	.50	.95	.50	.90	.45	.85	.45
Anacortes to Lopez	1.80	.90	1.70	.85	1.60	.80	1.50	.75
Shaw or Orcas	2.10	1.05	1.95	1.00	1.85	.95	1.75	.90
Friday Harbor	2.35	1.20	2.25	1.15	2.10	1.05	1.95	1.00
Sidney	6.30	3.15	5.95	3.00	5.60	2.80	5.25	2.65
Friday Harbor to Lopez, Shaw or Orcas	1.55	.80	1.45	.75	1.40	.70	1.30	.65
Between Lopez, Shaw, or Orcas	1.00	.50	.95	.50	.90	.45	.85	.45
Sidney to Lopez	4.50	2.25	4.25	2.15	4.00	2.00	3.75	1.90
Shaw or Orcas	4.20	2.10	4.00	2.00	3.75	1.90	3.55	1.80
Friday Harbor	3.95	2.00	3.75	1.90	3.50	1.75	3.30	1.65

ip → SPECIAL SCHOOL RATE !p
ip → School groups when traveling in authorized school vehicles for institution-sponsored activities shall be assessed a flat fee of \$1.00 per vehicle load of students and/or advisors and staff. The flat fee shall be in addition to regular vehicle and driver toll. Private vehicles need letter of authorization. !p
ip NOTE: Special School Rate is \$2.00 on routes where one-way only toll systems are in effect. Special Student Rate not available on Anacortes-Sidney, B.C. route between May 1, and September 1 due to limited space. !p

952-300
Will show table with no marks on to action

WSR 78-06-040

REPEALER

The existing Schedule of Tolls, as last amended by Order 11, Resolution 379 and 380, filed 6/28/77 (uncodified) is repealed in its entirety.

WSR 78-06-041

EMERGENCY RULES

DEPARTMENT OF TRANSPORTATION

[Order 13—Filed May 19, 1978]

I, W. A. Bulley, Secretary of Transportation, do promulgate and adopt at Highway Administration Building, Olympia, Washington the annexed rules relating to the repeal of emergency amendment to WAC 252-20-040 which allows non-motorized traffic on the reversible lanes on State Route 5, Mile Post 165.40 to Mile Post 172.40, from 9:00 a.m. to 6:00 p.m. on May 21, 1978.

I, W. A. Bulley, Secretary of Transportation, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is due to the traffic generated by the World Championship Basketball series game, the bicycle use of the reversible lanes must be postponed.

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

This rule is promulgated under the general rule-making authority of the Department of Transportation as authorized in RCW 47.52.025.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 19, 1978.

By W. A. Bulley
Secretary

AMENDATORY SECTION (Amending Order 286, filed 12/28/76 and Emergency Order 12, filed 4/18/78)

WAC 252-20-040 PROHIBITION OF NONMOTORIZED TRAFFIC ON FULLY CONTROLLED LIMITED ACCESS HIGHWAYS.

(1) All nonmotorized traffic shall be prohibited upon state highways which have been established and constructed as fully controlled limited access facilities, and signs giving notice of such prohibition shall be posted upon all such highways.

(2) This prohibition of nonmotorized traffic on fully controlled limited access highways shall not apply to pedestrian overcrossings and undercrossings or other facilities provided specifically for the use of such traffic.

(3) This prohibition of nonmotorized traffic shall not apply to the following sections of established and operating fully controlled limited access highways with regard to pedestrians and bicycles:

(a) State Route 2, Mile Post 0.00 to Mile Post 2.50;

(b) State Route 410, Mile Post 0.30 to Mile Post 11.60;

(c) State Route 526, Mile Post 0.80 to Mile Post 4.57(2);

~~((d) State Route 5, Mile Post 165.40 to Mile Post 172.40, Reversible Lanes, from 9:00 a.m. to 6:00 p.m. on May 21, 1978)).~~

(4) This prohibition shall not apply to the shoulders of the following section of an established and operating fully controlled limited access highway with regard to bicycles during daylight hours only from January 1, 1977, through December 31, 1977:

(a) State Route 5, Mile Post 23.01 to Mile Post 27.42. Signs giving notice of such permission shall be posted upon these highway routes.

WSR 78-06-042

NOTICE OF PUBLIC MEETINGS

SHORELINES HEARINGS BOARD

[Memorandum, Clerk of Board—May 19, 1978]

The regular meeting of the Shorelines Hearings Board scheduled for Wednesday, June 28, 1978, will commence at 9:30 a.m. instead of the regular time of 10:00 a.m. in the Board's office at Number One South Sound Center, Lacey, Washington.

Dolories Osland, Clerk of the
Shorelines Hearings Board

WSR 78-06-043

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 78-29—Filed May 22, 1978]

I, Gordon Sandison, director of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is necessary to conform with bi-lateral agreement between U.S. and Canada.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 22, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-47-31400C PURSE SEINE—
POINT ROBERTS. Notwithstanding the provisions of WAC 220-47-314, during the period May 14 through June 24 it shall be unlawful to take, fish for or possess salmon taken with purse seine gear in that portion of Area 7A lying westerly and northerly of a line projected from the most easterly point of Point Roberts, locally known as Lilly Point, to Georgina Light at Active Pass from 9:00 p.m. Monday to 5:00 A.M. Monday the following week.

WSR 78-06-044

PROPOSED RULES

EASTERN WASHINGTON UNIVERSITY

[Filed May 22, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Eastern Washington University intends to adopt, amend, or repeal rules concerning constitution of associated students, amending chapter 172-114 WAC;

and that the adoption, amendment, or repeal of such rules will take place at 6 p.m., Thursday, July 27, 1978, in the Spokane Community College Admin. Building, N. 2000 Greene, Spokane, WA.

The authority under which these rules are proposed is RCW 28B.120(11).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to July 27, 1978, and/or orally at 6 p.m., Thursday, July 27, 1978, Spokane Community College Admin. Building, N. 2000 Greene, Spokane, WA.

Dated: May 19, 1978

By: H. George Frederickson
President

Chapter 172-114 WAC CONSTITUTION OF ASSOCIATED STUDENTS.

WAC

172-114-010	Preamble.
172-114-120	Article I: Name, Definitions, and Membership
172-114-030	Article II: Student Rights and Responsibilities
172-114-040	Article III: Legislation
172-114-050	Article IV: Executive
172-114-060	Article V: Elections
172-114-070	Article VI: Judicial
172-114-080	Article VII: Rescind, Recall, Initiative, Referendum and Inspection of Records
172-114-090	Article VIII: Budgeting

172-114-100 Parliamentary Authority
172-114-110 Amendments

Reviser's Note: The above reference to WAC 172-114-120 appears to be in error and should refer to WAC 172-114-020, but is displayed herein exactly as filed by the agency pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 72-9, Filed September 20, 1972)

WAC 172-114-010 PREAMBLE. We, the Associated Students of Eastern Washington (~~State College~~) University, in order to develop in the students the concept of self government; an appreciation and understanding of democratic values and processes; to strengthen in the student the realization of his rights, responsibilities, and common interest with the community as a citizen, to represent student interests, needs and welfare; to develop in the students an understanding and appreciation of their personal, social, and vocational relationship to the society in which they live; develop in the students fellowship and understanding; and to provide a physical and social environment in which to achieve the above objectives do affirm and establish this Constitution subject to the authority vested in the Associated Students by the Board of Trustees of Eastern Washington (~~State College~~) University.

AMENDATORY SECTION (Amending Order 74-8, Filed October 1, 1974)

WAC 172-114-020 ARTICLE I: NAME, DEFINITIONS, AND MEMBERSHIP. (1) The name of this organization shall be the "Associated Students of Eastern Washington (~~State College~~) University", referred to herein as "A.S."

(2) When used in this Constitution, the following terms shall mean:
(a) "~~College~~) University" means Eastern Washington (~~State College~~) University and, collectively those responsible for its control and operation.

(b) "Student" includes all persons enrolled in any course at the (~~college~~) university.

(c) "Instructor" means all persons hired by the (~~college~~) university to conduct classroom activities. In certain situations a person may be both "student" and "instructor". Determination of his status in a particular situation shall be determined by the surrounding facts.

(d) "Legal compulsion" means a state or federal judicial or legislative order which requires some action by the person to whom it is directed.

(e) "Organization" means a number of persons who have complied with the formal requirements of (~~college~~) university recognition as in WAC 172-114-030(5).

(f) "Group" means members of the (~~college~~) university community who have not yet complied with the formal requirements for becoming an organization.

(g) "Student press" means either an organization whose primary purpose is to publish and distribute any publication on campus or a regular publication of a campus organization.

(h) "Shall" is used in the imperative sense.

(i) "May" is used in the permissive sense.

(j) All other terms have their natural meaning unless the context dictates otherwise.

(3) All students who are registered for one (1) credit hour or more at Eastern Washington (~~State College~~) University shall be members of this organization for the period of time covered by the fee.

AMENDATORY SECTION (Amending Order 74-8, Filed October 1, 1974)

WAC 172-114-030 ARTICLE II: STUDENT RIGHTS AND RESPONSIBILITIES. (1) The following enumeration of rights shall not be construed to deny or disparage others retained by students in their capacity as members of the student body or as citizens.

(2) Access to higher education. Within the limits of its facilities and budget, the (~~college~~) university shall be open to all applicants who are qualified according to its admission requirements. No person once enrolled may be denied attendance or academic advancement except for disqualification on academic grounds or conviction of violating (~~college~~) university rules.

(3) Education.

(a) Students are free to pursue their educational goals within existing (~~college~~) university programs; appropriate opportunities for learning shall be provided by the state within its financial resources

and the student's ability. This shall include the knowledge, imagination, and dedication of faculty and administrators through excellent teaching and readily available and adequate advice and counsel.

(b) Discussion and expression of all views relevant to the subject matter is permitted in the classroom subject only to the responsibility of the instructor to maintain order and to present course content. Students are responsible for learning the content of any course for which they are enrolled. Requirements of participation in classroom discussion and submission of written exercises are not inconsistent with this section.

(c) Academic evaluation of student performance shall be neither prejudicial nor capricious. Information about student views, beliefs, and political associations acquired by professors in the course of their work as instructors, advisers, and counselors, is confidential and is not to be disclosed to others unless under legal compulsion. Questions relating to intellectual or skills capacity are not subject to this section.

(4) Campus Expression.

(a) Free inquiry, expression, petition, and assembly are guaranteed to all students. Support of any cause by lawful means which do not disrupt the operation of the ((college)) university is permitted. Students, groups, and campus organizations may invite and hear any persons of their own choosing subject only to the requirements for use of ((college)) university facilities.

(b) The right of peaceful protest is granted within the ((college)) university community. The ((college)) university retains the right to assure the safety of individuals, the protection of property, and the continuity of the educational process.

(c) Orderly picketing and other forms of peaceful protest are permitted on ((college)) university premises. Interference with ingress to and egress from ((college)) university facilities, interruption of classes, or damage to property exceeds permissible limits. Even though remedies are available through local enforcement bodies, the ((college)) university may choose to impose its own disciplinary sanctions.

(d) Every student has the right to be interviewed on campus by any legal organization desiring to recruit at the ((college)) university. Any student, group, or organization may protest against any such organization provided that protest does not interfere with any other student's right to have such an interview.

(5) Campus Organizations.

(a) Organizations and groups may be established within the ((college)) university for any legal purpose. Affiliation with an extramural organization shall not, in itself, disqualify the ((college)) university branch or chapter from ((college)) university privileges. Any organization which engages in illegal activities may have sanctions imposed against it including withdrawal of ((college)) university recognition for a period not exceeding one (1) year.

(b) A group shall become an organization when formally recognized by the ((college)) university. All groups that meet the following requirements shall be recognized:

(i) Submission of a list of officers and copies of the constitution and bylaws to the appropriate ((college)) university official or body. All changes and amendments shall be submitted within one (1) week after they become effective.

(ii) Where there is affiliation with an extramural organization, the organization's constitution and bylaws shall be filed with the appropriate ((college)) university official or body. All amendments shall be submitted within a reasonable time after they become effective.

(iii) All sources of outside funds shall be disclosed.

(c) Membership in all ((college)) university related organizations, within the limits of their facilities, shall be open to any member of the ((college)) university community who is willing to subscribe to the stated aims and meet the stated obligations of the organization.

(d) ((College)) University facilities shall be assigned to organizations, groups, and individuals within the ((college)) university community for regular business meetings, for social programs, and for programs open to the public; provided:

(i) Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of the space assigned, to regulate time and use, and to insure proper maintenance.

(ii) Preference may be given to programs designed for audiences consisting primarily of members of the ((college)) university community.

(iii) Allocation of space shall be made based on priority of requests and the demonstrated needs of the organization, group, or individual.

(iv) The ((college)) university may delegate the assignment function to an administrative official or a student committee or organization.

(v) Charges may be imposed for any unusual costs for use of facilities.

(vi) Physical abuse of assigned facilities shall result in reasonable limitations on future allocation of space to offending parties and restitution for damages.

(vii) The individual, group, or organization requesting space must inform the ((college)) university of the names of outside speakers and indicated subject.

(e) No individual, group, or organization may use the ((college)) university name without the express authorization of the ((college)) university, except to identify the ((college)) university affiliation. ((College)) University approval or disapproval of any policy may not be stated or implied by any individual, group, or organization.

(6) Publications.

(a) A student, group, or organization may distribute written material on campus without prior approval providing such distribution does not disrupt the operations of the ((college)) university and the material clearly states the publisher.

(b) The student press is to be free of censorship. The editors and manager shall not be arbitrarily suspended because of student, faculty, administration, alumni, or community disapproval of editorial policy or content. Similar freedom is assured oral statements of views on a ((college)) university controlled and student-operated radio or television station. This editorial freedom entails a corollary obligation under the canons of responsible journalism and applicable regulations of the Federal Communications Commission.

(c) All student communications shall explicitly state on the editorial page or in broadcast that the opinions expressed are not necessarily those of the ((college)) university or its student body.

(7) ((College)) University Government.

(a) All constituents of the ((college)) university community are free, individually and collectively, to express their views on issues of ((college)) university policy and on matters of interest to the student body. Clearly defined means shall be provided for student expression on all ((college)) university policies affecting academic and student affairs.

(b) The role of student government and its responsibilities shall be made explicit. Student government actions reviewed by the ((college)) university shall only be reviewed through procedures agreed upon in advance.

(c) On questions of education policy, students are entitled to a participatory function. Faculty-student committees shall be created to consider questions of policy affecting student life. Students shall be designated as members of standing and special committees concerned with ((college)) university policy affecting academic and student affairs, including those concerned with curriculum discipline, admissions, and allocation of student fees.

(8) Privacy.

(a) The right of students to be secure in their persons, living quarters, papers, and effects against unreasonable searches and seizures is guaranteed. These rights of privacy extend to ((college)) university-owned housing. Nothing in the ((college)) university relationship or housing contract may expressly or by implication give the ((college)) university or housing officials authority to consent to a search of a student's room by police or other government officials, or anyone else.

(b) When the ((college)) university seeks access to a ((college)) university-owned student room to determine compliance with provisions of applicable multiple dwelling unit laws or for improvement or repairs, the occupant shall be notified of such action not less than twenty-four (24) hours in advance. There may be entry without notice in emergencies where imminent danger to life, safety, health, or property is reasonably feared.

(9) Student Records.

(a) The privacy and confidentiality of all student records shall be preserved. Official student academic records, supporting documents, and other student files shall be maintained only by full time members of the ((college)) university staff employed for that purpose. Separate files shall be maintained of the following: academic records, supporting documents, and general educational records; records of discipline proceedings; medical and psychiatric records; and financial aid records.

(b) No entry may be made on a student's academic record and no document may be placed in his file without actual or constructive notice to the student. All matters placed in a student's file in accordance with published customary and ordinary policies, procedures, and regulations, shall constitute constructive notice.

(c) Access to his official, institutional records and files is guaranteed every student subject only to reasonable regulations as to time, place, and supervision. A student may challenge the accuracy of any entry or

the presence of any item by bringing the equivalent of an equitable action against the appropriate person.

(d) No information in any student file may be released to anyone except with the prior written consent of the student concerned or as stated below:

(i) Members of the faculty with administrative assignments may have access for internal educational purposes as well as routinely necessary administrative and statistical purposes.

(ii) The following data may be given any inquirer: school or division of the enrollment, periods of enrollment, degrees awarded, honors, and major field.

(iii) If any inquiry is made in person or by mail, the following information may be given in addition to that in subsection (ii) immediately above: address and telephone number, date of birth, and, unless the student has instructed the registrar's office not to release copies of his transcript without his written authorization, academic information from the transcript will be released when it is clear the institution is being cited as an educational reference.

(iv) Properly identified officials from federal, state, and local government agencies may be given the following information upon express request in addition to that in subsections (ii) and (iii) immediately above: name and address of parent or guardian if student is a minor, and any information required under legal compulsion.

(v) Unless under legal compulsion, personal access to a student's file shall be denied to any person making an inquiry.

(e) Upon graduation or withdrawal from the ~~((college))~~ university, the records and files of former students shall continue to be subject to the provisions of this section.

(10) Procedural standards in disciplinary proceedings. Disciplinary proceedings must guarantee fundamental concepts of fair play (due process). The procedural requirements of due process may vary with the seriousness of the charge. In every proceeding in which a major disciplinary action is contemplated, the student shall have the rights of due process, including at least:

(a) The student shall be informed, in writing, of the reasons for the proposed disciplinary action, including charges with sufficient time to ensure opportunity to prepare for the hearing.

(b) The burden of proof shall rest upon the official bringing the charge.

(c) Upon request, the right to: closed proceedings, confrontation and cross examination of witnesses, be present, challenge any member hearing the case and witnesses, a record of the appeal at least one (1) step beyond the initial determination.

(d) All matters upon which the decision may be based must be introduced into evidence at the proceeding. The decision shall be based solely upon such matter. Illegally acquired evidence may not be admitted.

(e) No person who is otherwise interested in the particular case may sit in judgment during the proceeding.

(f) The decision shall be final subject only to the student's right of appeal.

(11) Procedural standards in student complaint proceedings. If students have complaints of infringement of their rights, they shall, on request, have a hearing. Minimum requirements of procedural due process for all persons should include those in WAC 172-114-030(10) and:

(a) The ~~((hearing committee))~~ University Disciplinary Committee should include both faculty and student members.

(b) The decision of the ~~((hearing committee))~~ University Disciplinary Committee should be final, subject only to the right of appeal by parties concerned.

(12) Dual Membership. Activities of students may upon occasion result in violation of law. Students who violate the law may incur penalties prescribed by civil authorities, but institutional authority should never be used merely to duplicate the function of general laws. Only where the institution's interest as an academic community are distinct and clearly involved should the special authority of the institution be asserted. The student who incidentally violates institutional regulations in the course of his off-campus activity, such as those relating to class attendance, should be subject to no greater penalty than would normally be imposed. Institutional action should be independent of community pressure.

AMENDATORY SECTION (Amending Order 75-8, Filed July 24, 1975)

WAC 172-114-040 ARTICLE III: LEGISLATION. (1) The legislative powers of the A.S. shall be vested in the Legislature and may not be transferred.

(2) All legislation shall include: the names of the sponsor(s), date of introduction, committee referred to—if any, disposition, and date of disposition, signatures of A.S. Speaker and A.S. President; take effect immediately upon ((passage, unless a later date is specified)) signature by the A.S. President or override of his veto by the A.S. Legislature; and shall continue in effect until five (5) years from the last date of ((passage)) signature or override or until rescinded.

(3) The voting members of the Legislature shall consist of fifteen (15) representatives known as legislators, elected by numbered, at-large positions for one (1) year terms. The legislators shall take office on the last day of the quarter in which they are elected, as follows: Positions 1 through 5, elected Fall Quarter; Positions 6 through 10, elected Winter Quarter; and Positions 11 through 15, elected Spring Quarter. Provided, that no person may hold more than one (1) voting seat in the Legislature, and the A.S. President and A.S. Vice President may not hold ~~((s))~~ voting ~~((seat))~~ seats in the Legislature.

(4) Candidates/members for/of the Legislature shall be members of the A.S. and have/maintain a two point (2.00) cumulative grade point average, be enrolled for and complete six (6) credit hours in the previous quarter (excluding summer quarter), and have at least one (1) quarter in residence. A legislator's office shall become vacant upon the incumbent's death, resignation, recall, withdrawal from membership in A.S. (excluding summer quarter), or declaration of non-performance of duties stated in this constitution, or violation of this constitution, by the A.S. Superior Court. ((Should there be a vacancy in a legislative position, the Student Welfare Committee, with the approval of the Legislature, shall recommend three (3) students to the A.S. President, who shall select one (1) of the three (3) to fill the vacancy.)) Legislators who miss three (3) full regularly scheduled consecutive meetings or four (4) full regularly scheduled meetings during a quarter shall have their seat declared vacant by the A.S. Speaker. All vacancies shall be filled for the balance of the term at the next regularly scheduled election.

(5) The Legislature shall be the judge of all of the A.S. election returns and of the qualifications of its legislators and a majority of its legislators shall constitute a quorum; ((it may compel the attendance of absent legislators in such manner and under such penalties as it may provide; and)) there shall be no proxy voting; and there shall be no secret balloting.

(6) The Legislature shall meet not less than ~~((twice))~~ once each month during Fall, Winter, and Spring Quarters, and at special meetings called by the Speaker, one-third (1/3) of its legislators, or by the presentation to the President of a petition signed by five per cent (5%) of the A.S. All meetings shall be open to the public, a record shall be kept of the votes taken therein, and copies of the minutes shall be available to any member of the ~~((college))~~ university community upon request.

(7) The Legislature shall have the following powers and duties:

(a) Be responsible for its own organization, election of legislative committees, the employment and supervision of those employees whom it deems necessary to assist it or individual legislators in the exercise of their legislative duties and powers, provided it budgets for same, and said salaries shall not exceed a cabinet member's salary.

(b) Elect an A.S. legislator to the position of Speaker the Third (3rd) meeting of Fall, Winter, and Spring Quarters, who shall serve one (1) quarter not counting Summer Quarter. Vacancies occurring in the Speaker's office shall be filled in the same manner for the balance of the unexpired term.

(c) Elect an A.S. legislator to the position of Speaker Pro-Tem the third (3rd) meeting of Fall, Winter, and Spring Quarters, who shall serve one (1) quarter not counting Summer Quarter. Vacancies occurring in the Speaker Pro-Tem's office shall be filled in the same manner for the balance of the unexpired term.

(d) The Legislature shall elect from among its members a Legislative Coordinator to serve during Summer Quarter who may receive a salary not to exceed that of a Cabinet Member.

~~((d))~~ (e) Shall enforce this Constitution.

~~((e))~~ (f) May remove a cabinet officer for nonperformance of duties or violation of this Constitution.

~~((f))~~ (g) May request the A.S. Superior Court to find the A.S. President guilty of nonperformance of duties stated in this Constitution or violation of this Constitution.

(g) (h) Upon a two-thirds (2/3) vote of the A.S. Legislature, the A.S. President may be recalled as described in WAC 172-114-080(5).

(h) (i) No legislative committee shall have the authority to delay presentation to the full Legislature legislation referred to it for more than two (2) meetings without permission of the sponsor.

(i) (j) Budget and disbursement of all funds on behalf of A.S.

(j) (k) Cause to have published an annual Financial Statement and Audit.

(k) (l) Establish policies for and have supervision of all officials, budgets, committees, and organizations.

(l) (m) Render advice upon and approve or reject all appointments made by officials of the Associated Students of Eastern Washington (State College) University.

(m) (n) Publish the A.S. Committee Manual stating the membership, eligibility, purpose, and duties of each committee.

(n) (o) Approve and remove persons to and from committees.

(o) (p) Enact all legislation necessary to ensure that its policies are enforced.

(p) (q) Do anything else necessary or convenient to carry out this Constitution.

(r) By a two-thirds (2/3) vote of the A.S. Legislature, the A.S. Legislature may override a veto by the A.S. President.

(8) The Speaker shall have the following powers and duties: Prepare the agenda for and chair all meetings of the Legislature; call meetings of the Legislature; prepare a schedule of regular meetings at the beginning of Fall, Winter, and Spring Quarters for the advice and consent of the A. S. Legislature; appoint a clerk and other assistants which may be beneficial to the performance of his office or the functioning of the Legislature, with its advice and consent, and to request salaries for the same, not to exceed a cabinet member's salary; shall be responsible for executing legislative decisions; all administrative matters of the Legislature; make all legislative appointments, except as otherwise provided in this Constitution, subject to the advice and consent of the Legislature; assume the duties of the Vice President during the Vice President's absence or disability or vacancy of the office of Vice President until the Vice Presidential vacancy is filled as provided for in Article (H) IV, section 2 (WAC 172-114-~~(030)~~ 050(2); and to do all things necessary or convenient to carry out such duties not in conflict with this Constitution.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

AMENDATORY SECTION (Amending Order 75-8, Filed July 24, 1975)

WAC 172-114-050 ARTICLE IV: EXECUTIVE. (1) The Executive power of the A.S. shall be vested in the A.S. President and A.S. Vice President and may not be transferred.

(2) Candidates for the (office) offices of and the A.S. President and A.S. Vice President shall be members of the A.S., shall have/maintain a two point (2.00) cumulative grade average, be enrolled for and complete six (6) credit hours in the previous quarter (excluding Summer Quarter for the A.S. Vice President), shall have a minimum of five (5) quarters as a full time student, at least (two (2)) three (3) of which shall be in residence at the (college) university immediately prior to election for office. The A.S. President's and A.S. Vice President's office shall become vacant upon the incumbent's death, resignation, recall, withdrawal from membership in A.S. (excluding Summer Quarter for the A.S. Vice President), or declaration of nonperformance of duties states in this Constitution or violation of this Constitution, (by a two thirds (2/3) vote of the A.S. Legislature. Vacancies occurring in the President's office shall be filled at the next regular election for the balance of the unexpired term.) by the A.S. Superior Court. In case of vacancy in the office of the Presidency, the Vice President shall assume the Presidency for the balance of the unexpired term.

(3) The President and Vice President shall serve one (1) year terms, or until (his) a successor takes office, taking office on the (sixth (6th) Wednesday) ninth (9th) Thursday of the quarter in which (he is) they are elected, which shall be Spring Quarter.

(4) The President shall serve as the chief executive officer and representative of A.S.; shall enforce this Constitution; shall be responsible

for executing legislative and judicial decisions; shall present to the Legislature, at its first meeting of each quarter, his executive request legislation; may veto any Legislative Bill or Supplemental Budget passed by the A.S. Legislature within three (3) working days of passage; shall sign all Legislation within three (3) working days of passage or override of veto by the A.S. Legislature; may create cabinet positions and appoint cabinet officers with the advice and consent of the Legislature, who will serve at his pleasure except as provided for in Article III, Section 7 ((te)) (f) (WAC 172-114-040(7) ((te)) (f)), and request salaries for such cabinet officers not to exceed the limit in Article VIII, section ((6)) 7 (WAC 172-114-090 ((6)) (7)); make all appointments in an expeditious manner, except as otherwise provided for in this Constitution, subject to the advice and consent of the Legislature; shall hold twice a month executive meetings with the A.S. Vice President, Cabinet, Speaker, and Speaker Pro-Tem while the university is in session; all administrative matters and programs of A.S. except as otherwise provided for in this Constitution; may request the A.S. Superior Court to find an A.S. legislator guilty of non-performance of his duties stated in this Constitution or violation of this Constitution; and do all things necessary or convenient to carry out such duties not in conflict with this Constitution.

(5) The Vice President shall assume the office of A.S. President upon that position being vacant as provided for in Article IV, Section 2 (WAC 172-114-050(2)); assume any duties delegated by the President; shall supervise all A.S. elections; shall be responsible for validating all petitions; and assume the duties of the President during the President's absence or disability.

AMENDATORY SECTION (Amending Order 75-8, Filed July 24, 1975)

WAC 172-114-060 ARTICLE V: ELECTIONS. (1) There shall be a regular A.S. election on the ((fifth (5th) Wednesday)) eighth (8th) Thursday of Fall, Winter, and Spring Quarters; it shall be preceded by a primary election one (1) week prior; filing shall close one (1) week prior to the primary election and shall open one (1) week prior to closing.

(2) The positions of legislators, President, Vice President, and vacancies therein shall be filled through regular elections with a majority of ballots cast being required for election.

(3) All those candidates who filed in the A.S. office by 5:00 o'clock P.M. on the last day of filing and are qualified shall have their names entered on the primary election ballot. The two (2) candidates receiving the most votes for each office in the primary, who are qualified, shall have their names entered on the final election ballot; provided, however, that in case of a tie for the second most votes in the primary, the three (3) candidates receiving the most votes for that office who are qualified, shall have their names entered on the final election ballot.

(4) Should no candidate receive a majority in the final election, a run-off election shall be held one (1) week after the final election between the two (2) persons receiving the most votes in the final election, who are qualified, and only ballots for those two (2) persons shall be counted; provided, however, that in case of a tie for the second most votes in the final election, the run-off election shall be between the three (3) candidates receiving the most votes for the office, and only ballots, for those three (3) persons shall be counted.

(5) Should no candidate receive a majority in a run-off election, the Legislature shall select the winner from between those entered on the run-off election ballot, by a majority of the legislators at its next meeting.

(6) All votes shall be cast by secret ballot. The names of the candidates shall appear on the ballot in the order in which filed. All ballots shall be kept under lock and key for six (6) months after each election.

(7) The polls shall be located at:

(a) Pence Union Building;

(b) Tawanka Commons; and

(c) As otherwise provided for by the Legislature.

The polls shall be open from 8:00 o'clock A.M. until 7:00 o'clock P.M., and members of A.S. shall be allowed to vote upon presentation of suitable identification, providing that they shall be allowed to vote but once in each election.

(8) Any member of A.S. may present an "Application of Absent Voter" form to the Office of A.S. (Executive) Vice President or his/her designees for an absentee voter ballot.

(9) Two (2) election clerks shall be assigned to each polling place and they shall be solely responsible for supervising the ballots, ballot boxes, and voting at the polling place. They may not be, nor related to,

any current student. They shall be employed through the office of the A.S. (~~Executive~~) Vice President.

AMENDATORY SECTION (Amending Order 72-9, Filed September 20, 1972)

WAC 172-114-070 ARTICLE VI: JUDICIAL. (1) The judicial authority of the A.S. shall be vested in a Superior Court and such lesser courts as the A.S. Legislature may from time to time establish. The judges, both of the Superior and lesser courts, shall be members of the A.S., (~~and~~) have (~~and~~) maintain a two (2.00) cumulative grade average, and be enrolled for and complete six (6) credit hours in the previous quarter (excluding Summer Quarter). Members of the Superior Court and lesser courts shall serve until they resign, cease to be a member of A.S. (excluding Summer Quarter), (~~have less than a two (2.00) cumulative grade average;~~) or shall be impeached and convicted for cause brought by a petition signed by at least three-fourths (3/4) of the Legislators and tried by the (~~college hearing board~~) University Disciplinary Committee.

(2) The Superior Court shall serve as a court of equity, the highest appellate court in the student judicial system, and shall have full powers of Judicial Review.

(3) No court may render an opinion, hear evidence, nor pass judgment in the absence of a quorum, which shall be a majority of the court.

(4) The Superior Court shall consist of seven (7) Justices who shall select from their members one (1) who shall serve as Chief Justice, the others serving as Associate Justices. It shall be the duty of the Chief Justice to preside as chairman and chief officer at all meetings of the Superior Court and may appoint a court clerk and other assistants which may be beneficial to the functioning of the Superior Court, with the advice and consent of the Legislature, and to request salaries for the same, not to exceed a cabinet member's salary.

(5) The Justices of the Superior Court shall be appointed by the President with the advice and consent of the Legislature. Vacancies shall be filled in the same manner.

(6) The procedure of the judicial shall follow those principles of United States Law insofar as deemed practical and advisable by the bodies, and all proceedings of the judicial shall be recorded. All decisions shall be accompanied by a written opinion expressing the majority opinion and may be accompanied by dissenting or concurring written opinions. A copy of all Superior Court case records and court decisions and opinions shall be maintained in the (~~College~~) University Library.

(7) The Superior Court and lesser courts shall hear all cases and render opinions in as expeditious manner as is possible.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

AMENDATORY SECTION (Amending Order 74-8, Filed October 1, 1974)

WAC 172-114-090 ARTICLE VIII: BUDGETING. (1) The budgeting authority of the A.S. shall be vested in the Legislature and may not be transferred.

(2) The budget shall include all funds, revenues, and reserves; shall be divided into programs, sub-programs, and objects of expense and shall include supporting data; shall indicate as to each program, sub-program, or object of expense the actual expenditures of the preceding two (2) fiscal years and requested appropriations for the next fiscal year; and shall include any proposed capital improvement program for the next six (6) fiscal years.

(3) Copies of the budget shall be delivered to each member of the Legislature and be available to any member of the (~~college~~) university community upon request.

(4) Unless otherwise provided by the appropriation legislation, all unexpended and unencumbered appropriations in the current expense appropriation legislation shall lapse at the end of the fiscal year. An appropriation in the capital budget appropriation legislation shall lapse when the project has been completed or abandoned or when no expenditure or encumbrance has been made for three (3) years.

(5) Any expenditures in excess of an appropriation shall be null and void; and any official, agent, or employee knowingly responsible shall be personally liable to anyone damaged by his action; providing the

Legislature may permit the A.S. to enter into contracts requiring the payment of funds from appropriations of subsequent fiscal years.

(6) (~~The A.S. President and A.S. Legislature's Speaker shall receive salaries at a rate of Five Hundred Dollars (\$500.00) per quarter that they are enrolled and in office except the Speaker shall not be paid for Summer Quarter. Cabinet officers may be paid no more than one-half (1/2) of an elected officer's salary.~~) Regular budgets shall be those budgets adopted during Spring Quarter for the following fiscal year. Supplemental budgets shall be all other budget requests made throughout the year.

(7) The A.S. President and A.S. Speaker shall receive quarterly salaries based upon the following formula: Quarterly cost of in-state tuition, double occupancy room and board, and \$100 for expenses. The A.S. Vice President shall receive a quarterly salary, except for Summer Quarter, based upon the following formula: Quarterly cost of in-state tuition and double occupancy room and board. Cabinet officers may be paid no more than one-half (1/2) of the A.S. President's salary.

AMENDATORY SECTION (Amending Order 74-5, Filed June 5, 1974)

WAC 172-114-110 AMENDMENTS. (1) This Constitution may be amended by a two-thirds (2/3) vote of those voting on the proposed modification at any regular election (~~and~~) provided that 15% of the members of A.S. vote in that election. ((if)) If adopted, it shall become effective upon approval, as prescribed under Administrative Procedures Act hearing rules, by the Board of Trustees.

(2) Proposed constitutional amendments shall be presented to the members of the A.S. for approval upon the request of at least two-thirds (2/3) of the voting members of the Legislature or upon petition of at least ten per cent (10%) of the A.S.

(3) The By-Laws may be amended by a two-thirds (2/3) vote of the voting members of the Legislature provided that previous written notice of such amendment has been given at the previous meeting, or by a majority of those voting on the proposed modification at any regular election and if so adopted shall become effective immediately.

(4) Proposed By-Laws amendments shall be presented to the members of the A.S. for approval upon the request of at least one-half (1/2) of the voting members of the Legislature or upon at least ten per cent (10%) of the members of the A.S.

(5) Approved constitutional and By-Laws amendments shall be incorporated into the article, section, and clause of the Constitution or By-Laws to which they refer.

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

WSR 78-06-045

PROPOSED RULES

DEPARTMENT OF LICENSING (Examining Board of Psychology)

[Filed May 23, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Examining Board of Psychology intends to adopt, amend, or repeal rules concerning prerequisite educational requirements for licensing and prerequisite experience requirements for licensing. A copy of the proposed rules is attached; however, changes may be made at the public hearing;

that such agency will at 1:30 p.m., Friday, July 14, 1978, in the Green Room, Sea-Tac Main Terminal Building, Seattle, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Friday, July 14, 1978,

in the Green Room, Sea-Tac Airport, Main Terminal Bldg., Seattle, WA.

The authority under which these rules are proposed is chapters 18.83 and 34.04 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 14, 1978, and/or orally at 1:30 p.m., Friday, July 14, 1978, Green Room, Sea-Tac Airport, Main Terminal Bldg., Seattle, WA.

Dated: May 23, 1978

By: Eldon E. Jacobsen, Ph. D.
Chairman

AMENDATORY SECTION (Amending Administrative Order PL 245, filed 4/15/76)

WAC 308-122-200 PSYCHOLOGISTS—EDUCATION PREREQUISITE TO LICENSING. (1) To meet the education requirement imposed by the statute, an applicant must possess a doctoral degree from a training institution approved by the board in which at least forty semester hours, or sixty quarter-hours, of graduate courses were passed successfully, and were clearly identified by title and course content as being primarily psychological in nature, as determined by the board. Part of the standards for issuance of said degree must require the submission of an original dissertation which must be psychological in nature, as determined by the board.

(2) The following guidelines define the "academic core" of study that should have been completed by each applicant:

(a) Programs accredited by the American Psychological Association are recognized as meeting the definition of a professional psychology program. The criteria for accreditation serve as a model for professional training.

(b) Training in professional psychology is doctoral training offered in a regionally accredited institution of higher education.

(c) The program must be clearly identified and labeled as a psychology program. Pertinent catalogues and brochures must show intent to educate and train professional psychologists.

(d) The psychology program must stand as a recognizable, coherent, organizational entity within the institution.

(e) There must be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines.

(f) There must be an organized sequence of study planned by those responsible for the training program to provide an appropriate, integrated, experience applicable to the professional practice of psychology.

(g) There must be an identifiable psychology faculty and a psychologist responsible for the program.

(h) There must be an identifiable body of students, selected on the basis of high ability and appropriate educational preparation.

(i) Programs must include practicum, internship, field or laboratory experience appropriate to the practice of psychology.

(j) The curriculum should encompass a minimum (or equivalent) of three academic years of full-time graduate study. The doctoral program should involve at least one continuous year of full-time residency at the University at which the degree is granted. Instruction should include scientific and professional ETHICS and STANDARDS, HISTORY and SYSTEMS: RESEARCH DESIGN and METHODOLOGY; STATISTICS and PSYCHOMETRICS. The core program should also require each student to obtain an academic background of the following content areas (typically six or more semester hours):

(i) Biological Bases of Behavior: e.g., physiological psychology, comparative, neuropsychology, sensation and perception, psychopharmacology.

(ii) Cognitive-Affective Bases of Behavior: e.g., learning, thinking, motivation, emotions.

(iii) Social Bases of Behavior: e.g., social, psychology, group processes, organizational and systems theory.

(iv) Individual Differences: e.g., personality theory, human development, abnormal psychology.

(3) If the major emphasis is in an applied area such as clinical, counseling, school or industrial-organizational psychology, the program must include a set of coordinated practicum and internship experiences which total at least two semesters in the practicum setting,

and additionally a "one-year internship". A minimum of 300 hours of practicum, including at least 100 hours of scheduled individual supervision, should precede the internship.

(4) The psychological services offered in the internship program should be consistent with guidelines in "Standards for Providers of Psychological Services" published by the American Psychological Association.

AMENDATORY SECTION (Amending Administrative Order PL 245, filed 4/15/76)

WAC 308-122-210 PSYCHOLOGISTS—EXPERIENCE PREREQUISITE TO LICENSING. (1) The law requires that the applicant have at least one year experience practicing psychology under qualified supervision after receipt of a doctoral degree. In view of APA standards of ethical practice that a psychologist should not practice beyond the area of his or her competence, such supervision must be appropriate to the area of professional activity in which the candidate intends to function. Consequently, applicants should obtain appropriate training, experience and supervision in areas of professional functioning.

(2) To be considered qualifying experience, the applicant must have worked under the direct supervision of a licensed psychologist or other professional deemed appropriate by the board. The board considers supervision to include an ongoing awareness of all aspects of the activities of the person being supervised within the operative setting. There should be a minimum of one hour of individual supervision for every twenty hours of practice. The amount and intensity of supervision should be appropriate to the applicant's level of training and experience. The majority of supervised hours should be in the area(s) of intended psychological work. For example:

(a) In the clinical and counseling areas, supervision should include;

(i) Selection of cases

(ii) Assessment

(iii) Treatment plan

(iv) Ongoing treatment

(v) Termination.

(b) With respect to teaching, supervision should include;

(i) Discussion of course outline(s)

(ii) Discussion of teaching and evaluation methods

(iii) Direct observation and/or review of taped class lectures and discussions.

(c) Regarding school psychology, supervision should include;

(i) Application of appropriate rules and regulations as promulgated by the office of the Superintendent of Public Instruction.

(ii) Assessment procedures

(iii) Psychological reporting

(iv) Consultation

(v) Follow through.

(3) The following is a non-exclusive list of examples of activities which the board ordinarily will not consider as meeting the experience requirement of the statute:

((+)) (a) Functioning as an autonomous provider of psychological services.

((+)) (b) Independent individual or group private practice.

((+)) (The amount and intensity of supervision should be appropriate to the applicant's level of training and experience.)

(4) A year of experience is considered to consist of a minimum of 1500 supervised clock hours. Post-doctoral experience may commence as soon as all requirements for the doctoral degree have been completed. ((Ordinarily the board interprets this to mean that post-doctoral experience may begin immediately following the successful completion of the final oral examination for the doctoral degree.))

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

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

WSR 78-06-046
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed May 23, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning the amending of chapter 388-29 WAC relating to AFDC and GAU—Eligibility—Standards of assistance;

It is the intention of the Department to file these rules on an emergency basis effective July 1, 1978;

that such agency will at 10:00 a.m., Wednesday, July 12, 1978, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 19, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 74.08.090.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 10:00 a.m., Wednesday, July 12, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: May 23, 1978
 By: Thomas G. Pinnock
 Acting Secretary

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-100 MONTHLY STANDARDS FOR BASIC REQUIREMENTS—AFDC AND CONTINUING GENERAL ASSISTANCE. (1) The state-wide monthly standards for food, clothing, personal maintenance and necessary incidentals, household maintenance and shelter for those owning (including life estate), buying or renting an apartment or house shall be:

Recipients in Household	State Standard	Area Differential for King, Pierce, Snohomish and Thurston Counties	State Standard Plus Area Differential for King, Pierce, Snohomish and Thurston Counties
1	\$((190))	\$((11))	\$((201))
	200	12	212
2	((263))	((29))	((292))
	277	31	308
3	((330))	((25))	((355))
	348	27	375
4	((391))	((25))	((416))
	412	27	439
5	((452))	((25))	((477))
	476	27	503
6	((513))	((25))	((538))
	540	27	567
7	((574))	((25))	((599))
	604	27	631
8	((635))	((25))	((660))
	668	27	695
9	((696))	((25))	((721))
	732	27	759
10	((757))	((25))	((782))
	796	27	823
11	((818))	((25))	((843))

Recipients in Household	State Standard	Area Differential for King, Pierce, Snohomish and Thurston Counties	State Standard Plus Area Differential for King, Pierce, Snohomish and Thurston Counties
	860	27	887
12	((879))	((25))	((904))
	924	27	951
13	((940))	((25))	((965))
	988	27	1015
14	((1001))	((25))	((1026))
	1052	27	1079
15	((1062))	((25))	((1087))
	1116	27	1143
16	((1123))	((25))	((1148))
	1180	27	1207
17	((1184))	((25))	((1209))
	1244	27	1271
18 or more	((1245))	((25))	((1270))
	1308	27	1335

- (2) Deleted
- (3) Household with supplied shelter.

The monthly standard for supplied shelter includes requirements for food, clothing, personal maintenance and necessary incidentals, and household maintenance.

Recipients in household - all counties

1	\$((123))	130
2	((179))	189
3	((238))	251
4	((297))	313
5	((357))	377
6	((415))	438
7	((472))	498
8	((531))	560
9	((589))	621
10	((646))	682
11	((705))	744
12	((764))	806
13	((823))	868
14	((881))	929
15	((939))	991
16	((999))	1054
17	((1056))	1114
18 or more	((1115))	1176

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-110 MAXIMUMS TO MONTHLY STANDARDS FOR BASIC REQUIREMENTS. Grants to families of 7 or more shall not exceed the following maximums. In computing the grant amount nonexempt income and resources which are available to meet need shall be deducted from the monthly standard specified in WAC ((388-28-100)) 388-29-100.

Maximum	Number of recipients in household					
	7	8	9	10	11	12
	(\$598)	\$631	\$662	\$691	\$718	\$743)
	\$631	\$664	\$695	\$724	\$751	\$776
Maximum	13	14	15	16	17	18
	(\$766)	\$787	\$806	\$823	\$838	\$851)
	\$799	\$820	\$839	\$856	\$871	\$884

AMENDATORY SECTION (Amending Order 1254, filed 12/1/77)

WAC 388-29-130 COST STANDARDS FOR REQUIREMENTS—PERSON IN CONGREGATE CARE FACILITY. (1) The cost standard for congregate care shall be the rate established by the department for payment to specific congregate care facilities.

(2) Congregate care facility residents who receive SSI or GAU benefits are entitled to the earned and unearned income exemptions applicable to those programs. Any remaining nonexempt income shall be applied first toward the monthly cost standard for clothing, personal maintenance, and necessary incidentals, and then toward the cost of care.

(3) The monthly cost standard for clothing, personal maintenance, and necessary incidentals for a person in a congregate care facility shall be \$25.00, with the following exceptions:

(a) For a resident converted to the SSI program on January 1, 1974, the standard shall be \$27.30. This amount includes the monthly allowance of \$4.20 which is applicable to a resident on the date of conversion.

(b) For persons under 18 in developmental disabilities group homes, the standard shall be ~~\$(27.45))~~ 28.95.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-135 COST STANDARDS FOR REQUIREMENTS—MATERNITY HOME CARE. (1) The payment standard for a recipient of AFDC residing in a maternity home shall be ~~\$(404.70))~~ 426.45 per month, including ~~\$(27.45))~~ 28.95 clothing and personal incidentals.

(2) The standard for maternity home care for an unmarried child eligible for foster care payment shall be the rate established in the agreement between the department and the maternity home agency.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-160 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIC CIRCUMSTANCES—RESTAURANT MEALS. (1) Restaurant meals shall be an additional requirement only when:

(a) the individual is physically or mentally unable to prepare any of his meals, and

(b) board, or board and room, is not available or the use of such facilities is not feasible for an individual.

(2) The monthly additional requirement for restaurant meals shall be ~~\$(62.35))~~ 65.80.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-170 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—DAILY RESTAURANT MEALS. (1) The standard for emergency restaurant meals shall be ~~\$(3.30))~~ 3.50 per day.

(2) The daily restaurant meal standard shall be used only when such assistance is required pending full determination of eligibility, or for temporary assistance of a week or less. The emergency standard shall be used not to exceed one week within a thirty-day period. When need for restaurant meals continues beyond one week, the standard in WAC 388-29-160 shall be used.

(3) The emergency restaurant meal allowance is a subsistence standard and does not provide adequate nutrition for a prolonged period.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-200 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—FOOD FOR GUIDE DOG. The cost of food for a guide dog shall be an additional requirement when an applicant for SSI or an assistance grant has a guide dog assigned to him by an accredited guide dog organization. The cost standard for food for a guide dog shall be ~~\$(20.05))~~ 21.15.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-220 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—LAUNDRY. (1) Laundry is an additional requirement when:

(a) The applicant or recipient is physically unable to do his laundry, and

(b) He has no one able to perform this service for him.

(2) The monthly cost standard for laundry shall be ~~\$(5.45))~~ 5.75.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-260 REQUIREMENTS OF PERSON IN BOARDING HOME—CONTINUING GENERAL ASSISTANCE. (1) The standard for board and room shall be ~~\$(137.90))~~ 145.50 per month or ~~\$(4.53))~~ 4.78 per day.

(2) The monthly standard for clothing and person maintenance and necessary incidentals shall be \$25.00.

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-29-280 ADULT FAMILY HOME CARE—COST STANDARDS. ~~((+))~~ The monthly cost standards for the grant requirements of an adult receiving approved care in an adult family home are:

~~((+))~~ (1) ~~\$(241.85))~~ 255.15 a month for room, board, laundry, personal and social care and nursing care as appropriate or required, or

~~((+))~~ (2) ~~\$(211.70))~~ 223.35 a month for room, board, laundry, personal and social care and necessary supervision, and

~~((+))~~ (3) \$25 for clothing and personal maintenance and necessary incidentals.

WSR 78-06-047

PROPOSED RULES

STATE BOARD FOR

COMMUNITY COLLEGE EDUCATION

[Filed May 23, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board for Community College Education, intends to adopt, amend, or repeal rules concerning tuition and fee charges made to students registered at Washington community colleges, WAC 131-28-025, 131-28-026 and 131-28-027;

that such agency will at 8:30 a.m., Wednesday, June 28, 1978, in the Olympia Technical Community College, 2011 Mottman Road, Olympia, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 8:30 a.m., Wednesday, June 28, 1978, in the Olympia Technical Community College, 2011 Mottman Road, Olympia, WA.

The authority under which these rules are proposed is RCW 28B.15.500 and 28B.50.140(16).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to June 28, 1978, and/or orally at 8:30 a.m., Wednesday, June 28, 1978, Olympia Technical Community College, 2011 Mottman Road, Olympia, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-04-067 filed with the code reviser's office on March 31, 1978.

Dated: May 22, 1978

By: Gilbert Carbone
Assistant Director

AMENDATORY SECTION (Amending Order 39, filed 6/27/75)

WAC 131-28-025 METHOD OF ASSESSING TUITION AND FEE CHARGES. (1) For academic and occupational regular or short courses, tuition and fees charged to students:

(a) shall be based upon the number of credits assigned to such courses as listed in the official and current catalog of the college, or for courses not given such credit designations, the number of credit equivalents as computed by the method for deriving such equivalents established by the State Board.

(b) shall be assessed on a per-credit basis at uniform rates for resident and for non-resident students, provided:

(i) that the respective maximums charged to any resident or non-resident student shall not exceed the amount specified in RCW 28B.15.500,

(ii) that the required non-resident differential is charged, and

~~((iii) that for such courses the district board of trustees may reduce, but not eliminate, the total combined tuition and fees charged if in its judgment such amount would constitute an exorbitant charge considering the nature and content of the course, special circumstances related to the cost of offering the course, or unique characteristics of the students for whom the course is intended:))~~

(c) shall be assessed for part-time students, for each credit of registration or its equivalent, at the rate of one-tenth of the total combined tuition, operating, and services and activities fees charged to full-time students consistent with RCW 28B.15.500.

(2) The provisions of this section shall not apply to the ungraded courses set forth in WAC 131-28-026. ((apprenticeship related training courses that meet the standards approved by the State Joint Apprenticeship Council pursuant to RCW 49.04.030, industrial first aid courses, designed to meet the requirements of the Washington Industrial Safety and Health Act of 1973, parent education courses offered in conjunction with cooperative pre-school education programs, and farm management courses that incorporate on-the-farm supervision, instruction, and work experience credit. Tuition and fees for such courses shall be those established by the district board of trustees subject to the approval of the State Board to the end that such charges shall be substantially uniform throughout the college system:))

(3) For community service regular or short courses, fees charged to students:

(a) shall be designated as a special fee, all revenue from which shall be used for the general operations and maintenance of the college;

(b) shall be based upon the number of credits assigned to such courses as listed in the official current catalog of the college, or for courses not so listed or given such credit designations, the number of credit equivalents as computed by the method for deriving such equivalents established by the State Board; and

(c) shall be assessed at a ~~((uniform))~~ rate sufficient to defray the ~~((total))~~ direct and indirect costs of offering ~~((all))~~ such community service courses ~~((during any fiscal year, provided that the district board of trustees may reduce the special fee for any specific community service course if in its judgment assessing such fee at the uniform rate would constitute an exorbitant charge considering the nature and content of the course, special circumstances related to the cost of offering the course, or unique characteristics of the students for whom the course is intended)).~~

(4) Nothing herein shall be construed to be a restriction on the right of the district board of trustees to assess additional non-instructional fees and special fees to cover unique instructional costs or expendable instructional materials related to any course offered by a college district.

~~((5) Fees for courses and programs for federally indentured apprentices shall be set by the district board of trustees:))~~

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

AMENDATORY SECTION (Amending Order 63, filed 9/13/77)

WAC 131-28-026 TUITION AND FEE CHARGES FOR CERTAIN UNGRADED COURSES. (1) For the purpose of implementing WAC 131-28-025(2), the tuition and fees, exclusive of special fees, charged by any Washington community college for the following ungraded courses shall be:

Course	Tuition	Operating Fee	Services and Activities Fee
((+)) (a) Courses offered for the purpose of satisfying related or supplemental requirements for apprentices while indentured with the	((+\$10.50)) \$13.50 per year	((+\$10.50)) \$13.50 per year	No Charge

Course	Tuition	Operating Fee	Services and Activities Fee
Washington State Apprenticeship Council or Federal Bureau of Apprenticeship and Training			
((2)) (b) Department of Labor and Industries Industrial first aid courses offered for the purpose of satisfying WISHA first aid certification requirements	No Charge	No Charge	No Charge
((3)) (c) Parent education involving pre-school cooperative program	One-half the standard district charge per credit per quarter less one-half of pre-school cooperative fee	One-half the standard district charge per credit per quarter less one-half of pre-school cooperative fee	No Charge
((4)) (d) Farm management and small business management	((28.00)) \$40.00 per two-member unit per year plus ((14.00)) \$20.00 for each additional member enrolled	((28.00)) \$40.00 per two-member unit per year plus ((14.00)) \$20.00 for each additional member enrolled	No Charge
((6)) (e) Adult Basic Education courses supported by federal funds and English as a Second Language courses funded from such sources	No Charge	No Charge	No Charge

(2) For the purpose of computing any refunds related to such tuition and fees charged for apprenticeship, small business management and farm management courses, the total tuition and fees charged on a yearly basis shall be prorated to a quarterly basis.

(3) In addition to the ungraded courses set forth in subsection (1) of this section, college district boards of trustees may designate and set tuition, operating fees, and services and activities fees for such other ungraded courses as they may determine consistent with the provisions of subsection (4) of this section.

(4) Ungraded courses shall be defined as those courses, other than academic transfer, occupational preparatory, or community service courses, as classified according to the official course classification taxonomy established by the State Board, that meet the following qualifications:

(a) The primary intent of offering the course is other than providing academic credit applicable to an associate's or higher degree.

(b) The course has a specialized purpose in that it is intended to meet the unique educational needs of a specific category or group of students.

WSR 78-06-048

PROPOSED RULES

PUBLIC DISCLOSURE COMMISSION

[Filed May 23, 1978]

(c) The course is offered for the purpose of providing this individual student with a discreet skill or basic body of knowledge other than that intended to lead to initial employment.

(d) The course cannot be administered as a contract course pursuant to WAC 131-28-027.

(e) The course is not offered as an integral part of any lower-division curriculum or program.

(f) The course is not one specifically or primarily intended to satisfy requirements for receiving a high school diploma.

(5) It is the intent of the State Board that tuition and fees established by district boards of trustees pursuant to this section shall be consistent throughout the college system. As a means of effectuating this policy, tuition and fees established pursuant to this section shall be contingent upon approval by the state director, who shall review the level of such charges with respect to system-wide consistency.

(6) Tuition, operating fees, and services and activities fees received pursuant to this section shall be accounted for and deposited in conformance with the provisions of RCW 28B.50.360, 28B.15.031, and 28B.15.041 respectively.

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

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

AMENDATORY SECTION (Amending Order 65, filed 9/13/77)

WAC 131-28-027 COSTS AND SPECIAL FEES FOR CONTRACTED EDUCATIONAL SERVICES. (1) College districts that choose to offer contractual educational courses or services, as authorized by RCW 28B.50.140(16), to private or governmental entities and their member, employees or agents shall establish a special fee to be paid by either each student enrolled or a total fee for the service or course to be paid by the entity involved. Such special fee shall be set forth in the contractual agreement establishing such courses or services.

(2) Contractual educational courses or services may be offered when a district makes a determination that it is not reasonable feasible for financial or other reasons, to offer such courses or services as a part of the regular curriculum. Upon making such determination, the district may offer such courses or services and limit participation therein to employees, agents, or members of the particular entity.

(3) Contractual educational courses or services are those instructional courses which may be provided to meet special instructional needs of military, corporate, or other governmental or private entities where enrollments will be limited to the membership of the entity and includes administrative, organizational, research, public service or program development services of the college district.

(4) Any enrollments generated through contracts for educational courses or services developed pursuant to this regulation shall be appropriately designated so that they shall not be counted toward the official enrollment level of the college so that there will not be any state funding for such courses or services.

(5) The special fee charged for any such contractual educational course or service shall be retained by the college district to defray the cost of such course or service and may be used for the general operations and maintenance of the college district.

(6) The special fees charged pursuant to this regulation shall be sufficient to offset the full instructional costs of offering the course or service. Calculation of the full instructional cost level shall include all direct and indirect costs such as those for salaries and related benefits; supplies, public information; business services for budgeting, auditing, financial reporting, purchasing, payroll, and cashing; mail service, postage, telephone; admissions; registration; data processing; and maintenance of any public facilities used.

(7) If the instructor for any course performs such services as a paid employee or personal services contractor of another state agency, the course shall be considered a contract course subject to the provisions of this section, except when reimbursement for such services is made to the other agency by the college district.

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 42.17 RCW, that the Public Disclosure Commission intends to adopt, amend, or repeal rules concerning:

New WAC 390-20-028 Definition of terms "communicate", "communication", "communicating" and "legislation".

New WAC 390-20-051 Application of RCW 42.17.190 to lobbying of the legislature and governor.

New WAC 390-20-053 Application of RCW 42.17.190 to lobbying of other agencies.

New WAC 390-20-055 Application of RCW 42.17.190 to intra-agency activity.

Amd WAC 390-20-120 Forms for report of legislative activity by state and local government agencies;

that such agency will at 9:00 a.m., Tuesday, July 18, 1978, in the Second Floor Conference Room, Evergreen Plaza Building, 711 Capitol Way, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Tuesday, July 18, 1978, in the Conference Room, Evergreen Plaza Bldg., Olympia, WA.

The authority under which these rules are proposed is RCW 42.17.370(1).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 18, 1978, and/or orally at 9:00 a.m., Tuesday, July 18, 1978, Second Floor Conference Room, Evergreen Plaza Bldg., Olympia, WA.

Dated: May 22, 1978

By: Graham E. Johnson
Administrator

NEW SECTION

WAC 390-20-028 DEFINITION OF TERMS "COMMUNICATE", "COMMUNICATION", "COMMUNICATING", AND "LEGISLATION." (1) The terms "communicate", "communication", and "communicating" when used in WAC chapter 390-20 and in RCW 42.17.190 shall be deemed to be synonymous with the statutory definition of "lobbying", RCW 42.17.020(18), and include all oral or written communications or writings of that nature which are made within the specific or general authority of the officer or employee.

(2) The term "legislation", as used in these regulations, shall have the same meaning as defined in RCW 42.17.020(17), but shall not include appropriations or approvals of budgets.

NEW SECTION

WAC 390-20-051 APPLICATION OF RCW 42.17.190 TO LOBBYING OF THE LEGISLATURE AND GOVERNOR. Each agency shall include in its L-5 report the required information regarding communications by its officers and employees with members, officers or employees of the state legislature or with the governor or officers or employees of the governor's office if (1) agency funds were spent for salaries, travel, publications, consultants, etc. for lobbying, or (2) agency officers or employees communicate with members or staff of the legislature on legislation whether on request of a legislator or otherwise when the nature of the communication is to influence legislative action, or (3) agency officers or employees communicate to the legislature requests for legislation, or (4) agency officers or employees attempt to secure the governor's approval or veto (full or partial) of any measure which has passed the legislature.

NEW SECTION

WAC 390-20-053 APPLICATION OF RCW 42.17.190 TO LOBBYING OF OTHER AGENCIES. (1) Each agency shall include in its L-5 report the required information regarding its communication with officers or employees of other agencies when the purpose of the communication is to influence:

(a) the adoption or rejection of any proposed rule, standard, rate or other legislative enactment of the other state agency under the Administrative Procedure Act, or

(b) any proposed change to an existing rule, standard, rate or other legislative enactment of another state agency.

(2) No report is required for communications consisting solely of inquiries or factual responses concerning the application of an existing or proposed rule, standard, rate or other legislative enactment of the state agency, where no effort is made to influence the rule-making body.

NEW SECTION

WAC 390-20-055 APPLICATION OF RCW 42.17.190 TO INTRA-AGENCY ACTIVITY. (1) As to activity taking place within an agency, each agency shall include in its L-5 report information regarding activity which (a) is lobbying as defined in RCW 42.17.020(18), and (b) occurs pursuant to an expressed or implied directive from the governing body or agency head.

(2) Employees of an agency who lobby during their normal working hours on matters not directly affecting the agency or not within the agency's responsibility, or who advocate a position different from the official agency position of the agency while lobbying, must do so while on a status of leave. Any such employee should be aware that they may incur a reporting requirement as any other lobbyist pursuant to RCW 42.17.150, .170 unless exempted by RCW 42.17.160.

AMENDATORY SECTION (Amending Order 94, filed 10/31/77)

WAC 390-20-120 FORMS FOR REPORT OF LEGISLATIVE ACTIVITY BY STATE AND LOCAL GOVERNMENT AGENCIES. Pursuant to the statutory authority of RCW 42.17.190, the official form for report of legislative activity by state and local government agencies as required by RCW 42.17.190 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "L-5". Copies of this form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.

**WSR 78-06-049
EMERGENCY RULES
PUBLIC DISCLOSURE COMMISSION
[Order 97—Filed May 23, 1978]**

I, Graham E. Johnson, administrator of the Public Disclosure Commission, do promulgate and adopt at the Evergreen Plaza Building, Olympia, Washington, the annexed rules relating to:

- New WAC 390-20-028 Definition of terms "communicate", "communication", "communicating" and "legislation".
- New WAC 390-20-051 Application of RCW 42.17.190 to lobbying of the legislature and governor.
- New WAC 390-20-053 Application of RCW 42.17.190 to lobbying of other agencies.
- New WAC 390-20-055 Application of RCW 42.17.190 to intra-agency activity.
- Amd WAC 390-20-120 Forms for report of legislative activity by state and local government agencies.

I, Graham E. Johnson, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is revised form must be printed and ready for use by June 30, 1978.

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

This rule is promulgated pursuant to RCW 42.17.370(1) and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 17, 1978.

By Graham E. Johnson
Administrator

NEW SECTION

WAC 390-20-028 DEFINITION OF TERMS "COMMUNICATE", "COMMUNICATION", "COMMUNICATING", AND "LEGISLATION." (1) The terms "communicate", "communication", and "communicating" when used in WAC chapter 390-20 and in RCW 42.17.190 shall be deemed to be synonymous with the statutory definition of "lobbying", RCW 42.17.020(18), and include all oral or written communications or writings of that nature which are made within the specific or general authority of the officer or employee.

(2) The term "legislation", as used in these regulations, shall have the same meaning as defined in RCW 42.17.020(17), but shall not include appropriations or approvals of budgets.

NEW SECTION

WAC 390-20-051 APPLICATION OF RCW 42.17.190 TO LOBBYING OF THE LEGISLATURE AND GOVERNOR. Each agency shall include in its L-5 report the required information regarding communications by its officers and employees with members, officers or employees of the state legislature or with the governor or officers or employees of the governor's office if (1) agency funds were spent for salaries, travel, publications, consultants, etc. for lobbying, or (2) agency officers or employees communicate with members or staff of the legislature on legislation whether on request of a legislator or otherwise when the nature of the communication is to influence legislative action, or (3) agency officers or employees communicate to the legislature requests for legislation, or (4) agency officers or employees attempt to secure the governor's approval or veto (full or partial) of any measure which has passed the legislature.

NEW SECTION

WAC 390-20-053 APPLICATION OF RCW 42.17.190 TO LOBBYING OF OTHER AGENCIES. (1) Each agency shall include in its L-5 report the required information regarding its communication with officers or employees of other agencies when the purpose of the communication is to influence:

(a) the adoption or rejection of any proposed rule, standard, rate or other legislative enactment of the other state agency under the Administrative Procedure Act, or

(b) any proposed change to an existing rule, standard, rate or other legislative enactment of another state agency.

(2) No report is required for communications consisting solely of inquiries or factual responses concerning the application of an existing or proposed rule, standard, rate or other legislative enactment of the state agency, where no effort is made to influence the rule-making body.

NEW SECTION

WAC 390-20-055 APPLICATION OF RCW 42.17.190 TO INTRA-AGENCY ACTIVITY. (1) As to activity taking place within an agency, each agency shall include in its L-5 report information regarding activity which (a) is lobbying as defined in RCW 42.17.020(18), and (b) occurs pursuant to an expressed or implied directive from the governing body or agency head.

(2) Employees of an agency who lobby during their normal working hours on matters not directly affecting the agency or not within the agency's responsibility, or who advocate a position different from the official agency position of the agency while lobbying, must do so while on a status of leave. Any such employee should be aware that they may incur a reporting requirement as any other lobbyist pursuant to RCW 42.17.150, .170 unless exempted by RCW 42.17.160.

AMENDATORY SECTION (Amending Order 94, filed 10/31/77)

WAC 390-20-120 FORMS FOR REPORT OF LEGISLATIVE ACTIVITY BY STATE AND LOCAL GOVERNMENT AGENCIES. Pursuant to the statutory authority of RCW 42.17.190, the official form for report of legislative activity by state and local government agencies as required by RCW 42.17.190 is hereby adopted for use in reporting to the Public Disclosure Commission. This form shall be designated as "L-5". Copies of this form may be obtained at the Commission office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.

WSR 78-06-050
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-30—Filed May 23, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington the annexed rules relating to personal use salmon angling regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity

to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is this order is necessary to protect early Spring Chinook returning to the Soleduck Hatchery.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 23, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-57-46000A SOLEDUCK RIVER Notwithstanding the provisions of WAC 220-57-460, it shall be unlawful from May 27th through June 2, 1978, to take, fish for or possess for personal use, chinook salmon over 24 inches in length in that portion of the Soleduck River from the mouth of Spring Creek downstream to the lower most Highway 101 bridge 2.5 miles North of Forks.

WSR 78-06-051
PROPOSED RULES
SUPERINTENDENT OF PUBLIC INSTRUCTION
[Filed May 24, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning the attendance of nonresident students and students over the age of twenty-one at a public school set forth in chapter 392-137 WAC; including but not limited to, amendments correcting references to orders of transfer by the State Board of Education to orders of transfer by the Superintendent of Public Instruction;

that such agency will at 9:00 a.m., Tuesday, July 11, 1978, in the Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Tuesday, July 18, 1978, in the Old Capitol Bldg., Legion and Washington, Dr. Brouillet's Conference Room, Olympia, WA.

The authority under which these rules are proposed is RCW 28A.58.240.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 11, 1978, and/or orally at 9:00

a.m., Tuesday, July 11, 1978, Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA.

Dated: May 23, 1978

By: Frank Brouillet
Superintendent of Public Instruction

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-137-020 NONRESIDENT STUDENTS UNDER THE AGE OF TWENTY-ONE—MUTUAL AGREEMENT BETWEEN RESIDENT AND NONRESIDENT DISTRICTS REQUIRED. (1) A nonresident student who is under the age of twenty-one may be admitted by a nonresident district only pursuant to an agreement between the student's resident district and the nonresident district or pursuant to an order of the ~~((state board of education made pursuant to chapter 66, Laws of 1975, 1st ex. sess))~~ superintendent of public instruction pursuant to RCW 28A.58.242 and chapter 392-183

WAC. In the event the student is considered to be a resident of more than one district pursuant to the definition of "resident student" set forth in WAC 392-137-010(2), the agreement shall be between the nonresident district and the district in which the student was last enrolled and is considered to be a resident.

(2) A student's attendance shall be credited in all cases to the school district of enrollment unless:

(a) The superintendent of public instruction is notified by order of the board of directors of a student's resident district provided for in subsection (1) that the student is attending a nonresident district without authorization pursuant to an agreement or order of the ~~((state board))~~ superintendent releasing the student, and

(b) it is established that neither such an agreement nor order of the ~~((state board))~~ superintendent exists.

(3) In the event it is so established that a student is enrolled in a nonresident district without authorization, equalization apportionment and other state payments in connection with the student's enrollment shall be discontinued until:

- (a) The student enrolls in a resident district,
- (b) an agreement required by subsection (1) is entered into, or
- (c) the ~~((state board))~~ superintendent orders the release of the student.

WSR 78-06-052

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed May 24, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction, intends to adopt, amend, or repeal rules concerning the conditions, limitations and procedures governing educational service district budgets set forth in chapter 392-125 WAC; including, but not limited to, the adoption of a new section recognizing that educational service districts may enter into five-year contracts in specified cases and requiring the adoption of a schedule in the budget for each fund setting forth data regarding such extended contracts;

that such agency will at 9:00 a.m., Tuesday, July 11, 1978, in the Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Tuesday, July 18, 1978, in the Old Capitol Bldg., Legion and Washington, Dr. Brouillet's Conference Room, Olympia, WA.

The authority under which these rules are proposed is RCW 28A.21.135 and 28A.58.131.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 11, 1978, and/or orally at 9:00 a.m., Tuesday, July 11, 1978, Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA.

Dated: May 23, 1978

By: Frank Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-125-080 CONTRACTUAL LIABILITY EXTENDING BEYOND END OF FISCAL PERIOD. The board of any educational district may enter into contracts for their respective districts for periods not exceeding five years in duration with public and private persons, organizations, and entities for the following purposes:

(1) To rent or lease building space, portable buildings, security systems, computers, and other equipment; and

(2) To have maintained and repaired security systems, computers and other equipment.

The budget of each educational service district shall contain a schedule which identifies that portion of each contractual liability incurred pursuant to RCW 28A.21.310 which extends beyond the fiscal period. Said schedule shall list for each such contractual liability a brief description, the accounting code, the beginning and ending dates, the total dollar amount, and the estimated amount extending beyond the end of the fiscal period being budgeted.

WSR 78-06-053

PROPOSED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Filed May 24, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning the conditions, limitations and procedures governing school district budgets set forth in chapter 392-123 WAC; including, but not limited to, the adoption of a new section recognizing that school districts may enter into five-year contracts in specified cases and requiring the adoption of a schedule in the budget for each fund setting forth data regarding such extended contracts;

that such agency will at 9:00 a.m., Tuesday, July 11, 1978, in the Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Tuesday, July 18, 1978, in the Old Capitol Bldg., Legion and Washington, Dr. Brouillet's Conference Room, Olympia, WA.

The authority under which these rules are proposed is RCW 28A.65.465 and 28A.58.131.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 11, 1978, and/or orally at 9:00 a.m., Tuesday, July 11, 1978, Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA.

Dated: May 23, 1978

By: Frank Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-123-165 CONTRACTUAL LIABILITY EXTENDING BEYOND END OF FISCAL PERIOD. The board of directors of any school district may enter into contracts for their respective districts for periods not exceeding five years in duration with public and private persons, organizations, and entities for the following purposes:

- (1) To rent or lease building space, portable buildings, security systems, computers, and other equipment; and
- (2) To have maintained and repaired security systems, computers and other equipment.

The budget for each fund of each school district shall contain a schedule which identifies that portion of each contractual liability incurred pursuant to RCW 28A.58.131 which extends beyond the fiscal period being budgeted. Said schedule shall list for each such contractual liability a brief description, the accounting code, the beginning and ending dates, the total dollar amount, and the estimated dollar amount extending beyond the end of the fiscal period being budgeted.

WSR 78-06-054**PROPOSED RULES****SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Filed May 24, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning the conditions, limitations and procedures set forth in chapter 392-164 WAC governing the distribution to and expenditure of federal Title I, Migrant Education funds to school districts and other local educational agencies including, but not limited to, the amendment of the definitions of "Agricultural activity" and "Migratory agricultural workers" as used in chapter 392-164 WAC for funding purposes;

that such agency will at 9:00 a.m., Tuesday, July 11, 1978, in the Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Tuesday, July 18, 1978, in the Old Capitol Bldg., Legion and Washington, Dr. Brouillet's Conference Room, Olympia, WA.

The authority under which these rules are proposed is RCW 28A.02.100 and Public Law 89-750.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 11, 1978, and/or orally at 9:00 a.m., Tuesday, July 11, 1978, Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA.

Dated: May 23, 1978

By: Frank Brouillet
Superintendent of Public Instruction**AMENDATORY SECTION** (Amending Order 7-75, filed 12/22/75)

WAC 392-164-015 DEFINITIONS. The following definitions shall apply to terms used in the goal statement: (1) "Agricultural activity" (~~refers to a sequence of activities ranging from soil preparation through and including the storage, curing, canning, or freezing of cultivated crops. Activities on farms or ranches related to the production and processing of milk, poultry, livestock, and fish are also considered to be agricultural activities. Under the foregoing definition, cutting, transporting, and sawing of timber are not considered to be agricultural activities nor are the catching and processing of fish from streams and the ocean. Operations involved in forest nurseries and fish farms, however, are considered to be agricultural activities~~) means:

(a) Any activity related to crop production (including preparing soil, storing, curing, canning or freezing of crops);

(b) Any activity related to the production and processing of milk, poultry, and livestock (for human consumption); and

(c) Any operation involved in forest nurseries and fish farms. The term does not include cutting, transporting, and sawing of timber.

(2) "Fishing activity" means any activity directly related to the catching and processing of fish and shellfish either for initial distribution through commercial market channels or as a primary means of personal subsistence.

(3) "Migratory agricultural workers" refers to those persons who have moved from one school district in a state to another in the same state or to one in another state for the purpose of finding temporary or seasonal employment in one or more agricultural activities as defined above.

((3)) (4) "Former migratory child" refers to a child who, with the concurrence of his parents, is deemed to be a migratory child on the basis that he has been an interstate or intrastate migratory child as defined in this section but has ceased to migrate within the last five years and currently resides in an area where interstate and intrastate migratory children will be served.

((4)) (5) "Interstate migratory child" refers to a child who has moved with a parent or guardian within the past year across the state boundaries in order that a parent, guardian, or member of his/her immediate family might secure temporary or seasonal employment in an agricultural activity.

((5)) (6) "Intrastate migratory child" refers to a child who resides in a state full time and who has moved with a parent or guardian within the past year across school district boundaries within that state in order that a parent, guardian, or member of his/her immediate family might secure temporary or seasonal employment in an agricultural activity.

((6)) (7) "Project" refers to those services, activities, personnel, and materials provided to migratory children in a particular area by a state educational agency either directly or indirectly through a particular local educational agency or other agency as a legally approved contract.

((7)) (8) "Academic instruction" is defined as reading, oral language, language arts, mathematics, and other areas of basic skills instruction.

WSR 78-06-055**EMERGENCY RULES****DEPARTMENT OF FISHERIES**

[Order 78-31—Filed May 24, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington the annexed rules relating to personal use shellfish regulation.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is a high degree of wastage has occurred in these areas. The closure is necessary to protect remaining stocks of clams.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 24, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-56-08000C RAZOR CLAMS - AREAS AND SEASONS Notwithstanding the provisions of WAC 220-56-080, effective 12:00 noon, May 25, 1978, it shall be unlawful to take, dig for, or possess razor clams from the following portions of Pacific Ocean Beaches:

- a) That portion of Copalis Beach south of the Oyhut approach (Illahee Road)
- b) That portion of Twin Harbors (Grayland) Beach south of the Midway Beach approach
- c) That portion of Long Beach north of the Oysterville approach.

WSR 78-06-056

PROPOSED RULES

OFFICE OF FINANCIAL MANAGEMENT

[Filed May 24, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of Financial Management intends to adopt, amend, or repeal rules concerning chapter 10.97 RCW rules for the provision of physical security and personnel safeguards over the dissemination of information pertaining to subjects named in criminal history files. In addition, WAC 365-50-300, contract for services, is amended to better reflect state planning agency authority to require compliance to all physical security and personnel standards, as established by section 10.97.090 (2) RCW. The form prescribed in WAC 365-50-560 may be used for this purpose;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Monday, June 15, 1978, in the House Office Building.

The authority under which these rules are proposed is Section 10.97.090 (1) and (2) RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 31, 1978.

This notice is connected to and continues the matter noticed in Notice No. WSR 78-04-093 filed with the code reviser's office on April 5, 1978.

Dated: May 24, 1978

By: Gerry Sorte
Deputy Director

WSR 78-06-057

ADOPTED RULES

STATE BOARD FOR

COMMUNITY COLLEGE EDUCATION

[Order 69, Resolution 78-22—Filed May 24, 1978]

Be it resolved by the State Board for Community College Education, acting at Olympia Technical Community College, that it does promulgate and adopt the annexed rules relating to WAC 131-16-410, optional salary increases for faculty and exempt personnel of certain community colleges: Maximum allowable percentage salary increases for certain community college districts and regulations for implementing optional salary increases in addition to salary increases authorized and funded for the fiscal year beginning July 1, 1978, amending WAC 131-16-410.

This action is taken pursuant to Notice No. WSR 78-04-066 filed with the code reviser on 3/31/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW chapter 339, Laws of 1977 ex. sess. and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 17, 1978.

By John C. Mundt
Director

AMENDATORY SECTION (Amending Order 66, filed 9/13/77)

WAC 131-16-410 OPTIONAL SALARY INCREASES FOR FACULTY AND EXEMPT PERSONNEL OF CERTAIN COMMUNITY COLLEGES. (1) Pursuant to authority granted in Chapter 339, Laws of 1977, 1st ex. sess., the following community college districts may grant salary increases in addition to those specifically authorized and funded by legislative enactment for the fiscal year beginning July 1, ((1977)) 1978, in the amounts indicated.

DISTRICT	MAXIMUM ADDITIONAL PERCENTAGE INCREASE
1 - Peninsula	((1.28%)) 4.41%
3 - Olympic	((5.00%)) 3.38%
4 - Skagit Valley	((5.00%)) 3.86%
5 - Everett/Edmonds	.92%
((6 - Seattle))	((.93%))
7 - Shoreline	((5.00%)) 2.06%
9 - Highline	1.54%
11 - Ft. Steilacoom	((2.86%)) 3.63%
12 - Centralia/Olympia Tech.	((5.00%)) 2.32%
13 - Lower Columbia	4.13%

C ✓ *AB*

WSR 78-06-058

ADOPTED RULES

STATE BOARD FOR

COMMUNITY COLLEGE EDUCATION

[Order 70, Resolution 78-24—Filed May 24, 1978]

DISTRICT	MAXIMUM ADDITIONAL PERCENTAGE INCREASE
15 - Wenatchee Valley	((4.79%)) <u>5.00%</u>
17 - Spokane/Spokane Falls	((1.46%)) <u>.93%</u>
19 - Columbia Basin	.06%
20 - Walla Walla	5.00%
21 - Whatcom	((2.37%)) <u>1.78%</u>

(2) The optional additional salary increases are those determined by application of the percentage difference between the average nine-month-equivalent salary of those personnel defined for inclusion in the hypothetical salary computation procedure and the nine-month-equivalent salary average generated for those same personnel by the hypothetical salary schedule.

(3) Upon determination by the district board of trustees that funds are available for such purpose, any optional additional salary increases granted pursuant to this regulation shall be granted consistent with the following provisions:

(a) Employees eligible to receive such optional salary increases shall be full-time faculty, part-time faculty, and administrative staff personnel, except those under the jurisdiction of the Higher Education Personnel Board.

(b) College districts are advised to interpret the allowable percentage of additional salary increases set forth in this regulation as the maximum that may be applied to any category of eligible employees such as full-time faculty, part-time faculty, administrative staff personnel, and other employees exempt from the jurisdiction of the Higher Education Personnel Board.

(c) Any optional salary increase percentage shall be applied to the salary level separate from application of any general salary increase authorized and funded by legislative enactment.

(d) Optional salary increases as determined by any college district pursuant to this regulation may be granted only after approval by the State Director of a detailed plan for application of such optional increases by each district.

(e) The plan for each district for application of any optional salary increases shall be supported by record of the application of the plan for each individual full-time faculty and exempt staff members and for part-time faculty and exempt staff members in the aggregate.

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

Be it resolved by the State Board for Community College Education, acting at Olympia Technical Community College, that it does promulgate and adopt the annexed rules relating to WAC 131-28-041, criteria for determining eligibility for waiver of tuition and fees under RCW 28B.15.520, and WAC 131-28-045, procedure for implementing tuition and fee waivers authorized pursuant to RCW 28B.15.530.

This action is taken pursuant to Notice No. WSR 78-04-067 filed with the code reviser on 3/31/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28B.15.520, 28B.15.525 and 28B.15.530 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 17, 1978.

By John C. Mundt
Director

AMENDATORY SECTION (Amending Order 47, filed 9/12/75)

WAC 131-28-041 CRITERIA FOR DETERMINING ELIGIBILITY FOR WAIVER OF TUITION AND FEES UNDER RCW 28B.15.520. Waiver of general tuition, operating, and services and activities fees, or any portions thereof as authorized by RCW 28B.15.520, normally charged to students enrolled in high school completion courses or programs shall be based upon the determination that the student is a needy student. ~~((by application of need analysis based upon data provided on the form: Fee Waiver Application for High School Completion:))~~ A high school completion student initially requesting a waiver shall be evaluated for financial need based either upon application of a method of need analysis approved by the United States Office of Education for determining awards under federal student financial aid programs or based upon data provided on the form: Fee Waiver Application for High School Completion. During subsequent quarters or in the event the initial waiver was for eleven credits or more, the United States Office of Education approved method shall be used. There is no residency requirement for high school completion waivers granted under RCW 28B.15.520. If a student is concurrently enrolled in collegiate-level and high school completion courses or programs, determination of need shall be based upon criteria established by WAC 131-28-040.

FEE WAIVER APPLICATION FOR HIGH SCHOOL COMPLETION*

DATE

In order to determine eligibility for a tuition waiver, the following information is required:

PART A. Applicant Information

Name
Social Security #
Age Sex
Marital Status
Address

Ethnic Origin (Optional)

- Asian American
Black American
American Indian
((Chicano)) Mexican American or Hispanic
((Other Spanish-Surnamed))
White American
Foreign
Other

PART B. If Living with parents or legal guardian, or under 18.

Name of Parent or guardian
Address
Total number in household
Current monthly income (take home)
Parents Applicant
Other current income:
Social Security Welfare
Child Support Unemployment
G.I. Bill
Other (specify)
Savings and checking account totals:
Parents Applicant

PART C. If living apart from parents or guardian, and over 18.

Current monthly income (take home)
Total number in household
Monthly parental assistance
Other current income:
Social Security Welfare
Child Support Unemployment
G.I. Bill
Other (specify)
Savings and checking account totals

PART D. Affidavit

I/We hereby certify that the information reported herein is complete and correct to the best of my/our knowledge. I/We authorize its use by those who select waiver recipients.

Applicant's Signature
Parent's Signature (If Part B completed)

OFFICE USE ONLY:

Institutional Certification

Est. monthly cost of attending college \$
Est. monthly living cost for student and/or family (+)
Sub Total \$
Est. monthly income plus 1/10 of assets as defined above (-)
Maximum monthly waiver for current quarter \$
Resident
Non-resident

*Minimum data elements necessary to determine eligibility

Reviser's Note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules.

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

AMENDATORY SECTION (Amending Order 47, filed 9/12/75)

WAC 131-28-045 PROCEDURE FOR IMPLEMENTING TUITION AND FEE WAIVERS AUTHORIZED PURSUANT TO ((RCW 28B-15-520)) RCW 28B.15.530. (1) Tuition and fee waivers for needy or disadvantaged students in any fiscal year, excluding waivers granted for Summer Quarter enrollments, as authorized by ((RCW 28B-15-520 and)) RCW 28B.15.530 may not exceed three percent of any college district's estimated total collections of tuition, operating, and services and activities fees had no such waivers been made, after deducting the portion of that total amount which is attributable to the difference between resident and non-resident tuition and fees.

(2) The estimated total collection of tuition and fees shall be based on budgeted, state supported, four-quarter annual average enrollment, minus the actual tuition and fees collected for the summer quarter of the year being estimated.

(3) Each district may waive an amount not to exceed three percent of the estimated collections in the event that actual enrollments or collections exceed estimated collections. Conversely, the three percent waiver capacity based upon estimated collections is allowable even though actual collections may not be as high as the estimate.

(4) Districts desiring to exceed their individual three percent waiver capacity may do so only upon written approval from the State Director of Community Colleges or his designee. Additional waiver capacity can only be granted to a district after it has been determined that the total waiver capacity for the community college

system is not being utilized as a result of other districts waiving at levels less than the three percent capacity.

(5) There is no percentage limitation on the amount of tuition and fee waivers granted for Summer Quarter enrollments provided that recipients of such waivers qualify as needy, resident students as required by WAC 131-28-040.

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



Code final ahead of publication 12/28

~~WSR 78-06-059~~

**ADOPTED RULES
DEPARTMENT OF TRANSPORTATION**
[Order 14—Filed May 25, 1978]

I, W. A. Bulley, Secretary of Department of Transportation, do promulgate and adopt at Room 1D9, Highway Administration Building, Olympia, the annexed rules relating to amendment to WAC 252-20-040, allowing bicyclists the use of the shoulders of sections of established and operating fully controlled limited access highways during daylight hours.

This action is taken pursuant to Notice No. WSR 78-04-051 filed with the code reviser on 3/27/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 47.52.025 which directs that the Department of Transportation has authority to implement the provisions of RCW 47.52.025.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 12, 1978.

Approved as to form: By W. A. Bulley
Secretary
Thomas R. Garlington
Assistant Attorney General

AMENDATORY SECTION (Amending Order 286, filed 12/28/76)

WAC 252-20-040 PROHIBITION OF NONMOTORIZED TRAFFIC ON FULLY CONTROLLED LIMITED ACCESS HIGHWAYS. (1) All nonmotorized traffic shall be prohibited upon state highways which have been established and constructed as fully controlled limited access facilities, and signs giving notice of such prohibition shall be posted upon all such highways.

(2) This prohibition of nonmotorized traffic on fully controlled limited access highways shall not apply to pedestrian overcrossings and undercrossings or other facilities provided specifically for the use of such traffic.

(3) This prohibition of nonmotorized traffic shall not apply to the following sections of established and operating fully controlled limited access highways with regard to pedestrians and bicycles:

- (a) State Route 2, Mile Post 0.00 to Mile Post 2.50;
- (b) State Route 410, Mile Post 0.30 to Mile Post 11.60;

(c) State Route 526, Mile Post 0.80 to Mile Post 4.57.
(4) This prohibition shall not apply to the shoulders of the following sections of an established and operating fully controlled limited access highway with regard to bicycles during daylight hours only (~~from January 1, 1977, through December 31, 1977~~):

- (a) State Route 5, Mile Post 23.01 to Mile Post 27.42;
- (b) State Route 5, Mile Post 116.70 to Mile Post 119.01;

Signs giving notice of such permission shall be posted upon these highway routes.

(5) This prohibition shall not apply to the shoulders of the following sections of established and operating fully controlled limited access highways with regard to bicycles during daylight hours only from May 1 through September 30:

- State Route 90, Mile Post 254.02 to Mile Post 257.69.
- Signs giving notice of such permission shall be posted upon these highway routes.

**WSR 78-06-060
PROPOSED RULES**

DEPARTMENT OF TRANSPORTATION
[Filed May 25, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Transportation intends to adopt, amend, or repeal rules concerning type of escort cars, amending WAC 252-24-312;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., July 17, 1978, in the Room 1D9, Highway Administration Building, Olympia, WA.

The authority under which these rules are proposed is RCW 46.44.093.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 17, 1978.

Dated: May 25, 1978
By: W. A. Bulley
Secretary

AMENDATORY SECTION (Amending Order 285, filed 12/1/76)

WAC 252-24-312 SPECIAL PERMITS FOR MOVEMENT OVER STATE HIGHWAYS OF OVERLEGAL SIZE OR WEIGHT LOADS—TYPE OF ESCORT CARS. Cars must be furnished by the permittee. Escort cars may be a passenger car or a 2-axle truck with a minimum wheelbase of 95 inches and a maximum curb weight not to exceed 10,000 pounds except when used as escort vehicle, an unladen tow vehicle may exceed 10,000 pounds.

Escort cars will be of such design so as to afford the driver clear and unobstructed vision both front and rear.

Escort cars will be in safe operational condition, properly licensed and obey all traffic laws.

Escort car operators shall be experienced in the operation of escort vehicles, and no unnecessary passengers who could distract operator in escort vehicles shall be permitted.

When required, pilot escort cars will travel at a distance of approximately 800-1,500 feet in front of and to the rear of the load except that this distance will be reduced in urban areas, at major intersections, and at structures less than 28 feet curb-to-curb width.

When dictated by hazardous conditions the pilot car driver will act as a flagman for traffic control and will signal by hand or by radio to the towing vehicle driver when he can proceed without conflict with approaching traffic.

The driver of the rear escort car will act as a flagman when hazardous conditions exist and in turning movements will advise the towing vehicle driver as to clearance in turning movements and of accumulations of overtaking traffic so the driver can provide an opportunity to pass.

When required, the rear escort car will travel far enough behind the load to provide adequate warning for overtaking vehicles and safe space for the rear escort car and the trailing unit for passing vehicles. All escort cars shall carry a minimum of three (3) approved emergency fuses and red flags.

Pilot car operators shall be properly licensed to operate the vehicle: PROVIDED, When uniformed off-duty law enforcement officers act as escorts, using official police cars or motorcycles, the preceding car requirements shall not be applicable.

WSR 78-06-061

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed May 25, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Transportation intends to adopt, amend, or repeal rules concerning oversize mobile home transport regulations, amending WAC 252-24-150;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., July 17, 1978, in the Room 1D9, Highway Administration Building, Olympia, WA.

The authority under which these rules are proposed is RCW 46.44.093.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 17, 1978.

Dated: May 25, 1978

By: V. W. Korf
Deputy Secretary

AMENDATORY SECTION (Amending Order 318, filed 5/19/77)

WAC 252-24-150 OVERSIZE MOBILE HOME TRANSPORT REGULATIONS. (1) The purpose of this section of chapter 252-24 WAC is to supplement provisions of WAC 252-24-300 through 252-24-384 to provide additional controls in regulating movement of mobile homes on state highways, subject to the statutory provisions for special permits.

(2) Definitions:

(a) "Mobile Home" means all trailers of the semi trailer type with hitch ball coupler designed as structures for human habitation or which have been subsequently adapted to other uses, which are capable of being towed upon the public streets and highways and are more than forty-five feet in length or more than eight feet in width.

(b) "Modular Homes and Sectional Buildings" means any factory built housing designed for residential occupancy by human beings which does not contain a permanent frame and must be mounted on a permanent foundation. Modular homes or sectional buildings with

their own attached running gear which can qualify for tow-away methods are considered to be mobile homes for purposes of this regulation. Modular homes or sectional buildings moved on legally registered trailers are subject to the provisions of chapter 46.44 RCW and the Washington Administrative Code governing overweight and over-dimension vehicle permits.

(c) Oversize permits may be issued to transporters, dealers or owners who shall assume full responsibility while operating under a permit. Operators of tow vehicles and escort vehicles and others assisting in the transport must function as agents or employees of the permittee.

(d) A "Unit" is a complete or irreducible part of an oversize mobile home, together with its tow vehicle.

(3) Oversize Limits: The following regulations are based upon the authority of the ((Highway)) Transportation Commission to issue special permits as cited in chapter 46.44 RCW and apply to mobile homes of semi-trailer design whose width exceeds eight feet but does not exceed fourteen feet and whose length exceeds forty-five feet but in combination with a tow vehicle does not exceed 85 feet.

(4) Oversize mobile home permits may be issued as follows:

(a) Annual Permits: Issued only to permittees who are qualified as dealers or manufacturers as provided in chapter 46.70 RCW and to transporters licensed as provided in chapter 46.76 RCW. Fees as provided in RCW 46.44.0941.

Annual permits shall apply only to transport of mobile homes 14 feet or less in height, above level ground, while being transported.

Applicant must present a copy of transporter's license obtained in accord with chapter 46.76 RCW, a dealer's license or manufacturer's license obtained in accord with chapter 46.70 RCW, and register with the Department of ((Highways)) Transportation the license number of the tow vehicle for which the oversize permit will be assigned, and the numbers of the dealer's, manufacturer's, and transporter's plates that may be used in combination with the tow vehicle's license number. Operation under the permit with dealer's, manufacturer's, and transporter's plates under conditions other than those recorded on the permit, shall constitute violation of the permit.

Within ten days of transporting a mobile home on an annual oversize permit, the permittee shall mail a completed Highway Form (560-053) to the ((Director of Highways)) Secretary of Transportation, giving notice of the origin and destination of the mobile home. Failure to comply with this regulation is a misdemeanor as provided by RCW 46.16.106.

