

**MARCH 21, 1979**

**OLYMPIA, WASHINGTON**

**ISSUE 79-03**



---

## IN THIS ISSUE

Accountancy, Board of  
Agriculture, Department of  
Central Washington University  
Community College District V  
Clark College  
Equipment, Commission on  
Financial Management, Office of  
Fisheries, Department of  
Gambling Commission  
Game, Department of  
General Administration, Department of  
Governor, Office of the  
Health, Board of  
Higher Education Personnel Board  
Highline Community College  
Horse Racing Commission  
Hospital Commission  
Labor and Industries, Department of

Medical Examining Board  
Natural Resources, Department of  
Personnel, Department of  
Physical Therapy Examining Committee  
Pilotage Commissioners, Board of  
Planning and Community Affairs Agency  
Postsecondary Education, Council for  
Psychology, Board of  
Public Employment Relations Commission  
Secretary of State, Office of  
Social and Health Services, Department of  
State Capitol Historical Association  
University of Washington  
Urban Arterial Board  
Utilities and Transportation Commission  
Western Washington University  
Whatcom Community College

(Subject/Agency index at back of issue)  
This issue contains documents officially  
filed not later than March 7, 1979

## 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.

## PUBLIC INSPECTION OF DOCUMENTS

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

## REPUBLICATION OF OFFICIAL DOCUMENTS

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

## CERTIFICATE

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

DENNIS W. COOPER  
Code Reviser

---

---

# WASHINGTON STATE REGISTER

(USPS 421-530) is published monthly by the Statute Law Committee, Office of the Code Reviser, Olympia, WA 98504, pursuant to chapter 240, Laws of 1977 ex. sess. Subscription rate \$50 per year, postpaid to points in the United States. Second-class postage paid at Olympia, Washington.

Changes of address notices, subscription orders, and undelivered copies should be sent to:

**WASHINGTON STATE REGISTER**  
Code Reviser's Office  
Legislative Building  
Olympia, WA 98504

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

**Robert L. Charette,**  
*Chairman, Statute Law Committee*

**Dennis W. Cooper,**  
*Code Reviser*

**Gary Reid,**  
*Assistant Code Reviser  
For WAC and WSR*

**GayLynne Holt,**  
*Editor*

**Dave Asselstine,**  
*Subscriptions*

# 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.

1979

**DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION**

Issue No.	Distribution Date	First Agency Action Date <sup>2</sup>	Closing Dates <sup>1</sup>		
			OTS <sup>3</sup> 10 pages 10 pages maximum (14 days)	Non-OTS 29 pages and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
79-01	Jan 17	Feb 6	Jan 3	Dec 20, 1978	Dec 6, 1978
79-02	Feb 21	Mar 13	Feb 7	Jan 24	Jan 10
79-03	Mar 21	Apr 10	Mar 7	Feb 21	Feb 7
79-04	Apr 18	May 8	Apr 4	Mar 21	Mar 7
79-05	May 16	Jun 5	May 2	Apr 18	Apr 14
79-06	Jun 20	Jul 10	Jun 6	May 23	May 9
79-07	Jul 18	Aug 7	Jul 3	Jun 20	Jun 6
79-08	Aug 15	Sep 4	Aug 1	Jul 18	Jul 3
79-09	Sep 19	Oct 9	Sep 5	Aug 22	Aug 8
79-10	Oct 17	Nov 6	Oct 3	Sep 19	Sep 5
79-11	Nov 21	Dec 11	Nov 7	Oct 24	Oct 10
79-12	Dec 19	Jan 8, 1980	Dec 5	Nov 21	Nov 7

<sup>1</sup>All 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.

<sup>2</sup>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.

<sup>3</sup>OTS 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.

**WSR 79-03-001**  
**NOTICE OF PUBLIC MEETINGS**  
**URBAN ARTERIAL BOARD**  
 [Memorandum—February 8, 1979]

Beginning at 9:30 a.m., Wednesday, February 21, 1979

1. Minutes of UAB meeting, January 18, 1979.
2. Report of Chairman.
3. Review obligation status of Urban Arterial Trust Funds.
4. Proposed authorization of Urban Arterial Trust Funds for design on proposed projects in Federal Urban Areas.
5. Proposed authorization of Urban Arterial Trust Funds for construction on projects ready for the construction phase in Federal Urban Areas and Rural Incorporated Cities.
6. Presentation by the Duwamish Peninsula Community Commission regarding the City of Seattle proposed project, S.W. Brandon Street.
7. Identification and consideration of Urban Arterial Trust Fund underruns on previously authorized Urban Arterial projects.

**WSR 79-03-002**  
**EXECUTIVE ORDER**  
**OFFICE OF THE GOVERNOR**  
 [EO-79-01]

**GUARANTEED STUDENT LOANS**

WHEREAS, the providing of financial aid to individuals to assist them in pursuing their college or university education brings tangible benefits to the state through the development of the talents of those individuals; and

WHEREAS, the expansion of loan availability in Washington is needed to augment presently existing grant, loan and work study programs by serving middle income populations in both public and private higher education who are unable to qualify for such other forms of assistance; and

WHEREAS, a student loan, unlike most other aid programs, requires a self-help commitment of the student to assist in financing his or her education through repayment of the loan; and

WHEREAS, Congress, through the 1976 amendments to the federal Higher Education Act of 1965, has asked the State of Washington to replace the federal government's program of loan insurance for students, either through a state financed and administered program or through a program run by a private corporation designated by the state; and

WHEREAS, a private guarantor of student loans is able to finance itself without reliance on state financial support and thereby avoid violating the state's constitutional prohibition against lending the state's credit.

THEREFORE BE IT RESOLVED THAT, I, Dixy Lee Ray, Governor of the State of Washington, in accordance with provisions of the federal Higher Education Act of 1965, do hereby designate the Washington Student Loan Guarantee Association to act as a guarantor of student loans made by lending institutions within the State of Washington pursuant to that act as amended and subject to approval by the United States government for receipt of federal financial benefits.

BE IT FURTHER RESOLVED, that no action of the Washington Student Loan Guarantee Association shall be deemed a pledge of the credit of the state.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 6th day of February A.D., 1979.

Dixy Lee Ray

\_\_\_\_\_  
 Governor of Washington

By the Governor:

Carmela M. Bowns

\_\_\_\_\_  
 Assistant Secretary of State

**WSR 79-03-003**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 79-9—Filed February 9, 1979]

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 the harvestable surplus of Nisqually River chum salmon have been taken. The remaining chum salmon are needed for escapement.

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 February 9, 1979.  
By Gordon Sandison  
Director

NEW SECTION

WAC 220-28-013G0D *CLOSED AREA Effective immediately, until March 1, 1979, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with any type of gear from the waters of the Nisqually River.*

**WSR 79-03-004**  
**ADOPTED RULES**  
**PLANNING AND**  
**COMMUNITY AFFAIRS AGENCY**  
[Order 79-02—Filed February 9, 1979]



I, Dean Cole, director of Planning and Community Affairs Agency, do promulgate and adopt at Capitol Center Building, Olympia, Washington, the annexed rules relating to the administration of the Department of Housing and Urban Development (HUD) assisted Section 8 Housing Assistance Payments Program by the Washington State Planning and Community Affairs Agency.

This action is taken pursuant to Notice No. WSR 79-01-074 filed with the code reviser on 1/2/79. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Planning and Community Affairs Agency as authorized in chapter 43.63A 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 February 7, 1979.  
By Dean Cole  
Director

**Chapter 365-60 WAC**  
**RULES AND REGULATIONS REGARDING**  
**STATE**  
**ADMINISTRATION OF THE LOCAL SECTION 8**  
**HOUSING**  
**ASSISTANCE PAYMENTS PROGRAMS**

NEW SECTION

WAC 365-60-010 **PURPOSE AND AUTHORITY.** (1) The purpose of this chapter is to present the conditions and procedures under which the state will administer available contract authority for specified number of federally assisted dwelling units.

(2) This activity is undertaken pursuant to RCW 43.63A.

NEW SECTION

WAC 365-60-020 **POLICIES AND PROCEDURES.** The policies and procedures followed by the Planning and Community Affairs Agency in administering the contract authority awarded to it for the Section 8 Housing Assistance Payments Program will coincide with all federal laws and rules governing the Section 8 Housing Assistance Payments Program including but not limited to the following: New Construction Regulations 24 CFR 880; Substantial Rehabilitation Regulations 24 CFR 881; Existing Regulations 24 CFR 882; State Agency Regulations 24 CFR 883; Regulations Affecting Eligible Section 8 Recipients 24 CFR 889; Section 11(b) Regulations 24 CFR 811; Community Development and Section 8 Regulations 24 CFR 570 and 24 CFR 891; Department of Housing and Urban Development Act (42 USC 3531, et seq); U.S. Housing Act of 1937 (42 USC 1401, et seq); Title VI of the Civil Rights Act of 1964; Title VIII of the Civil Rights Act of 1968; Executive Orders 11063 and 11246, and Section 3 of the Housing and Urban Development Act of 1968; The National Flood Insurance Act of 1968; Executive Orders 11988 and 11990; The National Environmental Policy Act; The Clean Air Act; The Federal Pollution Control Act; and The Davis-Bacon Act. The Section 8 Housing Assistance Payments Program is completely unrelated to and should not be confused with the Planning Advances Program (WAC 365-22-010 through WAC 365-22-090) of the Planning and Community Affairs Agency. None of WAC 365-22-010 through WAC 365-22-090 pertain to or are applicable to the state administration of the local Section 8 Housing Assistance Payments Program.

**WSR 79-03-005**  
**NOTICE OF PUBLIC MEETINGS**  
**CENTRAL WASHINGTON UNIVERSITY**  
**WENATCHEE VALLEY COLLEGE**  
**YAKIMA VALLEY COLLEGE**  
[Memorandum, Admin. Sec.—February 12, 1979]

Central Washington University

The regular meetings of the Board of Trustees of Central Washington University shall be held on the second Friday of each month at 8:00 p.m. in room 143 of Bouillon Hall on the Central Washington University campus in Ellensburg, Washington.

Wenatchee Valley College

The regular meetings of the Board of Trustees of Wenatchee Valley College shall be held on the second Wednesday of each month at 1:30 p.m. in the Board Room of Wells Hall on the Wenatchee Valley College campus in Wenatchee, Washington.

Yakima Valley College

The regular meetings of the Board of Trustees of Yakima Valley College shall be held on the first Wednesday of each month at 4:00 p.m. in the Board of

Trustees' office at 16th and West Nob Hill Blvd. on the Yakima Valley College campus in Yakima, Washington.

Executive Secretary and  
Supervisor of Racing

**WSR 79-03-006**  
**NOTICE OF PUBLIC MEETINGS**  
**CLARK COLLEGE**  
[Memorandum—February 8, 1979]

The Clark College Board of Trustees will convene a special meeting on Tuesday, February 13, at 5 p.m. in the Applied Arts 5 Conference Room on the Clark College Campus. The meeting will move immediately to Executive Session for the purpose of discussing personnel matters. The agenda will be limited to the Executive Session.

**WSR 79-03-007**  
**NOTICE OF PUBLIC MEETINGS**  
**STATE CAPITOL HISTORICAL ASSOCIATION**  
[Memorandum—February 14, 1979]

The State Capitol Historical Association Quarterly Board of Trustees meeting has been rescheduled for Tuesday, February 20th. It had been previously set for March 28th. It will be at 7:30 p.m. at the State Capitol Museum.

**WSR 79-03-008**  
**PROPOSED RULES**  
**HORSE RACING COMMISSION**  
[Filed February 14, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington Horse Racing Commission intends to adopt, amend, or repeal rules concerning trainer responsibility for a horse working out, WAC 260-24-270, having fines paid to the commission secretary instead of the horsemen's bookkeeper, amending WAC 260-84-030, a matter of "housekeeping", repealing WAC 260-84-040 and 260-84-080. This has been changed because of a criticism from the State Auditor;

that such agency will at 10:00 a.m., Friday, April 20, 1979, in the Holiday Inn, Yakima, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Friday, April 20, 1979, in the Holiday Inn, Yakima, Washington.

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 April 20, 1979, and/or orally at 10:00 a.m., Friday, April 20, 1979, Holiday Inn, Yakima, Washington.

Dated: February 13, 1979  
By: A. F. Drovetto

**AMENDATORY SECTION** (Amending Rule 427, filed 1/30/67)

**WAC 260-24-470 CLOCKER-IDENTIFIER.** The clocker-identifier shall be responsible primarily for supervising the proper identification and timing of horses during workouts as well as the proper recordation and reporting to the commission and public of individual performances of each horse. He shall be present in the paddock before each race to observe and report to the stewards any irregularities observed as to identification. The trainer is responsible to the clocker-identifier for the proper identification of a horse working out.