(b) Monthly Permits: Issued to dealers, manufacturers, and transporters under the same conditions as annual permits except 14 feet height limitations may be waived as provided by RCW 46.44.0941. Fees also provided for under RCW 46.44.0941.

(c) Single Trip Permits: Issued to dealers, transporters and owners for a specific combination of tow vehicle and mobile home to travel from a point of origin to a prescribed destination.

A movement permit (\$5.00 fee) is required for all mobile homes without a dealer's or transporter's license plates (in addition to an oversize mobile home permit). For mobile homes being transported within or leaving the state, a movement permit shall not be issued until a Highway Form (560-053) is provided, signed by the county treasurer in which the mobile home has been located assuring that all appropriate taxes and fees have been paid. The Highway Form is not required for movement permits issued at ports of entry for mobile homes in transit throughout the state.

(5) Before an oversize permit is issued, the permittee must carry evidence that he has insurance in effect while operating under the permit, in the minimum amounts of \$100,000-\$300,000 public liability and \$50,000 property damage.

(6) While operating under an oversize permit, accidents involving other vehicles or structures which results in damages of one hundred dollars (\$100.00) or more, or any incident which results in damage only to the mobile home in excess of two hundred fifty dollars (\$250.00), shall be reported by the permittee immediately to the nearest State Patrol Office. The report shall include a statement of location of accident, the cause, and a brief account of circumstances and effects relating to the accident. Without approval by the State Patrol, further movement of the mobile home is prohibited under the permit (except to take the minimum action to remove or reduce a hazard to highway traffic).

(7) Dealers selling over 12-foot to 14-foot wide mobile homes will advise the prospective purchaser, by written notice, that the movement of such mobile homes over state highways will be at the discretion of the ((Director of Highways)) Secretary of Transportation, and that an oversize permit cannot be granted for movement over any section of

state highway which is not designated as a route for over 12-foot to 14-foot wide mobile homes.

(8) Mobile and modular homes in transit under the authority of permits issued in accordance with WASHTO Uniform Mobile and Modular Home Transportation Regulations, will be subject to such regulations and any conflicts between WASHTO regulations, as applied to an individual permit, issued by another WASHTO State and ~~((a-[any]))~~ any regulations contained herein, will be resolved in favor of WASHTO regulations. On transporter's, dealer's or owner's request, permits may be issued in accordance with WASHTO Uniform Mobile and Modular Home Transportation Regulations when travel out-of-state is also involved.

(9) Mobile Homes:

(a) Overall dimensions shall not exceed those presented in the permit except for minor protrusions not to exceed 2 inches, such as door and window hardware. Eaves will be included in the measurement of maximum width. All dimensions shall be reduced to the practical minimum. Mobile homes having a single eave overhang along their length will be transported ~~((with the eave next to the right or shoulder side of the highway))~~ to allow for safe passing distances.

(b) The entire system (frame, drawbar and coupling mechanism, running gear assembly, and lights) shall be in accord with Federal H.U.D. rules and regulations title 24, chapter 11, subject [subpart] J part 280 effective June 15, 1976 [24 CFR 280] and as thereafter amended. In addition thereto, all tires used in transportation of mobile homes under this category shall be in accord with Federal Motor Carrier Safety regulations title 49, chapter 111, subchapter B, part 393 effective October 1, 1975, and as thereafter amended. Mobile homes not certified as qualifying to the minimum H.U.D. specifications herein, shall have brakes on a minimum of two axles and on four wheels. Units that are 60 feet or more in length shall have at least three full axles, provided, 12-foot wide mobile homes manufactured prior to November 1, 1970, may be moved with a minimum of two axles. The brakes shall be under the control of the driver from the cab of the towing vehicle, shall be adequate to control the mobile home and its load, and so designed and connected that they shall automatically apply in case of accidental breakaway from the towing vehicle. A wet-cell or approved battery with a full charged rating of 12 volts will be installed in the mobile home to actuate electric brakes in the event of a breakaway. Minimum track width between two wheels on an axle shall be not less than eight feet. Track width shall be measured from the outer edges of the road bearing tread of tires on a single axle. Tires shall have no signs of separation or excessive aging, be inflated to maximum recommended tire pressure and have tread depth no less than 3/32nd inch in any part of tire contacting the road. Recapped or retreaded tires are not allowed. Minimum combined load rating of mobile home tires must be in excess of their in-transit load. Axles and wheels must be properly aligned to minimize wear and overheating of tires.

(c) The open sides of half sections of mobile homes shall be covered with rigid material such as plywood, hardboard, or similar material, in lieu of rigid material, suitable plastic polyethylene or other material with a minimum .5 mil thickness may be used provided a rigid grill-work of squares, not exceeding four feet on a side, prevents billowing of the flexible material.

(d) Rear mounted turn and stop signal lights shall be in accord with Federal Motor Vehicle Safety Standard No. 108 effective January 1, 1972, and as thereafter amended.

(e) If mobile home is to transport furnishings or other loose objects, they shall be ~~((secured))~~ placed in positions to achieve proper weight and balance.

(f) Be in accord with Federal H.U.D. Mobile Home Construction and Safety Standards title 24, chapter 11, part 280, effective June 15, 1976, and as thereafter amended.

(10) Tow Vehicles:

(a) Tow vehicles shall comply with the following minimum requirements:

Mobile Home Width to be Towed	Tire Width	Drive Axle Tire Rating	GCW	(1) Weight	Rear Axle Rating
Over 8' to 10'	7.00"	6 ply	(2)	6,000#	(2)
Over 10' to 12'	8.00"	8 ply	35,000(3)	8,000#	15,000#
Over 12' to 14'	8.25"	10 ply	35,000#	9,000#	15,000#

(1) Includes fuel and accessories prior to hook-up with mobile home.
 (2) Not required.

(3) May be waived for older vehicles.

(b) Conventional or cab-forward configuration shall have a minimum wheelbase of 120 inches. Cab-over engine tow vehicles shall have a minimum wheelbase of 89 inches. Two vehicles shall have a minimum 4-speed transmission. Power shall be sufficient to meet the requirements listed.

(c) Electrical brake controls, wiring and connections to mobile home brake systems will be capable of producing rated voltage and amperage at the mobile home brake magnets in accordance with the mobile home brake manufacturer's specifications.

(11) Signs and Flags: Provisions of WAC 252-24-315 and 252-24-327 will apply and in addition thereto, sign length will be attached horizontally on rear of trailer home with bottom edge not less than 6' nor more than 7' above road surface. Sign material shall be impervious to moisture, clean and mounted with adequate supporting anchorage to provide legibility at all times.

(12) In addition to provisions of WAC 252-24-324, 6-inch diameter flashing amber lights with minimum of 35 candle power shall be mounted on the upper outer edges of the rear of the trailing unit. They shall be operated with a flashing cycle of 60-120 times per minute during transit.

(13) Travel Speeds for Mobile Homes:

(a) The maximum speed on sections of highway posted for 55 miles per hour will be 45 miles per hour and the minimum speed will be 35 miles per hour, except where traffic or roadway conditions require a lower speed.

(b) The maximum speed on sections of highway posted for 50 miles per hour will be 40 miles per hour and the minimum speed will be 35 miles per hour, except when traffic or roadway conditions require a lower speed.

(14) In addition to the provisions of WAC 252-24-354, movement of mobile homes will be made with maximum consideration for safety and with the least possible inconvenience for the traveling public. Units traveling in rural areas shall maintain adequate spacing of at least one-half mile between any two mobile home units. All units shall maintain a minimum distance of from 400 to 500 feet behind any truck, truck-tractor or trailer which could impair the visibility of overtaking vehicle.

(15) On multiple lane routes, the unit shall be operated in the right outside or number (1) lane, except when passing. On two lane highways, units shall not pass ~~((over other))~~ other vehicles, except when required to safely pass a vehicle operating at speeds less than the minimum specified in these regulations.

WSR 78-06-062

ADOPTED RULES

STATE BOARD OF EDUCATION

[Order 8-78—Filed May 25, 1978]

Be it resolved by the State Board of Education, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to chapter 180-84 WAC, Specialized personnel standards, repealing sections which are incorporated in new chapters 180-78 and 180-79 WAC.

This action is taken pursuant to Notice No. WSR 78-04-087 filed with the code reviser on 4/4/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120 and chapters 28A.70 and 28A.93 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 12, 1978.

By Wm. Ray Broadhead
Secretary

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 180-84-010 BASIC PRINCIPLES.
- (2) WAC 180-84-560 CERTIFICATION OF SCHOOL NURSES—ASSIGNMENT OF PERSONNEL.
- (3) WAC 180-84-565 EDUCATIONAL STAFF ASSOCIATE CERTIFICATION—EFFECTIVE DATE OF ISSUANCE—SPECIALIZED PERSONNEL CERTIFICATES DISCONTINUED.

WSR 78-06-063

ADOPTED RULES

STATE BOARD OF EDUCATION

[Order 7-78—Filed May 25, 1978]

Be it resolved by the State Board of Education, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to chapter 180-80 WAC, Teacher education and certification, repealing sections and amend others to conform with new chapters 180-78 and 180-79 WAC.

This action is taken pursuant to Notice No. WSR 78-04-086 filed with the code reviser on 4/4/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120 and chapters 28A.70 and 28A.93 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 12, 1978.

By Wm. Ray Broadhead
Secretary

AMENDATORY SECTION (Amending Order 5-77, filed 6/1/77)

WAC 180-80-205 WASHINGTON PROGRAM OF TEACHER EDUCATION—PROVISIONAL AND STANDARD CERTIFICATES. (1) The three phases of the Washington program of teacher education are:

- First. Four years of college education leading to the provisional certificate.
- Second. Three years of teaching experience under the cooperative guidance of the colleges, local school districts and educational service district superintendents.
- Third. A fifth year of college study leading to the standard certificate. This study may be taken during a regular college year or during summer sessions.

(2) Beginning teachers receive preparation and supervised experience with students in the various school grades to give them an understanding of both elementary and secondary school programs. Major emphasis may be placed on one level or both levels or in a specific subject field, grades K through 12. (See WAC 180-80-530 ~~((through 180-80-550))~~) relating to guidelines and standards for teacher education leading to teacher certification.)

AMENDATORY SECTION (Amending Order 13-75, filed 10/28/75)

WAC 180-80-280 ADMINISTRATORS' CREDENTIALS—REQUIREMENTS—TYPES—EFFECTIVE DATE—INTERPRETATION OF

STANDARDS. The issuance of administrators' credentials shall be in accordance with the requirements hereinafter in WAC 180-80-285 through 180-80-312 set forth.

((H)) The types of such credentials shall be provisional and standard and shall be designated elementary principal, secondary principal, general principal and superintendent, respectively.

~~((2) Reasonable flexibility may be applied in interpretation of the standards for administrator preparation and certification set forth in WAC 180-80-285 through 180-80-312 consistent with the intent of the standards and based on the professional evaluation of preparation programs and individual applicants' qualifications.))~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 180-80-195 PURPOSE.
- (2) WAC 180-80-200 TEACHERS—GENERAL PROVISIONS.
- (3) WAC 180-80-201 EVALUATION OF PREPARATION AND EXPERIENCE TO DETERMINE EQUIVALENCY OF QUALIFICATIONS FOR TEACHER CERTIFICATION.
- (4) WAC 180-80-202 STATE HISTORY AND GOVERNMENT.
- (5) WAC 180-80-217 EXTENSION OF COMMON SCHOOL CERTIFICATION TO EXPERIENCED COLLEGE TEACHERS.
- (6) WAC 180-80-220 VOCATIONAL EDUCATION CERTIFICATION—QUALIFICATIONS FOR—GENERAL PROVISIONS.
- (7) WAC 180-80-245 ADULT EDUCATION CERTIFICATION.
- (8) WAC 180-80-247 HIGH SCHOOL LIBRARIAN CERTIFICATION.
- (9) WAC 180-80-250 SPECIAL AND SUBSTITUTE CERTIFICATES.
- (10) WAC 180-80-251 PERMITS.
- (11) WAC 180-80-256 CERTIFICATION OF OUT-OF-STATE TRAINED TEACHERS—INTERSTATE EDUCATIONAL PERSONAL CONTRACTS.
- (12) WAC 180-80-258 CERTIFICATION OF OUT-OF-STATE TRAINED TEACHERS—GENERAL PROVISIONS.
- (13) WAC 180-80-260 CERTIFICATION OF OUT-OF-STATE TRAINED TEACHERS—ELEMENTARY CERTIFICATES.
- (14) WAC 180-80-265 CERTIFICATION OF OUT-OF-STATE TRAINED TEACHERS—SECONDARY CERTIFICATES.
- (15) WAC 180-80-275 ACCREDITATION OF PRIVATE TEACHERS OF MUSIC.
- (16) WAC 180-80-304 ADMINISTRATORS' CREDENTIALS—ASSISTANT PRINCIPALS—ASSISTANT SUPERINTENDENTS
- (17) WAC 180-80-305 ADMINISTRATORS' CREDENTIALS—PROCEDURES—FOR GUIDANCE OF APPLICANTS.

(18) WAC 180-80-310 ADMINISTRATORS' CREDENTIALS—OUT-OF-STATE APPLICANTS—OUT-OF-STATE STUDY.

(19) WAC 180-80-510 GUIDELINES AND STANDARDS FOR PROGRAMS OF PREPARATION LEADING TO TEACHER CERTIFICATION—BASIC PRINCIPLES AND MAJOR FEATURES.

(20) WAC 180-80-520 GUIDELINES AND STANDARDS FOR PROGRAMS OF PREPARATION LEADING TO TEACHER CERTIFICATION—INSTITUTION TO PLAN PROGRAM—DEFINITION OF TEACHING ROLE.

(21) WAC 180-80-522 GUIDELINES AND STANDARDS FOR PROGRAMS OF PREPARATION LEADING TO TEACHER CERTIFICATION—COMMUNITY COLLEGE PARTICIPATION IN TEACHER PREPARATION.

(22) WAC 180-80-525 GUIDELINES AND STANDARDS FOR PROGRAMS OF PREPARATION LEADING TO TEACHER CERTIFICATION—SELECTION, RETENTION AND RECOMMENDATION OF TEACHER CANDIDATES.

(23) WAC 180-80-533 GUIDELINES AND STANDARDS FOR PROGRAMS OF PREPARATION LEADING TO TEACHER CERTIFICATION—ASSIGNMENT OF BEGINNING TEACHERS.

(24) WAC 180-80-535 GUIDELINES AND STANDARDS FOR PROGRAMS OF PREPARATION LEADING TO TEACHER CERTIFICATION—FOLLOW-UP OF BEGINNING TEACHER GRADUATES.

(25) WAC 180-80-540 GUIDELINES AND STANDARDS FOR PROGRAMS OF PREPARATION LEADING TO TEACHER CERTIFICATION—FIFTH-YEAR PROGRAM.

(26) WAC 180-80-545 GUIDELINES AND STANDARDS FOR PROGRAMS OF PREPARATION LEADING TO TEACHER CERTIFICATION—PROGRAM PLANNING.

(27) WAC 180-80-550 GUIDELINES AND STANDARDS FOR PROGRAMS OF PREPARATION LEADING TO TEACHER CERTIFICATION—PROGRAM APPROVAL AND REVIEW.

(28) WAC 180-80-600 SUBSTANDARD CERTIFICATION OF TEACHERS.

(29) WAC 180-80-610 EDUCATIONAL EXPERIENCE ACCEPTABLE FOR TEACHER CERTIFICATION.

(30) WAC 180-80-700 GUIDELINES AND STANDARDS FOR DEVELOPMENT AND APPROVAL OF PROGRAMS OF PREPARATION—CERTIFICATION OF SCHOOL PROFESSIONAL PERSONNEL.

(31) WAC 180-80-710 GUIDELINES AND STANDARDS FOR DEVELOPMENT AND APPROVAL OF PROGRAMS OF PREPARATION—CONSORTIUM OF AGENCIES DEFINED.

(32) WAC 180-80-720 GUIDELINES AND STANDARDS FOR DEVELOPMENT AND APPROVAL OF PROGRAMS OF PREPARATION—CONSORTIUM PROGRAMS.

(33) WAC 180-80-730 GUIDELINES AND STANDARDS FOR DEVELOPMENT AND APPROVAL OF PROGRAMS OF PREPARATION—STATE BOARD OF EDUCATION AND SUPERINTENDENT OF PUBLIC INSTRUCTION.

(34) WAC 180-80-740 GUIDELINES AND STANDARDS FOR DEVELOPMENT AND APPROVAL OF PROGRAMS OF PREPARATION—EFFECTIVE DATE OF ISSUANCE OF CERTIFICATES.

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WSR 78-06-064

ADOPTED RULES

STATE BOARD OF EDUCATION

[Order 9-78—Filed May 25, 1978]

Be it resolved by the State Board of Education, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to chapter 180-90 WAC, Private schools, implementation of provisions of the Basic Education Act relating to program hour offerings.

This action is taken pursuant to Notice No. WSR 78-04-088 filed with the code reviser on 4/4/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.04.120(4) and 28A.02.201 et seq. and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 12, 1978.

By Wm. Ray Broadhead
Secretary

AMENDATORY SECTION (Amending Order 2-77, filed 3/24/77)

WAC 180-90-120 DEFINITIONS. (1) An "approved private school" operating any or all of grades 1 through 12 is one which meets all requirements established by the state board of education as set forth in WAC 180-90-110 through 180-90-160.

(2) "Approval" means the state board of education has certified that a private school meets those minimal standards required by chapter 28A.02 RCW.

(3) "Major deviation" shall mean a variance from the standards established by these regulations which involves a substantial health or safety hazard, or raises a question as to the ability of the school to provide an educational program which substantially complies with the minimum standards set forth in WAC 180-90-160, but is not so serious as to constitute an unacceptable deviation.

(4) "Minor deviation" shall mean a variance from the standards established by these regulations which represents little or no threat to the health or safety of students and school personnel, and which does not raise a question as to the ability of the school to provide an educational program which is in substantial compliance with the minimum standards set forth in WAC 180-90-160, and which, therefore, does not preclude the granting of full approval.

(5) "Private school", as used in these regulations, shall include nonpublic, parochial, or independent schools, and nonpublic, parochial, or independent school districts.

(6) "Reasonable health requirements" shall be those standards contained in chapter 248-64 WAC as adopted by the state board of health, as now or hereafter amended: PROVIDED, That where a private school is a private residence in which parents teach their own natural or legally adopted or step children, reasonable health requirements shall be those provisions of state and local health codes applicable to private residences.

(7) "Reasonable fire safety requirements" shall be those standards adopted by the state fire marshal pursuant to chapter 48.48 RCW, as now or hereafter amended.

(8) "Unacceptable deviation" shall mean a variance from the standards established by these regulations which either:

(a) constitutes a serious, imminent threat to the health or safety of students or school personnel; or

(b) demonstrates that the school is not capable of providing an educational program which substantially complies with the minimum standards set forth in WAC 180-90-160.

(9) "Minimum standards for approval" shall be those standards set forth in WAC 180-90-160.

(10) The term "total program hour offering" shall mean those hours when students are provided the opportunity to engage in educational activity planned by and under the direction of school staff, as directed by the administration and board of directors, inclusive of intermissions for class changes and recess and exclusive of intermission for meals.

AMENDATORY SECTION (Amending Order 2-77, filed 3/24/77)

WAC 180-90-160 MINIMUM STANDARDS AND CERTIFICATE FORM. The annual certificate required by WAC 180-90-130 shall be in substantial compliance with the form and substance of the following:

CERTIFICATE OF COMPLIANCE WITH STATE STANDARDS

STATE OF WASHINGTON

County of } ss.

I,, being first duly sworn on oath or affirmation, do hereby certify that I am the principal or chief administrator of school [or, the superintendent of the school district]; that said school

↑ ?

[or, that the schools within said district] is [are] located at, Washington [zip], and conducts [conduct] grades through; and that said school[s] meets [meet], and is [are] scheduled to meet throughout the school year, the following standards with the exception only of such deviations as are set forth below: (1) The minimum school year consists of no fewer than 180 school days (for all matters pertaining to teacher certification or for computing experience in teaching);

(2) On each school day, pupils enrolled in the school are provided the opportunity to be engaged in educational activity planned by and under the direction of the staff, as directed by the administration and governing board;

(a) Each private school shall make available to students in grades one through three at least a total program hour offering of 2700 hours.

(b) Each private school shall make available to students in grades four through six at least a total program hour offering of 2970 hours.

(c) Each private school shall make available to students in grades seven and eight at least a total program hour offering of 1980 hours.

(d) Each private school shall make available to students in grades nine through twelve at least a total program hour offering of 4320 hours.

(3) All classroom teachers hold appropriate Washington State certification except for:

(a) teachers for religious courses or courses for which no counterpart exists in the public schools; and/or

(b) people of recognized professional competence who are not certificated, but who teach students under the supervision of a certificated person in exceptional cases;

(c) those people of recognized professional competence who do, and to the best of my knowledge will, teach without a certificate and the circumstances necessitating their employment without a certificate are as follows:;

(4) Measures have been taken to safeguard all permanent records against loss or damage through either the storage of such records in fire-resistant containers or facilities, or the retention of duplicates in a separate and distinct area;

(5) The physical facilities of the school are adequate to meet the program offered, and all school facilities and practices are in substantial compliance with reasonable health and fire safety standards, as substantiated by current inspection reports of appropriate health and fire safety officials which are on file in the chief administrator's office;

(6) The school's curriculum includes instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music in sufficient units for meeting state board of education graduation requirements, as set forth in chapter 180-56 WAC, as now or hereafter amended;

(7) Each teacher has a valid health certificate required by law and by the state department of social and health services on file with the educational service district within which the school is located;

(8) The school or its organized district maintains up-to-date policy statements related to the administration and operation of the school or district;

(9) The school does not engage in a policy of racial segregation or discrimination.

Deviations from the above standards are, and to the best of my knowledge will be, as follows:

.

. (signed)

. (address)

. (phone number)

On this day of, 19. (name) known to me to be the chief administrator of (school or district) appeared before me and, having first been sworn on oath or affirmation, did subscribe to the foregoing.

NOTARY PUBLIC in and for the state of Washington, residing at

WSR 78-06-065
ADOPTED RULES
STATE BOARD OF EDUCATION
[Order 4-78—Filed May 25, 1978]

Be it resolved by the State Board of Education, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to chapter 180-56 WAC, Secondary education, amending WAC 180-56-315 to bring rule references into line with new rules.

This action is taken pursuant to Notice No. WSR 78-04-083 filed with the code reviser on 4/4/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41-.130 and 28A.58.754 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 12, 1978.
By Wm. Ray Broadhead
Secretary

AMENDATORY SECTION (Amending Order 6-76, filed 6/1/76)

✓ WAC 180-56-315 APPROVAL OF SCHOOL DISTRICT PROGRAM. Approval of the school district's program pursuant to provisions of RCW 28A.41-.130 and state board of education regulations, (~~"Minimum approval requirements for purposes of apportionment," [see WAC 180-16-165]~~) "Basic education allocation entitlement requirements" (WAC 180-16-191 et seq.), and compliance with "supplemental program standards" (WAC 180-16-240) shall be ((x)) prerequisites for secondary school accreditation.

WSR 78-06-066

ADOPTED RULES

GAMBLING COMMISSION

[Order 85—Filed May 25, 1978—Eff. Sept. 1, 1978]

Codebook ahead of publication
10/2

Be it resolved by the Washington State Gambling Commission, acting at Blaine, Washington, that it does promulgate and adopt the annexed rules relating to the licensing and regulation of gambling activities, amending WAC 230-04-060, 230-04-070, 230-04-170, 230-04-190, 230-04-200, 230-04-290, 230-04-310, 230-04-450, 230-12-080 and 230-40-250. Adopting WAC 230-02-415, 230-04-140 and 230-04-141.

This action is taken pursuant to Notice No. WSR 78-04-080 filed with the code reviser on 4/4/78. Such rules shall take effect at a later date, such date being September 1, 1978, as relating to WAC 230-04-140.

This rule is promulgated pursuant to RCW 9.46.070(16) as relating to WAC 230-02-415, 230-04-140, 230-04-141 and 230-04-190 and are intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 9.46.070(13) as relating to WAC 230-04-070, 230-04-170, 230-04-290, 230-04-310, 230-04-450 and 230-12-080 which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.

(a) WAC 230-04-060 is promulgated pursuant to RCW 9.46.070(6) and is intended to administratively implement that statute.

(a) WAC 230-04-200 is promulgated pursuant to RCW 9.46.070(11) and is intended to administratively implement that statute.

(a) WAC 230-40-250 is promulgated pursuant to RCW 9.46.070(10) and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 17, 1978.

By Elgin Olrogg
 Chairman

NEW SECTION

WAC 230-02-415 PUBLIC CARD ROOM EMPLOYEE DEFINED. A "public card room employee" is any person who is employed by a public card room operator, for compensation or otherwise, to work in, or in direct connection with, a public card room whose duties or responsibilities include any of the following:

- (1) Floor person,
- (2) Time collector,
- (3) Chip seller,
- (4) Dealer or mucker,
- (5) Cashier,
- (6) Pit boss,
- (7) Card room manager,
- (8) Supervision of any person working in, or in connection with, the card room,
- (9) The prevention or discovery of cheating by persons playing in the card room or of improper activities by employees working in the card room,
- (10) To encourage the organization and/or beginning of a card game.

This definition does not include bartenders, waitresses and persons with similar duties who are limited to the serving of food or drink in the card room.

AMENDATORY SECTION (Amending Order #67 filed 3-11-77)

WAC 230-04-060 REQUIRED INFORMATION. In addition to other information required by the commission, each applicant shall provide the following information on or attached to the application:

- (1) Washington state department of revenue tax number unless exempt from such registration pursuant to department of revenue regulations;
- (2) Copy of corporate applicants' articles of incorporation and by-laws; or, if not a corporation, a copy of any by-laws and other documents which set out the organizational structure and purposes of the organization;
- (3) A copy of a nonprofit or charitable applicant's internal revenue service tax exemption letter if one has been obtained;
- (4) Details and copies of all lease or rental arrangements, whether oral or written, between the applicant and the owner of premises upon which the gambling activity will be conducted, if such premises are leased or rented;
- (5) Details and copies of any and all franchise agreements or other agreements, whether written or oral, if any, between the applicant and distributors or manufacturers of equipment or between the applicant and any other person where those agreements relate to gambling activities or gambling equipment;
- (6) The name, address, date of birth, and social security number of each paid employee or agent who will work in the activity for which the license is sought;
- (7) For each person listed below, a completed copy of the commission's form entitled "Personal Information Form":
 - (a) Each person who has a substantial interest in the applicant;

(b) Each person who is the chief executive officer, the chairman of a board, and the financial records officer of a corporation and/or bona fide nonprofit charitable organization;

(c) Each person who will serve in a supervisory capacity over those persons in the direct management or direct operation of the activity for which the license is sought;

~~((d) Each person who works in any capacity directly in connection with a public card room;))~~

(8) If the applicant is a natural person, a completed copy of the commission's "Personal Information Form" respecting the applicant;

~~((8))~~ (9) When information filed with the commission becomes inaccurate in any way, or additions or deletions are necessary to reflect changes in circumstances of the licensee, applicant, or any other persons since the information was filed, the applicant or licensee shall submit full details of any such change and/or correct any inaccuracy, together with copies of any new required documents, with the commission within 30 days following the change: PROVIDED, That with respect to bona fide charitable and/or bona fide nonprofit organizations only, notice need not be given of changes of officers until required renewal time(s) for a particular license(s). If other information required to be submitted under all other sections of this rule and/or other information required on the application, changes or becomes inaccurate in any way, the commission shall be notified as required in this subsection. All officers of bona fide charitable and/or bona fide nonprofit organizations, upon signing the original and/or renewal application(s) for licensure, shall obligate the organization to the fair and lawful operation of all gambling activities for that license year or until renewal time of another license held by the organization or an additional license is applied for, whichever is sooner, regardless of any change(s) in the roster of elected officers during that license period.

~~((9))~~ (10) Sections (1), (2), (3), and (7) shall not apply to applications by or in behalf of an incorporated city or town in the state of Washington or a subdivision thereof.

AMENDATORY SECTION (Amending Order #51, filed 4-30-76)

WAC 230-04-070 ACTIVITIES NOT TO BE CONDUCTED WITHOUT A LICENSE OR PERMIT. Excepting only as provided in RCW 9.46.030(2), (3) and (6) none of the activities authorized by RCW 9.46.030, including any amendments thereto, nor any other activity for which a license or permit from the commission is required, shall be conducted or performed, or allowed to be conducted ((or)), played or performed, on any premises unless the operator ((thereof)) of, or person conducting or performing, the activity first obtains the appropriate license or permit from the commission.

NEW SECTION

WAC 230-04-140 LICENSING OF PUBLIC CARD ROOM EMPLOYEES. Prior to accepting a position as, or acting as, a public card room employee a person shall first obtain a license from the commission: PROVIDED, That this requirement shall not apply to persons employed in a public card room operating under a class B or class D license only.

A sole owner, partner, major officer and/or owner of a substantial interest in a corporation licensed to operate a public card room shall not be required to be additionally licensed as a public card room employee to perform duties in connection with the card room. An operator of a public card room shall not employ any unlicensed person to perform duties for which a license is required in or in connection with a public card room, and shall take all measures necessary to prevent an unlicensed person from doing so.

The operator of a public card room or partner or officer of the entity operating the card room for which the applicant will work shall sign the application of each such public card room employee acknowledging that the applicant will be working for that operator with the operator's knowledge and consent.

This rule shall be effective as of September 1, 1978.

NEW SECTION

WAC 230-04-141 PUBLIC CARD ROOM EMPLOYEE LICENSES MAY BE REISSUED WHEN CHANGING EMPLOYMENT. In the event that a licensed public card room employee ceases to be employed at a public card room in connection with which his license was granted, the license shall be immediately and automatically rendered inactive and shall be returned to the commission forthwith. The commission shall maintain the license in an inactive status until it expires or the licensee is employed by another public card room.

If the licensee is employed as a public card room employee by a different licensed public card room operator within the term of the license remaining, he may apply to the commission to have the license returned to active status and reissued for employment at that card room for such remaining term. The public card room operator or a partner or major officer of the entity operating the card room seeking to employ the licensee shall sign this application for transfer acknowledging that the licensee will be working for that operator with that operator's knowledge and consent. Such application, together with the required fee, must be made and received in the office of the commission within ten days following the day upon which the licensee initially begins work for that employer.

The fee for transfer and reactivation of the licensee shall be ten dollars.

AMENDATORY SECTION (Amending Order #5, filed 12-19-73)

WAC 230-04-170 APPLICANTS—QUALIFICATIONS. Where a married person is an applicant for, or holder of a license, the spouse of such applicant, if the parties are maintaining a marital community, shall

be required to have the same qualifications as the applicant.

This rule shall not apply with respect to licenses required for employees of an operator licensed to conduct activities authorized by RCW 9.46.030.

AMENDATORY SECTION (Amending Order #84, filed 4-21-78)

WAC 230-04-190 ISSUANCE OF LICENSE. (1) Charitable and nonprofit organizations and agricultural fairs. The commission may issue a license to qualified bona fide charitable or to qualified bona fide nonprofit organizations or to qualified agricultural fairs to operate each of the following activities upon a specified location:

- (a) Bingo
- (b) Raffles
- (c) Amusement games
- (d) Punchboards and pull tabs
- (e) To allow its premises to be used only by bona fide members and guests to play authorized card games.

The operation of each of these activities shall require a separate license from the commission.

(2) Fund raising event as defined in RCW 9.46.020. The commission may issue a license to a bona fide charitable or bona fide nonprofit organization defined in RCW 9.46.020, other than any agricultural fair defined therein, to conduct fund raising events.

(3) Special amusement game license. The commission may issue a license to any person, association or organization other than a bona fide charitable or bona fide nonprofit organization to conduct amusement games only at one or more of the locations set out by the commission in WAC 230-20-380.

(4) Commercial stimulant card games. The commission may issue a license to persons operating a business primarily engaged in the selling of items of food or drink for consumption on the premises operating under the authority of a license or permit for the business issued by the state, district or local health officer, and/or a license issued by the Washington state liquor control board, to allow a specified portion of a specified premises to be used by persons to play authorized card games.

(5) Public card room employee. The commission may issue a license to a person to perform duties in a public card room.

~~((5))~~ (6) Commercial stimulant punchboards and pull tabs. The commission may issue a license to a person operating a business primarily engaged in the selling of items of food or drink for consumption on the premises operating under the authority of a license or permit for the business issued by the state, district or local health officer, and/or a license issued by the Washington state liquor control board, to operate punchboards and pull tabs upon specified premises.

~~((6))~~ (7) Punchboard and pull tab manufacturer and distributor. The commission may issue a separate license to:

- (a) Punchboard and pull tab manufacturers,
- (b) Distributors to sell and distribute punchboards and pull tabs and related equipment within the state of Washington.

(c) Manufacturer's representatives to sell and distribute punchboards and pull tabs and related equipment on behalf of the manufacturer in the state of Washington, and

(d) Distributor's representatives to sell and distribute punchboards and pull tabs and related equipment on behalf of the distributor in the state of Washington.

~~((7))~~ (8) License expiration. Each such license shall be valid for one year from the date that it is issued: PROVIDED, That

(a) Licenses issued to conduct any authorized activity in connection with and upon the site of a qualified agricultural fair, qualified community-wide civic festival, qualified world's fair, or qualified civic center shall be valid only for the duration of the fair or festival, or, in the case of an activity at a civic center, for the seasons during which the civic center is operating and open to the public. In no event shall such license exceed one calendar year.

(b) Notwithstanding the provisions of subsection (a), a license issued for the conduct of a raffle in connection with a qualified agricultural fair, qualified community-wide civic festival or qualified world's fair shall authorize the licensee to sell tickets for said raffle at any time during the period from the issuance of the license through the conclusion of the fair or festival.

(c) Licenses issued for card tournaments shall be valid only for the duration of the tournament, but in no event shall exceed ten consecutive days.

(d) Licenses issued for fund raising events shall be valid only for the duration of the fund raising event as set forth in the application, but in no event shall exceed three consecutive days, once each calendar year, or in the alternative, shall not exceed one calendar day no more than twice each calendar year.

(e) If the licensee fails to renew the license prior to the expiration date, the license shall expire. The licensee must reapply for licensure according to the statutory and regulatory conditions then in force as would any other person.

~~((8))~~ (9) Conditions of license issuance. All activities so licensed are licensed subject to compliance with all of the applicable provisions of chapter 9.46 RCW, including any amendments thereto, all applicable rules and regulations passed by the commission, all other applicable laws of the United States, the state of Washington and all political subdivisions of the state of Washington.

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

AMENDATORY SECTION (Amending Order #78, filed 11-17-77)

WAC 230-04-200 LICENSE FEES. The following fees shall be paid to the commission for licenses, and permits, issued by the commission. For the operation of:

- (1) BINGO

(a) Class A – five hundred dollars or less annual net receipts – \$20.

(b) Class B – over five hundred dollars through five thousand dollars annual net receipts – \$50.

(c) Class C – over five thousand dollars through fifteen thousand dollars annual net receipts – \$250.

(d) Class D – over fifteen thousand dollars through twenty-five thousand dollars annual net receipts – \$350.

(e) Class E – over twenty-five thousand dollars through fifty thousand dollars annual net receipts – \$750.

(f) Class F – over fifty thousand dollars through one hundred thousand dollars annual net receipts – \$1500.

(g) Class G – over one hundred thousand dollars through five hundred thousand dollars annual net receipts – \$3000.

(h) Class H – over five hundred thousand dollars annual net receipts – \$10,000.

(2) RAFFLES

(a) Class C – five hundred dollars or less annual net receipts – \$20.

(b) Class D – over five hundred dollars, but not over five thousand dollars, annual net receipts – \$50.

(c) Class E – over five thousand dollars through fifteen thousand dollars annual net receipts – \$250.

(d) Class F – over fifteen thousand dollars annual net receipts – \$350.

(3) AMUSEMENT GAMES – by bona fide charitable or bona fide nonprofit organizations.

(a) Class A – five hundred dollars or less annual net receipts – \$20.

(b) Class B – over five hundred dollars through one thousand dollars annual net receipts – \$25.

(c) Class C – over one thousand dollars through five thousand dollars annual net receipts – \$50.

(d) Class D – over five thousand dollars through fifteen thousand dollars annual net receipts – \$150.

(e) Class E – over fifteen thousand dollars annual net receipts – \$350.

(4) FUND RAISING EVENT AS DEFINED IN RCW 9.46.020 – by bona fide charitable or bona fide nonprofit organizations.

(a) Class A – one calendar day – not to exceed five thousand dollars annual net receipts – \$50.

(b) Class B – more than one calendar day not to exceed three consecutive days, once each calendar year – not to exceed five thousand dollars annual net receipts – \$100.

(5) SPECIAL LOCATION AMUSEMENT GAMES – other than bona fide charitable or bona fide nonprofit organizations.

(a) Class A – one event per year lasting no more than 12 consecutive days – \$100.

(b) Class B – twenty-five thousand dollars or less annual net receipts – \$250.

(c) Class C – over twenty-five thousand dollars through one hundred thousand dollars annual net receipts – \$750.

(d) Class D – over one hundred thousand dollars through five hundred thousand dollars annual net receipts – \$1500.

(e) Class E – over five hundred thousand dollars annual net receipts – \$3000.

(6) CARD GAMES – bona fide charitable and nonprofit organizations.

(a) Class A – general (fee to play charged) – \$250.

(b) Class B – limited card games – to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) – \$100.

(c) Class C – tournament only (no more than ten consecutive days) per tournament – \$35.

(d) Class D – general (no fee is charged a player to play cards) – \$35.

(7) CARD GAMES – commercial stimulant – each licensee per premises.

(a) Class A – general – up to three tables – \$250.

(b) Class B – limited card games to hearts, rummy, pitch, pinochle, coon-can and/or cribbage (fee to play charged) – \$100.

(c) Class C – tournament only (no more than ten consecutive days) – per tournament – \$35.

(d) Class D – general (no fee is charged a player to play cards) – \$35.

(e) Class E – general – up to five tables – \$500.

(8) PUBLIC CARD ROOM EMPLOYEE – each licensee – \$100.

~~((8))~~ (9) PERMITS – for operation by persons of authorized activity at agricultural fair or special property.

(a) Class A – one location and event only – \$10.

(b) Class B – annual permit for specified different events and locations – \$100.

~~((9))~~ (10) PUNCHBOARDS AND PULL TABS – each licensee, per premises – \$300.

~~((10))~~ (11) Manufacturer license – \$1250.

~~((11))~~ (12) Distributor license – \$1000.

~~((12))~~ (13) Distributor's representative license – \$100.

~~((13))~~ (14) Manufacturer's representative license – \$100.

The term annual net receipts as used above means net receipts from the activity licensed only, during the license year.

AMENDATORY SECTION (Amending Order #5, filed 12-19-73)

WAC 230-04-290 LOSS OR DESTRUCTION OF LICENSES, PERMITS, ETC.—FEES. Upon the loss or destruction of any license granted by the commission to conduct gambling activities in the state of Washington, application for a duplicate must be made to the commission upon a form to be supplied by the commission. A notarized affidavit signed by the licensee, chief executive officer of a corporation or by each of the owners of a profit making business which details the circumstances under which the license was lost or destroyed and certifies that such license was, in fact, lost or destroyed, shall accompany such application. The fee for replacement of a license shall be ten dollars.

AMENDATORY SECTION (Amending Order #5, filed 12-19-73)

WAC 230-04-310 CHANGE OF NAME. No licensee shall adopt or make a change in his or her given name or a trade or corporate name without notifying the commission at least thirty days prior to the effective date of such change. Each such change shall be made subject to the approval of the commission. The fee for such adoption or change of name shall be ten dollars.

AMENDATORY SECTION (Amending Order #5, filed 12-19-73)

WAC 230-04-450 DISPLAY OF LICENSES. All licenses or permits granted by the commission, including those licenses issued to employees of a licensed operator as well as the principal license or licenses, shall be prominently displayed at all times upon the licensed premises in such position as they may be observed by persons participating in gambling activities on the licensed premises, except as may otherwise be provided by these rules.

AMENDATORY SECTION (Amending Order #12, filed 2-14-74)

WAC 230-12-080 LICENSEE TO MAINTAIN COPY OF COMMISSION'S RULES ON PREMISES. Each licensee for the operation of a gambling activity shall obtain, maintain and keep current, a copy of the rules of the commission, which shall be located upon each premises used for the conduct of a licensed activity by a licensee at all times the activity is there conducted. The rules shall be produced by the licensee and shown to any person upon demand. The fact that a licensee may not have a current copy of each of the rules of the commission shall not in any way diminish the licensee's obligation to abide by these rules.

AMENDATORY SECTION (Amending Order #23, filed 9-23-74)

WAC 230-40-250 LICENSEE TO PREVENT CHEATING IN CARD GAMES. A licensee to allow certain premises to be used to play cards and his employees or agents shall not allow any player to play in such a manner as to cheat the persons with whom he is playing. The licensee shall take all necessary steps to prevent this and shall be responsible to insure that the games played upon the licensed premises are fairly played.

Any incident wherein a person is found cheating shall be reported immediately to the applicable local police or sheriff's office.

WSR 78-06-067

PROPOSED RULES

HIGHER EDUCATION PERSONNEL BOARD

[Filed May 25, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 28B.16.100, that the

Higher Education Personnel Board intends to adopt, amend, or repeal rules concerning the amending of WAC 251-14-040 Election and certification of exclusive representative to remove provision for thirty percent of employees in bargaining unit to petition for an election following receipt of proof of majority representation from an employee organization;

that such agency will at 9:00 a.m., Friday, June 16, 1978, in the Administration Building, Walla Walla Community College conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Friday, June 16, 1978, in the Board Room, Administration Building, Walla Walla Community College.

The authority under which these rules are proposed is RCW 28B.16.100.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to June 16, 1978, and/or orally at 9:00 a.m., Friday, June 16, 1978, Walla Walla Community College, Walla Walla, WA.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 78-03-098 and 78-05-059 filed with the code reviser's office on 3/1/78 and 4/27/78.

Dated: May 25, 1978

By: Douglas E. Sayan

Director

WSR 78-06-068

ADOPTED RULES

HIGHER EDUCATION PERSONNEL BOARD

[Order 68—Filed May 25, 1978—Eff. July 1, 1978]

Be it resolved by the Higher Education Personnel Board, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to:

AMD	WAC 251-04-020	Definitions.
AMD	WAC 251-06-070	Allocation appeal—Higher education personnel board.
AMD	WAC 251-08-100	Periodic increment date.
AMD	WAC 251-08-112	Salary—Reallocation.
AMD	WAC 251-09-030	Overtime.
AMD	WAC 251-09-090	Special premium pay.
AMD	WAC 251-10-055	Layoff lists—Institution-wide.
AMD	WAC 251-10-140	Immediate dismissal.
NEW	WAC 251-12-095	Appeals—Limitations.
AMD	WAC 251-12-240	Burden of proof.
AMD	WAC 251-18-030	Examination notice—Content.
AMD	WAC 251-18-140	Examination results—Notification.
AMD	WAC 251-18-160	Examination—Medical.
AMD	WAC 251-18-176	Modification of minimum qualifications.
AMD	WAC 251-18-181	Eligible lists—Combined.
AMD	WAC 251-18-260	Certification—Incomplete.
NEW	WAC 251-20-010	Employee performance evaluation—Authority, purpose.
NEW	WAC 251-20-020	Employee performance evaluation—Forms.
NEW	WAC 251-20-030	Method of evaluation.
NEW	WAC 251-20-040	Employee performance evaluation—Procedure.
NEW	WAC 251-20-050	Employee performance evaluation—General provisions.
NEW	WAC 251-20-060	Employee performance evaluation—Responsibility.
AMD	WAC 251-22-200	Leave of absence without pay.

This action is taken pursuant to Notice No. WSR 78-04-100 filed with the code reviser on 4/5/78. Such rules shall take effect at a later date, such date being 7/1/78.

This rule is promulgated under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 18, 1978.

By Douglas E. Sayan
Director

AMENDATORY SECTION (Amending Order 63, filed 11/22/77)

WAC 251-04-020 DEFINITIONS. Unless the context clearly indicates otherwise, the words used in these rules shall have the meanings given in this section.

"ADMINISTRATIVE ASSISTANT EXEMPTION" - A president or vice president may have individual(s) acting as his/her administrative assistant(s). The employee normally performs supportive work for his/her superior as an individual contributor without subordinates.

"ADMINISTRATIVE EMPLOYEES" - Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

(1) Primary duty is office or nonmanual work directly related to the management policies or general business operations; and

(2) Must have the authority to make important decisions, customarily and regularly exercise discretion and independent judgment, as distinguished from using skills and following procedures; and

(3) Must regularly assist an executive or administrative employee, or perform work under only general supervision along specialized or technical lines requiring special training, experience or knowledge; and

(4) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of responsible office or nonmanual work directly related to management policies or general business operations.

"AGRICULTURAL EMPLOYEES" - Employees performing work which includes farming and all its branches, including cultivating the soil, or growing or harvesting crops, or raising livestock, bees, fur-bearing animals, or poultry; or doing any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations.

"ALLOCATION" - The assignment of an individual position to an appropriate class on the basis of the kind, difficulty, and responsibility of the work of the position.

"APPOINTING AUTHORITY" - A person or group of persons lawfully authorized to make appointments.

"AVAILABILITY" - Within a class or job category, the existence of qualified persons of the under-represented groups in the employed and unemployed workforce in that class or job category within the defined recruitment area.

"BOARD" - The higher education personnel board established under the provisions of the higher education personnel law.

"CERTIFICATION" - The act of providing an employing official or appointing authority with the names of the appropriate eligibles to be considered for appointment to fill a vacancy.

"CHARGES" - A detailed statement of the specific incidents alleging cause for dismissal or disciplinary action.

"CLASS" - One or more positions sufficiently similar with respect to duties and responsibilities that the same descriptive title may be used with propriety to designate each position allocated to the class; that the same general qualification requirements are needed for performance of the duties of the class; that the same tests of fitness may be used to select employees; and that the same schedule of pay can be applied with equity to all positions in the class under the same or substantially the same employment conditions.

"CLASSIFIED SERVICE" - All positions in the higher education institutions which are subject to the provisions of the higher education personnel law.

"COLLECTIVE BARGAINING" - The performance of the mutual obligation of the appointing authority and the certified exclusive bargaining representative to meet at reasonable times, to confer and bargain in good faith, and to execute a written agreement with respect to those personnel matters over which the appointing authority may lawfully exercise discretion.

"COMPETITIVE SERVICE" - All positions in the classified service for which a competitive examination is required as a condition precedent to appointment.

"CORRECTIVE EMPLOYMENT PROGRAM" - A program designed to increase the employment of persons of under-represented groups to correct a condition of under-representation of such persons caused by present or past practices or other conditions which have resulted in limited employment opportunity for members of the affected groups. (Also see separate definitions of "availability," "job categories," and "under-representation".)

"UNDER-REPRESENTATION" - Having fewer employees by racial or ethnic minority, handicap, or sex within a class or job category than:

(i) would reasonably be expected by their availability; or

(ii) are included in the institution's approved corrective employment goal for that class or job category per WAC 251-18-390(1);

"AVAILABILITY" - Within a class or job category, the existence of qualified persons of the under-represented groups in the employed and unemployed

work force in that class or job category within the defined recruitment area;

~~((c)) "JOB CATEGORIES" - Those groupings required in equal employment opportunity reports to federal agencies;)~~

"COUNSELING EXEMPTION" - Individuals in counseling-exempt positions are responsible for directing and/or participating in providing academic, athletic, medical, career, financial aid, student activity and/or personal counseling to students. Such activities include, but are not limited to, providing individual and group guidance services using recognized professional techniques and practices.

~~((13)) "DEMOTION" - The change of an employee from a position in one class to a position in another class which has a lower salary range maximum.~~

~~((14)) "DEVELOPMENT" - The attainment through work experience and training of proficiency in skills which will enable the employee to perform higher level duties.~~

~~((15)) "DIRECTOR" - The personnel director of the higher education personnel board.~~

~~((16)) "DISMISSAL" - The termination of an individual's employment for just cause as specified in these rules.~~

~~((17)) "ELIGIBLE" - An applicant for a position in the competitive service who has met the minimum qualifications for the class involved, has been admitted to and passed the examinations, and has met all requirements for eligibility as stated on the bulletin board posting; or an applicant for a position in the noncompetitive service who has met all requirements for eligibility as stated on the bulletin board posting.~~

~~((18)) "ELIGIBLE LIST" - A list established by the personnel officer, composed of names of persons who have made proper application, met the minimum qualifications, and successfully completed the required examination process to be certified for vacancies in a class at the institution.~~

"EMPLOYEE" - A person working in the classified service at an institution.

~~((19)) "EMPLOYEE ORGANIZATION" - Any lawful association, labor organization, federation, council, or brotherhood, having as one of its purposes the improvement of working conditions among employees, and which has filed a notice of intent to represent employees with the director, and which has been authorized in accordance with WAC 251-14-020.~~

~~((20)) "EMPLOYING OFFICIAL" - An administrative or supervisory employee designated by the appointing authority to exercise responsibility for requesting certification, interviewing eligibles, and employing classified employees.~~

~~((21)) "EXECUTIVE EMPLOYEES" - Management personnel whose responsibilities require them to spend at least 80% of their work hours as follows:~~

~~((a)) (1) Primary duty must be management of a recognized department or subdivision; and~~

~~((b)) (2) Must customarily and regularly direct the work of two or more employees; and~~

~~((c)) (3) Must have the authority to hire and fire, or to recommend with authority on these and other actions affecting employees; and~~

~~((d)) (4) Must customarily and regularly exercise discretionary powers; and~~

~~((e)) (5) Must be paid at a rate of at least \$672 per month exclusive of board, lodging or other facilities.~~

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if he/she regularly directs the work of at least two other employees and the primary duty is management of a recognized department or subdivision ((thereof)).

"EXECUTIVE HEAD EXEMPTION" - Executive heads of major academic or administrative divisions are analogous in the hierarchy to vice presidents, deans and chairmen. Directors may be executive heads as determined by the higher education personnel board. An executive head is in charge of a separate budget unit and directs subordinates.

~~((22)) "EXEMPT POSITION" - A position properly designated as exempt from the application of these rules as provided in WAC 251-04-040. (Also see separate definitions of "administrative assistant exemption," "executive head exemption," "research exemption," "counseling exemption," "extension and/or continuing education exemption," "graphic arts or publication exemption," and "principal assistant exemption".)~~

~~((a)) "ADMINISTRATIVE ASSISTANT EXEMPTION" - A president or vice president may have individual(s) acting as his or her administrative assistant(s). The employee normally performs supportive work for his/her superior as an individual contributor without subordinates.~~

~~(b) "EXECUTIVE HEAD EXEMPTION" - Executive heads of major academic or administrative divisions are analogous in the hierarchy to vice presidents, deans and chairmen. Directors may be executive heads as determined by the higher education personnel board. An executive head is in charge of a separate budget unit and directs subordinates.~~

~~(c) "RESEARCH EXEMPTION" - Individuals in research-exempt positions spend the majority of their time in one or more of the following activities: Identification and definition of research problems, design of approaches or hypotheses and methodology to be used, design of specific phases of research projects, analysis of results, development of conclusion and hypothesis, presentation of research results in publishable form.~~

~~(d) "COUNSELING EXEMPTIONS" - Individuals in counseling-exempt positions are responsible for directing and/or participating in providing academic, athletic, medical, career, financial aid, student activity and/or personal counseling to students. Such activities include, but are not limited to, providing individual and group guidance services using recognized professional techniques and practices.~~

~~(e) "EXTENSION AND/OR CONTINUING EDUCATION EXEMPTION" - Individuals considered exempt in this category are responsible for originating and developing formal education programs for the general public, usually involving close contact with faculty and staff or training or consulting with specific groups in~~

~~the community to enable them to provide specialized training and/or services to the community.~~

~~(f) "GRAPHIC ARTS OR PUBLICATION EXEMPTION" - Individuals qualifying for exemption under this section will be involved in performing selected graphic arts or publication activities requiring prescribed academic preparation or special training. Positions of this type are those which use special visual techniques, require original design and layout and/or can be distinguished from positions associated with the standard editorial functions.~~

~~(g) "PRINCIPAL ASSISTANT EXEMPTION" - Individuals qualifying for exemption under this section function as second in command in importance levels. The individual may perform many of the functions of his/her superior in the superior's absence or alternatively have major administrative or program responsibilities. Reporting relationships will not be below that of the executive head. In some institutions an executive head may have more than one principal assistant as determined by the higher education personnel board.)~~

"EXTENSION AND/OR CONTINUING EDUCATION EXEMPTION" - Individuals considered exempt in this category are responsible for originating and developing formal education programs for the general public, usually involving close contact with faculty and staff or training or consulting with specific groups in the community to enable them to provide specialized training and/or services to the community.

~~((23)) "FRINGE BENEFITS" - As used in the conduct of salary surveys, the term shall include but not be limited to compensation for leave time, including vacation, civil, and personal leave; employer retirement contributions; health insurance payments, including life, accident, and health insurance, workmen's compensation, and sick leave; and stock options, bonuses, and purchase discounts where appropriate.~~

~~((24)) "FULL-TIME EMPLOYMENT" - Work consisting of forty hours per week.~~

"GRAPHIC ARTS OR PUBLICATION EXEMPTION" - Individuals qualifying for exemption under this category will be involved in performing selected graphic arts or publication activities requiring prescribed academic preparation or special training. Positions of this type are those which use special visual techniques, require original design and layout and/or can be distinguished from positions associated with the standard editorial functions.

~~((25)) "GRIEVANCE" - A dispute filed in accordance with a grievance procedure of a signed collective bargaining agreement.~~

~~((26)) "HANDICAPPED PERSON" - Any person who:~~

~~((a)) (1) has a physical or mental impairment which substantially limits one or more major life activity;~~
~~((b)) (2) has a record of such an impairment; or~~
~~((c)) (3) is regarded as having such an impairment.~~
 For purposes of affirmative action, the major life activity affected must be employment.

~~((27)) "HEARING EXAMINER" - An individual appointed by the board to preside over, conduct and make recommended decisions including findings of fact~~

and conclusions of law in all cases of employee appeals to the board.

~~((28)) "INSTITUTIONS OF HIGHER EDUCATION" - The University of Washington, Washington State University, Central Washington University, Eastern Washington University, Western Washington University, The Evergreen State College, and the various state community colleges. For purposes of application of these rules, the term shall be considered to include the various related boards as defined in this section, unless specifically indicated to the contrary.~~

~~((29)) "INSTRUCTIONAL YEAR" - The schedule established annually by an institution to identify the period required to meet the educational requirements of a given academic or training program.~~

"JOB CATEGORIES" - Those groupings required in equal employment opportunity reports to federal agencies.

~~((30)) "LATERAL MOVEMENT" - Appointment of an employee to a position in another class which has the same salary range maximum as the employee's current class.~~

~~((31)) "LAYOFF" - Any of the following management initiated actions caused by lack of funds, curtailment of work, or good faith reorganization for efficiency purposes:~~

~~((a)) (1) Separation from service to an institution;~~

~~((b)) (2) Separation from service within a class;~~

~~((c)) (3) Reduction in the work year; and/or~~

~~((d)) (4) Reduction in the number of work hours.~~

~~((32)) "LAYOFF SENIORITY" - The last period of unbroken service in the classified service of the higher education institution. Authorized leave of absence or leave without pay shall not constitute a break in service; however, the time spent on such leave shall not be included in computing seniority except where required by statute and except in the case of positions established on the basis of an instructional year. Permanent employees who are veterans or their unmarried widows/widowers as identified in WAC 251-10-045 shall have added to their unbroken institution service the veteran's active military service to a maximum of five years' credit.~~

~~((33)) "LAYOFF UNIT" - A clearly identified structure within an institution, which is approved by the director, and within which employment/layoff options are determined in accordance with the reduction in force procedure.~~

~~((34)) "LEAD" - An employee who performs the same duties as other employees in his/her work group and in addition regularly assigns, instructs and checks the work of the employees.~~

~~((35)) "NONCOMPETITIVE SERVICE" - All positions in the classified service for which a competitive examination is not required.~~

~~((36)) "ORGANIZATIONAL UNIT" - A clearly identified structure, or substructure of persons employed to achieve a common goal or function under the direction of a single official. An organizational unit may consist of either an administrative entity or a geographically separated activity.~~

~~((37)) "PART-TIME EMPLOYMENT" - Work of twenty or more hours per week but less than full time~~

employment with an understanding of continuing employment for six months or more.

"PERIODIC INCREMENT DATE" - ("P.I.D.") - The date upon which an employee is scheduled to move to a higher salary step within the range for his/her current class, as provided in WAC 251-08-090 and 251-08-100.

~~((38))~~ "PERMANENT EMPLOYEE" - An employee who has successfully completed a probationary period at the institution within the current period of employment.

~~((39))~~ "PERSONNEL OFFICER" - The principal employee in each institution/related board responsible for administrative and technical personnel activities of the classified service.

"P.I.D." - Commonly used abbreviation for periodic increment date.

~~((40))~~ "POSITION" - A set of duties and responsibilities normally utilizing the full or part time employment of one employee.

"PRINCIPAL ASSISTANT EXEMPTION" - Individuals qualifying for exemption under this category function as second-in-command in importance levels. The individual may perform many of the functions of his/her superior in the superior's absence, or alternatively may have major administrative or program responsibilities. Reporting relationships will not be below that of the executive head. In some institutions an executive head may have more than one principal assistant as determined by the higher education personnel board.

~~((41))~~ "PROBATIONARY PERIOD" - The initial six months of employment in a class following appointment from an eligible list of a nonpermanent employee of the institution.

~~((42))~~ "PROBATIONARY REAPPOINTMENT" - Appointment of a probationary employee from an eligible list to a position in a different class.

~~((43))~~ "PROFESSIONAL EMPLOYEES" - Personnel whose responsibilities require them to spend at least 80% of their work hours as follows:

~~((a))~~ (1) Primary duty must involve work that requires knowledge of an advanced type in a field of science or learning, customarily obtained by a prolonged course of specialized instruction and study or work that is original and creative in character in a recognized field of artistic endeavor and the result of which depends primarily on invention, imagination, or talent; and

~~((b))~~ (2) Must consistently exercise discretion and judgment; and

~~((c))~~ (3) Must do work that is predominantly intellectual and varied, as distinguished from routine or mechanical duties; and

~~((d))~~ (4) Must be paid at a rate of at least \$737 per month exclusive of board, lodging or other facilities.

For persons whose salaries exceed \$1083 per month, the 80% limitation does not apply if the primary duty consists of work requiring knowledge of an advanced type in a field of science or learning which requires consistent exercise of discretion and judgment.

~~((44))~~ "PROMOTION" - The appointment as a result of recruitment, examination and certification, of a

permanent employee to a position in another class having a higher salary range maximum.

"PROVISIONAL APPOINTMENT" - Appointment made prior to establishment of an eligible list, per the provisions of WAC 251-18-300. A person so appointed is required to apply through the competitive process to be considered for the position on a permanent basis.

~~((45))~~ "PUBLIC RECORDS" - ~~(includes)~~ Any writing containing information relating to conduct of government or the performance of any governmental or proprietary function prepared, owned, used or retained by any state or local agency regardless of physical form or characteristics.

~~((46))~~ "REALLOCATION" - The assignment of a position by the personnel officer to a different class.

~~((47))~~ "REASSIGNMENT" - A management initiated movement of a classified employee from one position to another in the same class.

~~((48))~~ "RELATED BOARDS" - The state board for community college education, the council for post-secondary education, the higher education personnel board, and such other boards, councils and commissions related to higher education as may be established. For purposes of application of these rules, the term "institution" shall be considered to include these related boards, unless specifically indicated to the contrary.

"RESEARCH EXEMPTION" - Individuals in research-exempt positions spend the majority of their time in one or more of the following activities: Identification and definition of research problems, design of approaches or hypotheses and methodology to be used, design of specific phases of research projects, analysis of results, development of conclusion and hypothesis, presentation of research results in publishable form.

~~((49))~~ "RESIGNATION" - A voluntary termination of employment.

~~((50))~~ "REVERSION" - The return of a permanent employee from trial service to the most recent class in which permanent status was achieved.

~~((51))~~ "SEPARATION" - Resignation, retirement, layoff or dismissal from the classified service.

~~((52))~~ "SUPERVISOR" - Any individual having authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibility to direct them or adjust their grievances, or effectively to recommend such action if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

~~((53))~~ "SUSPENSION" - An enforced absence without pay for disciplinary purposes.

~~((54))~~ "TEMPORARY EMPLOYMENT" -

~~((a))~~ (1) Work performed in the absence of an employee on leave; or

~~((b))~~ (2) Extra work required at a work load peak or special projects, or cyclic work loads not to exceed one hundred eighty calendar days.

~~((55))~~ "TRAINING" - Formal and systematic learning activities intended to provide employees with the knowledge and skills necessary to become proficient or qualified in a particular field.

((56)) "TRANSFER" - An employee initiated change from one classified position to another in the same class within the institution without a break in service.

((57)) "TRIAL SERVICE" - The initial period of employment following promotion, demotion or lateral movement into a class in which the employee has not held permanent status, beginning with the effective date of the change and continuing for six months, unless interrupted as provided in these rules.

"UNDER-REPRESENTATION" - Having fewer employees by racial or ethnic minority, handicap, or sex within a class or job category than would reasonably be expected their availability; or than are included in the institution's approved corrective employment goal for that class or job category per WAC 251-18-390(1).

((58)) "UNION SHOP" - A union membership provision which, as a condition of employment, requires all employees within a bargaining unit to become members of an employee organization.

((59)) "UNION SHOP REPRESENTATIVE" - An employee organization which is the exclusive representative of a bargaining unit that has been certified by the director as the union shop representative following an election wherein a majority of employees in the bargaining unit voted in favor of requiring membership in the employee organization as a condition of employment.

((60)) "UNION SHOP REPRESENTATION FEE" - Employees who are granted a nonassociation right based on religious tenets or teachings of a church or religious body of which they are members, must pay a representation fee to the union shop representative. Such fee is equivalent to the regular dues of the employee organization minus any monthly premiums for union sponsored insurance programs.

((61)) "WRITING" - Handwriting, typewriting, printing, photostating, photographing and every other means of recording any form of communication or representation including letters, words, pictures, sounds; or symbols or combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums and other documents.

AMENDATORY SECTION (Amending Order 63, filed 11/22/77)

WAC 251-06-070 ALLOCATION APPEAL—HIGHER EDUCATION PERSONNEL BOARD. (1) The employee or employee representative may file a written appeal with the board under provisions of WAC 251-06-060 when:

- (a) The response required in WAC 250-06-060(2) is not issued to the employee or employee representative within the sixty calendar day period following receipt of the employee request; or
- (b) The response fails to address the specific reason(s) that the request was not approved; or
- (c) The employee disagrees with the results of the response. The written appeal should include information which will assist the board in determining the proper allocation of the position.

(2) Within thirty calendar days, but prior to scheduling of the appeal hearing, the director will investigate the appeal and attempt to resolve the allocation to the satisfaction of all parties. This may be extended by thirty calendar days provided the affected employee is given notice of the extension. If the allocation remains unresolved and the appeal is not withdrawn within fifteen calendar days following the director's review, the director will schedule an appeal hearing with the board or its designee.

(3) The burden of proof in an allocation appeal shall rest with the appellant.

(4) Allocation appeal hearings will be informal and will allow sufficient time for the parties to present facts pertinent to the proper allocation of a position. The appellant may represent him/herself or may be represented by any person of his/her choosing at the hearing. In appeals heard by a hearing examiner, the hearing examiner will issue a recommended decision within thirty calendar days of the hearing. The recommended decision will be transmitted to both parties by certified mail with a statement regarding the right to file exceptions to the recommended decision. Within thirty calendar days of service of the recommended decision, any party adversely affected may file written exception to the recommended decision. If no written exceptions are filed, the hearing examiner's recommended decision will become final forty calendar days after service of the recommended decision unless within that forty calendar day period the board issues a notice to each of the parties that a hearing will be scheduled for reconsideration of the hearing examiner's recommended decision. When exceptions are filed, such written statements must indicate in detail the specific items of the recommended decision to which exception is taken. Thereafter, a hearing on the exceptions will be scheduled before the board at which time all parties may present written and/or oral argument. Within thirty calendar days of hearing the testimony or arguments upon exceptions, the board will issue a decision which is final and binding.

AMENDATORY SECTION (Amending Order 64, filed 12/23/77)

WAC 251-08-100 PERIODIC INCREMENT DATE. (1) For purposes of payment of periodic increment increases, the effective date shall be determined as follows:

- (a) The first of the current month for actions occurring between the first and the fifteenth of the month; or
 - (b) The first of the following month for actions occurring between the sixteenth and the end of the month.
- (2) The periodic increment date of new employees or probationary employees who are reappointed to a new class during the probationary period shall be established:
- (a) Upon completion of the probationary period for those appointed at the first step in the salary range; or
 - (b) Upon completion of twelve months' service in the class for those appointed at a salary step above the first step in the salary range.
- (3) The periodic increment date of all employees shall be changed as follows:

(a) Upon promotion, the existing periodic increment date will be eliminated and a new date established to be effective upon completion of the trial service period;

(b) Upon reappointment of a probationary employee during the probationary period, the former periodic increment date will be eliminated and a new date established as provided in WAC 251-08-100(2);

(c) Upon reallocation under WAC 251-06-080(1)(a) of an employee who is at the top step of the current salary range, the ~~((existing periodic increment date will be eliminated and a new date established to be effective))~~ employee will be given a new periodic increment date which will be six months following the reallocation action;

(d) When a leave of absence without pay exceeds ten working days in any calendar month, or exceeds ten consecutive working days, the date will be extended by one month, except as provided by WAC 251-22-180 and 251-18-380;

(e) When employees return from layoff status, the date will be reestablished and extended by an amount of time equal to the period of layoff in order to give credit for time served in a salary step prior to layoff;

(f) When an instructional-year leave of absence without pay exceeds ninety calendar days, the periodic increment date shall be extended on a month-for-month basis. Provisions of WAC 251-08-100(3)(d) shall apply to that period exceeding the ninety calendar days. Instructional-year employees serving a probationary or trial service period will have their periodic increment dates extended by an amount of time equal to the period in which the employee is on leave of absence without pay;

(g) When employees are reverted from trial service following promotion (or return from alternate appointment), the periodic increment date held prior to promotion or layoff will be reestablished;

(h) When the board or the director order remedial action per WAC 251-12-600, the periodic increment date may be modified as part of the order.

(4) The periodic increment date of all employees shall remain unchanged for all other actions including, but not limited to, transfer within class, appointment to another class with the same or lower salary range maximum, and reallocations except as provided in WAC 251-08-100(3)(c).

(5) The periodic increment date for incumbents of exempt positions which are converted to classified status shall be established as provided in WAC 251-18-420.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

✓ WAC 251-08-112 SALARY—REALLOCATION. (1) An employee occupying a position that is reallocated to a class with a higher salary range maximum shall receive an increase in ~~((accordance with the provisions of))~~ the same manner as is provided for promotion in WAC 251-08-110. The periodic increment date shall be established as provided in WAC 251-08-100.

(2) An employee occupying a position that is reallocated to a class with a lower salary maximum shall be placed in the salary step in the new range which is equal

to the current salary, provided such salary does not exceed the top step of the new salary range.

(3) When reallocation is necessary because the board has created, abolished, or modified a class, the incumbent will remain in the position and the following will apply:

(a) An employee occupying a position reallocated to a class with a lower salary range maximum will be placed at the step in the new salary range which is equal to the current salary and will be allowed to achieve the salary maximum of the former class at the time of reallocation. The employee will lose the right to such salary maintenance if he/she voluntarily demotes, promotes, or moves to another class;

(b) An employee occupying a position reallocated to a class with a higher salary range maximum will receive an increase as provided in WAC 251-08-110;

(c) A reallocation which results from the board's abolishment of a class will be effective the date of the board's action.

AMENDATORY SECTION (Amending Order 62, filed 8/30/77)

✓ WAC 251-09-030 OVERTIME. (1) Any one of the following ((conditions)) constitutes overtime:

(a) Work in excess of the daily work shift for fulltime employees assigned to scheduled work period positions((-));

(b) Work in excess of forty hours in one workweek for employees assigned to scheduled or nonscheduled work period positions; or ~~((work in excess of eighty hours in a fourteen day period))~~

(c) For hospital personnel assigned to a fourteen day schedule, work in excess of eighty hours in a fourteen day schedule.

(2) Overtime worked by employees assigned to scheduled or nonscheduled work period positions shall be compensated at a rate of one and one-half times the employee's straight time hourly rate including shift differential for all overtime worked as provided in subsection (1) ~~((above))~~ of this section.

(3) Employees assigned to scheduled or nonscheduled work period positions shall receive monetary payment as compensation for overtime worked; however, at the employee's request compensatory time off at one and one-half times the overtime hours worked may be granted in lieu of monetary payment, except that agricultural employees shall receive compensatory time off or monetary payment at the option of the institution.

(4) Use of accrued compensatory time shall be approved by the employing official with consideration being given to the work requirements of the department and the wishes of the employee. Compensatory time off may be scheduled by the employing official during the final sixty days of a biennium.

(5) Employees assigned to excepted work period positions normally do not qualify for overtime. Under circumstances in which the employee is directed to work an excessive amount of overtime, the personnel officer may authorize additional compensation in cash or compensatory time off not to exceed one and one-half times the employee's regular rate. The employee may petition the

personnel officer for compensation of the directed overtime.

(6) For purposes of computing overtime compensation, holidays or leave with pay during the employee's regular work schedule shall be considered as time worked.

AMENDATORY SECTION (Amending Order 62, filed 8/30/77)

WAC 251-09-090 SPECIAL PREMIUM PAY. The board or the director may approve special premium pay required by the employer due to unique working conditions, as may be requested by the personnel officer of an institution. Actions approved by the director are subject to confirmation by the board.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-10-055 LAYOFF LISTS—INSTITUTION-WIDE. (1) The names of permanent and probationary employees who are scheduled for layoff, who have been laid off from service within a class or service to the institution, or who have accepted a lower option in lieu of layoff shall be placed on the institution-wide layoff list(s) for those class(es) in which they have held permanent status, probationary (if within the same class series as the list), or trial service appointment status within the current period of employment at the institution provided that:

- (a) The employee has requested placement on the list;
- (b) The employee has not been rejected, reverted, demoted or dismissed from such class(es); and
- (c) The class has the same or lower salary range maximum as the class from which laid off.

In addition such employees shall be placed on institution-wide layoff list(s) for all lower class(es) in these same class series.

(2) Upon request, employees shall be placed on these lists at the completion of the three day option period or upon selection of an option, whichever is sooner.

(3) Layoff lists shall be institution-wide with eligibles ranked according to layoff seniority as defined in WAC 251-04-020.

(4) Eligibles certified from such lists shall be re-employed in preference to all other eligibles.

(5) Removal from the institution-wide layoff list shall be as provided below:

(a) Acceptance of a layoff option or appointment from a layoff list shall cause removal from the list(s) for all classes with the same or lower salary range maximum(;;); except that ((no employee)), unless the employee so requests, he/she may not be removed via this procedure from the layoff list for the class from which laid off.

(b) Retirement, resignation, or dismissal from the institution shall cause removal from the list(s).

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-10-140 IMMEDIATE DISMISSAL. When the appointing authority determines that a permanent employee is to be dismissed for cause as provided in WAC 251-10-110 and the circumstances are such that retention of the employee in an active duty status may result in damage to state property or may be injurious to the employee, fellow workers, or the client public, the employee may be dismissed immediately. The employee must be notified in writing as provided in WAC 251-10-120, but the fifteen calendar days notice requirement does not apply. The notification must state the cause for the dismissal and in addition the necessity for the immediacy of the action.

NEW SECTION

WAC 251-12-095 APPEALS—LIMITATIONS. Appeals shall not be processed per WAC 251-12-090 if the same charges have been filed with the board for mediation/arbitration per WAC 251-14-100(2), 251-14-110(2), or as a complaint charging an unfair labor practice per WAC 251-14-080.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-12-240 BURDEN OF PROOF. (1) At any hearing on appeal from a layoff, demotion, suspension, reduction, or dismissal the institution shall have the burden of proof.

(2) At any hearing on appeal from an allocation, the burden of proof shall rest with the appellant.

(3) At any hearing on exceptions to a hearing examiner's recommended decision per the provisions of WAC 251-12-085 or to a director's determination per the provisions of WAC 251-12-075, 251-12-600, or 251-18-115, the party filing the exceptions shall have the burden of proof.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-18-030 EXAMINATION NOTICE—CONTENT. (1) Bulletin board postings except open-continuous shall specify as a minimum the title and salary range of the class for which the eligible list is open; the nature of the work to be performed; the experience and training required; the time, place and manner of making application; the minimum qualifications established for admission to the examination; and the type of examination required for the class.

(2) Bulletin board postings and examination announcements for open-continuous eligible lists shall specify the title and salary range of the class for which the eligible list is open, the manner of making application, and the location and procedure for obtaining information regarding minimum qualifications and examination requirements.

(3) When the personnel officer elects to establish a combined eligible list as provided in WAC 251-18-181 and 251-18-240(4), to limit the number of eligibles to

be placed on a noncompetitive eligible list, or to limit the number of (~~eligibles~~) applicants to be admitted to the entire examination as provided in WAC 251-18-060(3), such information shall be included in the bulletin board posting.

AMENDATORY SECTION (Amending Order 65, filed 1/30/78)

WAC 251-18-140 EXAMINATION RESULTS—NOTIFICATION. (1) Within ten working days after scoring the examination, the personnel officer will (~~notify in writing~~) provide each applicant competing in an examination with written notice of his/her score or failure to obtain a passing score and in addition his/her appeal rights per the provisions of WAC 251-18-115 (~~within ten working days after scoring the examination~~). Any applicant or authorized representative may request in writing that the personnel officer review the examination rating and/or score within fifteen calendar days after notification of the score. If an error in scoring has been made, it will be corrected and the eligible's name will be placed at the appropriate place on the eligible list. A correction so made shall not invalidate any appointment previously made from the list.

(2) The personnel officer will notify the candidate of the date of placement on the eligible list and the date of expiration.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-18-160 EXAMINATION—MEDICAL. (1) Candidates for employment or promotion shall take a medical examination if prescribed for the position to which appointment is sought. All candidates must conform with medical regulations for state employment established by the Washington State Board of Health.

(2) A medical examination and/or doctor's certificate also may (~~also~~) be required where a question arises concerning the fitness of the incumbent to perform the duties of his/her position.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-18-176 (~~ELIGIBLE LIST—APPOINTMENT~~) MODIFICATION OF MINIMUM QUALIFICATIONS. When a vacancy exists and active and reasonable recruiting efforts fail to establish an eligible list for the class, the personnel officer may request that the director modify the minimum qualifications. If satisfied that reasonable effort has been made to recruit at the established minimum qualifications the director may modify the minimum qualifications for that recruiting cycle on a one-time basis. On approval, the personnel officer shall initiate recruiting at the reduced minimum qualifications. Such temporary modification will be reported to the board at the next regular meeting.

Appointments made from employment lists established in this manner will be in accordance with these rules.

AMENDATORY SECTION (Amending Order 65, filed 1/30/78)

WAC 251-18-181 ELIGIBLE LISTS—COMBINED. For positions in classes which meet the HEPB definitions of administrative, executive, or professional employees, the personnel officer may combine into a single list all the eligible lists provided in WAC 251-18-180, except the institution-wide layoff list. Such combined list shall be established by class and shall contain the names of all candidates who have successfully completed the examination for the class. Ranking of eligibles shall be in the order of their final earned rating on the examination as indicated below:

(1) Permanent employees of the institution shall have added to their final passing score a five percent permanent employee preference bonus.

(2) All other candidates on the combined eligible list shall be placed on the list with their final passing score.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-18-260 CERTIFICATION—INCOMPLETE. When the number of names available for filling any vacancy is fewer than three, the employing official may make an appointment from the (~~eligible list~~) certification or decline (~~certification for that vacancy~~) to do so.

Chapter 251-20 WAC
EMPLOYEE PERFORMANCE EVALUATION

NEW SECTION

WAC 251-20-010 EMPLOYEE PERFORMANCE EVALUATION—AUTHORITY, PURPOSE. (1) The rules contained in this chapter follow from the authority of the higher education personnel law, RCW 28B.16.105, which provides in part, ". . . the board shall develop standardized employee performance evaluation procedures and forms which shall be used by institutions of higher learning for the appraisal of employee job performance at least annually . . ."

(2) It is the board's intent that employing officials or designated supervisory personnel will conduct annual performance evaluations to record and inform employees regarding how well they have contributed to efficiency, effectiveness, and economy in fulfilling institution and job objectives.

NEW SECTION

WAC 251-20-020 EMPLOYEE PERFORMANCE EVALUATION—FORMS. (1) Standardized performance evaluation forms approved by the board shall be used to record employee evaluations. The forms shall contain standard "performance factors" and shall provide for one or more "optional factors" developed by the institution, which reflect organizational requirements and specific job-related aspects of performance.

(2) The approved forms shall accommodate the provisions of WAC 251-20-040.

(3) The approved forms may be supplemented with other forms and/or information used by an institution to support the ratings recorded on the approved forms.

NEW SECTION

C ✓ WAC 251-20-030 METHOD OF EVALUATION. (1) Employee performance is to be rated for each "performance factor" on the approved form on the basis of criteria determined by the supervisor. To assist in the rating the employee's supervisor will:

(a) Provide the employee with a copy of the specification for the class; and

(b) Identify thereon, or on the approved form or attached thereto, those portions of the specification which relate to the position held; and

(c) Identify on the approved form or attached thereto criteria to be evaluated which set forth the supervisor's expectations with regard to factors of quality, quantity, job knowledge and working relationships.

Criteria recorded as part of the performance evaluation process shall remain in effect for future evaluations unless action is taken to modify or replace them.

(2) Each "performance factor" will be rated and recorded according to a scale which differentiates varied levels of employee performance.

NEW SECTION

C WAC 251-20-040 EMPLOYEE PERFORMANCE EVALUATION—PROCEDURE. (1) Each employee shall be evaluated at least annually by his/her supervisor. The evaluation process shall use the form(s) as provided in WAC 251-20-020 and shall be in accord with the provisions of this chapter.

(2) Prior to review by the second level of supervision, the employee shall be provided an opportunity to comment on the evaluation and to discuss his/her comments and the final evaluation with the supervisor.

(3) The evaluation shall be reviewed by the employee's second level of supervision (or management designee as determined by the institution).

(4) Performance evaluations shall be retained in the employee's file for no more than three years.

NEW SECTION

C WAC 251-20-050 EMPLOYEE PERFORMANCE EVALUATION—GENERAL PROVISIONS. An appeal against action under this chapter shall be restricted to allegations of irregularities in the use of the approved form and/or the procedures outlined in WAC 251-20-030.

NEW SECTION

C WAC 251-20-060 EMPLOYEE PERFORMANCE EVALUATION—RESPONSIBILITY. The personnel officer shall be responsible for establishing and administering the employee performance evaluation system for the institution.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

C WAC 251-22-200 LEAVE OF ABSENCE WITHOUT PAY. (1) Leave of absence without pay may be allowed for any of the following reasons:

(a) Conditions applicable for leave with pay;

(b) Maternity leave;

(c) Educational leave;

(d) Leave for Government service in the public interest;

(e) To accommodate annual work schedules of employees occupying positions established on the basis of an instructional year as specified in WAC 251-18-380.

(2) Requests for leave of absence without pay must be submitted in writing to the employing official or designee and must receive the approval of both the employing official and the personnel officer.

(3) Leave of absence without pay extends from the time an employee's leave commences until he/she is scheduled to return to continuous service, unless at the employee's request the employing official and the personnel officer agree to an earlier date.

(4) Annual leave and sick leave credits will not accrue during a leave of absence without pay which exceeds ten working days in any calendar month, except as provided in WAC 251-18-380(2).

(5) A classified employee taking a temporary appointment to an exempt position shall be granted a leave of absence without pay, with the right to return to his/her regular position, or to a like position at the conclusion of such temporary appointment; provided application for return to classified status must be made not more than thirty calendar days following the conclusion of the temporary employment.

WSR 78-06-069

ADOPTED RULES

STATE BOARD OF EDUCATION

[Order 5-78—Filed May 26, 1978]

*Colleen
at 12:30
substantive
2-13*

Be it resolved by the State Board of Education, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to new chapter 180-78 WAC, Professional preparation—Program development and approval, establishment of standards and criteria to be used in the development and approval of teacher preparation programs leading to teacher, school administrator and school specialized personnel certification.

This action is taken pursuant to Notice No. 78-04-084 filed with the code reviser on 4/4/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120 and chapters 28A.70 and 28A.93 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 12, 1978.

By Wm. Ray Broadhead
Secretary

Chapter 180-78 WAC
PROFESSIONAL PREPARATION
PROGRAM DEVELOPMENT AND APPROVAL

NEW SECTION

WAC 180-78-005 PURPOSE. The purposes of this chapter are to implement RCW 28A.04.120(1) and (2) and to establish the procedures, standards, and criteria to be used in the development and approval of preparation programs offered by institutions of higher education in Washington state leading to teacher, school administrator and school specialized personnel (educational staff associates) certification.

NEW SECTION

WAC 180-78-010 DEFINITION OF TERMS. The following definitions shall be used in this chapter:

(1) "Accreditation" shall mean a process whereby a preparation program is reviewed and determined by an accrediting agency to meet prespecified standards. Programs may be accredited by states, regional accrediting associations, or national professional organizations such as the national council for accreditation of teacher education (NCATE) or the national association of state directors of teacher education and certification (NASDTEC). Such accreditation shall not replace state board of education program approval in Washington state.

(2) "Agency" shall mean those groups, entities, associations, and the like recognized in WAC 180-78-030 as having a legitimate interest in the development of preparation programs.

(3) "College or university" shall mean any baccalaureate degree granting Washington institution of higher learning or cooperative group of such institutions which has or develops professional programs of preparation in education which are submitted to the state board of education for approval.

(4) "Cooperation" shall mean the act of working together in a participatory mode.

(5) "Endorsement" shall mean a specification placed on a certificate to indicate the subject matter field, grade level and/or specialization for which the individual is prepared to teach or serve as an administrator or educational staff associate.

(6) "General professional organization" shall mean the professional organization determined in accordance with election procedures defined in RCW 41.59.070 or a cooperative group of such employee representative organizations.

(7) "Interstate compact" shall mean the contractual agreement among several states authorized by RCW

28A.93.010 and 28A.93.020 which facilitates interstate reciprocity and guarantees graduates of institutions having approved programs in such states regular beginning certification in any state party to the compact.

(8) "Minimum generic standards" shall mean those basic areas of knowledge and skill adopted by the state board of education as essential to a given professional role.

(9) "Program approval" shall mean the approval by the state board of education of a preparation program within Washington state.

(10) "Program development" shall mean the cooperative process employed to identify program outcomes and experiences essential to program approval.

(11) "Program outcomes" shall mean the explicit objectives of preparation programs stated in terms of knowledge, skill, and performance.

(12) "Program unit" shall mean a group of cooperating agencies in Washington state, the specific membership and form of which shall be established by the participating members. Any such unit must include at least one college/university, one school organization, and one general or specialized professional organization.

(13) "School organization" shall mean any public or nonpublic school system or district or cooperative group of such organizations.

(14) "Site visit" shall mean the process of an on-site review of preparation programs conducted pursuant to WAC 180-78-035 and 180-78-050.

(15) "Specialized associations" shall mean the state-wide professional organization(s) recognized by the state board of education as having legitimate interest in the preparation of a respective professional role.

NEW SECTION

WAC 180-78-015 PROFESSIONAL EDUCATION ADVISORY COMMITTEE. The superintendent of public instruction shall establish a professional education advisory committee to advise the superintendent and the state board of education relative to preparation and certification matters and to participate in the review of preparation programs. The committee shall be comprised of no less than twenty-six regular members representing colleges and universities, specialized and general professional associations, school district administrators, boards of directors, nonpublic schools, and other business and lay organizations having interest in the preparation and certification of school personnel.

NEW SECTION

WAC 180-78-020 EQUIVALENCY OF STANDARDS. Reasonable flexibility in interpretation of this chapter may be applied consistent with the intent and spirit of this chapter. Exceptions to specific program approval standards will be considered. It shall be the responsibility of the superintendent of public instruction or his or her designee to make the final decision concerning approval of any exception to the program approval standards.

NEW SECTION

WAC 180-78-025 PROGRAM APPROVAL. Compliance date. All programs leading to certification offered in Washington state to prepare teachers, administrators, and school specialized personnel shall be approved under this chapter no later than June 1, 1983.

NEW SECTION

WAC 180-78-030 AGENCIES TO BE INVOLVED IN PROGRAM DEVELOPMENT. Agencies recognized as having a legitimate interest in the development of preparation programs shall be involved in a program unit and are set forth below. The chief administrative officer or designee of such agencies shall be asked to identify representatives to participate in the program unit and to clarify the representative's authority in acting on behalf of the agency.

(1) Agencies which shall be involved in any program unit are:

(a) School organization. The school organization representative shall represent the interests of the board of directors and school administration and shall have the responsibility for seeking input for program development from students, parents, and interested citizens.

(b) College or university. The chief administrator for professional preparation in education as designated by the college or university president shall represent the college or university interests and shall be responsible for seeking input for program development from faculty in education and other departments, students, and interest groups of the college or university.

(2) Any program unit involved with teacher education programs shall include the general professional organization whose representative shall represent the interests of teachers and who shall have the responsibility for seeking input for program development from those specialized and subject matter associations not represented in the program unit.

(3) Any program unit involved with administrator preparation programs shall include representation from the respective specialized association as noted:

(a) Superintendent—Washington association of school administrators (WASA);

(b) Principals—Association of Washington school principals (AWSP);

(c) Program administrators—Washington association of school administrators (WASA); the representative shall be serving in a program administrator's role and shall hold membership in one of the specialized associations that represent curriculum and/or supervisory personnel.

(d) The Washington council for private education (WCPE) shall provide input from the nonpublic school sector in matters relative to preparation of principals, program administrators, and superintendents.

The specialized association representative shall have the responsibility for seeking input from the general professional organization and other specialized and subject matter associations.

(4) Any program unit involved with educational staff associate preparation programs shall include representatives from the respective specialized association as noted:

(a) Communication disorders specialist—Washington speech and hearing association (WSHA);

(b) Counselor—Washington school counselor association (WSCA);

(c) Occupational therapist—Washington occupational therapy association (WOTA);

(d) Physical therapist—Pediatric special interest group of the Washington state physical therapy association (WSPTA);

(e) Psychologist—Washington association of school psychologists (WASP);

(f) Reading resource specialist—International reading association (IRA);

(g) School nurse—School nurse organization of Washington (SNOW);

(h) Social worker—Washington association of school social workers (WASSW).

The specialized association representative shall have the responsibility for seeking input from the general professional organization and other specialized and subject matter associations.

(5) A program unit may elect to include both the general professional association and the specialized association.

(6) Community colleges shall participate in a program unit only in cooperation with a four-year institution which has a state board of education approved preparation program.

NEW SECTION

WAC 180-78-035 PROGRAM APPROVAL PROCESS. The program approval process shall include the following:

(1) Each college or university shall file with the state board of education for review a written description of its program unit(s) and its program(s), including course titles, outcomes required of candidates, and the means for achieving those outcomes.

(2) A site visit shall be conducted.

(a) Established programs. Each five years or more often if deemed necessary by the state board of education, a select team of persons representing school administrators, college faculty, general and specialized professional organizations, and the professional education advisory committee as established in WAC 180-78-015 shall conduct on-site visits to review programs, offer constructive assistance, and make recommendations concerning continued program approval to the state board of education: PROVIDED, That an on-site review by the superintendent of public instruction or his or her designee shall not be required when the program change is limited to the subject matter major or specialization to be endorsed on a teaching certificate.

(b) New programs. All new professional preparation programs shall be reviewed on site.

(3) The program of study required in selected subject matter fields for which teaching certificates are endorsed will be reviewed in depth during each evaluation.

(4) Following the site visit, the team shall prepare a preliminary report to be submitted to the state board of education; the report shall include specific findings and recommendations relative to approval.

(5) Following state board of education action, a written report, including the approval status and the length of program approval, if so approved, shall be sent to the college or university responsible.

The report shall reflect the combined assessment of the visiting team to the extent the report is adopted by the state board of education. It shall include specific recommendations for program development together with data and evidence on which such recommendations are based and specific conditions or contingencies which are to be addressed during the interim prior to the next program review, as well as any independent recommendations of the state board of education.

(6) Subsequent to the site visit, the program unit will report in the time and manner specified in the site visit report on the progress underway to respond to recommendations offered in the site visit report.

(7) Between site visits any change in preparation programs relevant to the standards for program approval set forth in WAC 180-78-050 or planned changes affecting certificate endorsement shall be reported to the state board of education and the superintendent of public instruction. Any planned program changes shall be consistent with provisions of this chapter.

(8) Each year a list of programs to be reviewed will be published and distributed by the superintendent of public instruction.

NEW SECTION

WAC 180-78-040 PROGRAM APPROVAL—PROCEDURES FOR SITE VISITS. The following procedures will be followed in arranging for and conducting site visits:

(1) The superintendent of public instruction or his or her designee will contact the college or university responsible for the program(s) one year prior to the year in which a visit is required. Program approval standards and guidelines will be presented and dates established.

(2) The following documentation shall be prepared by the college or university with assistance of the program unit:

(a) A statement which reflects current philosophy and objectives as they pertain to professional preparation.

(b) A list of all professional education programs offered indicating areas of concentration (grade levels and subject-matter fields) in which endorsements are made.

(c) A general description of the programs in teacher education, administrator preparation, educational staff associate preparation and any teaching major program which is to be reviewed in depth. The general description shall include the historical development of programs, the kinds of field experiences available and any new program elements or directions.

(d) A statement identifying future goals and directions of the professional preparation program(s).

(e) A listing of faculty which includes information about the education, experience, and current assignment

of all full and part time faculty and field personnel who participate in the program.

(f) A description of the procedure and basis for program decisions and how recommendations are gained from academic departments, students, and the field.

(g) Statistics related to program enrollments, certification, and placement.

(h) A statement summarizing action taken to respond to recommendations made following the previous program review and site visit.

(i) A copy of the bylaws or operating procedures of each program unit.

(3) A staff member of the superintendent of public instruction shall visit the program unit at least eight weeks prior to the site visit to review documentation, identify areas for focus of the site visit, and develop a tentative agenda.

(4) Sufficient copies of documentation required in WAC 180-78-040(2) shall be submitted to the superintendent of public instruction at least six weeks prior to the visit.

(5) A site visit team which shall act on behalf of the state board of education will be identified by the superintendent of public instruction or his or her designee with membership selected on the basis of expertise needed for a particular visit. At least one representative from the following groups shall be included on all teams: Colleges or universities, school organizations, general and specialized professional organizations.

NEW SECTION

WAC 180-78-045 ANNUAL REPORTS. (1) An annual report shall be filed with the state board of education by each college or university having an approved preparation program.

(2) The report shall summarize activities of the program, provide statistical information relative to enrollments, and any other data or information about the professional preparation programs requested by the superintendent of public instruction or state board of education.

(3) The superintendent of public instruction or his or her designee shall summarize information and data collected and prepare a comprehensive annual report for the state board of education.

NEW SECTION

WAC 180-78-050 PROGRAM APPROVAL STANDARDS AND CRITERIA. (1) Cooperation.

(a) Standard: Programs of preparation are developed with the cooperation of a program unit.

(b) Criteria:

(i) Documentation provides evidence acceptable to the site visit team and the state board of education that:

(A) The chief administrative officer of each agency was contacted and appointed a representative to the program unit whose authority to act in behalf of the agency is stated in writing; or

(B) A recommendation was forwarded to the superintendent of public instruction for comment and then to

the state board of education signed by the chief administrative officers of each agency requesting that an exception be made to this program approval standard; documentation sets forth the reasons for the request; and documentation verifies that the exception was granted by the state board of education.

(ii) Bylaws or operating procedures have been written, adopted and implemented.

(iii) Meetings of the program unit, its subcommittees and/or task forces are held on a regular basis and minutes of activities and actions are maintained.

(iv) A college or university coordinates cooperation, involvement, and activities among agencies in the program unit under a written procedure explaining how each agency gains input.

(v) Governing boards of agencies which participate in the program unit contribute human and material resources to the program as feasible.

(2) Program management.

(a) Standard: Responsibilities are clearly assigned to individuals, groups, and/or committees for program development, implementation, and evaluation.

(b) Criteria:

(i) The college or university shall notify the state board of education and the superintendent of public instruction of the formation of a program unit; the membership; the specialization, subject matter, and/or grade level focus of the proposed programs; and its timeline for program development.

(ii) Responsibilities are assigned for selection; advising and counseling; maintaining records regarding the student's program and progress; supervision and evaluation of candidates; and verifying that certification requirements have been met and the preparation program has been completed.

(iii) Persons who will instruct, evaluate, or supervise candidates are identified; descriptions of their roles, responsibilities, and loads are written; and their activities are consistent with the written role description.

(iv) Documentation contains a written explanation of policy-making, program development, and program management processes and responsibilities.

(v) Review of certification records verifies that the records are accurate.

(vi) The need for any new program, new program emphasis, or certificate endorsement is established and evidence of need exists including statistics relative to supply and demand; professional development needs of individuals or the education community; new curriculum or instructional directions in the common schools; and changes in enrollments and staffing ratios and patterns.

(vii) A schedule and outline have been completed relative to development and implementation of the program; decision-making points are identified; and individuals, agencies, or committees responsible for such tasks and decisions are specified.

(viii) Data are collected and available relative to the effectiveness of the management system, including identification of problem areas and procedural elements.

(ix) Responsibility for reporting program changes to the superintendent of public instruction and state board of education is assigned.

(3) Program outcomes.

(a) Standard: Knowledges and skills the person will possess and demonstrate when he or she completes the program, including the state board of education minimum generic standards, are specified in writing.

(b) Criteria:

(i) All minimum generic standards for certification established by the state board of education are addressed in learning experiences and are included among the program outcomes. A relationship exists between field and didactic learning experiences and program outcomes.

(ii) Relevant standards of the national association of state directors of teacher education and certification, the national council for accreditation of teacher education and/or standards of specialized associations and scholarly societies are referred to as guides in identifying program outcomes: PROVIDED, That the superintendent of public instruction or his or her designee shall present to the state board of education for approval any standards of specialized associations and scholarly societies which will be used during the following year to supplement the standards set forth herein for assessment of program outcomes.

(iii) Degrees of proficiency required for program outcomes are clearly differentiated between the initial and continuing certificate levels.

(iv) Faculty, students and field supervisors know the program outcomes required of candidates.

(v) Program outcomes are stated in terms which make evaluation by supervisors and instructors possible.

(vi) Knowledge and skills related to continuing education and professional development are included in program outcomes.

(4) Selection and retention.

(a) Standard: Criteria and requirements to be used in selecting candidates for admission to the preparation program are explicit and practices relevant to retention of candidates are specified.

(b) Criteria:

(i) Selection criteria and the process used to screen and admit candidates are written.

(ii) Selection criteria are relevant to attainment of program outcomes.

(iii) A clearly written process exists for counseling and advising students about supply and demand; progress and retention in the program; and supervision and evaluation relative to academic, experience and generic standards.

(iv) Selection and retention procedures and criteria do not discriminate on the basis of race, ethnic group, sex, age, handicapping conditions, color or religion.

(v) Specific standards exist relative to retention in the program.

(vi) Written procedures exist for appeal of decisions within the college or university relative to admission or retention in the program.

(vii) Admission requirements to the professional preparation programs include evidence that the candidate is competent in the basic skills required for oral and written communication and computation.

(5) Individualization.

(a) Standard: Programs recognize individual differences in terms of learner rate and style. Alternative learning experiences appropriate to such differences are available.

(b) Criteria:

(i) Procedures for assessing individual assets and needs are clearly defined.

(ii) Opportunities for planning alternate preparation experiences are available to students.

(iii) Learning experiences are designed to provide for social-cultural-economic differences among candidates.

(iv) Appropriate individualized learning opportunities are provided to those students identified as possessing special assets and needs as determined through a variety of assessment procedures.

(v) Individual differences in learning style are recognized and as feasible alternative learning opportunities are provided.

(vi) When appropriate and feasible, learning opportunities provide for differences in learning rate by variations in training time.

(6) Field experience.

(a) Standard: Field experiences are provided as required in WAC 180-79-115 and are designed to correlate with specified program outcomes.

(b) Criteria:

(i) A sequence of field experiences is offered in the preparation program including opportunities for observation, tutoring, micro-teaching and extended practicum, student teaching, and/or internship experiences in educational settings.

(ii) Appropriate clinical and laboratory experiences are available to persons being prepared in specializations requiring practice under supervision in settings in addition to educational settings.

(iii) Written agreements exist between the college or university and the field sites which specify the role of agencies and the responsibilities and contributions each will make to the field program.

(iv) Field experiences provide opportunities for candidates to observe and participate in educational settings having varied organizational structures, ethnic populations, age groups, socio-economic characteristics, and curricular and instructional programs.

(v) Field experiences are designed to address the minimum generic standards established by the state board of education and to integrate theory and practice.

(vi) Criteria for selecting sites and for selecting field personnel are specified.

(vii) Criteria and procedures to be used in assigning students to field settings are identified; provisions are made for changes in assignments in circumstances where problems exist.

(viii) The responsibilities and authority of college supervisors and field personnel are specified in writing in relation to instruction, observation, evaluation, and grading.

(ix) Written materials are provided to field personnel which make explicitly their responsibilities and the program outcomes to be experienced, demonstrated, and evaluated in the field setting.

(x) Field personnel serving as supervisors are oriented to their responsibilities, and training is provided to assist them in implementing and evaluating those elements of the program for which they share responsibility with the college or university supervisors.

(xi) College or university supervisors have scheduled contact and communication with field personnel.

(7) Supervision.

(a) Standard: Provision exists in the program for on-going evaluation and for constructive supervision emphasizing the developmental nature of the preparation process.

(b) Criteria:

(i) A schedule exists which ensures that each candidate receives regular assessment and feedback relative to knowledge, skill, and performance.

(ii) Results of assessment and evaluation are used as a basis for developing further didactic, field, and/or clinical experiences.

(iii) Criteria exist and are used for selecting field personnel and college or university personnel who will provide supervision; criteria include knowledge, skill and experience requirements.

(iv) Orientation and training are offered for all supervisory personnel including college and university supervisors.

(v) Records of observations, evaluations, and suggested learning experiences are maintained for each student in the preparation program.

(vi) College personnel providing supervision of field experiences and instructing techniques and methods courses have had experience in an educational setting in grades K-12.

(8) Options.

(a) Standard: Program units are encouraged to employ alternative methods for developing programs and implementing professional preparation.

(b) Criteria:

(i) Documentation shall identify unique features or approaches used in implementing program principles or meeting program approval standards and provide a rationale for variation in the latter instance.

(ii) Innovative and experimental programs or program components are based on validated research and theory.

(iii) Alternative approaches are appropriate to institutional and program characteristics and program emphases and objectives.

(9) Resources.

(a) Standard: Resources are of the quantity and quality necessary for meetings of the program unit and for implementation of the program as approved by the state board of education.

(b) Criteria:

(i) Documentation shall specify activities of the program unit and the availability of resources to support those activities. Documentation shall also specify elements of the program which require resources and resources available for specific needs.

(ii) Documentation and data relevant to funding, personnel, facilities, material, and equipment are available for review.

(iii) Member agencies in the program unit have set forth in writing the real and/or in-kind resource contributions they are making to the program unit or program.

(iv) A budget document exists detailing budgetary information pertinent to the program unit and the program.

(v) Faculty members and field personnel who supervise and instruct in the program have the appropriate academic preparation and experience in the fields of study for which they are responsible and which are essential to implementation of the program.

(vi) Learning resources reflect breadth and depth in selection of journals, books, curriculum and materials and are evaluated periodically using model listings and guidelines of professional organizations.

(vii) The program administrator is allowed the necessary time as part of his or her load to fulfill program responsibilities.

(10) Research and evaluation.

(a) Standard: The preparation program is based on study and research; ongoing program evaluation; and follow-up assessment of the persons prepared.

(b) Criteria:

(i) Specific individuals are assigned responsibility for program evaluation, research, and follow-up.

(ii) A systematic procedure is established for program evaluation and for follow-up studies of graduates.

(iii) A systematic process exists for gaining from instructors, supervisors, students, and field personnel evaluative information and data about the program and its outcomes.

(iv) Placement records are maintained and annual summaries are prepared.

(v) Data are analyzed and studied for the purposes of determining program needs.

(vi) Data generated from research or follow-up studies are used in program revision and redesign.

NEW SECTION

WAC 180-78-055 PROGRAM APPROVAL—LENGTH OF APPROVAL. Program approval shall be granted for from one to five years depending on the state board of education's assessment of the extent to which the program complies with approval standards set forth in WAC 180-78-050.

~~WSR 78-06-070~~
ADOPTED RULES
STATE BOARD OF EDUCATION
[Order 6-78—Filed May 26, 1978]

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Be it resolved by the State Board of Education, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to new chapter 180-79 WAC, Professional preparation—Certification requirements, rules for the establishment, issuance, retention, revocation, maintenance and reciprocity of teacher, school administrator and school specialized personnel certificates in the Washington school system.

This action is taken pursuant to Notice No. WSR 78-04-082 filed with the code reviser on 4/4/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the State Board of Education as authorized in RCW 28A.04.120 and chapters 28A.70 and 28A.93 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 12, 1978.

By Wm. Ray Broadhead
Secretary

Chapter 180-79 WAC
PROFESSIONAL PREPARATION
CERTIFICATION REQUIREMENTS

NEW SECTION

WAC 180-79-005 PURPOSE. The purposes of this chapter are to implement RCW 28A.04.120(3) and chapter 28A.70 RCW and establish the various certificates which must be held as a condition to employment in the Washington school system and establish the conditions and procedures governing issuance and retention of those certificates.

NEW SECTION

WAC 180-79-010 DEFINITIONS. The following definitions shall apply to terms used in this chapter:

(1) The terms, "agency," "program approval," "accreditation," "cooperation," "program unit," "endorsement," "interstate compact," "minimum generic standards," "program outcomes," "site visit," "general professional organization," "school organization," "college or university," and "specialized associations," as defined in WAC 180-78-010 as adopted or hereafter amended shall apply to the provisions of this chapter.

(2) "Certificate" shall mean the license issued by the superintendent of public instruction to teachers, administrators, and school specialized personnel (educational staff associates) verifying that the individual has met the requirements set forth in this chapter and authorizing the individual to serve in the schools of this state pursuant to RCW 28A.67.010.

(3) "Certificate reinstatement" shall mean the process whereby the validity of any certificate not subject to renewal may be reestablished.

(4) "Certificate renewal" shall mean the process whereby the validity of an initial certificate may be reestablished.

(5) "Certificate revocation" shall mean the process whereby an individual's certificate is rescinded pursuant to RCW 28A.70.160 and 28A.70.170.

(6) "Classroom teaching" shall mean instructing pupils in a classroom setting.

(7) "Elementary level" shall mean grades K through 8.

(8) "Educational setting" shall mean any setting, the primary purpose for which is to instruct/teach children, youth, or adults or to administer such instruction/teaching. This shall include but not be limited to state board of education approved instate public and nonpublic schools; out-of-state K-12 schools; preschools; educational service districts; the office of the superintendent of public instruction; and institutions of higher education: PROVIDED, The office of the superintendent of public instruction shall have final authority to determine whether a specific setting qualifies as an educational setting for purposes of this chapter.

(9) "Field experience" shall mean a sequence of learning experiences which occur in actual K-12 school settings or clinical and laboratory settings. Such learning experiences are related to specified program outcomes and are designed to integrate educational theory, knowledge, and skills in actual practice under the direction of a qualified supervisor.

(10) "Secondary level" shall mean grades 7 through 12.

NEW SECTION

WAC 180-79-015 APPEAL—GENERAL. Any person who applies for a certificate, particular certificate level or endorsement, certificate renewal, or certificate reinstatement whose application is denied may appeal that decision if he or she follows the procedures established in WAC 180-79-020 through 180-79-025: PROVIDED, The appeal procedure may not be used to seek reinstatement of a certificate if that certificate has been revoked by the superintendent of public instruction.

The appeal procedure consists of two levels, one informal and one formal. The use of the informal level is a condition precedent to use of the formal level.

NEW SECTION

WAC 180-79-020 APPEAL PROCEDURE—INFORMAL. Any person who desires to appeal the decision to deny his or her application must file a written notice with the superintendent of public instruction within twenty calendar days following the date of mailing from the section of the superintendent of public instruction's office responsible for certification of the decision to deny the application.

The written notice must set forth the reasons why the appellant believes his or her application should have been granted.

Following timely notice of appeal, the superintendent of public instruction or his or her designee shall appoint a review officer who will be someone other than the person or persons who reviewed the application initially.

The review officer shall then:

(1) Review the application and appeal notice and may request further written information including but not limited to an explanation from the person or persons who initially reviewed the application of the reason(s) the application was denied.

(2) If he or she deems it advisable, schedule an informal meeting of the appellant, the person or persons who denied the application initially, and any other interested parties designated by the reviewing officer, to receive oral information concerning the application. Any such meeting must be held within thirty days of the date of receipt by the superintendent of public instruction of the timely-filed appeal notice.

(3) Place in the mail a written decision on the appeal within forty-five days from the date of receipt of the timely-filed appeal notice by the superintendent of public instruction. The reviewing officer may uphold, reverse, or modify the decision to deny the application.

NEW SECTION

WAC 180-79-025 APPEAL PROCEDURES—FORMAL PROCESS. (1) Any person who has filed an appeal in accordance with WAC 180-79-015 and desires to have the denial of his or her application reviewed further may do so if the reviewing officer has not reversed the decision to deny the application. To instigate review under this section, a person must file a written notice with the state board of education within twenty calendar days following the date of mailing of the review officer's decision.

(2) For purposes of hearing an appeal under this section, the state board of education shall designate one or more hearing examiners. From the list of designated hearing examiners, the superintendent of public instruction, acting on behalf of the state board of education, shall select a hearing examiner to hear a particular appeal.

The appeal shall be conducted pursuant to chapter 180-08 WAC and chapter 34.04 RCW.

NEW SECTION

WAC 180-79-030 CERTIFICATE VALIDITY. Any certificate issued pursuant to this chapter shall entitle the holder thereof to be employed by a public or nonpublic school for the performance of duties encompassed by the certificate until such certificate expires or is revoked. A certificate which is issued to an individual who does not meet all requirements set forth in this chapter is null and void.

NEW SECTION

WAC 180-79-040 EQUIVALENCY OF STANDARDS. Reasonable flexibility in interpretation of the requirements for certification set forth in this chapter may be applied consistent with the intent and spirit of the requirements. Exceptions to specific certification requirements will be considered by the superintendent of public instruction or his or her designee. It shall be the responsibility of the superintendent of public instruction or his or her designee to make the final decision concerning approval of any exception to certification requirements.

NEW SECTION

WAC 180-79-045 CERTIFICATES—PREVIOUS STANDARDS. (1) Certificates issued under

previous standards which were issued for a specific term shall continue to be effective for that term. Renewals and reinstatements of such certificates shall be under the standards set forth in this chapter as now or hereafter amended: **PROVIDED**, That all persons who hold any standard teacher, administrator, or specialized personnel certificate issued under previous standards of the state board of education shall be issued a continuing certificate: **PROVIDED FURTHER**, That all persons who hold any provisional or initial certificate granted under previous standards of the state board of education shall be authorized to meet requirements for standard or continuing certification as set forth in the relevant previous standards so long as the standard or continuing certificate is obtained within six calendar years of the date on which the first provisional or initial certificate was issued or, in the case of specialized personnel certificates authorized by chapter 180-84 WAC, five calendar years after adoption of the certification regulation set forth in this chapter: **PROVIDED FURTHER**, That all persons who hold other than provisional or standard teaching certificates issued under standards of the state board of education adopted prior to 1971 shall be issued continuing certificates if they have completed forty-five quarter hours (thirty semester hours) of preparation past the baccalaureate degree and three years of experience: **PROVIDED FURTHER**, That persons holding provisional credentials as administrators under standards adopted by the state board of education in 1956 who have completed all requirements for the standard credential except the three years of experience as a principal or superintendent shall be issued continuing administrator certificates under these standards if they have completed at least five years of experience in an educational setting as defined herein and three years of experience in the role of superintendent, principal, vice principal, or deputy or assistant to a principal or superintendent.

(2) Certificates issued under previous standards which were issued for an indefinite period shall continue to be in effect.

NEW SECTION

WAC 180-79-050 CERTIFICATE REQUIRED. Persons serving as teachers, principals, and educational staff associates shall hold certificates authorized by the state board of education for service in the respective roles.

NEW SECTION

WAC 180-79-055 TYPES OF CERTIFICATES. Three types of certificates shall be issued:

(1) Teacher. The teacher certificate authorizes service in the primary role of classroom teaching.

(2) Administrator.

(a) The administrator certificate endorsed "principal" authorizes service as a building administrator or vice principal.

(b) The administrator certificates endorsed "superintendent" or "program administrator" will be issued to persons who have completed state board of education

approved preparation programs for service in the roles of district administrator or his/her administrative staff and program administrator.

(c) The superintendent and program administrator certificates are not required.

(3) Educational staff associate. The educational staff associate certificate authorizes service in roles of specialized assistance to the learner, the teacher, the administration and the educational program. Included as educational staff associates shall be communication disorders specialists, counselors, school nurses, occupational therapists, physical therapists, psychologists, social workers, and reading resource specialists.

NEW SECTION

WAC 180-79-060 LEVELS OF CERTIFICATES. Three levels of certification may be issued:

(1) Preparatory certificate.

(a) The preparatory certificate is optional and authorizes training experiences under supervision in school or school related settings while the individual is participating in an approved program.

(b) The preparatory certificate is valid for one year and may be reissued on recommendation from a state board of education approved preparation program.

(c) The preparatory certificate will be issued to those teacher, administrator and educational staff associate candidates who:

(i) Meet the relevant statutory and general requirements as set forth in WAC 180-79-105 and/or 180-79-110.

(ii) Have the preparatory level knowledge and skill specified in a state board of education approved program; and

(iii) Are recommended for preparatory certification by the administrator of such program.

(d) This certificate does not authorize employment in the professional role and shall not be a certificate within the meaning of RCW 28A.67.010.

(2) Initial certificate. The initial certificate is valid for four years and authorizes school service in a particular role and allows the holder to assume independent responsibility for working with children, youth, and adults. An initial certificate shall be issued only to those persons who meet the requirements of this chapter.

(3) Continuing certificate. The continuing certificate is valid on a continuing basis and authorizes school service in a particular role and will be issued only to persons who meet the requirements of this chapter. The certificate indicates that the holder has completed additional academic, experience, and competency requirements beyond the initial certificate level.

NEW SECTION

WAC 180-79-065 CERTIFICATE LAPSE, RENEWAL, AND REINSTATEMENT. (1) Initial certificate.

(a) The initial certificate may be renewed once for a three-year period on verification by an approved program that work has begun toward continuing level certification: **PROVIDED**, That no more than ten years has

elapsed since the completion of an approved preparation program for initial certification.

(b) The initial certificate may be reinstated once for a three-year period if the individual completes at least fifteen quarter hours (ten semester hours) of course work in an approved preparation program and verification of minimum generic standards for initial certification. Course work taken more than three years prior to the date of application for reinstatement shall not satisfy this requirement.

(2) Continuing certificate.

(a) The continuing certificate will lapse if the holder does not serve in an educational setting for more than seven consecutive years.

(b) To reinstate a lapsed continuing certificate the individual must complete fifteen quarter hours (ten semester hours) of course work in a state board of education approved preparation program and demonstrate minimum generic standards required for continuing certification. Course work taken more than three calendar years prior to the date of application for reinstatement shall not satisfy this requirement.

NEW SECTION

WAC 180-79-070 EDUCATIONAL EXPERIENCE ACCEPTABLE FOR CERTIFICATION. (1) Experience for maintaining and renewing certification. To satisfy experience requirements set forth in this chapter for maintaining and renewing a certificate, an individual must complete experience in an educational setting as defined in WAC 180-79-010(6).

(2) Any year during which an individual unsuccessfully completes a probationary period and has been discharged or nonrenewed in accordance with RCW 28A.67.065 and 28A.67.070 shall not be considered a year of experience for purposes of obtaining, maintaining or renewing a certificate.

NEW SECTION

WAC 180-79-075 CERTIFICATE ENDORSEMENT. (1) Teacher certificates.

(a) Initial certificates shall specify the recommended assignment area(s) in a subject matter field(s) and grade level(s).

(b) Continuing certificates shall authorize service in grades K-12 and may be endorsed for recommended subject matter and teaching specializations if the candidate requests such endorsement and files an application in accordance with this section.

(2) Educational staff associate certificates.

(a) Initial and continuing certificates shall identify the field of specialization by endorsement.

(3) Administrator certificates.

(a) Initial and continuing administrator certificates shall identify the field of specialization (principal, program administrator, superintendent).

(b) Superintendents' and program administrators' initial and continuing certificates shall be endorsed for grades K-12.

(c) Principals' initial certificates shall be endorsed for grades K-8, 7-12, or K-12; continuing certificates shall be endorsed K-12.

(4) In order to change or add an endorsement to an initial and continuing certificate, the candidate must complete an application, pay the certification fee, and submit verification from an approved program of completion of the professional preparation program for which endorsement is sought.

NEW SECTION

WAC 180-79-085 REPLACEMENT OF CERTIFICATES. The superintendent of public instruction shall issue a replacement certificate to any person who files an application, pays the appropriate certification fee, and verifies by signature that the original certificate has been lost or destroyed or that a legal name change has occurred.

NEW SECTION

WAC 180-79-090 FEE FOR CERTIFICATION.

(1) In accordance with provisions of RCW 28A.70.110 and 28A.71.100, the fee for any certificate which is valid for more than one year, or for renewal or reinstatement of such certificate, issued by authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be fifteen dollars.

(2) The fee for any other certificate/credential, or for any renewal thereof, issued by the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be one dollar.

(3) Officials authorized to collect certification fees are educational service district superintendents, local school district superintendents, deans and directors of education at colleges and universities, and designees of program units. The fee must accompany the application for a certificate and shall be transmitted to the educational service district within which the application is filed for disposition in accordance with provision of RCW 28A.70.110. The fee shall not be refunded unless the application is withdrawn before it is finally considered by the superintendent of public instruction or his or her designee. Monies accrued from certification fees within the boundaries of an educational service district shall be divided in the following manner:

(a) Local school districts employing more than one hundred teachers and other professional staff and collecting certification fees may retain one dollar of each fee in order to hold a professional training institute. If such district does not hold an institute all such moneys shall be placed to the credit of the educational service district.

(b) No less than fifty percent of the funds accruing within the boundaries of an educational service district shall be used to support program activities related to state-wide precertification professional preparation and evaluation.

(c) The remaining funds shall be used to support professional inservice training programs and evaluations thereof.

NEW SECTION

WAC 180-79-095 USE OF FEE FOR CERTIFICATION. (1) Certification fees will be used solely for precertification professional preparation, professional inservice training programs, teachers' institutes and/or workshops, and evaluations thereof in accordance with this chapter.

(2) Precertification professional preparation:

(a) A subcommittee of the state professional education advisory committee as established in WAC 180-78-015 shall assist the superintendent of public instruction in administration of precertification program funds by annually establishing priorities and procedures for distribution of funds available for precertification activities. Primary utilization shall be to support collaborative efforts essential to program development, program evaluation and assessment of candidates' entry and exit competency.

(b) Funds set aside for precertification shall not supplant funds already available to any participating agency.

(c) A single educational service district shall be designated to administer the funds allocated for precertification programs. The designated educational service district shall be permitted to retain up to five percent of the precertification fees for costs related to administering these funds.

(d) Each quarter every educational service district shall forward the moneys designated for precertification programs to the educational service district designated to administer such programs.

(3) Professional inservice training programs and teachers' institutes and/or workshops:

(a) Each educational service district, or cooperative thereof as specified in subparagraph (d) of this section, shall establish an inservice committee composed of an educational service district representative; at least one district superintendent; one principal; one educational staff associate; one elementary, one junior high and one senior high teacher and one representative selected by the chief administrative officer responsible for professional education from a college/university having a state board of education approved teacher education program. Teacher representatives shall be selected by agreement among the presidents of the local education associations within the respective educational service district or cooperative thereof.

(b) The educational service district representative shall serve as chairperson of the inservice committee and provide liaison with the superintendent of public instruction and the state board of education.

(c) The inservice committee will be responsible for coordinating inservice/staff development model programs within the educational service district and shall submit to the superintendent of public instruction and the state board of education a plan for soliciting and selecting model programs which shall include procedures for conducting needs assessment, determining priorities and carrying out program evaluation.

(d) Cooperative agreements may be made among educational service districts to provide quality inservice education programs.

(e) Funds designated for inservice programs shall not supplant funds already available for such programs.

(4) Allowable expenditures. Funds may be used to support costs related to training, such as the payment of professional contractual services, per diem, travel costs, materials, printing, or released time. Nonallowable costs, except when approved in advance by the superintendent of public instruction or his or her designee, are college/university tuition and fees and the rental or purchase of facilities or equipment.

(5) Annual reporting. The superintendent of public instruction shall prepare and present to the state board of education an annual report concerning the use of certification fees for precertification and inservice activities.

NEW SECTION

WAC 180-79-100 PERSONNEL ASSIGNMENT. (1) Teachers. Local districts shall assign secondary teachers holding initial level certificates to recommended assignment areas and levels only. Teachers holding initial level elementary endorsement shall be assigned to elementary grades only. Teachers holding continuing level certificates should be assigned to recommended areas and levels or to areas and levels in which they have demonstrated competency during professional service: PROVIDED, That when it is considered justifiable the superintendent of public instruction may, if requested by the school district superintendent who will provide evidence of the need for such assignment, authorize initially certificated teachers to serve at different grade levels or in different subject matter fields from those recommended.

(2) Educational staff associates. Assignments to serve in educational staff associate roles shall be limited to persons holding valid educational staff associate certificates with appropriate endorsements.

(3) Administrators. Assignment of persons to serve as principals shall be limited to persons holding valid administrator certificates with the appropriate endorsement(s).

NEW SECTION

WAC 180-79-105 CITIZENSHIP REQUIREMENTS—ALIEN PERMITS—TEACHERS ONLY. No person who is not a citizen of the United States of America shall be permitted to teach in the common schools of this state: PROVIDED, That the superintendent of public instruction may grant an alien a permit pursuant to WAC 180-79-235: PROVIDED FURTHER, That after a one-year probationary period the superintendent of public instruction, at the written request of the superintendent or his or her designee, of the school organization which employed such person on a permit, may grant to an alien who is otherwise qualified as determined by the superintendent of public instruction or his or her designee a certificate for which the applicant is otherwise qualified under this chapter.

NEW SECTION

WAC 180-79-110 GENERAL REQUIREMENTS—TEACHERS, ADMINISTRATORS, EDUCATIONAL STAFF ASSOCIATES. The following requirements are to be met by candidates for certification as teachers, administrators, or educational staff associates:

(1) Age. No person who is less than eighteen years of age shall receive a certificate to serve in the public or nonpublic schools of Washington state.

(2) Character. Applicants for certificates in Washington state must give evidence of good moral character, personal fitness, and no convictions for crimes involving the physical neglect of children, physical injury of children (excepting possible motor vehicle violations), or sexual abuse of children as verified by a signed affidavit: PROVIDED, That the superintendent of public instruction may issue an emergency certificate pursuant to WAC 180-79-230 to an applicant who is on parole or probation.

(3) Competency. A candidate for certification shall demonstrate knowledge and skill in the areas specified by the state board of education as minimum generic standards for the respective certificate type and level set forth in WAC 180-79-130 through 180-79-210.

(4) Academic. A candidate for certification shall have successfully completed an approved program or have qualified under WAC 180-79-240 through 180-79-250.

(5) Experience. All candidates for continuing level certification shall have completed three years of certificated service in the respective role in an educational setting.

(6) Probationary status. A certificate shall not be issued to any candidate who is on probation as defined by RCW 28A.67.065 at the time of application for a certificate.

(7) Program completion. A candidate for an initial or continuing certificate shall provide verification that he/she has completed an approved preparation program.

NEW SECTION

WAC 180-79-115 ACADEMIC AND EXPERIENCE REQUIREMENTS FOR CERTIFICATION—TEACHERS. Candidates for teachers' certificates shall complete the following requirements in addition to those set forth in WAC 180-79-105 and 180-79-110.

(1) Initial. Candidates for the initial certificate shall hold a baccalaureate degree. Candidates for secondary certificates shall have completed the degree major in an academic field; candidates for elementary certificates shall have completed the degree major in an academic field or teaching specialization. If the degree major is elementary education, the candidate must have at least one area of emphasis in an academic field.

(2) Continuing.

(a) Candidates shall have completed at least forty-five quarter hours (thirty semester hours) of upper division and/or graduate work subsequent to the baccalaureate degree of which thirty quarter hours (twenty semester hours) must be taken after the first year of teaching.

(b) Candidates shall have completed at least three years of service as a teacher in a classroom teaching role in an educational setting, at least two years of which shall be in grades K-12.

NEW SECTION

WAC 180-79-120 ACADEMIC AND EXPERIENCE REQUIREMENTS FOR CERTIFICATION—ADMINISTRATORS. Candidates for the respective administrative certificate shall complete the following requirements in addition to those set forth in WAC 180-79-110.

(1) Superintendent.

(a) Initial.

(i) The candidate shall hold a master's degree and complete at least fifteen quarter hours (ten semester hours) of graduate study beyond the master's degree in education-related course work.

(ii) The candidate shall hold or be eligible to hold a valid initial or continuing teacher or ESA certificate.

(iii) The candidate shall have served as an administrator in K-12 settings for at least three years as verified by the district(s) superintendent or designee.

(iv) The candidate shall have completed a one-year internship appropriate to the role of superintendent. The internship shall provide experience under supervision in all aspects of a district's program.

(b) Continuing.

(i) The candidate shall have completed at least thirty quarter hours (twenty semester hours) of graduate work beyond the master's degree.

(ii) While holding the initial superintendent's certificate, the candidate shall have completed at least three years of experience as superintendent, deputy superintendent, or assistant superintendent.

(2) Principal.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing teacher certificate.

(ii) The candidate shall have completed at least three years of certificated service in a K-12 setting, including a minimum of one year of classroom teaching experience as a certificated teacher at the level for which he or she seeks certificate endorsement: PROVIDED, That if the candidate has not served as a teacher, a waiver of this requirement may be requested as specified under WAC 180-79-040 and the candidate shall during the internship experience complete supervised experiences in the classroom at the level for which the certificate will be endorsed and shall demonstrate the minimum generic standards set forth in WAC 180-79-130 for teachers.

(iii) The candidate shall complete an internship at the grade level(s) for which the certificate will be endorsed. As a minimum the internship shall be of sufficient length and depth to provide experience under supervision in all aspects of the school program and participation in activities prior to the opening and following the closing of the regular school year.

(iv) The candidate shall have completed at least thirty quarter hours (twenty semester hours) of graduate level work in an approved program for preparation of principals.

(b) Continuing.

(i) The candidate shall hold a master's degree.

(ii) While holding the initial principal's certificate, the candidate shall have completed at least three years of experience as a principal, vice principal, or assistant principal.

(3) Program administrator.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing teacher or educational staff associate certificate.

(ii) The candidate shall hold a master's degree.

(iii) The candidate shall have completed at least three years of certificated service in an educational setting, grades K-12.

(iv) The candidate shall have completed an internship.

(b) Continuing. The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work beyond the master's degree relevant to educational administration or his or her subject matter field(s) or specialization(s).

NEW SECTION

WAC 180-79-125 ACADEMIC AND EXPERIENCE REQUIREMENTS FOR CERTIFICATION—EDUCATIONAL STAFF ASSOCIATE (ESA). Candidates for ESA certification shall complete the following requirements in addition to those set forth in WAC 180-79-110: PROVIDED, That it shall not be necessary for any candidate who holds a master's degree to obtain a second master's degree; however, the candidate shall complete all course work and experience requirements relevant to the specialization set forth in an approved preparation program for the appropriate ESA speciality.

(1) Communication disorders specialist.

(a) Initial. The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major in speech pathology and/or audiology.

(b) Continuing. The candidate shall hold a master's degree with a major in speech pathology and/or audiology.

(2) Counselor.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major in counseling.

(ii) The candidate shall have completed a supervised practicum or internship in counseling in a K-12 school setting.

(b) Continuing. The candidate shall hold a master's degree with a major in counseling.

(3) Occupational therapist.

(a) Initial.

(i) The candidate shall have completed an approved or accredited baccalaureate degree program in occupational therapy and have status as an occupational therapist registered with the American occupational therapy association.

(ii) The candidate shall have completed field experience in an educational setting which includes observation as well as practice under supervision.

(iii) The candidate shall have successfully completed the American occupational therapy association certification examination.

(b) Continuing. The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work or continuing education in occupational therapy or education.

(4) Physical therapist.

(a) The candidate shall hold a baccalaureate degree in physical therapy from a college or university having an approved or accredited school of physical therapy or the candidate shall hold a baccalaureate degree and a certificate in physical therapy from an accredited school of physical therapy.

(i) The candidate shall hold a current Washington state license or a probational certificate to practice as a physical therapist.

(ii) The candidate shall have completed field experiences in an educational setting which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall have completed at least fifteen quarter hours (ten semester hours) of graduate work or continuing education in physical therapy or education.

(5) School psychologist.

(a) Initial.

(i) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major or specialization in school psychology.

(ii) The candidate shall have completed a practicum or internship under supervision in an educational setting, K-12.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in school psychology.

(6) Reading resource specialist.

(a) Initial.

(i) The candidate shall hold a valid initial or continuing level teacher's certificate.

(ii) The candidate shall have completed all requirements for the master's degree (except special examinations, projects or thesis) with a major or specialization in reading.

(iii) The candidate shall have completed field experiences in an educational setting which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall hold a master's degree with a major or specialization in reading.

(7) School nurse.

(a) Initial.

(i) The candidate shall hold a valid license as a registered nurse (RN) in Washington state.

(ii) The candidate shall hold a baccalaureate degree in nursing with an emphasis in school nursing or community health.

(iii) The candidate shall have completed field experiences in an educational setting, K-12, which includes observation as well as practice under supervision.

(b) Continuing. The candidate shall have completed at least forty-five quarter hours (thirty semester hours)

of upper division or graduate work in education, community health, nursing or school nursing; thirty quarter hours (twenty semester hours) of which have been taken subsequent to the first year of service as a school nurse.

(8) Social worker.

(a) Initial.

(i) The candidate shall hold a master's degree in social work or shall demonstrate knowledge and skill equivalent to that required for the master's degree.

(ii) The candidate shall have completed at least one thousand two hundred hours of field experience in an educational setting, K-12, under the supervision of a certificated master of social work.

(b) Continuing. The candidate shall hold a master's degree in social work or an initial level certificate as a school social worker.

NEW SECTION

WAC 180-79-130 MINIMUM GENERIC STANDARDS—GENERAL (1) Initial level certification. A candidate for an initial certificate as a teacher, administrator, or educational staff associate must demonstrate, while completing an approved preparation program, knowledge and skill in the following areas:

(a) Socio-cultural-economic differences and human relations. The candidate has knowledge of and appreciation for the history, contributions, and traditions of various ethnic, sex, age, socio-economic, cultural, and minority groups; recognizes dehumanizing biases; creates educational environments which contribute to the self-esteem of all persons and to positive human relationships; and facilitates understanding the beliefs, values and life styles of individuals from diverse groups and cultures.

(b) Communication and consultation. The candidate has the knowledge and skill necessary to develop and present organized oral, written, and visual materials which convey ideas and feelings to pupils, parents, colleagues, school directors and others as appropriate.

(c) Exceptionality. The candidate has knowledge about the needs and characteristics of exceptional students, including handicapped and gifted.

(d) School law. The candidate has knowledge about those federal, state, and local laws, regulations, and policies which directly affect his or her role(s) and rights and responsibilities in the K-12 educational setting.

(e) Professionalism. The candidate has knowledge about relevant professional organizations and practices in a manner consistent with the profession's code of ethics.

(f) Knowledge of K-12 educational setting. The candidate has general knowledge about the nature and foundation of the educational program and system, grades K-12.

(2) Continuing level certification. In addition to demonstrating in their professional roles those minimum generic standards required for initial certification, the candidate for continuing level certificate must demonstrate knowledge and skill in the following areas:

(a) Staff development and supervision. The candidate has the knowledge and skill to initiate, develop, and

present instructional and informational programs for staff, board members, and parents and to supervise and evaluate personnel who report directly to him or her.

(b) Professional development and scholarship. The candidate has depth of knowledge and demonstrates a wider range of skills which enable him or her to be increasingly more effective in his or her subject matter field or specialization; participates in continuing education and professional development activities; contributes to the preparation of others who are entering the field; and recognizes his/her own limitations and strengths

(c) Research and evaluation. The candidate has the knowledge of research/evaluation techniques and skill to read and interpret research related to his or her field; to design and implement evaluation strategies; to use results of research and/or evaluation to improve programs.

(d) Referral agencies and resource personnel. The candidate has knowledge of personnel and agencies inside and outside the educational setting which may assist the teacher, pupils, and/or parents.

(e) Knowledge of alternate grade level. The candidate has knowledge about organizational patterns, special strategies, curriculum, materials, growth and development, and staff and student personnel management essential to a school building/unit at the alternate grade level from that for which his/her initial certificate may have been endorsed.

NEW SECTION

WAC 180-79-135 MINIMUM GENERIC STANDARDS—TEACHERS. Initial level certification. To qualify for initial certification the candidate must demonstrate knowledge and skill in the following areas in addition to those set forth in WAC 180-79-130(1).

(1) Instructional skill. The candidate has knowledge and skill to design and conduct instructional experiences.

(2) Classroom management. The candidate has knowledge and skill necessary to organize the physical and human elements in the educational setting to foster maximum student learning.

(3) Subject matter. The candidate has breadth of knowledge of theory and content in general education and pedagogy and depth of knowledge in one or more subject matters or teaching specializations appropriate to the elementary and/or secondary levels.

(4) Pupil/student personnel. The candidate has knowledge of normal and exceptional growth and development; the unique needs, characteristics, and developmental tasks of pupils of differing ages; and normative characteristics of age groups and has the skill to use this knowledge in working with pupils individually and in groups and in designing learning experiences.

(5) Pupil discipline. The candidate has knowledge and skill necessary to manage the human dynamics of the classroom.

NEW SECTION

WAC 180-79-150 ROLE AND MINIMUM GENERIC STANDARDS—ADMINISTRATORS—

INITIAL CERTIFICATION—SUPERINTENDENTS. (1) The superintendent is responsible for administration of the school district.

(2) To qualify for initial certification the candidate must demonstrate knowledge and skill in the following areas in addition to those set forth in WAC 180-79-130(1):

(a) Organizational management and accountability. The candidate has the knowledge and skill to plan, develop, coordinate, and supervise implementation and evaluation of district-wide policies, procedures, and programs and to provide leadership relative to management and accountability district-wide.

(b) Facility and resource management and acquisition. The candidate has the knowledge and skill to identify facility and resource needs of the district and to coordinate procedures essential to maintenance and acquisition of facilities and resources.

(c) Personnel management. The candidate has the knowledge and skill to establish district personnel policies and practices consistent with law and negotiated agreements in employment, assignment, supervision, evaluation, and other personnel related matters.

(d) Fiscal management. The candidate has the knowledge and skill necessary to plan, develop, and coordinate district budget preparation, district funding, and fiscal accountability.

(e) Community relations. The candidate uses staff and community resources to assess educational needs of the community, to develop district goals and objectives, to resolve school-community issues, and to implement a positive public information program.

(f) School law. The candidate knows federal, state, and local statutes, rules and regulations, policies, and court decisions which affect management and operation of the total district and its programs and has the knowledge and skill to develop policies and, as appropriate, rules and regulations for consideration and adoption by the local board of directors.

(g) Legislative process. The candidate knows how the legislative process works and has the skill to use that process.

NEW SECTION

WAC 180-79-155 ROLE AND MINIMUM GENERIC STANDARDS—ADMINISTRATORS—INITIAL CERTIFICATION—PRINCIPALS. (1) The principal is responsible for administration of a school building.

(2) The candidate for initial certification as the principal shall demonstrate knowledge and skill in the following areas in addition to those set forth in WAC 180-79-130(1):

(a) Knowledge of the field. The candidate has knowledge and skill in areas of educational administration relevant to building management, supervision, curriculum, and instruction.

(b) Building administration and management. The candidate has knowledge and skill necessary to serve accountably in administering the unit/area of assigned responsibility. The candidate has the knowledge and skill to initiate alternate patterns of space, time, and student-

staff groupings; oversee plans for the care, maintenance, and beautification of the physical environment; establish policies and procedures that govern changes in the school; and develop master and class schedules.

(c) Community relations. The candidate has knowledge and skill to use community resources in assessing and developing school programs, solving school community problems, and implementing a public information program which promotes positive interactions between the school and community.

(d) Program development and leadership. The candidate has the knowledge and skill to assist staff in developing and implementing instructional, curricular, and assessment programs.

(e) Fiscal management. The candidate has the knowledge and skill to implement principles of fiscal management and record keeping and to identify fiscal needs emanating from the program, facility, and resources.

(f) Activity coordination. The candidate has knowledge and skill to plan and develop governance policies and supervise and evaluate student activities.

(g) Auxiliary services. The candidate has knowledge and skill to coordinate auxiliary services such as health services, transportation, food services, pupil personnel services, maintenance, and learning resource programs.

(h) Staff personnel management. The candidate has knowledge and skill necessary to select, assign and evaluate staff personnel; to interpret district collective bargaining agreements relative to staff personnel; to implement district personnel policies and procedures; and to understand the dynamics of staff relationships and decision-making processes within the building or unit.

(i) Student personnel. The candidate has knowledge and skill necessary to maintain attendance and student personnel records and implement effective principles of discipline, student control, and student management.

NEW SECTION

WAC 180-79-160 ROLE AND MINIMUM GENERIC STANDARDS—ADMINISTRATORS—INITIAL CERTIFICATION—PROGRAM ADMINISTRATORS. (1) The program administrator is responsible for management of a district-wide activity or service involving the instructional program or specialized services which directly support the instructional program.

(2) The candidate for initial level certification shall demonstrate knowledge and skill in the following areas in addition to those set forth in WAC 180-79-130(1):

(a) Knowledge of field or specialization. The candidate shall have depth of knowledge and skill in the subject matter field, instructional area, or specialization for which the program administrator certificate is to be endorsed. The candidate knows curriculum and specialized materials, equipment and facilities; theory and techniques; and principles and methods relevant to the specialization.

(b) Personnel management. The candidate has the knowledge and skill necessary to select, assign, supervise, train, and evaluate personnel within the program.

(c) Financial management. The candidate has knowledge and skill to maintain required records accurately, prepare budget requests, and manage a budget.

(d) Community relations. The candidate has the knowledge and skill to conduct or participate in citizen meetings, to assess community needs relative to the specific program, to develop programs for the community, and to promote positive school-community relationships.

(e) Program development and management. The candidate has the knowledge and skill to set goals and objectives relative to the specific program, to delegate responsibility, to stimulate subordinates to perform, to involve those with expertise and interest in development of goals, objectives, and programs.

(f) Staff development. The candidate can design and conduct inservice and continuing education experiences for personnel in the specific field or specialization.

NEW SECTION

WAC 180-79-170 MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATES—GENERAL. (1) Initial level certification. In addition to the minimum generic standards set forth in WAC 180-79-130(1), candidates for initial certification as educational staff associates shall demonstrate knowledge and skill in the following areas:

(a) Management of special and technical environments. The candidate manages and organizes the materials, equipment and environment essential to implement the respective specialized program.

(b) Assessment and diagnosis. The candidate has the knowledge and skill to develop, select, administer, and interpret assessment procedures and instruments as appropriate to his/her professional role, specialization, and responsibilities.

(2) Continuing level certification. In addition to those minimum generic standards set forth in WAC 180-79-130(2) the candidate for continuing level certification shall demonstrate knowledge and skill in the following areas:

(a) Consultation. The candidate has the knowledge and skill to provide consultive services to parents, school personnel, and others; to make referral to nonschool agencies; and to participate in case conferences with other specialists and school personnel.

(b) Program development and management. The candidate has the knowledge and skill to plan, develop, and implement a program of instruction, remediation, prevention, and/or evaluation as appropriate to his/her professional specialization; to provide information to instructional staff and curriculum decision makers regarding pupil needs, community needs and resources; and works consistently to incorporate current ethical, legal, and professional developments into school policy and practice.

NEW SECTION

WAC 180-79-175 ROLE AND MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATE—INITIAL CERTIFICATION—COMMUNICATION DISORDERS SPECIALISTS

(CDS). (1) The communication disorders specialist provides diagnostic, therapeutic, and consultive services for individuals handicapped by disorders of language, speech and/or hearing.

(2) Initial level certification.

In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification shall demonstrate knowledge and skills in the following areas for initial level certification:

(a) Knowledge of field. The candidate has knowledge about normal and atypical speech development; causes and treatment of disorders of speech, language and hearing.

(b) Assessment and diagnosis. The candidate has the knowledge and skill necessary to select, administer, and interpret assessment instruments relevant to the communication disorders specialist field; identify students who exhibit disorders of speech, language and/or hearing; and determine through diagnostic procedures or referral the nature, etiology, and severity of the specific disorders.

(c) Program development. The candidate has knowledge and skill to develop a treatment program appropriate to the specific disorder(s); to implement the program within the educational setting, including the classroom; and/or to conduct a clinical program to modify the behavior that characterizes the disorder.

(d) Program evaluation. The candidate has the knowledge and skill to conduct systematic, evaluative procedures focusing on the improvement of the speech and language program in the school setting.

(e) Consultation. The candidate has the knowledge and skill to provide consultive services to parents, school personnel, and others concerned about speech, language and/or hearing disorders and programs; to make referral to nonschool agencies; and to participate in case conferences with other specialists and school personnel.

NEW SECTION

WAC 180-79-180 ROLE AND MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATES—COUNSELOR. (1) The counselor facilitates individual development.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1) the candidate for initial level counselor certification shall demonstrate knowledge and skill in the following areas for initial level certification:

(a) Knowledge of field. The candidate has knowledge and skill in relevant fields of study including guidance services, career development and information, individual and group counseling theory and techniques, assessment and testing, vocational information, and placement.

(b) Individual and group counseling. The candidate has the knowledge and skill necessary to provide individual and/or group counseling for students requesting assistance with personal, social, vocational, or educational concerns, as well as with career and life planning.

(c) Informational services. The candidate has the knowledge and skill to provide information regarding vocations, education and training, community resources,

other relevant aspects of the individual's environment and the ability to implement the referral process.

(d) Confidentiality. The candidate has knowledge of and provides services in adherence to the American personnel and guidance association code of ethics, particularly as it relates to the individual's rights to privacy and confidentiality.

NEW SECTION

WAC 180-79-185 ROLE AND MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATE—OCCUPATIONAL THERAPIST (OT). (1) The school occupational therapist provides service to those students whose abilities to cope with tasks of living are threatened or impaired by developmental deficits, poverty and cultural differences, physical injury or illness, or psychological and social disability.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1) the candidate for initial level certification as an occupational therapist shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of the field. The candidate has knowledge and skill about normal and atypical growth, development and performance; causes of dysfunction; and treatment thereof and foundations of occupational therapy.

(b) Assessment and diagnosis. The candidate has the knowledge and skill to select, administer, and interpret those assessment instruments and procedures which will assist in determining the student's rate and quality of growth and development and effects on the educational process and life adjustment.

(c) Program development. The candidate has the knowledge and skill to plan and implement an occupational therapy treatment program to achieve explicit goals for the student.

(d) Program records and evaluation. The candidate has the knowledge and skill to maintain required written records and to evaluate the effectiveness of the program in terms of student outcomes and program objectives.

NEW SECTION

WAC 180-79-190 ROLE AND MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATE—PHYSICAL THERAPIST (PT). (1) The physical therapist seeks to relieve disability and pain, develop or restore motor function, and maintain maximum performance within the student's capabilities.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification as a physical therapist shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of field. The candidate has knowledge and skill in relevant fields of study including anatomy and physiologic processes, normal and atypical growth and development, medical procedures and treatment, and history and foundations of physical therapy.

(b) Assessment and diagnosis. The candidate has the knowledge and skill to select, administer, and interpret

physical therapy procedures, instruments, and techniques essential to assessment of the student's disability.

NEW SECTION

WAC 180-79-195 ROLE AND MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATE—SCHOOL PSYCHOLOGIST. (1) The school psychologist is a specialist in individual differences and learning processes who applies psychological knowledge to enhance the educational progress of all children.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification as a school psychologist shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of the field. The candidate has knowledge and skill in relevant fields of study including learning theory, personality theory and development, individual and group testing and assessment, individual counseling and interviewing theory and techniques, basic statistics, child development, research design, exceptional children, deviant personality, curriculum, and learning theory.

(b) Academic and intellectual assessment and diagnosis. The candidate has knowledge and skill necessary to select, administer, and interpret individual intelligence tests including but not limited to the Wechsler and Stanford-Binet; individual academic tests including diagnostic and placement tests such as the Durrell, Gates-McKillop, Spache, and Wide Range Achievement Test; and group tests such as the Lorge-Thorndike, Metropolitan, and Otis.

(c) Behavioral observation and analysis. The candidate has knowledge and skill in behavioral observation including data taking, frequency measures, and qualitative and quantitative analysis of classroom behavior, and developmental and personality analysis, including perceptual, cognitive, social, affective, and language development in children and the use of such scales as the Vineland Social Maturity Scale, and Gesell Schedules.

(d) Counseling and interviewing. The candidate has the knowledge and skill necessary to provide individual counseling to students and to conduct interviews essential to information collecting from parents, teachers, and other specialists.

(e) Program development. The candidate has the knowledge and skill to make educational prescriptions, including specification of the remedial environmental changes, both curricular and behavioral, for a particular student.

(f) Consultation. The candidate has the knowledge and skill to function in multidisciplinary teams in evaluating and placing students and to confer with parents, specialists, teachers, referral personnel, and others relative to the student's characteristics and needs in the educational setting.

(g) Program evaluation and record keeping. The candidate has the knowledge and skill necessary to develop and implement program evaluation and maintain required program and personnel records.

(h) Professionalism. The candidate has knowledge of professional standards regarding ethical and legal practices relevant to the practice of school psychology and demonstrates knowledge and skill in written and oral reporting of assessments and remedial recommendations which will meet ethical and legal standards.

(i) Research. The candidate has knowledge and skill to evaluate research, to apply school-oriented research, and to construct criterion-referenced instruments with reference to such educational decisions as retention in grade, acceleration, and early entrance.

NEW SECTION

WAC 180-79-200 **ROLE AND MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATE—READING RESOURCE SPECIALIST.** (1) The reading resource specialist serves as a diagnostician, advisor, special instructor, and evaluator providing consultation, training, and assistance to classroom teachers and other personnel participating in the reading program.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification as a reading resource specialist shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of the field. The candidate has knowledge and skill to describe and/or demonstrate the sequence of instruction required in decoding, vocabulary development, reading comprehension, and reading study; compare approaches to reading; interpret research results; state and apply a set of psychological principles of cognitive and affective learning; describe a model of the reading process; use a model or theory as a referent for choices and practices related to reading instruction; and to select trade, text, and resource materials.

(b) Instructional skill. The candidate has the knowledge and skill to describe and/or demonstrate several ways to individualize reading instruction in the classroom and to organize the classroom for optimal learning.

(c) Program evaluation. The candidate has the knowledge and skill to evaluate developmental corrective and remedial reading programs.

(d) Assessment and diagnosis. The candidate has the knowledge and skill to assess strengths and limitations of standardized reading tests, and informal reading inventories; to diagnose reading problems; to use informal assessment techniques and procedures; to interpret pertinent data; and to identify and recommend techniques, materials or remediation to teachers, parents and others involved in the reading program.

(e) Program development. The candidate has the knowledge and skill to plan and implement a developmental reading program which will include corrective and remedial reading programs.

(f) Staff development and consultation. The candidate has the knowledge and skill to help classroom teachers improve their skills in teaching reading and to analyze and evaluate current practices, materials and programs, and interpret them to teachers.

NEW SECTION

WAC 180-79-205 **ROLE AND MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATE—SCHOOL NURSE.** (1) The school nurse, in collaboration with others, utilizes the school health program to contribute significantly to the attainment of the full health and educational potential of each student.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification as a school nurse shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of field. The candidate has knowledge and skill in relevant fields of study including human growth and development; physical, mental and behavioral deviations; prevention; therapeutic treatment and community health; and school health programs.

(b) Program development and implementation. The candidate has the knowledge and skill to develop a school health program which assists students, families, and school staff to deal with health problems; responds to each student's unique developmental health needs; minimizes the effect of sudden illness or injury in the school setting; provides students, families and faculty with a basis for decision making regarding health which promotes prevention and wellness; contributes to a safe and healthy school environment; and ensures that health needs are recognized and planned for in the total school program.

NEW SECTION

WAC 180-79-210 **ROLE AND MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATE—SCHOOL SOCIAL WORKER.** (1) The school social worker contributes to the study and adjustment of pupils' problems through understanding of human growth and development, skill in developing human relationships and use of school, community resources, and professional resources within the educational setting.

(2) Initial level certification. In addition to the minimum generic standards required in WAC 180-79-130(1) and 180-79-170(1), the candidate for initial level certification shall demonstrate knowledge and skill in the following areas:

(a) Knowledge of the field. The candidate has knowledge and skill in relevant fields of study including social science theory and research; individual and group counseling and interviewing; the components of human functioning (e.g., physical, social, cultural, psychological) and dysfunctioning, personality development theories, and their various inter-relationships; principles of human learning (e.g., limitation, re-enforcement, cognitive, psycho-motor, and social learning theories); and personality development.

(b) Community relations. The candidate has knowledge and skill in policy analysis so as to:

(i) anticipate social needs in a community;

(ii) assist decision makers in making informed choices;

and

(iii) identify the relationship and impact of social forces in motivating people in communities to organize to express their needs and preferences and to engage in social problem solving; in influencing service delivery systems; and in using leadership abilities in community, professional organizations and agency settings to change social policy.

(c) Research and evaluation. The candidate has knowledge and skill necessary to conduct research and evaluation in social work including methods and techniques for measuring organizational performance, evaluating program effectiveness, determining the community need for various types of community action, implementing systematic data collection, and deriving and evaluating treatment interventions for client systems.

(d) Counseling and interviewing. The candidate has the knowledge and skill to consult, counsel, and interview the student individually or in a family setting; to provide assistance to the family, teachers and administrators, and other professional personnel; to cooperate with professional specialists to select and refer the student and/or his or her family to appropriate agencies and personnel within or outside the schools and to inform others about the social work program.

NEW SECTION

WAC 180-79-215 MINIMUM GENERIC STANDARDS—EDUCATIONAL STAFF ASSOCIATE—CONTINUING CERTIFICATION.

In addition to those minimum generic standards required for initial certification, the candidate for continuing level certification as an educational staff associate shall demonstrate those minimum generic standards set forth in WAC 180-79-130(2) and 180-79-170(2).

NEW SECTION

WAC 180-79-230 LIMITED CERTIFICATES.

The following certificates are issued under specific circumstances for limited periods of service as outlined:

- (1) Consultant special certificate.
 - (a) The issuance of consultant special certificates is limited to:
 - (i) Persons highly qualified and experienced in fields of knowledge to be taught in the common or nonpublic schools;
 - (ii) Persons who qualify to instruct in the traffic safety program as paraprofessionals pursuant to WAC 392-153-020(2) and (3);
 - (iii) Persons who qualify to teach specific subjects in the adult education program;
 - (iv) Persons who under previous standards hold the band and orchestra certificate; and
 - (v) Persons who are assigned instructional responsibility for intramural/interscholastic activities which are part of the district approved program.
 - (b) Such certificates are issued to individuals who are screened by the local school district or educational service district superintendents. The educational service district or local district superintendent will verify that the following criteria have been met when requesting the consultant special certificate:
 - (i) No person with regular certification in the field is available as verified by the district or educational service district superintendent;
 - (ii) The individual will be delegated primary responsibility for planning, conducting, and evaluating instructional activities and will not be serving in a paraprofessional role which would not require certification;
 - (iii) The individual is being certificated for a limited assignment and responsibility in a specified activity/field;
 - (iv) Personnel so certificated will be oriented and prepared for the specific assignment and will be apprised of any legal liability, the lines of authority, and the duration of the assignment; and
 - (v) The district or educational service district superintendent will indicate the basis on which he/she has determined that the individual is competent for the assignment and will verify that general requirements for certification as set forth in WAC 180-79-105 through 180-79-110 have been met.

(c) The certificate is valid for one year and only for the activity specified. The certificate may be reissued on application and evidence that requirements continue to be met.

(2) Substitute certificate.

(a) The substitute certificate entitles the holder to act as substitute during the absence of the regularly certificated staff member for a period not to exceed thirty consecutive school days during the school year in any one assignment. This certificate may be issued to:

(i) Elementary or secondary school teachers, educational staff associates or administrators whose state of Washington certificates have expired, or

(ii) Persons who have completed state approved preparation programs for certificates within the past ten years, or

(iii) Any district unable to secure substitutes who meet these requirements may contact the office of the superintendent of public instruction to request a waiver of these requirements. Reasons for the request and qualifications of the proposed substitute shall be set forth in writing.

(b) The substitute certificate is valid for three years and may be reissued subsequently for three-year periods.

(3) Emergency certification.

(a) Emergency certification for specific positions may be issued upon the recommendation of school district and educational service district superintendents to persons who hold the appropriate degree and have substantially completed a program of preparation in accordance with Washington requirements for certification: PROVIDED, That a qualified person who holds regular certification is not available or that the position is essential and circumstances warrant consideration of issuance of an emergency certificate. The superintendent of public instruction shall determine that the issuance of such certificate is in the best interest of the state.

(b) The emergency certificate is valid for one year.

NEW SECTIONWAC 180-79-235 PERMITS. (1) Alien permits.

(a) Alien permits may be issued under this section to aliens who have declared their intent to become citizens of the United States of America, have filed an application for a permit, and who have completed all requirements for a certificate: PROVIDED, That the issuance of a permit does not in and of itself entitle the individual to be otherwise certificated.

(b) An alien permit is valid for a term equivalent to the period of validity of the certificate for which it is issued. Aliens seeking renewal or reinstatement of alien permits must comply with requirements specified in WAC 180-79-065.

(2) Temporary alien permits. A temporary alien permit to serve as an exchange teacher and valid for one academic year may be issued to nonimmigrant aliens who have filed an application for a permit, have complied with conditions prescribed in RCW 28A.67.020, and have training and experience which at a minimum are equivalent to standards for the initial teaching certificate as set forth in this chapter.

(3) General permits.

(a) Permits may be issued under this section to those persons who have filed an application for a certificate; who have completed all requirements for provisional, initial, standard, or continuing certification; and who have accepted or are being considered for employment requiring a permit or certificate pursuant to RCW 28A.67.010.

(b) The issuance of a permit does not in and of itself entitle the individual to be otherwise certificated.

(c) An individual may apply for a permit directly to the superintendent of public instruction: PROVIDED, That in the case of an individual completing requirements for certification in a Washington state institution of higher education the request may also be made to that institution.

(d) A permit entitles the holder to serve as a teacher, educational staff associate or administrator consistent with the qualifications stated on his/her permit.

(e) A permit is valid for ninety consecutive calendar days commencing with the date following the date of issuance and is not renewable.

(4) Issuing authority. The superintendent of public instruction shall issue all permits and provide institutions of higher education with forms and instructions relevant to application for a permit.

NEW SECTION

WAC 180-79-240 CERTIFICATION OF OUT-OF-STATE TRAINED TEACHERS—INTER-STATE EDUCATIONAL PERSONNEL CONTRACTS. The superintendent of public instruction is authorized to enter into interstate educational personnel contracts with states party to the interstate agreement on qualifications of educational personnel in accordance with provisions of RCW 28A.93.010 and 28A.93.020 which authorize on an interstate basis Washington state

certification of persons of other states having preparation and qualifications comparable even though not identical to Washington state board of education standards.

NEW SECTION

WAC 180-79-245 RECIPROCITY. Candidates for certification who hold certificates or credentials in other states or who have completed approved or accredited preparation programs in other states shall be eligible for Washington certificates as follows:

(1) Initial certificate. The initial certificate shall be issued by the superintendent of public instruction to any candidate who:

(a) Qualifies under provisions of the interstate compact or of this chapter; or

(b) Holds the appropriate degree as set forth in WAC 180-79-250; has completed a state, regional, or nationally approved or accredited preparation program in the professional field for which the certificate is to be issued; and has verification by previous supervisors and instructors that he or she possesses the relevant minimum generic standards: PROVIDED, That no more than seven years has elapsed since the individual completed his or her preparation or last served in a certificated position in an educational setting.

(2) Continuing certificate. The continuing certificate shall be issued only on verification from a Washington state board of education approved preparation program that the individual meets relevant academic and experience requirements and minimum generic standards set forth in this chapter: PROVIDED, That any out-of-state candidate who through no fault of his or her own is unable to gain admission to a state board of education approved program relevant to his or her certification during the four year period for which the initial certificate is valid, may request that the superintendent of public instruction or his or her designee issue a continuing certificate. The superintendent or his or her designee shall secure verification from an out-of-state college or university having a state approved or accredited preparation program and from supervisors that relevant academic and experience requirements and continuing level minimum generic standards set forth in this chapter have been met.

(3) Until such time as the state board of education approves programs of preparation consistent with chapter 180-78 WAC, out-of-state candidates may:

(a) Seek certification under provisions of chapter 180-79 WAC; or

(b) Request that the superintendent of public instruction or his or her designee secure verification of academic and experience requirements and minimum generic standards for certification in accordance with provisions of this chapter.

NEW SECTION

WAC 180-79-250 DEGREE AND PREPARATION REQUIRED FOR OUT-OF-STATE CANDIDATES FOR INITIAL CERTIFICATION. The superintendent of public instruction will issue an initial

certificate on verification that the candidate meets relevant general and experience requirements for initial certification set forth in WAC 180-79-105, 180-79-110, and 180-79-115 through 180-79-125 and evidence of the following:

(1) Teacher. Completion of a state, regional, or nationally approved/accredited teacher education program and a baccalaureate degree.

(2) Administrator.

(a) Completion of a state, regional, or nationally approved/accredited administrator preparation program in the appropriate endorsement area: Superintendent, principal, or program administrator.

(b) Applicants for endorsement as a superintendent must hold a master's degree in a field related to educational administration and must have completed an internship or one year of experience as a superintendent as verified by the local district board of directors.

(c) Applicants for the principal's endorsement must hold a baccalaureate degree and must have completed thirty quarter hours (twenty semester hours) of graduate work applicable to a master's degree in educational administration and an internship under supervision or one year of experience as a school principal as verified by the district superintendent or his/her designee.

(d) Applicants for the program administrator's endorsement must hold a master's degree in a subject matter field or educational staff associate specialization and shall have served at least one year in a district-wide administrative role responsible for management of a program or special area of curriculum and instruction.

(3) Educational staff associate. Completion of a state, regional, or nationally approved/accredited preparation program in the educational staff associate field and the following degree and licensing requirements:

(a) Psychologist. Provide evidence of completion of an approved/accredited master's degree in school psychology.

(b) Counselor. Provide evidence of completion of an approved/accredited master's degree in school counseling and guidance.

(c) Nurse. Provide evidence of completion of an approved/accredited baccalaureate degree in nursing with an emphasis in school and/or community health and licensure in Washington state as an RN.

(d) Communication disorders specialist. Provide evidence of completion of an approved/accredited master's degree program with a major in speech pathology and/or audiology.

(e) School social worker. Provide evidence of completion of an approved/accredited master's degree in social work (MSW).

(f) Occupational therapist. Provide evidence of completion of an approved/accredited baccalaureate program in occupational therapy and status as an occupational therapist registered with the American occupational therapy association.

(g) Reading resource specialist. Provide evidence of completion of an approved/accredited master's degree in the reading resource specialization.

(h) Physical therapist. Provide evidence of the following:

- (i) A baccalaureate degree;
- (ii) A certificate of completion; or
- (iii) A master's degree.

The applicant must hold a current Washington state license as a physical therapist or a valid probational certificate.

WSR 78-06-071
PROPOSED RULES
INSURANCE COMMISSIONER
[Filed May 26, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Insurance Commissioner intends to amend rules concerning the Medicare Supplement Disclosure Form required to be used by WAC 284-50-460, by adding the following words to item 11 of the form: rendered by an independently practicing physical therapist. WAC 284-50-460, being the Medicare Supplement Disclosure Form, as proposed to be amended is attached to this notice;

that such agency will at 11 a.m., Wednesday, July 12, 1978, in the Insurance Commissioner's Office, Insurance Building, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11 a.m., Wednesday, July 12, 1978, in the Commissioner's Office, Insurance Building, Olympia, WA.

The authority under which these rules are proposed is RCW 48.02.060, 48.20.450, 48.44.050 and 48.46.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 11 a.m., Wednesday, July 12, 1978, in the Insurance Commissioner's Office, Insurance Building, Olympia, WA.

Dated: May 26, 1978

By: Robert E. Johnson
Deputy Insurance Commissioner

AMENDATORY SECTION (Amending Order R78-1, filed 4/20/78)

WAC 284-50-460 FORM TO BE USED.

MEDICARE SUPPLEMENT DISCLOSURE FORM

The Washington state insurance commissioner requires that this form be given to anyone buying insurance designed to supplement Medicare. It provides a summary of Medicare benefits and the benefits available under our policy. Remember that Medicare benefits may be changed so the information given may not be accurate in the future. Our figures are based on Medicare benefits currently applicable for calendar year 19...

The Insurance Commissioner has these suggestions:

1. Check with your local Social Security Office to obtain information about your Medicare benefits. This form shows only a summary of basic Medicare features. There are other Medicare benefits, as well as limitations and exceptions, not shown.
2. Use "Your Medicare Handbook." It is available from your local Social Security Office.
3. Read your policy carefully. Look for what is said about renewing it. See if it contains waiting periods before benefits are paid. Note how it covers pre-existing conditions (health conditions you already have).

- 4. Don't buy more insurance than you really need. One policy that meets your needs is usually less expensive than several limited policies.
- 5. Use the information on this form to measure the value of any insurance or health care plans you now have.
- 6. If you are eligible for state medical assistance coupons (Medicaid), you are advised not to purchase a Medicare supplement policy.
- 7. After you receive your policy, make sure you have the coverage you thought you bought. Under Washington law, if you are not satisfied with the policy, you may return it within 10 days for a full refund of premium.

MEDICARE

INSURANCE POLICY PAYS

PART A - HOSPITAL INSURANCE

- (1) For the first 60 days of hospital confinement in each benefit period, you pay the First \$..... (Medicare calls this the "deductible.") Medicare pays the balance of approved covered services.
- (2) For the next 30 days in the same benefit period, you pay \$..... daily (61st-90th days of hospitalization). Medicare pays the balance of approved covered services.
- (3) During the next 60 days of the same benefit period you can receive Medicare benefits by using your "reserve" days and you will pay \$..... per day. The lifetime "reserve" is a Medicare benefit that lets you use 60 days as you need them. But once a reserve day is used, it can never be used again.
- (4) Unless you use reserve days, after 90 days of hospital confinement during the same benefit period Medicare pays no benefits and you must pay all charges.
- (5) Medicare limits psychiatric hospital care to 190 days in your lifetime.

EXTENDED CARE IN MEDICARE APPROVED SKILLED NURSING FACILITY

CAUTION: a. See "Your Medicare Handbook" for the conditions that must be met to receive this benefit.

b. Always check whether a nursing facility is Medicare approved.

- (6) For the first 20 days of Medicare qualified confinement in a skilled nursing facility, you pay nothing, Medicare pays 100% of all covered services.
- (7) From the 21st through 100th day, you pay \$..... daily. Medicare pays the balance of the covered services.
- (8) Beyond the 100th day, Medicare provides no benefits.
- (9) Medicare provides no benefits for custodial care. (Care which is primarily for the purpose of meeting personal needs which could be provided by a nonprofessional person.)

PART B - MEDICAL INSURANCE

CAUTION: doctors' fees and medical charges may exceed charges approved by Medicare. You pay the difference between Medicare's allowable charge and the actual charge.

- (10) You pay the first \$..... toward Medicare approved charges each calendar year. Medicare then pays 80% of further Medicare approved charges for physician services, medical supplies, necessary ambulance service, prosthetic devices and other covered services. You pay the remaining 20% and any additional charge above the amount allowed by Medicare.
- (11) You will receive no more than \$80 from Medicare per calendar year for out-patient

MEDICARE

INSURANCE POLICY PAYS

physical therapy rendered by an independently practicing physical therapist.

MISCELLANEOUS SERVICES OR BENEFITS

- (12) Medicare provides no benefits for private duty nursing. (12)
- (13) Medicare provides no benefits for outpatient prescription drugs, routine eye examinations, and routine hearing examinations. (13)
- (14) You are responsible for the cost or replacement of the first 3 pints of blood per calendar year. (14)
- (15) Medicare "deductibles" and "coinsurance" (the portions you pay) change from time to time. Will this policy automatically increase your benefits to pay your increased costs?

(15) Yes or No If yes, explain any exceptions or limitations.

Additional information about the policy:

The current cost to you for this policy is \$..... (annually, monthly or other mode)

Except for a general rate increase, does the cost change when you reach a certain age? No Yes (Explain)

Date this Disclosure Form was prepared:

Policy Form No.:

Insurance Company Issuing Policy:

If delivered by Agent, his signature:

WSR 78-06-072

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 78-32—Filed May 26, 1978]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington the annexed rules relating to commercial fishing regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is test fishing shows harvestable numbers of shad in this area. This order complies with regulations adopted by the Columbia River Fisheries Compact.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as

appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 26, 1978.
By Gordon Sandison
Director

NEW SECTION

WAC 220-32-04000C SEASONS AND AREAS - SHAD Notwithstanding the provisions of WAC 220-32-041, it shall be unlawful to take, fish for or possess shad for commercial purposes with gillnets except from the following areas during the specified times for each area as follows:

(a) A line commencing at the white six-second equal-interval light approximately 3/4 mile east of the Washougal Woolen Mill pipe line and projected westerly to the Washougal blinker light; thence continuing westerly to the white four-second blinker light on the east end of Lady Island, thence easterly and northerly along the shoreline of Lady Island to the State Highway 14 Bridge, thence easterly across State Highway 14 Bridge to the mainland from 6:00 P.M. May 30 to 12:00 Noon July 1, 1978.

Weekly closed periods shall extend from noon Saturday to 6:00 p.m. Sunday each week.

Lawful gear shall be as defined in WAC 220-32-023, breaking strength shall not exceed 30 pounds.

(b) The waters of Grays River from its mouth upstream to fishing boundary markers located at the Leo Reisticka farm and including the waters of Seal Slough; the waters of Deep River from its mouth upstream to the Highway 4 bridge from May 10 to June 30, 1978.

Lawful gear shall be single-wall set gill net or drift gill net not exceeding 200 feet in length nor of a depth greater than 20 feet. Web of said gill net shall contain meshes of a size not less than 4-1/2 inches nor larger than 6 inches stretch measure and shall not exceed a breaking strength of a 30 pound pull.

(c) Those waters of the Columbia River upstream and easterly of a line projected from the flashing red light No. 52 on the Oregon shore near the downstream end of Gary Island, diagonally north to a white equal-interval light on the Washington shore; and include those waters of the Columbia River downstream and westerly of a line projected across the Columbia River at a point 5-miles below Bonneville Dam; and exclude the waters of Camas Slough upstream from a line projected true north from the most western tip of Lady Island to the Mainland.

During the period from 4:00 A.M. May 30 to 10:00 P.M. June 23, 1978 on Monday through Friday of each week, during the daily hours of 4:00 A.M. to 10:00 P.M., with gillnets as defined in WAC 220-32-023.

It shall be unlawful to retain any fish except shad.

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-32-04000B SEASONS AND AREAS - SHAD (78-23)

WSR 78-06-073

**NOTICE OF PUBLIC MEETINGS
ADVISORY COUNCIL ON VOCATIONAL EDUCATION**

[Memorandum, Exec. Director—May 26, 1978]

The Washington State Advisory Council on Vocational Education will hold its next meeting on Tuesday, June 20, 1978, beginning at 9:00 am. The Advisory Council's meeting will be held at the Crestview Conference Center, 16200 -42nd Avenue South, Seattle, WA. 98188, in the Quinault Room.

Besides the regular business meeting, the Advisory Council will present their Vocational Education Contributor of the Year Awards to the following individuals: Ginger Williams, Student Award Winner; George Mogan, Lay Person Award Winner; and Marianne Andrews, Educator Award Winner.

WSR 78-06-074

**ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 1297—Filed May 31, 1978—Eff. July 1, 1978]

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington the annexed rules relating to:

- Amd WAC 388-24-050 relating to AFDC—Assistance unit.
- Rep WAC 388-29-140 relating to monthly standard for basic requirements—AFDC—Child living with relatives not in need.

This action is taken pursuant to Notice No. WSR 78-04-094 filed with the code reviser on 4/5/78. Such rules shall take effect at a later date, such date being July 1, 1978.

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 78.08.090.

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

APPROVED AND ADOPTED May 17, 1978.
By Thomas G. Pinnock
Acting Secretary

AMENDATORY SECTION (Amending Order 1235, filed 8/31/77)

WAC 388-24-050 AID TO FAMILIES WITH DEPENDENT CHILDREN—ASSISTANCE UNIT. (1) Eligibility for any individual to be included in an AFDC assistance unit is conditioned upon the provisions in WAC 388-24-107 and WAC 388-57-061.

- (2) The AFDC-R assistance unit shall consist of (a) The eligible child or children living together, and

~~((b))~~ (i) The natural, adoptive, stepparent, or parents with whom the child(ren) lives. If the child(ren) is deprived because of incapacity of a parent, the legally wedded spouse of the child(ren)'s parent is also included, or

~~((c))~~ (ii) In lieu of a parent, ~~((the))~~ one needy relative caretaker of the child(ren) of the degree specified in WAC 388-24-125 with whom the child(ren) lives and whose eligibility depends solely on caring for the child(ren).

~~((d))~~ (b) Only the eligible child(ren) shall constitute the AFDC-R assistance unit when he/she is living with a parent ~~((or other caretaker relative))~~ who is not in financial need, or who does not meet other eligibility requirements.

(c) Only the eligible (sibling) child(ren) shall constitute the AFDC-R assistance unit when he/she is living with a non-needy relative of specified degree who is not legally responsible for the support or care of the child(ren), or with a needy relative of specified degree who is a member of another assistance unit or who is receiving SSI.

(d) An eligible child who is temporarily in an institution and meets conditions in WAC 388-24-125 shall be included or continue to be included in an AFDC assistance unit.

(3) The AFDC-E assistance unit shall consist of

(a) The eligible child(ren) and

(b) Both natural or adoptive parents or a stepfather and parent of the eligible child(ren) if legally married to each other, with whom the child(ren) lives. If not legally married, see subsection (4). If an unemployed parent is temporarily absent from the home to search for employment with intention to reunite with the family, only the parent in the home is included in the unit.

(c) Only the eligible child shall constitute the AFDC-E assistance unit when he is living with parents who do not meet eligibility requirements.

(4) Unmarried parents living with one or more children

(a) When a child is living with both of his parents who are unmarried, only one such parent can be included in the child's assistance unit.

(b) When the family is composed of the mother's child(ren) only, or the father's child(ren) only, or one or more children of both parents, or any combination of the above,

(i) One assistance unit is established for all children who have one parent in common, and this unit can include only this parent.

(ii) Another assistance unit is established for any children of the other parent only, including this parent if otherwise eligible.

(5) The AFDC-FC assistance unit shall include only the child who is eligible for AFDC-FC.

(6) When it is necessary for a responsible relative to reside temporarily apart from his or her family to secure training, as specified in WAC 388-24-125(3)(b)(v), separate assistance units shall be established for the relative in training and for the other members of the family.

(7) When all the dependent children in a potential AFDC assistance unit are receiving SSI, the AFDC assistance unit shall consist of the parent(s) or other needy caretaker relative who would be included in the assistance unit if the children were receiving AFDC.

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

REPEALER

✓ The following section of the Washington Administration Code is repealed:

WAC 388-29-140 MONTHLY STANDARDS FOR BASIC REQUIREMENTS—ADFC—CHILD LIVING WITH RELATIVE NOT IN NEED.

WSR 78-06-075

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

[Order 1574—Filed May 31, 1978]

I, Bob J. Mickelson, director of the Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the combining certain warehouses into stations, amending WAC 16-224-010.

This action is taken pursuant to Notice Nos. WSR 78-04-105 filed with the code reviser on 4/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 22.09 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 31, 1978.

By Bob J. Mickelson
Director

AMENDATORY SECTION (Amending Order 1531, filed 6/1/77)

✓ WAC 16-224-010 COMBINING CERTAIN WAREHOUSES INTO STATIONS. The department of agriculture will allow the following warehouses to combine certain warehouses into stations as follows:

(1) ~~((A.C.M. Feed Company))~~ ACM Feed & Grain, Inc., is combining Mabton ((and)), Prosser, and Hogue Ranch into one station - Prosser 722.

(2) Almira Farmers Warehouse Company is combining North Almira, South Almira, Highland, Govan, Almira, Hanson, and Hartline into one station - Almira 179.

(3) Auvil-Warner Company, Inc., is combining Belmont, Oakesdale, and Warner Siding into one station - Belmont 245.

(4) Berger & Plate of Washington is combining Tekoa, Tilma, Farmington, ~~((Latah,))~~ Seltice, and Garfield into one station - Tekoa 471.

(5) Central Washington Grain Growers, Inc., is combining ~~((Almira))~~ Almira, Hanson, Hartline, Coulee City, Grand Coulee, Withrow, Supplee, Waterville, Douglas, Alstown, Mansfield, and Brewster into one station - Waterville 852.

(6) Cheney Grain Growers, Inc. is combining Cheney and Rodna into one station - Cheney 330.

(7) Columbia Bean & Produce Co., Inc., is combining Wheeler Block 89, Royal Slope, and Homestead into one station - Wheeler 282.

~~((7))~~ (8) Columbia Producers, Inc., is combining Warden and Royal City into one station - Warden 19.

~~((8))~~ (9) Davenport Union Warehouse Company is combining Davenport, Mondovi, Omans, and Hunters into one station - Davenport 289.

~~((9))~~ (10) Edwall Grain Growers, Inc., is combining Edwall, Canby, Waukon, Sprague, and Edens into one station - Edwall 4.

~~((10))~~ (11) Empire Seed Company is combining Othello, Royal Camp, and Royal City into one station - Othello 256.

~~((11))~~ (12) Fairfield Grain Growers, Inc., is combining Fairfield and Waverly into one station - Fairfield 525.

(13) Fuhrman's Feed & Farm Supply Co. is combining Kettle Falls and Colville into one station - Kettle Falls 46.

~~((12))~~ (14) Full Circle, Inc., is combining Wheeler, Warden, Quincy, Bruce, Royal City and Basin City into one station - Wheeler 887.

~~((13))~~ (15) The Garfield Union Warehouse Company is combining Garfield, Grinnell, Walters, Crabtree, Elberton, and Sokulk into one station - Garfield 24.

~~((14))~~ (16) Inland Empire Milling Company is combining Pine City ~~((and))~~ St. John, and Pleasant Valley into one station - St. John 706.

~~((15))~~ (17) Inland Empire Pea Growers Assoc., Inc., is combining Oakesdale, Garfield, Latah, Spangle, Waverly, West Fairfield, Fairfield, and Spokane into one station - Spokane 220.

~~((16))~~ (18) LaCrosse Grain Growers, Inc., is combining Lacrosse, Pampa, Gordon, Hooper, Schreck, ~~((and))~~ Hay, and Dusty into one station - Lacrosse 131.

~~((17))~~ (19) Lamont Grain Growers, Inc., is combining Lamont and Revere into one station - Lamont 476.

~~((18))~~ (20) Logan Feed, Inc., is combining Wapato, Harrah, and Toppenish into one station - Toppenish 104.

~~((19))~~ (21) Odessa Trading Company is combining Odessa, Nemo, Ruff, Laing, Batum, ~~((and))~~ Moody, and Schmierer into one station - Odessa 342.

~~((20))~~ (22) Odessa Union Warehouse Co-op is combining Odessa, Irby, ~~((and))~~ Lamona, ~~((into one station - Odessa 305))~~ Lauer, Reiman, Jantz, Schoonover, and Packard into one station - ~~((Lauer 420))~~ Odessa 305; Harrington, Mohler, and Downs into one station - Harrington 6; and Davenport, Egypt, and Rocklyn into one station - Davenport 872. ~~((1))~~ and Ephrata into one station - Ephrata 5.)

~~((21))~~ (23) Pendleton Grain Growers, Inc., is combining Prosser and Whitstran into one station - Prosser 648.

(24) Roy Peringer Seed Co. is combining Belmont and Pullman into one station - Belmont 1.

(25) Pioneer Elevators, Inc. is combining Chewelah, and Colville into one station - Chewelah 675.

(26) Pomeroy Grain Growers, Inc., is combining Pomeroy, Zumwalt, Houser, Dodge and Central Ferry into one station - Pomeroy 400.

(27) Quincy Farm Chemicals, Inc., is combining Quincy and Murphy's Corner into one station - Quincy 29.

~~((22))~~ (28) Reardan Grain Growers, Inc., is combining Reardan, Gravelle, Eleanor, Hite, and Espanola into one station - Reardan 455.

~~((23))~~ (29) Ritzville Warehouse Company, Inc., is combining Ritzville, Tokio, Ralston, Marcellus, ~~((and))~~ Benge, and Meier into one station - Ritzville 295.

~~((24))~~ (30) Rockford Grain Growers, Inc., is combining Mead, Rockford, Valleyford, Freeman, and Mt. Hope into one station - Rockford 196.

~~((25))~~ (31) Rosalia Producers, Inc., is combining Rosalia, Plaza, Spring Valley, McCoy, Baler, Spangle, Squaw Canyon, and Pine City into one station - Rosalia 415.

~~((26))~~ (32) St. John Grain Growers, Inc., is combining St. John, Ewan, Willada, Juno, ~~((and))~~ Sunset, and Pleasant Valley into one station - St. John 534.

~~((27))~~ (33) Spokane Seed Company is combining Spokane, Colfax, and Plaza into one station - Spokane 452.

~~((28))~~ (34) Union Elevator & Warehouse Company, Inc., is combining Lind, Pizarro, Schrag, ~~((and))~~ Paha, Pence, and Bauer into one station - Lind 474.

~~((29))~~ (35) Uniontown Co-operative Association is combining Uniontown and Leon into one station - Uniontown 430.

~~((30))~~ (36) United Grain Growers, Inc., is combining Harrington, Mohler, Downs, Bluestem, Wilbur, Sherman, Wheatridge, Govan and Creston into one station - Harrington 807.

~~((31))~~ (37) Walla Walla Grain Growers, Inc., is combining Walla Walla, Baker-Langdon, Dixie, ~~((Port Kelly))~~ Port Kelly, Sapolil, Tracy, Valley Grove, Spring Valley, Reser, Miller, ~~((and))~~ Whitman, Gardena, ~~((into one station - Walla Walla 462, and combining))~~ Clyde, Eureka, Pleasant View, Sheffler, Smith Springs, Rulo, Dry Creek, Ennis, and Paddock into one station - ~~((Clyde 823))~~ Walla Walla 462.

~~((32))~~ (38) Washtucna Grain Growers, Inc., is combining Washtucna, Sperry, Fletcher, and Sand Hills into one station - Washtucna 653.

~~((33))~~ (39) Western Farmers Association is combining Othello, Eltopia, ~~((Anatone,))~~ Central Ferry, Wallula, Venner, Moses Lake, Ellensburg, Sprague, Keystone, Quincy, and Trinidad into one station - Wallula 91.

~~((34))~~ (40) Wheat Growers of Endicott, Inc., is combining Endicott, Thera, and Winona into one station - Endicott 524.

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((35)) (41) Whitman County Growers, Inc., is combining Cashup, Glenwood, Manning, Mockonema, Step-toe, Thornton, Colfax, Albion, Busby, Ewartsville, Fallon, Parvin, Union Center, Whelan, and Pullman into one station - Colfax 74.

((36)) (42) Wilson Creek Union Grain & Trading Company is combining Stratford and Wilson Creek into one station - Wilson Creek 354.

((37)) (43) L.F. Zwiesler Company, Inc., is combining Ashue Siding and Harrah into one station - Ashue Siding 76.

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

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

(2) When more than one first distributor is involved in the distribution of a restricted use herbicide the initial first distributor meeting the criteria of WAC 16-230-110(1) is responsible for reporting the pounds of active ingredient of restricted use herbicides and paying the fee, unless the reporting and paying of fees have been made by another distributor of restricted use herbicides as per WAC 16-230-115(3).

(3) Any distributor other ((then)) than the first distributor may act as an agent in paying the special program fee: PROVIDED, That written agreement exists between the distributors, and: PROVIDED FURTHER, That such written agreement has been approved by the director.

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

WSR 78-06-076

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

[Order 1576—Filed May 31, 1978]

I, Bob J. Mickelson, director of Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to special program fees on 2,4-D herbicide distributed in this state, amending WAC 16-230-115 and 16-230-120.

This action is taken pursuant to Notice No. WSR 78-04-106 filed with the code reviser on 4/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapters 15.58 and 17.21 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 31, 1978.

By Bob J. Mickelson
Director

AMENDATORY SECTION (Order 1534, filed July 1, 1977)

WAC 16-230-115 PROCEDURE FOR COLLECTING SPECIAL PROGRAM FEES. (1) Each first distributor of a restricted use herbicide in this state shall pay to the department a fee of five cents per pound of active ingredient of restricted use herbicide distributed by such person during the year beginning July 1, ((+1977)) 1978 and ending June 30, ((+1978)) 1979: PROVIDED, That when computing the pounds of active ingredient on which the fees must be paid, distribution for use outside the state by the first distributor may be excluded.

AMENDATORY SECTION (Order 1534, filed July 1, 1977)

WAC 16-230-120 PROCEDURE FOR SUBMITTING REPORTS. (1) Each person made responsible by these regulations for the payment of fees for restricted use herbicides distributed in this state shall file a report with the department on January 1, ((+1978)) 1979 and ((and)) July 1, ((+1978)) 1979 showing the number of pounds of such restricted use herbicides distributed during the six calendar months immediately preceding the date the report is due. When verifying such reports, the department may accept sales records or other records accurately reflecting the poundage sold. The appropriate fee, no less than the five dollar minimum fee, shall be remitted with the report. The person required to file the report and pay the fee shall have a thirty day grace period. Such grace period shall expire on January 30, ((+1978)) 1979 for the January 1, ((+1978)) 1979 report and July 30, ((+1978)) 1979 for the July 1, ((+1978)) 1979 report.

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

WSR 78-06-077

PROPOSED RULES

STATE JAIL COMMISSION

[Filed May 31, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Jail Commission intends to adopt, amend, or repeal rules concerning its organization and methods of operation and governing access to its public records, as required under chapter 42.17 RCW;

and that the adoption, amendment, or repeal of such rules will take place at first public meeting of the commission held after July 11, 1978.

The authority under which these rules are proposed is chapter 42.17 RCW and RCW 70.48.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 11, 1978.

Dated: 5-31-78
By: Floyd E. Powell
Director

Chapter 289-04 WAC WAC
ORGANIZATION AND METHODS OF OPERATION

NEW SECTION

WAC 289-04-010 PURPOSE. These rules are adopted to comply with the requirements of RCW 42.17.250 requiring each agency to adopt rules describing its organization and procedures.

NEW SECTION

WAC 289-04-020 ORGANIZATION—COMMISSION. (1) The State Jail Commission is an eleven member commission appointed by the governor and confirmed by the state senate pursuant to RCW 70.48.030. one of whose members is the secretary of the Department of Social and Health Services or his designee, at least seven of whom must be elected city, town, or county legislative or executive officials, at least two of whom must represent minorities, and at least four of whom must reside east of the crest of the Cascade Range. The chairperson of the commission is appointed by the governor and a vice-chairperson is elected by the commission.

(2) With the exception of the initial appointments to the commission, each member serves a three year term; vacancies are filled through appointment by the governor for the unexpired term.

NEW SECTION

WAC 289-04-030 ORGANIZATION—STAFF. (1) The staff of the commission consists of the director and such necessary secretarial, administrative, and jail inspection personnel as are authorized by the commission.

(2) The director shall perform the following duties under the general authority and supervision of the commission:

- (a) Act as administrative arm of the commission;
- (b) Coordinate the policies of the commission and the activities of all commission employees and other persons who perform ministerial functions for the commission; and
- (c) Act as liaison between the commission and other public agencies.

NEW SECTION

WAC 289-04-040 OPERATIONS AND PROCEDURES. The office of the commission and its staff is located at 110 East 5th Street, Olympia, WA 98504. The commission functions through public meetings to be held at least four times each year. Meetings are scheduled as necessary by the chairperson or called upon the request of a majority of the commission members and notice of such meetings will be given in accordance with RCW 42.30.110. Minutes are kept of all public meetings of the commission and are available for public inspection or copying under the provisions of WAC 289-08.

Chapter 289-06 WAC WAC
ACCESS TO PUBLIC RECORDS

NEW SECTION

WAC 289-06-010 PURPOSE. The purpose of this chapter is to insure the full access of the public to the public records held by the State Jail Commission in compliance with the provision of chapter 42-17 RCW.

NEW SECTION

WAC 289-06-020 PUBLIC RECORDS AVAILABLE. All public records of the commission are deemed to be available to the public for inspection and copying pursuant to these rules except as otherwise provided by RCW 42.17.260, RCW 42.17.310, and WAC 289-06-070.

NEW SECTION

WAC 289-06-030 PUBLIC RECORDS OFFICER. The commission's public records shall be in charge of the director who shall be responsible for implementation of the commission's rules and regulations regarding release of public records, coordinating the staff of the commission in this regard, and generally insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

NEW SECTION

WAC 289-06-040 OFFICE HOURS. Public records shall be available for inspection and copying during the customary office hours of the commission. For the purpose of this chapter, the customary office hours shall be from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday, excluding legal holidays.

NEW SECTION

WAC 289-06-050 REQUESTS FOR PUBLIC RECORDS. In accordance with requirements of chapter 42.17 RCW that agencies prevent unreasonable invasions of privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copies of such records may be obtained, by members of the public, upon compliance with the following procedures:

(1) A request shall be made in writing upon a form prescribed by the commission which shall be available at its administrative office. The form shall be presented to the director or designated staff member, at the office of the commission during customary office hours. The request shall include the following information:

- (a) The name of the person(s) requesting the record;
- (b) The time of day and calendar date on which the request is made;
- (c) The nature of the request;
- (d) If the matter requested is referenced within the current index, a reference to the requested record as it is described in such current index;
- (e) If the requested matter is not identifiable by reference to the commission's current index, an appropriate description of the record requested.

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the director or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

NEW SECTION

WAC 289-06-060 COPYING. No fee shall be charged for the inspection of public records. The commission shall charge a fee of fifteen cents per page of copy for providing copies of public records and for use of the commission's copy equipment.

NEW SECTION

WAC 289-06-070 EXEMPTIONS. (1) The commission reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 289-06-050 is exempt under the provisions of RCW 42.17.310.

(2) In addition, pursuant to RCW 42.17.260, the commission reserves the right to delete identifying details when it makes available or publishes any public record, in any case when there is reason to believe that disclosure of such details would be an invasion of personal privacy protected by chapter 42.17 RCW. The director or designated staff member will fully justify such deletion in writing.

(3) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

NEW SECTION

WAC 289-06-080 REVIEW OF DENIALS OF PUBLIC RECORDS REQUESTS. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the director or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the director or other staff member denying the request shall refer it to the chairperson of the commission. The chairperson shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the commission as soon as legally possible to review the denial. In any case, the request shall be returned with a final decision, within thirty days following the original denial.

(3) Administrative remedies shall not be considered exhausted until the commission has returned the petition with a decision or until the close of the thirtieth day following denial of inspection, whichever occurs first.

NEW SECTION

WAC 289-06-090 RECORDS INDEX. (1) The commission shall establish a current index which will provide identifying information as to the following records issued, adopted or promulgated from its inception: (a) Final opinions, including concurring and dissenting opinions, as well as orders, made in any adjudications;

(b) Those statements of policy and interpretations of policy, statute and the constitution which have been adopted by the commission;

(c) Administrative staff manuals and instructions to staff that affect a member of the public;

(d) Planning policies and goals, and interim and final planning decisions;

(e) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or other; and

(f) Correspondence and materials referred to therein, by and with the commission relating to any regulatory, supervisory or its enforcement responsibilities, whereby it determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party.

(2) The current index promulgated by the commission shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection.