**AMENDATORY SECTION** (Amending Rules of racing, filed 4/21/61)

**WAC 260-84-030 FINES—WHEN DUE.** All fines shall be paid to the (~~horseman's bookkeeper~~) commission secretary within forty-eight hours after imposition.

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 260-84-040 DISPOSITION.
- (2) WAC 260-84-080 DISPOSITION OF FINES—BOARD OF RELIEF.

**WSR 79-03-009**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 79-10—Filed February 14, 1979]

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 this order is necessary to implement a permanent regulation adopted following a public hearing on February 6, 1979. Immediate implementation is needed to prevent overharvest of small, local herring stocks by overlength nets.

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 February 14, 1979.

By Gordon Sandison  
Director

**NEW SECTION**

**WAC 220-49-02000 UNLAWFUL GEAR** *Notwithstanding the provisions of WAC 220-49-020, effective February 14, 1979 until further notice, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for, or possess herring for commercial purposes with any net gear which exceeds 200 feet in length, except drag seine gear (350 foot length) in Marine fish-shellfish areas 24A, 24B, 25A, 25B, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C and 28D.*

**WSR 79-03-010  
ADOPTED RULES  
DEPARTMENT OF PERSONNEL  
[Order 128—Filed February 14, 1979]**

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:

- Amd WAC 356-10-030 Positions—Allocation—Reallocation
- Amd WAC 356-10-050 Positions—Reallocation upward, incumbents
- Amd WAC 356-10-060 Allocation—((Appeals)) Request for review
- Amd WAC 356-18-060 Paid sick leave—Use

This action is taken pursuant to Notice No. WSR 79-02-016 filed with the code reviser on 1/12/79. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 46.06.150(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 February 8, 1979.  
By Leonard Nord  
Secretary

**AMENDATORY SECTION** (Amending Order 126, filed 11/15/78)

**WAC 356-10-030 POSITIONS-ALLOCATION-REALLOCATION.** (1) Position allocations or reallocations shall be based upon an investigation of duties and responsibilities assigned and/or performed 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 of Personnel 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 of Personnel.

(4) It shall be the duty of the appointing authority and/or the personnel representative to report to the Director of Personnel 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 of Personnel. This procedure will not cause undue delay in the Director of Personnel or designee reviewing the requested reclassification. Such procedures shall be reviewed and approved by the Director of Personnel or designee. Notice of changes in this procedure initiated by agencies, will be provided to exclusive bargaining representatives and a copy to the Director of Personnel.

(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 of Personnel or designee.

(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 126, filed 11/15/78)

**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 of Personnel or designee 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) Employees in positions which have been reallocated upwards based on duties performed of a higher level classification in excess of one year, shall retain status in the reallocated position and shall have their salary adjusted in accordance with the rule governing promotion, provided:
  - (a) The incumbent meets the minimum or desirable qualifications for the new class; or, the incumbent meets



acceptable qualifications as determined by the Director of Personnel or designee.

(b) The employee 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. Employees who do not achieve status in a reallocated position shall be paid for time worked in the higher class based on the rule governing promotion (up to a maximum of three years).

(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 of Personnel or designee 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. The employee's salary is adjusted in accordance with the rule governing promotion. The application of this subsection shall not be denied in those cases where the employee has performed duties at a higher class for three continuous years or more.

(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 of Personnel, the Director of Personnel, and the State Personnel Board 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 126, filed 11/15/78)

WAC 356-10-060 ALLOCATION—((APPEALS)) REQUEST FOR REVIEW. ((Position)) A review by the Director of Personnel or designee of the determination of the allocation or reallocation of a position may be ((appealed)) requested by an employee who is incumbent in the position at the time the position reallocation was requested or by the agency director as follows:

(1) ~~The written request for a ((Personnel Board hearing)) review must be filed with the Director of Personnel within 30 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 of Personnel 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 of Personnel or designee shall conduct a hearing and may investigate and obtain such information as may be deemed necessary.

(5) ~~((The Personnel 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 of Personnel 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 of Personnel or designee will enter a written determination and provide each of the participating parties with a copy.

(6) An employee or agency may request a review of the determination of the Director of Personnel or designee by the State Personnel Board. The written request for a Board review must be filed with the Director of Personnel within 30 calendar days following notification of the Director of Personnel or designee's determination and must contain the reason and basis for the review. The review by the State Personnel Board will be limited to the documents from the proceedings before the Director or designee, and the State Personnel Board, in its discretion, may schedule a hearing for argument or it may issue a decision without a hearing. Any of the above designated parties may submit or may be required to submit a written memorandum. The State Personnel Board will issue a written determination and provide each of the participating parties with a copy.

~~((6))~~ (7) Allocation or reallocation ((appeals)) reviews which result from a class-wide or broader position survey need not be heard ((by the Personnel Board))

until the Director of Personnel or designee has had a reasonable period of time to re-examine the position in question and all pertinent facts.

~~((7))~~ (8) Wherever possible, agencies shall continue employee's duties unchanged, pending an allocation decision.

**AMENDATORY SECTION** (Amending Order 84, filed 10/20/75)

**WAC 356-18-060 PAID SICK LEAVE—USE.**

(1) Personal Illness: ~~((Paid))~~ Accumulated sick leave shall be granted ~~((to the extent of accumulated credits but only))~~ when an employee is required to be absent from work for ~~((one))~~ any of the following reasons:

(a) Illness or injury of the employee or for preventative health care.

(b) Exposure of the employee to contagious disease when attendance at work would jeopardize the health of others.

(c) Disability of the employee due to pregnancy or childbirth.

~~((d))~~ (2) Illness ~~((; injury, or death))~~ of ~~((r))~~ Relatives ~~((of the employee:))~~ or Household Members: Accumulated sick ~~((E))~~ leave ~~((for this reason))~~ shall be ~~((limited))~~ granted up to five days ~~((unless))~~ for each occurrence or as extended by the ~~((appointing authority:))~~ agency when an employee is required to be absent from work for any of the following reasons:

(a) Illness, injury or preventative health care of members of the employee's household or relatives of the employee that requires the employee's attendance.

(b) For ~~((the))~~ purposes of ~~((this sub-section))~~ provisions of (2), "relatives" shall include ~~((only))~~:

~~((i))~~ (1) Spouse.

~~((ii))~~ (2) ~~((Child))~~ Son, daughter, grandchild, or foster child ~~((; son-in-law, or daughter-in-law)).~~

~~((iii))~~ (3) Grandparent ~~((;))~~ or parent ~~((; brother, sister, niece, nephew, aunt or uncle of either the employee or spouse)).~~

~~((4))~~ Other relatives residing in the employee's household:

(c) For purposes of the provisions of (2); and (3) (a) below:

Members of household means "Persons who reside in same home, who have reciprocal and natural and/or moral duties to and do provide support for one another. The term does not include persons sharing the same general house when the living style is primarily that of a dormitory or commune."

(3) Bereavement: Accumulated sick leave shall be granted up to three days for each occurrence or as extended by the agency for reasons of travel when an employee is required to be absent from work for any of the following reasons:

(a) Death of members of the employee's household or relatives of the employee or the employee's spouse.

(b) For purposes of the provisions of (3), "relatives" shall include:

(1) Spouse.

(2) Son, daughter, grandchild, foster child, son-in-law, or daughter-in-law.

(3) Grandparent, parent, brother, sister, niece, nephew, aunt, uncle, first cousin, brother-in-law, or sister-in-law.

~~((c))~~ (4) Inability of employee to report for scheduled work because of severe inclement weather. (Such use of sick leave shall be limited to three days in any calendar year and shall be used only as specified in WAC 356-18-115.)

~~((f))~~ (5) In addition to the reasons listed above, emergency care of a child in the custody of and residing in the home of an employee. (Such use of sick leave shall normally be limited to a maximum of one day per incident, and to three days in any calendar year, unless extended by the appointing authority, and shall be used only as specified in WAC 356-18-116.)

~~((2))~~ (6) When a condition listed under (1) (a), or (c) above arises while the employee is on vacation leave, the employee shall be granted accrued sick leave as provided above for the condition (in lieu of the approved vacation leave) provided that the employee requests such sick leave within fourteen days after return to work.

**WSR 79-03-011**

**PROPOSED RULES**

**DEPARTMENT OF GENERAL ADMINISTRATION**

[Filed February 15, 1979]

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 permits for parades and processions, amending WAC 236-12-440;

that such agency will at 9:00 a.m., Tuesday, April 10, 1979, in the conference room, 218 General Administration Building, Olympia, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Tuesday, April 10, 1979, in the office of the Director, 218 General Administration Bldg., Olympia.

The authority under which these rules are proposed is RCW 46.08.150.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 10, 1979, and/or orally at 9:00 a.m., Tuesday, April 10, 1979, Department of General Administration, 218 General Administration Bldg., Olympia, Washington 98504.

Dated: February 14, 1979

By: Vernon L. Barnes  
Director

**AMENDATORY SECTION** (Amending Order 78-2, filed 3/1/78)

WAC 236-12-440 PERMITS FOR DEMONSTRATIONS, PARADES, PROCESSIONS. Any person or group of persons desiring to conduct a demonstration, parade, or procession ~~((in the streets or parking areas of))~~ on the state capitol grounds shall apply to the director for written approval. Application must be made, in writing, at least four (4) days, excluding Saturdays, Sundays, and holidays, prior to the time the demonstration, parade, or procession is to take place.

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 79-03-012**  
**EMERGENCY RULES**

**DEPARTMENT OF GENERAL ADMINISTRATION**  
[Order 79-01—Filed February 15, 1979]

I, Vernon L. Barnes, director of the Department of General Administration, do promulgate and adopt at the Office of the Director, Department of General Administration, 218 General Administration Bldg., Olympia, Washington, the annexed rules relating to permits for parades and processions, amending WAC 236-12-440.

I, Vernon L. Barnes, Director of the Dept. of General Administration, 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 that there exists an urgent need to monitor the conducting of demonstrations on the state capitol grounds for purposes of regulating traffic and providing protection to the state against the occurrence of any activity which may result in property damage or personal injury.

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

This rule is promulgated pursuant to RCW 46.08.150 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 February 14, 1979.

By Vernon L. Barnes  
Director

AMENDATORY SECTION (Amending Order 78-2, filed 3/1/78.)

WAC 236-12-440 PERMITS FOR DEMONSTRATIONS, PARADES, PROCESSIONS. Any person or group of persons desiring to conduct a demonstration, parade, or processions (~~in the streets or parking areas of~~) on the state capitol grounds shall apply to the director for written approval. Application must be made, in writing, at least four (4) days, excluding Saturdays, Sundays, and holidays, prior to the time the demonstration, parade, or procession is to take place.

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 79-03-013**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 1368—Filed February 15, 1979]

I, Michael Stewart, Ex. Assist., of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd	ch. 388-24 WAC	relating to AFDC—Eligibility.
Amd	ch. 388-52 WAC	relating to services involving other agencies.
Amd	ch. 388-57 WAC	relating to employment and training—Work incentive.
Rep	WAC 388-15-230	relating to employment oriented casework.

This action is taken pursuant to Notice Nos. WSR 78-11-033 and 79-01-069 filed with the code reviser on 10/18/78 and 12/29/78. 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 February 14, 1979.

By Michael S. Stewart  
Executive Assistant

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 388-15-230 EMPLOYMENT ORIENTED CASEWORK.

AMENDATORY SECTION (Amending Order 1118, filed 5/13/76)

WAC 388-24-090 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-R AND AFDC-E—EMPLOYMENT OR TRAINING. (1) For a child to be eligible for AFDC-E his/her unemployed father, or unemployed stepfather shall:

(a) Be currently registered for employment with ((WSES)) DES as indicated in WAC 388-57-015,

(b) Show evidence of unemployment benefit status as specified in WAC 388-57-020,

(c) Accept employment or training for employment as indicated in WAC 388-57-025 and 388-57-030 unless certified to WIN.

(2) All AFDC applicants and recipients are subject to WIN registration as provided in WAC 388-24-107.

(3) A WIN registrant, unless ((he is)) a volunteer, who fails to cooperate in appraisal prior to certification shall be subject to the provisions of WAC 388-57-056.

(4) An AFDC recipient (unless a voluntary registrant) who has been certified for the work incentive

(WIN) program and who is determined by ~~((the state employment service))~~ DES to have refused employment or training or participation in the WIN program without good cause shall be subject to provisions of WAC 388-57-061.

(5) A child's eligibility is not affected by the WIN registration requirement for the parent or needy caretaker relative. ~~((See WAC 388-24-107:))~~

(6) An individual who has been determined to be exempt from registration for WIN on the basis of documented incapacity shall be referred to DVR. See also WAC 388-52-150 through 388-52-155.