NEW SECTION

WAC 289-06-100 STATE JAIL COMMISSION—COMMUNICATIONS. All communications with the commission including but not limited to the submission of materials pertaining to its operations and/or the administration or enforcement of chapter 70.48 RCW and its rules pursuant thereto, requests for copies of the commission's decisions and other matters, shall be addressed as follows: State Jail Commission, 110 East 5th Street, Olympia, WA 98504.

NEW SECTION

WAC 289-06-110 ADOPTION OF FORM. The State Jail Commission hereby adopts for use by all persons requesting inspection and/or copies of records the form set out below, entitled "request for public records".

**STATE JAIL COMMISSION
REQUEST FOR PUBLIC RECORDS**

Date Time

Name

Address

Description of Records (see index):

.....
.....
.....

I certify that the information obtained through this request for public records will not be used for commercial purposes.

.....
Signature

Number of copies

Number of pages

Per page charge \$

Total charge \$

**WSR 78-06-078
PROPOSED RULES
DEPARTMENT OF LICENSING
[Filed May 31, 1978]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Department of Licensing intends to adopt, amend, or repeal rules concerning the amending of WAC 308-08-005 pertaining to agency rules of practice and procedure, by providing that WAC 308-08-010 through 308-08-590 shall apply to administrative procedure under chapters 82.36 and 82.38 RCW; by deleting reference to repealed chapters 46.28 and 46.24 RCW; and replacing such reference with chapter 46.29 RCW; and by amending reference to the director of licensing in conformity with chapter 334, Laws of 1977, ex. sess.;

that such agency will at 10:00 a.m., Tuesday, July 18, 1978, in the Conference Room 4A, Highways-Licenses Bldg., Olympia, WA 98504 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Tuesday, July 18, 1978, in the Conference Room 4A, Highways-Licenses Bldg., Olympia, WA 98504.

The authority under which these rules are proposed is RCW 34.04.022, 82.38.260, and 46.01.110.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 18, 1978, and/or orally at 10:00 a.m., Tuesday, July 18, 1978, Conference Room 4A, Highways-Licenses Bldg., Olympia, WA 98504.

Dated: May 30, 1978

By: R. Y. Woodhouse
Director

AMENDATORY SECTION (Reg. 08.005; Eff. 3/23/60)

WAC 308-08-005 PORTIONS OF UNIFORM PROCEDURAL RULES APPLICABLE TO VARIOUS SUBAGENCIES. With the purpose of uniformity in mind, the director, under authority granted by statute and pursuant to RCW 34.04. et(()) seq., does hereby adopt the rules of practice and procedure in the subsequent sections:

(1) Rules WAC 308-08-010 through 308-08-590 apply to administrative procedure in reference to:

- RCW Chapter
- 18.32 Dentists
- 18.78 Practical nurses
- 18.85 Real estate brokers and salesmen
- 18.92 Veterinarians
- 21.20 Securities act of the state of Washington
- 46.70 Dealers' licenses (Motor vehicles)
- 82.36 Liquid fuel tax
- 82.38 Special fuel tax

(2) Rules WAC 308-08-540 through 308-08-590 do not apply to the following agencies:

- 18.08 Architects
- 18.36 Drugless healing

E ABC

- 18.57 Osteopathy
- 18.33 Psychologists
- 46.82 Commercial driver training schools

(3) Rules WAC 308-08-150 through 308-08-220 do not apply to the following agencies:

- 18.15 Barbers
- 18.18 Beauty culture
- 18.22 Chiroprodists
- 18.39 Embalmers
- 18.74 Physical therapy
- 46.80 Motor vehicle wreckers
- 81.72 Passenger for hire licenses

(4) Rules WAC 308-08-150 through 308-08-220 and WAC 308-08-540 through 308-08-590 do not apply to the following agencies:

- 18.25 Chiropractors
- 18.29 Dental hygienists
- 18.34 Dispensing opticians
- 18.50 Midwifery
- 18.53 Optometry
- 18.90 Sanitarians
- 43.74 Basic science committee

(5) Only rules WAC 308-08-540 through 308-08-590 apply to the following license procedures under the motor vehicle laws:

- 46.12 Certificates of ownership
- 46.16 Vehicle licenses
- ~~((46.24))~~ 46.29 Financial and safety responsibility
- ~~((46.28))~~
- 46.76 Motor vehicle transporters
- 46.84 Reciprocity
- ~~((82.36 Liquid fuel tax))~~
- ~~((82.40 Use fuel tax))~~

The exclusion of certain rules or the applicability of certain rules under this section is based upon the statutory authority given to the director of ~~((licenses))~~ licensing by the legislature of the state of Washington. The word agency as used in these sections is interchangeable used with the word department, commission, or board.

WSR 78-06-079

**NOTICE OF PUBLIC MEETINGS
INTERAGENCY COMMITTEE
FOR OUTDOOR RECREATION**
[Memorandum, Administrator—May 30, 1978]

The agency had indicated to the Code Reviser that it would be holding a Special Meeting of the Interagency Committee sometime in June. That date has now been set:

- Date: June 30, 1976
- Place: Transportation Commissioners' Board Room, Wing D-1
Highways Administration Building,
Olympia, Washington
- Time: 9:00 a.m.
- Purpose: Discussion of IAC Capital and Operating Budget
Proposals for 1979-81

WSR 78-06-080
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1300—Filed June 1, 1978]

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd ch. 388-88 WAC relating to Medical care—Nursing home care.
- Amd ch. 388-96 WAC relating to the nursing home accounting and reimbursement system.

This action is taken pursuant to Notice No. WSR 78-04-097 filed with the code reviser on 4/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.09.120 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED May 24, 1978.

By Thomas G. Pinnock
Acting Secretary

AMENDATORY SECTION (Amending Order 1257, filed 12/21/77)

26 WAC 388-88-001 NURSING HOME CARE. (1) The department has the administrative and legal responsibility to purchase nursing home and nursing home based (out-patient services, WAC 248-14-295) care for eligible persons. The department has the responsibility to assure to the state that adequate care, service and protection are provided through licensing and certification procedures.

(2) Each Title 19 nursing home will be certified as a skilled nursing facility, intermediate care facility, ~~((or))~~ skilled nursing and intermediate care facility, and/or institution for the mentally retarded and those with related conditions (IMR). A contract for the provision of care to medical recipient patients at an ICF facility will be for ICF care only. Except as provided in WAC 388-88-001(4) and 388-88-007, contracts for the provision of care at all other facilities will be dual (ICF/SNF). Medical assistance recipients who are classified as requiring either intermediate level or skilled nursing care must be provided care only in a facility so certified.

(3) When a hospital elects to provide skilled nursing facility and/or intermediate care facility services to medical assistance recipients, the department will consider the hospital as such a provider. The hospital will be surveyed and certified, and all rules and regulations relating to skilled nursing facilities and/or intermediate

care facilities shall apply, including certificate of need and/or section 1122.

(4) In order to qualify for a SNF only contract, a facility must meet department criteria regarding location, patient-classification ratios, ICF availability, average length of stay, staffing, and provision of rehabilitative services. The department will review all such requests and respond in writing within thirty days of receipt of a properly completed application.

NEW SECTION

WAC 388-88-007 IMR FACILITIES. Contracts with IMR facilities will specify one of four levels (A, B, C or D) of service. Clients will be admitted to IMR facilities only after classification by a qualified mental retardation professional employed by the department. This classification will specify one of these four levels. At least fifty percent of the licensed bed capacity will be occupied by persons with mentally retardation or related conditions as of the date of application for certification. Facilities may not admit any residents except IMR residents after the date of certification.

NEW SECTION

WAC 388-88-051 ADDITIONAL SERVICES REQUIRED FOR IMR RESIDENTS. In addition to nursing home care as defined in WAC 388-88-050, all IMR residents must receive the following services:

- (1) Supervision of each client's total program plan by a qualified mental retardation professional.
- (2) Provision of a planned program of individual goal related activities which does not allow for unscheduled activity in excess of three hours of continuous duration.
- (3) Active treatment which includes regular, planned, participation in accordance with an individual prescriptive plan. Such treatment must be developed, supervised, reviewed, and revised by appropriate specialists in the field of mental retardation.
- (4) Direct services by professional therapists in accord with needs of individual clients including, but not limited to:
 - (a) Psychology;
 - (b) Recreation;
 - (c) Education;
 - (d) Vocational services.

NEW SECTION

WAC 388-88-086 MINIMUM STAFFING REQUIREMENTS—IMR. (1) Each level of IMR must provide staff adequate in numbers and qualifications to meet client needs.

- (2) In addition, the IMR must provide:
 - (a) Level A:
 - (i) Facility-based physician staff to provide for twenty-four hour medical supervision to include examination, diagnosis, planning, implementation, and review of appropriate medical regimen for each client;
 - (ii) One full-time registered nurse as director of nursing services plus sufficient licensed nurses to provide twenty-four hour nursing coverage;

(iii) Facility-based active treatment staff in accord with WAC 388-88-050 and 388-88-051;

(iv) Residential living staff at one staff per two residents to include sufficient qualified mental retardation professionals.

(b) Level B:

(i) Facility-based physician staff sufficient to provide for examination, diagnosis, planning, implementation and review of an appropriate medical regimen for each client;

(ii) At least one licensed practical nurse plus sixteen hours per month of consultation by registered nurses;

(iii) Facility-based active treatment staff in accord with WAC 388-88-050 and 388-88-051;

(iv) Residential living staff at one staff per two residents to include sufficient qualified mental retardation professionals.

(c) Level C:

(i) A medical director;

(ii) At least one full-time registered nurse as director of nursing services plus sufficient licensed nurses to provide twenty-four hour nursing coverage;

(iii) Residential living staff at one staff per 2.5 residents to include sufficient qualified mental retardation professionals.

(d) Level D:

(i) A medical director;

(ii) At least one licensed practical nurse plus sixteen hours per month of consultation by registered nurses;

(iii) Residential living staff at one staff per five residents to include sufficient qualified mental retardation professionals.

(3) In levels C and D active treatment will be provided by one or more of the following methods:

(a) Consultation by DSHS staff;

(b) Vendor coupons per chapter 388-86 WAC;

(c) Day training programs.

Level C and D facilities will provide transportation for clients to off-premises active treatment programs.

NEW SECTION

WAC 388-88-088 CLASSIFICATION OF IMR CLIENTS. (1) For IMR clients the level of care determinations are made by a qualified mental retardation professional employed by the department, in accordance with his/her best professional judgment. Each IMR client will be classified as needing Level A, B, C, or D services.

(2) In making IMR classification decisions the departmental representative shall utilize the following guidelines:

(a) Level A: Clients who:

(i) Require twenty-four hour licensed nursing care; and

(ii) Manifest behaviors which require highly structured behavioral management programs, or cannot receive adequate care or services in a lesser level of IMR.

(b) Level B: Clients who:

(i) Require licensed nursing care for at least eight hours per day; and

(ii) Manifest behaviors which require highly structured behavioral management programs or cannot receive adequate care or services in a lesser level of IMR.

(c) Level C: Clients who:

(i) Require twenty-four hour licensed nursing care; and

(ii) Are capable of participating in off-premises programs.

(d) Level D: Clients who:

(i) Require licensed nursing care for at least eight hours per day; and

(ii) Are capable of participating in off-premises programs.

(3) The classification of IMR clients shall be periodically reviewed by the qualified mental retardation professional for the purposes of:

(a) Determining the need for continued stay; and

(b) Identifying the level of care required to meet the needs of the client.

(4) Classification changes shall be made in accordance with the needs of the recipients and in accord with appeal and relocation procedures outlined in WAC 275-27-500 and 388-88-100 through 388-88-102 as applicable.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-010 TERMS. Unless the context clearly requires otherwise, the following terms shall have the meaning set forth below when used in this chapter.

"Accrual method of accounting" – A method of accounting in which revenues are reported in the period when they are earned, regardless of when they are collected, and expenses are reported in the period in which they are incurred, regardless of when they are paid.

"Allowable costs" – See WAC 388-96-501.

"Arms-length transaction" – A transaction resulting from good-faith bargaining between a buyer and seller who are unrelated and have adverse bargaining positions in the market place.

"Assets" – Economic resources of the contractor, recognized and measured in conformity with generally accepted accounting principles. They also include certain deferred charges which are not resources but which are recognized and measured in accordance with generally accepted accounting principles.

"Bad debts" – Amounts considered to be uncollectable from accounts and notes receivable.

"Beds" – Unless otherwise specified, the number of set-up beds in the nursing home.

"Capitalization" – The process of recording and carrying forward into one or more future periods an expenditure the benefits or proceeds from which will then be enjoyed.

"Capitalized lease" – A lease which is required to be recorded as an asset and associated liability in accordance with generally accepted accounting principles.

"Cash method of accounting" – A method of accounting in which revenues are recognized only when cash is received, and expenditures for expense and asset items are not recorded until cash is disbursed for them.

"Change of ownership" – A change in the individual or legal organization which is responsible for the daily operation of a nursing home.

(1) Events which change ownership include but are not limited to the following:

(a) The form of legal organization of the owner is changed (e.g., a sole proprietor forms a partnership or corporation);

(b) Title to the nursing home enterprise is transferred by the operating entity to another party;

(c) The nursing home enterprise is leased, or an existing lease is terminated;

(d) Where the owner is a partnership, any event occurs which dissolves the partnership;

(e) Where the owner is a corporation, it is dissolved, merges with another corporation which is the survivor, or consolidates with one or more other corporations to form a new corporation.

(2) Ownership does not change when the following, without more, occur:

(a) A party contracts with the owner to manage the enterprise as the owner's agent, i.e., subject to the owner's general approval of daily operating decisions;

(b) If the owner is a corporation, some or all of its stock is transferred.

"Charity allowances" – Reductions in charges made by the contractor because of the indigence or medical indigence of a patient.

"Contract" – A contract between the department and a contractor for the delivery of SNF ((and/or))₂ ICF and/or IMR services to medical care recipients.

"Contractor" – An entity which contracts with the department to deliver SNF ((and/or))₂ ICF and/or IMR services to medical care recipients.

"Courtesy allowances" – Reductions in charges in the form of an allowance to physicians, clergy, and others, for services received from the contractor. Employee fringe benefits are not considered courtesy allowances.

"Department" – The department of social and health services (DSHS).

"Depreciation" – The systematic distribution of the cost or other base of a depreciable asset over its estimated useful life.

"Donated asset" – An asset which the contractor acquired without making any payment for it in the form of cash, property, or services. An asset is not a donated asset if the contractor made even a nominal payment in acquiring it. An asset purchased using donated funds is not a donated asset.

"Entity" – An individual or legal organization capable of entering enforceable contracts (e.g., corporation, partnership).

"ESSO" – The local economic and social service office of the department.

"Exceptional care recipient" – A medical care recipient determined by the department to require exceptionally heavy care.

"Fair market value" – The price for which an asset would have been purchased on the date of acquisition in an arms-length transaction between a well-informed buyer and seller, neither being under any compulsion to buy or sell.

"Fiscal year" – The operating or business year of a contractor. All contractors report on the basis of a twelve month fiscal year, but provision is made in this chapter for reports covering abbreviated fiscal periods.

"Fixed asset" – A tangible asset with an historical cost in excess of one hundred fifty dollars and a useful life of more than one year.

"Generally accepted accounting principles" – Accounting principles currently approved by the American Institute of Certified Public Accountants.

"Goodwill" – The excess of the price paid for a business over the fair market value of all other identifiable, tangible and intangible assets acquired. Also, the excess of the price paid for an asset over its fair market value.

"Historical cost" – The actual cost incurred in acquiring and preparing a fixed asset for use. Historical cost includes such planning costs as feasibility studies, architects' fees, and engineering studies. It does not include "start-up costs" as defined in this section or construction interest (see WAC 388-96-543).

"ICF" – When referring to a nursing home, an intermediate care facility. When referring to a level of care, intermediate care. When referring to a patient, a patient requiring intermediate care.

"Imprest fund" – A fund which is regularly replenished in exactly the amount expended from it.

"IMR – When referring to a facility, one certified to provide services to the mentally retarded or persons with related conditions. When referring to a level of care, services for the mentally retarded or persons with related conditions. When referring to a recipient, a recipient requiring IMR services."

"Interest" – The cost incurred for the use of borrowed funds, generally paid at fixed intervals by the user.

"Intermediate care facility" – A licensed facility certified to deliver intermediate care services to medical care recipients.

"Levels of care" – The classification of types of services provided to patients by a contractor, e.g., skilled nursing care or intermediate care.

"Medical care recipient" – A recipient of medical assistance under Title XIX of the Social Security Act or of state funded medical care services.

"Multiservice facility" – A facility at which two or more types of health or related care are delivered, e.g., a hospital and SNF and/or ICF, or a boarding home and SNF and/or ICF. A combined SNF/ICF or ICF/IMR is not considered a multiservice facility.

"Nonallowable costs" – Costs which do not meet every test of an allowable cost.

"Nonrestricted funds" – Funds which are not restricted to a specific use by the donor, e.g., general operating funds.

"Nursing home" – A home, place or institution, licensed in accordance with chapter 18.51 RCW, in which skilled nursing ((and/or)), intermediate care ((is)) and/or IMR services are delivered.

"Operating lease" – A lease under which rental or lease expenses are included in current expenses in accordance with generally accepted accounting principles.

"Owner" – The individual or legal organization which is responsible for the daily operation of a nursing home.

This party is legally responsible for operational decisions and liabilities.

"Patient day" – A calendar day of patient care. In computing calendar days of care, the day of admission is always counted. The day of discharge is counted only when the patient was admitted on the same day. A patient is admitted for purposes of this definition when he or she is assigned a bed and a patient medical record is opened.

"Per diem (per patient day) costs" – Total allowable costs for a fiscal period divided by total patient days for the same period.

"Prospective daily payment rate" – The rate assigned by the department to a contractor for providing service to medical care recipients. The rate is used to compute the maximum participation of the department in the contractor's costs.

"Recipient" – A medical care recipient.

"Related organization" – An entity which, to a significant extent, is under common ownership and/or control with, or has control of or is controlled by, the contractor. An entity is deemed to "control" another entity if it has a five percent or greater ownership interest in the other, or if it has capacity, derived from any financial or other relationship, and whether or not exercised, to influence directly or indirectly the activities of the other.

"Relative" – Spouse; natural parent, child, or sibling; adopted child or adoptive parent; step-parent, step-child, step-brother, step-sister; father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law; grandparent or grandchild; uncle, aunt, nephew, niece or cousin.

"Restricted fund" – A fund the use of the principal and/or income of which is restricted by agreement with or direction by the donor to a specific purpose, in contrast to a fund over which the owner has complete control. These generally fall into three categories:

(1) Funds restricted by the donor to specific operating purposes;

(2) Funds restricted by the donor for additions to property, plant and equipment; and

(3) Endowment funds.

"Skilled nursing facility" – A licensed facility certified to deliver skilled nursing care services to medical care recipients.

"SNF" – When referring to a facility, a skilled nursing facility. When referring to a level of care, skilled nursing care. When referring to a patient, a patient requiring skilled nursing care.

"Start-up costs" – The one-time preopening costs incurred from the time preparation begins on a newly constructed or purchased building until the first patient is admitted. Start-up costs include administrative and nursing salaries, utility costs, taxes, insurance, repairs and maintenance, training costs, etc. They do not include such costs as feasibility studies, engineering studies and architects' fees which are part of the historical cost of the facility.

"Uniform chart of accounts" – A list of account titles identified by code numbers established by the department for contractors to use in reporting their costs.

"Vendor number" - A number assigned to each contractor delivering SNF ((and/or)), ICF and/or IMR services to medical care recipients.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-020 PROSPECTIVE COST-RELATED REIMBURSEMENT. The prospective cost-related reimbursement system is the system used by the department to pay for skilled nursing facility services ((and)), intermediate care facility services and IMR services provided to medical care recipients. Reimbursement rates for such services covering periods beginning on and after January 1, 1978, will be determined in accordance with the principles, methods and standards contained in this chapter.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-023 CONDITIONS OF PARTICIPATION. In order to participate in the prospective cost-related reimbursement system, the person or legal organization responsible for operation of a nursing home or multiservice facility shall:

(1) Obtain a state certificate of need and/or federal capital expenditure review (section 1122) approval pursuant to chapter 70.38 RCW and Part 100, Title 42 C.F.R. where required. A certificate of need is required before commencement of a nursing home "construction" project (including acquisition) costing in excess of one hundred thousand dollars. Section 1122 approval is required for nursing home capital expenditures which (a) cost in excess of one hundred thousand dollars, (b) add or delete licensed beds, or (c) add or delete clinically related services;

(2) Hold the appropriate current license (e.g., nursing home license, hospital license);

(3) Hold current Title XIX certification to provide SNF ((and/or)), ICF and/or IMR services;

(4) Hold a current contract to provide SNF ((and/or)), ICF and/or IMR services; and

(5) Comply with all provisions of the contract and all applicable regulations, including but not limited to the provisions of this chapter and of chapter 388-88 WAC.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-032 TERMINATION OF CONTRACT. (1) When a ((nursing-home)) contract is terminated for any reason, the old contractor shall submit final reports in accordance with WAC 388-96-125. Payment for care provided during the final thirty days of service under a contract will be held until the contractor has filed a properly completed final annual report, and final settlement has been determined.

(2) Following final settlement, a payment withheld pursuant to subsection (1) of this section will be sent to the contractor, after any overpayment determined in connection with final settlement has been deducted. If the contractor contests the settlement determination in accordance with WAC 388-96-904, the department will

hold the amount in dispute pending completion of the appeal process, but will release the balance of such payment to the contractor.

(3) The department will release a payment which would be withheld pursuant to subsection (1) of this section, provided a bond issued by a reputable bonding company and acceptable to the department is filed by the contractor. The bond shall:

(a) be in an amount equal to the released payment;

(b) be for a term sufficient to ensure effectiveness after final settlement and the exhaustion of administrative and judicial remedies;

(c) provide that the full amount of the bond shall be paid to the department if a properly completed final annual report is not filed in accordance with this chapter, or if financial records supporting this report are not preserved and made available to the department's auditors; and

(d) provide that an amount equal to any recovery the department determines is due from the contractor at settlement, but not exceeding the amount of the bond, shall be paid to the department in the event the contractor does not pay the refund within sixty days following receipt of written demand or the conclusion of administrative or judicial proceedings to contest settlement issues.

(4) If a contract is terminated solely in order for the same owner to contract with the department to deliver SNF ((or)), ICF or IMR services to a different class of medical care recipients at the same nursing home, the contractor is not required to submit final reports, and payment for the final thirty days will not be withheld.

(5) When a contract is terminated, any accumulated liabilities which are assumed by a new owner shall be reversed against the appropriate accounts by the contractor.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-222 SETTLEMENT. (1) Following completion of the field audit of an annual report, the department will compare the prospective rates paid to the contractor during the report period, weighted according to the number of patient days during which each rate was in effect, with the contractor's audited allowable costs for the period, taking into account all authorized shifting (WAC 388-96-223) and the upper rate limits set out in WAC 388-96-760.

(2) Within sixty days after completion of the field audit, the department will send a written audit report to the contractor. In this report, the department will:

(a) Explain the application of relevant contract provisions, regulations, auditing standards, rate formulas, and department policies to the contractor's report, in sufficient detail to permit the contractor to calculate with reasonable certainty its audited allowable costs and its settlement with the department;

(b) Advise the contractor of rules and regulations justifying a settlement determination resulting in reimbursement in any cost center at less than actual allowable costs, as reported by the contractor and verified by audit;

(c) Summarize all audit disallowances; and
 (d) Request the contractor to refund money, if necessary, in accordance with the following principles;

(i) In the patient care and food cost areas, the contractor shall refund all portions of payments received for recipients (~~((excluding exceptional care recipients)))~~) in excess of allowable patient care and food costs, respectively, for those recipients;

(ii) In the patient care cost area, the contractor shall also refund the percentage of the amount paid (less any recovery under subsection (i) above) equal to the percentage by which average per patient day nursing service hours provided were less than the minimum number of hours issued by the department;

(iii) In the administration and operations and property cost areas, payments in excess of allowable costs will normally be retained by the contractor. Those overpayments shall be refunded only in the following circumstances:

(A) costs totaling \$.02 per patient day or \$1,000, whichever is higher, in any cost area, were reported which cannot be documented at audit, or accumulated liabilities of at least that amount (~~((accumulated liabilities)))~~) were not properly reversed in accordance with WAC 388-96-032 or 388-96-113; or

(B) all conditions and standards were not met during the entire fiscal year, as determined by the department in Title XIX certification surveys. The portion of the total overpayment attributable to thirty days plus the number of days from the date of the first survey at which a standard or condition was found unmet until the date of the survey showing all conditions and standards met will be recovered(~~((and))~~). For IMR facilities with initial certification conditioned upon meeting a plan of correction relating solely to IMR program standards, overpayments will not be recovered due to failure to comply with these standards during the period covered by this initial plan of correction; and

(iv) ~~((The amount of any recoveries))~~ In the property cost area, the contractor shall refund amounts determined under WAC 388-96-571(4) or 388-96-573.

(3) The contractor shall pay the refund, or shall commence repayment in accordance with a schedule determined by the department, within sixty days after receiving the audit report, unless the contractor contests settlement issues in good faith in accordance with the procedures set out in WAC 388-96-904. If the settlement determination is contested, the contractor shall pay or commence repayment in accordance with a schedule determined by the department within sixty days after such proceedings are concluded. The department will pay any amount due the contractor as the result of errors discovered at audit in billing or payment within thirty days after the audit report is received by the contractor or within thirty days after proceedings to contest the settlement are concluded.

(4) If the contractor does not refund the overpayment or any installment when due, the department may withhold payments from current billings until the overpayment is refunded. Payments will only be withheld under this subsection up to the unrefunded amount of the overpayment.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

✓ WAC 388-96-501 ALLOWABLE COSTS. Allowable costs are documented costs which are necessary, ordinary and related to the provision of SNF ((~~or~~)), ICF or IMR services to nursing home patients, and are not expressly declared nonallowable by applicable regulations. Costs are ordinary if they are of the nature and magnitude which prudent and cost-conscious management would pay.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

✓ WAC 388-96-505 OFFSET OF MISCELLANEOUS REVENUES. (1) Allowable costs shall be reduced by the contractor whenever the item, service, or activity covered by such costs generates revenue or financial benefits (e.g., purchase discounts or rebates) other than through the contractor's normal billing for SNF ((~~or~~)), ICF or IMR services.

(2) Where goods or services are sold, the amount of the reduction shall be the actual cost relating to the item, service, or activity. In the absence of adequate documentation of cost, it shall be the full amount of the revenue received. Where financial benefits such as purchase discounts or rebates are received, the amount of the reduction shall be the amount of the discount or rebate.

(3) Only allowable costs shall be recovered under this section. Costs allocable to activities or services which are not included in SNF ((~~or~~)), ICF or IMR services (e.g., costs of vending machines, patients' personal laundry, and services specified in chapter 388-86 WAC which are not included in SNF, ICF or IMR services) are nonallowable costs.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

✓ WAC 388-96-507 COSTS OF MEETING STANDARDS. All necessary and ordinary expenses a contractor incurs in providing SNF (~~and/or~~), ICF and/or IMR services meeting all applicable standards will be allowable costs. These expenses include necessary and ordinary costs of:

(1) Meeting licensing and certification standards;

(2) Providing regular room, dietary and nursing services, minor medical and surgical supplies, and the use of equipment and facilities, in accordance with WAC 388-88-050 and 388-88-051;

(3) Fulfilling accounting and reporting requirements imposed by the department; and

(4) Performing any patient assessment activity required by the department.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

✓ WAC 388-96-533 MAXIMUM ALLOWABLE COMPENSATION OF CERTAIN ADMINISTRATIVE PERSONNEL. (1) Total compensation of the licensed administrator for services actually rendered to a

nursing home on a full time basis (at least 40 hours per week, including reasonable vacation, holiday and sick time) will be allowable at the lower of (a) actual compensation received, or (b) the amount in the table in subsection (4) of this section corresponding to the number of set-up beds in the nursing home. Compensation of the licensed administrator will only be allowable if the department is given written notice of his or her employment within ten days after it begins.

(2) Total compensation of not more than one full time licensed assistant administrator will be allowable if there are at least eighty set-up beds in the nursing home, at the lower of (1) actual compensation received, or (2) seventy-five percent of the appropriate amount in the table in subsection (4) of this section.

(3) Total compensation of not more than one full time registered administrator-in-training will be allowable at the lower of (1) actual compensation received, or (2) sixty percent of the appropriate amount in the table.

(4) TABLE

Maximum Allowable Total Compensation for Licensed Administrators—Calendar Year 1978

Bed Size	
1 - 49	\$22,098
50 - 99	\$23,126
100 - 149	\$25,053
150 and up	\$25,695

(5) The table applies to the portion of a contractor's fiscal year in calendar year 1978. For any part of a fiscal year in calendar year 1979, a table to be promulgated by the department will apply.

(6) If any of the above employees works fewer than forty hours as administrator, assistant administrator or administrator-in-training in the average week, allowable compensation shall be the lower of (a) actual compensation received, or (b) the appropriate amount in the table multiplied by the percentage of forty hours worked in the relevant position in the average week. Further discounting is required if the person was licensed or registered and/or worked for less than the entire report period.

(7) The contractor shall maintain time records for the licensed administrator and for an assistant administrator or administrator-in-training, if any.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-539 ALLOWABLE INTEREST.

(1) The contractor's necessary and ordinary interest for working capital and capital indebtedness will be allowable.

(a) To be necessary, interest must be incurred in connection with a loan which satisfies a financial need of the contractor and be for a purpose related to patient care. Interest expense relating to business opportunity or goodwill(~~(, lease acquisition costs, agreements not to~~

~~compete, and other intangibles not related to patient care)) will not be allowed.~~

(b) To be ordinary, interest must be at a rate which is not in excess of what a prudent borrower would have to pay at the time of the loan in an arms-length transaction in the money market.

(c) Interest expense shall include amortization of bond discounts and expenses related to the bond issue. Amortization shall be over the period from the date of sale to the date of maturity or, if earlier, the date of extinguishment of the bonds.

(2) Interest paid to or for the benefit of a related organization will be allowed only to the extent the actual interest does not exceed the cost to the related organization of obtaining the use of the funds.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-571 HANDLING OF GAINS AND LOSSES UPON RETIREMENT OF DEPRECIABLE ASSETS.

(1) Gains and losses on the retirement of depreciable assets either during the period of participation in the program or within twelve months following termination, shall be ~~((included in computing allowable costs. They shall be treated as income or expense and separately disclosed in required reports))~~ treated in accordance with this section.

(2) A gain or loss on the retirement of an asset shall be the difference between the remaining undepreciated base and any proceeds received for, or to compensate for loss of, the asset. ~~((In computing a gain))~~ For purposes of subsections (3) and (4) of this section, ~~((one percent of))~~ the total gain shall be ~~((deducted))~~ reduced by one percent for each month of ownership of an asset with an expected useful life of one hundred months or longer. For an asset with an expected useful life of less than one hundred months, total gain shall be reduced by the portion ~~((of the gain))~~ thereof equal to the ratio of the actual life of the asset from its most recent arms-length acquisition up to the date of retirement to its expected useful life ~~((shall be deducted)).~~

(3) If the retired asset is replaced, the gain or loss shall be applied against or added to the cost of the replacement asset, provided that a loss will only be so applied if the contractor has made a reasonable effort to recover at least the outstanding book value of the asset.

(4) If the retired asset is not replaced, or if the contractor is terminating its contract, the gain or loss shall be spread over the actual life of the asset up to the date of retirement, provided that a loss will only be so spread if the contractor has made a reasonable effort to recover at least the outstanding book value of the asset. ~~((Depreciation schedules for fiscal years during which the contractor participated in the program shall be adjusted.))~~ The difference between reimbursement actually paid for depreciation in any period beginning on or after January 1, 1978, and the reimbursement for depreciation which would have been paid with the base adjusted to reflect the gain or loss, will be computed. Where the difference results from a gain, it shall be recovered by the department. Where the difference results from a loss,

it will be added to allowable costs for purposes of determining settlement.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-585 NONALLOWABLE COSTS.

(1) Costs will be nonallowable if they are not documented, necessary, ordinary, and related to the provision of SNF ((or)), ICF or IMR services to nursing home patients.

(2) Nonallowable costs include, but are not limited to, the following:

(a) Costs of items or services not covered by the Title XIX program, including costs of unnecessary care. Costs of nonprogram items or services will be nonallowable even if they are indirectly reimbursed by the department as the result of an authorized reduction in patient contribution.

(b) Costs of services and items provided to SNF, ICF or IMR recipients which are covered by the department's medical care program but not included in SNF ((or)), ICF or IMR services respectively. ((These)) Items and services covered by the medical care program are listed in chapter 388-86 WAC.

(c) Costs associated with a capital expenditure subject to Section 1122 approval (part 100, Title 42 C.F.R.) if the department found it was not consistent with applicable standards, criteria or plans. If the department was not given timely notice of a proposed capital expenditure, all associated costs will be nonallowable as of the date they are determined not to be reimbursable under applicable federal regulations.

(d) Costs associated with a construction or acquisition project requiring certificate of need approval pursuant to chapter 70.38 RCW if such approval was not obtained.

(e) Costs of outside activities (e.g., costs allocable to the use of a vehicle for personal purposes, or related to the part of a facility leased out for office space).

(f) Salaries or other compensation of officers, directors, stockholders, and others associated with the contractor or home office, except compensation paid for service related to patient care.

(g) Costs in excess of limits or violating principles set forth in this chapter.

(h) Costs resulting from transactions or the application of accounting methods which circumvent the principles of the prospective cost-related reimbursement system.

(i) Costs applicable to services, facilities and supplies furnished by a related organization in excess of the lower of the cost to the related organization or the price of comparable services, facilities or supplies purchased elsewhere.

(j) Bad debts.

(k) Charity and courtesy allowances.

(l) Cash or other contributions to charitable organizations or political parties, and costs incurred to improve community relations.

(m) Vending machine expenses.

(n) Expenses for barber or beautician services not included in routine care.

(o) Funeral and burial expenses.

(p) Costs of gift shop operations and inventory.

(q) Personal items such as cosmetics, smoking materials, newspapers and magazines, and clothing, except those used in patient activity programs.

(r) Fund-raising expenses, except those directly related to the patient activity program.

(s) Penalties and fines.

(t) Expenses related to telephones, televisions, radios and similar appliances in patients' private accommodations.

(u) Federal, state and other income taxes.

(v) Costs of special care services, such as private duty nurses, except where authorized by the department for exceptional care recipients.

(w) Expenses of key-man insurance and other insurance or retirement plans not in fact made available to all employees.

(x) Expenses of profit-sharing plans.

(y) Costs of training programs for nonemployees other than volunteers.

(z) Personal expenses and allowances of owners or relatives, except those allowable as compensation.

(aa) All expenses of maintaining professional licenses or membership in professional organizations not related to operation of the facility.

(bb) Costs related to agreements not to compete.

(cc) Goodwill.

(dd) Organization costs, start-up costs, and construction interest not amortized over at least sixty months after opening.

(ee) Legal and consultant fees in connection with a fair hearing against the department where a decision is rendered in favor of the department or where otherwise the determination of the department stands. Legal and consultant fees in connection with a lawsuit against the department are nonallowable.

(ff) Lease acquisition costs, costs associated with agreements not to compete, and other intangibles not related to patient care.

AMENDATORY SECTION (Amending Order 1264, filed 1/9/78)

WAC 388-96-704 PROSPECTIVE REIMBURSEMENT RATES. (1) The department will determine prospective reimbursement rates for SNF ((and)), ICF and IMR services provided to recipients. Each rate represents the contractor's maximum compensation for one patient day of care of a recipient determined by the department to require SNF ((or)), ICF or IMR care.

(2) A contractor may also be assigned an individual prospective rate for a specific recipient determined by the department to require exceptional care.

AMENDATORY SECTION (Amending Order 1264, filed 1/9/78)

WAC 388-96-707 PROGRAM SERVICES NOT COVERED BY THE REIMBURSEMENT RATE. Medical services which are part of the department's medical care program but not included in SNF ((or)), ICF or IMR services ~~((are listed in chapter 388-86~~

~~WAC. They~~) are not covered by the prospective reimbursement rate. Payment is made directly to the provider of service in accordance with chapter 388-87 WAC. Items and services covered by the medical care program are listed in chapter 388-86 WAC.

AMENDATORY SECTION (Amending Order 1264, filed 1/9/78)

WAC 388-96-719 METHOD OF RATE DETERMINATION. (1) Data used in determining rates will be taken from the most recent complete, desk-reviewed annual cost report submitted by each contractor. If no annual report is available, the most recent desk-reviewed semiannual report will be used. Data from reports covering a period of less than six full months will not be used in determining rates, except for such reports which are submitted in accordance with WAC 388-96-101(2). Data from these reports will be combined with data from the report period immediately preceding the abbreviated period for purposes of determining rates.

(2) Data containing obvious errors, data for facilities which are out of compliance with any standard or condition at any time during the reporting period, and data for facilities with average occupancy ratios of less than eighty-five percent for the report period, will be excluded from the determination of predicted costs and rate ranges under subsections (4) and (6) of this section.

(3) Each contractor's reported cost data will be adjusted for economic trends based on component indices of the consumer price index issued by the United States department of labor, bureau of labor statistics. The national averages for the most recent twelve-month period will be applied in rate computations for the four cost areas as follows:

- (a) Patient care—"health and recreation" index;
- (b) Food—"food at home" index;
- (c) Administration and operations—Average of the "all items less food" and "services less care services" indices; and
- (d) Property—"shelter" index.

(4) A predicted cost per patient day (excluding cost data and patient days relating to exceptional care recipients) in each of the four cost areas will be determined for each facility through multiple regression analysis, which allows the assessment of the joint impact of a set of factors on cost. The formula for the linear multiple regression function is:

$$Y_c = A + B_1X_1 + B_2X_2 + \dots + B_kX_k$$

where:

Y_c is the predicted cost per patient day for an individual facility;

A is the base cost for a hypothetical facility where the factors all are zero;

$B_1, B_2 \dots B_k$ are the regression coefficients for the factors; and

$X_1, X_2 \dots X_k$ are the independent variables or factors measuring the relevant characteristics of a facility.

A and $B_1, B_2 \dots B_k$ are determined statistically by the method of least squares. In order to be included in a regression formula, factors must show statistical predictability by being significant at the twenty percent level.

(5) After all predicted costs per patient day have been computed, the difference between each facility's reported costs, adjusted to take into account economic trends, and the predicted cost will be computed. The standard deviation of the difference will also be calculated.

(6) To determine an individual contractor's prospective rate, its predicted cost is revised using the most current factor values for the individual facility and the base cost and weights derived in the regression analysis described above. A rate range, defined as this predicted cost plus and minus one standard deviation of the difference calculated in accordance with subsection (5) of this section, will then be determined. If the contractor's reported costs (adjusted for economic trends) are lower than the lower limit of the rate range, the lower limit will be the contractor's reimbursement rate. If these adjusted reported costs are higher than the upper limit of the rate range, the upper limit will be the contractor's reimbursement rate. If these adjusted reported costs fall within the standard rate range, the contractor's reimbursement rate will equal the adjusted reported costs.

(7) Where new standards are imposed, or the department wishes to encourage additional services or otherwise change the program, ~~((am))~~ a cost-related adjustment will be made to the ((overall reimbursement)) appropriate cost area rates of each contractor affected by the program change. Adjustments will be made until reported costs used in setting rates reflect the new standards or program changes.

AMENDATORY SECTION (Amending Order 1264, filed 1/9/78)

WAC 388-96-722 PATIENT CARE COST AREA RATE. (1) The patient care cost area reimbursement rate will be computed to cover the necessary and ordinary costs of providing routine ~~((nursing))~~ services and supplies to recipients in accordance with WAC 388-88-050 and 388-88-051.

(2) The regression equation used in the patient care cost area will contain weights for the following four factors:

(a) Locality of the facility. This factor adjusts the base cost to provide for local market conditions. Facility location will be considered "urban" if it is in one of the four Standard Metropolitan Statistical Areas (SMSA). It will be considered "rural" if it is not in an SMSA. SMSA areas are those established in the 1970 census for the state of Washington.

(b) Type of facility. This factor adjusts the base cost to provide for the effect institutional requirements have on patient care costs. Facilities such as hospitals and other institutions which are certified providers but not licensed as nursing homes will be distinguished from facilities whose primary mission is the delivery of nursing home care.

(c) Characteristics of patients in the facility, as determined by the department. This factor adjusts the base cost to provide for the effect patient mix has on patient care costs. From January 1, 1978 through June 30, 1978, this factor will be the ratio of the number of SNF patients to the total number of patients in each facility for purposes of the regression analysis. In computing an

individual facility's rate for that period, it will be the ratio of the number of SNF recipients to the total number of recipients in the facility. On and after July 1, 1978, this factor will be derived using a uniform patient assessment performed by the department.

(d) Number of floors of the facility. This factor adjusts the base cost to provide for the effect of physical plant differences on patient care costs. Data will be derived from inspection records in the state fire marshal's office.

(3) In addition to its reimbursement rate, each contractor will be assigned a range of nursing service hours which represent the maximum and minimum number of hours the department will purchase. For purposes of this hour range for IMR facilities, nursing services include residential living services. The range will depend on the characteristics of the patients in each facility. From January 1, 1978 through June 30, 1978, it will be computed based on the ratio of the number of SNF ((patients)), ICF and IMR patients of each level, respectively, to the total number of patients in the facility, assuming a range of 1-2 hours for ICF patients ((and)), 1.75 - 3 hours for SNF patients, 3.1-6.1 for IMR level A patients, 2.7-5.4 for IMR level B patients, 2.1-3.6 for IMR level C patients, and 1.2-2.4 for IMR level D patients. On and after July 1, 1978, this range will be derived using a uniform patient assessment performed by the department. When the certification of a contractor is changed to add or eliminate a level of care, the range will be adjusted using the ratio of patients in each level of care at the time the new certification becomes effective. When the department requires new standards or makes program changes which require more or less nursing service, the range will be adjusted as of the effective date of the new standard or program change.

AMENDATORY SECTION (Amending Order 1264, filed 1/9/78)

WAC 388-96-760 UPPER LIMITS TO REIMBURSEMENT RATE. The reimbursement rate shall not exceed the contractor's customary charges to the general public for the services covered by the rate, except that public facilities rendering such services free of charge or at a nominal charge will be reimbursed according to the methods and standards set out in this chapter. The contractor shall immediately inform the department if its reimbursement rate does exceed customary charges for comparable services. If necessary, the rate will be adjusted in accordance with WAC 388-96-769. Rates will not exceed the limits set out at 42 CFR 450.30(b)(6).

AMENDATORY SECTION (Amending Order 1264, filed 1/9/78)

WAC 388-96-763 RATES FOR RECIPIENTS REQUIRING EXCEPTIONALLY HEAVY CARE. (1) A contractor certified to care for SNF or IMR patients may apply for an individual prospective reimbursement rate for a recipient whose special nursing and direct care-related service needs are such that the cost

of care will be at least twice the contractor's current reimbursement rate.

(2) Application for an individual rate for an exceptionally heavy care recipient shall be made in accordance with instructions furnished by the department.

(3) An individual rate for an exceptionally heavy care recipient will be granted for a specified period of time, subject to extension, revision, or termination depending on the recipient's care requirements at the end of such period. It will be computed to cover the projected actual costs of care of the recipient.

(4) The contractor will be informed in writing of the disposition of its application as soon as possible and in no case longer than thirty days following receipt of a properly completed application.

WSR 78-06-081

ADOPTED RULES

DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)

[Order 1299—Filed June 1, 1978]

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-80-005 relating to definitions.

Amd WAC 388-86-005 relating to services available to recipients of medical assistance.

This action is taken pursuant to Notice No. WSR 78-04-099 filed with the code reviser on 4/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED May 17, 1978.

By Thomas G. Pinnock
Acting Secretary

AMENDATORY SECTION (Amending Order 1196, filed 3/3/77)

WAC 388-80-005 DEFINITIONS. (1) "Acute and emergent" signify an acute condition, defined as having a short and relatively severe course, not chronic; and an emergent condition, defined as occurring unexpectedly and demanding immediate action.

(2) "Applicant" is any person who has made an application or on behalf of whom an application has been made to the department for medical care.

(3) "Applicant-recipient" or "A/R" is an applicant for or recipient of medical care provided according to these rules.

(4) "Application" shall mean a request for medical care made to the ESSO by a person in his own behalf or

in behalf of another person. A verbal application must be reduced to writing before considered complete unless the death of the applicant intervenes.

(5) "Assignment" is the method by which the provider receives payment for services under part B of medicare.

(6) "Available income" is income available to meet the cost of medical care after deducting from net income items specified by the rules.

(7) "Beneficiary" is an eligible individual who receives a federal cash benefit and/or state supplement under Title XVI.

(8) "Benefit period" is the term used by social security administration to denote a period of consecutive days during which services furnished to a patient, up to a certain specified maximum amount, can be paid for by the hospital insurance plan. The term applies to medicare beneficiaries only. See also "spell of illness".

(9) "Carrier" is the agency having a contract to serve as a third-party agency in behalf of the federal government for Part B of medicare.

(10) "Categorically related" refers to a resident of the state of Washington who is:

- (a) A recipient of a federal aid grant, or
- (b) A child receiving foster care, or
- (c) An individual who meets the eligibility requirements for a federal aid grant, except that his income and/or resources exceed budgetary standards for a federal aid grant.

(11) "Central disbursements" is the state office section which audits nonmedicaid medical claims for payment billed on form DSHS 6-06 (A-19).

(12) Certification is a document confirming that an applicant has met the financial and medical eligibility requirements for the federal aid medical assistance (MA) or fully state-financed care services (MS) programs.

(13) "Chiropractor" is a person licensed by the state of Washington to practice chiropractic according to chapter 18.25 RCW.

(14) "Coinsurance" is a portion of the medicare cost for covered services, after the deductible is met, which the patient must pay.

(15) "Deductible" is the initial cost of medical care for which the recipient is responsible. It applies specifically to:

(a) All recipients who are beneficiaries of Title XVIII medicare. This is the amount the individual accrues on a yearly basis and is paid by the department to the social security administration for authorized recipients;

(b) Applicants or recipients of noncontinuing general assistance who cannot be categorically related and applicants or recipients of medical only. Medical assistance can be certified after such recipients have accrued medical expenses as prescribed in WAC 388-83-045(7).

(16) "Department" shall mean the state department of social and health services, the single state agency with authority to administer the Title XIX medical care program.

(17) "Detoxification" (alcohol) means three-day treatment of acute alcoholism for which the department will pay under the medical care program.

(18) "EPSDT" shall mean a program providing early and periodic screening, diagnosis and treatment to persons under 21 years of age who are eligible under Title XIX of the Social Security Act.

(19) "Essential person" is the "grandfathered" spouse of a former OAA, AB, or DA recipient for whom a cash allowance is included in the SSI benefit of a beneficiary.

(20) "ESSO" (Economic and Social Service Office) is an office of the department which administers the medical care program at the county level.

(21) "Extended care facility" (ECF) See "skilled nursing facility".

(22) "Extended care patient" is a recently hospitalized medicare patient who needs relatively short-term skilled nursing and rehabilitative care in a skilled nursing facility.

(23) "Federal aid" shall mean the medical assistance or aid to families with dependent children programs for which the state receives matching funds from the federal government.

(24) "Federal aid medical care only" (FAMCO) is medical care provided to a person not eligible for a federal aid grant or for foster care but who can otherwise be categorically related or who is otherwise eligible under the "H" category.

(25) "Financially eligible" shall mean the determination by the department that an applicant meets the financial requirements to receive medical care under the medical assistance (MA) or state medical care services (MS) programs.

(26) "Fiscal intermediary" is the agency having a contract to serve as fiscal agent for Part A of medicare.

(27) "Grandfathering" refers to certain individuals specified below who on December 31, 1973, were receiving medical assistance (or had an application pending which was subsequently approved) and who continue to be eligible under Title XVI for purposes of medicaid beginning January 1, 1974:

- (a) Aged, blind and disabled recipients of FAMCO.
- (b) Disabled recipients of categorical cash assistance who did not meet Title XVI disability criteria.

(c) Essential persons in adult federal-aid grant programs. All individuals above remain "grandfathered" as long as they continue to meet original program criteria or continue to be an essential person to the same individual who was converted to SSI, and as long as the latter remains eligible.

(28) "H category" is a federal aid category in the medical assistance (MA) program. An applicant under this category is an individual under 21, or a pregnant woman of any age, who cannot be categorically related but whose income and/or resources are insufficient to meet the cost of medical care.

(29) "Home" shall mean real property owned and used by an applicant-recipient as a place of residence, together with reasonable amount of property surrounding or contiguous thereto which is used and useful to him.

(30) "Home health agency" is an agency or organization certified under medicare to provide skilled nursing and other therapeutic services to the patient in his place of residence.

(31) "Hospital" shall mean any institution licensed as a hospital by the official state licensing authority.

(32) "Institution" shall mean a medical institution as defined in WAC 388-34-015.

(33) "Intermediate care facility" shall mean a licensed facility certified to provide intermediate care for which an agreement has been executed.

(34) "Legal dependents" are persons whom an individual is required by law to support.

(35) "Local office": See ESSO.

(36) "Medical assistance" or "MA" shall mean the federal aid Title XIX program under which medical care is provided to:

(a) A recipient of a federal aid grant or of SSI benefit or a child receiving foster care

(b) A recipient of general assistance who is categorically related

(c) A recipient of general assistance who is eligible for care under the "H" category

(d) A categorically related recipient or a recipient under the "H" category who is eligible for federal aid medical care only (ineligible for a grant)

(e) The spouse of an aged, blind or disabled beneficiary for whom a cash allowance is included in the SSI benefit.

(37) "Medical audit". See "professional audit."

(38) "Medical care program" is the total program under which medical care is provided through medical assistance (MA) and medical care services (MS) according to the rules in chapters 388-80 through 388-95 WAC.

(39) "Medical care services" or "MS" shall mean the fully state-financed program under which medical care is provided to:

(a) A recipient of general assistance who cannot be categorically related,

(b) A recipient of general assistance who does not qualify in the "H" category,

(c) A recipient of medical only (MO).

(40) "Medical consultant" shall mean a physician employed by the department at the ESSO level.

(41) "Medically necessary" is a term for describing requested service which is reasonably calculated to prevent, diagnose, correct, cure, alleviate or prevent the worsening of conditions that endanger life, or cause suffering or pain, or result in illness or infirmity, or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no other equally effective more conservative or substantially less costly course of treatment available or suitable for the recipient requesting the service. For the purpose of this section "course of treatment" may include mere observation or, where appropriate, no treatment at all.

(42) "Medicare" is a commonly used term for the federal government health insurance program for certain aged or disabled recipients under Titles II and XVII of the Social Security Act.

((42)) (43) "Nursing care consultant" shall mean a qualified and licensed registered nurse employed by the department at the ESSO level.

((43)) (44) "Outpatient" is a nonhospitalized patient receiving care in an outpatient or emergency department of a hospital, or away from a hospital such as in a physician's office or the patient's own home.

((44)) (45) "Part A" is the hospital insurance portion of medicare.

((45)) (46) "PAS" - professional activity study is a compilation of inpatient hospital data by diagnosis and age, conducted by the commission of professional and hospital activities, which resulted in the determination of an average length of stay for patients. These data were published in a book entitled "Length of Stay in PAS Hospitals, United States". The department has adopted this book as the basis for authorizing the maximum number of days of inpatient hospital care for which the department is responsible for payment.

((46)) (47) "Part B" is the supplementary medical insurance benefit (SMIB) or the "doctor portion" of medicare.

((47)) (48) "Participation" is that part of the cost of medical care which the recipient who has available resources must pay.

((48)) (49) "Physician" is a doctor of medicine, osteopathy or podiatry who is legally authorized to perform the functions of his profession by the state in which he performs them.

((49)) (50) "Professional audit" shall mean that unit of the department which audits and authorizes payment for Title XIX provider billings.

(51) "Professional standards review organization" (PSRO) is the community based organization responsible for the review of the professional activities for which payment may be made for the purpose of determining whether services (a) are medically necessary, (b) appropriate medical care, and (c) meet professionally recognized standards of quality care.

((50)) (52) "Provider" or "provider of service" means those institutions, agencies, or individuals furnishing medical care and goods and/or services to recipients and who are eligible to receive payment from the department. See also "vendor".

((51)) (53) "Recipient of continuing assistance" is a person certified by the ESSO as eligible to receive a continuing maintenance grant, that is, a recipient of federal aid or continuing general assistance (GAU) or a child receiving foster care.

((52)) (54) "Recipient of medical assistance" (MA) is a resident of the state of Washington who is receiving medical care as a recipient of a federal aid grant or SSI benefit, as a foster child, as a recipient of general assistance categorically related or under the H category, as an "essential person", or who has been certified as eligible to receive federal aid medical care only (FAMCO).

((53)) (55) "Recipient of medical only" (MO) is a resident of the state of Washington who is not eligible for a grant or for medical assistance (MS), and who has been certified for the treatment of acute and emergent conditions only, under that part of the state funded medical care services (MS) program known as "medical only".

((54)) (56) "Recipient of noncontinuing general assistance" is a person certified by the department as eligible to receive temporary general assistance (GAN).

((55)) (57) "Resident" is a person who is living in the state of Washington voluntarily and not for a temporary purpose; that is, one who has indicated his intent to maintain his residence in the state and has no present intention of leaving the state to take up residence. No requirement of durational residence is imposed as a condition of eligibility.

((56)) (58) "Resource" is any asset which could be applied toward meeting the costs of medical care. A nonexempt resource is one which is available to meet the costs of medical care. An exempt resource is not considered available to meet the costs of medical care.

((57)) (59) "Retroactivity" is the process used to certify applicant/recipients related to federal programs no earlier than the first day of the third month prior to the month of application to cover unpaid bills for covered medical care.

((58)) (60) "Skilled nursing facility" shall mean a licensed facility certified to provide skilled nursing care for which an agreement has been executed.

((59)) (61) "Skilled nursing home", unless otherwise described, shall mean any institution or facility licensed by the department as a nursing home, or is a nursing home unit of a hospital licensed by the state department of social and health services. Also known as "skilled nursing facility".

((60)) (62) "Spell of illness" (benefit period) begins on the first day a person eligible for medicare receives covered services in a hospital or extended care facility. A spell of illness ends as soon as he has been out of any hospital, extended care facility, or a nursing home providing skilled nursing service, for sixty consecutive days.

((61)) (63) "Spouse" -

(a) Eligible spouse is a person in a two-person household who, in addition to the eligible individual, is eligible for cash benefits under SSI. This person is automatically eligible for medicaid.

(b) Ineligible spouse is a person in a two person household of an eligible individual who is not eligible for a cash benefit under SSI. This person is not automatically eligible for medicaid and must apply in his or her own right.

((62)) (64) "State office" or "SO" shall mean the office of medical assistance of the health services division of the department.

((63)) (65) "Supplementary security income" is a cash benefit provided as a federal payment and/or state supplement under Title XVI for the aged, blind and disabled.

((64)) (66) "Title XVI" is a program administered by the social security administration which provides supplementary security income to the aged, blind and disabled.

((65)) (67) "Transfer of property" shall mean any act or any omission to act whereby title to property is assigned or set over or otherwise vested or allowed to vest in another person, including delivery of personal property, bills of sale, deeds, mortgages, pledges, or any

other instrument conveying or relinquishing whole or partial title of property.

((66)) (68) "Vendor" is a provider of medical goods or services under these rules.

NOTE* Specific definitions applicable to: Medical assistance to the aged and those under 21 years of age in mental institutions are in WAC 388-95-005, Title XVI related recipients are in WAC 388-92-005, and "Grandfathered" recipients are in WAC 388-93-005.

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-86-005 SERVICES AVAILABLE TO RECIPIENTS OF MEDICAL ASSISTANCE. (1) For recipients of medical assistance (MA), the department shall authorize ambulance service and other means of transportation for medical reasons, early and periodic screening services to eligible individuals under twenty-one years of age, family planning services, home health agency services, inpatient and outpatient hospital care, other laboratory and x-ray services, skilled nursing home care, and physicians' services in the office or away from the office as needed for necessary and essential medical care.

(2) The following additional services shall also be authorized when medically necessary: anesthetization services; blood; dental services; drugs and pharmaceutical supplies; eyeglasses and examination; hearing aids and examinations; medical-social services; oxygen; physical therapy services; special-duty nursing services; surgical appliances, prosthetic devices, and certain other aids to mobility.

(3) Treatment, transplants, dialysis, equipment and supplies for acute and chronic nonfunctioning kidneys are provided in the home, hospital and kidney center. (See WAC 388-86-050(5)).

(4) Organ transplants, other than kidney transplants are not provided as a part of physician services or hospital care authorized under the medical assistance program.

(5) Treatment to detoxify narcotic addiction cases in a hospital or on an outpatient basis is not provided as a part of the medical care program. The department will provide treatment for concurrent diseases and complications.

(6) Detoxification of an acute alcoholic condition will be provided only in a certified detoxification center or in a general hospital with certified detoxification facilities.

(7) ~~((When requested medical care and/or services are denied by the department, the recipient shall be sent a written notification of the denial and explanation of the decision.))~~ Where evidence is obtainable to establish medical necessity, as defined in WAC 388-80-005, the department shall approve the request if the recipient or provider submits sufficient objective clinical information (including, but not limited to, a physiological description of the disease, injury, impairment or other ailment; pertinent laboratory findings; x-ray reports; and patient profiles).

(8) A request for medical services may be denied by the department if the requested service is not medically necessary as defined by WAC 388-80-005, is generally regarded by the medical profession as experimental in nature or as unacceptable treatment, unless the recipient can demonstrate through sufficient objective clinical evidence the existence of particular circumstances which render the requested service medically necessary.

(9) The department shall approve or deny all requests for medical services within fifteen days of the receipt of the request, except that if additional justifying information is necessary before a decision can be made, the request shall be neither approved nor denied but shall be returned to the provider within five working days of the original receipt. If additional justifying information is not returned within thirty days of the date it was returned to the provider, then the original request shall be approved or denied. However, if such information is returned to the department, the request shall be acted upon within five working days of the receipt of the additional justifying information.

(10) Whenever the department denies a request for medical services the department shall, within five working days of the decision, give written notice of the denial to the recipient and the provider. In order to fully inform the recipient, the notice shall state:

- (a) The specific reasons for the department's conclusion to deny the requested service.
- (b) If a fair hearing is requested, a medical assessment other than that of the person or persons involved in making the original decision may be obtained at the expense of the department of social and health services, and instructions on how to obtain such assessment.
- (c) The recipient has a right to a fair hearing if the request is made within thirty days of receipt of the denial, with the instruction on how to request the hearing.
- (d) The recipient may be represented at the hearing by legal counsel or other representative.
- (e) That upon request, the ESSO shall furnish the recipient the name and address of the nearest legal services office.

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED May 17, 1978.

By Thomas G. Pinnock
Acting Secretary

AMENDATORY SECTION (Amending Order 897, filed 1/11/74)

WAC 388-44-127 REPAYMENT OF OVERPAYMENT RESULTING FROM DEPARTMENT ERROR. (1) ~~Overpayments resulting from department error ((are treated the same as overpayments from other causes, except that they)) shall not be used as the basis for a mandatory grant deduction. When such overpayment is verified, the amount of the overpayment becomes a debt due the state unless relief from liability is granted pursuant to this section.~~

~~(2) ((If an overpayment results from an error by the department and no fault on the part of the recipient in obtaining or retaining the assistance received, determinations may be made as follows:~~

~~(a) If the monthly amount of overpayment is less than \$25, the local office administrator may relieve the recipient of liability for repayment and transfer the account receivable to closed status.~~

~~(b) If the monthly amount of overpayment is \$25 or more, the secretary or his designee may relieve the recipient of liability for repayment when recommended by the local office on grounds that repayment would be inequitable. The secretary or his designee will notify the local office of his decision.)) When an overpayment is discovered, and before it is established as an account receivable, the ESSO shall determine:~~

~~(a) Whether the overpayment resulted from error on the part of the department and;~~

~~(b) Whether there was any fault on the part of the recipient in obtaining or retaining the overpayment. "Fault," as used in this section, means either fraud or nonwillful error.~~

~~(3) When an overpayment results from error on the part of the department and no fault on part of the recipient in obtaining or retaining the assistance, the ESSO administrator or his immediate designee shall determine whether or not recovery of the overpayment would be inequitable. Recovery shall be inequitable only in the following circumstances:~~

~~(a) The recipient was in financial need at the time the overpayment occurred, and;~~

~~(b) The recipient did not receive assistance in excess of financial need as computed according to department standards, and;~~

~~(c) The overpayment was due to an eligibility factor unrelated to financial need. (See WAC 388-44-035 and 388-44-040.)~~

WSR 78-06-082

ADOPTED RULES

DEPARTMENT OF

SOCIAL AND HEALTH SERVICES

(Public Assistance)

[Order 1298—Filed June 1, 1978]

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to repayment of overpayment resulting from department error, amending WAC 388-44-127.

This action is taken pursuant to Notice No. WSR 78-04-095 filed with the code reviser on 4/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

(4) If recovery would be inequitable, the recipient shall not be liable for repayment; the overpayment shall not be a debt due the state, and the recipient shall be so informed.

(5) Department decisions made pursuant to this section shall be subject to fair hearing review.

(6) "Recipient," as used in this section, also means "former recipient."

WSR 78-06-083

ADOPTED RULES

DEPARTMENT OF REVENUE

[Order 78-3—Filed June 1, 1978]

I, Charles W. Hodde, director of Revenue, do promulgate and adopt at Olympia, Washington, the annexed rules relating to WAC 458-20-154 Cemeteries, crematories, columbaria (Rule 154).

This action is taken pursuant to Notice No. WSR 78-04-104 filed with the code reviser on 4/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of The Department of Revenue as authorized in RCW 82.01.060(2) and 82.32.300.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 1, 1978.

By Richard H. Holmquist
Senior Assistant Attorney General

AMENDATORY SECTION (Amending Order ET 70-3, filed 5/29/70)

WAC 458-20-154 CEMETERIES, CREMATORIES, COLUMBARIA (RULE 154).

BUSINESS AND OCCUPATION TAX

RETAILING. The gross proceeds derived from the sale of tangible personal property taxable under the retail sales tax are also taxable under the retailing classification.

SERVICE AND OTHER BUSINESS ACTIVITIES. Income derived from rendition of interment ((charges)) services is taxable under the service and other business activities classification. ((In cases where no deed or certificate of ownership is given, charges for burial in lots, crypts, niches, etc., will be deemed to be)) Sales or transfers of plots, crypts, and niches for interment of human remains, irrespective of whether the document of transfer is called a deed or certificate of ownership, are charges ((made)) for the right of ((septic)) interment, an interest similar to a license to use real estate, and the entire gross income therefrom is taxable under the service and other activities classification without any deduction for amounts set aside to funds for perpetual care.

RETAIL SALES TAX

Cemeteries, crematories and columbaria are subject to the provisions of the retail sales tax with respect to retail sales of boxes, urns, markers, vases, plants, shrubs, flowers, and other tangible personal property.

~~((The sale of lots, crypts and niches in cases where a deed or certificate of ownership is given is a sale of real estate and is not subject to the retail sales tax.~~

TAX ON CONVEYANCES

~~The provisions of the tax on conveyances apply to the sale of ground, lots, crypts, niches, etc., conveyed by deed or certificate of ownership where the interest in the property conveyed exceeds \$100.00. The consideration upon which the tax is based is the total charge made for the ground, lots, crypts, niches, etc., without any deduction for amounts set aside to funds for perpetual care.)~~

Revised ((April 1, 1959)) June 1, 1978.

Effective July 1, 1978.

WSR 78-06-084

ADOPTED RULES

GREEN RIVER COMMUNITY COLLEGE

[Order 78-1, Resolution 77-78/7—Filed June 1, 1978]

Be it resolved by the board of trustees of the Green River Community College, acting at Auburn, Washington, that it does promulgate and adopt the annexed rules relating to faculty tenure, amending WAC 132J-128-060 and 132J-128-070.

This action is taken pursuant to Notice No. WSR 78-03-076 filed with the code reviser on 2/28/78. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated pursuant to RCW 28B.50-.852 which directs that the board of trustees of Green River Community College has authority to implement the provisions of RCW 28B.50.850 - .869.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED April 20, 1978.

By Melvin Lindbloom
President

AMENDATORY SECTION (Amending Order 75-2, filed 10/21/75)

WAC 132J-128-060 SELECTION OF THE TENURE REVIEW COMMITTEE. (1) A tenure review committee shall be established for each probationer. The committee shall be responsible for the probationer until he/she is either granted tenure or is no longer employed within Community College District No. 10. If a vacancy occurs during the terms of service of the tenure review committee, the Union will hold a special election within four weeks to fill the position after the vacancy occurs.

(2) The chairperson of the Union tenure committee shall be responsible for the establishment of each tenure review committee which shall begin functioning no later than six (6) weeks ~~((to fill the position after the vacancy occurs:))~~ after the day that the probationer has begun his/her faculty duties. The first meeting will be co-chaired by the appropriate dean and Union tenure committee chairperson.

(3) Each tenure review committee shall be composed of six (6) members. There shall be automatic nomination of the division chairperson. This position shall be designated position Number 1. Two faculty members shall be nominated by the president of the Union for positions Number 2 and 3. One faculty member shall be nominated by the probationer to position Number 4. The president of the College shall appoint an administrator to position Number 5. The Associated Student Body shall select one student to position Number 6. After these nominations are made, the chairperson of the Union tenure committee shall call an all-faculty meeting at which faculty members may be nominated for positions 1 through 4. A vote shall be taken and the nominee receiving a majority vote for each position shall be elected. If no candidate for a particular position receives a majority vote, a runoff election shall be held within five (5) days between the two candidates receiving the largest number of votes.

AMENDATORY SECTION (Amending Order 75-2, filed 10/21/75)

WAC 132J-128-070 EVALUATION OF THE PROBATIONER. (1) All evaluative information will be considered confidential by members of the tenure review committee.

(2) The evaluative process shall be initiated by the chairperson of the tenure review committee of the Union, who shall call an initial meeting of each tenure review committee. The committee shall elect a chairperson at the initial meeting who will coordinate the evaluation process and keep a record of all written documents pertaining to the evaluation.

(3) The tenure review committee shall evaluate only the probationer's effectiveness in his/her appointment. In addition to the opinion of committee members, other professional judgments regarding the probationer's effectiveness may be considered. The committee will provide a progress report and the probationer's file to the appropriate dean and the College president for review and forward to the Board of Trustees by

(a) March 30 during the first probationary year,

(b) January 15 of the second probationary year,

(c) December 15 of the third probationary year.

(4) Observation of the probationer while he/she is performing his/her professional responsibilities shall be a part of the evaluation process. The members of the tenure review committee, who shall make the observation, in consultation with the probationer shall determine the frequency of such observations.

(5) A written evaluation noting areas of proficiency and deficiency shall be made for each observation.

(6) Within two (2) weeks after each observation, a majority of the tenure review committee will meet with the probationer to discuss his/her performance and the evaluation reports. The minutes of this meeting shall include the names of committee members present.

(7) A summary of each item discussed at any conference or interview between the probationer and his/her tenure review committee shall be made in writing. The summary shall be made after the item has been discussed and disagreements shall be noted.

(8) The probationer shall receive a copy of any interview summary, evaluation instrument, report of observation or any other document which is part of his/her tenure review process. The tenure review committee's file will contain the probationer's written acknowledgement of receipt of such document. Any handwritten notations or remarks on those documents shall be initialed by the probationer and by the chairperson of his/her tenure review committee.

(9) It is the right of the probationer to write letters of reply or to submit statements on his/her behalf which shall be made an official part of his/her tenure review file.

(10) Copies of the final evaluation report and the tenure review committee's recommendations on tenure, further probation, or dismissal shall be sent to the probationer's immediate administrator, appropriate dean, the College president, the Board of Trustees, and the president of the Union(;-) no later than ten (10) days preceding the regular January meeting of the College Board of Trustees.

(11) If, in the judgment of his/her tenure review committee, a probationer shall receive a renewed probationary appointment for an additional year, then:

(a) the probationer shall be notified in conference of the recommendation and

(b) after the conference, a notice in writing shall be sent to the probationer, the probationer's immediate administrator, the College president, and the Board of Trustees. All evaluations or recommendations for the probationer shall report his/her strengths as well as his/her weaknesses.

(12) If, in the judgment of his/her tenure review committee, the probationer should be denied tenure and his/her probationary appointment not be renewed, then:

(a) the probationer shall be notified in conference of the reasons for this recommendation.

(b) The recommendation, which shall cite reasons, shall be sent in writing to the probationer, the probationer's immediate administrator, the College president, and the Board of Trustees by the regular January Board of Trustees' meeting.

(c) If the probationer agrees with the recommendation, he/she shall submit a letter stating his/her acceptance of the decision.

*Carla King
advised
publication*

WSR 78-06-085
ADOPTED RULES
BOARD OF HEALTH
[Order 155—Filed June 2, 1978]

WSR 78-06-086
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1303—Filed June 2, 1978]

Be it resolved by the Washington State Board of Health acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to auditory screening of school children, amending WAC 248-148-020.

This action is taken pursuant to Notice No. 7981 filed with the code reviser on 12/30/77. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.31-.030 and is intended to administratively implement that statute.

The undersigned hereby declare that they have complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

This order after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED February 15, 1978.

BY J. W. Wallen
Chairman
Irma Goertzen
Fred Quarnstrom
Ramon Esparza Jr.

John A. Beare, MD
Secretary

AMENDATORY SECTION (Amending Order 63, filed 11/1/71)

WAC 248-148-020 CRITERIA FOR SELECTION OF CHILDREN FOR SCREENING. Children are to be selected for auditory screening according to the following minimal criteria:

- (1) All children in kindergarten through the first three elementary grades shall be screened at least once annually.
- (2) No longer than three years may elapse between screenings for children in grades four through twelve.
- (3) All new students in a district, regardless of grade level, shall be screened as soon as possible after admission.
- (4) All children referred to the district by parents or guardians, or by teachers, nurses or other school personnel as having a possible loss in auditory acuity shall be screened as soon as possible.
- (5) Exclude from screening those children who have on file at the school, within the school year, a report from their physician on the status of their auditory acuity which indicates the child is under the physician's continuing care.

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Rep WAC 388-28-155 relating to standards for additional requirements under specified circumstances—Child care expenses for employed person.
- New WAC 388-29-155 relating to standards for additional requirements under specified circumstances—Child care expenses for employed persons.
- Amd ch. 388-54 WAC relating to food assistance programs.

This action is taken pursuant to Notice No. WSR 78-04-020 filed with the code reviser on 3/13/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 74.04.510 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED May 12, 1978.
By Thomas G. Pinnock
Acting Secretary

REPEALER

The following section of the Washington Administrative Code is repealed.

(1) WAC 388-28-155 STANDARDS FOR ADDITIONAL REQUIREMENTS VENDOR SPECIFIED CIRCUMSTANCES—CHILD CARE EXPENSES FOR EMPLOYED PERSONS.

NEW SECTION

WAC 388-29-155 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—CHILD CARE EXPENSES FOR EMPLOYED PERSONS

- (1) The expense of child care shall be authorized as an additional requirement only when financial services has determined the care is necessary due to employment and there is no one reasonably available to perform such service without cost, except that child care expenses for employed WIN participants shall be authorized as specified in WAC 388-57-057.

(2) The cost allowed for child care shall be the most reasonable which can be obtained for the type of care required, not to exceed the following standards.

(a) Out-of-home day care

- (i) The part-time payment standard for day care of less than seven hours per day shall not exceed 92 cents per hour for each child.
- (ii) The full-time payment standard for day care of seven hours or more per day shall not exceed \$6.42 per day for each child.

(A) The full-time payment standard may be adjusted to accommodate unusual work schedules, provided the total amount authorized does not exceed \$32.10 per week of full-time day care for each child.

(b) In-home child care

- (i) The payment standard for in-home care shall not exceed 92 cents per hour for the care of three children or less in the family, or \$1.19 per hour for care of four or more children in the family.
- (ii) If total payments to an individual providing in-home care are expected to be \$50 or more in any one quarter, the employer's share of the FICA tax must be added to the amount authorized for in-home care.

(3) No payments shall be allowed for child care provided by the child's parent or stepparent.

AMENDATORY SECTION (Amending Order 1249, filed 10/28/77)

WAC 388-54-470 MONTHLY NET INCOME.

(1) For nonassistance households the monthly net food stamp income used to determine eligibility and basis of issuance shall be computed by adding all income and then subtracting all appropriate exclusions and deductions.

(2) The monthly net income used for basis of issuance of food stamps to public assistance households shall be computed by adding all income and then subtracting all appropriate exclusions and deductions.

(3) The combined monthly net food stamp income of all members of nonassistance households shall not exceed the following standards effective ((July 1, 1977) January 1, 1978.

Household Size	Maximum Allowable Income
1	\$262.00
2	344.00
3	((447.00)) <u>460.00</u>
4	((567.00)) <u>580.00</u>
5	((673.00)) <u>687.00</u>
6	((807.00)) <u>827.00</u>
7	((893.00)) <u>913.00</u>
8	((1020.00)) <u>1047.00</u>
For each additional member add	((127.00)) <u>133.00</u>

(4) Ineligible aliens, unless excluded as roomers, boarders or attendants, shall have their total income minus a deduction for a one-person household coupon allotment, included as income to the household, unless the household can demonstrate that the income is not accessible for their needs. Ineligible aliens shall be treated as household members in determining income exclusions and deductions, but shall not be counted in the household size for determining the income eligibility standard for the household or its basis of issuance.

(5) The income of an individual determined ineligible due to tax dependency shall not be considered available to other household members in establishing the household's eligibility and basis of issuance, nor shall he be counted in determining the size of the household. (See WAC 388-54-442)

AMENDATORY SECTION (Amending Order 1245, filed 10/10/77)

WAC 388-54-485 INCOME DEDUCTIONS. (1) Household expenses shall be deducted in the order listed in this section. In determining monthly food stamp income only the expenses listed shall be deducted. No exceptions shall be approved. The household must pay the expense or anticipate payment during the certification period in which the deduction is claimed. The expenses are deductible even if payment is made from resources. If payments are made by a nonhousehold member on behalf of the household, the expenses are deductible if the payments have been counted as income to the household.

(2) Deductible work expense

(a) Nonassistance household: Ten percent of gross income not to exceed \$30 per household, from:

(i) Compensation for services performed as an employee; or

(ii) A training allowance to an individual working and learning a trade at a work site.

(iii) Any income attributable to the furnishing of housing to a household by an employer. Any vendor payments made on behalf of an employee by an employer or a trainee by the training program or sponsor.

(b) Assistance household: The public assistance standard deduction for transportation and clothing. (See 388-28-515(4)(b) and (4)(d)).

(3) Mandatory deductions from earned income which are not elective at the option of the employee such as

local, state, and federal income taxes, FICA taxes, mandatory retirement payments, and union dues. Garnishments may be deducted only when they are made for items which would be deductible if paid when incurred, for example, medical costs of more than \$10 a month.

(4) The total payments for medical expenses; exclusive of special diets, when the costs exceed \$10 per household.

(a) Medical expenses may include actual payments for physician and dental services, hospitalization, nursing care in or out of the home, prescription drugs, prescribed medical services, health insurance, medicare payments, the care and feeding of a seeing eye dog, and reasonable medically-related transportation costs.

(b) The amount to be deducted for an attendant or housekeeper who is necessary for medical care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the value of the one-person monthly coupon allotment shall be made.

(5) Payments for the care of a child or other persons when necessary for a household member to accept or continue employment, training or education.

(a) The amount to be deducted for an attendant or housekeeper who is necessary for child care reasons shall be the amount actually paid to the attendant or housekeeper. In addition, for a household which furnishes the attendant or housekeeper the majority of his meals, a deduction equal to the one-person monthly coupon allotment shall be made.

(6) Tuition and mandatory fees for education, including such expenses which are covered by scholarships, educational grants, loans, fellowships and veterans' educational benefits. No deduction shall be made for any other educational expenses, such as books, school supplies, meals and transportation.

(7) Unusual expenses incurred due to an individual household's disaster or casualty losses which could not be reasonably anticipated by the household. Unusual expenses shall be determined in accordance with the following criteria.

(a) The expense is essential to the continued existence of the household and is necessary to replace or repair items of property damaged or lost through vandalism, fire, theft, flood, tropical storms, or by the elements.

(b) The expense allowed is for only that portion which exceeds the amount which is paid either in goods or money by a private or public charitable organization.

(c) The expense is the result of funeral costs which are not reimbursable through social security, veterans' benefits, or the state government.

(d) The expense allowed will be that paid or anticipated to be paid during the certification period, even though part may be reimbursable through insurance. Insurance reimbursement payments will be treated as lump-sum payments when received, in accordance with WAC 388-54-465.

(e) The deduction is initially approved by the certification worker's immediate supervisor.

(f) The expense is not for costs of repair or replacement of property, clothing, etc., which becomes necessary due to mechanical failure, wear and tear, obsolescence, or any other occurrence not directly connected with an individual household disaster.

(8) Court-ordered support and alimony payments.

(9) Shelter costs in excess of 30 percent of the household's income after the above deductions.

(a) "Shelter costs" mean rent or mortgage payment plus taxes, insurance and assessments, and utility costs such as heat, cooking fuel, electricity, water, garbage, sewage disposal and basic service fee for one telephone.

(b) The actual rent or purchase payment plus taxes, insurance and assessments (if not included in the payment) shall be used to compute shelter costs.

(c) Standardized amounts shall be used to compute the shelter costs for utilities such as heat, cooking fuel, electricity, water, garbage, sewage disposal and telephone and shall be, effective July 1, 1977:

Persons in Household	Standard
1	\$66.25
2	70.70
3	76.10
4	82.05
5	86.65
6	90.85
7	95.15
8	97.60
9	100.90
10 or more	105.40

(d) If a household requests and can verify that its utility bills are higher than the standards and can reasonably be predicted to continue at a higher rate for the certification period, the actual utility costs must be used. ~~((The allowance for telephone service is limited to the basic service fee for one telephone plus the tax on the basic fee. This request may be made at the initial certification or at any subsequent certification. A household may not change the method of computing utilities during a certification period.))~~ These costs will be calculated according to bills the household anticipates receiving during the certification period, by using the most recent bills actually received or other information available.

(i) The allowance for telephone service is limited to the basic fee for one telephone plus tax on the basic fee.

(ii) A household certified for more than one month shall be allowed to switch to or from the standard during its certification period or to the standard if the standard is updated during its certification period.

(e) Included as part of the household's utility allowance will be any payment, during a certification period, of a utility bill received by the household prior to January 1, 1978, if:

(i) The bill represents an allowable utility expense which was not used in any previous shelter allowance computations; and

(ii) The expense has been paid by the household or the household intends to pay it and has sufficient income and/or resources available.

AMENDATORY SECTION (Amending Order 1030, filed 6/12/75)

WAC 388-54-505 NONASSISTANCE HOUSEHOLD—VERIFICATION OF ELIGIBILITY. (1) On an initial certification, gross income from all sources and mandatory deductions from income shall be verified by third person or documentary confirmation of the facts stated by the applicant. Income excluded per WAC 388-54-480 shall be verified only when there is reason to question the information given.

(2) If the application for recertification of continuing eligibility is consistent with eligibility and consistent with the previous application, verification of income is not required unless the source of income has changed or the amount of income reported has changed by more than \$25.

(3) Other eligibility factors shall be verified when the statements of the household in the application are unclear, incomplete, or inconsistent in any manner that would require an ordinarily prudent worker to question any factor affecting eligibility or basis of coupon issuance. Such questionable factors must be verified through the point where a firm determination can be made that the applicant is or is not eligible at some level of issuance.

(4) When a household reports an income so low as to put it at a zero purchase level, factors affecting eligibility and basis of issuance shall be verified through the point where a firm determination can be made that the household is or is not eligible. (~~At least one collateral contact is mandatory.~~)

(5) Preliminary certification for 30 days without verification of eligibility factors may be made if it appears that the household will be eligible for participation. Necessary verification and adjustment in the household's basis of issuance shall be made before the second month's issuance of coupons is given.

(6) When a household contains a student tax dependent, the food stamp eligibility of the taxpayer household must be verified. (See WAC 388-54-442.)

(a) Student tax dependency status shall be verified when questionable.

(b) If the tax dependent or the taxpayer fails to respond to a verification request, eligibility cannot be determined and he shall not be considered as a member of the household in which he resides.

AMENDATORY SECTION (Amending Order 1030, filed 6/12/75)

WAC 388-54-540 BASIS OF COUPON ISSUANCE. (1) The department shall assign each eligible household a purchase requirement and total coupon allotment according to the following table. These purchase requirements are effective (~~July~~) January 1, 1977 1978.

MONTHLY COUPON ALLOTMENT BY HOUSEHOLD SIZE

Monthly Net Income	Number of Persons							
	1	2	3	4	5	6	7	8
	\$52	(\$94)	\$134	\$170	\$202	\$242	\$268	\$306
	<u>\$96</u>	<u>\$138</u>	<u>\$174</u>	<u>\$206</u>	<u>\$248</u>	<u>\$274</u>	<u>\$314</u>	
	Monthly purchase requirement							
\$ 0-19.99	0	0	0	0	0	0	0	0
20-29.99	1	1	0	0	0	0	0	0
30-39.99	4	4	4	4	5	5	5	5
40-49.99	6	7	7	7	8	8	8	8
50-59.99	8	10	10	10	11	11	12	12
60-69.99	10	12	13	13	14	14	15	16
70-79.99	12	15	16	16	17	17	18	19
80-89.99	14	18	19	19	20	21	21	22
90-99.99	16	21	21	22	23	24	25	26
100-109.99	18	23	24	25	26	27	28	29
110-119.99	21	26	27	28	29	31	32	33
120-129.99	24	29	30	31	33	34	35	36
130-139.99	27	32	33	34	36	37	38	39
140-149.99	30	35	36	37	39	40	41	42
150-169.99	33	38	40	41	42	43	44	45
170-189.99	39	44	46	47	48	49	50	51
190-209.99	40	50	52	53	54	55	56	57
210-229.99	42	56	58	59	60	61	62	63
230-249.99	42	62	64	65	66	67	68	69
250-269.99	<u>42</u>	68	70	71	72	73	74	75
270-289.99		74	76	77	78	79	80	81
290-309.99		(74)	82	83	84	85	86	87
		<u>76</u>						
310-329.99		(74)	88	89	90	91	92	93
		<u>76</u>						
330-359.99		<u>76</u>	94	95	96	97	98	99
360-389.99			103	104	105	106	107	108
390-419.99			112	113	114	115	116	117
420-449.99			(116)	122	123	124	125	126
			<u>120</u>					
450-479.99			<u>120</u>	131	132	133	134	135
480-509.99				140	141	142	143	144
510-539.99				(146)	150	151	152	153
				<u>149</u>				
540-569.99				(146)	159	160	161	162
				<u>150</u>				
570-599.99				<u>150</u>	168	169	170	171
600-629.99					(174)	178	179	180
					<u>177</u>			
630-659.99					(174)	187	188	189
					<u>178</u>			
660-689.99					(174)	196	197	198
					<u>178</u>			
690-719.99						205	206	207
720-749.99						(210)	215	216
						<u>214</u>		
750-779.99						(210)	224	225
						<u>216</u>		
780-809.99						(210)	(232)	234
						<u>216</u>	<u>233</u>	
810-839.99							(232)	243
							<u>216</u>	<u>238</u>
840-869.99							(232)	252
							<u>238</u>	
870-899.99							(232)	261
							<u>238</u>	
900- (1049.00)								(266)
							<u>238</u>	<u>270</u>
930-959.99								<u>274</u>
960-989.99								<u>274</u>
990-1,019.99								<u>274</u>
1,020-1,049.99								<u>274</u>

(2) The following formula shall be used for the issuance of coupons to households of more than eight persons.

(a) For each person in excess of eight, ~~\$(38.00)~~40.00 shall be added to the monthly coupon allotment for an eight-person household.

(b) The purchase requirement for an eight-person household shall be used for households with incomes of ~~(\$99.99)~~ \$929.99 or less per month.

(c) For households with monthly incomes of ~~\$(900)~~930 or more - for each thirty dollars of monthly income (or portion thereof) over ~~\$(899.99)~~929.99 nine dollars shall be added to the monthly purchase requirement for an eight-person household with income of ~~\$(899.99)~~929.99.

(d) The maximum monthly purchase requirement for households of more than eight persons shall be determined by adding ~~\$(34)~~36 for each person over eight to the maximum purchase requirement for an eight-person household.

(3) The department shall offer an eligible household a monthly or semimonthly issuance, whichever is best geared to the frequency of its receipt of income.

(2) Prior authorization by the ESSO medical consultant or his designee in the county of residence is not required for eye examinations (~~and~~) performed for the purpose of prescribing corrective lenses except in the provision of certain eyeglasses (lenses or frames). Eye examinations performed on Saturdays or holidays when ESSO's are closed may be post-authorized if such authority would have been issued normally.

(3) Examinations, unless medically indicated, are limited to ~~(one)~~ two in a twelve-month period, except for eye examinations and eyeglasses provided to recipients of EPSDT, see WAC 388-86-027(1)(c) and (3).

(4) A choice of frames listed in current DSHS numbered memoranda is offered recipients. Frames are not provided for cosmetic effect or psychological support.

(5) Sunglasses, photochromic aspheric or varalux type lenses are not provided.

(6) Two pair of glasses in lieu of bifocal or trifocal lenses are not provided.

(7) Contact lenses and orthoptics therapy are not provided.

WSR 78-06-087

ADOPTED RULES

**DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)**

[Order 1301—Filed June 2, 1978]

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd ch. 388-86 WAC relating to medical care—Services provided.

Amd ch. 388-87 WAC relating to medical care—Payment.

This action is taken pursuant to Notice No. WSR 78-03-007 filed with the code reviser on 2/6/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED April 19, 1978.

By Thomas G. Pinnock
Acting Secretary

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-86-030 EYEGLASSES AND EXAMINATIONS. (1) The department shall provide ~~((eye-glasses and examinations))~~ eye examinations and eyeglasses when a refractive error of sufficient magnitude exists to require corrective lenses. Payment shall be made on the basis of rates established by the department or through HMO or optical supplier contracts.

AMENDATORY SECTION (Amending Order 1233, filed 8/31/77)

WAC 388-86-050 INPATIENT HOSPITAL CARE. (1) The department will provide hospitalization for recipients under age sixty-five and for recipients sixty-five and over who have exhausted medicare benefits. With exceptions and limitations listed below, the recipient will have free choice of hospitalization.

(2) ~~((Approval by the local medical consultant is required for admission to a hospital.))~~ Hospitalization requires approval of

(a) the local medical consultant for admission and extension of length of stay for recipients of GAU and MO,

(b) the local medical consultant for prior approved nonemergent surgery, or

(c) the professional standards review organization (PSRO) for medical illness and emergent surgery for recipients on federally related programs.

(3) Department authorization for inpatient hospital care for eligible individuals shall be limited to the lesser of the minimum number of days consistent with practice normally followed in the community or the maximum number of days established at the 75th percentile in the edition adopted by the department of the publication "Length of Stay in PAS Hospitals, United States", unless prior contractual arrangements are made by the department for a specified length of stay (see WAC 388-80-005(44) and 388-87-013(2)). Hospital stays shall be subject to the same utilization review as established for private patients in the community. A daily list of all recipient inpatients with ~~((specified))~~ diagnostic information shall be submitted by the hospital to the local medical consultant. In rare instances medical complications develop or new medical conditions are diagnosed which may require care exceeding the maximum number of days of hospitalization provided for under the specified PAS time limits. In such cases, when presented within sixty days of final service and adequately justified by the attending physician, extensions may be granted by the chief of the office of medical assistance, or by his

professional designee, or by the full time medical consultant in the ESSO or regional office where such is employed for recipients of GAU and MO. The professional standards review organization (PSRO) will determine length of stay for recipients on federally-related programs.

(a) Eligible recipients are covered for involuntary admissions for acute psychiatric conditions up to a maximum of seventeen days under the Involuntary Treatment Act in hospitals certified as evaluation and treatment facilities. If an involuntarily committed recipient reverts to voluntary status, PAS days are computed from day of admission and applied to any period exceeding the mandatory seventeen days. If PAS days are less than seventeen, the maximum of seventeen days will prevail.

(b) No payment will be made for care in a private psychiatric hospital that has not been certified under Title XVIII. Authorization for admission of an eligible individual to a private psychiatric hospital shall be under the same conditions and program limitations as for treatment of psychiatric conditions in a general hospital.

(c) Medicaid payment will be made for care in a state mental institution for AFDC recipients or SSI beneficiaries under age 21 and for all recipients age 65 and older. Other age groups are covered under the Involuntary Treatment Act and/or other state funded programs. (See WAC 388-82-025).

(4) The department is prohibited from paying for hospitalization of any individual for the treatment of tuberculosis in a general hospital after such a diagnosis has been established. (See WAC 388-82-025.)

(5) Hospitalization for the treatment of acute and chronic renal failure shall be provided, except that the department shall pay only deductibles and coinsurance for a recipient who is a medicare beneficiary and who is hospitalized for such treatment or for kidney transplant.

(6) Except for an emergency no hospital admission shall be made on Friday or Saturday. For scheduled surgery on Monday, the attending physician may admit the recipient on Sunday to accomplish the necessary preoperative work-up.

(7) (~~Local medical consultant~~) Approval for hospitalization of a recipient shall be based on the recipient's need for semi-private accommodations and reimbursement made at the multiple occupancy rate regardless of accommodations provided by the hospital. Special rates may be established for recipients covered by the Involuntary Treatment Act. Semi-private accommodations shall mean not less than two nor more than a four-bed room.

AMENDATORY SECTION (Amending Order 1244, filed 10/10/77)

WAC 388-87-012 CONDITIONS OF PAYMENT—CONSULTANT'S AND SPECIALIST'S SERVICES AND FEES. (1) When services of a consultant or specialist are required, whether the patient has been referred by a physician or is being treated by the specialist as the attending physician, the approval of the medical consultant is not necessary. This rule applies to consultation or treatment in the home, office, or medical

institution. See WAC ((~~388-87-027(2)(c)~~)) 388-86-095(4).

(2) A copy of the consultation report must accompany the claim for consultant fees. If the report is not submitted with the billing, the fee for an initial office or hospital call will be paid dependent upon where consultation was given.

(3) When a specialist treats a patient for minor conditions or for chronic conditions of long duration, the standard fee for initial and subsequent office calls is allowed.

(4) Consultant's fees shall not be paid when the consulting physician specialist or other provider subsequently performs surgery or renders treatment for which flat fees are applicable, see WAC 388-86-095(4).

(5) If more than one specialist is called in to examine a patient during a spell of illness, billings are subject to review and approval by the chief of the office of medical assistance.

(6) Payment will be made for a psychological evaluation only when a physician has obtained the necessary approval to refer an eligible patient, whom he is treating, for such evaluation. Treatment by a psychologist is not provided. (See WAC ((~~388-87-027(3)~~)) 388-85-025(2)(p).

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

WAC 388-87-025 SERVICES REQUIRING APPROVAL OF MEDICAL CONSULTANT. (1) All services rendered recipients of medical only or recipients of noncontinuing general assistance not relatable to federal aid or Title XVI program require approval of the local medical consultant. When a medical emergency is alleged but not apparent, the otherwise eligible applicant for noncontinuing general assistance or medical only may be referred to a participating physician for diagnosis and medical treatment if indicated. Such applicant may not be authorized this one office call unless \$100 in medical costs have been accrued within seven days prior to application. Subsequent to such denial a noncontinuing general assistance or medical only applicant has twelve months from the date of application to incur \$100 in medical costs. For this one office call only, the signature on the authorization form may be by an ESSO designee whose signature is on file in the professional audit section.

(2) Services to recipients of medical assistance and continuing general assistance requiring approval are

(a) All surgical procedures (~~and X-ray therapy~~) require approval by the local medical consultant - see WAC 388-86-095(6) and 388-86-110. The requesting physician shall submit form 525-100 to the ESSO. Only the surgeon need obtain written approval for surgery. The services of the surgical assistant and the anesthesiologist or anesthetist do not require approval. Their billings for payment, however, must show the patient's diagnosis and a cross reference to the surgeon.

(i) Prior approval for all nonemergent surgical procedures shall be obtained from the chief of the office of medical assistance from his professional designee, or

from the full-time medical consultant in the ESSO or regional office where such is employed.

(b) Requests for medical appliances and prosthetic devices must have prior approval with the following exceptions:

(i) External braces involving neck, trunk and/or extremities.

(ii) Other nonreusable items costing less than \$150 if provision of the item will expedite a recipient's release from a hospital.

(c) All requests for reusable medical equipment and requests for surgical appliances provided, other than as described in subdivision (b), must be submitted on form 525-101 for the medical consultant's approval. If approval is received and the material to be supplied is to be billed by another provider of service it is necessary for the physician to transmit the approved form 525-101 to the provider for billing purposes - see WAC 388-86-100.

(d) Requests for allergy testing shall be submitted on appropriate state form for prior approval by the local medical consultant. The extent of service to be provided shall be indicated. In the event an independent laboratory bills for the allergy testings, the requesting physician shall send the approved state form to the laboratory as the billing authority.

(e) Drugs not listed in the department's formulary or any single prescription exceeding the maximum limit established - see WAC 388-91-020.

(f) Admission to a hospital - see WAC 388-87-070 and 388-86-050(2).

~~(g) ((Prior approval of special duty nursing care - see WAC 388-86-070.~~

~~(h))~~ Initial provision of oxygen service for a recipient under sixty-five years of age in his own home. Repeat deliveries of oxygen for the same illness do not require medical consultant approval - see 388-86-080(1) and 388-87-080.

~~((f))~~ (h) Approval of physical therapy on an outpatient basis or in a nursing home when prescribed by the attending physician - see WAC 388-86-090(1).

~~((f))~~ (i) For certain border situations and out-of-state medical care - see WAC 388-82-030(4) and (5), and ~~((WAC))~~ 388-86-115.

~~((f))~~ (j) All major appliances - see WAC 388-86-100.

~~((f))~~ ~~Eye~~glasses and examinations (may also be approved by ESSO designee) - see WAC 388-86-030.)

~~((f))~~ (k) For consultant or specialist referral when such referrals exceed two such consultants or specialists - see WAC 388-86-095(4).

~~((f))~~ (l) Respiratory therapy in excess of five treatments requires approval.

~~((f))~~ (m) Speech therapy requires an initial evaluation; both the evaluation and subsequent therapy require prior approval - see WAC 388-86-098.

(n) Psychological evaluation provided in connection with medical diagnosis and treatment (see WAC 388-87-012(6)).

AMENDATORY SECTION (Amending Order 1265, filed 1/13/78)

✓ WAC 388-87-027 SERVICES REQUIRING PRIOR APPROVAL BY STATE OFFICE. (1) The following services requiring approval of the local medical consultant shall also receive prior approval of the chief of the office of medical assistance:

(a) Nonemergent surgical procedures - see WAC 388-86-095(6);

(b) Prosthetic devices and major appliances - see WAC 388-86-100.

(i) Purchase of reusable medical appliances and aids to mobility costing more than five hundred dollars,

(ii) Purchase of nonreusable surgical appliances or prosthetic devices costing more than five hundred dollars except those described in WAC 388-87-025(2)(b).

(2) With the exception of prosthetic devices and major appliances, subsection (1) does not apply to ESSOs or regions which have full time medical consultants who are authorized to give approval.

~~((3) Prior approval of the office of medical assistance is required for psychological evaluation provided in connection with medical diagnosis and treatment (see WAC 388-87-012 (6)).)~~

~~WSR 78-06-088~~
ADOPTED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Order 1302-Filed June 2, 1978]

✓
Advised
of public hearing
7-13

I, Gerald E. Thomas, Acting Secretary of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to replacement of exempt property, amending WAC 388-28-474.

This action is taken pursuant to Notice No. WSR 78-04-048 filed with the code reviser on 3/27/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the secretary of Department of Social and Health Services as authorized in RCW 74.08.090.

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

APPROVED AND ADOPTED May 17, 1978.
By Thomas G. Pinnock
Acting Secretary

AMENDATORY SECTION (Amending Order 1241, filed 9/23/77)

WAC 388-28-474 REPLACEMENT OF EX-EMPT PROPERTY. A recipient may, ~~((in the event of an insurance settlement as a result of fire loss, acquire items of like value as those destroyed in the fire. Such action must follow the guidelines established in WAC~~

388-30-075(2)) within sixty days of receipt, reinvest in other exempt property funds acquired from a settlement covering destroyed or stolen exempt property. A recipient may retain enough cash from the settlement to bring cash savings up to the cash resource ceiling in accordance with the size of the assistance unit. Any remaining portion of the settlement shall be considered newly acquired nonexempt income.

WSR 78-06-089

EMERGENCY RULES

DEPARTMENT OF TRANSPORTATION

[Order 15—Filed June 5, 1978]

I, W. A. Bulley, Secretary of Transportation, do promulgate and adopt at Room 1D9, Highway Administration Building, Olympia, WA, the annexed rules relating to the amendment of WAC 252-20-040, prohibition of non-motorized traffic on fully controlled limited access highways. Paragraph (3) (d) (Except) State Route 5, Mile Post 165.40 to Mile Post 172.40, Reversible Lanes, from 9:00 a.m. to 6:00 p.m. on June 18, 1978.

I, W. A. Bulley, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is in the interest of community well-being and to encourage the use of energy efficient transportation, the bicycle use of the Interstate 5 reversible lanes for one Sunday is adopted.

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

This rule is promulgated under the general rule-making authority of the Department of Transportation as authorized in RCW 47.52.025.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 5, 1978.

By V. W. Korf
for Secretary of Transportation

AMENDATORY SECTION (Amending Order 14, filed 5/25/78)

WAC 252-20-040 PROHIBITION OF NONMOTORIZED TRAFFIC ON FULLY CONTROLLED LIMITED ACCESS HIGHWAYS. (1) All nonmotorized traffic shall be prohibited on state highways which have been established and constructed as fully controlled limited access facilities, and signs giving notice of such prohibition shall be posted upon all such highways.

(2) This prohibition of nonmotorized traffic on fully controlled limited access highways shall not apply to pedestrian overcrossings and undercrossings or other facilities provided specifically for the use of such traffic.

(3) This prohibition of nonmotorized traffic shall not apply to the following sections of established and operating fully controlled limited access highways with regard to pedestrians and bicycles:

(a) State Route 2, Mile Post 0.00 to Mile Post 2.50;

(b) State Route 410, Mile Post 0.30 to Mile Post 11.60;

(c) State Route 526, Mile Post 0.80 to Mile Post 4.57.

(d) State Route 5, Mile Post 165.40 to Mile Post 172.40, Reversible Lanes, from 9:00 a.m. to 6:00 p.m. on June 18, 1978.

(4) This prohibition shall not apply to the shoulders of the following sections of an established and operating fully controlled limited access highway with regard to bicycles during daylight hours only:

(a) State Route 5, Mile Post 23.01 to Mile Post 27.42;

(b) State Route 5, Mile Post 116.70 to Mile Post 119.01;

Signs giving notice of such permission shall be posted upon these highway routes.

(5) This prohibition shall not apply to the shoulders of the following sections of established and operating fully controlled limited access highways with regard to bicycles during daylight hours only from May 1 through September 30:

State Route 90, Mile Post 254.02 to Mile Post 257.69.

Signs giving notice of such permission shall be posted upon these highway routes.

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

WSR 78-06-090

PROPOSED RULES

DEPARTMENT OF TRANSPORTATION

[Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 1-12 WAC, that the Department of Transportation intends to adopt, amend, or repeal rules concerning the amendment to chapter 252-50 WAC, relating to small business and minority contractors. Raises the limit on contract amounts from \$25,000.00 to \$50,000.00;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, July 17, 1978, in the Room 1D9, Highway Administration Building, Olympia, WA 98504.

The authority under which these rules are proposed is RCW 47.28.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 17, 1978, and/or orally at 10:00

a.m., Monday, July 17, 1978, Room 1D9, Highway Administration Bldg., Olympia, WA 98504.

Dated: June 5, 1978

By: V. W. Korf
Deputy Secretary

AMENDATORY SECTION (Amending Order 154, filed 7/19/73)

WAC 252-50-010 GENERAL. To enable a greater number of small businesses and minority contractors to compete effectively for Washington State Department of ((Highway)) Transportation contracts the ((Commission)) secretary adopts the following rules and regulations in accordance with RCW 47.28.030 as amended by chapter 116, Laws of 1973.

AMENDATORY SECTION (Amending Order 154, filed 7/19/73)

WAC 252-50-020 CALL FOR BIDS—LIMITATION ON CONTRACT AMOUNT. (1) All contracts shall be awarded by competitive bidding to the extent that competitive bids are available except when delay of the work would jeopardize life or property or inconvenience the travelling public.

(2) Contracts may be awarded under these rules when the estimated cost of the work would not exceed ((twenty-five)) fifty thousand dollars (((\$25,000.00)).

AMENDATORY SECTION (Amending Order 154, filed 7/19/73)

WAC 252-50-030 PREQUALIFICATION—FORM OF BID—REQUIREMENTS. (1) A limited prequalification questionnaire shall be required assuring only that a prospective bidder is experienced in the type of work to be performed, that all equipment to be used is adequate and functioning, and that all equipment operators are qualified to operate such equipment.

(2) No bid proposal shall be accepted from a bidder who has not submitted a limited prequalification questionnaire, unless the bidder is currently prequalified with the ((Highway)) Department of Transportation.

(3) Prospective bidders shall be informed that advice and assistance relative to general bidding procedures are available in the office of the district ((Engineer)) administrator of the area where the work is to be performed.

(4) All bids shall be submitted on a standard bid proposal form.

(5) The successful bidder must comply with federal and state laws, applicable local laws and ordinances and applicable regulations which affect the performance of the contract.

WSR 78-06-091

PROPOSED RULES

CENTRAL WASHINGTON UNIVERSITY

[Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and RCW 28B.40.120, that the Central Washington University intends to adopt, amend, or repeal rules concerning constitution of the associated students of Central, chapter 106-120 WAC;

that such institution will at 10:00 a.m., Tuesday, August 8, 1978, in the Samuelson Union Building, room 206, on the C.W.U. campus, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Tuesday, August 8, 1978, in the Samuelson Union Building, room 206, on the C.W.U. campus.

The authority under which these rules are proposed is RCW 28B.40.120.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this

institution prior to August 8, 1978, and/or orally at 10:00 a.m., Tuesday, August 8, 1978, Samuelson Union Building, room 206, on the C.W.U. campus.

Dated: June 2, 1978

By: Barbara A. Davis
Administrative Secretary

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

- (1) WAC 106-120-910 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—PREAMBLE
- (2) WAC 106-120-911 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—NAME
- (3) WAC 106-120-912 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—MEMBERSHIP
- (4) WAC 106-120-913 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—ORGANIZATION
- (5) WAC 106-120-914 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—THE BOARD OF CONTROL
- (6) WAC 106-120-915 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—EXECUTIVE MANAGER
- (7) WAC 106-120-916 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—THE JUDICIAL BRANCH
- (8) WAC 106-120-917 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—ELECTIONS
- (9) WAC 106-120-918 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—ORGANIZATION
- (10) WAC 106-120-919 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—INITIATIVE AND REFERENDUMS
- (11) WAC 106-120-920 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—AMENDMENTS
- (12) WAC 106-120-921 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—THE ENABLING ACT
- (13) WAC 106-120-922 CONSTITUTION OF THE ASSOCIATED STUDENTS OF CENTRAL—VERIFICATION

WSR 78-06-092

PROPOSED RULES

HORSE RACING COMMISSION

[Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 67.16 RCW, that the Washington Horse Racing Commission intends to adopt, amend, or repeal rules concerning "no penalty rule" as it pertains to WAC 260-40-100 by amending the existing rule to add if the net value to the winner of a race run in the State of Washington is \$900 or less, said winnings shall not be counted in considering eligibility of horses running at Longacres and if the net value to the winner of a race run in the State of Washington is \$400 or less said winnings shall not be counted in considering eligibility of horses running at Playfair and

Yakima Meadows, etc. The Commission reserves the right to modify the text of these proposed rules prior to the public hearing thereon or in response to written or oral comments thereon received prior to or during the public hearing;

that such agency will at 11:00 a.m., Friday, July 14, 1978, in the Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Friday, July 14, 1978, in the Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188.

The authority under which these rules are proposed is chapter 67.16 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 11:00 a.m., Friday, July 14, 1978, Sea-Tac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188.

Dated: June 2, 1978

By: Arthur F. Drovetto
Exec. Sec'y and Supervisor of Racing

AMENDATORY SECTION (Amending Order 74.2, filed 10/30/74)

WAC 260-40-100 PERFORMANCE RECORDS. (1) A horse which during the past calendar year, has started in a race which is not reported in the Daily Racing Form Monthly Chart Book shall not be entered at a Washington track unless and until the owner shall have furnished to the racing secretary, at least ~~((48))~~ forty-eight hours prior to such entry, performance records as hereinafter designated. Such performance records shall show where and when said horse raced; the distance; the weight carried; amount earned; said horse's finishing position and time. Such performance records furnished to the racing secretary shall be signed and sworn to by the owner of the horse.

(2) In a maiden race, a horse which at any time, has started in a race which is not reported in Daily Racing Form Monthly Chart Book shall not be entered at a Washington track unless and until the owners shall have furnished to the racing secretary at least ~~((48))~~ forty-eight hours prior to such entry, complete performance records hereinafter designated. Such performance of said horse; where and when said horse raced; the distance; the weight carried; amount earned; said horse's finishing position and time. Such performance records furnished to the racing secretary shall be signed and sworn to by the owner of the horse.

(3) No horse may be permitted to enter in a race whose recent workouts have not been properly recorded with the stewards.

(4) If the net value to the winner of a race run in the state of Washington is nine hundred dollars or less, said winnings shall not be counted in considering eligibility of horses running at Longacres, if the net value to the winner of a race run in the state of Washington is four hundred dollars or less, said winnings shall not be counted in considering eligibility of horses running at Playfair and Yakima Meadows; however, the maiden allowance shall be lost by the winning of any race at a track whose complete official results are carried in the Daily Racing Form, Morning Telegraph, Quarter Running Horse Chart Book or Appaloosa Horse Club Charts.

All wins, regardless of the net value to the winner, shall be considered in eligibility requirements in all races, including maiden races at all tracks other than Longacres, Playfair and Yakima Meadows.

WSR 78-06-093

PROPOSED RULES

COUNTY ROAD ADMINISTRATION BOARD

[Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the County Road Administration Board intends to adopt, amend, or repeal rules concerning the administration of county constructed projects WAC 136-18-020, 136-18-030, 136-18-040, 136-18-050, 136-18-060 and 136-18-070;

that such agency will at 11:00 a.m., Friday, July 21, 1978, in the Inn at the Quay, Vancouver, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Friday, July 21, 1978, in the Inn at the Quay, Vancouver, WA.

The authority under which these rules are proposed is chapter 36.78 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 19, 1978, and/or orally at 11:00 a.m., Friday, July 21, 1978, Inn at the Quay, Vancouver, WA.

Dated: June 2, 1978

By: Ernest Geissler
Director

AMENDATORY SECTION (Amending Order 27, filed 1/27/76)

WAC 136-18-020 DEFINITIONS. For purposes of implementing the requirements of RCW, the following definitions shall apply.

(1) Construction - includes all ((activities)) work listed in the definitions in the BARS Manual under account numbers 541.30, 541.40, 541.50, 541.60, 541.70 and 541.80.

(2) Construction costs - the estimated or actual cost ((associated with completion of each of the activities)) of the work defined in subsection (1).

(3) Day labor - ((any construction activity performed)) the construction or improvement of any county road or portion thereof by a county road department by means other than by contract as specified in RCW 36.77.020 through 040.

(4) ((Project any combination of construction activities as defined herein whose completion will result in a facility capable of accommodating normal traffic.)) County road project - all activities as defined in the BARS Manual under account number 541.

(5) ((Staging the construction of a project by day labor by division thereof into units of work or classes of work.)) Construction project types - for purposes of this regulation, six such project types are defined as follows:

(1) Roadway prism and drainage - includes all work chargeable to BARS categories 541.30 (except surfacing of a higher type than gravel), 541.40 and 541.60 (except that work covered by Chapter 32, Laws of 77 ex.).

(2) Surfacing - includes all work chargeable to BARS category 541.33.

(3) Structures - includes all work chargeable to BARS category 541.50.

(4) Electrical - includes that work chargeable to BARS category 541.63 and 541.64 as covered by Chapter 32, Laws of 77 ex.

(5) Roadside - includes all work chargeable to BARS category 541.70.

(6) Ancillary - includes all work chargeable to BARS category 541.80.

(6) Staging - the construction of day labor project by subdivision of any of the project types, defined herein in subsection (5), into units of work or classes of work to circumvent the statutory day labor limit.

(7) Authorization date - the date of the commissioners' resolution authorizing the project.

(8) Start of construction – the date that construction in the field commences.

(9) End of construction – the date on which construction work is completed.

(10) Completion date – the date on which county road project is closed in the accounting records.

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

AMENDATORY SECTION (Amending Order 27, filed 1/27/76)

WAC 136-18-030 PROGRAMMING PROCEDURES. Every proposed ((construction)) county road project shall be a part of the county's annual construction program as defined in RCW 36.81.130 and WAC 136-16-020. Additions to the program, and/or substitutions in the program, may be made by unanimous action of the ((B)) board of ((E)) county ((E)) commissioners at any time as provided in RCW 36.81.130. No construction work shall be done on any project until it has been authorized by resolution of said ((B)) board. The resolution shall include (a) a brief description of the project, (b) a vicinity map showing the location of the project and its limits, provided that in lieu of the individual vicinity maps, a single vicinity map showing the location of all projects may be included with the resolution adopting the annual program, (c) identification of the project in terms of the officially adopted annual program, (d) an engineer's estimate of construction costs prepared pursuant to the completion of such preliminary engineering and construction plans as shall be necessary and sufficient.

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

AMENDATORY SECTION (Amending Order 27, filed 1/27/76)

WAC 136-18-040 LOCATION OF PROJECTS. ~~((Once a day labor project has been authorized by resolution of the Board of County Commissioners as herein provided no additional day labor project of a similar nature whose project limits fall within one mile of the original project and on the same road shall be authorized during the same calendar year, if the combined work would exceed the statutory limit.))~~ Once construction has started on a county road day labor project, construction shall not be started on an additional county road day labor project on the same road within one mile of the original project limits and within the succeeding 12 months; unless the additional project is not of the same type, or unless the total combined cost of any one type of construction does not exceed the statutory day labor limit.

AMENDATORY SECTION (Amending Order 27, filed 1/27/76)

WAC 136-18-050 CONSTRUCTION LIMITATIONS. Day labor county projects shall be limited to construction projects that can be completed ((and opened to traffic)) within 12 months of the date ((that they are initiated.)) of start of construction. Any construction work ((of a similar nature)) done within the projects limits during that period shall be considered as part of the day labor project and shall be charged accordingly. Staging of any work within the project limits to circumvent the day labor limitation shall be prohibited.

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

AMENDATORY SECTION (Amending Order 27, filed 1/27/76)

WAC 136-18-060 PROJECT RECORDS. All project cost records shall be kept in the manner prescribed by the BARS Manual. Records of quantities shall be kept in a manner consistent with original projects estimates. The project records shall contain, but shall not be limited to, the following: (a) date authorizing resolution, (b) vicinity map showing project location and limits, (c) engineer's estimate, (d) affidavit of pre-construction publication required by RCW 36.77.070, (e) documentation of start and end of construction dates, (f) affidavit of post-construction publication showing true and complete cost of construction.

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

AMENDATORY SECTION (Amending Order 27, filed 1/27/76)

WAC 136-18-070 RECORDS TO CRAB. Each county engineer shall submit to CRAB a copy of each resolution ((initiating)) authorizing a day labor ((construction)) county road project whose estimated construction cost exceeds 75 per cent of the day labor limit. Upon completion of each of these projects, or no later than March 1 of the succeeding year, the county engineer shall furnish to CRAB a copy of the record of ((actual)) true and complete construction costs. On any project where ((actual)) true and complete construction costs have exceeded the statutory day labor limit, the engineer shall also provide to CRAB an explanation of the circumstances resulting in such over-expenditure.

WSR 78-06-094 PROPOSED RULES COUNTY ROAD ADMINISTRATION BOARD [Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the County Road Administration Board intends to adopt, amend, or repeal rules concerning work performed for other public agencies by the county road department, amending WAC 136-32-030;

that such agency will at 10:30 a.m., Friday, July 21, 1978, in the Inn at the Quay, Vancouver, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:30 a.m., Friday, July 21, 1978, in the Inn at the Quay, Vancouver, WA.

The authority under which these rules are proposed is chapter 36.78 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 19, 1978, and/or orally at 10:30 a.m., Friday, July 21, 1978, Inn at the Quay, Vancouver, WA.

Dated: June 2, 1978

By: Ernest Geissler
Director

AMENDATORY SECTION (Amending Order #7, Filed 6/12/68)

WAC 136-32-030 PROCEDURE—INTERDEPARTMENTAL. ~~((Whenever a department of the county desires work to be performed by the county road department, the department must submit a written request to the county engineer, describing the work requested, financial considerations, and time for performance or completion. The county engineer shall examine the request and submit it to the board of county commissioners with his recommendations and comments. The board shall in writing either approve, modify or disapprove said request. All such work performed by the county road department for and on behalf of other departments of the county shall be on a reimbursable cost basis in accordance with terms set forth in the request and approved by the board.))~~ All work to be performed by the county road department for other departments of the county shall be done in accordance with the board of county commissioners' policy regarding approval of work for other public agencies and county departments as required under WAC 136-10-050(4).

WSR 78-06-095
PROPOSED RULES
COUNTY ROAD ADMINISTRATION BOARD
 [Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the County Road Administration Board intends to adopt, amend, or repeal rules concerning duties of the county road engineer, WAC 136-10-050(4);

that such agency will at 10:30 a.m., Friday, July 21, 1978, in the Inn at the Quay, Vancouver, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:30 a.m., Friday, July 21, 1978, in the Inn at the Quay, Vancouver, WA.

The authority under which these rules are proposed is chapter 36.78 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 19, 1978, and/or orally at 10:30 a.m., Friday, July 21, 1978, Inn at the Quay, Vancouver, WA.

Dated: June 2, 1978
 By: Ernest Geissler
 Director

AMENDATORY SECTION (Amending Order 14, filed 7/30/70)

WAC 136-10-050 WRITTEN POLICY. In order to implement the requirements of this Chapter, each Board of County Commissioners shall develop and by resolution adopt written policy covering any matters relating to road department operation as they may see fit. Certain specific matters enumerated herein must be covered by such policy, to wit:

(1) Policy Regarding Organization. A chart or pictorial representation showing in detail the interrelationship of all positions in the road department from the Board of County Commissioners down through all employees. The chart shall clearly show the complete line of command throughout the entire organization. Copies of such chart shall be prominently posted in the office of the county road engineer and road department shops in such a manner that it will be readily available to all road department employees and the general public.

(2) Policy Regarding Personnel Practices. A complete written statement of all policy relating to the personnel of the road department including but not limited to recruitment, appointment, promotion, dismissal, hours of work, overtime, annual leave, sick leave, military leave, holidays, classification, union relationship where applicable, and general work rules. Copies of such statement shall be prominently posted in the office of the county road engineer and road department shops in such a manner that it will be readily available to all road department employees and prospective employees.

(3) Policy Regarding Handling of Complaints. A written statement setting forth a method by which complaints from the general public related to any road department activity will be handled. The purpose is to assure that each county will have an orderly procedure to assure that citizen complaints receive prompt attention.

(4) Policy Regarding Approval of Work for Other Public Agencies((-)) and county departments. A written statement to supplement WAC 136-32 including but not limited to the following:

- (a) Statement of intent indicating whether or not the Board will accept requests for work for other public agencies or other county departments.
- (b) Statement indicating procedures to be followed in processing such requests in accordance with Statutes and WAC 136-32.
- (c) Statement indicating any delegation of authority in processing such requests.

WSR 78-06-096
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES

[Order 294, Resolution 239—Filed June 5, 1978]

Be it resolved by the Board of Natural Resources, Department of Natural Resources, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to temporary reduction of percentage deductions.

We, Board of Natural Resources, Department of Natural Resources, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that the observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is a temporary short term reduction of deduction percentage of timber sale receipts is necessary to facilitate flow of such receipts to the various trusts during the delay of sales of timber on state owned lands and to reduce an unappropriated short term surplus balance in the resource management cost account and such action is necessary during the peak removal period occurring at this time.

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

This rule is promulgated pursuant to RCW 79.64.040 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 1, 1978.

By Bert L. Cole
 Commissioner of Public Lands

NEW SECTION

WAC 332-100-040 TEMPORARY REDUCTION OF DEDUCTION PERCENTAGE OF TIMBER SALES RECEIPTS. The board finds that a fluctuating timber market situation has caused a temporary surplus of funds in excess of the amounts currently needed by the department for managing trust lands and that a temporary cessation of deductions will provide relief to the various trusts that may be affected by actions necessitated by various existing court proceedings. Therefore, for a period of 90 days from the effective date of this regulation, the deductions from timber sales receipts authorized by RCW 79.64.040 shall be temporarily halted and shall be at 0%, except for timber sale receipts from CEP and RI lands.

WSR 78-06-097
ADOPTED RULES
STATE BOARD OF EDUCATION
[Order 3-78—Filed June 5, 1978]

Be it resolved by the State Board of Education, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to chapter 180-16 WAC, state support of public schools, educational program standards that each public school district must comply with as a condition to the receipt of state funds for maintenance and operation.

This action is taken pursuant to Notice No. WSR 78-04-083 filed with the code reviser on 4/4/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.41.130 and 28A.58.754 and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 12, 1978.

By Wm. Ray Broadhead
Secretary

AMENDATORY SECTION (Amending Order 4-72, filed 8/29/72)

WAC 180-16-167 KINDERGARTEN OPERATION ON NINETY FULL-DAY SCHOOL YEAR BASIS—APPROVAL PROVISIONS. Pursuant to authority under RCW 28A.41.130 as amended by section 2, chapter 105, Laws of 1972((~~1st~~)) ex. sess., and RCW 28A.58.180 as amended by section 3, chapter 105, Laws of 1972((~~1st~~)) ex. sess., approval of proposals for the operation of a kindergarten program on a ninety full-day school year basis in lieu of a one hundred eighty half-day basis shall be subject to compliance with the provisions hereinafter set forth.

(1) Evidence of need. A proposal which furnishes evidence of need for a ninety full-day kindergarten on the basis of one of the following conditions, or any combination thereof, shall be considered for approval:

- (a) Transportation limitations.
- (b) Physical facilities limitations.
- (c) Climatic conditions.

(d) Educational needs: PROVIDED, That when a district's proposal provides adequate documentation that a ninety full-day kindergarten program would be more conducive to the educational development of its kindergarten-age children than would be a one hundred eighty half-day program, such proposal shall be considered for approval in the absence of any specific transportation, physical, climatic or other limitation.

(2) School year schedule. The ninety full-day kindergarten program may be scheduled for consecutive or nonconsecutive school days or any variation thereof totaling at least ninety school days as determined by the school district and approved by the superintendent of

public instruction: PROVIDED, That in no event shall a proposal for a kindergarten program be approved which provides for a school year shorter than that prescribed ((in WAC 180-16-165(1)(a))) by law or which denies any pupil an equal opportunity for in-class experience.

(3) Applicable rules. A proposal for operation of a ninety full-day kindergarten program shall indicate compliance with pertinent statutory provisions and rules and regulations governing ((minimum approval requirements for purposes of apportionment)) a school district's entitlement to basic education allocation funds as set forth in WAC ((180-16-165)) 180-16-191 through 180-16-235.

(4) Proposal for establishment of program—Approval procedure. (a) The board of directors of a school district desiring to establish and operate a ninety full-day kindergarten program shall submit a proposal therefor to the superintendent of public instruction. The proposal shall state such information as may be necessary to a determination of eligibility for approval in accordance with the rules and regulations hereinbefore set forth and in accordance with guidelines to be established by the superintendent of public instruction.

(b) The superintendent of public instruction shall evaluate all proposals and submit his findings and recommendations to the state board of education for initial approval. The superintendent of public instruction is authorized hereby to act for the state board in the matter of continued approval based on evidence of compliance with the rules and regulations hereinbefore set forth.

(c) Such forms as may be necessary for the administration of these provisions shall be provided by the superintendent of public instruction.

((5) Effective date. The provisions of WAC 180-16-167 shall become effective July 1, 1973.))

NEW SECTION

WAC 180-16-191 PURPOSE—PROGRAMS SUBJECT TO BASIC EDUCATION ALLOCATION ENTITLEMENT REQUIREMENTS. (1) Purpose. The purpose of WAC 180-16-191 through 180-16-235 is to implement those portions of RCW 28A.41.130 and 28A.58.754 that authorize and require the adoption of program standards that govern a school district's entitlement to state basic education allocation funds pursuant to RCW 28A.41.130 and related statutes and appropriation acts. As used hereafter, "basic education allocation entitlement requirements" and "entitlement requirements" mean WAC 180-16-191 through 180-16-235.

(2) Programs subject to entitlement requirements. The requirements, procedures and other provisions set forth in these basic education allocation entitlement requirements shall apply to kindergarten programs and to such portion of the grade one through twelve program as a school district conducts: PROVIDED, That preschool programs, special education programs for students with handicapping conditions, programs for residents of the state institutions for the delinquent or handicapped, vocational-technical institute programs and postsecondary programs that a school district may conduct are not subject to or governed by these entitlement requirements.

Personnel, student, program and other data regarding preschool, special education, state institution, vocational-technical institute and postsecondary programs shall not be reported or used in determining compliance with these entitlement requirements except as expressly required by a particular provision.

See chapter 392-171 WAC for school district special education program and excess cost funding requirements and chapter 392-173 WAC for residential school special education program and funding requirements.

NEW SECTION

WAC 180-16-195 ANNUAL REPORTING AND REVIEW PROCESS. (1) Annual district reports. A review of each school district's kindergarten through twelfth grade program shall be conducted annually for the purpose of determining compliance or noncompliance with these basic education allocation entitlement requirements. On or before the third Monday in October of each school year each school district superintendent shall complete and return the program data report form(s) now and hereafter prepared and distributed by the superintendent of public instruction. Such forms shall be designed to elicit data necessary to a determination of a school district's compliance or noncompliance with these entitlement requirements. Data reported on any such form(s) by a school district shall accurately represent the actual status of the school district's program as of the first school day in October of the current school year.

(2) State staff review. State staff shall review each school district's program data report and such supplemental state reports as staff deems necessary, and prepare recommendations and supporting reports for presentation to the state board of education: PROVIDED, That if a school district's initial program data report and any other state reports considered do not establish compliance with these basic education allocation entitlement requirements, the district shall be provided the opportunity to explain the deficiency and provide supplemental data. School districts which foresee that they will not be able to comply with these entitlement requirements or that are deemed by state staff to be in noncompliance may petition for a waiver on the basis of the limited grounds set forth in WAC 180-16-225.

(3) Annual certification of compliance or noncompliance—Withholding of funds for noncompliance.

(a) At the annual March meeting of the state board of education, or at such other meeting as the board shall designate, the board shall certify each school district as being in compliance or noncompliance with these basic education allocation entitlement requirements.

(b) A certification of compliance shall be effective for the then current school year subject to any subsequent ad hoc review and determination of noncompliance as may be deemed necessary or advisable by the state board of education or the superintendent of public instruction. In addition, a certification of compliance shall be effective tentatively for the succeeding school year until such time as the state board takes its annual action

certifying compliance and noncompliance with these entitlement requirements.

(c) A certification of noncompliance shall be effective until program compliance is assured by the school district to the satisfaction of the superintendent of public instruction, subject to review by the state board. Basic education allocation funds in an amount(s) established by the state board shall be withheld from a school district that has been certified as being in noncompliance until such assurance is provided and accepted.

NEW SECTION

WAC 180-16-200 TOTAL PROGRAM HOUR OFFERING—BASIC SKILLS AND WORK SKILLS REQUIREMENTS. (1) Total program hour offering—Definition.

(a) Each school district shall make available to students enrolled at least a total program hour offering as set forth in subsections (2) through (6) of this section. For the purpose of this section, "total program hour offering" shall mean those hours of sixty minutes each, inclusive of intermissions for class changes and recess and exclusive of intermissions for meals, when students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district.

(b) Frequency and extent of basic skills and work skills offerings. A school district has "provided the opportunity to engage in" the basic skills and work skills activities required by this section when the district actually conducts such activities for students. Each of the basic skills areas specified in subsections (2) through (6) of this section for a particular grade level grouping must be offered each school year to students at one or more of the grade levels within the particular grade level grouping. See WAC 180-16-230 for the definitions of the various basic skills areas. At least one of the work skills defined in WAC 180-16-235 must be offered each school year to students at one or more of the grade levels within each of the grade level groupings specified in subsections (4) through (6) of this section.

(2) Kindergarten. Each school district shall make available to students in kindergarten at least a total program offering of four hundred fifty hours each school year. The program shall include reading, arithmetic, language skills and such other subjects and activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program.

(3) Grades 1 through 3. Each school district shall make available to students in grades one through three at least a total program hour offering of two thousand seven hundred hours each school year. A minimum of ninety-five percent of the total program hour offerings shall be in the basic skills areas of reading/language arts, mathematics, social studies, science, music, art, health and physical education. The remaining five percent of the total program hour offerings may include foreign languages, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(4) Grades 4 through 6. Each school district shall make available to students in grades four through six at least a total program offering of two thousand nine hundred seventy hours each school year. A minimum of ninety percent of the total program hour offerings shall be in the basic skills areas of reading/language arts, mathematics, social studies, science, music, art, health and physical education. A minimum of five percent of the total program hour offerings shall be in the area of work skills. The remaining five percent of the total program hour offerings may include foreign languages, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(5) Grades 7 through 8. Each school district shall make available to students in grades seven through eight at least a total program hour offering of one thousand nine hundred eighty hours each school year. A minimum of eighty-five percent of the total program hour offerings shall be in the basic skills areas of reading/language arts, mathematics, social studies, science, music, art, health and physical education. A minimum of ten percent of the total program offerings shall be in the area of work skills. The remaining five percent of the total program hour offerings may include foreign language, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades.

(6) Grades 9 through 12. Each school district shall make available to students in grades nine through twelve at least a total program hour offering of four thousand three hundred twenty hours each school year. A minimum of sixty percent of the total program hour offerings shall be in the basic skills areas of language arts, mathematics, social studies, science, music, art, health and physical education. A minimum of twenty percent of the total program hour offerings shall be in the area of work skills. The remaining twenty percent of the total program hour offerings may include traffic safety, foreign language, or such subjects and activities as the school district shall determine to be appropriate for the education of the school district's students in such grades, with not less than one-half thereof in basic skills and/or work skills.

(7) Computation of required percentages of basic skills and work skills offerings.

(a) K through eight. The percentages of basic skills and work skills offerings required within the various grade level groupings from kindergarten through grade eight shall be computed and based upon a school district's total program hour offering within each particular grade level grouping.

(b) Nine through twelve. The percentage of basic skills and work skills offerings required within the nine through twelve grade level grouping shall be computed and based upon a school district's total number of teaching assignments within such grade level grouping.

(8) Reconsideration of initial program data report. If the initial program data report and other state reports submitted by a school district establish that the district is not actually conducting the percentage(s) of basic skills and/or work skills required by this section, the

state staff shall provide the district the opportunity to establish that the district is, nevertheless, in compliance with the requirements of this section by virtue of one or more of the following or other pertinent considerations:

(a) The district made a reasonable and good faith effort to provide students the opportunity to take the section(s) or course(s) necessary to comply with the basic skills and/or work skills requirements of this section, including having extended the enrollment period through at least the first school day of the term, but no student enrolled, or

(b) The district is conducting a total program hour offering that exceeds the minimum required by this section and the percentage figure(s) used to determine compliance should, accordingly, be adjusted downward for computation purposes: PROVIDED, That, the district does comply with minimum percentage requirements for the required number of total program hour offerings. The school district may offer whatever additional courses and program hour offerings it shall determine to be appropriate for the education of the school district's students.

NEW SECTION

WAC 180-16-205 CLASSROOM TEACHER CONTACT HOURS REQUIREMENT. (1) Contact hours requirement—Definition. The average annual direct classroom contact hours for each average annual full-time equivalent certificated classroom teacher employed by a school district shall be no less than twenty-five hours per week. For the purpose of this section "classroom contact hours" shall mean those hours a certificated classroom teacher is instructing students in a classroom, exclusive of such time as the teacher spends for preparation, parent/teacher and other conferences, administrative duties, and any other nonclassroom instruction duties.

(2) Classroom—Definition. For the purpose of this section, "classroom" shall mean those areas or spaces within or without a building, on or off a school campus, that are utilized by a certificated classroom teacher and his/her students for the conduct of planned instructional activities.

(3) Computation of FTE teachers. For the purpose of this section the "average annual full-time equivalent classroom teachers" of a school district shall be the sum of full-time and part-time teachers computed as follows:

(a) Full-time teachers. Each employee who is employed full-time for the regular instructional year exclusive of summer school, and who is assigned solely classroom instructional and related duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract shall be counted as one full-time equivalent classroom teacher regardless of his/her actual teaching load. No such employee shall be counted as more than one full-time equivalent classroom teacher: PROVIDED, That in the case of full-time employees of a school district that conducts a year round regular school program who are employed for a term in excess of the equivalent of the regular instructional year for individual students, such excess term of employment may

be counted as a portion of an additional full-time equivalent classroom teacher.

(b) Part-time teachers. Each part-time employee who is assigned classroom instructional duties solely or in part, and each full-time employee who is assigned both classroom instructional duties and nonclassroom related duties (e.g., administrative duties, extracurricular instructional or supervisory duties, etc.) pursuant to his/her basic contract, shall be counted as a fractional full-time equivalent classroom teacher based upon the percentage of time he or she performs duties equivalent to the duties performed by a full-time employee who is assigned solely classroom instructional duties and related duties (e.g., planning periods, parent/teacher conferences, before and after school supervision of students, etc.) pursuant to his/her basic contract.

(4) Computation of annual average direct classroom contact hour requirement. The number of average annual full-time equivalent classroom teachers employed by a school district and computed pursuant to subsection (3) of this section shall be divided into the sum of:

(a) The total number of hours (60 minutes each) within the regular instructional school year that such average annual full-time equivalent classroom teachers are scheduled to be in contact with and instructing students in a classroom divided by the quotient obtained by dividing the number of school days in the regular instructional year by five, plus

(b) Up to two hundred minutes as determined by the school district board of directors per average annual full-time equivalent classroom teacher for every five school days scheduled for the regular instructional school year. Up to two hundred minutes per week per average annual full-time equivalent classroom teacher is provided in order to reasonably account for informal, unstructured, instruction related contact with students.

The quotient shall not be less than twenty-five (hours).

NEW SECTION

WAC 180-16-210 KINDERGARTEN THROUGH GRADE THREE STUDENTS TO CLASSROOM TEACHER RATIO REQUIREMENT. The ratio of students enrolled in a school district in kindergarten through grade three to kindergarten through grade three classroom teachers shall not be greater than the ratio of students to classroom teachers in grades four through twelve. For the purpose of this section "classroom teacher" shall mean any instructional employee who possesses at least a provisional certificate or an equivalent permit issued by the superintendent of public instruction, but not necessarily employed as a certificated employee, whose "primary" duty is the daily educational instruction of students. The term includes certificated teacher aides as well as teachers.

(1) Computation of ratios. Student to classroom teacher ratios shall be computed as follows:

(a) .5 kindergarten October 1 enrollment + October 1 enrollment grades 1-3 divided by (÷) FTE certificated employees whose "primary" duty is the daily instruction of pupils in grades K through 3.

(b) October 1 enrollment in grades 4 and above divided by (÷) FTE certificated employees whose "primary" duty is the daily instruction of pupils in grades 4 and above.

(c) For the purpose of this section exclude that portion of the time teachers and students participate in vocationally approved programs, traffic safety and special education programs from the above computations (i.e., programs hereby deemed to be "special programs").

(d) Include in the above computations only the time certificated employees are actually instructing students on a regularly scheduled basis. Exclude preparation and planning times from the above computation.

(2) Exemptions. School districts that have a ratio of kindergarten through grade three students to classroom teachers of twenty-five to one or less, nonhigh school districts, and school districts that have a student enrollment of two hundred fifty or less in grade nine through twelve are exempt from the students to classroom teachers ratio requirement of this subsection.

NEW SECTION

WAC 180-16-215 MINIMUM ONE HUNDRED EIGHTY SCHOOL DAY YEAR. Each school district shall conduct no less than a one hundred eighty school day program each school year which shall be accessible to all legally eligible students, including handicapped students, who are five years of age and under twenty-one years of age who have not completed high school graduation requirements.

NEW SECTION

WAC 180-16-220 SUPPLEMENTAL PROGRAM AND BASIC EDUCATION ALLOCATION ENTITLEMENT REQUIREMENTS. The following requirements, while not imposed by the "Basic Education Act of 1977," are hereby established by the state board of education as supplemental conditions to a school district's entitlement to state basic education allocation funds.

(1) Student to certificated staff ratio requirement. The ratio of students enrolled in a school district, including special education students, to full-time equivalent certificated employees, including special education program employees, shall not exceed thirty to one. For the purpose of this subsection, "certificated employees" shall mean those employees who are required by state statute or by rule of the state board of education, or by written policy of the school district to possess a professional education permit, certificate or credential issued by the superintendent of public instruction, as a condition to employment.

(2) Current and valid certificates. Every school district employee, including special education program employees, required by state statute and/or rule of the state board of education to possess a professional education permit, certificate, or credential issued by the superintendent of public instruction for his/her position of employment, shall have a current and valid permit, certificate or credential.

(3) Participation in accreditation. Each school district shall participate in an accreditation process in accordance with the provisions of RCW 28A.04.120(4) and chapter 180-56 WAC, each as now or hereafter amended.

(4) Student learning objectives. Each school district shall have implemented a program of student learning objectives in the areas of language arts, reading and mathematics on or before September 1, 1978, for grades kindergarten through eight and on or before September 1, 1981, for grades nine through twelve.

(a) Each school district must evidence community participation in defining the student learning objectives of such a program.

(b) The student learning objectives of such program shall be measurable as to the actual student attainment. Student attainment shall be locally assessed annually.

(c) The student learning objectives program shall be reviewed at least every two years by the school district.

NEW SECTION

WAC 180-16-225 WAIVER—GROUNDS AND PROCEDURE. (1) Grounds. The state board of education may waive one or more of the basic education allocation entitlement requirements set forth in WAC 180-16-200 through 180-16-215 only if a school district's failure to comply with such requirement(s) is found by the state board to be caused by levy failure and/or substantial lack of classroom space as set forth below:

(a) Levy failure. For the school years 1978-79 through 1980-81 the state board may waive the requirements of WAC 180-16-200 through 180-16-215 if the board finds that the noncompliance has been caused by special levy failure. As a condition to a waiver based on levy failure the state board will consider and a school district must demonstrate at least the following:

(i) That the district made reasonable efforts to submit a levy proposition to the voters twice during the levy year in an amount sufficient to enable it to meet these entitlement requirements, and

(ii) That the district's failure to comply with these entitlement requirements was caused by the lack of the revenue that would have been received from the levy. Noncompliance may be deemed to have been caused by a levy loss if the school district can demonstrate that all funds that it reasonably has available to support basic education are not sufficient to enable it to meet the referenced entitlement requirements.

(b) Substantial lack of classroom space. The state board may waive the requirements of WAC 180-16-200 through 180-16-215 if the board finds that the noncompliance has been caused by a substantial lack of classroom space. As a condition to a waiver based on substantial lack of classroom space the state board will consider and a school district must demonstrate at least that the facilities of the school district do not contain enough classroom space or other space that can reasonably be converted into classroom space, and that necessary classroom space may not reasonably be acquired by lease or rental, to enable the district to comply with the referenced entitlement requirements.

(2) Waiver procedure. In order to secure a waiver pursuant to subsection (1) of this section a school district must submit a petition together with a detailed explanation and documentation in support of its request not later than thirty days prior to either:

(a) The state board of education meeting immediately preceding commencement of the school year; or

(b) The March (or such other meeting as the state board shall have established) meeting of the board at which the board will consider certifications of compliance and noncompliance with these entitlement requirements.

A school district that can reasonably foresee an inability to comply with entitlement requirements by reason of levy loss or substantial lack of classroom space should petition for a waiver as early as the state board meeting immediately preceding commencement of the school year in order to allow for the possibility that the request may be denied.

(3) Nonwaiverable requirements. The certification and the student learning objectives requirements set forth in WAC 180-16-220(2) and (4) may not be waived for any reason.

(4) Deviations from certain supplemental requirements. The state board may allow deviations from the thirty to one ratio and the participation in accreditation requirements set forth in WAC 180-16-220 (1) and (3) for such reason(s) as the board deems reasonable.

NEW SECTION

WAC 180-16-230 DEFINITIONS—BASIC SKILLS AREAS. As used in these basic education allocation entitlement requirements the subjects comprising the "basic skills areas" shall be defined as follows:

(1) "Art" shall mean the organized body of subject matter or related courses involving primarily visual, tactile and kinesthetic expression. Included in instruction are the two-dimensional and three-dimensional forms and other spatial concepts including the esthetic and creative factors of visual forms.

(2) "Arithmetic"—See the definition of "mathematics," below.

(3) "Health education" shall mean the body of related subject matter, or the body of related courses, organized for carrying on learning experiences concerned with developing and understanding the promotion of a healthful lifestyle for each individual. It may be organized into four main categories: Physical health, mental health, community/environmental health, and safety.

(4) "Language arts" shall mean the body of related subject matter, or the body of related courses, organized for carrying on learning experiences concerned with developing and understanding of the language system; proficiency and control in the use of the English language; and, an understanding and appreciation of various aspects of past and present cultures as expressed in literature.

(5) "Language skills" shall mean subject matter and experiences designed to develop competency in the use of language with emphasis on communication skills; e.g., speaking, listening, reading, and writing.

(6) "Mathematics," is the study of the interrelationships of numbers, space and measurement; of systems of logic and proof; of the science of prediction and decision making.

(7) "Music" shall mean the fine art that utilizes sounds in time in a meaningful and organized manner. Subject matter and activities in music are designed to impart the skills and knowledge necessary for the understanding, appreciation, creation, performance, and enjoyment of music.

(8) "Physical education" shall mean the body of related subject matter and activities in physical education and recreation, organized for carrying on learning experiences concerned with developing knowledge, attitudes, appreciations and conduct through physical and mental growth and fitness.

(9) "Reading" shall mean instruction designed to develop the skills necessary to perceive and react to patterns of written symbols and translate them into meaning.

(10) "Science" shall mean the body of related subject matter or the body of related courses organized for carrying on learning experiences concerned with knowledge of the physical and biological world and of the processes of discovering and validating this knowledge.

(11) "Social studies" shall mean interrelated subject matter, such as the study of history, geography, economics, sociology and political science. Whether integrated or not, social studies instruction is organized to impart knowledge, develop skills and identify goals concerning elements and institutions of human society.

NEW SECTION

WAC 180-16-235 DEFINITIONS—WORK SKILLS. As used in these basic education allocation entitlement requirements the subjects comprising the "area of work skills" shall be defined as follows:

(1) "Agricultural education" shall mean a group of related courses or units of subject matter which is organized for carrying on learning experiences concerned with preparation for or upgrading in occupations requiring knowledge and skills in agricultural subjects. The functions of agricultural production, agricultural mechanization, agricultural products (processing), ornamental horticulture, forestry, agricultural resources and the services related thereto, are emphasized in the instruction designed to provide opportunities for students to prepare for or improve their competencies in agricultural occupations. An agricultural occupation may include one or any combination of these functions.

(2) "Business and office education" shall mean the body of subject matter, or combination of courses and practical experience that is organized into programs of instruction to provide opportunities for students to prepare for or advance in selected office occupations. In the instructional process various aspects of subject matter frequently are drawn from other subject-matter areas. Learning experiences are designed to lead to employment and/or advancement of individuals in occupations in public or private enterprises or organizations related to the facilitation function of the office.

(3) "Career education" shall mean those learning experiences based on identifiable learning objectives and time allotments which may be infused into basic skills and work skills programs, and may include career awareness, career orientation and career exploration.

(4) "Career orientation" shall mean learning experiences that emphasize the wide range of occupations available, worker characteristics, educational and training requirements and relevancy of school subjects to the occupational areas and that also stress self-evaluation of interests, aptitudes and abilities and their application to various life styles.

(5) "Distributive education" shall mean various combinations of subject matter and learning experiences related to the performance of activities that direct the flow of goods and services, including their appropriate utilization, from the producer to the consumer or user. These programs are designed to prepare individuals to enter or progress or improve competencies in distributive occupations. These activities include selling and such sales-supporting functions as buying, transporting, storing, promoting, financing, marketing research and management.

(6) "Health occupations education" shall mean the body of related subject matter, or the body of related courses and planned experiences designed to impart knowledge and develop understanding and skills required to support the health professions. Instruction is organized to prepare and/or upgrade students for occupational objectives concerned with assisting qualified personnel in providing diagnostic, therapeutic, preventive, restoration, and rehabilitative services to people, including understanding and skills essential to provide care and health services to patients.

(7) "Home and family life education" shall mean the group of related courses or units of instruction organized for purposes of enabling students to acquire knowledge and develop understanding, attitudes and skills relevant to personal, home and family life, and occupational preparation using the knowledge and skills of home economics. The subject matter includes, in addition to that which is unique to the area, concepts drawn from the natural and social sciences and the humanities.

(8) "Industrial art" shall mean general education centered around the industrial and technical aspects of current living, offering orientation in and appreciation for production, consumption, and recreation through actual experiences with materials and goods and also providing exploratory experiences which are helpful in the choice of a vocation.

(9) "Technical education" shall mean that body of knowledge organized in a planned sequence of classroom and laboratory experiences to prepare students for a cluster of job opportunities in a specialized field of technology or to upgrade currently employed individuals. The program of instruction normally includes the study of the underlying sciences and supporting mathematics inherent in a technology, as well as methods, skills, materials and processes commonly used and services performed in the technology. A planned sequence of study and extensive knowledge in a field of specialization are required in technical education, including competency in

the basic communication skills and related general education. Technical education prepares for the occupational area between the skilled craftsman and the professional person.

(10) "Trade and industrial education" shall mean the branch of vocational education which is concerned with preparing persons for initial employment, or for upgrading or retraining workers in a wide range of trade and industrial occupations. Such occupations are skilled or semiskilled and are concerned with layout designing, producing, processing, assembling, testing, maintaining, servicing or repairing any product or commodity. Instruction is provided:

(a) In basic manipulative skills, safety judgment and related occupational information in mathematics, drafting and science required to perform successfully in the occupation; and

(b) Through a combination of shop or laboratory experiences simulating those found in industry and classroom learning. Included is instruction for apprentices in apprenticeable occupations or for journeymen already engaged in a trade or industrial occupation. Also included is training for services and certain semiprofessional occupations considered to be trade and industrial in nature.

(11) "Vocational education" shall mean a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations, homemaking, home and family life program, and volunteer fire fighting training, which are not designated as professional or requiring a baccalaureate or higher degree.

NEW SECTION

WAC 180-16-240 SUPPLEMENTAL PROGRAM STANDARDS. (1) Each school district superintendent shall file each year a statement of district standing relative to these standards noting any deviations. Such statement shall be submitted at the same time as the annual basic education allocation entitlement program data report(s) required by WAC 180-16-195 is submitted. Deviation from these standards shall not result in withholding of any or all of a district's basic education allocation funds, however. The deviations shall be made available to the public separately or as a portion of the annual district guide pursuant to RCW 28A.58.758(3).

(2) Supplemental program standards are as follows:

(a) Appropriate measures are taken to safeguard all student and school district permanent records against loss or damage. See, e.g., RCW 40.14.070 regarding the preservation and destruction of local government agency records.

(b) Provision is made for the supervision of instructional practices and procedures.

(c) Current basic instructional materials are available for required courses of study.

(d) A program of guidance, counseling and testing services is maintained for students in all grades offered by that school district.

(e) A learning resources program is maintained pursuant to chapter 180-46 WAC and WAC 392-190-055, each as now or hereafter amended.

(f) The physical facilities of each district are adequate and appropriate for the educational program offered.

(g) There is adequate provision for the health and safety of all pupils within the custody of the school district. See, e.g., RCW 28A.04.120(11) regarding emergency exit instruction and drills and the rules or guidelines implementing the statute; the building code requirements of chapter 19.27 RCW and local building and fire code requirements; chapter 70.100 RCW regarding eye protection and the rules or guidelines implementing the chapter; RCW 28A.31.010 regarding contagious diseases and the rules, chapters 248-100 and 248-101 WAC, implementing the statute; RCW 43.20-.050 regarding environmental conditions in schools and the rules, chapter 248-64 WAC, implementing the statute; and local health codes.

(h) A current policy statement pertaining to the administration and operation of the school district is available in each district's administrative office.

(i) Chapters 49.60 and 28A.85 RCW are complied with. These statutes prohibit unequal treatment of students on the basis of race, sex, creed, color, and national origin in activities supported by common schools.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-16-165 MINIMUM APPROVAL REQUIREMENTS FOR PURPOSES OF APPORTIONMENT.

WSR 78-06-098

PROPOSED RULES

ENERGY FACILITY SITE EVALUATION COUNCIL

[Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 80.50 RCW, that the Energy Facility Site Evaluation Council intends to adopt, amend, or repeal rules concerning description of organization, WAC 463-06-020;

that such agency will at 1:30 p.m., Monday, July 24, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Monday, August 14, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

The authority under which these rules are proposed is chapter 80.50 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 14, 1978, and/or orally at 1:30

p.m., Monday, July 24, 1978, Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

Dated: June 5, 1978

By: William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 103, filed 11/4/76)

WAC 463-06-020 DESCRIPTION OF ORGANIZATION. (1) The voting membership of the council consists of the authorized representatives of the member agencies listed in RCW 80.50.030. In addition, a voting county representative, a voting city representative, and a nonvoting port district representative may sit with the council under the circumstances described in RCW 80.50.030.

(2) The chairman of the council is the ~~((director of the state energy office, or such deputy or assistant director as the director has designated. The chairman is nonvoting))~~ person appointed by the governor with the advice and consent of the senate to a term coextensive with that of the governor pursuant to RCW 80.50.030. The chairman serves full time, has a vote on all matters before the council and is officed at the council office. The chairman may appoint a confidential secretary to the chairman.

(3) The council has an executive secretary ~~((The Executive Secretary and))~~ who is appointed by and serves at the pleasure of the council. The executive secretary is responsible for the appointment and supervision of council staff. All members of the council staff are officed at the council office.

WSR 78-06-099

PROPOSED RULES

ENERGY FACILITY SITE EVALUATION COUNCIL

[Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 80.50 RCW, that the Energy Facility Site Evaluation Council intends to adopt, amend, or repeal rules concerning WAC 463-14-040 county, city and port district representatives—Segmentation of hearings and issues, amending WAC 463-14-040;

that such agency will at 1:30 p.m., Monday, July 24, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Monday, August 14, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

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Dated: June 5, 1978

By: William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 104, filed 11/4/76)

WAC 463-14-040 COUNTY, CITY AND PORT DISTRICT REPRESENTATIVES—SEGMENTATION OF HEARINGS AND ISSUES. RCW 80.50.030(4) ~~((and)), (5) and (6)~~ necessitate

segmentation of hearings and issues in instances where proposed energy facilities would extend beyond the boundaries of a single county, city and/or port district.

WSR 78-06-100

PROPOSED RULES

ENERGY FACILITY SITE EVALUATION COUNCIL

[Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 80.50 RCW, that the Energy Facility Site Evaluation Council intends to adopt, amend, or repeal rules concerning:

WAC 463-18-060 Procedure in the absence of the chairman.

WAC 463-18-070 Council duties of acting chairman.

WAC 463-18-080 County, city and port district representatives—Participation;

that such agency will at 1:30 p.m., Monday, July 24, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Monday, August 14, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

The authority under which these rules are proposed is chapter 80.50 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 14, 1978, and/or orally at 1:30 p.m., Monday, July 24, 1978, Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

Dated: June 5, 1978

By: William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-060 PROCEDURE IN THE ABSENCE OF THE CHAIRMAN. ~~((In the event that the chairman is absent from any regular or special meeting, the executive secretary to the Council is to commence the meeting for the purpose of selecting a temporary chairman from among those Council members present.))~~ Pursuant to RCW 80.50.030 the chairman may designate a member of the council to serve as acting chairman in the event of the chairman's absence.

AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-070 COUNCIL DUTIES OF ((TEMPORARY)) ACTING CHAIRMAN. Any council member ~~((selected))~~ designated by the council chairman as ~~((temporary))~~ acting chairman shall remain entitled to vote on any proposed council action and shall continue to fulfill his responsibilities to the agency which he represents.

AMENDATORY SECTION (Amending Order 105, filed 11/4/76)

WAC 463-18-080 COUNTY, CITY AND PORT DISTRICT REPRESENTATIVES—PARTICIPATION. To the extent that council action ~~((s deal with))~~ involves site certification matters relating to ~~((specific counties))~~ any county, city or port district or any combination thereof in which an energy facility is sought to be located, they shall be separated and divided to allow individual county, city and/or port representatives to participate in discussion ~~((and vote only with regard to matters specifically affecting the concerned county));~~ however, voting on issues shall be as permitted by WAC 463-06-020.

WSR 78-06-101
PROPOSED RULES
ENERGY FACILITY SITE EVALUATION COUNCIL
 [Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 80.50 RCW, that the Energy Facility Site Evaluation Council intends to adopt, amend, or repeal rules concerning notification of local authorities, amending WAC 463-22-060;

that such agency will at 1:30 p.m., Monday, July 24, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Monday, August 14, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

The authority under which these rules are proposed is chapter 80.50 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 14, 1978, and/or orally at 1:30 p.m., Monday, July 24, 1978, Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

Dated: June 5, 1978
 By: William L. Fitch
 Executive Secretary

AMENDATORY SECTION (Amending Order 106, filed 11/4/76)

WAC 463-22-060 NOTIFICATION OF LOCAL AUTHORITIES. Upon receipt of a request for study of a potential site, the council will give notice to the ~~((county))~~ legislative authority in each ~~county ((which would be directly affected by location of the proposed energy facility at the potential site)),~~ city and port district within whose boundaries the site of the proposed energy facility is located.

WSR 78-06-102
PROPOSED RULES
ENERGY FACILITY SITE EVALUATION COUNCIL
 [Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 80.50 RCW, that the Energy Facility Site Evaluation Council, intends to adopt, amend, or repeal rules concerning:

WAC 463-26-020 Notification of local authorities.

WAC 463-26-050 Purpose for hearing;

that such agency will at 1:30 p.m., Monday, July 24, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Monday, August 14, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

The authority under which these rules are proposed is chapter 80.50 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this

agency prior to July 14, 1978, and/or orally at 1:30 p.m., Monday, July 24, 1978, Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

Dated: June 5, 1978
 By: William L. Fitch
 Executive Secretary

Chapter 463-26 WAC
PROCEDURE—INITIAL PUBLIC HEARING (~~((NON-CONTESTED))~~) AND PUBLIC INFORMATION MEETING

AMENDATORY SECTION (Amending Order 109, filed 11/16/76)

WAC 463-26-020 NOTIFICATION OF ~~((COUNTY LEGISLATIVE AND PORT DISTRICT))~~ LOCAL AUTHORITIES. Before scheduling the initial public hearing, the council will notify the legislative ~~((and port district authorities))~~ authority in each ~~((concerned))~~ county ~~((so that the county)),~~ city and port district ~~((representatives may be identified pursuant to RCW 80.50.030(4) and (5))~~ within whose boundaries the site of the proposed energy facility is located.

AMENDATORY SECTION (Amending Order 109, filed 11/16/76)

WAC 463-26-050 ((PRIMARY)) PURPOSE FOR HEARING. At the commencement of the initial public hearing, the council shall explain that the ~~((primary statutory))~~ purpose of the initial hearing under RCW 80.50.090(1) is to determine whether the proposed facility is consistent and in compliance with county or regional land use plans or zoning ordinances and that this matter shall have priority. Pursuant to RCW 80.50.020(15) "land use plan" means a comprehensive plan or land use element thereof adopted by a unit of local government under chapters 35.63, 35A.63, or 36.70 RCW. Pursuant to RCW 80.50.020(16) "zoning ordinance" means an ordinance of local government regulating the use of land and adopted pursuant to chapters 35.63, 35A.63, or 36.70 RCW or Article XI of the state Constitution.

WSR 78-06-103
PROPOSED RULES
ENERGY FACILITY SITE EVALUATION COUNCIL
 [Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 80.50 RCW, that the Energy Facility Site Evaluation Council intends to adopt, amend, or repeal rules concerning participation by county representatives, amending WAC 463-30-420;

that such agency will at 1:30 p.m., Monday, July 24, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Monday, August 14, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

The authority under which these rules are proposed is chapter 80.50 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 14, 1978, and/or orally at 1:30 p.m., Monday, July 24, 1978, Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

Dated: June 5, 1978
 By: William L. Fitch
 Executive Secretary

AMENDATORY SECTION (Amending Order 109, filed 11/16/76)

WAC 463-30-420 PARTICIPATION BY COUNTY, CITY AND PORT DISTRICT REPRESENTATIVES. ((The Council shall divide and segregate matters in any contested case in a manner which will enable county representatives to participate only in those decisions relating to matters directly affecting the county represented.)) In any contested case to the extent that council action involves site certification matters relating to any county, city or port district or any combination thereof in which an energy facility is sought to be located, they shall be separated and divided to allow individual county, city and/or port representatives to participate in discussion and vote only with regard to matters specifically affecting the concerned county or city.

WSR 78-06-104**PROPOSED RULES****ENERGY FACILITY SITE EVALUATION COUNCIL**

[Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 80.50 RCW, that the Energy Facility Site Evaluation Council intends to adopt, amend, or repeal rules concerning solicitation of proposals to perform work, amending WAC 463-50-020;

that such agency will at 1:30 p.m., Monday, July 24, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Monday, August 14, 1978, in the Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

The authority under which these rules are proposed is chapter 80.50 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 14, 1978, and/or orally at 1:30 p.m., Monday, July 24, 1978, Game Dept. Conference Room, Washington St. and B Ave., Olympia, WA.

Dated: June 5, 1978

By: William L. Fitch
Executive Secretary

AMENDATORY SECTION (Amending Order 110, filed 11/16/76)

WAC 463-50-020 SOLICITATION OF PROPOSALS TO PERFORM WORK. Each proposal to contract with an independent consultant shall be the subject of a formal, written "Request for Proposal." The "Request for Proposal" shall generally follow the outline and address the provisions of the "Guidelines for using outside consultants" published by the Office of ((~~Program Planning and Fiscal~~)) Financial Management. A copy of the "Request for Proposal" shall be distributed to any requesting consulting firm. Further notice of the availability of the "Request for Proposal(s)" may be provided by appropriate commercial advertising.

WSR 78-06-105**EMERGENCY RULES****STATE EMPLOYEES INSURANCE BOARD**

[Order 4-78—Filed June 5, 1978]

Be it resolved by the State Employees Insurance Board, acting at W.E.A. Building, 319 E. 7th, Olympia,

WA 98504, that it does promulgate and adopt the annexed rules relating to:

Amd 182-12-115 Eligible employees and retirees.

New 182-12-122 Surviving dependents eligibility.

We, The State Employees Insurance Board, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is early effective date is needed to provide medical coverage for certain disabled employees and surviving dependents of deceased employees who would otherwise be excluded from coverage.

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

This rule is promulgated under the general rule-making authority of the State Employees Insurance Board as authorized in chapter 41.05 RCW.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 2, 1978.

By C. H. Shay
Group Insurance Analyst

AMENDATORY SECTION (Amending Order 5646, filed 2/9/76)

WAC 182-12-115 ELIGIBLE EMPLOYEES AND RETIREES. The following definitions of eligible employees and retirees of an eligible entity, as defined in WAC 182-12-111, shall apply for all ((~~State Employee Insurance Board Approved~~)) SEIB approved plans except as otherwise stated ((elsewhere)) in this ((section)) chapter:

(1) "Full-Time Employees." Those who work a full-time work week for their agency and are expected to be employed for more than six months.

(2) "Permanent Part-Time Employees." Those who do not work full-time, but who are under continuous employment by an agency, and who are scheduled to work at least 80 hours per month.

(3) "Career Seasonal Employees." Those who work at least 80 hours per month during a designated season for a minimum of three months per year and who have an understanding of continued employment with their agency season after season. These employees become eligible to enroll when they return to state employment for their second "season" of employment. Employees who work on a seasonal basis and do not elect to self pay during the break between seasons shall be treated as "new" employees on return to work in a following season.

(4) "Appointed and Elected Officials." Legislators are eligible on the date their term begins. All other elected and full-time appointed officials of the legislative and executive branches of State government are eligible on

the date their term begins or they take the oath of office, whichever occurs first.

(5) "Judges." Justices of the supreme court and judges of the court of appeals and the superior courts become eligible on the date they take the oath of office.

(6) (~~"Retired State Employees."~~ ~~Retired employees~~) "Retirees or Disabled Employees". Retirees are eligible for only the medical plans if they ((are)) will be receiving a monthly retirement income benefit from ((the Public Employees Retirement System, the State Teachers Retirement System, the State Judge's Retirement System, Washington State Patrol Retirement System, or the Teachers Insurance Annuity Association.

The surviving spouse of a deceased retiree may continue coverage in the medical program by premium withholding or direct payment of premiums. The State makes no premium contribution for retirees or their surviving spouse)) any SEIB approved retirement system, and employees who are permanently and totally disabled and deferring receipt of a monthly retirement income benefit are likewise eligible, provided the retiree or disabled person applies for retiree medical coverage before their SEIB active coverage ends. Retirees and disabled employees are not eligible for an employer premium contribution.

NEW SECTION

WAC 182-12-122 SURVIVING DEPENDENTS ELIGIBILITY. The following classes of surviving dependents may continue their coverage in the medical program by premium withholding or direct payment of premium: (1) Surviving dependents of a deceased retiree, and (2) surviving dependents of a deceased employee with ten or more years of credited service: **PROVIDED**, Such surviving dependents will be receiving a monthly retirement income benefit from any SEIB approved retirement system which was of an eligible entity, as defined in WAC 182-12-111, at the time of the retiree/employee's death. Application for surviving dependents medical coverage must be made within thirty-one days from the date of death of the retiree/employee. Coverage is retroactive to the date retiree/employee medical coverage terminated. Surviving dependents are not eligible for an employer premium contribution. With regard to dependents of deceased employees, this rule applies to death occurring after January 1, 1978. Dependents of employees who died between January 1, 1978 and the effective date of this rule must apply for coverage no later than July 1, 1978, and their coverage will be effective July 1, 1978.

WSR 78-06-106

NOTICE OF PUBLIC MEETINGS

WHATCOM COMMUNITY COLLEGE

[Memorandum, Pres. Office—June 2, 1978]

NOTIFICATION OF CANCELLATION AND NOTIFICATION OF MEETINGS

To: Members of the Board of Trustees, News Media and the Public

You are hereby notified that the June 13 and 22, 1978, meetings of the Board of Trustees of Whatcom Community College, District Number Twenty-One, have been cancelled.

Notification is hereby given that the Board of Trustees of Whatcom Community College, District Number Twenty-One will hold meetings at the following times and place:

<u>June 15, 1978</u>	<u>1:00 p.m.</u>	<u>Board Room</u> College Service Center 5217 Northwest Road Bellingham, WA 98225
<u>June 29, 1978</u>	<u>10:00 a.m.</u>	<u>Board Room</u> College Service Center 5217 Northwest Road Bellingham, WA 98225

WSR 78-06-107
PROPOSED RULES
COMMISSION ON EQUIPMENT
[Filed June 5, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Commission on Equipment intends to adopt, amend, or repeal rules concerning:

- Practice and procedure, chapter 204-08 WAC.
- Quartz halogen headlamps, chapter 204-64 WAC.
- Towing businesses, chapter 204-66 WAC;

that such agency will at 1:30 p.m., Friday, July 21, 1978, in the large conference room, first floor, General Administration Building, Olympia conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Friday, July 21, 1978, in the large conference room, first floor, General Administration Building, Olympia.

The authority under which these rules are proposed is RCW 46.37.005.

Interested persons may submit data, views, or arguments to this agency orally at 1:30 p.m., Friday, July 21, 1978, large conference room, first floor, General Administration Building, Olympia.

Dated: June 2, 1978
By: M. J. Obert
Secretary

Chapter 204-08 WAC
PRACTICE AND PROCEDURE

- WAC
- 204-08-010 Definition
- 204-08-030 Declaratory Rulings
- 204-08-100 Procedure for Obtaining Approval of Automotive Equipment Within the Scope of RCW 46.37.005 and 46.37.320

AMENDATORY SECTION (Amending Rule I; Filed 3/21/60)

WAC 204-08-010 DEFINITION. "Commission" wherever used herein shall mean the state commission on equipment as established in RCW ((46.36.010)) 46.37.005.

AMENDATORY SECTION (Amending Rule III; Filed 3/21/60)

WAC 204-08-030 DECLARATORY RULINGS. (1) As prescribed in RCW 34.04.080, any interested person may petition the commission for a declaratory ruling. The commission shall consider the petition and within a reasonable length of time shall:

- (a) issue a non-binding declaratory ruling; or
(b) notify the person that no declaratory ruling is to be issued((-));

or

(c) set a reasonable time and place for an oral hearing or the submission of written evidence upon the matter, and give reasonable notification to the person of the time and place for such hearing or submission and of the issues involved.

If a hearing as provided in subsection (c) is conducted, the commission shall within a reasonable time:

- (1) Issue a binding declaratory rule; or
(2) Issue a non-binding declaratory ruling; or
(3) Notify the person that no declaratory ruling is to be issued.

AMENDATORY SECTION (Amending Rule VI; Filed 3/21/60)

WAC 204-08-100 PROCEDURE FOR OBTAINING APPROVAL OF AUTOMOTIVE EQUIPMENT WITHIN THE SCOPE OF RCW ((46.36.010)) 46.37.005 AND 46.37.320. (1) Standards for approval.

(a) The device must meet the current specifications for that device as outlined by the Society of Automotive Engineers in the Society of Automotive Engineers Handbook or as outlined by the American Standards Association.

(b) Where standards have not been set by either the Society of Automotive Engineers or the American Standards Association the standards shall be those standards set by the commission on equipment in a published commission on equipment regulation.

(2) Method for obtaining approval.

(a) To obtain approval the petitioner must ((submit to the state commission on equipment the following:)) provide for submission of any lighting device, or other safety equipment, component, or assembly to any recognized organization or agency such as, but not limited to, the Vehicle Equipment Safety Commission, American National Standards Institute, Society of Automotives Engineers, and the American Association of Motor Vehicle Administrators, as the agent of the state commission on equipment, and for the issuance of an approved certificate by that recognized organization or agency to the state commission on equipment.

(b) If any lighting device, or other safety equipment, component, or assembly cannot be submitted to the organization or agency named in the above paragraph (a), then the petitioner must submit to the state commission on equipment the following:

(i) a copy of a test report from a nationally recognized testing laboratory certifying that the device meets the current specifications for that device as ((outlined by either the Society of Automotive Engineers or the American Standards Association)) prescribed by the commission in a published commission regulation.

(ii) a sample of the device as marketed.

(iii) correspondence, test reports and samples are to be submitted to: Secretary, State Commission on Equipment, Washington State Patrol, General Administration Building, Olympia, Washington.

(3) Forms and files of the state commission on equipment. Certificates of approval shall be on forms provided by the secretary of the state commission on equipment and the files of the state commission on equipment shall be kept by the secretary of the state commission on equipment in the offices of the Washington state patrol.

Chapter 204-64 WAC
QUARTZ HALOGEN HEADLAMPS

Table with 2 columns: WAC number and Purpose. Rows include 204-64-010 Purpose, 204-64-020 Definition, 204-64-040 Approved Procedure, 204-64-060 Application for Certificate of Approval, 204-64-080 Installation, Aiming, and Adjustment, 204-64-100 Application of These Regulations

NEW SECTION

WAC 204-64-010 PURPOSE. By authority of R.C.W. 46.37.005 and 46.37.320, the Commission on Equipment hereby adopts the following regulation pertaining to the approval, installation, adjustment, and aiming of quartz halogen headlamps.

NEW SECTION

WAC 204-64-020 DEFINITION. Quartz halogen headlamps are those that meet the standards established by the United Nations' Agreement concerning the adoption of approval and reciprocal recognition of approval for motor vehicle equipment and parts agreed upon at Geneva on March 20, 1958, as amended and adopted by the Canadian Standards Association (CSA Standard D106.2).

NEW SECTION

WAC 204-64-040 APPROVAL PROCEDURE. The Commission on Equipment shall issue a certificate of approval to manufacturers of quartz halogen headlamps for sale of such lighting devices in this state when such manufacturer submits proper certification that such device conforms with Canadian Standards Association Standard D106.2. All applications shall include a copy of the CSA approval and shall be submitted to the Commission on Equipment for approval. The address is Secretary, Commission on Equipment, General Administration Building AX-12, Olympia, Washington 98504.

NEW SECTION

WAC 204-64-060 APPLICATION FOR CERTIFICATE OF APPROVAL. The application for the certificate of approval for quartz halogen headlamps shall include the following information as shown in the sample:

Date:

Secretary
Commission on Equipment
General Administration Building AX-12
Olympia, Washington 98504

The attached CSA Approval, Filed No. dated certifies that the following headlamp complies with the United Nations Geneva Agreement in 1958 for "Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts" and Canadian Standards Association Standard No. D106.2 "Vehicle Headlight Conforming to ECE Regulations", in accordance with RCW 46.37.320.

Manufacturer:
U. S. Designation:
Canadian Designation:
Manufacturer's Designation:
ECE Approval Markings on Front Lens:
Sealed Beam Replacement Size:
Standard Vehicle Equipment on:
Manufacturer's Representative in the State of Washington:
Applicant:

NEW SECTION

WAC 204-64-080 INSTALLATION, AIMING, AND ADJUSTMENT. Prior to approval for sale and use of quartz halogen headlamps, manufacturers shall submit for approval to the Commission on Equipment a copy of an instructional guide, pamphlet, brochure, or other written information which will be provided to the consumer by the manufacturer. The instructional guide shall describe in easily readable text, diagrams, or pictures the proper procedures for the installation, aiming, and adjustment of quartz halogen headlights. The manufacturer shall provide the approved instructional guide at no charge in each individual package of quartz halogen headlamps. Headlamps shall comply with the requirements of, limitations of, and

shall be installed and maintained in accordance with Chapter 46.37, RCW.

NEW SECTION

WAC 204-64-100 APPLICATION OF THESE REGULATIONS. These regulations are intended to apply only to Washington State Headlamp Standards. These regulations do not in any way affect the application of laws, regulations, or standards pertaining to headlight standards promulgated by any other state or by the federal government.

Chapter 204-66 WAC TOWING BUSINESSES

WAC

204-66-060	Inspections
204-66-160	Minimum Standards for Tow Trucks
204-66-170	Tow Truck Classifications
204-66-180	Vehicle Towing Operator Qualifications

AMENDATORY SECTION (Amending Order 7720 filed 10/14/77)

WAC 204-66-060 INSPECTIONS. Upon receipt of an application for a letter of appointment, the secretary of the commission shall cause the patrol to conduct an inspection of the applicant's place of business, facilities, and equipment to determine if the applicant qualifies for the issuance of a letter of appointment pursuant to these regulations. Verification must be shown to the inspector that the applicant's request for a letter of appointment complies with the appropriate zoning and planning rules as prescribed for the geographical area where the towing business will be established.

- (1) Inspections will be conducted at least once a year.
- (2) Inspectors will be designated by the district commander.
- (3) After a letter of appointment has been issued, the district commander will cause to be affixed to each qualified tow truck a decal indicating that a particular tow truck has been "approved" by the commission.
 - (a) The decal will be affixed to the windshield on the lower right corner.
 - (b) Upon termination of a letter of appointment, the decal will immediately be removed.

AMENDATORY SECTION (Amending Order 7720 filed 10/14/77)

WAC 204-66-160 MINIMUM STANDARDS FOR TOW TRUCKS. Except as provided in WAC 204-66-170, tow trucks used in response to requests from the patrol shall have a minimum manufacturer's gross vehicle weight rating of 10,000 pounds or its equivalent. Tow trucks shall be equipped with dual tires on the rear axle or duplex type tires, sometimes referred to as super single, with a load rating that is comparable to dual tire rating. Each tow truck shall also be equipped as follows:

- (1) With all legal light, equipment, and licensing requirements for trucks and/or tow trucks and the operation thereof.
 - (2) Dual or single boom capacity of not less than six tons with a minimum of two cables.
 - (3) A minimum of one hundred feet of 3/8 inch continuous length cable, or its equivalent, in working condition on each drum.
 - (4) One revolving or intermittent red light with 360 degree visibility. Such red light will not be used when responding to a call, but only at the scene when necessary to warn approaching traffic of impending danger.
 - (5) A broom and shovel.
 - (6) A tow sling or other comparable device made of a material designed to protect vehicles/motorcycles while being towed.
 - (7) A 20 BC rating fire extinguisher(s) or equivalent.
 - (8) A minimum of two snatch blocks or their equivalent in working condition.
 - (9) A portable dolly, or its equivalent, for hauling vehicles that are not towable.
 - (10) Two pinch bars or ((comparable)) equivalent.
 - (11) A two-way radio having the ability to communicate with a base station.
 - (12) Portable lights for unit being towed including, but not limited to, taillights, stop lights, and directional signals.
- In addition to the preceding, the following is required:
- (1) Tow truck interior will be reasonably clean.

(2) Tow truck drivers will clean accident/incident scenes of all glass and debris.

(3) All equipment used in conjunction with the tow truck must be commensurate with the manufacturer's basic boom rating.

(4) All tow trucks shall display the firm's name, address, and telephone number. Such information shall be painted on or permanently affixed to the vehicle.

(5) When a tow truck is added to the business, or when the reinspection of a tow truck is necessary, the district commander will be contacted to ascertain where and when the inspection will be given.

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

AMENDATORY SECTION (Amending Order 7720 filed 10/14/77)

WAC 204-66-170 TOW TRUCK CLASSIFICATIONS. (1) Class "A": Tow trucks that are capable of towing and recovery operations for passenger cars, pickup trucks, small trailers, or equivalent vehicles. The minimum standards stated in WAC 204-66-160 shall apply to class "A" tow trucks.

(2) Class "B": Tow trucks that are capable of towing and recovery operations for medium size trucks, trailers, motor homes, or equivalent vehicles. Class "B" tow trucks shall have:

- (a) A minimum manufacturer's gross vehicle weight rating of 16,000 pounds or its equivalent.
- (b) Boom capacity of not less than ten tons.
- (c) A minimum of one hundred and fifty feet of 7/16 inch continuous length cable in working condition, or its equivalent, on each drum.
- (d) The remaining minimum standards stated in WAC 204-66-160.
- (3) Class "C": Tow trucks that are capable of towing and recovery operations for large trucks, road tractors, trailers, or equivalent vehicles. Class "C" tow trucks shall have:
 - (a) Tandem rear axle truck chassis.
 - (b) Boom capacity of not less than twenty tons.
 - (c) A minimum of one hundred and fifty feet of 9/16 inch continuous length cable in working condition, or its equivalent, on each drum.
 - (d) Air brakes and an air system capable of supplying air to the towed unit.
 - (e) The remaining minimum standards stated in WAC 204-66-160; provided portable dollies shall not be required.
- (4) Class "D": All other tow trucks that do not meet the classification requirements in WAC 204-66-160 and 170, and which are specially approved by the commission. Prior to special approval, the district commander concerned shall have stated in writing the need for, capabilities, size, and equipment of the tow truck.

AMENDATORY SECTION (Amending Order 7720 filed 11/18/77)

WAC 204-66-180 VEHICLE TOWING OPERATOR QUALIFICATIONS. In addition to WAC 204-66-160, tow truck operators appointed to perform towing services pursuant to this regulation shall observe the following practices and procedures:

- (1) When called by the patrol, the tow truck operator will dispatch a tow truck within five minutes during normal business hours.
- (2) Tow trucks dispatched at the request of the patrol after normal business hours, will be on the move within the assigned zone within ten minutes after receiving the call.
- (3) The tow truck that is dispatched will arrive at the stated location within a reasonable time considering distance and traffic conditions.
- (4) If for any reason a tow operator is unable to dispatch a tow truck within the stated time, the tow truck operator shall so advise the patrol. In the event the tow truck does not arrive at the scene within a reasonable time, the patrol will contact another tow business to perform the necessary services.
- (5) A tow operator on rotation who is unable to dispatch within the time stated in WAC 204-66-180, paragraphs 1, 2, 3, and 4, will forfeit his turn and be placed at the bottom of the rotation list as if he had responded.
- (6) Consistent refusal or failure of the appointee to respond to calls from the patrol for towing services may result in the suspension or revocation of the tow operator's letter of appointment.
- (7) The tow operator will advise the patrol when he receives a private call for a tow and the circumstances indicate that the tow is for a vehicle which has been involved in an accident or other such incident on the public roadway. The tow operator also will advise the patrol of

all traffic accidents on private property resulting in bodily injury or death when the operator has received a private call for a tow at such an accident.

(8) The tow operator will notify the patrol before moving any vehicle involved in an accident on a public highway under the jurisdiction of the patrol as defined in the motor vehicle code, chapter 46, RCW, or where it appears that the driver of the vehicle to be moved is under the influence of intoxicants or drugs, or is otherwise incapacitated.

(9) When the patrol is in charge of an accident scene or other such incident, a tow operator shall not respond to such scene unless his services have been specifically requested by the patrol or the driver/owner or his agent.

(10) The tow operator shall be available twenty-four hours a day for the purpose of receiving calls or arranging for the release of vehicles. Business hours will be posted conspicuously at the operator's place of business so they can be seen during business hours and non-business hours. A copy will also be sent to the secretary of the commission and patrol district commander of the district in which the tow operator does business. Changes of business hours will be sent to the secretary of the commission and district commander ten days before their effective date.

(11) The tow operator shall have a secure storage area for the vehicles stored by the operator at the request of the patrol. Such storage area shall comply with Department of Licensing requirements for registered disposers (WAC 308-61-110).

(12) Tow operators will notify the appropriate patrol office of the release of stored vehicles within five work days after the release of such vehicle. Notification to the patrol will be made in such a manner prescribed by the district commander of the area concerned.

(13) Tow operators will post current towing service rates in a conspicuous place at the company's place of business. A copy of the current rates will be sent to the secretary of the commission and patrol district commander of the district in which the tow operator has applied for a letter of appointment. Any change(s) in service rates will be forwarded to the district commander of the area and to the secretary of the commission ten days prior to the proposed change(s).

(14) If the commission receives written complaints from towing customers or the patrol concerning commission appointed tow businesses alleging "price gouging," "over-charging," charging for services not received, and other such pricing abuses and/or any improprieties, it will cause such allegations to be investigated by the patrol.

(15) Tow operators will maintain, for one year, records on towed and released vehicles which were towed at the request of the patrol. This record will include but not be limited to:

- (a) An itemized receipt of charges to the claimant of the vehicle.
- (b) An inventory sheet or copy thereof made out by the trooper at the scene of the tow and signed by the tow truck driver.

Such records will be available for inspection by the patrol during normal business hours at the place of business where the letter of appointment has been issued.

(16) The tow truck driver will sign an inventory sheet made out by the trooper at the scene of the tow and receive a copy.

(17) Tow operators will obtain registration as a disposer by the Department of Licensing pursuant to chapter 308-61 WAC.

(18) Each towing operator shall carry at least five thousand dollars of insurance to protect against vehicle damage from, including but not limited to, fire and theft incurred from the time a vehicle comes into his custody pursuant to this regulation, until he releases or otherwise disposes of it. Each towing operator shall also carry at least fifty thousand dollars of liability insurance for property or bodily injury. Insurance must be sufficient to compensate for any loss of or damage to property entrusted to the towing firm.

The commission shall be notified within ten days of any change which leaves the tow operator without the necessary minimum coverage. A copy of the insurance policy or certificate of coverage shall be filed with the secretary of the commission. The insurer shall notify the commission within five days if the policy is canceled.

(19) Tow operators shall perform towing tasks competently. The standard of competence shall be that quality of work which is accepted as efficient and effective within the towing industry.

WSR 78-06-108
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 78-33—Filed June 5, 1978]

I, Gordon Sandison, director of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use shellfish regulations.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is a high degree of wastage has occurred in these areas. The closure is necessary to protect the remaining stocks of clams.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 5, 1978.

By Gordon Sandison
Director

NEW SECTION

WAC 220-56-08000D RAZOR CLAMS—AR-EAS AND SEASONS Notwithstanding the provisions of WAC 220-56-080, effective 12:00 Noon June 7, 1978 it shall be unlawful to take, dig for or possess razor clams for personal use from any of the beaches of the State of Washington south of the mouth of the Moclips River to the Columbia river except for the detached spits of Willapa Bay.

REPEALER

The following sections of the Washington Administrative Code are hereby repealed:

WAC 220-20-01500A MINIMUM SIZE SALMON (78-21)

WAC 220-24-01000A HOOK REQUIREMENT (78-21)

WAC 220-48-09800A LINGCOD SEASONS (78-14)

WAC 220-49-02000B CLOSED SEASONS, HERRING (78-25)

WAC 220-49-02100A WEEKLY PERIODS (78-18)

WAC 220-56-08000C RAZOR CLAMS—AR-EAS & SEASONS (78-31)

WSR 78-06-109
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 78-34—Filed June 5, 1978]

I, Gordon Sandison, director of Washington State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to Commercial fishing regulations—Puget Sound.

I, Gordon Sandison, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is bilateral agreements with Canada are no longer in effect. This order is necessary to rescind the Pt. Roberts closures.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 5, 1978.

By Gordon Sandison
 Director

NEW SECTION

WAC 220-47-31400D PURSE SEINE AND GILLNET—PT. ROBERTS *Notwithstanding the provisions of WAC 220-47-314 and WAC 220-47-415, it shall be lawful to take, fish for and possess salmon for commercial purposes with purse seine and gillnet gear in that portion of Area 7A north of the Lilly Pt.—Active Pass line during the times it is lawful to fish in Area 7A.*

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

WAC 220-47-31400C PURSE SEINE—PT. ROBERTS (78-29)

WSR 78-06-110
PROPOSED RULES
COMMISSION FOR VOCATIONAL EDUCATION
 [Filed June 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Commission for Vocational Education intends to adopt, amend, or repeal rules concerning revision of chapters 490-04A through 490-76A WAC, containing the rules and regulations for

vocational education previously adopted by the Commission for Vocational Education.

Also being proposed are new sections 490-77 through 490-97;

that such agency will at 9:30 a.m., Wednesday, August 23, 1978, in the Central Washington University, Ellensburg, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:30 a.m., Thursday, September 28, 1978, in the Auditorium, Office Building #2, (Social and Health Services), Olympia, WA.

The authority under which these rules are proposed is chapter 28C.04A RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to September 11, 1978, and/or orally at 9:30 a.m., Wednesday, August 23, 1978, Central Washington University, Ellensburg, WA.

Dated: June 5, 1978

By: Homer J. Halverson
 Executive Director

Reviser's Note: The material contained in this filing will appear in a subsequent issue of the Register, as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

WSR 78-06-111
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
 [Filed June 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.65 RCW that the State Department of Agriculture intends to adopt, amend, or repeal rules concerning the marketing order for Washington hops, amending WAC 16-532-010 (14) to change the affected unit from 200 pounds to one pound, and amending WAC 16-532-040, changing the assessment from 3 cents per affected unit to 0.3 cent per affected unit for crop years 1978 and 1979 and thereafter to 0.225 cent per affected unit;

that such agency will at 1:30 p.m., Tuesday, July 11, 1978, in the Federal-State Agriculture Service Center, 2015 S. 1st, Yakima, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Friday, August 18, 1978, in the Office of the Director, Wash. State Department of Agriculture, subject to a producer referendum.

The authority under which these rules are proposed is chapter 15.65 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 11, 1978, and/or orally at 1:30 p.m., Tuesday, July 11, 1978, Federal-State Agriculture Service Center, 2015 S. 1st, Yakima, WA.

Dated: 6-6-78

By: Bob J. Mickelson
 Director

AMENDATORY SECTION (Amending Order Article I, filed 7/1/64)

WAC 16-532-010 DEFINITIONS. For the purpose of this marketing order:

- (1) "Director" means the director of agriculture of the state of Washington or his duly appointed representative.
- (2) "Department" means the department of agriculture of the state of Washington.
- (3) "Act" means the Washington state agricultural enabling act of 1961 or chapter 15.65 RCW.
- (4) "Person" means any person, firm, association or corporation.
- (5) "Affected producer" means any person who produces hops in commercial quantities in the state of Washington.
- (6) "Commercial quantity" means any hops produced for market by a producer in any calendar year.
- (7) "Handler" means any person who acts as principal or agent or otherwise in processing, selling, marketing, or distributing hops not produced by him.
- (8) "Hop commodity board" hereinafter referred to as "board" means the commodity board formed under the provisions of WAC 16-532-020.
- (9) "Hops" means and includes all kinds and varieties of "humulus lupulus" grown, picked and dried in the state of Washington, whether loose, packaged or baled and all oils, extracts and/or lupulin derived therefrom.
- (10) "Marketing season" or "fiscal year" means the twelve month period beginning with July 1 of any year and ending with the last day of June, both dates being inclusive.
- (11) "Producer-handler" means any person who acts both as a producer and as a handler with respect to hops. A producer-handler shall be deemed to be a producer with respect to the hops which he produces and a handler with respect to the hops which he handles, including those produced by himself.
- (12) "Affected area" means the state of Washington.
- (13) "Sell" includes offer for sale, expose for sale, have in possession for sale, exchange, barter or trade.
- (14) "Affected unit" means ~~((two hundred pounds))~~ one pound net of hops, or the amount of lupulin, extract, or oil produced from ~~((two hundred pounds))~~ one pound net of hops.

AMENDATORY SECTION (Amending Order 1332, filed 1/17/74)

WAC 16-532-040 ASSESSMENTS AND COLLECTIONS. (1) Assessments. (a) The annual assessment on all varieties of hops shall be ~~((thirty cents))~~ 0.3 cent per affected unit (pound) for crop years 1978 and 1979 and thereafter shall be .225 cent per affected unit.

- (b) For the purpose of collecting assessments the board may:
- (i) Require handlers to collect producer assessments from producers whose production they handle, and remit the same to the board; or
 - (ii) Require the person subject to the assessment to give adequate assurance or security for its payment.
- (c) Subsequent to the first sale no affected units shall be transported, carried, shipped, sold, marketed, or otherwise handled or disposed of until every due and payable assessment herein provided for has been paid and the receipt issued. The foregoing shall include all affected units shipped or sold, both inside and outside the state.
- (2) Collections. Any moneys collected or received by the board pursuant to the provisions of the order during or with respect to any season or year may be refunded on a pro rata basis at the close of such season or year or at the close of such longer period as the board determines to be reasonably adapted to effectuate the declared policies of this act and the purposes of such marketing agreement or order, to all persons from whom such moneys were collected or received or may be carried over into and used with respect to the next succeeding season, year or period whenever the board finds that the same will tend to effectuate such policies and purposes.
- (3) Penalties. Any due and payable assessment herein levied in such specified amount as may be determined by the board pursuant to the provisions of the act and the order, shall constitute a personal debt of every person so assessed or who otherwise owes the same, and the same shall be due and payable to the board when payment is called for by it. In the event any person fails to pay the board the full amount of such assessment or such other sum on or before the date due, the board may, and is hereby authorized to add to such unpaid assessment or sum an amount not exceeding ten percent of the same to defray the cost of enforcing the collecting of the same. In the event of failure of such person or persons to pay any such due and payable assessment or

other such sum, the board may bring a civil action against such person or persons in a state court of competent jurisdiction for the collection thereof, together with the above specified ten percent thereon, and such action shall be tried and judgment rendered as in any other cause of action for debt due and payable.

WSR 78-06-112
PROPOSED RULES
DEPARTMENT OF PERSONNEL
 [Filed June 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 41.06.040, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

- Amd WAC 356-10-030 Positions—Allocation—
 Reallocation.
 Amd WAC 356-10-050 Positions—Reallocation up-
 ward(~~(=)~~), incumbents.
 Amd WAC 356-10-060 Allocation—(~~appears~~) re-
quest for review;

that such agency will at 10:00 a.m., Thursday, July 13, 1978, in the Board Meeting Room, 600 South Franklin, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, July 13, 1978, in the Board Meeting Room, 600 South Franklin, Olympia, WA.

The authority under which these rules are proposed is RCW 41.06.040 and 41.06.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 10:00 a.m., Thursday, July 13, 1978, Board Meeting Room, 600 South Franklin, Olympia, WA.