~~((7) An AFDC-R applicant or recipient is not subject to WAC 388-57-015:))~~

AMENDATORY SECTION (Amending Order 1289, filed 4/24/78)

WAC 388-24-107 ELIGIBILITY CONDITIONS APPLICABLE TO AFDC-R AND AFDC-E—REGISTRATION FOR WIN. (1) As a condition of eligibility for AFDC, every individual shall register for the ~~((work incentive))~~ WIN program unless such individual is:

(a) A dependent child who is under age ~~((+6))~~ sixteen or is a dependent child who is age ~~((+6))~~ sixteen but not yet ~~((+8))~~ eighteen who is enrolled as, or has been accepted for enrollment as, a full time student for the next school term,

(b) A person who is ill, incapacitated, or ~~((65))~~ sixty-five years of age or older. Cost of a physical or psychiatric examination is authorized when the examination is to determine employability for registration or participation in the ~~((work incentive))~~ WIN program,

(i) Temporary illness or incapacity (a condition lasting not more than ninety days) provides WIN exemption only for the period of a documented condition of unemployment. Exemption terminates when the condition ceases.

(ii) Persons who have been determined to be exempt from registration on the basis of permanent incapacity shall be referred for services under the vocational rehabilitation program.

(c) A person so remote from a ~~((work incentive))~~ WIN project that his/her effective participation is precluded,

(d) A person whose presence in the home is required because of illness or incapacity of another member of the household,

(e) A mother or other needy caretaker relative of a child under the age of six who is caring for the child,

(f) A mother of an unborn child,

(g) A mother or other female caretaker of a child, if the father or another adult male relative is in the home ~~((is required to register))~~ and is not exempted by (a), (b), (c) or (d) of this subsection. This exemption shall also be terminated when the male required to register has failed ~~((to register))~~ or has ~~((been found to have))~~ refused without good cause to participate under a ~~((work incentive))~~ WIN program or accept employment.

(2) Any applicant or recipient has a right to a fair hearing to contest a determination of nonexempt status

and shall be considered as exempt until his/her status is finally determined. (See WAC 388-57-090).

~~(3) ((If an individual who is required to register for the work incentive program fails to register he shall be ineligible for assistance and his financial need shall not be taken into account in determining the requirements of the family:))~~ The requirements of any individual who fails to register as required under subsection (1) of this section shall not be taken into account in determining the requirements of the family and the amount of assistance, and assistance will be granted to the eligible members of the family.

(4) A mother or other relative of a child or unborn child under the age of six~~(:))~~ who is caring for the child~~(:))~~ shall be advised of her option to register if she so desires, and of the fact that child care will be provided if needed. Other exempted individuals may volunteer to register, subject to acceptance of such registration by ~~((employment security))~~ DES.

(5) An AFDC recipient who has been exempt from WIN registration must register within thirty days after the date the reason for his/her exemption ceases to exist.

(6) The department's income maintenance unit (IMU) shall determine which AFDC applicants/recipients are exempt from registration and which are required to register as a condition of eligibility.

AMENDATORY SECTION (Amending Order 1189, filed 2/18/77)

WAC 388-24-135 AID TO FAMILIES WITH DEPENDENT CHILDREN—UNEMPLOYED FATHER—SUMMARY OF ELIGIBILITY CONDITIONS. To be eligible for AFDC-E an applicant shall be a child:

(1) Who is deprived of parental care and support because of the unemployment of his/her father or stepfather:

(a) A father or stepfather is considered to be unemployed who:

(i) Is employed less than ~~((+100))~~ one hundred hours a month, or

(ii) Exceeds that standard for a particular month if his work is intermittent and the excess is of a temporary nature as evidenced by the fact that he was under the ~~((+100))~~ one hundred-hour standard for the two prior months and is expected to be under the standard during the next month.

(b) Deprivation due to unemployment continues until the end of the month in which the father or stepfather no longer meets the definition in subdivision (1)(a).

(c) AFDC will not be denied or terminated because of certification to the WIN program or solely because of an individual's participation in institutional and work experience training or in public service employment under the WIN program.

(2) Who is living with a natural, adoptive, or stepfather and a natural, adoptive or stepmother, except that one parent or stepparent may be temporarily absent to search for employment with the expectation of continuing to live with the family.

(3) Who meets the eligibility conditions specified in WAC 388-24-040 and ((WAC)) 388-24-090 through 388-24-125.

(4) Whose father or stepfather has been unemployed as defined in subsection (1) for at least thirty days prior to the date AFDC-E is authorized.

((~~(a)~~)) When AFDC-E is terminated due to full-time employment of the father or stepfather, no additional waiting period is required if the full-time employment ends within thirty days of termination and the individual reapplies and is found otherwise eligible for AFDC-E.

(5) Whose father or stepfather has not refused a bona fide offer of employment or training for employment or has not voluntarily left a job without good cause during the same ((~~30~~) thirty-day period. (See WAC 388-57-025 and 388-57-030).

(6)((~~(a)~~)) Whose father or stepfather verifies that he:

(a) Is registered for employment with the local ((~~SES~~)) DES office prior to the initial authorization of assistance and at the time of the periodic redetermination of eligibility as specified in WAC ((~~388-30-125~~)) 388-38-280(3)(b)(-), unless exempted by WAC 388-24-107(1)(a), (b) or (d); and

(b) In WIN areas ((~~this requirement is fulfilled by registration for WIN prior to the granting of assistance, and participation in a WIN program component at time of review~~)), fulfills all registration requirements for the WIN program at the time of authorizing assistance, and is participating in a WIN program component at the time of review unless exempted by WAC 388-24-107(1)(a), (b), (c) or (d). Participation in WIN satisfies registration for employment with the DES office.

(7) Whose father or stepfather has applied for and is accepting any unemployment compensation to which he is entitled. This requirement shall apply to recipients no later than the next regular redetermination of eligibility.

(8) Whose father or stepfather:

(a) Has had six or more quarters of work within any ((~~13~~)) thirteen-calendar quarter period ending within one year prior to the application for assistance. A "quarter of work" means a calendar quarter in which he earned income of not less than ((~~\$50~~)) fifty dollars, or in which he participated in the work incentive (WIN) program. A "calendar quarter" means a period of three consecutive calendar months ending March 31, June 30, September 30, or December 31, or

(b) Within one year prior to his application received unemployment compensation or if the employment which he had was not covered under the unemployment compensation law of the state or the United States, his earnings were such that had his employment been covered, he would have been eligible.

(9) Whose father or stepfather:

(a) In non-WIN areas is registered for and accepts on an ongoing basis employment and training services ((~~as defined in WAC 388-15-230~~)).

(b) In WIN areas is registered for and accepts the services defined in subdivision (a) of this subsection if he has not been accepted into a WIN component or status.

#### AMENDATORY SECTION (Amending Order 975, filed 10/11/74)

WAC 388-52-166 COMPREHENSIVE EMPLOYMENT AND TRAINING PROGRAM—PARTICIPATION OF RECIPIENT. (1) If ((~~the~~)) an AFDC participant is certified and assigned to the CETA program by WIN, WIN rules regarding participation requirements are applicable.

(2) If the participant is enrolled on the basis of an independent plan, or if the participation of an AFDC-E recipient is part of a local office approved training plan, WAC 388-24-090(1)(c), 388-57-025 and 388-57-030 are applicable.

(3) An AFDC-R recipient is required to participate only if assigned by WIN.

#### AMENDATORY SECTION (Amending Order 1101, filed 2/25/76)

WAC 388-57-015 UTILIZATION OF EMPLOYMENT SECURITY DEPARTMENT DES—REGISTRATION. (1) An employable applicant ((~~for or~~)) recipient of general assistance shall be currently registered for employment with ((employment security)) DES prior to granting of assistance.

(2) An AFDC-E father or stepfather shall be registered for employment as specified in WAC 388-24-135(6).

(3) An AFDC-R mandatory registrant, WAC 388-24-107, shall be registered for WIN with DES through the CSO at the time of granting of assistance. This requirement shall not affect the eligibility of the children for AFDC-R.

#### AMENDATORY SECTION (Amending Order 1101, filed 2/25/76)

WAC 388-57-025 ACCEPTANCE OF FULL OR PART-TIME EMPLOYMENT—EFFECT OF REFUSAL ON ELIGIBILITY. (1) This section ((~~does not apply~~)) applies to ((an)) all AFDC-((R))E applicants ((or)) recipients ((or to an AFDC-E recipient)) who ((is)) are not certified to the WIN program. ((This section does apply to an AFDC-E applicant father or stepfather and to an AFDC-E father or stepfather who has not been elected for WIN participation after appraisal.)) It does not apply to AFDC-R applicants/recipients.

(2) "Employment" as used in this section shall mean part-time or full-time employment for wages, in cash or in kind, equal in value to the community rate for the type of work to be performed.

(3) Refusal without good cause to accept a bona fide offer of part-time or full-time employment or to continue working when employed, or ordered to return to former employment under a Taft-Hartley injunction, by an employable applicant or recipient shall make ((him)) the person and other members of ((his)) that assistance unit ineligible for public assistance for at least ((30)) thirty days, or until ((he)) that person accepts available employment, whichever is the lesser period. If at the end of the ((30)) thirty days the employment is still available or other reasonable employment is available, another thirty days' penalty will become effective. Such

employment shall be reasonably available and within the individual's competence to perform.

(a) For an applicant, the period of ineligibility shall begin with the date of refusal,

(b) For a recipient, the period of ineligibility shall be the calendar month following expiration of the advance notice period.

(4) Full-time employment when available must be accepted. The acceptance of part-time employment when full-time work is available does not satisfy this requirement. An offer of employment shall be verified as specified in subsections (5) and (6) of this section. Subsection (4) of this section does not apply when a person with limited skills and abilities is working to the best of his ability.

(5) Written notification by the ((SES)) DES that it placed an individual in employment shall constitute verification of a job offer. The ((SES)) DES refers a person to a job only when the wage paid is not less than the prevailing community rate.

(6) If the ((SES)) DES did not refer the individual to the job, the written or verbal statement from an employer that clearly indicates that he did, in fact, offer the individual specific employment on a specific date for a specified wage shall constitute verification of a bona fide job offer. However, in agricultural or similar labor situations, a bona fide offer of employment is considered verified when there is a statement, substantiated by pertinent details in the case record, that a specific employment opportunity existed for the recipient and the recipient had knowledge of the opportunity.

(7) The following conditions when verified shall constitute good cause for refusal of an offer of employment or refusal to continue employment((:)):

(a) Physical, mental or emotional inability of the individual to satisfactorily perform the work required,

(b) Inability of the individual to get to and from the job without undue cost or hardship to him,

(c) The nature of the work would be hazardous to the individual,

(d) The wages do not meet any applicable minimum wage requirements and are not customary for such work in the community,

(e) The job is available because of a labor dispute,

(f) Adequate child care is not available to the single parent AFDC household,

(i) the recipient has the right to choose the type of child care from those available,

(ii) when only one type of child care is available, the available type must be accepted by the recipient.

AMENDATORY SECTION (Amending Order 1165, filed 10/27/76)

WAC 388-57-030 ACCEPTANCE OF TRAINING FOR EMPLOYMENT—EFFECT OF REFUSAL ON ELIGIBILITY. (1)(a) This section is applicable to an AFDC-E applicant or recipient father or stepfather who is exempt from WIN registration.

(b) This section does not apply to:

(i) An AFDC-R applicant or recipient,

(ii) An AFDC-E recipient certified to the WIN program.

(2) When employment is not available, refusal without good cause to accept a bona fide offer of training for employment which is reasonably available to an employable applicant or recipient and is within his competence to perform shall make him and other members of his assistance unit ineligible for public assistance for at least thirty days or until he accepts employment or training for employment whichever is the lesser period. If, at the end of the thirty days<sup>(1)</sup>, employment or training for employment is still available, another thirty days' penalty will become effective.

(a) For an applicant, the period of ineligibility shall begin with the date of refusal((:)).

(b) For a recipient, the period of ineligibility shall be the calendar month following expiration of the advance notice period.

AMENDATORY SECTION (Amending Order 832, filed 7/26/73)

WAC 388-57-061 REFUSAL OF TRAINING OR EMPLOYMENT UNDER WIN WITHOUT GOOD CAUSE. (1) This section does not apply to a voluntary WIN registrant who discontinues participation in the program.

(2) If and for so long as an individual certified to the ((work incentive)) WIN program has been determined by ((employment security)) DES to have refused without good cause to participate in the ((work incentive)) WIN program or to accept a bona fide offer of employment in which he/she is able to engage:

(a) If such individual is a caretaker relative receiving AFDC, ((his-her)) his/her needs shall not be taken into account in determining the family's need for assistance, and assistance in the form of protective or vendor payments will be provided;

(b) If such individual is the only dependent child in the family, assistance for the family will be terminated; and

(c) If such individual is one of several dependent children in the family, assistance for such child will be terminated and his/her needs will not be taken into account in determining the family's need for assistance.