Dated: June 5, 1978

By: Leonard Nord
 Secretary

AMENDATORY SECTION (Amending Order 77, filed 5/7/75)

WAC 356-10-030 POSITIONS—ALLOCATION—RE-ALLOCATION. (1) Position allocations or reallocations shall be based upon investigation and other information and recommendations. Every position shall be allocated to an established class.

- (2) Allocations may be made by:
- (a) The Director or designated staff of the Department of Personnel;
- OR,
- (b) By agency directors or other designees authorized under (3) below.
- (3) Agency directors may request and the Director may approve, the authorization of the agency director or designee to approve or disapprove the allocation or reallocation of positions to established classes under the Merit System Rules and procedures approved by the Director.

(4) It shall be the duty of the appointing authority and/or the personnel representative to report to the Director any changes in duties, responsibilities or organization in a position which may affect position allocation.

(5) Agencies shall establish procedures for processing and reporting new positions, changes in position duties, and requests for position review to provide proper maintenance of the classification plan. The procedure shall provide for individual employee requests for position review(~~(-based on duties and responsibilities;))~~ through the agency personnel office to the Director. This procedure will not cause undue delay in the Director reviewing the requested reclassification. Such procedures shall be subject to Director review and approval.

(6) Questions concerning the previous classification of employees due to the retitling, ((or)) reallocating or reclassification of positions((; or concerning classifications predating RCW 41.06.140)) will be determined by the Director.

(7a) Employees affected by agency initiated reallocations shall be notified in writing by the agency not less than 20 calendar days in advance of the intended date of the action, provided that this notice requirement shall not preclude the establishment of effective dates for other than competitive reallocations as provided in WAC 356-10-050.

(b) Any official authorized in (2) above to make allocation or reallocation determinations shall immediately transmit a written notice of the determination to the employee in the position affected by that determination.

AMENDATORY SECTION (Amending Order 84, filed 10/20/75)

WAC 356-10-050 POSITIONS—REALLOCATION UPWARD(~~(=)~~), INCUMBENTS. Employees in positions which have been reallocated upward are affected as follows:

(1) Employee must compete and be certified from the appropriate eligible register unless otherwise determined by the Director when the position is reallocated upward based on recent or impending changes in duties and responsibilities. The employee's salary is then adjusted in accordance with the Rule governing promotion.

(2) Employee must compete and be certified from the appropriate eligible register when the position is reallocated based on a gradual accumulation of higher level duties and responsibilities. The employee's salary is then adjusted in accordance with the Rule governing promotion; however, the Director shall approve the retention of status under the following conditions:

(a) The accumulation has occurred over a period of one year or more and during tenure of the present incumbent.

(b) The incumbent meets the minimum or desirable qualifications for the new class; or, the appointing authority or designated representative, may certify that the incumbent is able to perform the duties of the position and that the incumbent meets acceptable qualifications as determined by the Director.

(c) The appointing authority, or designated representative, requests such approval in writing and indicates why the change was not reported earlier and why competition in filling the position is not feasible or desirable.

(d) The incumbent passes the appropriate examination.

(3) If the employee is not certified from the appropriate eligible register, transferred, promoted, demoted or otherwise retained in status within 60 days, the provisions governing reduction-in-force shall apply. This shall not preclude the employee's eligibility for a provisional appointment under these Rules.

(4) The employee retains existing appointment status when the position is reallocated based on a revision of a class series, a class series study, or an agency- or major subdivision-wide classification review planned and conducted by the Department of Personnel, when the reallocation involves no change in duties or responsibilities. The employee's salary then is adjusted to the same step in the new range as held in the present range.

(a) An employee in an underfill status will maintain that status.

(b) Paragraphs (1) or (2) apply when a change in duties, responsibilities, or organization coincides with a revision of a class series.

(5) The Director may approve the retention of status without examination for an incumbent in a reallocated position when it is evident that the reallocation is, in effect, the correction of a long-term inequity.

(6) The effective date of other than competitive reallocations and appointments in (2) and (5) above will be the earliest date that a copy of the classification questionnaire, either submitted directly by the incumbent or by the agency, is received by the Department of Personnel. Receipt of such classification questionnaires shall be acknowledged by the Department of Personnel if the submitting party includes a self-addressed stamped envelope with the copy of the classification questionnaire furnished the Department of Personnel.

(7) ((The application of (6) above shall not abrogate the individual's right to appeal questions of substantial compensation inequity to the Personnel Board. However, if the Board grants salary relief for any period of time prior to the effective dates, which timely action would have caused to be established in (6) above, such relief shall remove the inequity which resulted in the application of (2) or (5) above and the employee may be required to compete and be certified to the position for which such salary relief has been granted.)) The Department shall not award additional compensation to an employee for any period prior

to the date on which the classification questionnaire was received by the Department of Personnel.

AMENDATORY SECTION (Amending Order 87, filed 5/4/76)

WAC 356-10-060 ALLOCATION—((APPEALS)) REQUEST FOR REVIEW. ((Position)) A review by the Director of the determination of the allocation or reallocation of a position may be ((appealed and a Board hearing)) requested by the permanent employee occupying the position, or by the agency director as follows:

(1) The written request for a ((Board hearing)) review must be filed with the Director within ((30)) 15 calendar days following notification of the effective date of the action and must contain the reasons and basis for the ((appeal)) review.

(2) The Director or designee shall acknowledge receipt of the ((appeal)) request ((with)) and send a copy of the request to the agency.

(3) The agency shall make every effort to resolve the disagreement ((within 30 calendar days)) through agency ((review)) procedures.

(4) ((The Director shall review the position and facts within 90 calendar days from the date of appeal request.)) During the review, the Director or designee shall conduct a hearing and may investigate and obtain such information as may be deemed necessary.

(5) ((The Board shall conduct an open hearing and act upon the appeal following 20 calendar days' prior notice to the employee, the agency, or agencies affected and employee representatives who may present their views at the hearing.)) Within 30 days of the receipt of the request for review, the Director or designee shall set a date for a hearing and shall notify the incumbent employee, employing agency, employee organization, and designated Department of Personnel analyst; provided that the notice shall not be less than 20 calendar days. The hearing shall be informal and any of the above designated parties may present their views. The Director or designee will enter a written determination and provide each of the participating parties with a copy. The determination shall be final and not appealable.

(6) Allocation or reallocation ((appeals)) reviews which result from a class-wide or broader position survey need not be heard ((by the Board)) until the Director has had a reasonable period of time to re-examine the position in question and all pertinent facts.

WSR 78-06-113

PROPOSED RULES

THE EVERGREEN STATE COLLEGE

[Filed June 6, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.40.120(11), that The Evergreen State College intends to adopt, amend, or repeal rules concerning parking policy, section relating to impounding;

that such institution will at 11:00 a.m., Thursday, July 13, 1978, in the Board of Trustees Room 3112, Library Bldg., The Evergreen State College campus, Olympia conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 11:00 a.m., Thursday, July 13, 1978, in the Board of Trustees Room 3112, Library Bldg., The Evergreen State College campus, Olympia.

The authority under which these rules are proposed is RCW 24B.40.120(11).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to July 6, and/or orally at 11:00 a.m., Thursday, July 13, 1978, Board of Trustees Room 3112, Library Bldg., The Evergreen State College, Olympia, WA.

Dated: 5/11/78
By: Daniel J. Evans
President

AMENDATORY SECTION (Amending Order 75-2, filed 8/12/75)

WAC 174-116-150 VIOLATION, PENALTY, IMPOUNDING. (1) Violators of these traffic regulations, other than parking regulations, will be notified by issuance of violation tickets. The college will not assess fines.

(2) Vehicles which violate the parking permit requirements of WAC 174-116-105 and those which park in no parking areas, marked service accesses, roadways, loading docks and brick-paved and other prohibited areas will be impounded in place on the second ((similar)) violation within the academic quarter, provided, however, that during the first week of each Fall Quarter, no vehicle will be impounded for lack of a valid parking permit.

Upon impoundment in place, an impound device shall be attached and an "Impound Notice" will be placed on the violating vehicle instructing the driver to pay a \$5.00 service fee to the Security Office for removal of the impound device; upon receipt of the service fee the Security Office will remove the impound device.

If a vehicle impounded in place by means of an impound device remains so impounded for a period of five continuous days, it shall be towed away without notice by a commercial towing company and impounded at a location approved by the Security Chief at the risk and expense of the vehicle's owner.

(3) Vehicles which have been impounded in place and escape the impound through means other than release by the Security Office will not be impounded in place again, but will, upon repeated violation, be towed away without notice by a commercial towing company and impounded at a location approved by the Security Chief at the risk and expense of the vehicle's owner.

(4) Anything in paragraph (2), above, to the contrary notwithstanding vehicles parked in marked fire lanes will be towed away without notice by a commercial towing company and impounded at a location approved by the Security Chief at the risk and expense of the vehicle's owner.

(5) Disabled or inoperable vehicles will be considered abandoned in accordance with RCW 46.52.102 and impounded after 24 hours.

(6) In all cases, the violation record kept in the Security Office will be considered the final and binding record of past violations and impounds.

(7) A vehicle will be considered under impound at the time it is so ordered by a Security Officer.

WSR 78-06-114**NOTICE OF PUBLIC MEETINGS****PLANNING AND COMMUNITY AFFAIRS AGENCY**

[Memorandum, Deputy Director—June 6, 1978]

State Building Code Advisory Council

The State Building Code Advisory Council will meet on July 19, 1978, at 1:00 p.m. in the SeaTac Carvery Restaurant, SeaTac Airport. For further information contact Christopher Woodsum, Local Government Services Division, Planning and Community Affairs Agency, Olympia, Washington 98504, (206) 754-1243.

Community Services/Continuing Education Council
(Title I Higher Education Act)

The Community Services/Continuing Education Council will meet on July 21, 1978, at the Lake Wilderness Continuing Education Center, from 9:30 a.m. to 3:30 p.m. The purpose of the meeting will be to review and adopt the 1979 program plan. For further information contact Doris Coates, Local Government Services Division, Planning and Community Affairs Agency, Olympia, Washington 98504, (206) 753-4940.

WSR 78-06-115**PROPOSED RULES****SUPERINTENDENT OF PUBLIC INSTRUCTION**

[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Superintendent of Public Instruction intends to adopt, amend, or repeal rules concerning the conduct of the State Board of Education election, chapter 392-109 WAC;

that such agency will at 9:00 a.m., Tuesday, July 11, 1978, in the Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Tuesday, July 18, 1978, in the Old Capitol Bldg., Legion and Washington, Dr. Brouillet's Conference Room, Olympia, WA.

The authority under which these rules are proposed is RCW 28A.04.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 11, 1978, and/or orally at 9:00 a.m., Tuesday, July 11, 1978, Old Capitol Bldg., Legion and Washington, 4th floor Board Room, Olympia, WA.

Dated: June 6, 1978

By: Frank Brouillet

Superintendent of Public Instruction

NEW SECTION

WAC 392-109-006 ELIGIBILITY—DECLARATION OF CANDIDACY. (1) A person is eligible to be a candidate for membership on the state board of education if he or she is a resident of the congressional district for which the candidate files.

(2) A person who desires to file for candidacy shall do so by completing a declaration of candidacy and affidavit on a form prepared and provided by the superintendent of public instruction and the biographical material required by WAC 392-109-010. The filing period is from September 1 to September 16. Any declaration of candidacy which is not received or postmarked on or before midnight September 16 shall not be accepted by the superintendent of public instruction and such a declarant may not be a candidate.

AMENDATORY SECTION (Amending Order 7-75, filed 12/22/75)

WAC 392-109-010 BIOGRAPHICAL—LIMITATION DATA. ((Biographical materials submitted by candidates for state board of education membership pursuant to RCW 28A.04.050)) The superintendent of public instruction shall provide a biographical data form which each candidate shall complete. Such form shall not exceed two ((single space)) letter size (8 1/2 x 11) typewritten pages in length pursuant to RCW 28A.04.050. Biographical data must be camera ready and will be reproduced as submitted by the candidate and distributed with the ballots to all eligible voters.

NEW SECTION

WAC 392-109-026 VOTING. (1) The election shall be conducted in strict accordance with the requirements of RCW 28A.21.032.

(2) In addition to the timelines, methods, and provisions contained in statute, the following shall apply:

(a) Ballots shall be mailed to each eligible voter with two return envelopes, an outer of larger envelope labeled "official ballot" and an inner or smaller envelope which is unlabeled. The "official ballot" envelope shall be preaddressed with the office of the superintendent of public instruction as the addressee;

(b) The voter shall place his or her name, in a legible manner, in the space provided on the "official ballot" envelope. The ballot when completed shall be placed in the unlabeled envelope, which may not be

marked in any manner, and that envelope shall be sealed. The unlabeled envelope shall then be placed in the "official ballot" envelope, which is then sealed.

(c) The ballot should then be mailed to the superintendent of public instruction.

(d) A designee of the superintendent of public instruction and the election board shall not count any ballot which is received which does not identify the voter as required by subparagraph (b) of this subsection or which fails to comply with the statutory deadline;

(e) The superintendent of public instruction shall compile a list of those eligible voters voting: PROVIDED, That in no event shall the list indicate in any manner how an eligible voter has cast his or her vote; and

(f) All ballots shall be counted on one day chosen by the superintendent of public instruction of his/her designee not later than October 25th.

As the ballots are received by the superintendent of public instruction or his/her designee they shall then determine the eligibility of the voter and, provided the "official ballot" has been properly submitted make a record of the voter having voted on a list of eligible voters. "Official ballot" envelopes not properly submitted shall be reviewed and accepted or rejected by the election board. Those "official ballots" which are accepted by the election board shall be opened and the unlabeled, unopened envelopes shall be placed aside. The unlabeled, unopened envelopes placed aside shall then be opened and the votes tallied by the election board.

WSR 78-06-116

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

[Order 1579—Filed June 7, 1978]

I, Bob J. Mickelson, director of Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to the importation of animals into the state of Washington, WAC 16-54-082.

This action is taken pursuant to Notice No. WSR 78-05-070 filed with the code reviser on 4/28/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapters 16.36 and 16.44 RCW and is intended to administratively implement that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 6, 1978.

By Bob J. Mickelson
Director

AMENDATORY SECTION (AMENDING ORDER 1540) FILED 10/17/77

WAC 16-54-082 DOMESTIC BOVINE ANIMALS. All domestic bovine animals (including bison) except those for immediate slaughter at a federally inspected establishment, or to a registered quarantined feed lot, or consigned to a state-federal approved stockyard, shall be accompanied by a health certificate

(WAC 16-54-030 this Order) and shall meet the following requirements:

(1) Tuberculosis. (a) All beef and dairy cattle must originate from herds not under quarantine in a not less than modified accredited area.

(2) Brucellosis. (a) Cattle originating from states other than Washington: All domestic bovine animals (including bison) moving into Washington, except those consigned to registered quarantined feed lots, or to federally inspected slaughter establishments for immediate slaughter, shall be moved on a permit issued by the Animal Health Division of the Department of Agriculture and an official interstate health certificate, and shall meet the following requirements:

(i) All cattle must be negative to an official brucellosis test conducted within forty-five days prior to date of entry and will be quarantined on the premises of destination and kept separate from all other cattle for retest not less than thirty nor more than sixty days from the date of previous test, except that the following classes of cattle are exempt from these test requirements:

(a) Calves under six months of age.

(b) Steers and spayed heifers.

(c) Officially vaccinated dairy cattle under twenty months of age and officially vaccinated beef cattle under twenty-four months of age.

(d) Immediate slaughter cattle going directly to a federally inspected slaughter establishment.

(e) Cattle consigned directly to a registered quarantined feed lot.

(f) Cattle from certified brucellosis free herds.

(g) Cattle eligible for brucellosis testing coming from contiguous states certified brucellosis free may be moved to State-Federal approved livestock markets in Washington to meet entry health requirements. Cattle of the beef breeds from such equal status states and having the same import requirements as Washington are exempt from second test and quarantine requirements if found brucellosis negative on entry.

(ii) After January 1, 1979, all female dairy cattle must be identified as official brucellosis calfhood vaccines before entry. Except the following classes of cattle are exempt from this requirement:

(a) Calves under three months of age.

(b) Those cattle consigned directly to a federally inspected slaughter plant.

(c) Those cattle consigned directly to a registered quarantined feed lot.

(d) Spayed heifers.

(iii) Herd owners desiring to move cattle into Washington for temporary grazing purposes must obtain a prior permit from the Animal Health Division and originate in a county or other political subdivision of equal status where brucellosis has not been diagnosed in the preceding twelve months, or tested negative to brucellosis within thirty days of entry.

WSR 78-06-117
EMERGENCY RULES
EASTERN WASHINGTON UNIVERSITY
 [Resolution 78-02—Filed June 7, 1978]

Be it resolved by the board of trustees of the Eastern Washington University, acting at Cheney, Washington, that it does promulgate and adopt the annexed rules relating to amendments to constitution of associated students, chapter 172-114 WAC.

We, the board of trustees of Eastern Washington University, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is: The May EWU board of trustees meeting was changed with insufficient time to allow for proper notification to the Code Reviser. Since the emergency amendments previously adopted will expire on May 29, 1978, it is imperative that the rules be again adopted under emergency procedures to allow for proper notification to the Code Reviser.

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

This rule is promulgated under the general rule-making authority of the Eastern Washington University as authorized in RCW 28B.40.120(11).

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED May 22, 1978.

By Mrs. Frederick Wilson, Jr.
 Chairman

Reviser's Note: The material contained in this filing will appear in a subsequent issue of the Register, as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

WSR 78-06-118
PROPOSED RULES
DEPARTMENT OF LICENSING
 [Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Director, Department of Licensing intends to adopt, amend, or repeal rules concerning licensure fees for registered nurses, amending WAC 308-120-260.

(A copy of the proposed rules is attached; however, changes may be made at the public hearing.);

that such agency will at 1:00 p.m., Saturday, July 15, 1978, in the Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:00 p.m., Saturday, July 15, 1978, in the Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA.

The authority under which these rules are proposed is RCW 18.88.160 and 43.24.085.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 1:00 p.m., Saturday, July 15, 1978, Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA.

Dated: June 7, 1978

By: Edward H. Southon
 Assistant Attorney General

AMENDATORY SECTION (Order PL 216, filed 11/5/75)

WAC 308-120-260 FEES. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Application	\$ 25.00
License renewal	8.00
Renewal penalty	5.00
Endorsement - reciprocity	25.00
((ARN-SRN application	45.00
((ARN-SRN renewal	15.00
((ARN-SRN renewal penalty	5.00))
Duplicate license	3.00
CRN prescriptive authority application	20.00
CRN prescriptive authority renewal	<u>10.00</u>

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

WSR 78-06-119
PROPOSED RULES
DEPARTMENT OF LICENSING
(Board of Nursing)
 [Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington state board of nursing intends to adopt, amend, or repeal rules concerning CRN prescriptive authority—application requirements, authorized prescriptions, termination of prescriptive authorization, prescriptive authorization period, renewal. Adding as new sections WAC 308-120-400, 308-120-410, 308-120-420, 308-120-430 and 308-120-440.

(A copy of the proposed rules is attached; however, changes may be made at the public hearing.);

that such agency will at 1:00 p.m., Saturday, July 15, 1978, in the Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:00 p.m., Saturday, July 15, 1978, in the Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA.

The authority under which these rules are proposed is RCW 18.88.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 1:00 p.m., Saturday, July 15, 1978, Sea-Tac Travelodge, Rooms A and B, 2824 South 188th, Seattle, WA.

Dated: June 7, 1978
 By: Edward H. Southon
 Assistant Attorney General

NEW SECTION

WAC 308-120-400 APPLICATION REQUIREMENTS FOR CRN PRESCRIPTION AUTHORITY. A registered nurse applicant for authority to prescribe legend drugs shall:

- (1) Be currently recognized as a certified registered nurse in Washington.
- (2) Have practiced as a certified registered nurse for one year immediately prior to applying for prescriptive authority.
- (3) Provide evidence of completion of thirty contact hours of education in pharmacology which includes content in prescription writing, choosing drugs, drug interactions, information resources, and pharmacology relating to the applicant's specific area of practice, and which are
 - (a) obtained within a two-year time period immediately prior to the date of application for prescriptive authority; and
 - (b) derived from the following:
 - (i) Non-credit courses or other offerings that include pharmacology, such as workshops, seminars, conferences, and institutes approved by professional organizations. For these sources, one contact hour may be awarded for each hour of actual attendance.
 - (ii) Formal academic study other than that within the applicant's certification program: PROVIDED, That, if study within the applicant's certification program was taken within two years immediately prior to application for prescriptive authority and included specific hours of study in pharmacology, such hours of study may be used to satisfy this requirement. For these sources, fifteen contact hours may be awarded per semester credit, ten contact hours per quarter credit, or one contact hour per each hour of actual attendance, as appropriate in the view of the board.
 - (iii) Presentation of a paper on a pharmacological subject in the applicant's specialty area. For this source, five contact hours may be credited.
 - (iv) Publication of a paper on a pharmacological subject in the applicant's specialty area in a professional or lay journal: PROVIDED, That, credit for the same work may not be claimed under both this section and WAC 308-120-400(3)(c)(iii). For this source, five contact hours may be credited.
 - (v) Other learning activities as approved by the board.

The board reserves the right to disallow or decrease the amount of credit claimed for any activity, for good cause shown.

(4) Submit a completed, notarized application with specified nonrefundable fee.

(5) Obtain a prescriber identification number from the board of nursing which includes the RN license number and a number identifying specific (nursing) practice areas, as follows:

Anesthesia	- 10	Maternal-Gynecologic-Neonatal	- 70
Midwifery	- 20	Medical/surgical	- 80
Adult health	- 30	Pediatrics	- 90
Community health	- 40	Psychiatric/mental health	-100
Family health	- 50		
Gerontology	- 60		

NEW SECTION

WAC 308-120-410 AUTHORIZED PRESCRIPTIONS BY THE CRN. (1) Written prescriptions shall include the name, prescriber identification number, address and telephone number of the prescriber, the name and address of the patient, and the date the prescription is written.

(2) Written prescriptions shall be signed by the prescriber, followed with the initials "CRN" and the prescriber identification number.

(3) Oral prescriptions shall be followed by written prescriptions within seventy-two hours.

(4) Prescriptions for controlled substances in schedules I through IV are statutorily prohibited in RCW 18.88.280(16).

(5) Controlled substances in schedule V which are non-prescription drugs may be recommended.

(6) The CRN shall be authorized to prescribe, dispense and administer only those drugs customarily used within the scope of the prescriber's identified practice area.

(7) Prescriptions written by an authorized CRN shall be valid at any pharmacy for any drug used within the identified practice area.

(8) Prescriptions for legend drugs shall comply with requirements stated in RCW 69.41.040 and .050.

NEW SECTION

WAC 308-120-420 TERMINATION OF PRESCRIPTIVE AUTHORIZATION. Prescriptive authorization shall be terminated by the board when the CRN has:

- (1) prescribed dispensed or administered drugs outside the scope of authorization or for other than therapeutic purposes.
- (2) been found in violation of chapter 18.88 RCW.

NEW SECTION

WAC 308-120-430 PRESCRIPTION AUTHORIZATION PERIOD. (1) Prescription authorization shall be effective until the yearly birthdate of the prescriber.

(2) Prescriptive authorization shall not exceed one year.

NEW SECTION

WAC 308-120-440 RENEWAL. (1) Applicants for renewal shall submit thirty days prior to the birthdate:

(a) Documentation of ten contact hours of continuing education relating to pharmacology in the specific area of practice which is:

- (i) derived from sources as stated in WAC 308-120-400(3)(b) but excluding all formal academic study within the applicant's certification program, without exception; and
- (ii) obtained within the renewal period.

The board reserves the right to disallow or decrease the amount of credit claimed for any activity, for good cause shown.

(b) Completed and notarized renewal application with specified nonrefundable fee.

(2) Authorization shall be approved for renewal annually on birthdate after meeting the requirement (1) above.

WSR 78-06-120

PROPOSED RULES

CENTRAL WASHINGTON UNIVERSITY

[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.40.120, that the Central Washington University intends to adopt, amend, or repeal rules concerning:

- Amd chapter 106-124 WAC Board of academic appeals.
- Amd chapter 106-120 WAC Student rights and responsibilities.
- Amd chapter 106-136 WAC Use of university facilities (entertainment policy).

Amd chapter 106-124 WAC Financial obligations of students; that such institution will at 10:00 a.m., Thursday, September 14, 1978, in the Samuelson Union Building, Room 206, on the CWU campus conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Friday, September 15, 1978, in the Dean of Students' Office, Samuelson Union Building, CWU campus.

The authority under which these rules are proposed is RCW 28B.40.120.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to Wednesday, September 13, 1978, and/or orally at 10:00 a.m., Thursday, September 14,

1978, Samuelson Union Building, Room 206, on the CWU campus.

Dated: June 6, 1978
By: Barbara A. Davis
Administrative Secretary

Reviser's Note: The material contained in this filing will appear in a subsequent issue of the Register, as it was received after the applicable closing date for this issue for agency typed material exceeding the volume limitations of WAC 1-12-035 or 1-13-035, as appropriate.

WSR 78-06-121
PROPOSED RULES
UNIVERSITY OF WASHINGTON
[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 42.30.080, that the University of Washington intends to adopt, amend, or repeal rules concerning parking and traffic regulations—Fees, fines and penalties, WAC 478-116-600;

that such institution will at 9:00 a.m., Thursday, July 13, 1978, in the HUB Room 304 CD, University of Washington, Seattle, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:00 p.m., Friday, August 11, 1978, in the Regent's Room, Administration Bldg., U of W, Seattle.

The authority under which these rules are proposed is RCW 28B.10.560.

Interested persons may submit data, views, or arguments to this institution orally at 9:00 a.m., Wednesday, June 7, 1978, HUB Room 304 CD, University of Washington, Seattle, WA.

Dated: June 2, 1978
By: Elsa Kircher Cole
Assistant Attorney General

AMENDATORY SECTION (Amending Order 78-1E, filed 3/24/78)

WAC 478-116-600 FEES, FINES AND PENALTIES. (1) For purposes of this section the following lots are in:

- (a) Zone A -
 - (i) Central Campus: C1, C3, C6, C7, C8, C9, C10, C12, C13, C14, C15, C16, C17, C18;
 - (ii) East Campus: E3, E6, E7, E8;
 - (iii) North Campus: N2, N3, N4, N6, N7, N8, N9, N10, N11, N12, N13, N14, N15, N16, N18, N20, N21, N22, N23, N24, N26, N27, N28;
 - (iv) South Campus: S1, S4, S5, S6, S7, S8, S9, S10;
 - (v) West Campus: W1, W3, W4, W5, W6, W7, W8, W9, W10, W11, W12, W13, W14, W18, W20, W21, W22, W23, W24, W25, W34, W39, W41, W42.
- (b) Zone B -
 - (i) East Campus: E2, E9, E10, E11, E12;
 - (ii) North Campus: N1, N5, N25;
 - (iii) South Campus: S13;
 - (iv) West Campus: W2, W16, W17, W26, W27, W28, W29, W30, W31, W32, W33, W36, W38, W40.

(2) The following schedule of parking fees is hereby established:

	PER	AMOUNT
(a) Type of Permit -		
(i) Annual Permits		
(A) Zone A Permits (not including 24-hour storage)	Year	(\$72.00) \$84.00
(B) Zone B Permits (not including 24-hour storage)	Year	(60.00) 72.00

	PER	AMOUNT
(C) Reserved - General	Year	(144.00) 168.00
(D) Reserved - Physically Handicapped	Year	(72.00) 84.00
(E) Motorcycle and Scooter	Year	18.00
(F) Drive-through permits (Full-time Faculty and Staff only)	Year	6.00
(G) 24-hour storage, garages	Year	(108.00) 120.00
(H) 24-hour storage, surface lots - Zone A	Year	(72.00) 84.00
(I) 24-hour storage, surface lots - Zone B	Year	(60.00) 72.00
(ii) Quarterly Permits:		
(A) Zone A permits (not including 24-hour storage)	Quarter	(18.00) 21.00
(B) Zone B permits (not including 24-hour storage)	Quarter	(15.00) 18.00
(C) Reserved - General	Quarter	(36.00) 42.00
(D) Reserved - Physically Handicapped	Quarter	(18.00) 21.00
(E) Drive-through permits (Full-time Faculty and Staff only)	Quarter	2.00
(F) Motorcycle and Scooter	Quarter	5.00
(G) 24-hour storage, garages	Quarter	(27.00) 30.00
(H) 24-hour storage, surface lots - Zone A	Quarter	(18.00) 21.00
(I) 24-hour storage, surface lots - Zone B	Quarter	(15.00) 18.00
(iii) Night Permits (5:00 p.m. to 7:30 a.m. and Saturday a.m. only)		
(A) Zone A annual permits	Year	48.00
(B) Zone B annual permits	Year	24.00
(C) Zone A quarterly permits	Quarter	12.00
(D) Zone B quarterly permits	Quarter	6.00
(iv) Conference Permits	Week	6.25
(b) Hourly Parking Rates for Designated Areas on Main Campus and South Campus (6:45 a.m. to 11:00 p.m. only) -		
(i) 0-15 minutes		No charge
(ii) 15 minutes to 30 minutes		\$.25
(iii) to 1 hour		.50
(iv) 1 hour to 2 hours		.75
(v) 2 hours to 3 hours		1.00
(vi) over 3 hours		1.25
(b-1) Hourly Parking Rates for Designated Areas on the Periphery of Campus (6:45 a.m. to 11:00 p.m. only) -		
(i) 0-15 minutes		No charge
(ii) 15 minutes to 30 minutes		.25
(iii) to 1 hour		.50
(iv) over 1 hour		.75
(c) Evening Parking (5:00 p.m. to 11:00 p.m.)		
(i) 0-30 minutes		No charge
(ii) over 30 minutes		.50
(d) Overnight Parking (to 7:30 a.m.)		1.00
(e) Special Permits -		
(i) Short term (24-hour) Zone A (Faculty, Staff and Students)	Week	(2.25) 2.50
	Month	(9.00) 10.00
(ii) Short term (not including 24-hour storage) Zone A (Faculty, Staff and Students)	Week	(1.50) 1.75
	Month	(6.00) 7.00
	Day	.25
(iii) Short-term Motorcycle		
(iv) Ticket Books (persons identified in Sections WAC 478-116-240(6) and WAC 478-116-250(1) only)		
(A) 5 ticket book	Book	1.75
(B) 10 ticket book	Book	3.50
(C) 25 ticket book	Book	8.75
(f) Mechanically Controlled Parking areas as designated (Parking meters, ticket dispensers, automatic gates, etc.)		.10-.50
(g) Athletic Events -		
(i) Football		
(A) All campus lots		1.00
(B) Buses		5.00
(ii) All other events - Pavilion and Stadium lots		
(A) When staffed by attendants		.75
(B) When controlled by mechanical equipment		.25
(h) Miscellaneous Fees -		
(i) Transfer from one area to another by request of individual		2.00
(ii) Gate keycard replacement		2.50
(iii) Vehicle Gatekey deposit (Amount of deposit will be set by the Manager of the Parking Division. Deposit will be returned to individual when key is returned to Parking Division.)		Not to exceed 5.00
(iv) Permit Replacement		
(A) With signed certificate of destruction or theft		No charge
(B) Without certificate of destruction		2.00

(v) Impound Fee	PER	AMOUNT
(3) The following schedule of fines for violations of these rules is hereby established:		At cost
Offense		Maximum Fine
(a) 01 Blocking Traffic WAC 478-116-190		\$ 10.00
(b) 02 Enter/Exit Without Paying WAC 478-116-110		10.00
(c) 03 Failure to Lock Ignition WAC 478-116-200		3.00
(d) 04 Failure to Set Brakes WAC 478-116-200		5.00
(e) 05 Improper Display of Vehicle Permit WAC 478-116-340		2.00
(f) 06 Occupying More than One Stall or Space WAC 478-116-140		2.00
(g) 07 Parking in Restricted Parking Area WAC 478-116-110		5.00
(h) 08 Parking in Prohibited Area WAC 478-116-130		10.00
(i) 09 Parking on Grass WAC 478-116-130		5.00
(j) 10 Parking Out of Assigned Area WAC 478-116-130		5.00
(k) 11 Parking over Posted Time Limit WAC 478-116-110		5.00
(l) 12 Parking With No Valid Permit Displayed WAC 478-116-060		5.00
(m) 13 Parking within 10 Feet of Fire Hydrant WAC 478-116-130		10.00
(n) 14 Parking at Expired meter WAC 478-116-350		5.00
(o) 15 Parking Outside Cycle Area WAC 478-116-070		5.00
(p) 16 Parking in Space/Area Not Designated for Parking WAC 478-116-130		5.00
(q) 17 Parking While Privilege Suspended WAC 478-116-520		5.00
(r) 18 Use of Forged/Stolen Vehicle Permit WAC 478-116-060 and WAC 478-116-370		25.00
(s) 19 Impound WAC 478-116-580		At cost
(t) 20 Other Violations of the University Parking and Traffic Regulations		25.00

Reviser's Note: WAC 1-13-130 requires the use of underlining and deletion marks to indicate amendments to existing rules. The rule published above varies from its predecessor in certain respects not indicated by the use of these markings.

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

WSR 78-06-122
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF ECOLOGY
 [Memorandum—June 7, 1978]

NOTICE OF PUBLIC HEARING

The Washington State Department of Ecology, in accordance with provisions of the Clean Water Act of 1977, will hold two public hearings on the priority rating system of the municipal wastewater treatment works construction grants program. The first hearing will be

held on July 13, 1978 at 1:30 p.m. in Lounge C of the Student Activities Building of Spokane Falls Community College located at West 3410 Fort George Wright Drive, Spokane, Washington. The second hearing will be held on July 17, 1978 at 1:30 p.m. in the council chambers of the Olympia City Hall located at the corner of Eighth Street and Plum Street in Olympia, Washington. The purpose of these hearings is to receive comments and statements on the priority rating system and the administrative procedures for the formulation of the annual project priority list. Revision of the rating system and priority list procedures will be considered.

The public may review and receive information on the priority rating system and the procedures of the project priority list at the Department of Ecology offices, located as follows, after June 23, 1978.

Northwest Regional Office Department of Ecology 4350 150th Avenue Northeast Redmond, Washington 98052	Southwest Regional Office Department of Ecology Airport Industrial Park Olympia, Washington 98504
Eastern Regional Office Department of Ecology East 103 Indiana Avenue Spokane, Washington 98052	Central Regional Office Department of Ecology 2802 Main Street Union Gap, Washington 98903
Department of Ecology Administrative Headquarters Abbot Raphael Hall St. Martin's College Lacey, Washington 98503	

People unable to attend these hearings, but desiring to comment, should forward written statements to the Department of Ecology, Olympia, Washington, 98504; Attention: Hearing Officer, prior to July 13, 1978 for inclusion in the record at the public hearing. The record of the hearing will remain open for written comments until July 25, 1978.

Further information regarding these matters may be obtained by contacting Mr. Rick Pierce at the Department of Ecology Headquarters Office, telephone (206) 753-3885.

WSR 78-06-123
NOTICE OF PUBLIC MEETINGS
DEPARTMENT OF ECOLOGY
 [Memorandum—June 7, 1978]

NOTICE OF PUBLIC HEARING

The Washington State Department of Ecology, Office of Water Programs, in accordance with provisions of the Clean Water Act of 1977 (Public Law 95-217) will hold a public hearing on the fiscal year 1979 project priority list. The hearing will be held on September 15, 1978 at 1:30 p.m. in the council chambers of the Olympia City Hall located at Eighth and Plum in Olympia, Washington. The purpose of the hearing will be to receive comments and statements on the adoption of the fiscal year 1979 project priority list for wastewater construction grants.

The public may review and receive information on the fiscal year 1979 project list at the Department of Ecology offices, listed below, after September 1, 1978.

Northwest Regional Office
Department of Ecology
4350 150th Avenue N.E.
Redmond, Washington 98052

Eastern Regional Office
Department of Ecology
East 103 Indiana Avenue
Spokane, Washington 90852

Department of Ecology
Administrative Headquarters
Abbot Raphael Hall
St. Martin's College
Lacey, Washington 98504

Southwest Regional Office
Department of Ecology
Airport Industrial Park
Olympia, Washington 98504

Central Regional Office
Department of Ecology
2802 Main Street
Union Gap, Washington 98903

Further information regarding the FY 79 project list may be obtained by contacting Rick Pierce of the Department of Ecology at the headquarters office in Olympia, Washington (206) 753-3885.

People unable to attend the hearing but desiring to comment should forward written statements to the Department of Ecology, Olympia, Washington 98504, Attention: Hearing Officer, prior to September 15, 1978 for inclusion in the record at the public hearing. The record of the hearing will remain open for written statements until September 22, 1978.

WSR 78-06-124
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the submission of plans and reports for the construction of wastewater facilities; adopting chapter 173-240 WAC—Submission of plans and reports for construction of wastewater facilities; and repealing chapter 372-20 WAC—Public sewage and industrial waste works; that such agency will at 7:30 p.m., Wednesday, July 12, 1978, in the Hearings Room, Department of Ecology, Lacey, WA conduct a hearing relative thereto;

Also: at 9:30 a.m., Friday, July 14, 1978, in Lounge C of the Student Activities Building of Spokane Falls Community College, West 3410 Fort George Wright Drive, Spokane, Washington;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, August 17, 1978, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is RCW 90.48.110 and 43.21A.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 25, 1978, and/or orally at any of the above hearings.

Dated: June 5, 1978
By: Elmer C. Vogel
Deputy Director

Chapter 173-240 WAC
SUBMISSION OF PLANS AND REPORTS FOR CONSTRUCTION OF WASTEWATER FACILITIES

WAC

173-240-010	Purpose and scope.
173-240-020	Definitions.
173-240-030	Provision of guidelines.
173-240-040	General requirements.
173-240-050	Submission of reports and plans.
173-240-060	Requirement for professional engineer.
173-240-070	General sewer plan.
173-240-080	Approval of construction changes.
173-240-090	Operation and maintenance.
173-240-100	Right of inspection.
173-240-110	Certification of construction completion.
173-240-990	Form. Certificate of construction of water pollution control facilities.

NEW SECTION

WAC 173-240-010 PURPOSE AND SCOPE. Pursuant to the provisions of RCW 90.48.110, the regulations set forth in this chapter are for the protection of public health and the environment through the provision of minimum requirements for the design and construction of new or improved wastewater facilities. These regulations supersede chapter 372-20 WAC, Public Sewage and Industrial Works, which was adopted December 3, 1953.

NEW SECTION

WAC 173-240-020 DEFINITIONS. (1) "Department" means the Washington state department of ecology.

(2) "Engineering report" means a thorough engineering study which develops a sound and economical plan for a particular wastewater facility project; provides methods of operation and maintenance of such facility; examines alternatives, giving preliminary layout and cost estimates; sets forth the water quality and design criteria to be used in the preparation of plans and specifications; and describes financing methods for wastewater projects.

The facility plan detailed in federal regulation 40 CFR 35 is an "engineering report." This federal regulation describes the environmental protection agency's municipal wastewater construction grants program.

(3) "General sewer plan" means a comprehensive plan for a system of sewers adopted by a local government entity. The plan includes the general location and description of treatment and disposal facilities, trunk and interceptor sewers, pumping stations, monitoring and control facilities, local service areas and a general description of the collection system to serve those areas. "General sewer plan" means the:

- (a) Sewerage general plan adopted by counties; and
- (b) Comprehensive plan for a system of sewers adopted by sewer districts; and
- (c) Plan for a system of sewerage adopted by cities; and
- (d) Comprehensive plan for a system of sewers adopted by water districts; and
- (e) Plan for sewer systems adopted by public utility districts and port districts.

(4) "Industrial waste" means the liquid, solid, or other waste from industrial processes, as distinct from domestic or sanitary wastes. These wastes may result from any process of industry, manufacture, trade or business, or from the development of any natural resource.

(5) "Industrial waste facilities" means the structures, equipment, and processes required to collect, carry away, treat, reclaim or dispose of industrial waste. The term is included as a type of "wastewater facility" defined below.

(6) "Owner" means the state, county, city, town, corporation, firm, company, institution, person or persons, or any other entity owning or operating a wastewater facility.

(7) "Plans and specifications" means the detailed drawings and specifications used in the construction or modification of wastewater facilities. Plans and specifications are preceded by an approved engineering report.

(8) "Sewer system" means a system of sewers and appurtenances for the collection, transportation, and pumping of wastewater. By definition, a sewer system is a part of the wastewater facility.

- (9) "Wastewater" means, but is not limited to:
 - (a) A combination of the water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground or surface water that may be present;
 - (b) Industrial waste;
 - (c) Animal waste;

(d) Contaminated stormwater.

(10) "Wastewater facilities" means the structures, equipment, and processes required to collect, carry away, treat, reclaim, or dispose of wastewater. An industrial waste facility is one type of wastewater facility.

In the case of on-site sewage disposal where discharge or potential discharge is to state underground waters, the term means:

(a) Septic tank systems with an ultimate design capacity exceeding seventeen thousand five hundred gallons per day or designed to ultimately serve plats of fifty or more living units; and

(b) Mechanical systems or lagoons with an ultimate design capacity exceeding three thousand five hundred gallons per day or designed to ultimately serve plats of ten or more living units.

(11) "Waters of the state" means all lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

NEW SECTION

WAC 173-240-030 PROVISION OF GUIDELINES. The department will establish guidelines which state the minimum requirements for the contents of the various plans, specifications, and reports and also the design criteria. Due to rapidly changing technology and also changing federal regulations which necessitate changes, the department finds it more expeditious to state these requirements as guidelines rather than as regulations.

NEW SECTION

WAC 173-240-040 GENERAL REQUIREMENTS. (1) Prior to the construction or modification of all wastewater facilities, engineering reports and plans and specifications for the project shall be submitted to and approved by the department, except as noted in WAC 173-240-050(3) below.

(2) All reports and plans and specifications should be submitted by the owner to the department at least thirty days prior to the time approval is desired. The department will generally review and either approve (or conditionally approve), comment on, or disapprove such plans and reports within the thirty-day period unless circumstances prevent, in which case the owner will be notified and informed of the reason for the delay.

(3) Construction or modification of wastewater facilities shall conform to the following schedule of tasks unless otherwise modified by these regulations.

(a) Submission and approval of an engineering report;

(b) Submission and approval of plans and specifications and proposed methods of operation and maintenance;

(c) Supervised construction of the facilities; and

(d) Certification of construction by the project engineer pursuant to WAC 173-240-110.

NEW SECTION

WAC 173-240-050 SUBMISSION OF REPORTS AND PLANS. (1) Engineering report. Prior to submission of plans and specifications for the construction or modification of a wastewater facility, the owner shall submit an engineering report to the department and receive its approval, except as noted under subsection (3) of this section.

(2) Plans and specifications. Prior to beginning construction or modification of a wastewater facility, the owner shall submit plans and specifications for the project to the department and receive its approval, except as noted under subsection (3) of this section.

(3) Exceptions.

(a) Sewer systems. An engineering report and plans and specifications need not be submitted for additions to sewer systems if the entity has previously received approval from the department of the general sewer plan for the area as well as its sewer design criteria. In this case the entity need only provide written assurance that the addition is in conformance with the general sewer plan.

(b) Industrial waste facilities. The owner of an industrial waste facility may request waiver of the requirements of subsection (1) and/or (2) of this section. The department may, in certain circumstances, grant such a waiver.

NEW SECTION

WAC 173-240-060 REQUIREMENT FOR PROFESSIONAL ENGINEER. All required engineering reports and plans and specifications for the construction or modification of wastewater facilities shall be prepared under the supervision of a professional engineer licensed in accordance with chapter 18.43 RCW. All copies of these documents submitted to the department for review shall bear the seal of the professional engineer under whose supervision they have been prepared. Owners whose proposed project is estimated to cost less than ten thousand dollars may request a waiver of this requirement.

NEW SECTION

WAC 173-240-070 GENERAL SEWER PLAN. All entities authorized to provide sanitary sewer service are required to adopt a general sewer plan for an area prior to serving it. The adopted general sewer plan and each amendment to it shall be submitted to and approved by the department prior to its implementation. The general sewer plan shall be updated at least every five years.

NEW SECTION

WAC 173-240-080 APPROVAL OF CONSTRUCTION CHANGES. The department shall approve all construction changes which are significant deviations from department approved plans and specifications.

NEW SECTION

WAC 173-240-090 OPERATION AND MAINTENANCE. The proposed method of future operation and maintenance of wastewater facilities shall be included in the engineering report or plan and specifications and approved by the department before construction may begin. In those cases where the wastewater facility includes mechanical components, a detailed operation and maintenance manual shall be prepared prior to completion of construction.

NEW SECTION

WAC 173-240-100 RIGHT OF INSPECTION. Pursuant to RCW 90.48.090, the department or its authorized representative shall have the right to enter at all reasonable times in or upon any property, public or private, for the purposes of inspection or investigation relating to the pollution or possible pollution of the waters of the state, including the inspection of construction activities related to wastewater.

NEW SECTION

WAC 173-240-110 CERTIFICATION OF CONSTRUCTION COMPLETION. Within thirty days following acceptance by the owner of the construction or modification of a wastewater facility, the professional engineer in responsible charge of inspection of the project shall submit to the department a certificate stating the facilities were constructed without significant change from the department approved plans and specifications. The certificate will be furnished by the department and will be substantially the same form as WAC 173-240-990, Certificate of Construction of Water Pollution Control Facilities. The foregoing is not applicable where the requirement for a professional engineer has been waived by the department pursuant to WAC 173-240-060.

NEW SECTION

WAC 173-240-990 FORM. CERTIFICATE OF CONSTRUCTION OF WATER POLLUTION CONTROL FACILITIES.

CERTIFICATE OF CONSTRUCTION OF WATER POLLUTION CONTROL FACILITIES

Instructions:

- A. Upon completion, and prior to the use of any project or portions thereof, a professional engineer shall complete and sign this form, certifying that the project was constructed in accordance with the plans and specifications, and major change orders, approved by the Department of Ecology.
B. If a project is being completed in phased construction, a map shall be attached showing that portion of the project being certified on the date given below. Each phase of a project must be certified as it is completed. Additional certification forms are available upon request from the Department of Ecology offices listed below.

NAME AND BRIEF DESCRIPTION OF PROJECT:
NAME OF OWNER
ADDRESS
CITY STATE ZIP
DOE PROJECT NO.
DATE PROJECT OR PHASE COMPLETED
DOE PLAN AND SPECIFICATION APPROVAL DATE

I hereby certify that I am the project engineer of the above identified project; that said project was inspected by me or my authorized agent and that it was constructed and completed in accordance with the plans and specifications, and major change orders, approved by the Department of Ecology and as shown on the owner's "as-built" plans.

Signature or Professional Engineer
DATE
SEAL OF ENGINEER

Please return completed form to the Department of Ecology office checked below.

- SW Regional Office Department of Ecology 7272 Cleanwater Lane Olympia, WA 98504
Central Regional Office Department of Ecology 2802 Main Street Union Gap, WA 98903
NW Regional Office Department of Ecology 4350 150th Ave. NE Redmond, WA 98052
Eastern Regional Office Department of Ecology East 103 Indiana Ave. Spokane, WA 99207

REPEALER

Chapter 372-20 of the Washington Administrative Code is repealed in its entirety as follows:

- (1) WAC 372-20-005 SEWAGE WORKS DESIGN GUIDE.
(2) WAC 372-20-010 DEFINITIONS.
(3) WAC 372-20-020 ALL PLANS MAY BE SUBMITTED TO POLLUTION CONTROL COMMISSION.
(4) WAC 372-20-025 LAW RELATING TO APPROVAL OF COMPREHENSIVE PLAN FOR SEWER DISTRICTS.
(5) WAC 372-20-030 PLAN REQUIREMENTS GENERAL-LY-SEWERAGE SYSTEMS.
(6) WAC 372-20-040 PLAN REQUIREMENTS GENERAL-LY-SEWAGE TREATMENT WORKS.
(7) WAC 372-20-050 INSPECTION OF SYSTEMS AND PLANTS DURING CONSTRUCTION.
(8) WAC 372-20-055 COMPLIANCE WITH RCW 90.48.110.
(9) WAC 372-20-060 SEWERAGE SYSTEMS-REPORT, GENERAL LAYOUT MAP AND SPECIFICATIONS.
(10) WAC 372-20-070 SEWAGE TREATMENT WORKS-REPORTS AND PLANS TO PCC.
(11) WAC 372-20-080 REQUIREMENTS FOR ENGINEERS.
(12) WAC 372-20-090 THE OPERATION OF SEWAGE TREATMENT PLANTS.

(13) WAC 372-20-100 INDUSTRIAL WASTE TREATMENT WORKS-REPORTS AND PLANS.

(14) WAC 372-20-110 OPERATION OF INDUSTRIAL WASTE TREATMENT PLANTS.

WSR 78-06-125

PROPOSED RULES

DEPARTMENT OF GENERAL ADMINISTRATION

[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of General Administration intends to adopt, amend, or repeal rules concerning compliance with State Environmental Protection Act. Changes may be made prior to final adoption;

that such agency will at 8:00 a.m., Monday, July 17, 1978, in the Room 218, General Administration Building, Olympia, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 8:00 a.m., Monday, July 17, 1978, in the Room 218, General Administration Building, Olympia, WA.

The authority under which these rules are proposed is chapters 43.21C, 43.19 and 34.04 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 17, 1978.

Dated: June 7, 1978

By: Vernon L. Barnes
Director

NEW SECTION

WAC 236-10-045 DECLARATION OF NONSIGNIFICANCE-WRITTEN CONCURRENCE OBTAINED FROM AGENCIES WITH JURISDICTION-FINAL DECLARATION OF NONSIGNIFICANCE ISSUED PURSUANT TO WAC 197-10-340. When the environmental assessment process for projects undertaken by the Department of General Administration, for another State agency or for a private applicant concludes with a declaration of nonsignificance, a written concurrence may be obtained from an agency or agencies with jurisdiction, the proposed declaration of nonsignificance omitted and a final declaration of nonsignificance issued, pursuant to WAC 197-10-340.

[This rule is promulgated pursuant to RCW 43.21C.120 and is intended to administratively implement that statute]

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

Reviser's Note: The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 76-5, filed 5/14/76)

WAC 236-10-030 ADOPTION BY REFERENCE. The Department of General Administration hereby adopts by reference the following sections or subsections of chapter 197-10 of the Washington Administrative Code (the "SEPA Guidelines" adopted by the State of Washington, ((Council on Environmental Policy)) Department of Ecology, including any subsequent amendments thereto:

WAC

- 197-10-020: Purpose.
197-10-040: Definitions.
197-10-050: Use of the Environmental Checklist Form.
197-10-060: Scope of a Proposal and its Impacts.

WAC

- 197-10-160: No Presumption of Significance for Non-Exempt Actions.
- 197-10-170: Categorical Exemptions.
- 197-10-175: Exemptions and Non-Exemptions Applicable to Specific State Agencies.
- 197-10-180: Exemptions for Emergency Actions.
- 197-10-190: Use and Effect of Categorical Exemptions.
- 197-10-200: Lead Agency—Responsibilities.
- 197-10-203: Determination of Lead Agency—Procedures.
- 197-10-205: Lead Agency Designation—Governmental Proposals.
- 197-10-210: Lead Agency Designation—Proposals involving Both Private and Public Construction.
- 197-10-215: Lead Agency Designation—Private Projects for Which There is Only One Agency.
- 197-10-220: Lead Agency Designation—Private Projects, Licenses From More than One Agency When One is City/County.
- 197-10-225: Lead Agency Designation—Private Projects, License From More Than One State Agency.
- 197-10-230: Lead Agency Designation—Specific Proposals.
- 197-10-235: Local Agency Transfer of Lead Agency Status to a State Agency.
- 197-10-240: Agreements as to Lead Agency Status.
- 197-10-245: Agreements Between Agencies ((at)) as to Division of Lead Agency Duties.
- 197-10-260: Dispute as to Lead Agency Determination—Resolution by CEP.
- 197-10-270: Assumption of Lead Agency by Another Agency with Jurisdiction.
- 197-10-300: Threshold Determination Requirement.
- 197-10-305: Recommended Timing for Threshold Determination.
- 197-10-310: Threshold Determination Procedures—Environmental Checklist.
- 197-10-320: Threshold Determination Procedures—Initial Review of Environmental Checklist.
- 197-10-330: Threshold Determination Procedures—Information in Addition to Checklist.
- 197-10-340: Threshold Determination Procedures—Negative Declarations.
- 197-10-345: Assumption of Lead Agency Status by Another Agency with Jurisdiction—Prerequisites, Effect and Form of Notice.
- 197-10-350: Affirmative Threshold Determinations.
- 197-10-355: Form of Declaration of Significance/Non-Significance.
- 197-10-360: Threshold Determination Criteria—Application of Environmental Checklist.
- 197-10-365: Environmental Checklist.
- 197-10-370: Withdrawal of Affirmative Threshold Determination.
- 197-10-375: Withdrawal of Negative Threshold Determination.
- 197-10-390: Effect of Threshold Determination by Lead Agency.
- 197-10-400: Duty to Begin Preparation of a Draft EIS.
- 197-10-410: Pre-Draft Consultation Procedures.
- 197-10-425: Organization and Style of a Draft EIS.
- 197-10-440: Contents of a Draft EIS.
- 197-10-442: Special Considerations Regarding Contents of an EIS.
- 197-10-444: List of Elements of the Environment.
- 197-10-450: Public Awareness of Availability of Draft EIS.
- 197-10-455: Circulation of the Draft EIS—Review Period.
- 197-10-460: Specific Agencies to which Draft EIS shall be sent.
- 197-10-465: Agencies possessing Environmental Expertise.
- 197-10-470: Costs to the Public for Reproduction of Environmental Documents.
- 197-10-480: Public Hearing on a Proposal—When Required.
- 197-10-485: Notice of Public Hearing on Environmental Impact of the Proposal.
- 197-10-490: Public Hearing on the Proposal—Use of Environmental Document.
- 197-10-495: Preparation of Amended or New Draft EIS.

WAC

- 197-10-500: Responsibilities of Consulted Agencies—Local Agencies.
- 197-10-510: Responsibilities of Consulted Agencies—State Agencies with Jurisdiction.
- 197-10-520: Responsibilities of Consulted Agencies—State Agencies with Environmental Expertise.
- 197-10-530: Responsibilities of Consulted Agencies—When Pre-Draft Consultation has Occurred.
- 197-10-535: Cost of Performance of Consulted Agency Responsibilities.
- 197-10-540: Limitations on Responses to Consultation.
- 197-10-545: Effect of No Written Comment.
- 197-10-550: Preparation of the Final EIS—Time Period Allowed.
- 197-10-570: Preparation of Final EIS—When no Critical Comments Received on the Draft EIS.
- 197-10-580: Preparation of the Final EIS—Contents—When Critical Comments Received on Draft EIS.
- 197-10-600: Circulation of the Final EIS.
- 197-10-650: Effect of an Adequate Final EIS Prepared Pursuant to NEPA.
- 197-10-652: Supplementation of a Lead Agency of an Inadequate Final NEPA EIS.
- 197-10-660: Use of Previously Prepared EIS for a Different Proposed Action.
- 197-10-690: Use of a Lead Agency's EIS by Other Acting Agencies for the Same Proposal.
- 197-10-695: Draft and Final Supplements to a Revised EIS.
- 197-10-700: No Action for Seven Days After Publication of the Final EIS.
- 197-10-710: EIS Combined with Existing Planning and Review Processes.
- 197-10-840: Application of Agency Guidelines to Ongoing Actions.

[This Rule is promulgated pursuant to RCW 43.21C.120 and is intended to administratively implement that statute].

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

Reviser's Note: The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

WSR 78-06-126**PROPOSED RULES****DEPARTMENT OF ECOLOGY**

[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the designation of associated wetlands in San Juan County which constitute shorelines of the state and are subject to the Shoreline Management Act of 1971, as defined by RCW 90.58.030(c), (d), (e), (f) and (g); amending chapter 173-22 WAC—Adoption of Designations of Wetlands Associated with Shorelines of the State;

that such agency will at 7:00 p.m., Thursday, July 20, 1978, in the Lopez School Gymnasium, Center Road and School Road, Lopez Island conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, August 10,

1978, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is RCW 90.58.200.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 27, 1978, and/or orally at either hearing, above.

Dated: June 5, 1978
By: Elmer C. Vogel
Deputy Director

NEW SECTION

DESIGNATION OF ASSOCIATED WETLANDS—SAN JUAN COUNTY.

Reviser's Note: The map comprising the proposed designation of associated wetlands in San Juan County which constitute shorelines of the state as defined by RCW 90.58.030(c), (d), (e), (f), and (g) have been omitted from publication in the Register under the authority of RCW 34.04.050(3) as being unduly cumbersome to publish. Copies of the proposed rules may be obtained from the Department of Ecology, St. Martin's College, Lacey, Washington 98504.

WSR 78-06-127
PROPOSED RULES
DEPARTMENT OF ECOLOGY
(Filed June 7, 1978)

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the identification, transport and disposal of hazardous wastes. The amendment consists of a deferral of the manifest requirements for thirteen months, amending chapter 173-302 WAC—Hazardous waste regulation;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Tuesday, July 11, 1978, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is chapter 70.105 RCW, the Hazardous Waste Disposal Act of 1976.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 7, 1978, and/or orally at 10:00 a.m., Tuesday, July 11, 1978, Hearings Room, Department of Ecology, Lacey, WA.

Dated: June 5, 1978
By: Elmer C. Vogel
Deputy Director

NEW SECTION

WAC 173-302-165 DISPOSAL PROHIBITED. No person shall dispose of designated extremely hazardous waste at any disposal site in the state other than the disposal site established and approved by the department under chapter 70.105 RCW. No person is prohibited from the treatment of such waste, as set out in WAC 173-302-350 through

173-302-380, or from out-of-state shipment of such waste as a means of complying with this section.

AMENDATORY SECTION (Amending Order DE 77-34, filed 12/29/77)

WAC 173-302-390 COMPLIANCE. All generators, transporters, treaters, and the operator shall comply with chapter 173-302 WAC according to the following time schedules:

(a) WAC 173-302-010 through 173-302-060 – upon the effective date of this regulation. This includes:

- WAC 173-302-010 – Purpose
- WAC 173-302-020 – Applicability
- WAC 173-302-030 – Abbreviations
- WAC 173-302-040 – Definitions
- WAC 173-302-050 – Conference
- WAC 173-302-060 – Imminent Hazard

(b) WAC 173-302-070 through ~~((173-302-160, and 173-302-180(8), 173-302-210(1)(b) and (2)))~~ 173-302-165, and 173-302-350 ~~((through 173-302-380)),~~ 173-302-360, 173-302-380(1) and (3) – on August 1, 1978. This includes:

- WAC 173-302-070 – Designation of EHW
- WAC 173-302-080 – Categorization
- WAC 173-302-090 – Criteria for DW
- WAC 173-302-100 – Criteria for EHW
- WAC 173-302-110 – Hazardous Due to Toxicity Man and Wildlife
- WAC 173-302-120 – Hazardous Due to Quantity
- WAC 173-302-130 – Hazardous Due to Persistence and Potential Hazard
- WAC 173-302-140 – Containers
- WAC 173-302-150 – Division and Dilution and Accumulation
- WAC ~~((173-201-160 {173-302-160}))~~ 173-302-160 – Appeal of Designation

~~((WAC 173-302-180(8) – Manifest Procedures for Out-of-state Shipments and for Treaters~~

~~WAC 173-302-210(1)(b) and (2) – Transporter Applicability for Waste Shipped Out-of-state and to Treater))~~

- WAC 173-302-165 – Disposal Prohibited
- WAC 173-302-350 – Treater Requirements
- WAC 173-302-360 – Treater Applicability
- ~~((WAC 173-302-370 – Treatment Criteria))~~
- WAC 173-302-380(1) and (3) – Treatment Criteria

(c) WAC 173-302-170 through 173-302-340, 173-302-370 and 173-302-380(2) – on September 1, 1979 ~~((the estimated date of the opening of the state's disposal site))~~. This includes:

- WAC 173-302-170 – Generator Requirements
- WAC 173-302-180 ~~((except as above noted))~~ – Manifest Procedures

- WAC 173-302-190 – Manifest Form
- WAC 173-302-200 – Transporter Requirements
- WAC 173-302-210 ~~((except as above noted))~~ – Transporter Applicability

- WAC 173-302-220 – Waste Acceptance
- WAC 173-302-230 – Transporting
- WAC 173-302-130 [173-302-240] – Operator Requirements
- WAC 173-302-250 – Yearly Operating Plan
- WAC 173-302-260 – EHW Acceptances
- WAC 173-302-270 – EHW Handling at the Disposal Site
- WAC 173-302-280 – Environmental Requirements
- WAC 173-302-290 – Security Requirements
- WAC 173-302-300 – Safety Requirements
- WAC 173-302-310 – Emergency Requirements
- WAC 173-302-320 – Personnel Requirements
- WAC 173-302-330 – Department Surveillance
- WAC 173-302-340 – Financial Requirements
- WAC 173-302-370 – E.H.W. Acceptance
- WAC 173-302-380(2) – Treatment Criteria

WSR 78-06-128
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning limitations on the use of state monies provided through Referendum 26 for water pollution abatement, adopting chapter 173-255 WAC—Limitations on Use of Referendum 26 Grant Funds for Water Pollution Abatement;

that such agency will at 10:30 a.m., Thursday, July 13, 1978, in Lounge C, Student Activities Building, Spokane Falls Community College, West 3410 Fort George Wright Drive, Spokane, WA conduct a hearing relative thereto;

Also: 10:30 a.m., Monday, July 17, 1978, in the Council Chambers of the Olympia City Hall, Eighth and Plum Streets, Olympia, WA;

and that the adoption, amendment, or repeal of such rules will take place at 10:30 a.m., Thursday, August 17, 1978, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is RCW 43.21A.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 25, 1978, and/or orally at any of the above hearings.

Dated: June 5, 1978
By: Elmer C. Vogel
Deputy Director

Chapter 173-255 WAC
LIMITATIONS ON USE OF REFERENDUM 26 GRANT
FUNDS FOR WATER POLLUTION ABATEMENT

NEW SECTION

WAC 173-255-010 PURPOSE AND SCOPE. The purpose of this chapter is to set forth the limitations on uses of moneys administered by the department of ecology pursuant to chapter 43.83A RCW (Referendum Bill No. 26). The limitations are necessary to insure that these funds will be used to their optimum extent to protect the resources and environment of the state of Washington and the health and safety of its people by providing adequate publicly owned facilities and systems for the collection, treatment and disposal of solid and liquid waste materials.

NEW SECTION

WAC 173-255-020 EFFECTIVE DATE. The effective date of this chapter shall be September 24, 1978. All projects, or phases of projects, which have not received a federal or state grant award for design, before the effective date of this chapter will be subject to provisions contained herein.

NEW SECTION

WAC 173-255-030 DEFINITIONS. For the purpose of this chapter:

(1) "Agricultural pollution grants program" means the program of grants administered by the department of ecology for the planning, design and construction of publicly owned or operated agricultural pollution abatement facilities.

(2) "Lake restoration grants program" means the program of state grants administered by the department of ecology for the planning, design and implementation of lake restoration projects.

(3) "Marina pumpout grants program" means the program of state grants administered by the department of ecology for the design and construction of sewage pumpout facilities and dump stations at publicly owned or operated marinas.

(4) "Municipal wastewater treatment works construction grants program" (hereinafter referred to as the construction grants program) means the federal/state matching program of grants under Title II of Public Law 95-217 to municipal entities for the purpose of upgrading their treatment works to meet the effluent requirements of state and federal law.

(5) "Water supply residual waste treatment works grants program" means the program of state grants administered by the department of ecology for the design and construction of pollution abatement facilities for publicly owned or operated water supply plants in existence on February 3, 1976, that discharge residual wastes to the waters of the state.

(6) "Individual systems" means privately owned treatment works serving one or more principal residences or small commercial establishments constructed prior to and inhabited on or before December 27, 1977, to abate an existing water pollution or public health problem.

(7) "Industrial cost recovery program" means the program established under Title II section 204(b) of the Federal Water Pollution Control Act Amendments (Public Law 92-217) to recover the cost of municipal treatment systems attributed to industrial users, when a municipal treatment system has been funded with federal funds under Title II.

(8) Industrial user:

(a) Any nongovernmental user of publicly owned treatment works which discharges more than twenty-five thousand gallons per day of sanitary waste, or a volume of process waste or combined process and sanitary waste, equivalent to twenty-five thousand gallons per day of sanitary waste.

(b) Any nongovernmental user of a publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the treatment works.

(c) All commercial users of an individual system constructed with grant assistance under section 201(h) of the Clean Water Act of 1977 (P.L. 95-217).

(9) "Innovative and alternative technology projects" means those projects employing innovative and alternative wastewater treatment processes and techniques as defined by EPA guidelines in 40 CFR 35, Appendix E, and which are eligible for federal grants under 40 CFR 35.908 promulgated on April 25, 1978, or hereafter modified.

NEW SECTION

WAC 173-255-040 LIMITATION OF PROGRAMS ELIGIBLE FOR FUNDING UNDER REFERENDUM BILL NO. 26. (1) The following programs shall be eligible for state matching grants in an amount not to exceed fifty percent of the total eligible cost of a project as determined by the department of ecology. The marina pumpout grants program, the water supply plant residual waste treatment works grants program, the lake restoration grants program, and the agricultural pollution grants program.

(2) The construction grants program shall be eligible for state matching grants in an amount not to exceed fifteen percent of the total eligible cost of a project as determined by the department of ecology except as provided in WAC 173-255-050(1).

NEW SECTION

WAC 173-255-050 LIMITATION ON GRANT AWARDS WITHIN THE MUNICIPAL GRANTS PROGRAM. (1) The state matching grants for innovative and alternative technology projects shall be limited to nine percent which is the same percentage of the nonfederal share as other types of projects funded under the construction grants program.

(2) The state matching grants shall only be provided for individual systems serving more than fifty living units or designed for seventeen thousand five hundred gallons per day, whichever is more restrictive.

(3) No state matching grants will be provided for that portion of the construction of the municipal treatment works attributable to industrial users. This portion is to be determined through the environmental protection agency's industrial cost recovery program.

WSR 78-06-129
PROPOSED RULES
DEPARTMENT OF ECOLOGY
 [Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning the methods used to establish a priority rating system and a project priority list for the municipal wastewater construction grants program, adopting chapter 173-250 WAC—Construction grants program priority rating and ranking system and project priority list;

that such agency will at 9:00 a.m., Thursday, July 13, 1978, in Lounge C, Student Activities Building, Spokane Falls Community College, West 3410 Fort George Wright Drive, Spokane WA conduct a hearing relative thereto;

Also: 9:00 a.m., Monday, July 17, 1978, in the Council Chambers of the Olympia City Hall, Eighth and Plum Streets, Olympia, WA;

and that the adoption, amendment, or repeal of such rules will take place at 10:15 a.m., Thursday, August 17, 1978, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is RCW 43.21A.080.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 25, 1978, and/or orally at any of the above hearings.

Dated: June 5, 1978

By: Elmer C. Vogel
 Deputy Director

Chapter 173-250 WAC
CONSTRUCTION GRANTS PROGRAM—PRIORITY RATING SYSTEM AND PROJECT PRIORITY LIST

NEW SECTION

WAC 173-250-010 PURPOSE AND SCOPE. The director shall publish a priority rating and ranking system annually which shall be used for the purpose of constituting a project priority list. The purpose of this chapter is to describe (1) the criteria to be considered when establishing the numerical rating parameters portion of the system, (2) the criteria to be considered when establishing the administrative and management ranking procedures portion of the system, (3) the process to be followed in seeking approval of the system, (4) how the system is to be used to constitute a project priority list, and (5) the process to be followed in seeking approval of the project priority list.

NEW SECTION

WAC 173-250-020 DEFINITIONS. For the purpose of this chapter:

(1) "Category of projects" means one of the following: (a) Secondary treatment, (b) more stringent treatment, (c) infiltration-inflow correction, (d) major sewer system rehabilitation, (e) new collection sewer and appurtenances, (f) new interceptors and appurtenances, and (g) correction of combined sewer overflows.

(2) "Director" means the director of the Washington State Department of Ecology, or his duly authorized representative.

(3) "Priority rating and ranking system" (hereinafter referred to as the system) means the process and criteria used by the department of ecology to rate and rank projects in the state that are considered eligible for assistance under the construction grants program. Ranking criteria include the administrative and management procedures for constituting and revising the project priority list.

(4) Project means any one of the following: (a) Facility planning (step 1), (b) design (step 2), (c) and construction (step 3).

(5) Project priority list means the annual list of rated and ranked projects for which federal and state grant assistance is expected during the five-year planning period starting at the beginning of the next federal fiscal year.

(6) Significant revisions means changes to the approved project priority list which effect the public-at-large.

(7) "Wastewater treatment works construction grants program" (hereinafter referred to as the construction grants program) means the federal funded program under Title II of Public Law 95-217 and the state funded program under chapter 43.83A RCW (Referendum 26) that provides for grants to public and private entities for the purpose of constructing or upgrading treatment works to meet the requirements of the state and federal water pollution control laws.

NEW SECTION

WAC 173-250-030 DEVELOPMENT AND APPROVAL OF THE SYSTEM. (1) The director will establish project rating parameters which consider, but are not limited to, the following criteria:

(a) The severity of the pollution problem in navigable waters and ground waters;

(b) The existing population affected;

(c) The need for preservation of high quality waters;

(d) The need for protection of the public health by improving the sanitary condition of surface and underground waters; and

(e) Violation of state water quality standards and other enforceable provisions of Public Law 95-217.

(2) The director will establish project ranking procedures which consider, but are not limited to, the following criteria:

(a) Numerical rating of each project achieved in accordance with the priority rating criteria established under WAC 173-250-030(1);

(b) Readiness for grant award during the next federal fiscal year;

(c) Readiness for grant award during each of the ensuing four federal fiscal years following the next;

(d) Phasing of large dollar amount projects to allow for effective distribution of grant funds;

(e) A proper mix of projects which are ready for facility planning, design and construction;

(f) Determination of the priority to be given each category of projects;

(g) Total federal or state grant funds available during the next fiscal year and anticipated during each of the ensuing four fiscal years;

(h) The deadline for obligation of federal funds;

(i) Special needs of small and rural communities; and

(j) An identification of what constitutes significant revisions to the approved project priority list (including bypass, deletion or addition of projects).

(3) The system will be described each year and be the subject of an annual public hearing. Notice of this hearing shall appear in the state register pursuant to chapter 34.08 RCW.

(4) A fact sheet describing the proposed system shall be developed by the director each year and be available to the public at the regional offices of the department of ecology at least fifteen days prior to the public hearing.

(5) After reviewing public comments the director will revise the proposed system as appropriate. A summary of state responses to public comment and to any public hearing testimony shall be prepared and made available for distribution to the public.

(6) The proposed system as published by the director shall be submitted each year to the federal environmental protection agency for approval.

NEW SECTION

WAC 173-250-040 DEVELOPMENT AND APPROVAL OF THE STATE PROJECT PRIORITY LIST. (1) A list of prospective projects will be developed using the municipal needs inventory, the NPDES permit files, and requests received from municipal entities.

(2) The director shall utilize the published system to constitute a project priority list as follows:

(a) Use the project rating parameters to generate a numerical score for each prospective project; and

(b) Use the project ranking procedures to constitute the project priority list.

(3) The fundable portion of the project priority list shall include those projects planned for award during the first year of the five-year planning period and shall not exceed the total federal funds expected to be available during the year less all applicable reserves provided for by federal regulations.

(4) Thirty days public notice shall be given that the project priority list will be the subject of a public hearing. Notice of this hearing shall appear in the state register pursuant to chapter 34.08 RCW.

(5) The project priority list will be available to the public at the regional offices of the department of ecology, at least fifteen days prior to the public hearing.

(6) The public comments will be reviewed and the director shall approve the project priority list as proposed or as revised in accordance with public comments.

(7) The project priority list, as approved by the director, shall be submitted to the federal environmental protection agency for review to ensure compliance with the approved system.

(8) Significant revisions to the approved project priority list shall be the subject of the public notice and hearing process as set forth in WAC 173-250-040(4), (5), (6), and (7).

WSR 78-06-130
PROPOSED RULES
CONSERVATION COMMISSION
[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 89.08 RCW, that the Conservation Commission intends to adopt, amend, or repeal rules concerning Guidelines, amending WAC 135-10-030 and Distribution categories, amending WAC 135-10-040;

and that the adoption, amendment, or repeal of such rules will take place at 8:30 a.m., Monday, July 17, 1978, in the Hearings Room, Department of Ecology, Lacey, WA.

The authority under which these rules are proposed is chapter 89.08 RCW and RCW 34.04.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 14, 1978, and/or orally at 8:30 a.m., Monday, July 17, 1978, Hearings Room, Department of Ecology, Lacey, WA.

Dated: June 6, 1978

By: Wayne Reid
Executive Secretary

AMENDATORY SECTION (Amending Order CC 77-1, filed 12/14/77)

WAC 135-10-030 GUIDELINES. Funds will be distributed to conservation districts by the conservation commission only (~~on a reimbursement basis. Reimbursements will be made only~~) upon receipt of a properly executed grant request form and will be for uses approved by the commission and subject to fulfilling the following requirements:

(1) Wages, salaries and related benefits.

(a) Employment of district personnel shall be by action of the governing body, and shall include a contract or work agreement, a copy of which shall be filed with the conservation commission, Olympia, Washington.

(b) Employee slips shall be submitted monthly to the conservation district ((~~secretary~~))treasurer.

(2) Travel and out-of-pocket expenses.

(a) Supervisors, employees, and agents shall submit travel vouchers monthly to conservation district ((~~secretary~~))treasurer.

(3) Supplies.

(a) Receipts for supplies purchased shall be submitted to the conservation district ((~~secretary~~))treasurer.

(4) Contractual services.

(a) Authorization for contractual services shall be by action of the governing body and shall be so recorded in the conservation district's official proceedings.

(b) A copy of any contract shall be filed with the conservation commission.

(c) Copies of receipts, orders, agreements, or transactions shall be submitted to the conservation district ((~~secretary~~))treasurer.

~~((When seeking reimbursement the conservation district shall submit to the conservation commission an invoice voucher with a payment period data form attached. Annually the conservation district shall submit to the conservation commission an expenditure report of funds distributed to the conservation district by the conservation commission.))~~

AMENDATORY SECTION (Amending Order 2-73, filed 11/19/73)

WAC 135-10-040 DISTRIBUTION CATEGORIES. The conservation commission shall distribute funds directly, on a priority basis, to conservation districts for program activities within the following categories:

(1) Long-range programs and program development

(2) Special programs

(3) District administration

(4) District elections

(5) Information and education

~~((Such direct distribution shall be made within funds remaining available to the conservation commission after sufficient funds are reserved on a biennial basis for the expenses of training conferences, record keeping, supplies, and other costs associated with activities of the Washington association of conservation districts.))~~

WSR 78-06-131
PROPOSED RULES
GAMBLING COMMISSION
[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Gambling Commission intends to adopt, amend, or repeal rules concerning the licensing and regulation of gambling activities;

that such agency will at 10 a.m., Thursday, July 13, 1978, in the Washington Room, Sherwood Inn, 400 N.E. 45th, Seattle, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10 a.m., Thursday, July 13, 1978, in the Washington Room, Sherwood Inn, 400 N.E. 45th, Seattle, WA.

The authority under which these rules are proposed is chapter 9.46 RCW (see attached rules for authority for each separate rule).

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 13, 1978, and/or orally at 10 a.m., Thursday, July 13, 1978, Washington Room, Sherwood Inn, 400 N.E. 45th, Seattle, WA.

Dated: June 6, 1978

By: Jeffrey O. C. Lane
Assistant Attorney General

AMENDATORY SECTION (Amending Order #85, filed 5-25-78)

WAC 230-04-140 LICENSING OF PUBLIC CARD ROOM EMPLOYEES. (~~Prior to accepting a position as, or acting as, a public card room employee a person shall first obtain a license from the commission.~~) No person shall act as a public card room employee for any employer after 30 days following his first day of work for that employer unless he has applied for and received a license from the commission. Within ten calendar days after accepting a position as, or acting as, a public card room employee a person shall submit an application for a license to the commission: PROVIDED, that ~~(this requirement)~~ the requirements of this section shall not apply to persons employed in a public card room operating under a class B or class D license only.

A sole owner, partner, major officer and/or owner of a substantial interest in a corporation licensed to operate a public card room shall not be required to be additionally licensed as a public card room employee to perform duties in connection with the card room. Except as provided in this section, ~~(*)~~ an operator of a public card room shall not employ any unlicensed person to perform duties for which a license is required in or in connection with a public card room, and shall take all measures necessary to prevent an unlicensed person from doing so.

The operator of a public card room or partner or officer of the entity operating the card room for which the applicant will work shall sign the application of each such public card room employee acknowledging that the applicant will be working for that operator with the operator's knowledge and consent.

This rule shall be effective as of September 1, 1978. [This rule is promulgated pursuant to RCW 9.46.070(16) and is intended to administratively implement that statute.]

Reviser's Note: The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 230-04-142 INITIAL CARD ROOM EMPLOYEE. LICENSES TO BE ISSUED ON STAGGERED BASIS. In order to avoid a large volume load of renewals at one time, licenses for public card room employees will be initially issued on a staggered basis with some licenses being issued for less than a full year.

Licenses issued based upon applications received by the commission prior to September 1, 1978, shall be effective either upon September 1, 1978, or upon the date issued, whichever is later. Licenses shall be issued for the following terms:

(1) Licenses based upon application received in the commission's office prior to August 1, 1978, will be issued for a year and require payment of the full fee (\$100).

(2) Licenses based upon applications received between August 1, 1978, and August 15, 1978, will be issued for a ten month period. The license fee therefor shall be five-sixths of the full fee (\$83.35).

(3) Licenses issued pursuant to applications received between August 16, 1978, and September 15, 1978, will be issued for an eight month period. The license fee therefor shall be two-thirds of the full fee (\$66.67).

(4) Licenses issued pursuant to applications received by the commission after September 15, 1978, and all renewals of licenses, shall be for a year and require the full fee (\$100).

[This rule is promulgated pursuant to RCW 9.46.070(5) and (16) and is intended to administratively implement that statute.]

This rule is promulgated pursuant to RCW 9.46.070(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.]

Reviser's Note: The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

REPEALER

The following section of the Washington Administrative Code is repealed.

(1) WAC 230-04-332 CHANGE OF EMPLOYEE OR AGENT IN THE OPERATION OF A CARD ROOM, PUNCHBOARDS OR PULL TABS.

[This rule is promulgated pursuant to RCW 9.46.030(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.]

Reviser's Note: The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION - ALTERNATE - DO NOT REPEAL (Amending Order No. 48, filed 3-26-76)

WAC 230-04-332 CHANGE OF EMPLOYEE OR AGENT IN THE OPERATION OF A CARD ROOM (~~(PUNCHBOARDS OR PULL TABS)~~). No licensee shall make or allow a change in employees or agents, including the hiring of additional persons, working in any capacity in connection with the operation of a card room (~~(PUNCHBOARDS OR PULL TABS)~~) without notifying the commission in writing not more than ten days following such change. Each such change is subject to the approval of the commission.

~~(Together with a notice of such change, the commission shall be supplied with all the information which, by law or under the rules of the commission, would have been required to be supplied to the commission respecting any new employee or agent had he been in such capacity at the time the application for the license was originally submitted to the commission.)~~

[This rule is promulgated pursuant to RCW 9.46.030(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.]

Reviser's Note: The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 230-04-452 PICTURES TO BE POSTED WITH EMPLOYEE LICENSES. The operator of a gambling activity shall post together with each of the licenses of his employees for which licenses are required a picture of that employee. Such picture shall be of a passport type not less than 2" X 3" and clearly showing a full front facial view of that employee.

[This rule is promulgated pursuant to RCW 9.46.070(10) and is intended to administratively implement that statute.]

This rule is promulgated pursuant to RCW 9.46.070(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.]

Reviser's Note: The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 230-04-455 EMPLOYEES TO WEAR IDENTIFICATION TAGS. Each employee required to obtain a license from the commission shall wear an identification tag at all times while working in the gambling activity. The identification tag shall be a minimum of 3" X 2" and shall display the employee's full name, employee license number, the name of the gambling operator or establishment, and a passport type color photograph of the employee of not less than 1" X 1" in full front facial view. All information on the identification tag shall be clear and easily visible to the players in the gambling activity. The identification tag shall be worn on the employee's chest.

The identification tag shall be coated with a clear plastic or similar material. It shall be furnished to the employee by the operator, who shall be equally responsible with the employee to insure the identification tag is displayed as required by this rule.

[This rule is promulgated pursuant to RCW 9.46.070(10) and is intended to administratively implement that statute.]

This rule is promulgated pursuant to RCW 9.46.070(13) which directs that the Washington State Gambling Commission has authority to implement the provisions of chapter 9.46 RCW.]

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

Reviser's Note: The brackets and enclosed material following the text of the above section occurred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

**WSR 78-06-132
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Board of Health)
[Filed June 7, 1978]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Social and Health Services intends to adopt, amend, or repeal rules concerning advanced life support technician rules and regulations, new chapter 248-15 WAC.

Public hearings relating to the attached proposed rules will be held at the following times and places.

<u>Time</u>	<u>Day</u>	<u>Date</u>	<u>Place</u>
10:00 a.m.	Wednesday	July 12, 1978	Auditorium, State Office Bldg #2 12th and Jefferson Olympia, WA
7:00 p.m.	Thursday	July 13, 1978	Spokane County Health Building W. 1101 College Room 140 Spokane, WA

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

Gerald E. Thomas
Acting Secretary
Department of Social and Health Services
Mail Stop OB-44
Olympia, WA 98504

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 26, 1978, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

The authority under which these rules are proposed is RCW 18.71.205.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 10:00 a.m., Wednesday, July 12, 1978, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA and 7:00 p.m., Thursday, July 13, 1978, Spokane County Health Building, W. 1101 College, Room 140, Spokane, WA.

Dated: June 7, 1978
By: Thomas G. Pinnock
Acting Secretary

**Chapter 248-15 WAC
ADVANCED LIFE SUPPORT TECHNICIAN—RULES AND
REGULATIONS**

NEW SECTION

WAC 248-15-010 DECLARATION OF PURPOSE. The purpose of these rules and regulations is to set forth standards governing the selection, training, certification and decertification of physician's trained mobile intravenous therapy technicians, physician's trained mobile airway management technicians and physician's trained mobile intensive care paramedics. Unless otherwise stated, such words as "approved," "certified," or "designated," when used in this chapter, shall mean that such approval, certification or designation is by authority of the department of social and health services or by the University of Washington's School of Medicine.

The National Training Course, Emergency Medical Technician Paramedic, United States Department of Transportation, National Highway Traffic Safety Administration may be used as an acceptable reference for course presentation. Modules enumerated in that course generally conform to standards stated in these rules and regulations.

NEW SECTION

WAC 248-15-020 DEFINITIONS. For the purpose of these rules and regulations, the following words, phrases, and abbreviations shall have the following meanings unless the context clearly indicates otherwise (also see WAC 248-17-020 for additional abbreviations and definitions applicable to this chapter).

(1) "Department" shall mean the department of social and health services.

(2) "Approved licensed physician" shall mean a licensed physician who:

- (a) Is knowledgeable in emergency medical services; and
- (b) Has been accepted by the department or by the University of Washington's School of Medicine as being qualified to the equivalent certification in advanced cardiac life support training by the American Heart Association; and
- (c) Is designated as a physician program director, responsible for coordinating matters pertaining to an advanced life support system; or
- (d) Is designated as a training physician, responsible for the training of physician's trained mobile intravenous therapy technicians, physician's trained mobile airway management technicians, or physician's trained mobile intensive care paramedics; or
- (e) Is designated as a supervising physician, responsible for the control and direction of certified advanced life support personnel in the performance of their duties and who directs such advanced life support personnel by verbal communication or by standing orders; and
- (f) Is approved by the department or by the University of Washington's School of Medicine to perform such designated functions in emergency medical services.

(3) "Emergency medical and ambulance review committee" shall mean that committee appointed by the governor under RCW 18.73-.040 which is responsible for advising and assisting the secretary on the identification of the requirements for prehospital emergency medical and ambulance services and practices and the formulation of implementation planning.

(4) "Emergency medical technician" (abbr. EMT) shall mean an individual who is certified according to chapter 18.73 RCW.

(5) "Physician's trained mobile intravenous therapy technician" (abbr. IV Therapy Technician) shall mean an individual who has successfully completed an emergency medical technician training course; has been trained under the supervision of an approved training physician to administer intravenous solutions under written or oral authorization of an approved supervising physician and has been examined and certified as a physician's trained mobile intravenous therapy technician by the department or the University of Washington's School of Medicine.

(6) "Physician's trained mobile airway management technician" (abbr. Airway Management Technician) shall mean an individual who has successfully completed an emergency medical technician training course; has been trained under the supervision of an approved training physician to perform endotracheal airway management and other authorized aids to ventilation under written or oral authorization of an approved supervising physician and has been examined and certified as a physician's trained mobile airway management technician by the department or the University of Washington's School of Medicine.

(7) "Physician's trained mobile intensive care paramedic" (abbr. Paramedic) shall mean an individual who has successfully completed an emergency medical technician training course; has been trained under the supervision of an approved training physician to carry out all phases of prehospital advanced life support under written or oral authorization of an approved supervising physician and has been examined and certified as a physician's trained mobile intensive care paramedic by the department or the University of Washington's School of Medicine.

(8) "Secretary" shall mean the secretary of the department of social and health services.

(9) "Emergency medical services council" shall mean an organized council of emergency medical services providers recognized by the department of social and health services. The council may represent county or multicounty area.

(10) "Advanced life support technician" shall mean any level of technician certified under RCW 18.71.200.

NEW SECTION

WAC 248-15-030 PHYSICIAN'S TRAINED MOBILE INTRAVENOUS THERAPY TECHNICIAN—AIRWAY MANAGEMENT TECHNICIAN—MOBILE INTENSIVE CARE

PARAMEDIC, SELECTION, GENERAL TRAINING, AND KNOWLEDGE STANDARDS. (1) Applicants for training as physician's trained mobile intravenous therapy technicians shall meet the following prerequisites:

(a) Successful completion of an emergency medical technician course as described in chapter 18.73 RCW;

(b) A minimum of one year's current experience as an active emergency medical technician;

(c) Be selected for training by the physician program director and the local emergency medical services council;

(d) Successfully pass such pretraining written, practical and/or oral examinations required by the department.

(2) Academic facilities used for training of physician's trained mobile intravenous therapy technicians shall possess the following minimum criteria:

(a) The academic facility shall have written agreements with the department to perform the training;

(b) The academic facility shall have written agreements with the clinical facility if the clinical training is accomplished in a separate facility.

(3) Academic instructional personnel shall consist of the following categories:

(a) An approved licensed physician program director who will be responsible for course coordination.

(b) An approved licensed training physician who will be responsible for the academic and clinical content of the course—the physician program director and training physician may be combined into one responsibility.

(c) A course coordinator appointed by the academic facility who shall be responsible for processing applications and assist in the selection of students; maintain an inventory of all training equipment available; assist in the selection of instructors, schedule classes and assign instructors; conduct instructor and clinical preceptor orientation; schedule students for the in-hospital clinical experience; assist in the coordination of the examination sessions, including the preparation of evaluation materials; counsel trainees on an individual basis and other related duties under the training physician. The course coordinator need not be a physician.

(d) Instructional personnel consisting of such physicians, nurses, and allied health professionals knowledgeable in specific subject matter of a given lesson.

(4) Clinical facilities used for training of physician's trained mobile intravenous therapy technicians shall have as minimum qualifications, the following departments or sections, personnel and policies:

(a) Approved supervising physician coverage for emergency care in accordance with WAC 248-18-285;

(b) Have program approval in writing from the administrator and chief of staff;

(c) Appoint an approved training physician who will be available for consultative help to students for the duration of the course;

(d) Agree in writing to participate in continuing education;

(e) Provide clinical experience with supervision of students during the clinical portion of the training program;

(f) Have necessary radio equipment for voice communications between field personnel and clinical facility;

(g) Agree to provide an orientation program that will inform students as to the policies, procedures and general layout of the facility, as well as inform employees of the purpose and limits of the program.

(5) The course content shall consist of the following minimum knowledge standards or equivalent which each student must be able to meet:

STANDARD I—THE ADVANCED LIFE SUPPORT TECHNICIAN, HIS ROLE, RESPONSIBILITIES AND TRAINING

(a) Role of the advanced life support technician:

(i) Identify the activities performed by an advanced life support technician in the field;

(ii) Identify the role of the advanced life support technician in the emergency medical system in which he is functioning;

(b) Laws governing the advanced life support technician:

(i) Demonstrate a working knowledge of the Medical Practices Act of the state of Washington, the Good Samaritan Law, Washington state legislation affecting emergency medical technicians and advanced life support technicians and the Washington Administrative Code rules for ambulance operation;

(ii) Demonstrate a knowledge and understanding of:

(A) Consent

(B) Abandonment

(C) Delegated practice (standing orders)

(D) Liability and malpractice

(E) Required records and reports for substantiating incidents.

(c) Orientation to the advanced life support program:

(i) Identify the skills required of an advanced life support technician;

(ii) Identify the requirements for:

(A) Emergency medical technician

(B) Physician's trained mobile intravenous therapy technician

(C) Physician's trained mobile airway management technician

(D) Physician's trained mobile intensive care paramedic

(E) The training level of all approved Washington state emergency care providers.

(d) Issues concerning the health professional. The advanced life support technician shall demonstrate a knowledge and understanding of:

(i) Ethics; professional conduct, confidentiality;

(ii) Legal requirements relating to advanced life support technicians;

(iii) The difference between ethical behavior and legal requirements.

(e) The student shall be able to identify the activity most appropriate in the handling of a dying patient, bystanders or the immediate relatives of the dying patient.

STANDARD II—HUMAN SYSTEMS AND PATIENT ASSESSMENT

(a) Medical terminology: Demonstrate a working knowledge of medical terminology and anatomical terms, including common prefixes and suffixes, and state their meanings.

(b) Human systems (anatomy and physiology)

(i) Recognize the differences and define the categories of:

(A) Anatomy

(B) Physiology

(C) Biochemistry

(D) Biophysics.

(ii) Demonstrate a knowledge of the basic principles of cell function, cell specialization and cell structure.

(iii) Recall and identify all common anatomic terms to include the anatomic terms relating to all medical subspecialties.

(iv) Identify and demonstrate a knowledge of the following systems, subsystems or organs of the body and recognize and associate the label for each system, subsystem or organ with the appropriate function:

(A) Muscles

(B) Skeleton

(C) Joints

(D) Respiratory system

(E) Lymphatic system

(F) Brain

(G) Spinal cord

(H) Peripheral nervous system

(I) Autonomic nervous system

(J) Renal system

(K) Liver

(L) Digestive system

(M) Endocrine system

(N) Circulatory system.

(c) Patient assessment:

(i) Describe and demonstrate how to conduct a primary survey;

(ii) Identify the steps required in the primary assessment of a communicative and noncommunicative patient;

(iii) Recall from memory the components of the secondary assessment;

(iv) Outline the information that must be obtained in:

(A) Immediate history

(B) Pertinent past medical history

(C) Pertinent family history

(v) Answer questions and describe in detail all components of a complete examination of a critically ill patient;

(vi) Demonstrate the ability to communicate information regarding patient assessment to the supervising physician at a remote medical facility and to the medical personnel receiving the patient.