(3) The specified sanctions in subsection (2) of this section shall not be applied during the period of ((60)) sixty days in which the individual is being provided the counseling described in WAC 388-57-062 except that in the case of the caretaker relative receiving AFDC, assistance in behalf of him/her and his/her family will be provided in the form of protective or vendor payments as described in WAC 388-33-450.

(4) In the event an individual certified to the ((work incentive)) WIN program refuses to accept employment offered to him/her by an employer, whether directly or through the employment service, the determination as to whether the offer was bona fide or there was good cause to refuse the offer will be made by ((employment security)) DES and will be binding on the department.

(5) In the event an individual certified to ((employment security)) DES should need to be referred back to the ((department)) CSO as having good cause for not continuing on a training plan or job, the ((department

shall) CSO should promptly restore the assistance payment to the individual if otherwise eligible or make other necessary payment adjustments.

AMENDATORY SECTION (Amending Order 1165, filed 10/27/76)

WAC 388-57-062 REFUSAL OF TRAINING OR EMPLOYMENT UNDER WIN WITHOUT GOOD CAUSE—COUNSELING PERIOD. (1) The department shall provide counseling for a period of up to ~~((60))~~ sixty days to a mandatory registrant who is certified to the ~~((work incentive))~~ WIN program and determined by ~~((employment security))~~ DES to have refused training or employment under the ~~((work incentive))~~ WIN program without good cause for the purpose of persuading such individual to accept appropriate training or employment.

(2) The ~~((60))~~ sixty-day counseling period shall begin on the fifth business day after:

(a) The expiration of the prescribed time period for filing a request for a hearing with ~~((employment security))~~ DES from a notice of proposed termination from the ~~((work incentive))~~ WIN program or the date the request for a hearing is dismissed.

(b) If a hearing has been held, the date of the hearing officer's written decision finding that the participant has refused or failed to accept employment or participate in a ~~((work incentive))~~ WIN program activity without good cause.

(c) Counseling may be terminated during the ~~((60))~~ sixty-day period when it becomes apparent that the counseling efforts are proving unsuccessful. A certified registrant who fails without good cause to appear for two or more counseling meetings shall be considered to have terminated the counseling.

(d) The ~~((60))~~ sixty-day counseling period shall not be provided to uncertified registrants.

(e) Certified registrants may be reaccepted into WIN at any time during counseling. Such individuals, if they subsequently refuse to participate without good cause, shall not receive another counseling period.

(3) Once a period of counseling has been provided to an individual and such individual has again been found by ~~((employment security))~~ DES to have refused training or employment under the ~~((work incentive))~~ WIN program without good cause, the department shall not provide another period of counseling.

WSR 79-03-014  
ADOPTED RULES  
DEPARTMENT OF FISHERIES  
[Order 79-11—Filed February 15, 1979]

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

This action is taken pursuant to Notice No. WSR 79-01-100 filed with the code reviser on January 3, 1979.

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 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 February 9, 1979.

By Gordon Sandison  
Director

AMENDATORY SECTION (Amending Order 810, filed 4/17/69)

WAC 220-16-025 ———BRUSH WEIR. "Brush weir" shall be defined as a stationary impounding net constructed on piling, with one lead and not to exceed two hearts, ~~((lined on the inside with brush))~~ and constructed according to specifications of the Director.

AMENDATORY SECTION (Amending order 1105, filed 12/28/73)

WAC 220-16-028 ———DIP BAG NET. "Dip Bag net" shall be defined as a section of netting distended by a rigid frame operated by a process commonly recognized as dipping. ~~((The maximum width of the frame in the Pacific Ocean commercial smelt fishery shall be 72 inches.))~~

NEW SECTION

WAC 220-16-051 DEFINITIONS——HAND LINE JIG. Hand line jig shall be defined, when relating to its use for commercial purposes, as a line or lines to which may be attached not more than three (3) hooks per line.

AMENDATORY SECTION (Amending Order 77-147, filed 12/16/77)

WAC 220-20-020 GENERAL PROVISIONS—LAWFUL AND UNLAWFUL ACTS—FOOD FISH OTHER THAN SALMON. (1) ~~((It shall be unlawful to use, operate or carry aboard any fishing vessel, bottomfish otter trawl gear having meshes measuring less than 3 inches, except that:~~

~~It shall be lawful to use otter trawl nets having a minimum mesh size of 2 inches for Pacific hake in Puget Sound Marine Fish-Shellfish Areas 24A, 24B, 26A, 26B, 26C, and 26D, and having a minimum mesh size of 2-1/2 inches for Pacific hake in the Pacific Ocean and coastal waters.~~

~~((2)))~~ It shall be unlawful to take, fish for or possess for commercial purposes any round, undressed sturgeon less than 48 inches or greater than 72 inches in length or any dressed sturgeon less than 33 inches or greater than 53 inches in length.

~~((3)))~~ (2) It shall be unlawful to take, fish for or possess for commercial purposes or possess aboard a



commercial fishing vessel for any purpose any species of halibut (*Hippoglossus*) unless permitted by the current regulations of the International Pacific Halibut Commission.

((4)) (3) It shall be unlawful to take, fish for or possess sturgeon in any of the waters of Puget Sound or tributaries thereof for commercial purposes with any type of commercial gear, and any sturgeon taken with any type of commercial gear incidental to a lawful fishery shall immediately be returned to the water unharmed.

((5)) (4) It shall be unlawful to take or fish for food fish for commercial purposes with any type of commercial gear in the waters of Shilshole Bay inland and inside a line projected in a southwesterly direction from Meadow Point to West Point.

((6)) (5) It shall be unlawful to take, fish for, or possess for commercial purposes any starry flounder less than 14 inches in length taken by any commercial gear, in all Puget Sound Marine Fish-Shellfish Areas.

((7)) (6) It shall be unlawful to harvest for commercial purposes herring eggs naturally deposited on marine vegetation or other substrate.

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

WAC 220-44-030 COASTAL BOTTOMFISH GEAR. (1) It shall be unlawful to take, fish for or possess bottomfish for commercial purposes in coastal waters with any gear except as follows:

- (a) Otter trawl and beam trawl.
- (b) Set lines.
- (c) Hand ~~((lines and jigger))~~ line jig gear.
- (d) Troll lines.
- (e) Bottomfish pots.

(2) In fishing with hand line ~~((or jigger))~~ jig gear within state waters it shall be unlawful to use more than three hooks per license with a maximum of six hooks per vessel.

(3) In fishing with set lines within state waters, it shall be unlawful to use more than three lines and more than 500 hooks per line.

(4) It shall be unlawful for the operator of set lines to leave such gear unattended unless marked as provided in WAC 220-20-010(5).

(5) It shall be unlawful to take, fish for or possess any species of shellfish taken with lawful bottomfish gear except as provided in WAC 220-52-053, 220-52-063, 220-52-066, 220-52-069, and 220-52-071.

(6) It shall be unlawful to take, fish for or possess salmon while fishing for bottomfish with troll line gear under authority of a bottomfish troll license, provided; in any coastal waters it shall be lawful to retain for commercial purposes any species of bottomfish taken with commercial salmon gear incidental to a lawful salmon fishery.

(7) It shall be unlawful to use, operate, or carry aboard any fishing vessel, otter trawl gear having meshes measuring less than 3 inches, except that it shall be lawful to use otter trawl nets having a minimum mesh size of 2-1/2 inches when fishing for Pacific hake.

(8) It shall be lawful in any coastal waters to retain for commercial purposes any species of bottomfish taken with shrimp trawl gear incidental to a lawful shrimp fishery.

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 78-11, filed 4/19/78)

WAC 220-44-040 COASTAL BOTTOMFISHING SEASONS. (1) It shall be lawful to take, fish for and possess for commercial purposes bottomfish in coastal waters taken with gear described in WAC 220-44-030 all year in Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A, and that portion of 58 within the United States 200 mile fishery conservation zone, unless otherwise provided.

(2) It shall be unlawful to possess or transport through the waters of the state, or land in any Washington State ports, any Pacific ocean perch (*Sebastes alutus*) taken from Coastal Marine Fish-Shellfish Management and Catch Reporting Areas 59, 60A, 61 and that portion of Area 58 within the United States 200 mile fishery conservation zone, in amounts in excess of 10,000 pounds or 25 percent of the total weight of fish on board, whichever is greater.

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 78-11, filed 3/20/78)

WAC 220-48-080 PUGET SOUND BOTTOMFISH GEAR. (1) It shall be unlawful to fish for bottomfish for commercial purposes in Puget Sound with any gear except as follows:

- (a) Otter trawl and beam trawl.
- (b) Set lines having not more than 500 hooks per line.
- (c) Hand ~~((lines and jigger))~~ line jig gear ~~((having not more than three hooks.))~~
- (d) Troll lines.
- (e) Drag seines not longer than 350 feet in length or containing meshes less than 1/2-inch stretch measure.
- (f) Bottomfish pots.
- (g) Set nets.

(2) In fishing with hand line ~~((or jigger))~~ jig gear, it shall be unlawful to use more than ~~((two lines at any one time))~~ three hooks per license, with a maximum of six hooks per vessel. In fishing with set lines, it shall be unlawful to use more than three lines.

(3) It shall be unlawful for the operator of set nets and set lines to leave such gear unattended unless marked as provided in WAC 220-20-010(5), and set nets shall be so marked at both ends of the net. Set nets shall have tags, issued by the Department of Fisheries, affixed to both buoys of each set net.

(4) It shall be unlawful to return any dogfish or ratfish to the water of that portion of Puget Sound Marine



Fish-Shellfish Area 25A (Discovery Bay) southerly of a line projected from Diamond Point to Cape George, which were taken by commercial bottomfish gear.

(5) It shall be unlawful to take, fish for or possess any species of shellfish, taken with lawful bottomfish gear except as provided in WAC 220-52-053, 220-52-063, 220-52-066, 220-52-069, and 220-52-071.

(6) It shall be unlawful to take, fish for or possess salmon while fishing for bottomfish with troll line gear under authority of a bottomfish troll license, provided; in any waters of Puget Sound it shall be lawful to retain for commercial purposes bottomfish taken with commercial salmon gear incidental to a lawful salmon fishery, except lingcod during closures provided in WAC 220-48-098.

(7) It shall be unlawful to use or operate otter trawl or beam trawl gear having mesh size in the codend section less than 4-1/2 inches in the waters of Puget Sound, unless otherwise provided.

(8) Subsection (7) above shall be in effect for Marine fish-shellfish Areas 27A, 27B, and 27C, December 1, 1977, and in effect for all other Marine Fish-Shellfish Areas in Puget Sound January 1, 1979.

(9) It shall be lawful to use or operate otter trawl gear having mesh size in the codend section of not less than 3 inches in Marine Fish-Shellfish Areas 28A, 28B, 28C, and 28D, during the season provided in WAC 220-48-090(4).

(10) It shall be lawful to use or operate otter trawl gear having mesh size of not less than 2 inches while fishing for Pacific hake in Marine Fish-Shellfish Areas 24A, 24B, 26A, and 26B during the seasons provided in WAC 220-48-090(1) and (2).

**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 77-147, filed 12/16/77)

WAC 220-48-100 SEASONS—OTHER BOTTOMFISH GEARS. (1) It shall be lawful to take, fish for and possess bottomfish taken with set line and bottomfish pot gear in the following Puget Sound Marine Fish-Shellfish Areas during seasons provided for hereinafter in each respective area.

Areas 27A, 27B, and 27C - April 1 through November 30.

All other areas - the entire year.

(2) It shall be lawful to take, fish for and possess bottomfish taken with troll lines((-)) and hand ((lines, and)) line jig jigger gear in the following Puget Sound Marine Fish-Shellfish Areas during seasons provided for hereinafter in each respective area:

Area 23 - the entire year.

All other Puget Sound Marine Fish-Shellfish Areas - April 1 through November 30.

(3) It shall be lawful to take, fish for and possess bottomfish with drag seine gear for commercial purposes in the following Puget Sound Marine Fish-Shellfish Areas during the seasons hereinafter designated in each respective area:

Areas 28A, 28B, 28C and 28D - January 1 through May 14

All other areas - September 15 through May 14.

AMENDATORY SECTION (Amending Order 76-148, filed 12/2/76)

WAC 220-49-020 SEASONS—LAWFUL GEAR—PURPOSES. It shall be unlawful to take, fish for or possess for commercial purposes herring, candlefish, anchovy or pilchards in Puget Sound except during lawful seasons, with lawful gear and for such purposes as provided for hereinafter in each respective fishing area:

(1) Areas 20A, 20B, 21A, and 21B.