NEW SECTION

WAC 248-15-040 PHYSICIAN'S TRAINED MOBILE IV THERAPY TECHNICIAN—TRAINING AND KNOWLEDGE STANDARDS. (1) Shock and fluid therapy

- (a) Fluid and electrolytes:
- (i) Demonstrate a knowledge of:
 - (A) Intracellular fluid
 - (B) Extracellular fluid
 - (C) Intravascular fluid
 - (D) Extravascular fluid
 - (E) Interstitial fluid
 - (F) Total body fluid;
 - (ii) Demonstrate a knowledge of:
 - (A) Isotonic solution
 - (B) Hypertonic solution
 - (C) Hypotonic solution;
 - (iii) Given a list of IV solutions, demonstrate a knowledge of the osmotic effect of the solution when introduced into the body;
 - (iv) Demonstrate a working knowledge of acid base balance in the human body and acid base equilibrium;
 - (v) Identify those fluids normally carried in the field that are used to increase the circulating blood volume;
 - (vi) Demonstrate a working knowledge of the components of D5W, D5-normal saline, lactated Ringers solution and bicarbonate (NaHCO_3).
- (b) Blood and its components:
- (i) Demonstrate a knowledge of blood and its components. Describe the function of:
 - (A) Plasma
 - (B) Red cells
 - (C) White blood cells
 - (D) Platelets;
 - (ii) Show an understanding of the common terms related to blood:
 - (A) Hematocrit
 - (B) Hemoglobin
 - (C) Anemia
 - (D) Hemostasis
 - (E) Transfusion reaction;
 - (iii) Demonstrate a knowledge of blood typing and be able to define:
 - (A) A universal donor
 - (B) A universal blood recipient
 - (C) A transfusion reaction.
 - (c) Techniques of management:
 - (i) Identify the criteria for intravenous infusion;
 - (ii) Identify all items which might normally be carried in a paramedic unit or paramedic kit, which relate to IV infusion;
 - (iii) Identify at least two components for each of the IV solutions carried in a paramedic's apparatus or that a paramedic is trained to administer. This will include a minimum of three solutions;
 - (iv) Demonstrate a knowledge of measuring volume of content in IV solution in milliliters and liters;
 - (v) Compare standard and pediatric IV administration sets with respect to drops per minute and explain the effect of the viscosity of the solution upon that rate;
 - (vi) Demonstrate a knowledge of the various intravenous needles and their parts including:
 - (A) Winged needle devices (butterfly)
 - (B) Catheter over the needle device (ABBACATH or angiocath)
 - (C) Catheter through the needle device (INTRACATH);
 - (vii) Compare the over-the-needle device with an intracatheter and be able to note the limitations and dangers of each;
 - (viii) Identify the appropriate sites for venipuncture on the body;
 - (ix) Demonstrate a knowledge of the anatomy of superficial veins of the upper and lower extremities;
 - (x) Demonstrate in written examination, the sequence required to start an IV;
 - (xi) Demonstrate a knowledge of those situations that depict an air embolism in a patient, the effect of the embolism and the techniques for preventing embolisms;
 - (xiii) Be able to describe the effect of IV fluid temperature upon the vessels when entering a body;
 - (xiv) Be familiar with all of the common definitions and terms associated with shock and fluid therapy.
- (2) Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's School of Medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of the topics on written examination. Successful performance will be defined as correctly responding to eighty percent of the items appearing on the examination.

The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural steps presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

(3) The skills standards required of physician's trained mobile intravenous therapy technicians shall consist of the following minimum requirements or equivalent.

(4) Fluid and IV therapy—skill standard

(a) Given the following equipment:

- (i) 18# winged needle device;
- (ii) Administration set;
- (iii) IV fluid;
- (iv) Iodine or alcohol wipes;
- (v) Tourniquet;
- (vi) Sterile dressing;
- (vii) Padded armboard; and
- (viii) Adhesive tape.

Demonstrate on a fellow student or patient the procedure for initiating an IV using a winged needle device. The infusion will be considered successful if it is running at a flow rate within three drops per minute of the stipulated flow rate and infiltration is not present.

(b) Given the following equipment:

- (i) 18# over-the-needle catheter device;
- (ii) Administration set;
- (iii) IV fluid;
- (iv) Iodine or alcohol wipes;
- (v) Tourniquet;
- (vi) Sterile dressing;
- (vii) Padded armboard; and
- (viii) Adhesive tape.

Demonstrate on a practice arm, a fellow student or patient, the procedure for initiating an IV using an over-the-needle catheter device. The infusion will be considered successful if it is running at a flow rate within three drops per minute of the stipulated flow rate and infiltration is not present.

(c) (Optional) Given the following equipment:

- (i) 18# through-the-needle catheter device;
- (ii) Administration set;
- (iii) IV fluid;
- (iv) Iodine wipes;
- (v) Tourniquet;
- (vi) Sterile dressing;
- (vii) Padded armboard; and
- (viii) Adhesive tape.

Demonstrate on a practice arm, the procedure for initiating an IV using a through-the-needle catheter device. The infusion will be considered successful if it is running at a rate within three drops per minute of the stipulated flow rate and infiltration is not present.

(d) Given a properly functioning infusion on a practice arm, fellow student or patient during a practical exercise, demonstrate the technique of stopping an infusion and caring for the injection site.

(e) Given a minimum of three situations presented by the instructor during a practical exercise in which the IV infusion is not running on a practice arm, identify the problem and correct it. The problems may include the following:

- (i) Flow clamp closed;
- (ii) Height of IV too low;
- (iii) Needle not patent;
- (iv) Tubing kinked or pinched;
- (v) Air vent not patent;
- (vi) Tourniquet still in place;
- (vii) Identify the problems and correct them. Each situation may involve more than one, but not more than two problems.

(f) Given a properly functioning infusion on a practice arm during practical exercise, demonstrate the technique for removal of an air bubble from the administration set. The demonstration will be considered successful if the bubble is entirely removed in two consecutive attempts.

(g) Given an over-the-needle device properly initiated in a practice arm, a 25cc syringe and three rubber-topped sample collecting tubes, demonstrate the procedure for collecting blood samples.

(h) Given a 500 ml. bottle of IV fluid, a 500 ml. or 1000 ml. flexible bag of IV fluid and administration set, demonstrate how to properly set up an intravenous set using aseptic techniques.

(5) After attending the lecture and demonstrations and given an opportunity to practice the involved skills, the students will be able to correctly perform each of the skill standards in the presence of the instructor and without the use of notes, diagrams or charts. Correct performance will be defined by the instructor during the lecture and demonstration sessions. The student will be given no more than three attempts to successfully perform each of the required steps in the proper sequence.

(6) To maintain a qualification in this skill, the individual provider must perform a minimum of eight catheter-around-needle insertions on sick, injured, or postoperative patients in a month, averaged over a ninety-day period, during the first year following certification. In the second and subsequent years following certification, the performance frequency shall be at least five insertions per month.

(7) Standards for IV therapy technician correspond to module I, II, and III, department of transportation curriculum reference.

NEW SECTION

WAC 248-15-050 PHYSICIAN'S TRAINED MOBILE AIRWAY MANAGEMENT TECHNICIAN—TRAINING AND KNOWLEDGE STANDARDS. (1) Meet requirements of WAC 248-15-030.

(2) Respiratory system:

(a) Anatomy and physiology of the respiratory system:

(i) Demonstrate a knowledge of all the components and functions of the anatomy of the upper respiratory tract;

(ii) Demonstrate a knowledge of all the components and functions of the anatomy of the lower respiratory tract;

(iii) Demonstrate a knowledge of the role of the muscles that are primarily involved in respiration;

(iv) Describe at least five causes of change in respiratory rate;

(v) Outline and describe the nervous system as it relates to the respiratory center and to respiratory function;

(vi) Demonstrate a knowledge of normal and abnormal blood gas values and their effect on blood pH and respiratory activity.

(b) Pathophysiology and management of respiratory problems:

(i) Identify those medical problems which may cause acute respiratory insufficiency;

(ii) Demonstrate a knowledge of those trauma related problems that may cause acute respiratory insufficiency;

(iii) Demonstrate a knowledge of the procedures required to give appropriate treatment in the management of the respiratory arrest patient;

(iv) Given a list of causes of upper airway obstruction, describe those causes which are most common and describe the techniques required to relieve airway obstruction;

(v) Demonstrate an understanding of the general characteristics, causes and treatment for the following respiratory problems:

(A) Asthma

(B) Chronic lung disease

(C) Emphysema

(D) Chronic obstructive pulmonary disease (COPD)

(E) Respiratory burns

(F) Inhaled toxic gases

(G) Drowning;

(vi) Demonstrate a knowledge of the following clinical presentations:

(A) Rhonchi

(B) Rales

(C) Pulmonary edema

(D) Upper respiratory edema

(E) Absence of gag reflex;

(vii) Identify and appropriately treat the drowning victim and the near-drowning victim in both fresh and salt water, describe the physiological differences based on the type of water composition. List the differences in the treatment of the respective patients;

(viii) Demonstrate a working knowledge of IPPB;

(ix) Demonstrate an ability to properly treat the patient with pulmonary edema;

(x) Demonstrate a knowledge and familiarization of the various normal and abnormal breath sounds heard upon auscultation;

(xi) Demonstrate a knowledge of hypoventilation and its causes, clinical manifestations and treatment;

(xii) Demonstrate a knowledge of respiratory problems resulting from fractured ribs;

(xiii) Demonstrate knowledge of the definitions, symptoms and treatment procedures used in the management of:

(A) Flail chest

(B) Simple pneumothorax

(C) Tension pneumothorax

(D) Sucking chest wound

(E) Hemothorax.

(c) Techniques of management:

(i) Demonstrate a knowledge of oxygen delivery, oxygen adjuncts and oxygen delivery methods and the advantages and disadvantages of each delivery method;

(ii) Identify the potential complications in the administration of oxygen and of oxygen's toxic effects;

(iii) Demonstrate a thorough knowledge of laryngoscopy and endotracheal intubation;

(iv) Demonstrate a knowledge of esophageal obturation airway methods;

(v) Demonstrate an understanding of the purpose, indications and methods of thoracic decompression;

(vi) Identify the indications, equipment (including cricothyrotomes) and methods of performing cricothyroidotomy.

(3) Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's School of Medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of the topics on written examination. Successful performance will be defined as correctly responding to eighty percent of the items appearing on the examination. The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural step(s) presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

(4) The skills standards required of physician's trained mobile airway management technicians shall consist of the following minimum requirements or equivalent.

(5) Aids to ventilation:

(a) Endotracheal intubation:

(i) Given an adult and/or an infant intubation manikin, laryngoscope, assorted curved and straight blades, endotracheal tube, lubrication jelly, syringe, hemostat, bag-valve unit, bite block and tape, demonstrate the technique for the insertion of an endotracheal tube within thirty seconds. Thirty seconds is the maximum allowable interruption in the ventilation cycle. During testing, only two attempts to pass the tube will be allowed;

(ii) Given an anesthetized patient in a clinical or operating room setting or a human cadaver and laryngoscope, assorted curved and straight blades, endotracheal tube, lubrication jelly, syringe, hemostat, bag-valve unit, appropriate forceps, bite block and tape, demonstrate the technique for the insertion of an endotracheal tube within thirty seconds consistently. Thirty seconds is the maximum allowable interruption in the ventilation cycle. During testing, only two attempts to pass the tube will be allowed;

(iii) Given an adult intubation manikin, laryngoscope, assorted curved and straight blades, and appropriate forceps, the student will be able to demonstrate the technique of direct laryngoscopy for removal of a foreign body;

(iv) Given a suction device, sterile catheters, a container of water, sterile gloves and a patient or manikin with endotracheal tube in place, the student will be able to demonstrate aseptic atraumatic orotracheal and endotracheal suctioning technique;

(v) To maintain a qualification in this skill, the individual provider must perform a minimum of five endotracheal intubations per month, averaged over a ninety-day period, on human subjects during the first year following certification. In the second and subsequent years following certification, the performance frequency shall be at least three intubations per month. Subjects may be anesthetized patients, patients seen in actual emergencies or human cadavers*.

(b) (Optional) Esophageal obturation:

(i) Given an adult intubation manikin, an esophageal obturator airway, 30cc syringe, and bag-valve unit, demonstrate the technique for the insertion of an esophageal obturator airway;

(ii) Demonstrate the method to assess correct placement of the obturator and properly obtain a mask seal and ventilate the patient;

(iii) Demonstrate endotracheal intubation with the esophageal obturator in place and subsequent removal of the obturator;

(iv) To maintain a qualification in this skill, users of the esophageal obturator airway must have a refresher training under the direct supervision of a physician every thirty days. Refresher training shall be accomplished on an intubation manikin or human cadaver.

(c) Other adjuncts to airway management:

(i) Given a fellow student as a patient, demonstrate the procedure for the preparation of the oxygen system and the administration of oxygen to a breathing patient using:

- (A) Nasal cannula
- (B) Partial rebreather mask
- (C) Venturi mask
- (D) (Optional) Demand valve unit;

(ii) Given an adult manikin, oro and nasopharyngeal airways, pocket mask, oxygen cylinder and bag-valve mask, demonstrate the procedure for administering intermittent positive ventilation using:

- (A) Pocket mask
- (B) Bag-valve mask
- (C) Bag-valve mask with oxygen
- (D) Oropharyngeal airway with bag-valve mask;

(iii) Given a bag-valve mask, demonstrate the assembly, disassembly and cleaning of the bag-valve mask unit;

(iv) Given a prepared animal or cadaver, a twelve or fourteen gauge venous catheterization set or an approved style one-way valve, demonstrate the technique for chest decompression;

(v) (Optional) Given an adult manikin, an oropharyngeal airway and a demand valve unit, demonstrate the procedure for performing intermittent positive pressure ventilation;

(vi) (Optional) Given a demand valve unit, demonstrate the assembly, disassembly and cleaning of the demand valve unit;

(vii) (Optional) Given an animal or cadaver with an obstructed upper airway, and a cricothyrotome or cricothyroidotomy set with scalpel, the student will demonstrate the procedure for performing a cricothyroidotomy.

(6) Standards for physician trained mobile airway management technicians compare to Module I, II and IV, department of transportation curriculum reference.

*Human cadavers may be used not to exceed five per ninety days in the first year and not more than three per ninety days in the second year and subsequent years.

NEW SECTION

WAC 248-15-060 PHYSICIAN'S TRAINED MOBILE INTENSIVE CARE PARAMEDIC—TRAINING AND KNOWLEDGE STANDARDS. (1) Meet requirements of WAC 248-15-040, Physician's Trained Mobile IV Therapy Technician.

(2) Meet requirements of WAC 248-15-050, Physician Trained Mobile Airway Management Technician.

(3) General pharmacology.

(a) Action of drugs:

(i) Demonstrate a knowledge of the local effects, general and systemic effects of all drugs included in the training program;

(ii) Required to list at least five routes in which drugs are administered;

(iii) Required to demonstrate a knowledge of all common definitions and terms relating to general pharmacology and all of the drugs presented in the training program;

(iv) Required to demonstrate a knowledge of the effects associated with sympathomimetic amines (alpha or beta agents);

(v) Required to be able to give the following information regarding any specific drug that is available for his administration:

- (A) Dose
- (B) Dilution
- (C) Action
- (D) Indications and use
- (E) Precautions
- (F) Incompatibility
- (G) Contra-indications
- (H) Side effects
- (I) Antidotes;
- (b) Weights and measures:

(i) Demonstrate a knowledge of both the apothecary system and the metric system of measurement;

(ii) Demonstrate an ability to do basic dose/weight problems; i.e., given a weight of a patient in pounds and drug dose in milligrams/kilograms, calculate the appropriate drug dose for the patient, e.g., a one hundred fifty pound patient is to receive 0.01

milligrams/kilograms of atropine — how much atropine should be given?

(iii) Identify at least four methods of administering drugs and a minimum of eight safety considerations relating to administration of drugs.

(c) Techniques of administration:

(i) Demonstrate a knowledge of drug ampules, vials, bottles, preloaded syringes, and syrettes;

(ii) Demonstrate knowledge of the proper means of administration of:

- (A) IV injections
- (B) Subcutaneous injections
- (C) Intramuscular injections
- (D) Intracardiac injections
- (E) Endotracheal instillation.
- (4) Medication administration.

(a) Given the following medication containers, 18# needle, alcohol swab, syringe and flowing intravenous line, demonstrate the procedure for the administration of medications from:

- (i) Ampules;
- (ii) Bottles;
- (iii) Single dose vials;
- (iv) Multiple dose vials;
- (v) Pre-packaged, single dose vial injectors;
- (vi) Fluid/powder combination preparation requiring dilution and/or mixing.

(b) Given a fellow student, 22# intramuscular needle, alcohol preparation swab, 1cc syringe and sterile saline, demonstrate the correct procedure for the administration of intramuscular and subcutaneous injections.

(c) (Optional) Given a cadaver, a long needle syringe (or preloaded syringe with 3 1/2" needle), perform intracardiac injection via the subxyphoid. In the absence of current field experience, the paramedic shall maintain this skill by performing two subxyphoid intracardiac taps per month, averaged over ninety days in the field, using a cadaver and an appropriate syringe, long-needle combination.

(d) Given an intubation manikin or human cadaver with endotracheal tube in place, the student will properly demonstrate the procedure for the administration of appropriate medications via endotracheal tube.

(5) Cardiovascular system.

(a) Anatomy and physiology:

(i) Show a comprehensive understanding of the circulatory system and its components;

(ii) Describe the function of blood;

(iii) Describe the general function of the lymphatic system;

(iv) Demonstrate a comprehensive knowledge of the anatomy of the heart and its physiology;

(v) Describe properly the properties of:

- (A) Automaticity
- (B) Rhythmicity;

(vi) Demonstrate a significant knowledge of the electrical conduction system of the heart, with particular attention to:

- (A) Sino atrial node
- (B) Internodal atrial pathway
- (C) Atrial ventricular node
- (D) Atrial ventricular junction
- (E) Bundle of His
- (F) Right and left bundle branches
- (G) Purkinje fibers;

(vii) The student will be able to demonstrate a knowledge of the depolarization and repolarization process;

(viii) The student must be able to show a knowledge in interpretation of the monitoring electrocardiogram, with particular emphasis on:

- (A) P-wave
- (B) ORS complex
- (C) T-waves
- (D) P-R interval
- (E) R-R interval
- (F) S-T segment
- (G) Isoelectric line;

(ix) Describe the effect on heart rate of stimulation of the sympathetic and parasympathetic nervous system;

(x) Demonstrate a knowledge of stroke volume, cardiac output, cardiac cycle and heart rate;

(xi) Identify and describe the functions of arteries, veins, capillaries and the varied subsystems of the human blood vessel system.

- (b) Patient assessment:
- (i) Describe the primary complaints of the cardiac problem patient;
 - (ii) Identify the causes of dyspnea in a patient with cardiac problems;
 - (iii) Describe why syncope might occur in patients with cardiac problems;
 - (iv) Identify the importance of past medical history in a potential cardiac problem patient;
 - (v) Given a list of drugs, select those drugs that a patient might be taking for cardiovascular problems;
 - (vi) Demonstrate a knowledge of the special aspects of which to be aware when doing a physical examination of a potential cardiac patient.
- (c) Pathophysiology and management of cardiovascular problems:
- (i) Identify the risk factors associated with coronary artery disease and show an understanding of the arteriosclerotic process;
 - (ii) Demonstrate an in-depth knowledge of the pathophysiology, symptoms, signs and treatment protocol for:
 - (A) Acute myocardial infarction
 - (B) Angina pectoris
 - (C) Left and right congestive heart failure;
 - (iii) Identify the signs, symptoms and pathophysiology of:
 - (A) Ventricular aneurysm
 - (B) Cardiac rupture
 - (C) Cardiogenic shock
 - (D) Hypertension
 - (E) Syncope.
 - (d) Reading and understanding a normal ECG:
 - (i) Demonstrate a thorough knowledge and understanding of the ECG record;
 - (ii) Demonstrate a thorough knowledge of the equipment available for the recording and monitoring of electrocardiograms and any adjunctive equipment used to calculate heart rate.
 - (e) Arrhythmia recognition:
 - (i) Identify the potential causes of arrhythmias;
 - (ii) Identify the following abnormalities in the normal ECG:
 - (A) Distorted P-wave
 - (B) Irregular R-R interval
 - (C) P-R interval that is greater than 0.20 seconds
 - (D) P-R interval that is less than 0.12 seconds
 - (E) A wide QRS complex
 - (F) An elevated S-T segment;
 - (iii) Identify the following ECG rhythms:
 - (A) Normal sinus rhythm
 - (B) Sinus arrhythmia and sinus arrest
 - (C) Sinus bradycardia
 - (D) Sinus tachycardia
 - (E) Premature atrial contraction
 - (F) Supraventricular tachycardia
 - (G) Atrial flutter
 - (H) Atrial fibrillation
 - (I) First degree block
 - (J) Second degree block
 - (K) Third degree block
 - (L) Premature ventricular contractions sig patterns of EKG's
 - (M) Ventricular fibrillation
 - (N) Ventricular tachycardia
 - (O) Paroxysmal atrial tachycardia;
 - (iv) The student must also be able to correctly:
 - (A) Determine if the rhythm is irregular, regular or occasionally irregular
 - (B) Determine if P-waves are present or absent
 - (C) Determine if P-waves are positive or negative
 - (D) Determine if P-waves are normal or abnormal in size
 - (E) Determine if the sequence of P-QRS-T is normal or abnormal
 - (F) Determine if the P-R interval is normal
 - (G) Determine the duration of the P-R interval
 - (H) Determine if the QRS complex is normal or abnormal
 - (I) Determine the location of the pacemaker
 - (J) Determine the name of the arrhythmia
 - (K) Identify what is happening in the heart for each of the common rhythms
 - (L) Identify artifact
 - (M) Determine a functioning and malfunctioning artificial pacemaker;
 - (f) Techniques of management:
 - (i) Demonstrate a knowledge of the antiarrhythmic drugs and the medications used in the treatment of the heart patient. These drugs will include, but not be limited to:
 - (A) Atropine
 - (B) Isoproterenol
 - (C) Lidocaine
 - (D) Procainamide
 - (E) Quinidine
 - (F) Propranolol
 - (G) Digoxin
 - (H) Sodium bicarbonate
 - (I) Epinephrine
 - (J) Calcium chloride
 - (K) Aramine
 - (L) Levaterinol
 - (M) Morphine sulphate
 - (N) Diazepam
 - (O) Furosemide
 - (P) Diphenylhydantoin
 - (Q) Phenylephrine hydrochloride
 - (R) Dopamine;
 - (6) Cardiovascular treatment skills.
 - (a) Given an ECG monitor, alcohol pads, electrolytic compound and a fellow student (or the instructor), monitor the simulated patient's ECG. Successful performance involves:
 - (i) Setting up the equipment;
 - (ii) Selecting the location for the three leads;
 - (iii) Placing the three electrodes.
 - Any of the following types of electrodes may be used: Silver plates, clamps, disposable discs, needles. The student must accomplish all activities to successfully complete the standard.
 - (b) Given an adult manikin assumed to be experiencing a supraventricular tachycardia arrhythmia, correctly administer carotid massage.
 - (c) Given an adult manikin, defibrillator and an assistant (fellow student or instructor), correctly defibrillate the manikin. Successful performance involves:
 - (i) The administration of cardiopulmonary resuscitation while the assistant sets up the equipment;
 - (ii) Setting up the equipment while the assistant administers cardiopulmonary resuscitation;
 - (iii) The application of direct current;
 - (iv) (Optional) The application of synchronized shock.
 - Activities (i), (ii) and (iii) must be completed to attain successfully the standard.
 - (d) Given a portable D.C. defibrillator and monitor, identify all functions, emergency operations and maintenance of the provided unit. Demonstrate alternative functions of the provided unit such as: Synchronized cardioversion, recorder stylus maintenance and emergency charging functions.
 - (e) Given a defibrillator and a fellow student and child manikin, demonstrate the correct procedure, without actual shock, to perform D.C. defibrillation:
 - (i) Using the standard anterior chest paddle positioning;
 - (ii) Using the trans-thoracic A-P positioning alternative;
 - (iii) On a small child.
 - All three activities must be completed to attain successfully the standard.
 - (f) (Optional) Given a cadaver, a long needle, syringe, ECG monitor, ECG electrodes, appropriate wiring harness and alligator clip, demonstrate the procedure for performing a pericardiocentesis.
 - (7) Central nervous system.
 - (a) Anatomy and physiology:
 - (i) Demonstrate an elementary knowledge of the structure and sub-structures of the central nervous system;
 - (ii) Identify the primary functions of the cerebrum, cerebellum, brain stem and spinal cord;
 - (iii) Identify and label the following elements of the spine:
 - (A) Vertebral body
 - (B) Spinal canal
 - (C) Spinal cord
 - (D) Nerve root
 - (E) Spinous process;
 - (iv) Identify the results associated with trauma and/or damage to the sympathetic nervous system.
 - (b) Patient assessment:

- (i) Demonstrate an in-depth ability to examine the patient with suspected trauma to the spinal cord or head trauma;
- (ii) Identify the chain of events leading to respiratory arrest in the field in the patient with head trauma;
- (iii) List all of the signs and symptoms that are assessable in the field in the patient with head trauma;
- (iv) Demonstrate a knowledge of how to evaluate brain stem reflexes and the significance of the findings;
- (v) Describe which changes should be looked for when monitoring a patient with suspected neurologic problems;
- (vi) Demonstrate the ability to conduct a check for paralysis on both the communicative and noncommunicative patients.
- (c) Pathophysiology and management of the central nervous system:
 - (i) Identify the important aspects in the assessment of the patient with head trauma and demonstrate an ability to complete a physical examination of the patient with suspected head injury;
 - (ii) Identify the importance of clear fluid flowing from the ear or nose in the head of the injured patient and identify the activity required to treat this patient;
 - (iii) List the signs and symptoms associated with a skull fracture;
 - (iv) Describe the activity required when opening the airway of an unconscious patient with a suspected spine injury;
 - (v) Identify those accidents commonly associated with neck/spinal injuries;
 - (vi) Identify those areas of the spinal cord that are most commonly injured and why;
 - (vii) Demonstrate an ability to manage a spinal injury;
 - (viii) Demonstrate a knowledge of neurogenic shock;
 - (ix) Demonstrate a knowledge of the potential causes of coma and a knowledge of the treatment of coma;
 - (x) Identify, describe and demonstrate a knowledge of the treatment for:
 - (A) Generalized motor seizure (grand mal)
 - (B) Focal motor seizure
 - (C) Psychomotor (temporal lobe) seizure
 - (D) Petit mal seizure
 - (E) Febrile seizure;
 - (xi) Identify which information should be collected when obtaining a history on a patient with seizures;
 - (xii) Identify the causes, definition and management of status epilepticus;
 - (xiii) Define stroke (CVA);
 - (xiv) Identify the potential patients most likely to experience a stroke;
 - (xv) Identify the potential causes of a stroke and demonstrate a knowledge of the management of the stroke patient;
 - (xvi) Define and identify the precipitating factors and signs and manage the patient with a transient ischemic attack (TIA).
- (d) Techniques of management:
 - (i) Identify the activities required to perform a check for paralysis in the unconscious patient;
 - (ii) Demonstrate a knowledge of alternative methods of stabilizing the neck when a cervical collar is not available or cannot be used because of deformities;
 - (iii) Demonstrate a thorough knowledge of the procedures to use when applying and maintaining traction on a patient with a cervical spine injury;
 - (iv) Demonstrate a knowledge of handling the multiple injury patient with a cervical spine injury, such as, an unconscious, breathing patient with a cervical spine injury and severe bleeding where direct pressure is not stopping the bleeding;
 - (v) Identify which equipment is to be used in the immobilization and extrication of the patient with spine and neck injuries;
 - (vi) Demonstrate a thorough knowledge of the short and long spine boards, collapsible orthopedic stretcher and other adjuncts to the management of the spine injury patient;
 - (vii) Demonstrate that he is able to perform water rescue of the patient with a suspected cervical spine injury.
- (8) Soft tissue injury.
 - (a) Anatomy and physiology of the skin:
 - (i) Identify three major functions of the skin and the results of damage to the skin; example given—vulnerability to invasion by bacteria, temperature changes and fluid imbalance;
 - (ii) Identify common names and describe the function of the varied subsystems of the skin (epidermis, dermis, supporting systems).
 - (b) Patient assessment:
 - (i) Identify the significance of the various signs found in examining the skin, to include but not limited to:
 - (A) Color
 - (B) Temperature
 - (C) Moisture
 - (D) Ecchymosis and hematoma;
 - (ii) Identify, describe the significance of, and show an ability to manage the patient with an open wound, to include:
 - (A) Puncture
 - (B) Abrasion
 - (C) Incision
 - (D) Laceration
 - (E) Avulsion;
 - (iii) Demonstrate a thorough knowledge of the importance of the control of bleeding, prevention of sepsis and immobilization of the patient with an open wound;
 - (iv) Demonstrate that he can properly manage the patient with an impaled object;
 - (v) Demonstrate that he is familiar with the various degrees of burns and be able to correctly identify the percentage of body burn in either a child or an adult;
 - (vi) Demonstrate a thorough knowledge of the type of sterile dressing required for the various burn patients;
 - (vii) Demonstrate that he is aware of the information that should be obtained when taking a history from a burn patient;
 - (viii) Describe what to do when starting an IV on a patient who has both arms completely burned and select the proper solution to administer intravenously to a burn patient;
 - (ix) Describe the mechanism for, and the impact of, fluid loss in the burned patient, and describe why children and infants are more prone to fluid loss when burned than are adults;
 - (x) Demonstrate an awareness of the problems associated with hypothermia in the burn patient;
 - (xi) Demonstrate an ability to compute the proper amount of solution to administer intravenously to a burn patient, given the weight of the patient and the degree of burn;
 - (xii) Demonstrate an ability to recognize and manage the patient with frostbite;
 - (xiii) Identify the correct activities to be performed in the case of chemical burns (wet or dry). Specifically, demonstrate the proper treatment for chemical burns with the following agents:
 - (A) Alkali
 - (B) Acid
 - (C) Dry lime
 - (D) Phenol
 - (E) Sodium metals;
 - (xiv) Demonstrate knowledge in how low voltage and high voltage travel through the body;
 - (xv) Identify the proper management of the patient who has suffered electrocution and/or electrical burns;
 - (xvi) Identify the effects of both high and low voltage electrocution on the nervous system;
 - (xvii) Demonstrate a knowledge of the management of the patient with contact burns, flash burns and electrical injuries.
 - (c) Techniques of management:
 - (i) Demonstrate a thorough knowledge of dressings and bandages;
 - (ii) Demonstrate an understanding of arterial, venous and capillary bleeding;
 - (iii) Demonstrate that he is able to calculate blood loss in a trauma patient;
 - (iv) Demonstrate a complete knowledge of all of the techniques used to control bleeding;
 - (v) Recognize those activities to be performed when treating a patient with suspected internal hemorrhage;
 - (vi) Identify the signs and symptoms associated with internal hemorrhage;
 - (vii) Identify those situations in which a saline solution should be used to treat a soft tissue injury. These should include digital amputations and avulsions;
 - (viii) Identify the situations in which impaled objects should be removed;
 - (ix) Recognize the correct activity and justifications for preserving avulsed parts as in a digital amputation or "glove" avulsion accident.
 - (d) Special considerations in soft tissue injuries to specific areas:
 - (i) Demonstrate a knowledge of the various systems and subsystems of the eye, example given:
 - (A) Retina

- (B) Optic nerve
- (C) Conjunctiva
- (D) Cornea
- (E) Lens
- (F) Pupil
- (G) Iris
- (H) Ciliary muscles
- (I) Sclera
- (J) Vitreous fluid;
- (ii) Demonstrate that he is knowledgeable of the mechanism of sight and how light travels through the eye;
- (iii) Describe the signs, symptoms, complaints and management of the patient with an injury to the orbit;
- (iv) Describe how to perform the dressing and bandaging of an impaled object in the eye;
- (v) Identify the importance of locating contact lenses and how and when they should be removed;
- (vi) Demonstrate familiarity with the indications and procedures for flushing the eye in a chemical burn;
- (vii) Demonstrate familiarity with the manifestations and treatment of central retinal artery occlusion, acute glaucoma and retinal detachment;
- (viii) Identify the primary dangers associated with trauma to the mouth and jaws and the management of the impaled object in a patient's cheek;
- (ix) Describe the activities associated with managing tempo-mandibular jaw dislocation;
- (x) Describe the correct activity to be performed when treating a patient for a foreign body in the ear;
- (xi) Identify anterior and posterior epistaxis and the activity required to be performed for their management;
- (xii) Select the activity to be performed when there is a foreign body in the nose or a nasal fracture;
- (xiii) Select the activities to be performed when there is a blunt injury to the neck and there is inadequate ventilation;
- (xiv) Identify and select the activities to be performed when managing a penetrating injury to the neck;
- (xv) Demonstrate a total familiarization with the activities to be performed when managing:
 - (A) Blunt injuries to the abdomen
 - (B) Penetrating injuries to the abdomen
 - (C) Penetrating injuries to the abdomen when there are viscera protruding.
- (9) Musculoskeletal system.
 - (a) Anatomy and physiology:
 - (i) Identify all of the components of the musculoskeletal system;
 - (ii) Describe the functions of all of the components of the musculoskeletal system;
 - (iii) Classify the various bones such as long bone, short bone, flat bone, irregular bone;
 - (iv) Describe the various components of bone such as:
 - (A) Periosteum
 - (B) Marrow
 - (C) Medullary canal
 - (D) Cortical bone
 - (E) Cancellous bone
 - (F) Articular surface
 - (G) Diaphysis
 - (H) Metaphysis;
 - (v) Describe the functions of capsules, synovial membrane, cartilage, ligaments and bone joints;
 - (vi) Demonstrate a working familiarity with muscles and be able to identify those muscles which are voluntary, involuntary and cardiac;
 - (vii) The student will be able to define:
 - (A) Origin of a muscle
 - (B) Insertion of a muscle
 - (C) Tendons.
 - (b) Patient assessment:
 - (i) Match the type of injury, the patient evaluation and history and conclude a probable mechanism such as, a fractured hip in an auto accident caused by knees hitting the dashboard—an indirect injury;
 - (ii) Demonstrate a competency in gathering a complete patient history on a patient with suspected musculoskeletal trauma, to include, but not be limited to:
 - (A) How the injury occurred
 - (B) The position in which it occurred
 - (C) The location of the pain;
 - (iii) Identify all of the major signs and symptoms that indicate a musculoskeletal injury.
 - (c) Pathophysiology and management:
 - (i) Define, identify and describe the management of all the common open and closed fractures;
 - (ii) Identify the signs and symptoms of a fracture;
 - (iii) Define a dislocation and list the common signs and symptoms of a dislocation;
 - (iv) Define and describe the management of a patient who has suffered a sprain;
 - (v) Identify those signs and symptoms which differentiate between a sprain, a fracture or a dislocation;
 - (vi) Identify the proper treatment for a patient with a muscle strain and identify the definition of a strain.
 - (d) Techniques of management:
 - (i) Demonstrate a thorough and complete knowledge of all available splinting adjuncts and techniques. This will include, though not be limited to:
 - (A) Rigid splint
 - (B) Semi-rigid splint
 - (C) Soft splinting
 - (D) Traction splinting
 - (E) Inflatable bandage splints
 - (F) Vacuum forming splints
 - (G) Common makeshift splints;
 - (ii) Demonstrate a thorough knowledge of the techniques of using sandbags to immobilize the patient in the prehospital emergency.
 - (a) Medical emergencies:
 - (i) Identify the function of insulin in the body;
 - (ii) Demonstrate a knowledge of:
 - (A) Diabetes mellitus
 - (B) Diabetic ketoacidosis
 - (C) Insulin shock
 - (D) Hyperglycemia
 - (E) Hypoglycemia;
 - (iii) List those various signs, symptoms and vital signs that differ in the hypoglycemic and the hyperglycemic patient;
 - (iv) Demonstrate a complete knowledge of the emergency treatment for the diabetic patient.
 - (b) Anaphylactic reactions:
 - (i) Identify and define "anaphylactic reaction";
 - (ii) Identify the common causes of anaphylactic reaction;
 - (iii) Define:
 - (A) Antigen
 - (B) Antibody;
 - (iv) Identify what happens to the body to cause anaphylactic shock and associated airway obstruction in, for example, asthma;
 - (v) Identify the signs, symptoms and appropriate treatment for anaphylactic reaction;
 - (vi) Identify the situations for use and dosages of the following listed drugs in the treatment of anaphylaxis:
 - (A) Oxygen
 - (B) Epinephrine
 - (C) Levophed
 - (D) Aminophylline
 - (E) Hydrocortisone
 - (F) Benadryl.
 - (c) Exposure to environmental extremes:
 - (i) Identify and describe the signs and symptoms and outline the treatment protocol to be used when managing the following conditions:
 - (A) Heat cramps
 - (B) Heat exhaustion
 - (C) Heat stroke;
 - (ii) Identify why large amounts of IV fluids should not be administered to the normotensive patient in heat stroke;
 - (iii) Identify the signs, symptoms and treatment for frostbite and general cooling;
 - (iv) Identify the causes and manifestations of hypothermia and demonstrate a knowledge of the treatment for hypothermia.
 - (d) Alcoholism and drug abuse:
 - (i) Demonstrate a knowledge of the causes and characteristics of alcoholism;
 - (ii) Identify the signs and symptoms of alcoholic withdrawal syndrome and acute intoxication;
 - (iii) Define what constitutes "drug abuse";
 - (iv) Define the following conditions:

- (A) Psychological dependence
- (B) Compulsive drug abuse
- (C) Drug tolerance
- (D) Physical dependence
- (E) Addiction;
- (v) Show an above average knowledge of the common street drugs, and be aware of how they affect the physiological systems of the body and how to treat the patient, when the patient has taken a drug in excess;
- (vi) Demonstrate a superior knowledge in identifying opiates and other drugs that act as respiratory depressants and be familiar with the appropriate use of Naloxone Hydrochloride.
- (c) Poisoning and overdose:
 - (i) Demonstrate a knowledge of the route of exposure of poisons such as, absorbed, inhaled, ingested and injected;
 - (ii) Define the difference between poisoning and overdose. When given a description of a patient's vital signs and situation, determine how the poison entered the body and what the course of treatment should be;
 - (iii) List the various conditions involving ingested poisons where vomiting should not be induced;
 - (iv) Demonstrate a familiarity with the treatment of the following groups of accidentally ingested poisons:
 - (A) Strong acid
 - (B) Strong alkali
 - (C) Petroleum distillates
 - (D) Methyl alcohol
 - (E) Toluene;
 - (v) Demonstrate an understanding of the complications involved in aspirating ingested petroleum products;
 - (vi) Show an above average understanding of the mechanism of carbon monoxide poisoning and the treatment of carbon monoxide poisoning, and identify the role of hyperbaric oxygen in the treatment of carbon monoxide poisoning;
 - (vii) Demonstrate an ability to identify all of the common drugs by their street names and to be familiar with the street jargon used by drug abusers;
 - (viii) Identify the signs, symptoms, classic history and appropriate treatment for the following classification of drugs:
 - (A) Hallucinogens
 - (B) Narcotics
 - (C) Stimulants
 - (D) Depressants
 - (E) Other drugs including aspirin and commonly abused prescription medications;
 - (ix) Identify the influence of each drug classification on the central nervous system and be able to list its physiological action.
- (f) Acute abdomen:
 - (i) Given a list of the organs, define the primary function of each, the quadrant of the abdomen in which it is located and whether it is a solid or hollow organ;
 - (ii) Given a description of the patient with a suspected abdominal disorder, recall from memory that information which should be emphasized when gathering a patient history and making physical examination;
 - (iii) After identifying the major disorders of each of the various organs, recall from memory and list:
 - (A) The general appearance of the patient
 - (B) Position of the patient
 - (C) Expression of pain
 - (D) Respiratory rate and use of abdominal muscles during respirations
 - (E) Obvious distention
 - (F) Guarding
 - (G) Sounds to be heard on auscultation
 - (H) Referred pain;
 - (iv) Demonstrate a knowledge of the purposes and methods of auscultating the abdomen;
 - (v) Describe the purpose and the method of palpation of the abdomen;
 - (vi) Demonstrate that he can specifically identify and properly manage the patient with:
 - (A) Peritonitis
 - (B) Ruptured aortic aneurysm;
- Note: The student should be able to identify those abdominal problems most likely to cause peritonitis in any specific patient.

- (vii) Demonstrate an understanding of the necessity for fluid volume replacement in a patient with suspected abdominal disorder.
- (g) Genitourinary problems:
 - (i) Demonstrate a thorough knowledge of the major organs and structures of both the male and female genitourinary systems. These structures will include, but not be limited to:
 - (A) Female reproductive system
 - (B) Bladder
 - (C) Urethra
 - (D) Prostate gland
 - (E) Male reproductive system;
 - (ii) Demonstrate a knowledge of the causes and treatment for the most common injuries to the genitalia.
 - (h) Medical emergencies in the geriatric patient:
 - (i) Identify those special problems which may be encountered when dealing with the geriatric patient;
 - (ii) Identify the special problems encountered when performing a physical examination upon the elderly, eliciting a history from an elderly patient suffering from senility and identify how an elderly person may have altered reactions due to the illness;
 - (iii) After being given a list of vital signs and significant signs and symptoms, demonstrate that he is able to identify these signs and symptoms that are misleading with respect to a correct interpretation of the system. As an example, peripheral edema that may be caused by inactivity rather than right heart failure.
 - (i) Techniques of management:
 - (i) Demonstrate a knowledge of the procedures used when the indications for nasogastric insertion are present. Identify those special precautions required when inserting a nasogastric tube in a comatose patient;
 - (ii) Identify the necessity for catheterization of the urinary bladder and, if taught this as a required skill, be able to demonstrate a total familiarity with the appropriate procedures and precautions.
- (11) Related techniques of medical management.
 - (a) (Optional) Given the following equipment:
 - (i) An adult 16# French Levine tube;
 - (ii) A child 12# French Levine tube;
 - (iii) Water-soluble lubricant;
 - (iv) 1" width tape;
 - (v) Small clamp;
 - (vi) 50 ml. syringe;
 - (vii) Cup of water;
 - (viii) Graduated specimen container.
 - Demonstrate in a clinical setting or on a human cadaver, the procedure for inserting a Foley catheter in both male and female patients. Demonstrate an ability to continuously measure urinary output.
 - (b) (Optional) Given a complete commercially manufactured and approved "antishock" pressure suit and a fellow student, demonstrate the methods of application and removal of the suit. All alternative use methods will be demonstrated.
- (12) Obstetric/gynecological emergencies.
 - (a) Anatomy and physiology of the female reproductive system:
 - (i) Demonstrate a thorough knowledge of the organs and structures of the female reproductive system;
 - (ii) Demonstrate an in-depth knowledge of the birth cycle, beginning with fertilization and continuing to labor. Describe and understand the functions of the endometrium, placenta and the developing fetus;
 - (iii) Describe and demonstrate an in-depth knowledge of the three stages of delivery;
 - (iv) Identify whether the delivery is cephalic or breech and identify other abnormal presentations;
 - (v) Identify the conditions of:
 - (A) Toxemia
 - (B) Placenta abrupta
 - (C) Placenta previa.
 - (b) Patient assessment:
 - (i) Demonstrate a knowledge of the information that should be collected from a pregnant patient;
 - (ii) Demonstrate an in-depth knowledge of what should be accomplished in the physical examination of the pregnant patient;
 - (iii) Identify those questions that should be asked when a gynecological problem is suspected;
 - (iv) Identify those cases, specifically in placenta previa when a physical examination of the vagina should not be conducted;
 - (v) Demonstrate an ability to identify those activities to perform and how to handle them, when involved in examination of a purported rape

victim. Specifically, demonstrate sensitivity to those problems peculiar to the rape victim and identify the limitations of the examination and history gathering. Identify how to contact the responsible agency managing rape relief in the community.

(c) Pathophysiology and management of obstetric emergencies:

(i) Demonstrate a knowledge of abortion. This will include:

(A) Spontaneous

(B) Incomplete

(C) Therapeutic;

(ii) Demonstrate an ability to manage in the field:

(A) Complete abortion

(B) Placenta previa

(C) Abruptio placenta

(D) Ruptured uterus;

(iii) Required to recognize and manage a patient in toxemia;

(iv) Demonstrate a familiarity with the causes and treatment of pulmonary embolism in a pregnant patient;

(v) Demonstrate a total familiarity with what constitutes a secondary survey and be able to identify those situations where the patient should not be transported since eminent birth is possible;

(vi) Describe in detail those steps necessary to prepare a pregnant patient for delivery;

(vii) Identify, in sequence, those steps which should be performed in a normal delivery;

(viii) Identify and show an ability to perform those activities required in the following uncommon abnormal presentations:

(A) When the baby is delivered covered with the embryonic sac intact

(B) When the baby is delivered with the cord wrapped around its neck;

(ix) Describe the activities to be performed when assisting in the delivery of the baby's upper and lower shoulders;

(x) Demonstrate a thorough knowledge of those activities required to perform suction and oxygen administration to the newborn infant;

(xi) Demonstrate the knowledge required to perform the activities of cutting the umbilical cord and what to do if the umbilical cord continues to bleed, once cut;

(xii) Proper procedure for cutting and clamping cord;

(xiii) Identify those activities which are required to be performed if the placenta is not delivered within thirty minutes after the baby;

(xiv) Show a familiarity with the complications of breach birth and the potential difficulties confronted in a breach delivery;

(xv) Demonstrate an ability to describe the presentation of a prolapsed umbilical cord and outline the activities to perform when confronted with it;

(xvi) Demonstrate a thorough knowledge of the pre-hospital treatment peculiar to the delivery of the premature infant and the activities to perform when confronted with a multiple birth;

(xvii) Demonstrate an ability to manage post partum bleeding, including the use of uterine contractors, e.g., pitocin.

(13) Pediatrics and neonatal transport.

(a) Approach to the pediatric patient:

(i) Demonstrate the ability to take a history in a pediatric patient and be able to describe the value of using the child as a good source of information;

(ii) Describe in detail, without the use of notes, the workup and physical assessment of children under three years of age;

(iii) Demonstrate a knowledge of the various characteristics to be found in children of different ages that are peculiar to their age.

(b) Pathophysiology and management:

(i) Given the description of a pediatric patient with an upper airway obstruction caused by a foreign object, describe the procedure for removing the foreign object. Identify how the upper airway in an infant differs from that of an adult;

(ii) Demonstrate an ability to assess and manage acute asthmatic attack and status asthmaticus in the pediatric patient;

(iii) Demonstrate an ability to assess, define and manage bronchrolitis;

(iv) Demonstrate a knowledge of the definition, causes and management of the pediatric patient suffering from laryngo-tracheobronchitis (croup);

(v) Demonstrate an above average understanding of epiglottitis and why the child suffering from it is in grave danger;

(vi) Describe in detail the treatment and precautions for a patient with epiglottitis;

(vii) Demonstrate a familiarity with the age groups and profiles usually associated with sudden infant death syndrome;

(viii) Describe the appropriate management for sudden infant death syndrome and be able to identify the appropriate methods of dealing with the parents;

(ix) Demonstrate a thorough knowledge of seizures in the pediatric and neonatal patient;

(x) Demonstrate an understanding in recognizing the battered child and sexually molested child. Show the ability to manage the patient and family of the battered and sexually molested child.

(c) Techniques of management:

(i) Demonstrate a comprehensive knowledge of airway management and cardiopulmonary resuscitation peculiar to the child and infant;

(ii) Recall without the benefit of notes, the standard pediatric dosages in either mEq/kg, ml/kg, or mg/kg for the following drugs:

(A) Sodium bicarbonate

(B) Epinephrine

(C) DD Lidocaine

(D) Calcium chloride;

(iii) Demonstrate a knowledge of the superficial veins of the scalp and the methods of starting a scalp/vein IV in the infant;

(iv) Identify those situations in which endotracheal intubation is indicated in the pediatric and neonatal patient and how endotracheal intubation of the infant and child differs from an adult.

(14) Emergency care of the emotionally disturbed.

(a) Emotional aspects of illness and injury:

(i) Identify those causes that might account for abnormal behavior, including, but not limited to:

(A) Alcohol

(B) Drugs

(C) Epilepsy

(D) Diabetes

(E) Head injuries

(F) Arteriosclerosis

(G) Hypertension

(H) Severe infection

(I) Psychiatric problems;

(ii) Demonstrate an ability to perform those activities that will mitigate anxiety in bystanders;

(iii) Identify the attitudes and approaches that would have adverse effects on crisis situations in the management of the conditions listed in (i), (A) through (I);

(iv) Demonstrate a knowledge of those techniques required to maintain control in a mass casualty situation.

(b) Patient assessment:

(i) Identify the reasons that emotionally disturbed patients have an immediate need for reassurance and describe how this reassurance should be provided;

(ii) Demonstrate an ability to select the types of information that should be a part of a systematic system of gathering information from a disturbed patient;

(iii) Required to demonstrate an ability to select those techniques which should be used in obtaining patient assessment information;

(iv) Correctly identify the procedures to be used when confronted with an emotionally disturbed patient who is noncombative;

(v) Demonstrate indications and appropriate use of restraints.

(c) Psychiatric emergencies:

(i) Identify the behaviors and direct and indirect methods of communicating with and managing the following psychiatric emergencies:

(A) Severe depression

(B) The patient communicating suicidal behavior

(C) The psychiatric patient demonstrating rage, hostility and violent behavior

(D) Paranoia

(E) Hysterical reaction from organic illness

(F) Hysterical conversion reaction;

(ii) Identify common phobias and outline the field management of the patient with a severe phobia.

(15) Telemetry and communications.

(a) Demonstrate a thorough knowledge of Federal Communication Commission rules that relate to emergency medical services communications and telemetry;

(b) Demonstrate a thorough knowledge of standard operating procedures for the communications systems with which the paramedic is required to work;

(c) Outline and identify the protocols and methodology for the biotelemetry utilized in the paramedic's provider area;

(d) Demonstrate an ability to complete a standard reporting form in a manner that properly relays patient assessment information to a physician;

(e) Demonstrate a knowledge of the proper operation and maintenance of all radio recording and telemetry equipment described during training or provided for use.

(16) Rescue techniques.

Standards under this topic include all basic rescue skills common to the EMT-A. Specific skills will depend on local options and agency standards. The student should gain field experience consistent with his agency. He should have full knowledge of how to summon those rescue skills he does not possess.

NEW SECTION

WAC 248-15-070 TESTING. Testing will occur periodically throughout the course. Each student shall demonstrate knowledge objectives on a written examination approved by the department or the University of Washington's School of Medicine. In addition, each student will be required to demonstrate proficiency by a practical examination. On completion of the course, the student will be able to display knowledge of topics on written examination. Successful performance will be defined as correctly responding to eighty percent average of the items appearing on the examination. The student will not be permitted to use any materials or notes during the examination. For those standards involving recognition, the student will be required to recognize the specific term, definition or procedural step(s) from a group of terms, definitions or procedural steps presented to him. Recall involves the student expressing the term, definition or procedural step(s) either orally or in writing, without the presence of any cues.

After attending the lecture and demonstrations and given a opportunity to practice the involved skills, perform each of the skill standards in the presence of the instructor and without the use of notes, diagrams or charts. Correct performance will be defined by the instructor during the lecture and demonstration sessions. The student will be given no more than three attempts to successfully perform each of the required steps in the proper sequence.

NEW SECTION

WAC 248-15-080 CERTIFICATION AND RECERTIFICATION. (1) Certification as a physician's trained mobile intravenous therapy technician, physician's trained mobile airway management technician or physician's trained mobile intensive care paramedic shall be for two years and shall be based on successfully completing the course(s) and exam as approved by the University of Washington or the department and being recommended for such certification by the approved licensed physician coordinator (or training physician). Such recommendation shall be in writing and will include the name and address of the individual being recommended. The effective date of certification shall be the date of the letter of recommendation. The expiration date will be the last date of the month, two years following certification.

(2) Recertification will be based on successful completion of the following:

(a) Maintaining the skill according to the skill standards delineated in this chapter for the appropriate skill requirement as documented by the approved licensed physician coordinator.

(b) Successfully passing such written, oral and/or practical recertification examinations as approved by the department or the University of Washington School of Medicine.

(c) Written recommendation from the approved training physician.

Recertification shall be for two years and shall be effective from the date of the letter of recommendation from the approved training physician.

NEW SECTION

WAC 248-15-090 RECIPROCITY AND CHALLENGES. (1) All requests for reciprocity and challenges will be considered on an individual basis.

(2) Individuals requesting reciprocity shall have all prior certifications, transcripts and allied documents available for review by the department.

(3) The decision to grant reciprocity shall be based on equivalency of academic and clinical training and field experience as set forth in this chapter.

(4) Individuals requesting challenge examinations must submit proof of equivalent training or experience prior to being admitted to the examination. Examinations will be the same as for graduates of full-time training programs.

(5) Entrance into a challenge examination will be by recommendation of an approved training physician.

NEW SECTION

WAC 248-15-100 REVOCATION, SUSPENSION OR MODIFICATION OF CERTIFICATE. Grounds for revocation or suspension of a physician's trained mobile intravenous therapy technician, physician's trained mobile airway management technician or physician's trained mobile intensive care paramedic include but are not limited to proof that such certified individual:

(1) Has been guilty of misrepresentation in obtaining the certificate;

(2) Has engaged or attempted to engage in, or represented himself/herself as entitled to perform any service not authorized by the certificate;

(3) Has demonstrated incompetence or has shown himself/herself otherwise unable to provide adequate service;

(4) Has violated or aided and abetted in the violation of any provision of chapter 18.73 RCW or the rules and regulations promulgated thereunder;

(5) Has demonstrated unprofessional conduct in the course of providing services as determined by the department or the University of Washington School of Medicine;

(6) Has failed to maintain skills.

NEW SECTION

WAC 248-15-110 APPEAL, REVOCATION, SUSPENSION OR MODIFICATION OF CERTIFICATE. (1) No certificate issued pursuant to this chapter shall be revoked or suspended without formal written notification to the respondent from the department. Such written notification shall state the cause of the revocation or suspension and shall advise the respondent of the right to appeal the revocation or suspension.

(2) Revocation or suspension shall become final thirty days following the date of the mailing of such notice: PROVIDED, That the applicant or holder of the certificate does not within thirty days from the date of mailing of the department's order to revocation or suspension, make written application to the department for a hearing. Upon receipt of a written application for a hearing, the department shall proceed to conduct a hearing in accordance with the requirements of the Administrative Procedure Act, chapter 34.04 RCW and the rules of practice and procedure issued by the department thereunder. Mailing of notices under this section shall be by registered mail.

WSR 78-06-133
PROPOSED RULES
SECRETARY OF STATE
[Filed June 7, 1978]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Office of the Secretary of State intends to adopt, amend, or repeal rules concerning random sampling procedures for initiatives and referendums.

The Secretary of State proposes to adopt without significant amendment the procedures formerly adopted by the State Canvassing Committee (WAC 90-12-010) as a consequence of the transfer of the regulatory authority of that body to the Secretary of State by section 105 of chapter 361, Laws of 1977 ex. sess;

that such agency will at 10:00 a.m., Thursday, July 13, 1978, in the Office of the Secretary of State, Legislative Building, Olympia conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Thursday, July 13, 1978, in the Office of the Secretary of State, Legislative Building, Olympia.

The authority under which these rules are proposed is RCW 29.04.080, 29.79.220, and 29.79.220.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 12, 1978, and/or orally at 10:00 a.m., Thursday, July 13, 1978, in the Office of the Secretary of State, Olympia, WA.

Dated: June 7, 1978

By: Carmela M. Bowns
Assistant Secretary of State

NEW SECTION

WAC 434-79-010 RANDOM SAMPLING PROCEDURE. In the verification of signatures on initiative and referendum petitions, pursuant to RCW 29.79.200 and RCW 29.79.220, when the number of signatures submitted is more than 110 percent of the number of signatures required by Article II, Section 1A of the Washington State Constitution, the secretary of state may employ the following statistical test:

- (1) Take an unrestricted random sample of the signatures submitted;
- (2) Check each signature sampled to determine the number of valid signatures in the sample, the number of signatures in the sample which are invalid because the individual signing is not registered or the signature is improper in form, and the number of signatures which are duplicated in the sample;
- (3) Calculate an allowance for the chance error of sampling by multiplying the square root of the number of invalid signatures in the sample by 1.5;
- (4) Estimate the upper limit of the number of signatures in the population which are invalid by dividing the sum of the invalid signatures in the sample and the allowance for the chance error of sampling by the sampling ratio, i.e. the number of signatures sampled divided by the number of signatures submitted;
- (5) Determine the maximum allowable number of pairs of signatures in the population by subtracting the sum of 110 percent of the number of signatures required by Article II, Section 1A of the Washington State Constitution and the estimate of the upper limit of the number of invalid signatures in the population from the number of signatures submitted;
- (6) Determine the expected number of pairs of signatures in the sample by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures in the population;
- (7) Determine the acceptable number of pairs of signatures in the sample by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample;
- (8) If the number of pairs of signatures in the sample is greater than the acceptable number of pairs of signatures in the sample, the secretary of state shall canvass each signature to determine the exact number of valid signatures;
- (9) If the number of pairs of signatures in the sample is less than the acceptable number of pairs of signatures in the sample, the secretary of state shall declare the petition to be sufficient and certify the serial number and ballot title to the state legislature as provided in RCW 29.79.200 or to the county auditors as provided in RCW 29.79.230.

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
173-14-050	AMD-P 78-04-063	173-201-120	AMD 78-02-043	173-800-210	REP-P 78-03-083
173-14-060	AMD-P 78-04-063	173-201-130	REP 78-02-043	173-800-210	REP 78-04-090
173-14-062	AMD-P 78-04-063	173-201-140	AMD 78-02-043	173-800-220	REP-P 78-03-083
173-14-064	AMD-P 78-04-063	173-240-010	NEW-P 78-06-124	173-800-220	REP 78-04-090
173-14-070	AMD-P 78-04-063	173-240-020	NEW-P 78-06-124	173-800-230	REP-P 78-03-083
173-14-080	AMD-P 78-04-063	173-240-030	NEW-P 78-06-124	173-800-230	REP 78-04-090
173-14-090	AMD-P 78-04-063	173-240-040	NEW-P 78-06-124	173-800-240	REP-P 78-03-083
173-14-100	AMD-P 78-04-063	173-240-050	NEW-P 78-06-124	173-800-240	REP 78-04-090
173-14-110	AMD-P 78-04-063	173-240-060	NEW-P 78-06-124	173-800-250	REP-P 78-03-083
173-14-115	AMD-P 78-04-063	173-240-070	NEW-P 78-06-124	173-800-250	REP 78-04-090
173-14-120	AMD-P 78-04-063	173-240-080	NEW-P 78-06-124	173-800-260	REP-P 78-03-083
173-14-130	AMD-P 78-04-063	173-240-090	NEW-P 78-06-124	173-800-260	REP 78-04-090
173-14-140	AMD-P 78-04-063	173-240-100	NEW-P 78-06-124	173-800-270	REP-P 78-03-083
173-14-150	AMD-P 78-04-063	173-240-110	NEW-P 78-06-124	173-800-270	REP 78-04-090
173-14-160	REP-P 78-04-063	173-240-990	NEW-P 78-06-124	173-800-280	REP-P 78-03-083
173-14-170	AMD-P 78-04-063	173-250-010	NEW-P 78-06-129	173-800-280	REP 78-04-090
173-14-174	NEW-P 78-04-063	173-250-020	NEW-P 78-06-129	173-800-300	REP-P 78-03-083
173-14-180	AMD-P 78-04-063	173-250-030	NEW-P 78-06-129	173-800-300	REP 78-04-090
173-14-190	AMD-P 78-04-063	173-250-040	NEW-P 78-06-129	173-800-310	REP-P 78-03-083
173-19-390	AMD-P 78-05-017	173-255-010	NEW-P 78-06-128	173-800-310	REP 78-04-090
173-22	AMD-P 78-06-126	173-255-020	NEW-P 78-06-128	173-800-320	REP-P 78-03-083
173-24	AMD-P 78-03-018	173-255-030	NEW-P 78-06-128	173-800-320	REP 78-04-090
173-24-010	AMD-P 78-02-076	173-255-040	NEW-P 78-06-128	173-800-330	REP-P 78-03-083
173-24-010	AMD 78-04-015	173-255-050	NEW-P 78-06-128	173-800-330	REP 78-04-090
173-24-030	AMD-P 78-02-076	173-302-165	NEW-P 78-06-127	173-800-340	REP-P 78-03-083
173-24-030	AMD 78-04-015	173-302-390	AMD-P 78-06-127	173-800-340	REP 78-04-090
173-24-060	AMD-P 78-02-076	173-531	NEW-P 78-02-042	173-800-345	REP-P 78-03-083
173-24-060	AMD 78-04-015	173-531	NEW-P 78-05-066	173-800-345	REP 78-04-090
173-24-070	AMD-P 78-02-076	173-800-010	REP-P 78-03-083	173-800-350	REP-P 78-03-083
173-24-070	AMD 78-04-015	173-800-010	REP 78-04-090	173-800-350	REP 78-04-090
173-24-080	AMD-P 78-02-076	173-800-015	REP-P 78-03-083	173-800-355	REP-P 78-03-083
173-24-080	AMD 78-04-015	173-800-015	REP 78-04-090	173-800-355	REP 78-04-090
173-24-100	AMD-P 78-02-076	173-800-020	REP-P 78-03-083	173-800-360	REP-P 78-03-083
173-24-100	AMD 78-04-015	173-800-020	REP 78-04-090	173-800-360	REP 78-04-090
173-24-110	AMD-P 78-02-076	173-800-030	REP-P 78-03-083	173-800-360	REP 78-04-090
173-24-110	AMD 78-04-015	173-800-030	REP 78-04-090	173-800-370	REP-P 78-03-083
173-24-140	AMD-P 78-02-076	173-800-030	REP 78-04-090	173-800-370	REP 78-04-090
173-24-140	AMD 78-04-015	173-800-035	REP-P 78-03-083	173-800-375	REP-P 78-03-083
173-24-140	AMD 78-04-015	173-800-035	REP 78-04-090	173-800-375	REP 78-04-090
173-24-150	AMD-P 78-02-076	173-800-040	REP-P 78-03-083	173-800-380	REP-P 78-03-083
173-24-150	AMD 78-04-015	173-800-040	REP 78-04-090	173-800-380	REP 78-04-090
173-124-06001	NEW 78-05-007	173-800-050	REP-P 78-03-083	173-800-390	REP-P 78-03-083
173-166-010	NEW-E 78-02-007	173-800-050	REP 78-04-090	173-800-390	REP 78-04-090
173-166-010	NEW-P 78-02-077	173-800-060	REP-P 78-03-083	173-800-400	REP-P 78-03-083
173-166-010	NEW 78-04-019	173-800-060	REP 78-04-090	173-800-400	REP 78-04-090
173-166-020	NEW-E 78-02-007	173-800-070	REP-P 78-03-083	173-800-405	REP-P 78-03-083
173-166-020	NEW-P 78-02-077	173-800-070	REP 78-04-090	173-800-405	REP 78-04-090
173-166-020	NEW 78-04-019	173-800-080	REP-P 78-03-083	173-800-410	REP-P 78-03-083
173-166-030	NEW-E 78-02-007	173-800-080	REP 78-04-090	173-800-410	REP 78-04-090
173-166-030	NEW-P 78-02-077	173-800-090	REP-P 78-03-083	173-800-420	REP-P 78-03-083
173-166-030	NEW 78-04-019	173-800-090	REP 78-04-090	173-800-420	REP 78-04-090
173-166-040	NEW-E 78-02-007	173-800-100	REP-P 78-03-083	173-800-425	REP-P 78-03-083
173-166-040	NEW-P 78-02-077	173-800-100	REP 78-04-090	173-800-425	REP 78-04-090
173-166-040	NEW 78-04-019	173-800-105	REP-P 78-03-083	173-800-440	REP-P 78-03-083
173-166-050	NEW-E 78-02-007	173-800-105	REP 78-04-090	173-800-440	REP 78-04-090
173-166-050	NEW-P 78-02-077	173-800-110	REP-P 78-03-083	173-800-442	REP-P 78-03-083
173-166-050	NEW 78-04-019	173-800-110	REP 78-04-090	173-800-442	REP 78-04-090
173-166-060	NEW-E 78-02-007	173-800-120	REP-P 78-03-083	173-800-444	REP-P 78-03-083
173-166-060	NEW-P 78-02-077	173-800-120	REP 78-04-090	173-800-444	REP 78-04-090
173-166-060	NEW 78-04-019	173-800-140	REP-P 78-03-083	173-800-450	REP-P 78-03-083
173-201-010	AMD 78-02-043	173-800-140	REP 78-04-090	173-800-450	REP 78-04-090
173-201-020	AMD 78-02-043	173-800-145	REP-P 78-03-083	173-800-460	REP-P 78-03-083
173-201-025	NEW 78-02-043	173-800-145	REP 78-04-090	173-800-460	REP 78-04-090
173-201-030	REP 78-02-043	173-800-150	REP-P 78-03-083	173-800-465	REP-P 78-03-083
173-201-035	NEW 78-02-043	173-800-150	REP 78-04-090	173-800-465	REP 78-04-090
173-201-040	REP 78-02-043	173-800-160	REP-P 78-03-083	173-800-470	REP-P 78-03-083
173-201-045	NEW 78-02-043	173-800-160	REP 78-04-090	173-800-470	REP 78-04-090
173-201-050	AMD 78-02-043	173-800-170	REP-P 78-03-083	173-800-480	REP-P 78-03-083
173-201-060	REP 78-02-043	173-800-170	REP 78-04-090	173-800-480	REP 78-04-090
173-201-070	AMD 78-02-043	173-800-180	REP-P 78-03-083	173-800-485	REP-P 78-03-083
173-201-080	AMD 78-02-043	173-800-180	REP 78-04-090	173-800-485	REP 78-04-090
173-201-085	NEW 78-02-043	173-800-190	REP-P 78-03-083	173-800-490	REP-P 78-03-083
173-201-090	AMD 78-02-043	173-800-190	REP 78-04-090	173-800-490	REP 78-04-090
173-201-100	AMD 78-02-043	173-800-200	REP-P 78-03-083	173-800-495	REP-P 78-03-083
173-201-110	AMD 78-02-043	173-800-200	REP 78-04-090	173-800-495	REP 78-04-090

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
173-800-500	REP-P	78-03-083	173-805-070	AMD-P	78-03-084	180-79-015	NEW	78-06-070
173-800-500	REP	78-04-090	173-805-070	AMD	78-04-091	180-79-020	NEW-P	78-04-082
173-800-510	REP-P	78-03-083	173-805-120	AMD-P	78-03-084	180-79-020	NEW	78-06-070
173-800-510	REP	78-04-090	173-805-120	AMD	78-04-091	180-79-025	NEW-P	78-04-082
173-800-520	REP-P	78-03-083	173-805-121	NEW-P	78-03-084	180-79-025	NEW	78-06-070
173-800-520	REP	78-04-090	173-805-121	NEW	78-04-091	180-79-030	NEW-P	78-04-082
173-800-530	REP-P	78-03-083	173-805-125	REP-P	78-03-084	180-79-030	NEW	78-06-070
173-800-530	REP	78-04-090	173-805-125	REP	78-04-091	180-79-035	NEW-P	78-04-082
173-800-535	REP-P	78-03-083	173-805-130	AMD-P	78-03-084	180-79-040	NEW-P	78-04-082
173-800-535	REP	78-04-090	173-805-130	AMD	78-04-091	180-79-040	NEW	78-06-070
173-800-540	REP-P	78-03-083	174-104-010	AMD-P	78-02-116	180-79-045	NEW-P	78-04-082
173-800-540	REP	78-04-090	174-104-010	AMD	78-05-008	180-79-045	NEW	78-06-070
173-800-545	REP-P	78-03-083	174-116-150	AMD-P	78-06-113	180-79-050	NEW-P	78-04-082
173-800-545	REP	78-04-090	180-16-165	REP-P	78-04-083	180-79-050	NEW	78-06-070
173-800-550	REP-P	78-03-083	180-16-165	REP	78-06-097	180-79-055	NEW-P	78-04-082
173-800-550	REP	78-04-090	180-16-167	AMD-P	78-04-083	180-79-055	NEW	78-06-070
173-800-570	REP-P	78-03-083	180-16-167	AMD	78-06-097	180-79-060	NEW-P	78-04-082
173-800-570	REP	78-04-090	180-16-191	NEW-P	78-04-083	180-79-060	NEW	78-06-070
173-800-580	REP-P	78-03-083	180-16-191	NEW	78-06-097	180-79-065	NEW-P	78-04-082
173-800-580	REP	78-04-090	180-16-195	NEW-P	78-04-083	180-79-065	NEW	78-06-070
173-800-600	REP-P	78-03-083	180-16-195	NEW	78-06-097	180-79-070	NEW-P	78-04-082
173-800-600	REP	78-04-090	180-16-200	NEW-P	78-04-083	180-79-070	NEW	78-06-070
173-800-650	REP-P	78-03-083	180-16-200	NEW	78-06-097	180-79-075	NEW-P	78-04-082
173-800-650	REP	78-04-090	180-16-205	NEW-P	78-04-083	180-79-075	NEW	78-06-070
173-800-652	REP-P	78-03-083	180-16-205	NEW	78-06-097	180-79-080	NEW-P	78-04-082
173-800-652	REP	78-04-090	180-16-210	NEW-P	78-04-083	180-79-085	NEW-P	78-04-082
173-800-660	REP-P	78-03-083	180-16-210	NEW	78-06-097	180-79-085	NEW	78-06-070
173-800-660	REP	78-04-090	180-16-215	NEW-P	78-04-083	180-79-090	NEW-P	78-04-082
173-800-690	REP-P	78-03-083	180-16-215	NEW	78-06-097	180-79-090	NEW	78-06-070
173-800-690	REP	78-04-090	180-16-220	NEW-P	78-04-083	180-79-095	NEW-P	78-04-082
173-800-695	REP-P	78-03-083	180-16-220	NEW	78-06-097	180-79-095	NEW	78-06-070
173-800-695	REP	78-04-090	180-16-225	NEW-P	78-04-083	180-79-100	NEW-P	78-04-082
173-800-710	REP-P	78-03-083	180-16-225	NEW	78-06-097	180-79-100	NEW	78-06-070
173-800-710	REP	78-04-090	180-16-230	NEW-P	78-04-083	180-79-105	NEW-P	78-04-082
173-800-810	REP-P	78-03-083	180-16-230	NEW	78-06-097	180-79-105	NEW	78-06-070
173-800-810	REP	78-04-090	180-16-235	NEW-P	78-04-083	180-79-110	NEW-P	78-04-082
173-800-830	REP-P	78-03-083	180-16-235	NEW	78-06-097	180-79-110	NEW	78-06-070
173-800-830	REP	78-04-090	180-16-240	NEW-P	78-04-083	180-79-112	NEW-P	78-04-082
173-800-840	REP-P	78-03-083	180-16-240	NEW	78-06-097	180-79-115	NEW-P	78-04-082
173-800-840	REP	78-04-090	180-56-315	AMD-P	78-04-083	180-79-115	NEW	78-06-070
173-800-910	REP-P	78-03-083	180-56-315	AMD	78-06-065	180-79-120	NEW-P	78-04-082
173-800-910	REP	78-04-090	180-78-005	NEW-P	78-04-084	180-79-120	NEW	78-06-070
173-801-010	NEW-P	78-03-083	180-78-005	NEW	78-06-069	180-79-125	NEW-P	78-04-082
173-801-010	NEW	78-04-090	180-78-010	NEW-P	78-04-084	180-79-125	NEW	78-06-070
173-801-020	NEW-P	78-03-083	180-78-010	NEW	78-06-069	180-79-130	NEW-P	78-04-082
173-801-020	NEW	78-04-090	180-78-015	NEW-P	78-04-084	180-79-130	NEW	78-06-070
173-801-030	NEW-P	78-03-083	180-78-015	NEW	78-06-069	180-79-135	NEW-P	78-04-082
173-801-030	NEW	78-04-090	180-78-020	NEW-P	78-04-084	180-79-135	NEW	78-06-070
173-801-040	NEW-P	78-03-083	180-78-020	NEW	78-06-069	180-79-150	NEW-P	78-04-082
173-801-040	NEW	78-04-090	180-78-025	NEW-P	78-04-084	180-79-150	NEW	78-06-070
173-801-045	NEW-P	78-03-083	180-78-025	NEW	78-06-069	180-79-155	NEW-P	78-04-082
173-801-045	NEW	78-04-090	180-78-030	NEW-P	78-04-084	180-79-155	NEW	78-06-070
173-801-050	NEW-P	78-03-083	180-78-030	NEW	78-06-069	180-79-160	NEW-P	78-04-082
173-801-050	NEW	78-04-090	180-78-035	NEW-P	78-04-084	180-79-160	NEW	78-06-070
173-801-060	NEW-P	78-03-083	180-78-035	NEW	78-06-069	180-79-165	NEW-P	78-04-082
173-801-060	NEW	78-04-090	180-78-040	NEW-P	78-04-084	180-79-170	NEW-P	78-04-082
173-801-070	NEW-P	78-03-083	180-78-040	NEW	78-06-069	180-79-170	NEW	78-06-070
173-801-070	NEW	78-04-090	180-78-045	NEW-P	78-04-084	180-79-175	NEW-P	78-04-082
173-801-080	NEW-P	78-03-083	180-78-045	NEW	78-06-069	180-79-175	NEW	78-06-070
173-801-080	NEW	78-04-090	180-78-050	NEW-P	78-04-084	180-79-180	NEW-P	78-04-082
173-801-090	NEW-P	78-03-083	180-78-050	NEW	78-06-069	180-79-180	NEW	78-06-070
173-801-090	NEW	78-04-090	180-78-055	NEW-P	78-04-084	180-79-185	NEW-P	78-04-082
173-801-100	NEW-P	78-03-083	180-78-055	NEW	78-06-069	180-79-185	NEW	78-06-070
173-801-100	NEW	78-04-090	180-78-060	NEW-P	78-04-084	180-79-190	NEW-P	78-04-082
173-801-110	NEW-P	78-03-083	180-78-065	NEW-P	78-04-084	180-79-190	NEW	78-06-070
173-801-110	NEW	78-04-090	180-78-070	NEW-P	78-04-084	180-79-195	NEW-P	78-04-082
173-801-120	NEW-P	78-03-083	180-78-075	NEW-P	78-04-084	180-79-195	NEW	78-06-070
173-801-120	NEW	78-04-090	180-78-080	NEW-P	78-04-084	180-79-200	NEW-P	78-04-082
173-801-130	NEW-P	78-03-083	180-78-085	NEW-P	78-04-084	180-79-200	NEW	78-06-070
173-801-130	NEW	78-04-090	180-79-005	NEW-P	78-04-082	180-79-205	NEW-P	78-04-082
173-805-020	AMD-P	78-03-084	180-79-005	NEW	78-06-070	180-79-205	NEW	78-06-070
173-805-020	AMD	78-04-091	180-79-010	NEW-P	78-04-082	180-79-210	NEW-P	78-04-082
173-805-030	AMD-P	78-03-084	180-79-010	NEW	78-06-070	180-79-210	NEW	78-06-070
173-805-030	AMD	78-04-091	180-79-015	NEW-P	78-04-082	180-79-215	NEW-P	78-04-082

Table of WAC Sections Affected

WAC #		WSR #	WAC #		WSR #	WAC #		WSR #
180-79-215	NEW	78-06-070	180-80-610	REP	78-06-063	184-05-070	REP	78-03-023
180-79-230	NEW-P	78-04-082	180-80-700	REP-P	78-04-086	184-05-080	REP	78-03-023
180-79-230	NEW	78-06-070	180-80-700	REP	78-06-063	184-05-090	REP	78-03-023
180-79-235	NEW-P	78-04-082	180-80-710	REP-P	78-04-086	184-05-100	REP	78-03-023
180-79-235	NEW	78-06-070	180-80-710	REP	78-06-063	184-05-110	REP	78-03-023
180-79-240	NEW-P	78-04-082	180-80-720	REP-P	78-04-086	184-05-120	REP	78-03-023
180-79-240	NEW	78-06-070	180-80-720	REP	78-06-063	184-05-130	REP	78-03-023
180-79-245	NEW-P	78-04-082	180-80-730	REP-P	78-04-086	184-05-140	REP	78-03-023
180-79-245	NEW	78-06-070	180-80-730	REP	78-06-063	184-05-150	REP	78-03-023
180-79-250	NEW-P	78-04-082	180-80-740	REP-P	78-04-086	184-08-010	REP	78-03-023
180-79-250	NEW	78-06-070	180-80-740	REP	78-06-063	184-08-020	REP	78-03-023
180-80-195	REP-P	78-04-086	180-84-010	REP-P	78-04-087	184-08-030	REP	78-03-023
180-80-195	REP	78-06-063	180-84-010	REP	78-06-062	184-08-040	REP	78-03-023
180-80-200	AMD	78-03-013	180-84-560	REP-P	78-04-087	184-08-050	REP	78-03-023
180-80-200	REP-P	78-04-086	180-84-560	REP	78-06-062	184-08-070	REP	78-03-023
180-80-200	REP	78-06-063	180-84-565	REP-P	78-04-087	184-08-080	REP	78-03-023
180-80-201	REP-P	78-04-086	180-84-565	REP	78-06-062	184-08-090	REP	78-03-023
180-80-201	REP	78-06-063	180-90-120	AMD-P	78-04-088	184-08-100	REP	78-03-023
180-80-202	REP-P	78-04-086	180-90-120	AMD	78-06-064	184-08-110	REP	78-03-023
180-80-202	REP	78-06-063	180-90-160	AMD-P	78-04-088	184-08-120	REP	78-03-023
180-80-205	AMD-P	78-04-086	180-90-160	AMD	78-06-064	184-08-130	REP	78-03-023
180-80-205	AMD	78-06-063	180-95-005	NEW	78-03-014	184-08-140	REP	78-03-023
180-80-217	REP-P	78-04-086	180-95-010	NEW	78-03-014	184-08-150	REP	78-03-023
180-80-217	REP	78-06-063	180-95-020	NEW	78-03-014	184-08-160	REP	78-03-023
180-80-220	REP-P	78-04-086	180-95-030	NEW	78-03-014	184-08-170	REP	78-03-023
180-80-220	REP	78-06-063	180-95-040	NEW	78-03-014	184-08-180	REP	78-03-023
180-80-245	REP-P	78-04-086	180-95-050	NEW	78-03-014	184-08-190	REP	78-03-023
180-80-245	REP	78-06-063	180-95-060	NEW	78-03-014	184-08-200	REP	78-03-023
180-80-247	REP-P	78-04-086	182-08-131	NEW-P	78-04-107	184-08-210	REP	78-03-023
180-80-247	REP	78-06-063	182-08-131	NEW-P	78-06-039	184-08-220	REP	78-03-023
180-80-250	REP-P	78-04-086	182-08-160	AMD-E	78-02-014	184-08-230	REP	78-03-023
180-80-250	REP	78-06-063	182-08-160	AMD	78-03-021	184-08-240	REP	78-03-023
180-80-251	REP-P	78-04-086	182-08-170	AMD	78-02-015	184-08-250	REP	78-03-023
180-80-251	REP	78-06-063	182-08-171	NEW-P	78-04-107	184-08-260	REP	78-03-023
180-80-256	REP-P	78-04-086	182-08-171	NEW-P	78-06-039	184-08-270	REP	78-03-023
180-80-256	REP	78-06-063	182-08-175	NEW-P	78-04-107	184-08-275	REP	78-03-023
180-80-258	REP-P	78-04-086	182-08-175	NEW-P	78-06-039	184-08-280	REP	78-03-023
180-80-258	REP	78-06-063	182-08-190	AMD	78-02-015	184-08-290	REP	78-03-023
180-80-260	REP-P	78-04-086	182-12-111	NEW	78-02-015	184-08-300	REP	78-03-023
180-80-260	REP	78-06-063	182-12-115	AMD-P	78-04-107	184-08-310	REP	78-03-023
180-80-265	REP-P	78-04-086	182-12-115	AMD-P	78-06-039	184-08-320	REP	78-03-023
180-80-265	REP	78-06-063	182-12-115	AMD-E	78-06-105	184-08-330	REP	78-03-023
180-80-275	REP-P	78-04-086	182-12-122	NEW-P	78-04-107	184-08-340	REP	78-03-023
180-80-275	REP	78-06-063	182-12-122	NEW-P	78-06-039	184-08-350	REP	78-03-023
180-80-280	AMD-P	78-04-086	182-12-122	NEW-E	78-06-105	184-08-360	REP	78-03-023
180-80-280	AMD	78-06-063	182-12-125	REP-P	78-04-107	184-08-370	REP	78-03-023
180-80-304	REP-P	78-04-086	184-01-010	REP	78-03-023	184-08-380	REP	78-03-023
180-80-304	REP	78-06-063	184-01-020	REP	78-03-023	184-08-390	REP	78-03-023
180-80-305	REP-P	78-04-086	184-01-025	REP	78-03-023	184-08-400	REP	78-03-023
180-80-305	REP	78-06-063	184-01-030	REP	78-03-023	184-08-410	REP	78-03-023
180-80-310	REP-P	78-04-086	184-01-035	REP	78-03-023	184-08-420	REP	78-03-023
180-80-310	REP	78-06-063	184-01-040	REP	78-03-023	184-08-430	REP	78-03-023
180-80-510	REP-P	78-04-086	184-01-050	REP	78-03-023	184-08-440	REP	78-03-023
180-80-510	REP	78-06-063	184-01-060	REP	78-03-023	184-08-450	REP	78-03-023
180-80-520	REP-P	78-04-086	184-01-070	REP	78-03-023	184-08-460	REP	78-03-023
180-80-520	REP	78-06-063	184-01-07001	REP	78-03-023	184-08-470	REP	78-03-023
180-80-522	REP-P	78-04-086	184-03-010	REP	78-03-023	184-08-480	REP	78-03-023
180-80-522	REP	78-06-063	184-03-020	REP	78-03-023	184-08-490	REP	78-03-023
180-80-525	REP-P	78-04-086	184-03-030	REP	78-03-023	184-08-500	REP	78-03-023
180-80-525	REP	78-06-063	184-03-040	REP	78-03-023	184-08-540	REP	78-03-023
180-80-533	REP-P	78-04-086	184-03-050	REP	78-03-023	184-08-550	REP	78-03-023
180-80-533	REP	78-06-063	184-03-060	REP	78-03-023	184-08-560	REP	78-03-023
180-80-535	REP-P	78-04-086	184-03-070	REP	78-03-023	184-08-570	REP	78-03-023
180-80-535	REP	78-06-063	184-03-080	REP	78-03-023	184-08-580	REP	78-03-023
180-80-540	REP-P	78-04-086	184-03-090	REP	78-03-023	184-08-590	REP	78-03-023
180-80-540	REP	78-06-063	184-03-100	REP	78-03-023	184-09-010	REP	78-03-023
180-80-545	REP-P	78-04-086	184-03-110	REP	78-03-023	184-09-020	REP	78-03-023
180-80-545	REP	78-06-063	184-03-120	REP	78-03-023	184-12-010	REP	78-03-023
180-80-550	REP-P	78-04-086	184-05-010	REP	78-03-023	184-16-010	REP	78-03-023
180-80-550	REP	78-06-063	184-05-020	REP	78-03-023	184-16-020	REP	78-03-023
180-80-600	REP-P	78-04-086	184-05-030	REP	78-03-023	184-16-030	REP	78-03-023
180-80-600	REP	78-06-063	184-05-040	REP	78-03-023	184-16-040	REP	78-03-023
180-80-610	AMD	78-03-013	184-05-050	REP	78-03-023	184-16-050	REP	78-03-023
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184-20-040	REP 78-03-023	220-22-330	AMD-P 78-03-097	220-47-31100S	REP-E 78-01-033
184-20-050	REP 78-03-023	220-22-330	AMD 78-05-018	220-47-312	AMD-P 78-03-097
184-20-060	REP 78-03-023	220-22-400	AMD-P 78-03-097	220-47-312	AMD 78-05-018
184-20-070	REP 78-03-023	220-22-400	AMD 78-05-018	220-47-313	AMD-P 78-03-097
184-20-080	REP 78-03-023	220-24-010	AMD-P 78-03-093	220-47-313	AMD 78-05-018
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184-20-120	REP 78-03-023	220-24-020	AMD-P 78-03-093	220-47-31400C	REP-E 78-06-109
184-20-130	REP 78-03-023	220-24-020	AMD 78-05-067	220-47-31400D	NEW-E 78-06-109
184-20-140	REP 78-03-023	220-28-006A0D	NEW-E 78-05-036	220-47-324	AMD-P 78-03-097
184-20-App.A	REP 78-03-023	220-28-006F0A	NEW-E 78-05-036	220-47-324	AMD 78-05-018
186-12-010	REP 78-03-023	220-28-006G0A	NEW-E 78-05-036	220-47-401	AMD-P 78-03-097
186-12-050	REP 78-03-023	220-28-007B0E	REP-E 78-02-006	220-47-401	AMD 78-05-018
186-12-060	REP 78-03-023	220-28-007B0F	NEW-E 78-02-006	220-47-402	AMD-P 78-03-097
186-12-100	REP 78-03-023	220-28-007B0F	REP-E 78-02-051	220-47-402	AMD 78-05-018
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186-12-350	REP 78-03-023	220-28-008B0A	NEW-E 78-05-036	220-47-413	AMD 78-05-018
186-12-400	REP 78-03-023	220-28-008C0A	NEW-E 78-05-036	220-47-414	AMD-P 78-03-097
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204-08-030	AMD-P 78-06-107	220-28-008F0A	NEW-E 78-05-036	220-47-41400A	REP-E 78-01-033
204-08-100	AMD-P 78-06-107	220-28-008F0A	REP-E 78-06-032	220-47-415	AMD-P 78-03-097
204-24-050	AMD 78-02-091	220-28-008F0B	NEW-E 78-06-032	220-47-415	AMD 78-05-018
204-24-070	AMD 78-02-091	220-28-008G0A	NEW-E 78-05-036	220-47-426	AMD-P 78-03-097
204-64-010	NEW-E 78-02-092	220-28-008H0A	NEW-E 78-05-036	220-47-426	AMD 78-05-018
204-64-010	NEW-P 78-02-093	220-28-010A0F	NEW-E 78-05-036	220-48-080	AMD-P 78-02-111
204-64-010	NEW-E 78-05-065	220-28-010F0A	NEW-E 78-05-036	220-48-080	AMD 78-04-039
204-64-010	NEW-P 78-06-107	220-28-011A0B	REP-E 78-02-051	220-48-096	AMD-P 78-02-111
204-64-020	NEW-E 78-02-092	220-28-011A0C	NEW-E 78-05-036	220-48-096	AMD 78-04-039
204-64-020	NEW-P 78-02-093	220-28-011F0A	NEW-E 78-05-036	220-48-09600A	NEW-E 78-02-112
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204-64-020	NEW-P 78-06-107	220-28-012A0B	REP-E 78-02-051	220-48-098	NEW-P 78-02-111
204-64-040	NEW-E 78-02-092	220-28-012D0D	REP-E 78-02-051	220-48-098	NEW 78-04-039
204-64-040	NEW-P 78-02-093	220-28-01300D	NEW-E 78-02-051	220-48-09800A	NEW-E 78-04-059
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204-64-040	NEW-P 78-06-107	220-28-013B0A	NEW-E 78-05-036	220-49-02000A	NEW-E 78-04-053
204-64-060	NEW-E 78-02-092	220-28-013F0A	NEW-E 78-05-036	220-49-02000A	REP-E 78-05-035
204-64-060	NEW-P 78-02-093	220-32-03000G	NEW-E 78-02-075	220-49-02000B	NEW-E 78-06-005
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204-64-060	NEW-P 78-06-107	220-32-04000A	NEW-E 78-02-075	220-49-02100A	NEW-E 78-05-035
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204-64-080	NEW-P 78-02-093	220-32-04000B	REP-E 78-06-072	220-49-06000A	REP-E 78-02-051
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204-64-100	NEW-P 78-02-093	220-32-05700A	NEW-E 78-02-075	220-56-010	AMD 78-03-034
204-64-100	NEW-E 78-05-065	220-32-05700B	NEW-E 78-06-033	220-56-013	AMD 78-03-034
204-64-100	NEW-P 78-06-107	220-32-06000A	NEW-E 78-05-016	220-56-01900A	NEW-E 78-05-016
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204-64-120	NEW-E 78-05-065	220-36-022	AMD-P 78-05-099	220-56-030	AMD 78-03-034
204-66-060	AMD-P 78-06-107	220-36-025	AMD-P 78-05-099	220-56-040	AMD 78-03-034
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204-66-100	AMD-P 78-05-095	220-40-021	AMD-P 78-05-099	220-56-064	AMD 78-03-034
204-66-160	AMD-P 78-06-107	220-40-022	AMD-P 78-05-099	220-56-065	AMD 78-03-034
204-66-170	AMD-P 78-06-107	220-44-020	AMD-P 78-02-111	220-56-080	AMD 78-03-034
204-66-180	AMD-P 78-06-107	220-44-020	AMD-P 78-03-093	220-56-08000B	NEW-E 78-01-033
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212-02-020	AMD 78-04-076	220-44-020	AMD 78-05-067	220-56-08000C	NEW-E 78-06-055
212-02-030	AMD-P 78-03-015	220-44-020	AMD 78-06-002	220-56-08000C	REP-E 78-06-108
212-02-030	AMD 78-04-076	220-44-030	NEW-P 78-02-111	220-56-08000D	NEW-E 78-06-108
220-20-015	AMD-P 78-03-093	220-44-030	NEW 78-04-039	220-56-082	AMD 78-03-034
220-20-015	AMD 78-05-067	220-44-040	NEW-P 78-02-111	220-56-084	AMD 78-03-034
220-20-01500A	NEW-E 78-05-068	220-44-040	NEW 78-04-039	220-56-08400B	NEW-E 78-05-071
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220-57-16000A	NEW-E	78-04-055	230-04-170	AMD-P	78-04-080	236-12-010	AMD-P	78-03-091
220-57-17500B	NEW-E	78-06-034	230-04-170	AMD	78-06-066	236-12-010	AMD	78-05-006
220-57-200	AMD	78-03-034	230-04-190	AMD-P	78-03-082	236-12-011	AMD-P	78-03-091
220-57-255	AMD	78-03-034	230-04-190	AMD-P	78-04-080	236-12-011	AMD	78-05-006
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220-57-290	AMD	78-03-034	230-04-190	AMD	78-06-066	236-12-012	AMD	78-05-006
220-57-310	AMD	78-03-034	230-04-200	AMD-P	78-04-080	236-12-013	NEW-P	78-03-091
220-57-320	AMD	78-03-034	230-04-200	AMD	78-06-066	236-12-013	NEW	78-05-006
220-57-385	AMD	78-03-034	230-04-290	AMD-P	78-04-080	236-12-020	AMD-P	78-03-091
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220-57-46000A	NEW-E	78-06-050	230-04-310	AMD-P	78-04-080	236-12-030	AMD-P	78-03-091
220-57-480	AMD	78-03-034	230-04-310	AMD	78-06-066	236-12-030	AMD	78-05-006
220-57-49700A	NEW-E	78-06-034	230-04-332	REP-P	78-04-080	236-12-040	AMD-P	78-03-091
220-57-515	AMD	78-03-034	230-04-332	REP-P	78-06-131	236-12-040	AMD	78-05-006
220-57A-005	AMD	78-03-034	230-04-332	AMD-P	78-06-131	236-12-050	AMD-P	78-03-091
220-57A-010	AMD	78-03-034	230-04-405	NEW-P	78-04-080	236-12-050	AMD	78-05-006
220-57A-030	AMD	78-03-034	230-04-450	AMD-P	78-04-080	236-12-060	AMD-P	78-03-091
220-57A-040	AMD	78-03-034	230-04-450	AMD	78-06-066	236-12-060	AMD	78-05-006
220-57A-06000A	NEW-E	78-06-004	230-04-452	NEW-P	78-04-080	236-12-061	NEW-P	78-03-091
220-57A-065	AMD	78-03-034	230-04-452	NEW-P	78-06-131	236-12-061	NEW	78-05-006
220-57A-080	AMD	78-03-034	230-04-455	NEW-P	78-06-131	236-12-080	AMD-P	78-03-091
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220-57A-125	AMD	78-03-034	230-25-110	AMD	78-03-061	236-12-085	AMD	78-05-006
220-57A-155	AMD	78-03-034	230-25-220	AMD-P	78-02-102	236-12-090	REP-P	78-03-091
220-57A-185	AMD	78-03-034	230-25-220	AMD-E	78-03-063	236-12-090	REP	78-05-006
220-57A-190	AMD	78-03-034	230-25-220	AMD	78-04-032	236-12-120	AMD-P	78-03-091
220-69-220	AMD	78-03-031	230-25-260	NEW-P	78-02-102	236-12-120	AMD	78-05-006
220-69-230	AMD	78-03-031	230-25-260	NEW	78-04-032	236-12-130	AMD-P	78-03-091
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220-69-232	AMD	78-03-031	230-40-250	AMD	78-06-066	236-12-131	NEW-P	78-03-091
220-69-233	AMD	78-03-031	232-12-065	NEW	78-02-055	236-12-131	NEW	78-05-006
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220-69-254	AMD	78-03-031	232-12-405	NEW	78-02-055	236-12-133	NEW-P	78-03-091
220-69-255	AMD	78-03-031	232-28-100	REP-P	78-05-104	236-12-133	NEW	78-05-006
220-69-271	AMD	78-03-031	232-28-101	NEW-P	78-05-104	236-12-140	AMD-P	78-03-091
220-69-280	AMD	78-03-031	232-28-200	REP-P	78-04-102	236-12-140	AMD	78-05-006
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220-100-020	AMD	78-05-029	232-28-300	REP-P	78-04-102	236-12-220	AMD	78-05-006
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220-100-040	AMD	78-05-029	232-28-500	REP-P	78-05-104	236-12-225	AMD	78-05-006
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220-100-045	NEW	78-05-029	232-28-600000A	NEW-E	78-03-002	236-12-290	AMD	78-05-006
220-100-050	AMD-P	78-03-092	232-28-600000A	REP-E	78-03-073	236-12-300	AMD-P	78-03-091
220-100-050	AMD	78-05-029	232-28-600000B	NEW-E	78-03-025	236-12-300	AMD	78-05-006
220-100-060	AMD-P	78-03-092	232-28-600000C	NEW-E	78-03-026	236-12-320	AMD-P	78-03-091
220-100-060	AMD	78-05-029	232-28-600000D	NEW-E	78-03-073	236-12-320	AMD	78-05-006
220-100-080	AMD-P	78-03-092	232-28-700	NEW	78-03-087	236-12-330	REP-P	78-03-091
220-100-080	AMD	78-05-029	232-28-800	NEW-P	78-02-046	236-12-330	REP	78-05-006
220-100-100	REP-P	78-03-092	232-28-800	NEW	78-05-057	236-12-340	NEW-P	78-03-091
220-100-100	REP	78-05-029	232-32-101	NEW-E	78-02-026	236-12-340	NEW	78-05-006
220-100-110	AMD-P	78-03-092	232-32-101	REP-E	78-03-073	236-12-410	REP-P	78-03-091
220-100-110	AMD	78-05-029	232-32-102	NEW-E	78-02-027	236-12-410	REP	78-05-006
220-100-120	NEW-P	78-03-092	232-32-103	NEW-E	78-02-028	236-12-420	REP-P	78-03-091
220-100-120	NEW	78-05-029	232-32-104	NEW-E	78-02-029	236-12-420	REP	78-05-006
220-105-045	AMD	78-03-034	232-32-105	NEW-E	78-02-040	236-12-440	AMD-P	78-03-091
220-105-046	NEW	78-03-034	232-32-106	NEW-E	78-02-044	236-12-440	AMD	78-05-006
220-105-047	NEW	78-03-034	232-32-107	NEW-E	78-02-047	236-12-500	NEW-P	78-03-091
230-02-350	AMD-P	78-01-034	232-32-108	NEW-E	78-02-080	236-12-500	NEW	78-05-006
230-02-350	AMD	78-03-061	232-32-109	NEW-E	78-03-026	236-12-600	NEW-P	78-03-091
230-02-415	NEW-P	78-04-080	232-32-110	NEW-E	78-03-073	236-12-600	NEW	78-05-006
230-02-415	NEW	78-06-066	232-32-111	NEW-E	78-04-047	236-49-050	REP	78-02-060
230-04-060	AMD-P	78-04-080	232-32-200	REP-E	78-03-020	236-60-001	NEW	78-02-066
230-04-060	AMD	78-06-066	232-32-300	REP-E	78-03-026	236-60-005	NEW	78-02-066
230-04-070	AMD-P	78-04-080	232-32-300A	REP-E	78-02-080	236-60-010	NEW	78-02-066
230-04-070	AMD	78-06-066	232-32-300B	NEW-E	78-02-010	236-60-020	NEW	78-02-066
230-04-140	NEW-P	78-04-080	232-32-300B	REP-E	78-02-080	236-60-030	NEW	78-02-066
230-04-140	NEW	78-06-066	236-10-030	AMD-P	78-06-125	236-60-040	NEW	78-02-066
230-04-140	AMD-P	78-06-131	236-10-045	NEW-P	78-06-125	236-60-050	NEW	78-02-066
230-04-141	NEW-P	78-04-080	236-12	-P	78-05-005	236-60-060	NEW	78-02-066