(a) Closed March 1 through April 15 to all commercial fishing gear.

(b) Open April 16 through May 31, with purse seine, lampara, dip bag net, and gill net, except as provided in WAC 220-49-021.

(c) Open June 1 through August 31 with drag seine, purse seine, lampara, and dip bag net for bait and human consumption only.

(d) Open September 1 through February 28 with drag seine, purse seine, lampara, and dip bag net for any purposes except sac-roe.

(2) Areas 22A, 22B, and 23 - Open entire year with drag seine, purse seine, lampara, and dip bag net for human consumption or bait only.

(3) Areas 24A, 24B, 25A, 25B, 26A, 26B, 26C, 26D, 27A, 27B, 27C, 28A, 28B, 28C, and 28D - Open entire year, with drag seine, lampara, or dip bag net, for human consumption or bait only: PROVIDED That it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess herring with any net gear which exceeds 200 feet in length, except drag seine gear (350 foot length).

AMENDATORY SECTION (Amending Order 76-148, filed 12/2/76)

WAC 220-49-022 SPECIAL PROVISIONS—CLOSED AREAS. It shall be unlawful to take, fish for or possess herring, candlefish, anchovy, or pilchards for commercial purposes except with dip bag net gear from the following areas during the following closed seasons:

(1) Areas closed entire year:

(a) Waldron Island - Cowlitz Bay inside of a line from Sandy Point to Point Disney, and the small bay on the east side of the island.

(b) Stuart Island - Reid Harbor.

(c) Swinomish Channel - Waters between the highway bridge at LaConner and a line drawn across the channel at a right angle to the thread of the channel at the northeast end of the LaConner boat basin.

(2) Areas closed February 1 to April 30:

(a) Orcas Island - East Sound north of a line running due west from Cascade Bay, and West Sound.

(b) San Juan Island - Roche Harbor, Wescott Bay, and Mosquito Pass.

(c) Lopez Island - Mud Bay and Hunter Bay.

(d) Homes Harbor.

(e) Skagit Bay east of Deception Pass bridge and north of a line from Strawberry Point to Point Brown.

(f) Hood Canal south of a line true east from Hazel Point and north of a line from Triton Head to Tekui Point (including Dabob Bay and Quilcene Bay).

(g) Quartermaster Harbor.

(h) Gig Harbor.

(i) Wollochet Bay.

~~((j) Totten Inlet))~~

(3) Areas closed February 1 through March 30:

(a) Discovery Bay.

(b) Sequim Bay.

(c) Port Townsend.

(d) Kilisut Harbor.

(e) Port Gamble.

(f) Hood Canal east of a line from Ayres Point to Union.

(g) Padilla Bay south of a line from the lighted buoy at Capsante Bluff, Anacortes, to the Southeast Point of Guemes Island to William Point.

(h) Totten Inlet and Squaxin Passage south of a line from Arcadia navigation marker to Potlatch Point on Squaxin Island, and north of a line from Unsal Point on Squaxin Island to Hunter Point.

**REPEALER**

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

✓ WAC 220-16-050 Hand Line

✓ WAC 220-16-060 Jigger

**WSR 79-03-015**

**ADOPTED RULES**

**PUBLIC EMPLOYMENT  
RELATIONS COMMISSION**

[Order 79-1—Filed February 16, 1979]

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—Public employees, chapter 391-21 WAC. Specifically WAC 391-21-003, relating to port districts.

This action is taken pursuant to Notice No. WSR 79-01-018 filed with the code reviser on 12/14/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 41.58.050 and 53.18.030 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Public Employment Relations Commission as authorized in RCW 41.58.050.

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 February 9, 1979.

By Marvin L. Schurke  
Executive Director

**NEW SECTION**

**WAC 391-21-003 APPLICATION TO PORT DISTRICTS.** Portions of this chapter govern specific proceedings under chapter 53.18 RCW and other statutes relating to collective bargaining between port districts and their employees. The portions of this chapter applicable to port districts are:

(1) Procedures for representation cases, contained in WAC 391-21-100 through WAC 391-21-142.

(2) Procedures for clarification of existing bargaining units, contained in WAC 391-21-300 through WAC 391-21-322.

(3) Procedures for impasse resolution, contained in WAC 391-21-700 through WAC 391-21-708.

(4) Procedures for arbitration of disputes arising from interpretation or application of a collective bargaining agreement, contained in WAC 391-21-800 through WAC 391-21-814.

**WSR 79-03-016**

**NOTICE OF PUBLIC MEETINGS  
STATE HOSPITAL COMMISSION**

[Memorandum—February 14, 1979]

The State Hospital Commission will meet on Thursday, March 8, 1979, beginning at 9:30 a.m., at the University Tower Hotel, N.E. 45th and Brooklyn Avenue, Seattle, Washington. Hospitals scheduled for informal hearings have previously filed with the Commission their annual budget and rate requests or requests for amendments to previously approved budgets and rates. Staff findings and recommendations will be prepared and transmitted to each of the scheduled hospitals and to members of the Hospital Commission in accordance with WAC 261-40-135. Such information is on file in the Commission offices and is available for inspection.

The State Hospital Commission is also scheduled to meet on Thursday, March 22, 1979, beginning at 9:30 a.m., at the University Tower Hotel in Seattle, Washington.

**WSR 79-03-017**

**NOTICE OF PUBLIC MEETINGS  
UNIVERSITY OF WASHINGTON**

[Memorandum, Secretary—February 15, 1979]

Schedule of Regular Meetings - 1979

**RECOMMENDED ACTION**

It is recommended that the Board of Regents approve the following resolution regarding their schedule of meetings for 1979:

**RESOLUTION**

WHEREAS, the Bylaws of the Board of Regents call for regular monthly meetings, and

WHEREAS, the schedule of meetings is to be established yearly by resolution of the Board,

NOW, THEREFORE, BE IT RESOLVED that the regular meetings of the Board of Regents be held on the following dates in 1979, subject to change, providing that due notice is given by the Secretary of the Board in accordance with the Bylaws of the Board of Regents:

January 12, 1979  
 February 9, 1979  
 March 19, 1979  
 April 13, 1979  
 May 11, 1979  
 June 8, 1979  
 July 13, 1979  
 August 10, 1979  
 Sept. 14, 1979  
 Oct. 12, 1979  
 Nov. 16, 1979  
 Dec. 14, 1979

**WSR 79-03-018**  
**PROPOSED RULES**  
**WESTERN WASHINGTON UNIVERSITY**  
 [Filed February 21, 1979]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Western Washington University intends to adopt, amend, or repeal rules concerning student rights and responsibilities, amending chapter 516-20 WAC and student records, amending chapter 516-26 WAC;

that such institution will at 1 p.m., Wednesday, April 18, 1979, in the Viking Union Lounge, Western Washington University Campus, Bellingham, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:30 p.m., Thursday, May 3, 1979, in the Old Main 340, Western Washington University Campus, Bellingham, Washington.

The authority under which these rules are proposed is RCW 28B.35.120(11).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to April 18, 1979, and/or orally at 1 p.m., Wednesday, April 18, 1979, Viking Union Lounge, Western Washington University Campus, Bellingham, Washington.

Dated: February 16, 1979

By: Stuart C. Allen  
 Assistant Attorney General

**AMENDATORY SECTION** (Amending Order 76-2, filed 6/7/76)

**WAC 516-20-005 PREAMBLE.** Students of Western Washington ~~((State-College))~~ University have an obligation to fulfill the responsibilities incumbent upon all citizens, as well as the responsibilities of their particular roles within the academic community. This chapter advises the student of his rights and responsibilities while enrolled at Western Washington ~~((State-College))~~ University. The student is expected to respect academic codes and federal, state, and local laws, and to act as a responsible member of the ~~((College))~~ university community. As citizens, students enjoy the same basic rights as all members of society and are bound by the same responsibilities.

**AMENDATORY SECTION** (Amending Order 76-2, filed 6/7/76)

**WAC 516-20-010 THE ACADEMIC CODE.** Violations of the academic code of Western Washington ~~((State-College))~~ University are defined in WAC 516-20-011. Students accused of violations of the academic code shall be subject to ~~((College))~~ university judicial action. The ~~((College))~~ university and its teaching faculty shall take all reasonable steps to prevent and detect any violation of this academic code.

**AMENDATORY SECTION** (Amending Order 76-2, filed 6/7/76)

**WAC 516-20-011 ACADEMIC CODE VIOLATIONS DEFINED.** A student shall be subject to disciplinary action for the following acts of academic dishonesty:

(1) Giving unauthorized information to another student or receiving unauthorized information from another student during any type of examination or test.

(2) Obtaining or providing without authorization questions or answers relating to any examination or test prior to the time of the examination or test.

(3) Using unauthorized sources for answers during any examination or test.

(4) Engaging in any and all forms of plagiarism. Plagiarism is defined as the act of appropriating the literary composition of another, or parts or passages of another's writings, or the ideas or language of the same, and passing them off as the product of one's own mind.

(5) Engaging in any behavior which materially or substantially obstructs or disrupts teaching, research, or administrative functions necessary to assure continuation of the academic process, or any proceedings under this chapter.

(6) Submitting fraudulent admission credentials.

(7) Forgery of official university documents.

**AMENDATORY SECTION** (Amending Order 76-2, filed 6/7/76)

**WAC 516-20-015 PENALTIES FOR VIOLATION OF THE ACADEMIC CODE.** The sanctions set forth in this section are available to the ~~((College))~~ university through its judicial structure for students convicted of violating the academic code.

(1) Student(s) convicted on first offense:

(a) May be assigned a grade of F for the ~~((test))~~ work in question or for the course involved.

(b) May be required to make restitution for any and all damage to or loss of personal or ~~((College))~~ university property which is incurred as a result of the student's behavior. Restitution may include money payment to compensate for theft, damaged or destroyed property; repair or replacement of damaged or destroyed property; renovation of disturbed, cluttered, or contaminated areas.

(c) May be placed on Disciplinary Probation. This action indicates that for a specified period of time the student's continued enrollment is made conditional upon ~~((good behavior. It requires that the student demonstrate during his probationary period that he/she has learned to accept responsibility and can conform with the standards of behavior expected of all students))~~ no further violations of the code. No notation is made on the permanent academic transcript, but a record is kept on file in the Office of Student Affairs until the student graduates or permanently severs ~~((his or her))~~ his/her relationship with the ~~((College))~~ university.

(d) May be placed on Disciplinary Suspension. This action results in the withdrawal of privileges of attending the ~~((College))~~ university for a specified period of time.

(e) May lose credits earned at a former institution if he/she at the time of application for admission did not provide official transcripts of all work at such institutions.

(2) Student(s) convicted on the second offense:

(a) Shall receive a grade of F in the course involved and shall be placed on Disciplinary Probation.

(b) May be required to make restitution for any and all damage to or loss of personal or ~~((College))~~ university property which is incurred as a result of the student's behavior.

(c) May be placed on Disciplinary Suspension.

(d) May be expelled. This action results in the withdrawal of privileges of attending the ~~((College))~~ university with no promise (implied or otherwise) that the student may be reinstated to good standing at any future time.

(3) Student(s) convicted on the third offense:

(a) May be required to make restitution for any and all damage to or loss of personal or ((College)) university property which is incurred as a result of the student's behavior.

(b) Shall receive a grade of F in the course involved, shall be placed on Disciplinary Suspension, and upon return to the ((College)) university shall be placed on Disciplinary Probation for the remainder of his/her academic education.

(c) May be expelled.

~~((4)) If a student comes before the College Conduct Hearing Officer and pleads guilty, action taken must be consistent with the above guidelines and shall be subject to the following restrictions:~~

~~(a) In no case shall the College Conduct Hearing Officer impose a sanction greater than Disciplinary Probation.~~

~~(b) The sanction must be agreed to by both parties.~~

~~(c) The College Conduct Hearing Officer may refer the matter to the College Judicial Board or the Summer Quarter Judicial Board.)~~

#### AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-020 FREEDOM OF EXPRESSION. The rights of freedom of speech, petition, and assembly are fundamental to the democratic process. The Constitution of the United States guarantees these freedoms to all members of the Western Washington ((State College)) University community. The ((College)) university recognizes that it has an obligation to maintain on campus an atmosphere which allows the institution to perform the fundamental task of providing an opportunity for all members of this community to pursue further knowledge through accepted academic processes. To maintain a balance between the stated objectives of the ((College)) university and the constitutional rights of students, it is essential that demonstrations and other expressions of opinion be peaceful. Students may not materially or substantially disrupt or obstruct freedom of expression.

#### AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-030 SPEAKERS. In conformity with the traditions of free speech and free inquiry, the following rules are established to govern the appearance on campus of speakers not themselves members of the ((college)) university community:

(1) Any person may speak on the campus of Western Washington ((State College)) University when invited to do so by a member of the ((college)) university community. Normal restraints imposed by law, such as rules concerning slander, shall be observed by speakers. The appearance of an invited speaker on the campus does not constitute an endorsement, either implicitly or explicitly, of the speaker's views by the ((college's)) university's faculty, administration, student body, or Board of Trustees, and the ((college)) university does not assume any responsibility for views expressed by persons speaking on the ((college)) university campus. ~~((A person who is not a member of the college community shall not have a right to demand to be allowed to listen to an address by a person invited to speak on the college campus.))~~

(2) The scheduling of speakers shall be subject to the availability of appropriate space and the regulations currently in effect governing the use of ((college)) university facilities.

(3) Public address or audio amplification equipment may normally be used only ~~((at the free speech platform located))~~ in the Viking Union Plaza and athletic fields. Use of such equipment in other areas of the campus must be authorized by the Vice President for Student Affairs or the Vice President's designee.

(4) The right of free speech does not immunize a speaker from legal action if the substance of the speaker's remarks is found to violate the legal rights of others.

(5) The essence of the right to speak is the freedom of the speaker to make his statement, and both the speaker and the audience are entitled to proceed without being subjected to physical interference or violence. Persons deliberately engaging in acts of violence or threats of violence or in other conduct which materially or substantially disrupts the exchange of ideas on the campus of Western Washington ((State College)) University are subject to removal from the campus and/or prosecution under law.

#### AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-040 PRINTED MATERIAL. The university recognizes its obligation to protect students' freedom of expression while

at the same time minimizing the impact of visual pollution and physical damage to university property.

Affixing signs, banners, posters, or other displays to building exteriors, including walls, balconies, building exterior columns, roofs, or fixtures is not permitted with the exception of certain banners as in subsection (1) of this section. The ((College)) university shall provide sufficient bulletin boards and shall permit other methods for disseminating information such as leaflets, handbills ((and)), posters and banners, according to the following guidelines:

(1) Handbills, leaflets, posters, written statements and similar materials ~~((except those which are commercial or unlawful in character,))~~ may be distributed and/or posted, without the necessity for advance review or approval ~~((, by any member of the community of Western Washington State College)).~~ Exceptions to this policy include the banners authorized through the Viking Union reservation desk and during student body elections when exceptions will be determined by the elections board. (Banner specifications may be obtained from the Director of the Viking Union and/or Director of Housing.

Other exceptions for very special events, conferences, directional signs, etc., will be made by the Supervisor of Scheduling for academic areas; by the Housing Office for housing areas; and by the Viking Union for student activity facilities.

(2) Displays on building interiors must be confined to bulletin boards or similar areas provided for that purpose. Attaching signs or other displays to walls, doors, stairs, railings, balconies, or other interior structures causes damage and is, therefore, prohibited.

(3) The chairperson or department head may exercise the authority to control the interior of their allotted space with regard to bulletin boards and signs on doors. Boards not allocated to a specific office will be maintained through regular custodial staff activity. Handbills, leaflets, and similar materials may be distributed from any room properly scheduled for that purpose, from authorized ((public)) areas in the Viking Union, and from outdoor areas on the campus when consistent with the protection of ((college)) university property. Persons distributing handbills or similar materials ~~((and those hanging posters shall))~~ have a responsibility to prevent or avoid excessive littering. Persons hanging posters or similar materials will respect the rights of others by posting material only where space is available on bulletin boards and by exercising discretion in size and number of posters per event which appear on any one bulletin board. Specific guidelines may be obtained from the Viking Union.

~~((3))~~ (4) All ~~((handbills, posters and other similar))~~ printed materials shall indicate the name ~~((or))~~ of the person or organization ~~((or member of the college community who is))~~ sponsoring or distributing the materials. All printed material which announces a coming event or attraction shall specify the ~~((time;))~~ date ~~((, and location of the event)).~~

~~((4))~~ (5) ~~((Posters and other written))~~ All printed materials may be subject to removal if their content is libelous or primarily commercial in nature.

~~((5))~~ (6) All posters and banners advertising events must be removed by the distributing individual or group no later than ~~((three))~~ two school days after the event.

(7) Displays which are improperly posted will be removed and retained at the Viking Union until 10:00 a.m. each Monday. Materials which have not been removed two days after the event will be disposed of.

#### AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-050 PLACEMENT. The ((College)) university endorses a free and open placement and recruitment policy.

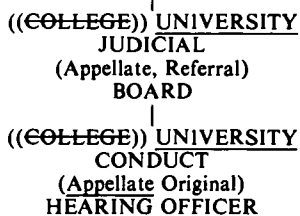
#### AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-120 IDENTIFICATION OF PERSONS ON THE CAMPUS. ((College)) University authorities have the right to seek proper identification of persons on the campus when there is reasonable cause to believe that said persons have violated federal, state, or local laws or ((College)) university rules, regulations or policies.

#### AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-137 JUDICIAL STRUCTURE. To facilitate understanding of the judicial structure established by this chapter, the following diagram is provided.

VICE PRESIDENT FOR STUDENT AFFAIRS  
OF THE ((COLLEGE)) UNIVERSITY



AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-140 ((COLLEGE)) UNIVERSITY JUDICIAL BOARD. (1) There is established a ~~((College)) university~~ Judicial Board (hereinafter "Judicial Board") which shall consist of six members: two faculty members, three students, and one member of the student affairs staff.

(2) The two faculty members of the ~~((College))~~ Judicial Board shall be appointed by the Vice President for Academic Affairs. The member of the student affairs staff on the ~~((College))~~ Judicial Board shall be appointed by the Vice President for Student Affairs. The three student members of the ~~((College))~~ Judicial Board and three alternates shall be appointed by the Western Washington ~~((State-College))~~ University Associated Students President. All appointments for each academic year shall be made during the first ~~((two))~~ four weeks of fall quarter of the academic year. The Chairperson of the ~~((College))~~ Judicial Board shall be elected by the members of the board from within ~~((the membership of the board))~~ its membership.

(3) The term of office of ~~((student))~~ members of the ~~((College))~~ Judicial Board shall be one regular academic year. If a student position on the ~~((College))~~ Judicial Board becomes vacant prior to the end of a term of office, the position shall be filled by one of the appointed alternates.

(4) ~~((The terms of office of the faculty and student affairs members of the College Judicial Board shall be one academic year.~~

~~((5))~~ The ~~((College))~~ university Judicial Board shall have authority to adjudicate and administer sanctions for violations of this chapter. Alleged violations or appeals which occur within the final two weeks of a spring quarter may be heard by the Summer Board.

AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-150 SUMMER QUARTER JUDICIAL BOARD.

(1) There shall be established a Summer Quarter Judicial Board ~~((which shall have the same jurisdiction as the College Judicial Board))~~ (hereinafter "Summer Board"). The Summer Board shall have authority to adjudicate and administer sanctions for violations of this chapter when they occur during summer quarter.

(2) The Summer ~~((Quarter-Judicial))~~ Board shall serve only during the summer quarter. Alleged violations or appeals which occur during the final two weeks of a summer quarter may be heard in the subsequent quarter by the university Judicial Board.

(3) The Summer ~~((Quarter-Judicial))~~ Board shall be composed of two students appointed by the Western Washington ~~((State-College))~~ University Associated Students' President, one faculty member appointed by the Vice President for Academic Affairs, and a member of the student affairs staff ~~((other than the College Conduct Hearing Officer))~~ appointed by the Vice President for Student Affairs.

NEW SECTION

WAC 516-20-152 UNIVERSITY CONDUCT HEARING OFFICER. (1) The University Conduct Hearing Officer (hereinafter "Hearing Officer") shall be appointed by the Vice President for Student Affairs.

(2) The University Conduct Hearing Officer shall have authority to adjudicate and administer sanctions for violations of this chapter.

(3) The Hearing Officer shall consider appeals made from decisions of faculty in cases of alleged violations of this chapter and shall have initial jurisdiction for alleged violations of the Academic Code, WAC 516-20-011(6). The Hearing Officer shall consider appeals from decisions of the Director of Admissions in cases of alleged violation of WAC 516-20-011(5).

NEW SECTION

WAC 516-20-156 JUDICIAL PROCEEDINGS. University judicial proceedings shall be instituted only for violations of the provisions of this chapter. The responsibility for interpreting the provisions of this chapter in the context of a particular case is vested in the Hearing Officer and the Judicial Board or the Summer Board. A particular act shall constitute a violation of this chapter only where a reasonable interpretation of the language of the provisions of this chapter indicates that the act is prohibited. The Hearing Officer, the Judicial Board, or the Summer Board may call upon the Committee on Student Rights and Responsibilities for an advisory interpretation of chapter 516-20 WAC—STUDENT RIGHTS AND RESPONSIBILITIES.

AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-160 ((PROCEDURES IN JUDICIAL PROCEEDINGS)) INITIATION OF JUDICIAL PROCEEDINGS. Formal judicial proceedings against a student for an alleged act of academic dishonesty may be initiated by ~~((any member of the college community by delivering to the College Conduct Hearing Officer a written statement of the charges against the student. The College Conduct Hearing Officer may choose to hear the case or refer it to the College Judicial Board. The Chairperson of the College Judicial Board or the College Conduct Hearing Officer shall notify the accused student of the statement of charges, clearly indicating which section of this Chapter the accused student is alleged to have violated and the general nature of the alleged violation))~~ the instructor responsible for the course involved.

(1) The instructor must discuss all allegations with the student within seven class days of the alleged violation. This discussion must include the nature and date of the alleged violation, all evidence associated with the incident, and the fact that the student need not give any information regarding the alleged violation.

(2) In the event it is not possible to discuss the alleged violation because of the absence of either party from campus, the instructor shall not submit a grade until he/she has had an opportunity to notify the student and discuss the matter. If the alleged violation occurs at the end of a quarter, the faculty member will notify the student of the allegation within the first fourteen school days of the subsequent quarter. The matter must be discussed between instructor and student at the earliest possible time both parties are available.

(3) If convinced that a violation of the Academic Code did occur, the instructor may invoke the appropriate sanction(s) from WAC 516-20-015 with the exception of disciplinary suspension or expulsion, in which case the instructor shall forward the case immediately to the Vice President for Student Affairs for referral to the Hearing Officer.

(4) The instructor must notify the student of his/her decision and forward to the Vice President for Student Affairs a written statement of that decision with all supporting evidence. This official statement will be retained in the Student Affairs office conduct file for the prescribed probationary period or until the student has graduated or otherwise terminated his/her association with the university.

(5) In cases of alleged disruptive behavior (WAC 516-20-011(5)), the member of the university community bringing the charge shall deliver to the Vice President for Student Affairs a written statement of charges against the student. The Vice President shall refer the case to the Hearing Officer.

AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-165 NOTICE OF HEARING. (1) The Chairperson of the ~~((College))~~ Judicial Board, Summer Board, or the ~~((College Conduct))~~ Hearing Officer may request a student formally charged with a violation of this chapter to appear before the ~~((College))~~ Judicial Board, Summer Board, or ~~((the College Conduct))~~ Hearing Officer by delivering to the student a formal notice of hearing and request to appear.

(2) The formal notice of hearing and request to appear shall state the nature of the alleged violation ~~((and)),~~ the section of the ~~((college's))~~ academic code violated, and ~~((shall indicate))~~ the time and place of the hearing.

(3) The notice of hearing and request to appear shall be sent by certified mail or hand delivered. When certified mail is used as a means of delivery, the notice will be mailed to the student at the last address on file in the Office of ~~((the Vice President for))~~ Student Affairs. If the notice is returned via the mails undelivered, the Office of Safety and Security will be charged with hand delivery and providing

proof of delivery. The accused student must receive the notice of hearing and request to appear by not later than seven ((7)) school days prior to the hearing ((before the board or judicial officer)).

**AMENDATORY SECTION** (Amending Order 76-2, filed 6/7/76)

**WAC 516-20-170 FAILURE TO APPEAR BEFORE A JUDICIAL OFFICER OR JUDICIAL BOARD.** The failure of a student(;) formally charged with a violation of this chapter(;) to appear before the ((College Conduct)) Hearing Officer, the ((College)) Judicial Board, or the Summer ((Judicial)) Board after receiving a notice of hearing and request to appear shall be prohibited from registering for subsequent quarters until such time as he/she ((appears)) does appear before the ((College Conduct)) Hearing Officer, the ((College)) Judicial Board, or the Summer ((Judicial)) Board.

**NEW SECTION**

**WAC 516-20-172 WITHDRAWAL OF STUDENT PRIOR TO COMPLETION OF PROCEEDINGS.** A student formally charged with a violation of the academic code who voluntarily withdraws from the university prior to the completion of the proceedings before the Hearing Officer or a judicial board is not excused from pending judicial action. The accused student's future registration will be held in abeyance until such time as the student arranges to be available for the completion of the judicial proceedings. Whenever a student formally charged with a violation of the academic code is required to withdraw from the university for reasons beyond the student's control prior to the completion of the proceedings before a judicial board or Hearing Officer, the proceedings shall be postponed until such time as the student re-enrolls at the university.

**AMENDATORY SECTION** (Amending Order 76-2, filed 6/7/76)

**WAC 516-20-175 PROCEEDINGS TO BE OPEN OR CLOSED.** All proceedings of the ((college's)) Hearing Officer or judicial boards shall be open to the public unless the accused student submits a written request ((to the chairperson of the board)) asking that the proceedings be closed to the public. If the accused student wishes a closed hearing, written notice requesting such shall be submitted to the Hearing Officer or chairperson of the judicial board at least ((24)) twenty-four hours in advance of the hearing.

**AMENDATORY SECTION** (Amending Order 76-2, filed 6/7/76)

**WAC 516-20-180 RIGHTS OF THE ACCUSED STUDENT.**

(1) A student accused of violating the ((college's)) university's academic code shall have the right to a fair and impartial hearing before the ((College Conduct)) university Hearing Officer, the ((College)) university Judicial Board, or the Summer Judicial Board.

(2) No student may be asked by the ((College Conduct)) Hearing Officer, the ((College)) Judicial Board, or the Summer ((Judicial)) Board to give information or to answer any question concerning an alleged violation by the student of the ((college's)) academic code unless and until the student has been informed of:

- (a) The fact that the student is suspected of having violated the ((college's)) academic code;
- (b) The provision of the ((college's)) academic code which the student is suspected of having violated;
- (c) The nature and date of the alleged violation;
- (d) The student's right not to give any information regarding the alleged violation;
- (e) The fact that the student may be accompanied by advisers of his/her choice, including legal counsel, at hearings to be held about the alleged violation.

(3) In judicial proceedings the accused student shall have the right to speak in his or her own behalf and be accompanied by advisers of his or her choice, including legal counsel. If the student intends to be represented by counsel, ((he or she)) he/she must notify the ((College Conduct)) Hearing Officer or the chairperson of the judicial board at least ((72)) seventy-two hours before the time scheduled for the hearing. The ((college)) university may be represented by legal counsel.

(4) In all judicial proceedings the ((College Conduct)) Hearing Officer, the ((College)) Judicial Board, or the Summer ((Judicial)) Board and the accused student shall have the right to call any person to speak concerning the alleged violation, subject to the rules of privilege recognized by law. The ((College Conduct)) Hearing Officer(;

the ~~College Judicial Board~~;) or ((the Summer)) Judicial Board may limit or exclude evidence which is irrelevant, immaterial, repetitious, or lacking in probative value.

(5) An accused student has the right to know who has brought the charges or allegations against the student and to cross-examine both the person(s) bringing the charges and all persons who present testimony against the student.

(6) A student shall not be subjected to ((college)) judicial action more than once for the same single violation of the ((college's)) academic code.

(7) The burden of proof in ((college)) judicial proceedings shall rest with the accuser, and a violation of the ((college's)) academic code must be proven by a fair preponderance of the evidence considered as a whole.

(8) Five of the six members of the Judicial Board and all the members of the Summer Board shall be considered a quorum (i.e., must be present in order for that board to take action). Each member of a judicial board shall have one vote in the deliberation of the board. Actions or decisions by a judicial board must be supported by a majority of the members of the board who are present at the time of the decision or action. A member of a judicial board who considers himself unable to render an impartial decision with regard to a particular case shall absent himself from the deliberations of the board with regard to that case, and may be replaced by an alternate.

**NEW SECTION**

**WAC 516-20-181 ALTERNATIVE TO JUDICIAL PROCEDURES.** (1) In cases where a clear or present danger does not exist, but where repeated disruption has occurred, and where there is question as to whether the student's mental health is such that she/he can profit from a particular university experience and the student is believed to have violated a particular university rule, regulation, or policy, the case will be referred by an Associate Dean of Students to the Vice President for Student Affairs. Before such referral is made, an Associate Dean of Students shall have attempted to assist the student through counseling or referral to other agencies. There should be written indication that such attempts at assistance have been offered and that other students or faculty or the educational mission of the university have been adversely affected by the individual's behavior.

(2) The vice president will conduct a hearing to determine whether there has been a violation of the code and what course of action should be taken. Written notification will be forwarded to the student at least seven days in advance, including time, date, and place of the hearing, the nature of the alleged violation and the section of the university's Student Rights and Responsibilities code allegedly violated. The student may bring someone to speak in his/her behalf. In the absence of such a resource, the vice president will appoint a person to assist the student before and during the hearing. This hearing is an alternative to the normal judicial procedure when it is deemed by an Associate Dean of Students that the individual is unable to participate in a judicial board hearing.

(3) The vice president will determine an appropriate course of action, based on one or a combination of the following:

- (a) Continued enrollment;
- (b) Treatment to be determined by the student with concurrence of the Vice President for Student Affairs;
- (c) Change of living environment;
- (d) Required medical leave of absence for a specified period. In event of this action, the student must provide reasonable evidence of readiness to cope with the university environment before she/he can be readmitted.

**NEW SECTION**

**WAC 516-20-182 INTERIM SUSPENSION PERMITTED.** In order to prevent danger to individuals, substantial destruction of property and significant disruption of teaching, research or administrative functions necessary to assure the continuation of the academic function, the Vice President for Student Affairs or his authorized designee may temporarily suspend a student for stated cause. In all cases the student is entitled to a hearing before the appropriate hearing officer or board as soon as such hearing can be held, but not to exceed five school days after the date of interim suspension unless the student should request an extension. During the interim suspension period the student shall be allowed on university property only to the extent deemed permissible by the Vice President for Student Affairs.

**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 76-2, filed 6/7/76)

WAC 516-20-185 DECISION BASED SOLELY ON EVIDENCE. The decision of a ((judicial)) hearing officer or judicial board shall be based solely on the evidence presented.

AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-190 NOTIFICATION OF DECISION. The ((College Conduct)) Hearing Officer or the chairperson of the judicial board shall notify an accused student in writing of the disposition of the student's case and of the student's right to appeal an adverse decision.

AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-195 RECORDS OF PROCEEDINGS. (1) A ((judicial)) hearing officer or judicial board shall make a record of each case handled. This record shall include a statement of the charges brought against the accused student, a listing of the participants or witnesses in the judicial proceedings, a summary of the evidence presented during the proceedings and a statement of the final action taken by the ((judicial)) hearing officer or judicial board. The records prepared by a ((judicial)) hearing officer or judicial board shall be delivered to the Office of the Vice President for Student Affairs.

(2) The ((College)) university shall not make the records of judicial proceedings available for inspection by any member of the public except at the written request of the student involved.

AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-200 APPEALS. (1) ((An accused student shall have a right to appeal from an adverse decision by the College Conduct Hearing Officer or a judicial board and no sanction may be invoked against the appellant while such appeal is pending:)) A student aggrieved by the decision of an instructor may appeal to the university Conduct Hearing Officer. Either party may appeal an adverse decision of the Hearing Officer to the university Judicial Board or Summer Quarter Judicial Board.

(2) ((A student aggrieved by a decision of the College Conduct Hearing Officer may appeal to the College Judicial Board or the Summer Quarter Judicial Board. A decision by the College Judicial Board or the Summer Quarter Judicial Board may be appealed to the Vice President for Student Affairs of the College:)) The appeal must be made in writing to the Vice President for Student Affairs within seven school days of receiving notice of the decision and must set forth the basis for the appeal. No sanction may be invoked against the appellant while such appeal is pending.

(3) ((An appeal of a decision by the Conduct Hearing Officer or by the College Judicial Board or Summer Quarter Judicial Board must be filed within seven (7) school days after receipt of the decision from which the appeal is taken. The appeal must be in writing and must set forth the basis for the appeal:)) Either party may appeal to the Vice President for Student Affairs from final decisions by the Judicial Board or Summer Board. Such appeal must be made in writing within seven school days of the board's decision. The Vice President for Student Affairs may uphold, overrule or modify the final board decision only if said final decision was arbitrary, capricious or beyond the scope of the board's authority.

(4) If an appeal is filed ((with the College Judicial Board, the Chairperson of the College Judicial Board)), the Hearing Officer or Judicial Board chairperson will establish a time and place for the appeal proceedings and will give appropriate notice to all individuals involved in the proceedings. The ((College)) Judicial Board or Hearing Officer shall review an appeal on the basis of the evidence presented to, and record prepared by, the ((judicial officer)) instructor or Hearing Officer from which the appeal is taken. The appellant has the right to request, as a part of ((his or her)) his/her written statement, that the appeal be either a review of the proceedings without a rehearing or a complete hearing of the evidence ((by the College Judicial Board)).

(5) If an appeal is filed with the Vice President for Student Affairs, the Vice President shall review the appeal on the basis of the evidence presented to, and the record prepared by, the Judicial Board from which the appeal is taken.

AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-210 COMMITTEE ON STUDENT RIGHTS AND RESPONSIBILITIES. (1) There is established a Committee on Student Rights and Responsibilities to be composed of four students: one appointed by Inter-Hall Council, one appointed by the President of the Associated Students, one appointed by the Associated Students' Governing Board, and one selected at large from the student body; one member of the student affairs staff appointed by the Vice President for Student Affairs; one faculty member appointed by the Faculty ((Council)) Senate; one Associate Dean of ((Student Affairs)) Students; and the Director of Safety and Security.

(2) The primary purpose of the Committee on Student Rights and Responsibilities shall be to evaluate the ((college's)) university's academic code and policies concerning student rights and responsibilities. The committee may provide interpretations or may recommend changes in policy concerning student rights and responsibilities ((and provide interpretations concerning the college's policies relating to student rights and responsibilities)).

(3) The committee shall act as appellate group for decisions by the Vice President for Student Affairs to withhold certain records from students; shall act as appellate group in accordance with WAC 516-26-260 if informal proceedings fail to resolve complaints of students; and shall provide the review and revision mechanism for recommending changes in the Student Records Policy.

AMENDATORY SECTION (Amending Order 76-2, filed 6/7/76)

WAC 516-20-215 FAIRHAVEN COLLEGE. (1) Fairhaven College, through the Fairhaven Judicial ((Board)) Subcommittee of the College Council shall have autonomy with respect to the judicial processes ((on the)) at Fairhaven ((campus)) College. ((The)) These judicial procedures ((at Fairhaven)) shall be subject to review and change by the ((Fairhaven community)) College Council and shall be established in a manner which is consistent with the ((rights of students and with the Fairhaven)) student rights and responsibilities philosophy.

(2) The Fairhaven Judicial ((Board)) Subcommittee of the College Council shall have jurisdiction over all violations of the academic code which occur on the Fairhaven campus. Violations of the academic code by Fairhaven students while on the main campus of Western Washington ((State College)) University shall be under the jurisdiction of the ((College)) University Conduct Hearing Officer and the ((College)) University Judicial Board.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 516-20-125 JUDICIAL PROCEEDINGS.
- (2) WAC 516-20-145 COLLEGE CONDUCT HEARING OFFICER.
- (3) WAC 516-20-155 JUDICIAL BOARD PROCEEDINGS.
- (4) WAC 516-20-205 WITHDRAWAL OF STUDENT PRIOR TO COMPLETION OF PROCEEDINGS.

AMENDATORY SECTION (Amending Order 76-4, filed 8/20/76)

WAC 516-26-010 PURPOSE. The purpose of this chapter is to implement Public Law 93-380, The Family Educational Rights and Privacy Act of 1974, by establishing rules and procedures to insure that information contained in student records is accurate and is handled in a responsible manner by the ((college)) university and its employees.

AMENDATORY SECTION (Amending Order 76-4, filed 8/20/76)

WAC 516-26-020 DEFINITIONS. For purposes of this chapter the following terms shall have the indicated meanings:

(1) "Student" shall mean any person who is or has been officially registered at and attending Western Washington ((State College)) University and with respect to whom the ((college)) university maintains education records or personally identifiable information.

(2)(a) "Education records" shall refer to those records, files, documents and other materials maintained by Western Washington ((State College)) University or by a person acting for Western Washington ((State College)) University which contain information directly related to a student.