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
236-60-070	NEW	78-02-066	248-56-510	NEW-P	78-05-093	248-61-140	REP-P	78-03-122
236-60-080	NEW	78-02-066	248-56-600	NEW-P	78-05-093	248-61-150	REP-P	78-03-122
236-60-090	NEW	78-02-066	248-56-610	NEW-P	78-05-093	248-61-160	REP-P	78-03-122
236-60-100	NEW	78-02-066	248-56-620	NEW-P	78-05-093	248-61-170	REP-P	78-03-122
248-06-040	AMD-P	78-05-109	248-56-630	NEW-P	78-05-093	248-61-180	REP-P	78-03-122
248-06-055	AMD-P	78-05-109	248-56-640	NEW-P	78-05-093	248-100-450	AMD	78-03-059
248-06-100	AMD-P	78-05-109	248-56-700	NEW-P	78-05-093	248-136-110	REP-P	78-06-009
248-06-174	NEW-P	78-05-109	248-56-710	NEW-P	78-05-093	248-136-120	REP-P	78-06-009
248-06-175	AMD-P	78-05-109	248-56-720	NEW-P	78-05-093	248-136-130	REP-P	78-06-009
248-06-176	AMD-P	78-05-109	248-56-730	NEW-P	78-05-093	248-136-140	REP-P	78-06-009
248-06-180	AMD-P	78-05-109	248-56-740	NEW-P	78-05-093	248-136-150	REP-P	78-06-009
248-06-203	AMD-P	78-05-109	248-56-750	NEW-P	78-05-093	248-136-160	REP-P	78-06-009
248-06-305	AMD-P	78-05-109	248-56-760	NEW-P	78-05-093	248-136-170	REP-P	78-06-009
248-06-340	NEW-P	78-05-109	248-56-800	NEW-P	78-05-093	248-136-180	REP-P	78-06-009
248-06-350	NEW-P	78-05-109	248-56-810	NEW-P	78-05-093	248-136-990	REP-P	78-06-009
248-06-380	AMD-P	78-05-109	248-56-900	NEW-P	78-05-093	248-136-App.A	REP-P	78-06-009
248-06-410	NEW-P	78-05-109	248-58-001	AMD-P	78-05-108	248-148-020	AMD	78-06-085
248-06-420	AMD-P	78-05-109	248-58-005	NEW-P	78-05-108	250-16-001	NEW	78-05-023
248-06-455	NEW-P	78-05-109	248-58-010	AMD-P	78-05-108	250-16-010	AMD	78-05-023
248-06-460	NEW-P	78-05-109	248-58-020	AMD-P	78-05-108	250-16-020	AMD	78-05-023
248-06-480	NEW-P	78-05-109	248-58-030	AMD-P	78-05-108	250-16-030	AMD	78-05-023
248-06-510	AMD-P	78-05-109	248-58-040	AMD-P	78-05-108	250-16-040	AMD	78-05-023
248-06-550	NEW-P	78-05-109	248-58-050	AMD-P	78-05-108	250-16-050	AMD	78-05-023
248-06-600	NEW-P	78-05-109	248-58-060	AMD-P	78-05-108	250-20-021	AMD-P	78-02-085
248-06-700	AMD-P	78-05-109	248-58-070	AMD-P	78-05-108	250-20-021	AMD	78-05-063
248-06-810	AMD-P	78-05-109	248-58-080	AMD-P	78-05-108	250-40-050	AMD-P	78-02-084
248-06-815	NEW-P	78-05-109	248-58-090	AMD-P	78-05-108	250-40-050	AMD-P	78-05-056
248-06-820	AMD-P	78-05-109	248-58-100	REP-P	78-05-108	250-40-050	AMD-P	78-06-015
248-06-830	REP-P	78-05-109	248-58-110	REP-P	78-05-108	251-04-020	AMD-P	78-04-100
248-06-831	NEW-P	78-05-109	248-58-120	REP-P	78-05-108	251-04-020	AMD	78-06-068
248-06-833	NEW-P	78-05-109	248-58-130	REP-P	78-05-108	251-06-060	AMD-P	78-03-098
248-14-001	AMD-P	78-03-124	248-58-140	REP-P	78-05-108	251-06-060	AMD	78-05-060
248-14-001	AMD-P	78-05-106	248-58-150	REP-P	78-05-108	251-06-065	AMD-P	78-04-100
248-14-230	AMD-P	78-01-036	248-58-160	REP-P	78-05-108	251-06-070	AMD-P	78-04-100
248-14-230	AMD-P	78-03-124	248-58-170	REP-P	78-05-108	251-06-070	AMD	78-06-068
248-14-230	AMD-P	78-05-106	248-58-180	REP-P	78-05-108	251-08-100	AMD-P	78-04-100
248-14-240	AMD-P	78-01-036	248-58-190	REP-P	78-05-108	251-08-100	AMD	78-06-068
248-14-240	AMD-P	78-03-124	248-58-200	REP-P	78-05-108	251-08-110	AMD-P	78-04-100
248-14-240	AMD-P	78-05-106	248-58-210	REP-P	78-05-108	251-08-112	AMD-P	78-04-100
248-14-245	NEW-P	78-03-124	248-58-220	REP-P	78-05-108	251-08-112	AMD	78-06-068
248-14-245	NEW-P	78-05-106	248-58-500	NEW-P	78-05-108	251-09-025	AMD-P	78-04-100
248-14-250	AMD-P	78-03-124	248-58-900	NEW-P	78-05-108	251-09-030	AMD-P	78-04-100
248-14-250	AMD-P	78-05-106	248-60A-010	REP-P	78-03-123	251-09-030	AMD	78-06-068
248-14-255	NEW-P	78-03-124	248-60A-020	REP-P	78-03-123	251-09-090	AMD-P	78-04-100
248-14-255	NEW-P	78-05-106	248-60A-030	REP-P	78-03-123	251-09-090	AMD-E	78-05-058
248-14-260	AMD-P	78-03-124	248-60A-040	REP-P	78-03-123	251-09-090	AMD	78-06-068
248-14-260	AMD-P	78-05-106	248-60A-050	REP-P	78-03-123	251-10-055	AMD-P	78-04-100
248-14-265	NEW-P	78-01-036	248-60A-060	REP-P	78-03-123	251-10-055	AMD	78-06-068
248-14-270	AMD-P	78-01-036	248-60A-070	REP-P	78-03-123	251-10-140	AMD-P	78-04-100
248-14-270	AMD-P	78-03-124	248-60A-080	REP-P	78-03-123	251-10-140	AMD	78-06-068
248-14-270	AMD-P	78-05-106	248-60A-090	REP-P	78-03-123	251-12-095	NEW-P	78-04-100
248-14-401	NEW-P	78-03-124	248-60A-100	REP-P	78-03-123	251-12-095	NEW	78-06-068
248-14-401	NEW-P	78-05-106	248-60A-110	REP-P	78-03-123	251-12-240	AMD-P	78-04-100
248-15-010	NEW-P	78-06-132	248-60A-120	REP-P	78-03-123	251-12-240	AMD	78-06-068
248-15-020	NEW-P	78-06-132	248-60A-130	REP-P	78-03-123	251-14-040	AMD-P	78-03-098
248-15-030	NEW-P	78-06-132	248-60A-140	REP-P	78-03-123	251-14-040	AMD-P	78-05-059
248-15-040	NEW-P	78-06-132	248-60A-150	REP-P	78-03-123	251-14-040	AMD-P	78-06-067
248-15-050	NEW-P	78-06-132	248-60A-160	REP-P	78-03-123	251-14-080	AMD-P	78-03-098
248-15-060	NEW-P	78-06-132	248-60A-170	REP-P	78-03-123	251-14-080	AMD	78-05-060
248-15-070	NEW-P	78-06-132	248-61-001	REP-P	78-03-122	251-18-030	AMD-P	78-04-100
248-15-080	NEW-P	78-06-132	248-61-010	REP-P	78-03-122	251-18-030	AMD	78-06-068
248-15-090	NEW-P	78-06-132	248-61-015	REP-P	78-03-122	251-18-070	AMD	78-02-094
248-15-100	NEW-P	78-06-132	248-61-020	REP-P	78-03-122	251-18-110	AMD	78-02-094
248-15-110	NEW-P	78-06-132	248-61-030	REP-P	78-03-122	251-18-115	AMD	78-02-094
248-18-202	NEW-P	78-05-107	248-61-040	REP-P	78-03-122	251-18-140	AMD	78-02-094
248-18-245	AMD	78-03-058	248-61-050	REP-P	78-03-122	251-18-140	AMD-P	78-04-100
248-33-100	AMD	78-03-060	248-61-060	REP-P	78-03-122	251-18-140	AMD	78-06-068
248-55	NEW-P	78-03-056	248-61-070	REP-P	78-03-122	251-18-160	AMD-P	78-04-100
248-56-100	NEW-P	78-05-093	248-61-080	REP-P	78-03-122	251-18-160	AMD	78-06-068
248-56-200	NEW-P	78-05-093	248-61-090	REP-P	78-03-122	251-18-176	AMD-P	78-04-100
248-56-300	NEW-P	78-05-093	248-61-100	REP-P	78-03-122	251-18-176	AMD	78-06-068
248-56-310	NEW-P	78-05-093	248-61-110	REP-P	78-03-122	251-18-181	AMD	78-02-094
248-56-400	NEW-P	78-05-093	248-61-120	REP-P	78-03-122	251-18-181	AMD-P	78-04-100
248-56-500	NEW-P	78-05-093	248-61-130	REP-P	78-03-122	251-18-181	AMD	78-06-068

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
251-18-230	AMD	78-02-094	275-14-055	REP-P	78-06-009	275-27-020	AMD-P	78-01-039
251-18-240	AMD	78-02-094	275-14-060	REP-P	78-06-009	275-27-020	AMD	78-04-033
251-18-260	AMD-P	78-04-100	275-14-070	REP-P	78-06-009	275-27-040	AMD-P	78-01-039
251-18-260	AMD	78-06-068	275-14-080	REP-P	78-06-009	275-27-040	AMD	78-04-033
251-18-330	AMD	78-02-094	275-14-090	REP-P	78-06-009	275-27-050	AMD-P	78-01-039
251-18-340	AMD	78-02-094	275-14-100	REP-P	78-06-009	275-27-050	AMD	78-04-033
251-20-010	NEW-P	78-04-100	275-14-110	REP-P	78-06-009	275-27-060	AMD-P	78-01-039
251-20-010	NEW	78-06-068	275-14-120	REP-P	78-06-009	275-27-060	AMD	78-04-033
251-20-020	NEW-P	78-04-100	275-14-130	REP-P	78-06-009	275-27-230	AMD-P	78-01-039
251-20-020	NEW	78-06-068	275-14-140	REP-P	78-06-009	275-27-230	AMD	78-04-033
251-20-030	NEW-P	78-04-100	275-14-150	REP-P	78-06-009	275-27-300	NEW-P	78-01-039
251-20-030	NEW	78-06-068	275-14-160	REP-P	78-06-009	275-27-300	NEW	78-04-033
251-20-040	NEW-P	78-04-100	275-14-170	REP-P	78-06-009	275-27-310	NEW-P	78-01-039
251-20-040	NEW	78-06-068	275-14-180	REP-P	78-06-009	275-27-310	NEW	78-04-033
251-20-050	NEW-P	78-04-100	275-14-190	REP-P	78-06-009	275-27-320	NEW-P	78-01-039
251-20-050	NEW	78-06-068	275-14-200	REP-P	78-06-009	275-27-320	NEW	78-04-033
251-20-060	NEW-P	78-04-100	275-14-210	REP-P	78-06-009	275-27-400	AMD-P	78-01-039
251-20-060	NEW	78-06-068	275-16-010	AMD	78-03-029	275-27-400	AMD	78-04-033
251-22-200	AMD-P	78-04-100	275-16-020	REP	78-03-029	275-27-500	AMD-P	78-01-039
251-22-200	AMD	78-06-068	275-16-030	AMD	78-03-029	275-27-500	AMD	78-04-033
252-09-010	AMD-P	78-05-032	275-16-040	AMD	78-03-029	275-27-600	NEW-P	78-01-038
252-09-020	AMD-P	78-05-032	275-16-045	NEW	78-03-029	275-27-600	NEW	78-04-003
252-09-025	AMD-P	78-05-032	275-16-050	REP	78-03-029	275-27-605	NEW-P	78-01-038
252-09-040	AMD-P	78-05-032	275-16-060	REP	78-03-029	275-27-605	NEW	78-04-003
252-09-055	AMD-P	78-05-032	275-16-070	REP	78-03-029	275-27-610	NEW-P	78-01-038
252-09-060	AMD-P	78-05-032	275-16-080	REP	78-03-029	275-27-610	NEW	78-04-003
252-09-170	AMD-P	78-05-032	275-16-090	REP	78-03-029	275-27-615	NEW-P	78-01-038
252-09-180	AMD-P	78-05-032	275-16-100	REP	78-03-029	275-27-615	NEW	78-04-003
252-09-185	AMD-P	78-05-032	275-18-010	NEW-P	78-06-009	275-27-620	NEW-P	78-01-038
252-09-205	REP-P	78-05-032	275-18-020	NEW-P	78-06-009	275-27-620	NEW	78-04-003
252-09-520	AMD-P	78-05-032	275-18-030	NEW-P	78-06-009	275-27-630	NEW-P	78-01-038
252-09-550	AMD-P	78-05-032	275-18-040	NEW-P	78-06-009	275-27-630	NEW	78-04-003
252-09-820	AMD-P	78-05-032	275-18-050	NEW-P	78-06-009	275-27-635	NEW-P	78-01-038
252-09-830	REP-P	78-05-032	275-18-060	NEW-P	78-06-009	275-27-635	NEW	78-04-003
252-09-990	AMD-P	78-05-032	275-18-070	NEW-P	78-06-009	275-27-640	NEW-P	78-01-038
252-20-040	AMD-P	78-04-051	275-18-080	NEW-P	78-06-009	275-27-640	NEW	78-04-003
252-20-040	AMD-E	78-05-033	275-18-090	NEW-P	78-06-009	275-27-660	NEW-P	78-01-038
252-20-040	AMD-E	78-06-041	275-18-100	NEW-P	78-06-009	275-27-660	NEW	78-04-003
252-20-040	AMD	78-06-059	275-18-110	NEW-P	78-06-009	275-27-665	NEW-P	78-01-038
252-20-040	AMD-E	78-06-089	275-18-120	NEW-P	78-06-009	275-27-665	NEW	78-04-003
252-24-150	AMD-P	78-06-061	275-18-130	NEW-P	78-06-009	275-27-680	NEW-P	78-01-038
252-24-312	AMD-P	78-06-060	275-18-140	NEW-P	78-06-009	275-27-680	NEW	78-04-003
252-32-011	AMD-P	78-05-031	275-18-150	NEW-P	78-06-009	275-27-685	NEW-P	78-01-038
252-32-002	AMD-P	78-02-088	275-18-160	NEW-P	78-06-009	275-27-685	NEW	78-04-003
252-32-002	AMD	78-04-052	275-18-170	NEW-P	78-06-009	275-32-115	NEW	78-03-030
252-32-539	AMD	78-02-078	275-18-180	NEW-P	78-06-009	275-32-125	NEW	78-03-030
252-50-010	AMD-P	78-06-090	275-18-190	NEW-P	78-06-009	275-32-135	NEW	78-03-030
252-50-020	AMD-P	78-06-090	275-18-200	NEW-P	78-06-009	275-32-145	NEW	78-03-030
252-50-030	AMD-P	78-06-090	275-20-010	AMD	78-03-029	275-32-155	NEW	78-03-030
252-990	-P	78-05-034	275-20-020	REP	78-03-029	275-32-165	NEW	78-03-030
260-40-100	AMD-P	78-06-092	275-20-030	AMD	78-03-029	275-32-175	NEW	78-03-030
260-70-010	AMD-P	78-03-095	275-20-035	NEW	78-03-029	275-34-010	NEW-P	78-03-117
260-70-020	AMD-P	78-03-095	275-20-040	REP	78-03-029	275-34-010	NEW	78-05-020
260-70-020	AMD	78-06-001	275-20-050	REP	78-03-029	275-34-020	NEW-P	78-03-117
260-70-050	AMD-P	78-03-095	275-20-060	REP	78-03-029	275-34-020	NEW	78-05-020
260-70-050	AMD	78-06-001	275-20-070	REP	78-03-029	275-34-030	NEW-P	78-03-117
260-70-060	AMD-P	78-03-095	275-25-010	AMD-P	78-06-009	275-34-030	NEW	78-05-020
260-70-060	AMD	78-06-001	275-25-020	AMD-P	78-06-009	275-34-040	NEW-P	78-03-117
260-70-070	AMD-P	78-03-095	275-25-510	REP-P	78-01-037	275-34-040	NEW	78-05-020
260-70-070	AMD	78-06-001	275-25-510	REP	78-04-002	275-34-050	NEW-P	78-03-117
260-70-080	AMD-P	78-03-095	275-25-520	AMD-P	78-01-037	275-34-050	NEW	78-05-020
260-70-080	AMD	78-06-001	275-25-520	AMD	78-04-002	275-34-060	NEW-P	78-03-117
260-70-090	AMD-P	78-03-095	275-25-525	REP-P	78-01-037	275-34-060	NEW	78-05-020
260-70-170	AMD-P	78-03-095	275-25-525	REP	78-04-002	275-34-070	NEW-P	78-03-117
260-70-170	AMD	78-06-001	275-25-700	AMD-P	78-06-009	275-34-070	NEW	78-05-020
260-70-200	AMD-P	78-03-095	275-25-720	AMD-P	78-06-009	275-34-080	NEW-P	78-03-117
260-70-200	AMD	78-06-001	275-25-730	AMD-P	78-06-009	275-34-080	NEW	78-05-020
260-70-220	AMD-P	78-03-095	275-25-750	AMD-P	78-06-009	275-34-090	NEW-P	78-03-117
275-14-010	REP-P	78-06-009	275-25-770	AMD-P	78-06-009	275-34-090	NEW	78-05-020
275-14-020	REP-P	78-06-009	275-25-800	NEW-P	78-06-009	275-34-100	NEW-P	78-03-117
275-14-030	REP-P	78-06-009	275-25-810	NEW-P	78-06-009	275-34-100	NEW	78-05-020
275-14-035	REP-P	78-06-009	275-25-820	NEW-P	78-06-009	275-34-110	NEW-P	78-03-117
275-14-040	REP-P	78-06-009	275-25-830	NEW-P	78-06-009	275-34-110	NEW	78-05-020
275-14-050	REP-P	78-06-009	275-25-840	NEW-P	78-06-009	284-30-300	NEW-P	78-06-028

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
284-30-310	NEW-P 78-06-028	296-27-050	AMD-E 78-04-078	296-37-450	REP-P 78-04-079
284-30-320	NEW-P 78-06-028	296-27-050	AMD-P 78-04-079	296-37-450	REP-E 78-06-016
284-30-330	NEW-P 78-06-028	296-27-060	AMD-E 78-04-078	296-37-460	REP-P 78-04-079
284-30-340	NEW-P 78-06-028	296-27-060	AMD-P 78-04-079	296-37-460	REP-E 78-06-016
284-30-350	NEW-P 78-06-028	296-27-077	NEW-E 78-04-078	296-37-510	NEW-P 78-04-079
284-30-360	NEW-P 78-06-028	296-27-077	NEW-P 78-04-079	296-37-510	NEW-E 78-06-016
284-30-370	NEW-P 78-06-028	296-27-120	AMD-E 78-04-078	296-37-515	NEW-P 78-04-079
284-30-380	NEW-P 78-06-028	296-27-120	AMD-P 78-04-079	296-37-515	NEW-E 78-06-016
284-30-390	NEW-P 78-06-028	296-27-140	AMD-E 78-04-078	296-37-520	NEW-P 78-04-079
284-30-400	NEW-P 78-06-028	296-27-140	AMD-P 78-04-079	296-37-520	NEW-E 78-06-016
284-30-410	NEW-P 78-06-028	296-27-150	AMD-E 78-04-078	296-37-525	NEW-P 78-04-079
284-50-450	NEW-P 78-03-077	296-27-150	AMD-P 78-04-079	296-37-525	NEW-E 78-06-016
284-50-450	NEW 78-05-039	296-37-010	REP-P 78-04-079	296-37-530	NEW-P 78-04-079
284-50-455	NEW-P 78-03-077	296-37-010	REP-E 78-06-016	296-37-530	NEW-E 78-06-016
284-50-455	NEW 78-05-039	296-37-020	REP-P 78-04-079	296-37-535	NEW-P 78-04-079
284-50-460	NEW-P 78-03-077	296-37-020	REP-E 78-06-016	296-37-535	NEW-E 78-06-016
284-50-460	NEW 78-05-039	296-37-030	REP-P 78-04-079	296-37-540	NEW-P 78-04-079
284-50-460	AMD-P 78-06-071	296-37-030	REP-E 78-06-016	296-37-540	NEW-E 78-06-016
284-50-465	NEW-P 78-03-077	296-37-040	REP-P 78-04-079	296-37-545	NEW-P 78-04-079
284-50-465	NEW 78-05-039	296-37-040	REP-E 78-06-016	296-37-545	NEW-E 78-06-016
286-04-020	AMD 78-03-032	296-37-050	REP-P 78-04-079	296-37-550	NEW-P 78-04-079
286-04-060	NEW-P 78-02-101	296-37-050	REP-E 78-06-016	296-37-550	NEW-E 78-06-016
286-04-060	NEW 78-03-032	296-37-060	REP-P 78-04-079	296-37-555	NEW-P 78-04-079
286-06-020	AMD 78-03-032	296-37-060	REP-E 78-06-016	296-37-555	NEW-E 78-06-016
286-06-040	AMD 78-03-032	296-37-070	REP-P 78-04-079	296-37-560	NEW-P 78-04-079
286-06-060	AMD 78-03-032	296-37-070	REP-E 78-06-016	296-37-560	NEW-E 78-06-016
286-06-140	AMD 78-03-032	296-37-071	REP-P 78-04-079	296-37-565	NEW-P 78-04-079
286-16-010	AMD 78-03-032	296-37-071	REP-E 78-06-016	296-37-565	NEW-E 78-06-016
286-16-020	AMD 78-03-032	296-37-072	REP-P 78-04-079	296-37-570	NEW-P 78-04-079
286-16-030	AMD 78-03-032	296-37-072	REP-E 78-06-016	296-37-570	NEW-E 78-06-016
286-16-040	AMD 78-03-032	296-37-080	REP-P 78-04-079	296-37-575	NEW-P 78-04-079
286-16-070	AMD 78-03-032	296-37-080	REP-E 78-06-016	296-37-575	NEW-E 78-06-016
286-16-080	AMD 78-03-032	296-37-081	REP-P 78-04-079	296-37-580	NEW-P 78-04-079
286-20-010	AMD 78-03-032	296-37-081	REP-E 78-06-016	296-37-580	NEW-E 78-06-016
286-20-030	REP 78-03-032	296-37-082	REP-P 78-04-079	296-37-585	NEW-P 78-04-079
286-24-010	AMD 78-03-032	296-37-082	REP-E 78-06-016	296-37-585	NEW-E 78-06-016
286-24-020	AMD 78-03-032	296-37-090	REP-P 78-04-079	296-46-110	AMD 78-02-098
286-24-040	AMD 78-03-032	296-37-090	REP-E 78-06-016	296-46-140	AMD 78-02-098
286-26-010	AMD 78-03-032	296-37-100	REP-P 78-04-079	296-46-150	AMD 78-02-098
286-26-020	AMD 78-03-032	296-37-100	REP-E 78-06-016	296-46-200	AMD 78-02-098
286-26-030	AMD 78-03-032	296-37-110	REP-P 78-04-079	296-46-220	AMD 78-02-098
286-26-040	AMD 78-03-032	296-37-110	REP-E 78-06-016	296-46-242	NEW 78-02-098
286-26-050	REP 78-03-032	296-37-300	REP-P 78-04-079	296-46-244	NEW 78-02-098
286-26-060	AMD 78-03-032	296-37-300	REP-E 78-06-016	296-46-250	REP 78-02-098
286-26-070	AMD 78-03-032	296-37-310	REP-P 78-04-079	296-46-260	REP 78-02-098
289-04-010	NEW-P 78-06-077	296-37-310	REP-E 78-06-016	296-46-265	REP 78-02-098
289-04-020	NEW-P 78-06-077	296-37-320	REP-P 78-04-079	296-46-270	AMD 78-02-098
289-04-030	NEW-P 78-06-077	296-37-320	REP-E 78-06-016	296-46-320	REP 78-02-098
289-04-040	NEW-P 78-06-077	296-37-330	REP-P 78-04-079	296-46-350	AMD 78-02-098
289-06-010	NEW-P 78-06-077	296-37-330	REP-E 78-06-016	296-46-390	AMD 78-02-098
289-06-020	NEW-P 78-06-077	296-37-340	REP-P 78-04-079	296-46-400	REP 78-02-098
289-06-030	NEW-P 78-06-077	296-37-340	REP-E 78-06-016	296-46-401	REP 78-02-098
289-06-040	NEW-P 78-06-077	296-37-350	REP-P 78-04-079	296-46-402	REP 78-02-098
289-06-050	NEW-P 78-06-077	296-37-350	REP-E 78-06-016	296-46-424	AMD 78-02-098
289-06-060	NEW-P 78-06-077	296-37-360	REP-P 78-04-079	296-46-425	REP 78-02-098
289-06-070	NEW-P 78-06-077	296-37-360	REP-E 78-06-016	296-46-426	AMD 78-02-098
289-06-080	NEW-P 78-06-077	296-37-370	REP-P 78-04-079	296-46-450	REP 78-02-098
289-06-090	NEW-P 78-06-077	296-37-370	REP-E 78-06-016	296-46-460	REP 78-02-098
289-06-100	NEW-P 78-06-077	296-37-380	REP-P 78-04-079	296-46-480	AMD 78-02-098
289-06-110	NEW-P 78-06-077	296-37-380	REP-E 78-06-016	296-46-492	NEW 78-02-098
296-04-160	AMD-P 78-06-012	296-37-390	REP-P 78-04-079	296-46-493	NEW 78-02-098
296-04-165	NEW-P 78-06-012	296-37-390	REP-E 78-06-016	296-46-495	NEW 78-02-098
296-04-275	NEW-P 78-06-012	296-37-395	REP-P 78-04-079	296-46-500	AMD 78-02-098
296-24-020	AMD-P 78-04-079	296-37-395	REP-E 78-06-016	296-46-510	AMD 78-02-098
296-24-040	AMD-P 78-04-079	296-37-400	REP-P 78-04-079	296-46-515	AMD 78-02-098
296-24-045	NEW-P 78-04-079	296-37-400	REP-E 78-06-016	296-46-525	AMD 78-02-098
296-24-060	AMD-P 78-04-079	296-37-410	REP-P 78-04-079	296-46-590	NEW 78-02-098
296-24-955	AMD-P 78-04-079	296-37-410	REP-E 78-06-016	296-46-59005	NEW 78-02-098
296-27-010	AMD-E 78-04-078	296-37-420	REP-P 78-04-079	296-46-59010	NEW 78-02-098
296-27-010	AMD-P 78-04-079	296-37-420	REP-E 78-06-016	296-46-900	AMD 78-02-098
296-27-020	AMD-E 78-04-078	296-37-430	REP-P 78-04-079	296-46-910	NEW 78-02-098
296-27-020	AMD-P 78-04-079	296-37-430	REP-E 78-06-016	296-46-App.A	REP 78-02-098
296-27-030	AMD-E 78-04-078	296-37-440	REP-P 78-04-079	296-46-App.B	REP 78-02-098
296-27-030	AMD-P 78-04-079	296-37-440	REP-E 78-06-016	296-52-010	AMD-P 78-04-079

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
296-52-012	AMD-E 78-04-001	297-35-080	REP 78-03-023	297-50-100	REP 78-03-023
296-52-020	AMD-E 78-04-001	297-35-090	REP 78-03-023	297-50-110	REP 78-03-023
296-52-030	AMD-E 78-04-001	297-35-100	REP 78-03-023	297-50-120	REP 78-03-023
296-52-090	AMD-E 78-04-001	297-35-110	REP 78-03-023	297-50-130	REP 78-03-023
296-62-07335	NEW-E 78-04-022	297-35-120	REP 78-03-023	297-50-140	REP 78-03-023
296-62-07335	NEW-P 78-04-079	297-35-130	REP 78-03-023	297-50-150	REP 78-03-023
296-62-07341	NEW-E 78-04-044	297-35-140	REP 78-03-023	297-50-160	REP 78-03-023
296-62-07341	NEW-P 78-04-079	297-35-150	REP 78-03-023	297-50-170	REP 78-03-023
296-62-07345	NEW-E 78-04-044	297-35-160	REP 78-03-023	297-50-180	REP 78-03-023
296-62-07345	NEW-P 78-04-079	297-40-010	REP 78-03-023	297-50-190	REP 78-03-023
296-104-050	AMD-E 78-03-036	297-40-040	REP 78-03-023	297-50-200	REP 78-03-023
296-104-050	AMD 78-03-057	297-40-050	REP 78-03-023	297-50-210	REP 78-03-023
296-104-065	AMD-E 78-03-036	297-40-060	REP 78-03-023	297-50-220	REP 78-03-023
296-104-065	AMD 78-03-057	297-40-070	REP 78-03-023	297-50-230	REP 78-03-023
296-104-170	AMD-E 78-03-036	297-40-080	REP 78-03-023	297-50-240	REP 78-03-023
296-104-170	AMD 78-03-057	297-40-090	REP 78-03-023	297-50-250	REP 78-03-023
296-104-235	AMD-E 78-03-036	297-40-100	REP 78-03-023	297-50-260	REP 78-03-023
296-104-235	AMD 78-03-057	297-40-110	REP 78-03-023	297-50-270	REP 78-03-023
296-104-245	AMD-E 78-03-036	297-40-120	REP 78-03-023	297-55-010	REP 78-03-023
296-104-245	AMD 78-03-057	297-40-130	REP 78-03-023	297-55-020	REP 78-03-023
296-104-250	REP-E 78-03-036	297-40-140	REP 78-03-023	297-55-030	REP 78-03-023
296-104-250	REP 78-03-057	297-40-150	REP 78-03-023	297-55-040	REP 78-03-023
296-104-275	REP-E 78-03-036	297-40-160	REP 78-03-023	297-55-050	REP 78-03-023
296-104-275	REP 78-03-057	297-40-170	REP 78-03-023	297-55-060	REP 78-03-023
296-104-280	REP-E 78-03-036	297-40-180	REP 78-03-023	297-55-070	REP 78-03-023
296-104-280	REP 78-03-057	297-40-190	REP 78-03-023	297-55-080	REP 78-03-023
296-104-285	NEW-E 78-03-036	297-40-200	REP 78-03-023	297-55-090	REP 78-03-023
296-104-285	NEW 78-03-057	297-40-210	REP 78-03-023	297-55-100	REP 78-03-023
296-104-315	AMD-E 78-03-036	297-40-220	REP 78-03-023	297-55-110	REP 78-03-023
296-104-315	AMD 78-03-057	297-40-230	REP 78-03-023	297-55-120	REP 78-03-023
296-116-300	AMD 78-02-008	297-40-240	REP 78-03-023	297-55-130	REP 78-03-023
296-116-320	AMD 78-02-008	297-40-250	REP 78-03-023	297-55-140	REP 78-03-023
296-116-351	AMD 78-02-008	297-40-260	REP 78-03-023	297-55-App.A	REP 78-03-023
296-126-200	NEW 78-03-004	297-40-265	REP 78-03-023	297-60-010	REP 78-03-023
296-126-202	NEW 78-03-004	297-40-270	REP 78-03-023	308-04-010	AMD-P 78-02-086
296-126-204	NEW 78-03-004	297-40-280	REP 78-03-023	308-04-010	AMD 78-04-040
296-126-206	NEW 78-03-004	297-40-290	REP 78-03-023	308-08-005	AMD-E 78-06-030
296-126-208	NEW 78-03-004	297-40-300	REP 78-03-023	308-08-005	AMD-P 78-06-078
296-126-210	NEW 78-03-004	297-40-310	REP 78-03-023	308-26-005	AMD-P 78-05-061
296-126-212	NEW 78-03-004	297-40-320	REP 78-03-023	308-26-011	NEW-P 78-05-061
296-126-214	NEW 78-03-004	297-40-330	REP 78-03-023	308-52-050	REP-P 78-02-115
296-126-216	NEW 78-03-004	297-40-340	REP 78-03-023	308-52-050	REP 78-04-028
296-126-218	NEW 78-03-004	297-40-350	REP 78-03-023	308-52-136	NEW-P 78-02-115
296-126-220	NEW 78-03-004	297-40-360	REP 78-03-023	308-52-136	NEW 78-04-029
296-126-222	NEW 78-03-004	297-40-370	REP 78-03-023	308-52-137	NEW-P 78-02-115
296-126-224	NEW 78-03-004	297-40-380	REP 78-03-023	308-52-137	NEW 78-04-029
296-126-226	NEW 78-03-004	297-40-390	REP 78-03-023	308-52-138	NEW-P 78-02-115
296-305-005	AMD-P 78-04-079	297-40-400	REP 78-03-023	308-52-138	NEW 78-04-029
296-305-005	AMD-E 78-05-027	297-40-410	REP 78-03-023	308-52-139	NEW-P 78-02-115
297-10-010	REP 78-03-023	297-40-420	REP 78-03-023	308-52-139	NEW 78-04-029
297-15-010	REP 78-03-023	297-40-430	REP 78-03-023	308-52-140	NEW-P 78-02-115
297-20-010	REP 78-03-023	297-40-440	REP 78-03-023	308-52-140	NEW 78-04-029
297-20-020	REP 78-03-023	297-40-450	REP 78-03-023	308-52-141	NEW-P 78-02-115
297-20-030	REP 78-03-023	297-40-460	REP 78-03-023	308-52-141	NEW 78-04-029
297-25-010	REP 78-03-023	297-40-470	REP 78-03-023	308-52-142	NEW-P 78-02-115
297-25-020	REP 78-03-023	297-40-480	REP 78-03-023	308-52-142	NEW 78-04-029
297-25-030	REP 78-03-023	297-40-490	REP 78-03-023	308-52-143	NEW-P 78-02-115
297-25-040	REP 78-03-023	297-40-500	REP 78-03-023	308-52-143	NEW 78-04-029
297-25-050	REP 78-03-023	297-40-510	REP 78-03-023	308-52-144	NEW-P 78-02-115
297-30-010	REP 78-03-023	297-40-520	REP 78-03-023	308-52-144	NEW 78-04-029
297-30-020	REP 78-03-023	297-40-530	REP 78-03-023	308-52-260	AMD-P 78-02-115
297-30-030	REP 78-03-023	297-40-540	REP 78-03-023	308-52-260	AMD 78-04-028
297-30-040	REP 78-03-023	297-40-550	REP 78-03-023	308-52-260	AMD-E 78-04-030
297-30-050	REP 78-03-023	297-45-010	REP 78-03-023	308-52-270	AMD-P 78-02-115
297-30-060	REP 78-03-023	297-45-020	REP 78-03-023	308-52-270	AMD 78-04-028
297-30-070	REP 78-03-023	297-50-010	REP 78-03-023	308-53-030	NEW 78-02-030
297-30-080	REP 78-03-023	297-50-020	REP 78-03-023	308-53-070	NEW 78-02-030
297-35-010	REP 78-03-023	297-50-030	REP 78-03-023	308-53-130	REP-P 78-02-115
297-35-020	REP 78-03-023	297-50-040	REP 78-03-023	308-53-160	AMD 78-02-030
297-35-030	REP 78-03-023	297-50-050	REP 78-03-023	308-53-205	NEW 78-02-030
297-35-040	REP 78-03-023	297-50-060	REP 78-03-023	308-53-230	AMD 78-02-030
297-35-050	REP 78-03-023	297-50-070	REP 78-03-023	308-53-235	NEW 78-02-030
297-35-060	REP 78-03-023	297-50-080	REP 78-03-023	308-53-260	NEW 78-02-030
297-35-070	REP 78-03-023	297-50-090	REP 78-03-023	308-54-010	AMD 78-02-009

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
308-54-040	AMD	78-02-009	308-200A-215	NEW-P	78-05-038	308-200A-480	NEW-P	78-05-038
308-54-095	NEW	78-02-009	308-200-220	REP-P	78-05-038	308-200-485	REP-P	78-05-038
308-54-160	AMD	78-02-009	308-200A-220	NEW-P	78-05-038	308-200-490	REP-P	78-05-038
308-54-170	AMD	78-02-009	308-200-225	REP-P	78-05-038	308-200-490	NEW-P	78-05-038
308-54-200	AMD	78-02-009	308-200A-225	NEW-P	78-05-038	308-200-495	REP-P	78-05-038
308-54-210	REP	78-02-009	308-200-230	REP-P	78-05-038	308-200A-495	NEW-P	78-05-038
308-54-220	AMD	78-02-009	308-200A-230	NEW-P	78-05-038	308-200-500	REP-P	78-05-038
308-54-225	NEW	78-02-009	308-200-235	REP-P	78-05-038	308-200A-500	NEW-P	78-05-038
308-54-240	AMD	78-02-009	308-200A-235	NEW-P	78-05-038	308-200-510	REP-P	78-05-038
308-104-045	AMD-P	78-02-087	308-200-240	REP-P	78-05-038	308-200A-510	NEW-P	78-05-038
308-104-045	AMD	78-04-041	308-200A-240	NEW-P	78-05-038	308-200-520	REP-P	78-05-038
308-120-160	AMD-P	78-03-080	308-200-245	REP-P	78-05-038	308-200A-520	NEW-P	78-05-038
308-120-160	AMD	78-05-085	308-200A-245	NEW-P	78-05-038	308-200-530	REP-P	78-05-038
308-120-185	AMD-P	78-03-080	308-200-260	REP-P	78-05-038	308-200A-530	NEW-P	78-05-038
308-120-185	AMD	78-05-085	308-200A-260	NEW-P	78-05-038	308-200-535	REP-P	78-05-038
308-120-260	AMD-P	78-06-118	308-200-270	REP-P	78-05-038	308-200A-535	NEW-P	78-05-038
308-120-340	NEW-P	78-03-079	308-200A-270	NEW-P	78-05-038	308-200-540	REP-P	78-05-038
308-120-340	NEW	78-05-085	308-200-300	REP-P	78-05-038	308-200A-540	NEW-P	78-05-038
308-120-350	NEW-P	78-03-079	308-200A-300	NEW-P	78-05-038	308-200-545	REP-P	78-05-038
308-120-350	NEW	78-05-085	308-200-305	REP-P	78-05-038	308-200A-545	NEW-P	78-05-038
308-120-400	NEW-P	78-03-068	308-200A-305	NEW-P	78-05-038	308-200-550	REP-P	78-05-038
308-120-400	NEW-P	78-06-119	308-200-310	REP-P	78-05-038	308-200A-550	NEW-P	78-05-038
308-120-410	NEW-P	78-03-068	308-200A-310	NEW-P	78-05-038	308-200-570	REP-P	78-05-038
308-120-410	NEW-P	78-06-119	308-200-320	REP-P	78-05-038	308-200A-570	NEW-P	78-05-038
308-120-420	NEW-P	78-03-068	308-200A-320	NEW-P	78-05-038	308-200-580	REP-P	78-05-038
308-120-420	NEW-P	78-06-119	308-200-330	REP-P	78-05-038	308-200A-580	NEW-P	78-05-038
308-120-430	NEW-P	78-03-068	308-200A-330	NEW-P	78-05-038	308-200-600	REP-P	78-05-038
308-120-430	NEW-P	78-06-119	308-200-340	REP-P	78-05-038	308-200A-600	NEW-P	78-05-038
308-120-440	NEW-P	78-03-068	308-200A-340	NEW-P	78-05-038	308-200-650	REP-P	78-05-038
308-120-440	NEW-P	78-06-119	308-200-345	REP-P	78-05-038	308-200A-650	NEW-P	78-05-038
308-120-450	NEW-P	78-03-068	308-200A-345	NEW-P	78-05-038	308-200-652	REP-P	78-05-038
308-122-200	AMD-P	78-06-045	308-200-350	REP-P	78-05-038	308-200A-652	NEW-P	78-05-038
308-122-210	AMD-P	78-06-045	308-200A-350	NEW-P	78-05-038	308-200-660	REP-P	78-05-038
308-128F-020	AMD-P	78-05-086	308-200-355	REP-P	78-05-038	308-200A-660	NEW-P	78-05-038
308-200-010	REP-P	78-05-038	308-200A-355	NEW-P	78-05-038	308-200-690	REP-P	78-05-038
308-200A-010	NEW-P	78-05-038	308-200-360	REP-P	78-05-038	308-200A-690	NEW-P	78-05-038
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308-200A-020	NEW-P	78-05-038	308-200-365	REP-P	78-05-038	308-200A-695	NEW-P	78-05-038
308-200-025	REP-P	78-05-038	308-200A-365	NEW-P	78-05-038	308-200-700	REP-P	78-05-038
308-200A-025	NEW-P	78-05-038	308-200-370	REP-P	78-05-038	308-200A-700	NEW-P	78-05-038
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308-200A-030	NEW-P	78-05-038	308-200-375	REP-P	78-05-038	308-200A-710	NEW-P	78-05-038
308-200-040	REP-P	78-05-038	308-200A-375	NEW-P	78-05-038	308-200-820	REP-P	78-05-038
308-200A-040	NEW-P	78-05-038	308-200-390	REP-P	78-05-038	308-200A-820	NEW-P	78-05-038
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308-200-060	REP-P	78-05-038	308-200A-405	NEW-P	78-05-038	308-200A-840	NEW-P	78-05-038
308-200A-060	NEW-P	78-05-038	308-200-410	REP-P	78-05-038	308-200-860	REP-P	78-05-038
308-200-100	REP-P	78-05-038	308-200A-410	NEW-P	78-05-038	308-200A-860	NEW-P	78-05-038
308-200A-100	NEW-P	78-05-038	308-200-420	REP-P	78-05-038	308-200-900	REP-P	78-05-038
308-200-150	REP-P	78-05-038	308-200A-420	NEW-P	78-05-038	308-200A-900	NEW-P	78-05-038
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308-200-160	REP-P	78-05-038	308-200A-425	NEW-P	78-05-038	308-200A-910	NEW-P	78-05-038
308-200A-160	NEW-P	78-05-038	308-200-440	REP-P	78-05-038	314-16-190	AMD-P	78-05-083
308-200-170	REP-P	78-05-038	308-200A-440	NEW-P	78-05-038	314-20-030	AMD	78-02-031
308-200A-170	NEW-P	78-05-038	308-200-442	REP-P	78-05-038	314-20-100	AMD-P	78-02-016
308-200-175	REP-P	78-05-038	308-200A-442	NEW-P	78-05-038	314-20-100	AMD	78-02-056
308-200A-175	NEW-P	78-05-038	308-200-444	REP-P	78-05-038	314-24-190	AMD-P	78-02-016
308-200-177	NEW-P	78-05-038	308-200A-444	NEW-P	78-05-038	314-24-190	AMD	78-02-056
308-200A-177	NEW-P	78-05-038	308-200-446	REP-P	78-05-038	314-52-070	AMD-P	78-02-016
308-200-180	REP-P	78-05-038	308-200A-446	NEW-P	78-05-038	314-52-070	AMD	78-02-056
308-200A-180	NEW-P	78-05-038	308-200-450	REP-P	78-05-038	314-52-080	AMD-P	78-02-016
308-200-190	REP-P	78-05-038	308-200A-450	NEW-P	78-05-038	314-52-080	AMD	78-02-056
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308-200-200	REP-P	78-05-038	308-200A-455	NEW-P	78-05-038	314-52-090	AMD	78-02-056
308-200A-200	NEW-P	78-05-038	308-200-460	REP-P	78-05-038	314-52-111	AMD-P	78-02-016
308-200-203	REP-P	78-05-038	308-200A-460	NEW-P	78-05-038	314-52-111	AMD	78-02-056
308-200A-203	NEW-P	78-05-038	308-200-465	REP-P	78-05-038	314-52-113	AMD-P	78-02-016
308-200-205	REP-P	78-05-038	308-200A-465	NEW-P	78-05-038	314-52-113	AMD	78-02-056
308-200A-205	NEW-P	78-05-038	308-200-470	REP-P	78-05-038	314-52-120	AMD-P	78-02-016
308-200-210	REP-P	78-05-038	308-200A-470	NEW-P	78-05-038	314-52-120	AMD	78-02-056
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314-62-020	AMD 78-05-003	332-40-444	AMD-P 78-03-115	352-10-360	AMD-P 78-04-089
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332-24-090	AMD-E 78-05-014	332-40-450	AMD-P 78-03-115	352-10-370	AMD-P 78-04-089
332-24-090	AMD-E 78-05-069	332-40-450	AMD 78-05-015	352-10-375	AMD-P 78-04-089
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332-40-220	AMD 78-05-015	332-40-695	AMD 78-05-015	352-10-920	AMD-P 78-04-089
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332-40-320	AMD-P 78-03-115	352-10-040	AMD-P 78-04-089	356-06-010	AMD 78-02-049
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332-40-420	AMD 78-05-015	352-10-330	AMD-P 78-04-089	356-10-060	AMD-P 78-04-018
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356-14-025	REP-P	78-03-074	356-38-120	REP	78-02-049	365-50-230	NEW-P	78-04-093
356-14-025	REP	78-05-025	356-38-130	REP	78-02-049	365-50-240	NEW	78-03-065
356-14-030	AMD-P	78-03-074	356-38-140	REP	78-02-049	365-50-240	NEW-P	78-04-093
356-14-030	AMD	78-05-025	356-38-150	REP	78-02-049	365-50-250	NEW	78-03-065
356-14-050	AMD-P	78-03-074	356-38-160	REP	78-02-049	365-50-250	NEW-P	78-04-093
356-14-050	AMD	78-05-025	356-38-170	REP	78-02-049	365-50-260	NEW	78-03-065
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356-14-110	AMD	78-06-017	356-39-020	NEW	78-02-049	365-50-270	NEW	78-03-065
356-14-140	AMD-P	78-04-068	356-39-030	NEW	78-02-049	365-50-270	NEW-P	78-04-093
356-14-140	AMD	78-06-017	356-39-040	NEW	78-02-049	365-50-280	NEW	78-03-065
356-14-180	AMD-P	78-04-068	356-39-050	NEW	78-02-049	365-50-280	NEW-P	78-04-093
356-14-180	AMD	78-06-017	356-39-060	NEW	78-02-049	365-50-290	NEW	78-03-065
356-14-200	AMD-P	78-04-068	356-39-070	NEW	78-02-049	365-50-290	NEW-P	78-04-093
356-14-200	AMD	78-06-017	356-39-080	NEW	78-02-049	365-50-300	NEW	78-03-065
356-14-210	AMD-P	78-04-068	356-39-090	NEW	78-02-049	365-50-300	NEW-P	78-04-093
356-14-210	AMD	78-06-017	356-39-100	NEW	78-02-049	365-50-300	AMD-P	78-06-056
356-14-270	AMD-P	78-04-068	356-39-110	NEW	78-02-049	365-50-310	NEW	78-03-065
356-14-270	AMD	78-06-017	356-39-120	NEW	78-02-049	365-50-310	NEW-P	78-04-093
356-15-030	AMD-P	78-02-099	356-39-130	NEW	78-02-049	365-50-320	NEW	78-03-065
356-15-030	AMD-P	78-04-018	356-39-140	NEW	78-02-049	365-50-320	NEW-P	78-04-093
356-15-030	AMD-P	78-06-018	356-46-030	AMD-P	78-05-047	365-50-330	NEW	78-03-065
356-15-050	AMD-P	78-05-047	356-46-050	AMD-P	78-05-047	365-50-330	NEW-P	78-04-093
356-15-120	AMD-E	78-05-024	356-46-100	AMD-P	78-05-047	365-50-340	NEW-P	78-04-093
356-15-120	AMD-P	78-05-047	356-46-130	AMD-P	78-05-047	365-50-340	NEW-P	78-06-056
356-18-020	AMD-P	78-02-099	360-36-010	AMD	78-02-070	365-50-350	NEW-P	78-04-093
356-18-020	AMD	78-04-014	360-36-160	NEW-P	78-03-081	365-50-350	NEW-P	78-06-056
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356-18-040	AMD-P	78-04-068	360-36-170	NEW	78-05-048	365-50-370	NEW-P	78-04-093
356-18-040	AMD	78-06-017	365-50-010	NEW	78-03-065	365-50-370	NEW-P	78-06-056
356-18-070	AMD-P	78-04-068	365-50-010	NEW-P	78-04-093	365-50-380	NEW-P	78-04-093
356-18-070	AMD	78-06-017	365-50-020	NEW	78-03-065	365-50-380	NEW-P	78-06-056
356-18-080	AMD-P	78-04-068	365-50-020	NEW-P	78-04-093	365-50-390	NEW-P	78-04-093
356-18-080	AMD	78-06-017	365-50-030	NEW	78-03-065	365-50-390	NEW-P	78-06-056
356-18-100	AMD-P	78-04-068	365-50-030	NEW-P	78-04-093	365-50-400	NEW-P	78-04-093
356-18-100	AMD	78-06-017	365-50-040	NEW	78-03-065	365-50-400	NEW-P	78-06-056
356-18-160	AMD-P	78-04-068	365-50-040	NEW-P	78-04-093	365-50-410	NEW-P	78-04-093
356-18-160	AMD	78-06-017	365-50-050	NEW	78-03-065	365-50-500	NEW	78-03-065
356-22-070	AMD-P	78-04-068	365-50-050	NEW-P	78-04-093	365-50-500	NEW-P	78-04-093
356-22-070	AMD	78-06-017	365-50-060	NEW	78-03-065	365-50-510	NEW	78-04-031
356-22-090	AMD-P	78-03-074	365-50-060	NEW-P	78-04-093	365-50-510	NEW-P	78-06-056
356-22-100	AMD-P	78-04-068	365-50-070	NEW	78-03-065	365-50-520	NEW	78-03-065
356-22-100	AMD	78-06-017	365-50-070	NEW-P	78-04-093	365-50-520	NEW-P	78-04-093
356-22-120	AMD-P	78-04-068	365-50-080	NEW	78-03-065	365-50-530	NEW	78-03-065
356-22-120	AMD	78-06-017	365-50-080	NEW-P	78-04-093	365-50-530	NEW-P	78-04-093
356-22-130	AMD-P	78-04-068	365-50-090	NEW	78-03-065	365-50-540	NEW	78-03-065
356-22-130	AMD	78-06-017	365-50-090	NEW-P	78-04-093	365-50-540	NEW-P	78-04-093
356-22-170	AMD-P	78-04-068	365-50-100	NEW	78-03-065	365-50-550	NEW	78-03-065
356-22-170	AMD	78-06-017	365-50-100	NEW-P	78-04-093	365-50-550	NEW-P	78-04-093
356-22-180	AMD-P	78-02-099	365-50-110	NEW	78-03-065	365-50-560	NEW-P	78-04-093
356-22-180	AMD	78-04-014	365-50-110	NEW-P	78-04-093	365-50-560	NEW-P	78-06-056
356-22-190	AMD-P	78-04-068	365-50-120	NEW	78-03-065	365-55-010	NEW-P	78-02-104
356-22-190	AMD	78-06-017	365-50-120	NEW-P	78-04-093	365-55-010	NEW	78-04-013
356-22-200	AMD-P	78-04-068	365-50-130	NEW	78-03-065	365-55-020	NEW-P	78-02-104
356-22-200	AMD	78-06-017	365-50-130	NEW-P	78-04-093	365-55-020	NEW	78-04-013
356-22-230	AMD-P	78-02-099	365-50-140	NEW	78-03-065	365-55-030	NEW-P	78-02-104
356-22-230	AMD-P	78-04-018	365-50-140	NEW-P	78-04-093	365-55-030	NEW	78-04-013
356-22-230	AMD-P	78-06-019	365-50-150	NEW	78-03-065	365-55-040	NEW-P	78-02-104
356-30-005	NEW-P	78-04-068	365-50-150	NEW-P	78-04-093	365-55-040	NEW	78-04-013
356-30-005	NEW	78-06-017	365-50-160	NEW	78-03-065	365-55-050	NEW-P	78-02-104
356-30-070	AMD-P	78-02-099	365-50-160	NEW-P	78-04-093	365-55-050	NEW	78-04-013
356-30-143	NEW-P	78-04-068	365-50-170	NEW	78-03-065	365-55-060	NEW-P	78-02-104
356-30-143	NEW	78-06-017	365-50-170	NEW-P	78-04-093	365-55-060	NEW	78-04-013
356-38-010	REP	78-02-049	365-50-180	NEW	78-03-065	365-55-070	NEW-P	78-02-104
356-38-020	REP	78-02-049	365-50-180	NEW-P	78-04-093	365-55-070	NEW	78-04-013
356-38-030	REP	78-02-049	365-50-190	NEW	78-03-065	365-55-080	NEW-P	78-02-104
356-38-040	REP	78-02-049	365-50-190	NEW-P	78-04-093	372-20-005	REP-P	78-06-124
356-38-050	REP	78-02-049	365-50-200	NEW	78-03-065	372-20-010	REP-P	78-06-124
356-38-060	REP	78-02-049	365-50-200	NEW-P	78-04-093	372-20-020	REP-P	78-06-124
356-38-070	REP	78-02-049	365-50-210	NEW	78-03-065	372-20-025	REP-P	78-06-124
356-38-080	REP	78-02-049	365-50-210	NEW-P	78-04-093	372-20-030	REP-P	78-06-124
356-38-090	REP	78-02-049	365-50-220	NEW	78-03-065	372-20-040	REP-P	78-06-124

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372-20-055	REP-P	78-06-124	388-17-200	REP	78-05-077	388-37-230	AMD-E	78-04-005
372-20-060	REP-P	78-06-124	388-17-220	REP-P	78-03-119	388-37-230	AMD	78-06-022
372-20-070	REP-P	78-06-124	388-17-220	REP-E	78-04-008	388-44-127	AMD-P	78-04-095
372-20-080	REP-P	78-06-124	388-17-220	REP	78-05-077	388-44-127	AMD-E	78-04-096
372-20-090	REP-P	78-06-124	388-17-240	REP-P	78-03-119	388-44-127	AMD	78-06-082
372-20-100	REP-P	78-06-124	388-17-240	REP-E	78-04-008	388-48-020	AMD-P	78-06-037
372-20-110	REP-P	78-06-124	388-17-240	REP	78-05-077	388-48-020	AMD-E	78-06-038
365-55-080	NEW	78-04-013	388-24-050	AMD-P	78-04-094	388-54-470	AMD-P	78-04-020
388-11-015	AMD-P	78-04-101	388-24-050	AMD	78-06-074	388-54-470	AMD-E	78-04-021
388-11-030	AMD-P	78-04-101	388-24-107	AMD-P	78-03-006	388-54-470	AMD	78-06-086
388-11-050	AMD-P	78-04-101	388-24-107	AMD	78-05-046	388-54-480	AMD	78-02-050
388-11-055	NEW-P	78-04-101	388-28-155	REP-P	78-04-020	388-54-480	AMD-E	78-04-007
388-11-060	AMD-P	78-04-101	388-28-155	REP-E	78-04-021	388-54-485	AMD-P	78-04-020
388-11-065	AMD-P	78-04-101	388-28-155	REP	78-06-086	388-54-485	AMD-E	78-04-021
388-11-090	AMD-P	78-04-101	388-28-430	AMD-P	78-02-096	388-54-485	AMD	78-06-086
388-11-100	AMD-P	78-04-101	388-28-430	AMD	78-04-036	388-54-505	AMD-P	78-04-020
388-11-120	AMD-P	78-04-101	388-28-457	AMD-E	78-03-054	388-54-505	AMD-E	78-04-021
388-11-130	AMD-P	78-04-101	388-28-457	AMD-P	78-03-055	388-54-505	AMD	78-06-086
388-11-135	NEW-P	78-04-101	388-28-457	AMD-P	78-05-021	388-54-535	AMD-P	78-03-118
388-11-140	AMD-P	78-04-101	388-28-457	AMD	78-05-088	388-54-535	AMD-E	78-04-007
388-11-160	REP-P	78-04-101	388-28-459	AMD-E	78-03-054	388-54-535	AMD	78-05-064
388-11-170	AMD-P	78-04-101	388-28-459	AMD-P	78-03-055	388-54-540	AMD-P	78-04-020
388-11-180	AMD-P	78-04-101	388-28-459	AMD-P	78-05-021	388-54-540	AMD-E	78-04-021
388-11-190	AMD-P	78-04-101	388-28-459	AMD	78-05-088	388-54-540	AMD	78-06-086
388-14-220	AMD-P	78-04-101	388-28-460	AMD-E	78-03-054	388-54-595	AMD-P	78-03-118
388-14-370	AMD-P	78-04-101	388-28-460	AMD-P	78-03-055	388-54-595	AMD-E	78-04-007
388-14-375	NEW-P	78-04-101	388-28-460	AMD-P	78-05-021	388-54-595	AMD	78-05-064
388-14-380	NEW-P	78-04-101	388-28-460	AMD	78-05-088	388-55-010	AMD-P	78-02-072
388-14-385	NEW-P	78-04-101	388-28-461	AMD-E	78-03-054	388-55-010	AMD-E	78-02-073
388-15-010	AMD-P	78-05-094	388-28-461	AMD-P	78-03-055	388-55-010	AMD	78-04-037
388-15-020	AMD-E	78-02-001	388-28-461	AMD-P	78-05-021	388-63-005	REP-P	78-05-089
388-15-020	AMD	78-04-004	388-28-461	AMD	78-05-088	388-63-010	REP-P	78-05-089
388-15-020	AMD-P	78-05-094	388-28-462	AMD-E	78-03-054	388-63-015	REP-P	78-05-089
388-15-120	AMD-E	78-02-001	388-28-462	AMD-P	78-03-055	388-63-020	REP-P	78-05-089
388-15-120	AMD	78-04-004	388-28-462	AMD-P	78-05-021	388-63-025	REP-P	78-05-089
388-15-130	AMD-P	78-05-094	388-28-462	AMD	78-05-088	388-63-030	REP-P	78-05-089
388-15-170	AMD-E	78-02-001	388-28-464	AMD-P	78-03-055	388-63-035	REP-P	78-05-089
388-15-170	AMD	78-04-004	388-28-464	AMD-E	78-03-054	388-63-040	REP-P	78-05-089
388-15-172	NEW-E	78-05-044	388-28-464	AMD-P	78-05-021	388-63-045	REP-P	78-05-089
388-15-172	NEW-P	78-05-045	388-28-464	AMD	78-05-088	388-63-050	REP-P	78-05-089
388-15-360	AMD	78-04-004	388-28-464	AMD	78-06-023	388-63-055	REP-P	78-05-089
388-15-570	AMD-P	78-05-094	388-28-474	AMD-P	78-04-048	388-63-060	REP-P	78-05-089
388-17-010	AMD-P	78-03-119	388-28-474	AMD	78-06-088	388-63-065	REP-P	78-05-089
388-17-010	AMD-E	78-04-008	388-28-535	AMD-P	78-03-010	388-63-070	REP-P	78-05-089
388-17-010	AMD	78-05-077	388-28-535	AMD-E	78-03-017	388-63-110	REP-P	78-05-089
388-17-020	AMD-P	78-03-119	388-28-535	AMD	78-05-019	388-63-120	REP-P	78-05-089
388-17-020	AMD-E	78-04-008	388-28-575	AMD-P	78-03-010	388-63-125	REP-P	78-05-089
388-17-020	AMD	78-05-077	388-28-575	AMD-E	78-03-017	388-70-010	AMD-P	78-05-094
388-17-030	REP-P	78-03-119	388-28-575	AMD	78-05-019	388-70-012	AMD-P	78-05-094
388-17-030	REP-E	78-04-008	388-29-100	AMD-P	78-06-046	388-70-013	AMD-P	78-05-094
388-17-030	REP	78-05-077	388-29-110	AMD-P	78-06-046	388-70-014	REP-P	78-05-094
388-17-040	REP-P	78-03-119	388-29-130	AMD-P	78-06-046	388-70-016	REP-P	78-05-094
388-17-040	REP-E	78-04-008	388-29-135	AMD-P	78-06-046	388-70-017	REP-P	78-05-094
388-17-040	REP	78-05-077	388-29-140	AMD-P	78-02-069	388-70-019	REP-P	78-05-094
388-17-050	REP-P	78-03-119	388-29-140	AMD	78-04-035	388-70-022	AMD-P	78-05-094
388-17-050	REP-E	78-04-008	388-29-140	REP-P	78-04-094	388-70-024	AMD-P	78-05-094
388-17-050	REP	78-05-077	388-29-140	REP	78-06-074	388-70-044	AMD-P	78-05-094
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388-17-100	AMD-E	78-04-008	388-29-155	NEW-E	78-04-021	388-70-048	AMD-P	78-05-094
388-17-100	AMD	78-05-077	388-29-155	NEW	78-06-086	388-70-049	REP-P	78-05-094
388-17-120	AMD-P	78-03-119	388-29-160	AMD-P	78-06-046	388-70-051	AMD-P	78-05-094
388-17-120	AMD-E	78-04-008	388-29-170	AMD-P	78-06-046	388-70-056	AMD-P	78-05-094
388-17-120	AMD	78-05-077	388-29-200	AMD-P	78-06-046	388-70-066	AMD-P	78-05-094
388-17-140	REP-P	78-03-119	388-29-220	AMD-P	78-06-046	388-70-110	REP-P	78-05-094
388-17-140	REP-E	78-04-008	388-29-260	AMD-P	78-06-046	388-70-111	REP-P	78-05-094
388-17-140	REP	78-05-077	388-29-280	AMD-P	78-06-046	388-70-112	REP-P	78-05-094
388-17-160	AMD-P	78-03-119	388-33-376	NEW-P	78-05-022	388-70-114	REP-P	78-05-094
388-17-160	AMD-E	78-04-008	388-33-377	AMD-P	78-05-022	388-70-116	REP-P	78-05-094
388-17-160	AMD	78-05-077	388-33-378	REP-P	78-05-022	388-70-118	REP-P	78-05-094
388-17-180	AMD-P	78-03-119	388-33-380	REP-P	78-05-022	388-70-160	AMD-P	78-05-094
388-17-180	AMD-E	78-04-008	388-37-030	AMD-P	78-03-120	388-70-201	REP-P	78-05-094
388-17-180	AMD	78-05-077	388-37-030	AMD-E	78-04-006	388-70-211	REP-P	78-05-094
388-17-200	REP-P	78-03-119	388-37-030	AMD	78-06-021	388-70-221	REP-P	78-05-094

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388-75-342	REP-P	78-05-089	388-75-615	REP-P	78-05-089	388-86-040	AMD	78-02-024
388-75-345	REP-P	78-05-089	388-75-618	REP-P	78-05-089	388-86-045	AMD	78-02-024
388-75-348	REP-P	78-05-089	388-75-621	REP-P	78-05-089	388-86-050	AMD	78-02-024
388-75-351	REP-P	78-05-089	388-75-624	REP-P	78-05-089	388-86-050	AMD-P	78-03-007
388-75-354	REP-P	78-05-089	388-75-627	REP-P	78-05-089	388-86-050	AMD	78-06-087
388-75-357	REP-P	78-05-089	388-75-630	REP-P	78-05-089	388-86-070	REP	78-02-024
388-75-360	REP-P	78-05-089	388-75-633	REP-P	78-05-089	388-86-090	AMD	78-02-024
388-75-363	REP-P	78-05-089	388-75-636	REP-P	78-05-089	388-86-095	AMD	78-02-024
388-75-366	REP-P	78-05-089	388-75-639	REP-P	78-05-089	388-86-098	AMD	78-02-024
388-75-369	REP-P	78-05-089	388-75-642	REP-P	78-05-089	388-86-100	AMD	78-02-024
388-75-372	REP-P	78-05-089	388-75-645	REP-P	78-05-089	388-86-112	AMD	78-02-024
388-75-375	REP-P	78-05-089	388-75-648	REP-P	78-05-089	388-86-120	AMD	78-02-024
388-75-378	REP-P	78-05-089	388-75-651	REP-P	78-05-089	388-87-012	AMD-P	78-03-007
388-75-381	REP-P	78-05-089	388-75-654	REP-P	78-05-089	388-87-012	AMD	78-06-087
388-75-384	REP-P	78-05-089	388-75-657	REP-P	78-05-089	388-87-013	AMD	78-02-024
388-75-387	REP-P	78-05-089	388-75-660	REP-P	78-05-089	388-87-015	AMD	78-02-024
388-75-390	REP-P	78-05-089	388-75-663	REP-P	78-05-089	388-87-025	AMD	78-02-024
388-75-393	REP-P	78-05-089	388-75-666	REP-P	78-05-089	388-87-025	AMD-P	78-03-007
388-75-396	REP-P	78-05-089	388-75-669	REP-P	78-05-089	388-87-025	AMD	78-06-087
388-75-403	REP-P	78-05-089	388-75-672	REP-P	78-05-089	388-87-027	AMD	78-02-024
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388-75-409	REP-P	78-05-089	388-75-678	REP-P	78-05-089	388-87-027	AMD	78-06-087
388-75-412	REP-P	78-05-089	388-75-681	REP-P	78-05-089	388-87-070	AMD	78-02-024
388-75-415	REP-P	78-05-089	388-75-703	REP-P	78-05-089	388-87-080	AMD	78-02-024
388-75-418	REP-P	78-05-089	388-75-706	REP-P	78-05-089	388-87-090	AMD	78-02-024
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388-75-428	REP-P	78-05-089	388-75-715	REP-P	78-05-089	388-88-001	AMD-P	78-04-097
388-75-430	REP-P	78-05-089	388-75-718	REP-P	78-05-089	388-88-001	AMD	78-06-080
388-75-433	REP-P	78-05-089	388-75-721	REP-P	78-05-089	388-88-007	NEW-E	78-04-058
388-75-436	REP-P	78-05-089	388-75-724	REP-P	78-05-089	388-88-007	NEW-P	78-04-097
388-75-439	REP-P	78-05-089	388-75-727	REP-P	78-05-089	388-88-007	NEW	78-06-080
388-75-442	REP-P	78-05-089	388-75-730	REP-P	78-05-089	388-88-051	NEW-E	78-04-058
388-75-445	REP-P	78-05-089	388-75-733	REP-P	78-05-089	388-88-051	NEW-P	78-04-097
388-75-448	REP-P	78-05-089	388-75-736	REP-P	78-05-089	388-88-051	NEW	78-06-080
388-75-451	REP-P	78-05-089	388-75-739	REP-P	78-05-089	388-88-082	NEW-E	78-04-058
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388-75-457	REP-P	78-05-089	388-75-745	REP-P	78-05-089	388-88-086	NEW-E	78-04-058
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388-75-463	REP-P	78-05-089	388-75-751	REP-P	78-05-089	388-88-086	NEW	78-06-080
388-75-466	REP-P	78-05-089	388-75-754	REP-P	78-05-089	388-88-088	NEW	78-06-080
388-75-469	REP-P	78-05-089	388-75-757	REP-P	78-05-089	388-92-015	AMD	78-02-024
388-75-503	REP-P	78-05-089	388-75-760	REP-P	78-05-089	388-92-070	AMD	78-02-024
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388-75-512	REP-P	78-05-089	388-75-769	REP-P	78-05-089	388-95-010	AMD-P	78-06-036
388-75-515	REP-P	78-05-089	388-75-772	REP-P	78-05-089	388-95-025	AMD-P	78-06-036
388-75-518	REP-P	78-05-089	388-75-775	REP-P	78-05-089	388-95-030	AMD-P	78-06-036
388-75-521	REP-P	78-05-089	388-75-778	REP-P	78-05-089	388-95-050	REP-P	78-06-036
388-75-524	REP-P	78-05-089	388-75-781	REP-P	78-05-089	388-95-055	AMD-P	78-06-036
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388-75-536	REP-P	78-05-089	388-75-793	REP-P	78-05-089	388-95-075	AMD-P	78-06-036
388-75-539	REP-P	78-05-089	388-80-005	AMD-P	78-03-007	388-95-210	AMD-P	78-06-036
388-75-542	REP-P	78-05-089	388-80-005	AMD-E	78-04-098	388-95-225	AMD-P	78-06-036
388-75-545	REP-P	78-05-089	388-80-005	AMD-P	78-04-099	388-95-250	REP-P	78-06-036
388-75-548	REP-P	78-05-089	388-80-005	AMD	78-06-081	388-95-255	AMD-P	78-06-036
388-75-551	REP-P	78-05-089	388-81-050	AMD	78-02-024	388-95-260	AMD-P	78-06-036
388-75-554	REP-P	78-05-089	388-82-005	AMD	78-02-024	388-95-265	AMD-P	78-06-036
388-75-557	REP-P	78-05-089	388-82-015	AMD	78-02-024	388-95-270	AMD-P	78-06-036
388-75-560	REP-P	78-05-089	388-82-040	REP	78-02-024	388-95-275	AMD-P	78-06-036
388-75-563	REP-P	78-05-089	388-83-027	REP	78-02-024	388-95-280	AMD-P	78-06-036
388-75-566	REP-P	78-05-089	388-83-028	NEW	78-02-024	388-96-010	AMD-E	78-04-058
388-75-569	REP-P	78-05-089	388-86-005	AMD	78-02-024	388-96-010	AMD-P	78-04-097
388-75-572	REP-P	78-05-089	388-86-005	AMD-E	78-04-098	388-96-010	AMD	78-06-080
388-75-575	REP-P	78-05-089	388-86-005	AMD-P	78-04-099	388-96-020	AMD-E	78-04-058
388-75-578	REP-P	78-05-089	388-86-005	AMD	78-06-081	388-96-020	AMD-P	78-04-097
388-75-581	REP-P	78-05-089	388-86-008	NEW	78-02-024	388-96-020	AMD	78-06-080
388-75-584	REP-P	78-05-089	388-86-012	AMD	78-02-024	388-96-023	AMD-E	78-04-058
388-75-603	REP-P	78-05-089	388-86-020	AMD	78-02-024	388-96-023	AMD-P	78-04-097
388-75-606	REP-P	78-05-089	388-86-023	AMD	78-02-024	388-96-023	AMD	78-06-080

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-96-032	AMD-E	78-04-058	390-20-140	NEW-P	78-03-116	392-185-040	NEW	78-03-008
388-96-032	AMD-P	78-04-097	390-20-140	NEW-P	78-05-079	392-185-050	NEW	78-03-008
388-96-032	AMD	78-06-080	390-20-143	NEW-P	78-03-116	392-185-060	NEW	78-03-008
388-96-222	AMD-E	78-04-058	390-20-143	NEW-P	78-05-079	392-185-070	NEW	78-03-008
388-96-222	AMD-P	78-04-097	390-20-145	NEW-P	78-03-116	392-185-080	NEW	78-03-008
388-96-222	AMD	78-06-080	390-20-145	NEW-P	78-05-079	392-185-090	NEW	78-03-008
388-96-501	AMD-E	78-04-058	391-21-137	NEW-P	78-05-101	392-185-100	NEW	78-03-008
388-96-501	AMD-P	78-04-097	391-21-321	NEW-P	78-05-101	392-185-110	NEW	78-03-008
388-96-501	AMD	78-06-080	391-21-535	NEW-P	78-05-101	392-185-120	NEW	78-03-008
388-96-505	AMD-E	78-04-058	391-30-137	NEW-P	78-05-102	392-185-130	NEW	78-03-008
388-96-505	AMD-P	78-04-097	391-30-321	NEW-P	78-05-102	392-185-140	NEW	78-03-008
388-96-505	AMD	78-06-080	391-30-535	NEW-P	78-05-102	392-185-150	NEW	78-03-008
388-96-507	AMD-E	78-04-058	391-50-137	NEW-P	78-05-100	415-02-040	NEW	78-03-023
388-96-507	AMD-P	78-04-097	391-50-321	NEW-P	78-05-100	415-02-050	NEW	78-03-023
388-96-507	AMD	78-06-080	391-70-010	NEW-E	78-03-011	415-02-060	NEW	78-03-023
388-96-533	AMD-P	78-04-097	391-70-010	NEW-E	78-06-007	415-02-070	NEW	78-03-023
388-96-533	AMD	78-06-080	391-70-020	NEW-E	78-03-011	415-02-080	NEW	78-03-023
388-96-539	AMD-P	78-04-097	391-70-020	NEW-E	78-06-007	415-104-010	NEW	78-03-023
388-96-539	AMD	78-06-080	391-70-030	NEW-E	78-03-011	415-104-020	NEW	78-03-023
388-96-571	AMD-P	78-04-097	391-70-030	NEW-E	78-06-007	415-104-030	NEW	78-03-023
388-96-571	AMD	78-06-080	391-70-040	NEW-E	78-03-011	415-104-040	NEW	78-03-023
388-96-585	AMD-E	78-04-058	391-70-040	NEW-E	78-06-007	415-104-105	NEW	78-03-023
388-96-585	AMD-P	78-04-097	391-70-050	NEW-E	78-03-011	415-104-110	NEW	78-03-023
388-96-585	AMD	78-06-080	391-70-050	NEW-E	78-06-007	415-104-120	NEW	78-03-023
388-96-701	NEW	78-02-013	391-70-060	NEW-E	78-06-007	415-104-140	NEW	78-03-023
388-96-704	NEW	78-02-013	391-70-070	NEW-E	78-03-011	415-104-150	NEW	78-03-023
388-96-704	AMD-E	78-04-058	391-70-070	NEW-E	78-06-007	415-104-160	NEW	78-03-023
388-96-704	AMD-P	78-04-097	391-70-080	NEW-E	78-03-011	415-104-170	NEW	78-03-023
388-96-704	AMD	78-06-080	391-70-080	NEW-E	78-06-007	415-104-180	NEW	78-03-023
388-96-707	NEW	78-02-013	391-70-090	NEW-E	78-03-011	415-104-190	NEW	78-03-023
388-96-707	AMD-E	78-04-058	391-70-090	NEW-E	78-06-007	415-104-200	NEW	78-03-023
388-96-707	AMD-P	78-04-097	391-70-105	NEW-E	78-03-011	415-104-210	NEW	78-03-023
388-96-707	AMD	78-06-080	391-70-100	NEW-E	78-06-007	415-104-220	NEW	78-03-023
388-96-710	NEW	78-02-013	391-70-110	NEW-E	78-03-011	415-104-230	NEW	78-03-023
388-96-713	NEW	78-02-013	391-70-110	NEW-E	78-06-007	415-104-240	NEW	78-03-023
388-96-716	NEW	78-02-013	391-70-120	NEW-E	78-03-011	415-104-250	NEW	78-03-023
388-96-719	NEW	78-02-013	391-70-120	NEW-E	78-06-007	415-104-260	NEW	78-03-023
388-96-719	AMD-E	78-04-058	391-70-130	NEW-E	78-06-007	415-104-270	NEW	78-03-023
388-96-719	AMD-P	78-04-097	391-70-140	NEW-E	78-03-011	415-104-300	NEW	78-03-023
388-96-719	AMD	78-06-080	391-70-140	NEW-E	78-06-007	415-104-310	NEW	78-03-023
388-96-722	NEW	78-02-013	391-70-150	NEW-E	78-06-007	415-104-320	NEW	78-03-023
388-96-722	AMD-E	78-04-058	391-70-160	NEW-E	78-06-007	415-104-400	NEW	78-03-023
388-96-722	AMD-P	78-04-097	391-70-170	NEW-E	78-03-011	415-104-410	NEW	78-03-023
388-96-722	AMD	78-06-080	391-70-170	NEW-E	78-06-007	415-104-500	NEW	78-03-023
388-96-727	NEW	78-02-013	391-70-180	NEW-E	78-06-007	415-104-510	NEW	78-03-023
388-96-735	NEW	78-02-013	391-70-190	NEW-E	78-06-007	415-104-520	NEW	78-03-023
388-96-743	NEW	78-02-013	391-70-200	NEW-E	78-06-007	415-104-530	NEW	78-03-023
388-96-760	NEW	78-02-013	391-70-210	NEW-E	78-06-007	415-104-540	NEW	78-03-023
388-96-760	AMD-E	78-04-058	391-70-220	NEW-E	78-03-011	415-104-550	NEW	78-03-023
388-96-760	AMD-P	78-04-097	391-70-220	NEW-E	78-06-007	415-104-555	NEW	78-03-023
388-96-760	AMD	78-06-080	391-70-230	NEW-E	78-06-007	415-104-560	NEW	78-03-023
388-96-763	NEW	78-02-013	391-70-240	NEW-E	78-06-007	415-104-570	NEW	78-03-023
388-96-763	AMD-E	78-04-058	391-70-245	NEW-E	78-03-011	415-104-580	NEW	78-03-023
388-96-763	AMD-P	78-04-097	391-70-250	NEW-E	78-03-011	415-104-584	NEW	78-03-023
388-96-763	AMD	78-06-080	391-70-250	NEW-E	78-06-007	415-104-588	NEW	78-03-023
388-96-766	NEW	78-02-013	391-70-260	NEW-E	78-03-011	415-104-590	NEW	78-03-023
388-96-769	NEW	78-02-013	391-70-260	NEW-E	78-06-007	415-104-595	NEW	78-03-023
388-96-772	NEW	78-02-013	391-70-270	NEW-E	78-03-011	415-104-600	NEW	78-03-023
388-96-775	NEW	78-02-013	391-70-280	NEW-E	78-03-011	415-104-605	NEW	78-03-023
388-96-778	NEW	78-02-013	391-70-280	NEW-E	78-06-007	415-104-610	NEW	78-03-023
390-16-220	AMD-P	78-03-075	391-70-290	NEW-E	78-06-007	415-104-615	NEW	78-03-023
390-16-220	AMD-P	78-05-079	391-70-300	NEW-E	78-03-011	415-104-620	NEW	78-03-023
390-20-010	REP	78-02-063	391-70-300	NEW-E	78-06-007	415-104-624	NEW	78-03-023
390-20-0101	NEW	78-02-063	392-109-006	NEW-P	78-06-115	415-104-628	NEW	78-03-023
390-20-028	NEW-P	78-06-048	392-109-010	AMD-P	78-06-115	415-104-630	NEW	78-03-023
390-20-028	NEW-E	78-06-049	392-109-026	NEW-P	78-06-115	415-104-634	NEW	78-03-023
390-20-051	NEW-P	78-06-048	392-123-165	NEW-P	78-06-053	415-104-638	NEW	78-03-023
390-20-051	NEW-E	78-06-049	392-125-080	NEW-P	78-06-052	415-104-640	NEW	78-03-023
390-20-053	NEW-P	78-06-048	392-137-020	AMD-P	78-06-051	415-104-644	NEW	78-03-023
390-20-053	NEW-E	78-06-049	392-164-015	AMD-P	78-06-054	415-104-648	NEW	78-03-023
390-20-055	NEW-P	78-06-048	392-185-005	NEW	78-03-008	415-104-650	NEW	78-03-023
390-20-055	NEW-E	78-06-049	392-185-010	NEW	78-03-008	415-104-660	NEW	78-03-023
390-20-120	NEW-P	78-06-048	392-185-020	NEW	78-03-008	415-104-663	NEW	78-03-023
390-20-120	NEW-E	78-06-049	392-185-030	NEW	78-03-008	415-104-666	NEW	78-03-023

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
415-104-668	NEW	78-03-023	415-112-520	NEW	78-03-023	458-40-19004	AMD-P	78-05-087
415-104-670	NEW	78-03-023	415-112-530	NEW	78-03-023	458-52-010	NEW	78-02-052
415-104-680	NEW	78-03-023	415-112-540	NEW	78-03-023	458-52-020	NEW	78-02-052
415-104-684	NEW	78-03-023	415-112-550	NEW	78-03-023	458-52-030	NEW	78-02-052
415-104-688	NEW	78-03-023	415-112-600	NEW	78-03-023	458-52-040	NEW	78-02-052
415-104-690	NEW	78-03-023	415-112-610	NEW	78-03-023	458-52-050	NEW	78-02-052
415-104-700	NEW	78-03-023	415-112-620	NEW	78-03-023	458-52-060	NEW	78-02-052
415-104-705	NEW	78-03-023	415-112-630	NEW	78-03-023	458-52-070	NEW	78-02-052
415-104-710	NEW	78-03-023	415-112-700	NEW	78-03-023	458-52-080	NEW	78-02-052
415-104-715	NEW	78-03-023	415-112-710	NEW	78-03-023	458-52-090	NEW	78-02-052
415-104-720	NEW	78-03-023	434-24-050	AMD-P	78-05-098	458-52-100	NEW	78-02-052
415-104-725	NEW	78-03-023	434-79-010	NEW-P	78-06-133	458-52-110	NEW	78-02-052
415-104-730	NEW	78-03-023	458-20-119	AMD-P	78-05-072	458-52-120	NEW	78-02-052
415-104-740	NEW	78-03-023	458-20-119	AMD-E	78-05-073	458-52-130	NEW	78-02-052
415-104-745	NEW	78-03-023	458-20-135	AMD-P	78-05-072	458-52-140	NEW	78-02-052
415-104-750	NEW	78-03-023	458-20-135	AMD-E	78-05-073	458-52-150	NEW	78-02-052
415-104-755	NEW	78-03-023	458-20-136	AMD-P	78-05-072	458-276-010	NEW	78-02-064
415-108-010	NEW	78-03-023	458-20-136	AMD-E	78-05-073	458-276-020	NEW	78-02-064
415-108-020	NEW	78-03-023	458-20-154	AMD-P	78-04-104	458-276-030	NEW	78-02-064
415-108-030	NEW	78-03-023	458-20-154	AMD	78-06-083	458-276-040	NEW	78-02-064
415-108-040	NEW	78-03-023	458-20-157	AMD-P	78-05-072	458-276-050	NEW	78-02-064
415-108-050	NEW	78-03-023	458-20-157	AMD-E	78-05-073	458-276-060	NEW	78-02-064
415-108-060	NEW	78-03-023	458-20-161	AMD-P	78-05-072	458-276-070	NEW	78-02-064
415-108-070	NEW	78-03-023	458-20-161	AMD-E	78-05-073	458-276-080	NEW	78-02-064
415-108-100	NEW	78-03-023	458-20-166	AMD-P	78-05-072	458-276-090	NEW	78-02-064
415-108-110	NEW	78-03-023	458-20-166	AMD-E	78-05-073	458-276-100	NEW	78-02-064
415-108-120	NEW	78-03-023	458-20-167	AMD-P	78-05-072	458-276-110	NEW	78-02-064
415-108-130	NEW	78-03-023	458-20-167	AMD-E	78-05-073	458-276-120	NEW	78-02-064
415-108-150	NEW	78-03-023	458-20-168	AMD-P	78-05-072	458-276-130	NEW	78-02-064
415-108-160	NEW	78-03-023	458-20-168	AMD-E	78-05-073	458-276-140	NEW	78-02-064
415-108-170	NEW	78-03-023	458-20-169	AMD-P	78-05-072	458-276-150	NEW	78-02-064
415-108-180	NEW	78-03-023	458-20-169	AMD-E	78-05-073	462-04-010	REP	78-03-023
415-108-190	NEW	78-03-023	458-20-176	AMD-P	78-05-072	462-05-001	REP	78-03-023
415-108-200	NEW	78-03-023	458-20-176	AMD-E	78-05-073	462-05-002	REP	78-03-023
415-108-210	NEW	78-03-023	458-20-183	AMD-P	78-05-072	462-05-003	REP	78-03-023
415-108-220	NEW	78-03-023	458-20-183	AMD-E	78-05-073	462-05-004	REP	78-03-023
415-108-230	NEW	78-03-023	458-20-187	AMD-P	78-05-072	462-05-005	REP	78-03-023
415-108-240	NEW	78-03-023	458-20-187	AMD-E	78-05-073	462-05-006	REP	78-03-023
415-108-250	NEW	78-03-023	458-20-18801	AMD-P	78-05-072	462-05-007	REP	78-03-023
415-108-260	NEW	78-03-023	458-20-18801	AMD-E	78-05-073	462-05-008	REP	78-03-023
415-108-270	NEW	78-03-023	458-20-210	AMD-P	78-05-072	462-05-009	REP	78-03-023
415-108-280	NEW	78-03-023	458-20-210	AMD-E	78-05-073	462-05-010	REP	78-03-023
415-108-290	NEW	78-03-023	458-20-214	AMD-P	78-05-072	462-05-011	REP	78-03-023
415-108-300	NEW	78-03-023	458-20-214	AMD-E	78-05-073	462-05-012	REP	78-03-023
415-108-400	NEW	78-03-023	458-20-244	NEW-P	78-03-070	462-05-013	REP	78-03-023
415-108-410	NEW	78-03-023	458-20-244	NEW	78-05-041	462-05-014	REP	78-03-023
415-108-420	NEW	78-03-023	458-30-035	REP-E	78-05-049	462-08-010	REP	78-03-023
415-108-430	NEW	78-03-023	458-30-035	REP-P	78-05-050	462-08-020	REP	78-03-023
415-108-440	NEW	78-03-023	458-30-040	REP-E	78-05-049	462-08-030	REP	78-03-023
415-112-010	NEW	78-03-023	458-30-040	REP-P	78-05-050	462-08-040	REP	78-03-023
415-112-020	NEW	78-03-023	458-30-056	NEW-E	78-05-049	462-08-050	REP	78-03-023
415-112-030	NEW	78-03-023	458-30-056	NEW-P	78-05-050	462-08-060	REP	78-03-023
415-112-100	NEW	78-03-023	458-30-057	NEW-E	78-05-049	462-08-070	REP	78-03-023
415-112-110	NEW	78-03-023	458-30-057	NEW-P	78-05-050	462-08-080	REP	78-03-023
415-112-200	NEW	78-03-023	458-30-065	REP-E	78-05-049	462-08-090	REP	78-03-023
415-112-210	NEW	78-03-023	458-30-065	REP-P	78-05-050	462-08-100	REP	78-03-023
415-112-220	NEW	78-03-023	458-30-120	AMD-E	78-05-049	462-08-110	REP	78-03-023
415-112-230	NEW	78-03-023	458-30-120	AMD-P	78-05-050	462-08-120	REP	78-03-023
415-112-240	NEW	78-03-023	458-30-135	AMD-E	78-05-049	462-08-130	REP	78-03-023
415-112-250	NEW	78-03-023	458-30-135	AMD-P	78-05-050	462-08-140	REP	78-03-023
415-112-260	NEW	78-03-023	458-30-145	AMD-E	78-05-049	462-08-230	REP	78-03-023
415-112-270	NEW	78-03-023	458-30-145	AMD-P	78-05-050	462-08-240	REP	78-03-023
415-112-280	NEW	78-03-023	458-30-146	NEW-E	78-05-049	462-08-250	REP	78-03-023
415-112-290	NEW	78-03-023	458-30-146	NEW-P	78-05-050	462-08-260	REP	78-03-023
415-112-300	NEW	78-03-023	458-40-18619	NEW-P	78-05-087	462-08-270	REP	78-03-023
415-112-310	NEW	78-03-023	458-40-18620	NEW-P	78-05-087	462-08-280	REP	78-03-023
415-112-320	NEW	78-03-023	458-40-18621	NEW-P	78-05-087	462-08-290	REP	78-03-023
415-112-400	NEW	78-03-023	458-40-18622	NEW-P	78-05-087	462-08-300	REP	78-03-023
415-112-410	NEW	78-03-023	458-40-18623	NEW-P	78-05-087	462-08-310	REP	78-03-023
415-112-420	NEW	78-03-023	458-40-18624	NEW-P	78-05-087	462-08-320	REP	78-03-023
415-112-430	NEW	78-03-023	458-40-19000	AMD-P	78-05-087	462-08-330	REP	78-03-023
415-112-440	NEW	78-03-023	458-40-19001	AMD-P	78-05-087	462-08-340	REP	78-03-023
415-112-500	NEW	78-03-023	458-40-19002	AMD-P	78-05-087	462-08-350	REP	78-03-023
415-112-510	NEW	78-03-023	458-40-19003	AMD-P	78-05-087	462-08-360	REP	78-03-023

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462-08-370	REP	78-03-023	463-28-070	NEW-P	78-04-073	478-116-582	AMD-P	78-05-103
462-08-380	REP	78-03-023	463-28-080	NEW-P	78-04-073	478-116-584	AMD-P	78-05-103
462-08-390	REP	78-03-023	463-30-420	AMD-P	78-06-103	478-116-588	AMD-P	78-05-103
462-08-400	REP	78-03-023	463-43-010	NEW-P	78-03-069	478-116-600	AMD-P	78-05-103
462-08-410	REP	78-03-023	463-43-010	NEW	78-05-054	478-116-600	AMD-E	78-04-046
462-08-420	REP	78-03-023	463-43-020	NEW-P	78-03-069	478-116-600	AMD-P	78-04-085
462-08-430	REP	78-03-023	463-43-020	NEW	78-05-054	478-116-600	AMD	78-06-024
462-08-440	REP	78-03-023	463-43-030	NEW-P	78-03-069	478-116-600	AMD-P	78-06-121
462-08-450	REP	78-03-023	463-43-030	NEW	78-05-054	478-136-020	AMD-P	78-05-028
462-08-460	REP	78-03-023	463-43-040	NEW-P	78-03-069	478-160-125	AMD-P	78-05-013
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