(b) The term "education records" does not include the following:



(i) Records of instructional, supervisory or administrative personnel and educational personnel ancillary thereto which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person except a substitute;

(ii) If the personnel of the ((college's)) university's Department of Safety and Security do not have access to education records under WAC 516-26-080, the records and documents of the Department which are kept apart from the records described in WAC 516-26-020(2)(a), are maintained solely for law enforcement purposes, and are not made available to persons other than law enforcement officials of the same jurisdiction;

(iii) Records made and maintained by the ((college)) university in the normal course of business which relate exclusively to a person's capacity as an employee and are not available for any other purpose; or

(iv) Records concerning a student which are created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his professional or paraprofessional capacity, or assisting in that capacity, and which are created, maintained or used only in connection with the provision of treatment to the student and are not available to anyone other than persons providing such treatment, except that such records may be personally reviewed by a physician or other appropriate professional of the student's choice.

(3) "Personally identifiable information" shall refer to data or information which includes either (a) the name of a student, the student's parent, or other family member, (b) the address of the student, (c) a personal identifier, such as the student's social security number or student number, (d) a list of personal characteristics which would make it possible to identify the student with reasonable certainty, or (3) other information which would make it possible to identify the student with reasonable certainty.

(4) "Vice President for Student Affairs" shall refer to the Vice President for Student Affairs or his designee.

**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 76-4, filed 8/20/76)

WAC 516-26-030 ACCESS TO RECORDS. (1) Except as provided in WAC 516-26-035, each student at Western Washington ((State College)) University shall have access to his or her education records. The right of access shall include the right to inspect, review, and obtain copies of education records.

(2) The Vice President for Student Affairs shall prepare a list of the types of student education records which are maintained by Western Washington ((State College)) University.

(3) A student wishing access to his or her education records shall submit a written request for access to the Vice President for Student Affairs. A request for access shall be acted upon by the Vice President for Student Affairs within a reasonable period of time, not to exceed twenty days.

(4) The Vice President for Student Affairs shall provide students of the ((college)) university with an opportunity for reasonable access to education records, provided that the Vice President for Student Affairs shall be responsible for taking appropriate measures to safeguard and insure the security and privacy of the institution's records while being inspected by students.

(5) The Vice President for Student Affairs will inform in writing a student who has requested access to his or her education records of the nature of any records which are being withheld from the student on the basis of the exceptions set forth in WAC 516-26-035. A student may challenge a decision by the Vice President for Student Affairs to withhold certain of the student's records by filing an appeal with the Student ((Records)) Rights and Responsibilities Committee.

(6) This section shall not prohibit the ((College)) University Registrar from providing a student with a copy of the student's academic transcript without prior clearance from the Vice President for Student Affairs.

#### AMENDATORY SECTION (Amending Order 76-4, filed 8/20/76)

WAC 516-26-035 ACCESS TO RECORDS — LIMITATIONS ON ACCESS. (1) Western Washington ((State College)) University shall not make available to a student the following types of materials:

(a) The financial records of the student's parents or any information contained therein.

(b) Letters or statements of recommendation, evaluation or comment which were provided to the ((college)) university in confidence, either expressed or implied, prior to January 1, 1975, provided that such letters or statements shall not be used for purposes other than those for which they were originally intended.

(c) If a student has signed a waiver of the student's right of access in accordance with subsection (2) of this section, confidential records relating to the following:

(i) Admission to any educational agency or institution;

(ii) An application for employment; or

(iii) The receipt of an honor or honorary recognition.

(2) A student, or a person applying for admission to the ((college)) university may waive his or her right of access to the type of confidential records referred to in subsection (1)(c) of this section, provided that such a waiver shall apply only if the student is, upon request, notified of the names of all persons making confidential recommendations, and such recommendations are used solely for the specific purpose for which the waiver has been granted. Such a waiver may not be required as a condition for admission to, receipt of financial aid from, or receipt of other services or benefits from the ((college)) university.

(3) If any material or document in the education record of a student includes information concerning more than one student, the student shall only have the right either to inspect and review that portion of the material or document which relates to the student or to be informed of the specific information contained in that portion of the material or document.

**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 76-4, filed 8/20/76)

WAC 516-26-040 RIGHT TO COPY RECORDS. (1) The Vice President for Student Affairs shall, at the request of a student, provide the student with copies of the student's education records. The fees for providing such copies shall not exceed the actual cost to the ((college)) university of providing the copies.

(2) Official copies of transcripts from other educational institutions, such as high school or other college transcripts, will not be provided to students by the ((College)) university.

#### AMENDATORY SECTION (Amending Order 76-4, filed 8/20/76)

WAC 516-26-050 CHALLENGES—TO CONTENT OF RECORDS—TO RELEASE OF RECORDS—OR TO DENIAL OF ACCESS TO RECORDS. (1) Any student who believes that inaccurate, misleading, or otherwise inappropriate data is contained within his or her education records shall be permitted to have included within the record a written explanation by the student concerning the content of the records.

(2) A student shall have the right, in accordance with the procedures set forth in WAC 516-26-055 and 516-26-060, to:

(a) Challenge the content of education records in order to insure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the students;

(b) Have the opportunity to correct or delete inaccurate, misleading, or otherwise inappropriate data contained within education records;

(c) Challenge the release of education records to specific persons as contrary to the provisions of this chapter; and

(d) Challenge a decision by the ((college)) university to deny the student access to particular types of records.

(3) A student shall not be permitted under this chapter to challenge the validity of grades given in academic courses, except on the grounds that, as a result of clerical error, the student's records fail to accurately reflect the grades actually assigned by an instructor.



AMENDATORY SECTION (Amending Order 76-4, filed 8/20/76)

WAC 516-26-060 CHALLENGES—HEARING BEFORE STUDENT ((RECORDS)) RIGHTS AND RESPONSIBILITIES COMMITTEE. (1) If informal proceedings fail to resolve the complaint of a student, the student may file with the Vice President for Student Affairs a written request for a hearing before the Student ((Records)) Rights and Responsibilities Committee of the ((college)) university.

(2) Within a reasonable time after submission of a request for hearing, the Student ((Records)) Rights and Responsibilities Committee shall conduct a hearing concerning the student's request for corrective action.

(a) The student and the ((college)) university shall be given a full opportunity to present relevant evidence at the hearing before the Student ((Records)) Rights and Responsibilities Committee.

(3) If a student demonstrates that the release of the student's education records would be improper under this chapter, the Student ((Records)) Rights and Responsibilities Committee shall have authority to order the correction or deletion of inaccurate, misleading or otherwise inappropriate data contained in the records.

(4) If a student demonstrates that the release of the student's education records would be improper under this chapter, the Student ((Records)) Rights and Responsibilities Committee shall have authority to order that the records not be released.

(5) If a student demonstrates that the student is entitled to access to particular documents under this chapter, the Student ((Records)) Rights and Responsibilities Committee shall have authority to order that the student be permitted access to the records.

(6) The decision of the Student ((Records)) Rights and Responsibilities Committee shall be rendered in writing within a reasonable period of time after the conclusion of the hearing.

**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 76-4, filed 8/20/76)

WAC 516-26-070 RELEASE OF PERSONALLY IDENTIFIABLE INFORMATION OR EDUCATION RECORDS. Except as provided in WAC 516-26-080, 516-26-085, or 516-26-090, the ((College)) university shall not permit access to or the release of a student's education records or personally identifiable information contained therein to any person without the written consent of the student.

AMENDATORY SECTION (Amending Order 76-4, filed 8/20/76)

WAC 516-26-080 RELEASE OF PERSONALLY IDENTIFIABLE INFORMATION OR EDUCATION RECORDS—EXCEPTIONS TO CONSENT REQUIREMENTS. (1) The ((college)) university may permit the access to or release of a student's education records or personally identifiable information contained therein without the written consent of the student to the following parties:

(a) ((College)) University officials, including faculty members, when the information is required for a legitimate educational purpose within the scope of the recipient's official responsibilities with the ((college)) university and will be used only in connection with the performance of those responsibilities;

(b) Federal or state officials requiring access to education records in connection with the audit or evaluation of federally or state supported educational programs or in connection with the enforcement of federal or state legal requirements relating to such programs. In such cases the information required shall be protected by the federal or state officials in a manner which shall not permit the personal identification of students or their parents to other than those officials, and such personally identifiable data shall be destroyed when no longer needed for the purposes for which it was provided;

(c) Agencies or organizations requesting information in connection with a student's application for, or receipt of, financial aid;

(d) Organizations conducting studies for or on behalf of the ((college)) university for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction, if such studies are conducted in a manner which will not permit the personal identification of students by persons other than representatives of such organizations, and the information will be destroyed when no longer needed for the purposes for which it was provided;

(e) Accrediting organizations in order to carry out their accrediting functions; or

(f) Any person or entity authorized by judicial order or lawfully issued subpoena to receive such records or information, upon condition that the student is notified of all such orders or subpoenas in advance of compliance therewith by the ((college)) university. Any ((college)) university employee or official receiving a subpoena or judicial order for education records or personally identifiable information contained therein shall immediately notify the Assistant Attorney General representing the ((college)) university.

(2) Education records of a student or personally identifiable information contained therein which are released to third parties, with or without the consent of the student involved, shall be accompanied by a written statement indicating that the information cannot subsequently be released in a personally identifiable form to any other party without the written consent of the student involved.

(3) The ((college)) university shall maintain a record, kept with the education records of each student, indicating all parties, other than those parties specified in WAC 516-26-080(1)(a), which have requested or obtained access to the student's education records, and indicating the legitimate interest that each such party has in obtaining the records or information contained therein. This record of access shall be available only to the student, to the employees of the ((college)) university responsible for maintaining the records, and to the parties identified under WAC 516-26-080(1)(a) and (c).

**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 76-4, filed 8/20/76)

WAC 516-26-085 RELEASE OF INFORMATION IN EMERGENCIES. (1) The Vice President for Student Affairs or his designee may, without the consent of a student, release the student's education records or personally identifiable information contained therein to appropriate parties in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of the student or other persons.

(2) The following factors should be taken into consideration in determining whether records may be released under this section:

(a) The seriousness of the threat to the health or safety of the student or other persons;

(b) The need for personally identifiable information concerning the student to meet the emergency;

(c) Whether the parties to whom the records or information are released are in a position to deal with the emergency; and

(d) The extent to which time is of the essence in dealing with the emergency.

(3) If the ((College)) university, pursuant to subsection (1) of this Section, releases personally identifiable information concerning a student without the student's consent, the ((College)) university shall notify the student as soon as possible of the identity of the parties and to whom the records or information have been released and of the reasons for the release.

AMENDATORY SECTION (Amending Order 76-4, filed 8/20/76)

WAC 516-26-090 DIRECTORY INFORMATION. (1) The ((College)) university may release "directory information" concerning a student to the public unless the student ((either)) requests in writing of the Vice President for Student Affairs (, or expressly indicates on the Western Washington State College Registration Data Sheet) that the student's directory information not be released except as provided in WAC 516-26-070, 516-26-075, 516-26-080 or 516-26-085.

(2) The term "directory information" shall include information relating to the student's name, local address, telephone listing, class schedule, dates of attendance, degrees and awards received, participation in officially recognized sports, and weight and height if a member of an athletic team.

AMENDATORY SECTION (Amending Order 76-4, filed 8/20/76)

WAC 516-26-095 DESTRUCTION OF STUDENT RECORDS. Except as otherwise provided by law, the ((college)) university shall not be precluded under this chapter from destroying all or any portion of a student's education records, provided that no education record to which a student has requested access shall be removed or

destroyed by the ((college)) university prior to providing the student with the requested access.

**AMENDATORY SECTION** (Amending Order 76-4, filed 8/20/76)

**WAC 516-26-100 NOTIFICATION OF RIGHTS UNDER THIS CHAPTER.** The ((college)) university shall provide reasonable notification to students of the rights of students under this chapter.

(1) Notice will be provided to students under this section at least annually, and shall include the following:

(a) A statement of the types of education records maintained by the ((college)) university.

(b) The name and position of the employee of the ((college)) university responsible for the maintenance of each type of record, the persons who have access to those records, and the purposes for which such persons have access;

(c) A copy of the rules and procedures set forth in this chapter; and

(d) A statement concerning the cost which will be charged to a student for reproducing copies of the student's records.

**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.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

(1) WAC 516-26-065 STUDENT RECORDS COMMITTEE.

**WSR 79-03-019**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**  
 [Order 1372—Filed February 21, 1979]

I, Michael Stewart, Exec. Assist., of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to schedule of charges, amending WAC 275-16-030.

This action is taken pursuant to Notice No. WSR 79-01-070 filed with the code reviser on 12/29/78. 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 the Department of Social and Health Services as authorized in RCW 72.01.090.

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 February 21, 1979.

By Michael S. Stewart  
 Executive Assistant

**AMENDATORY SECTION** (Amending Order 1270, filed 2/17/78)

**WAC 275-16-030 SCHEDULE OF CHARGES.** ((+)) Hospitalization charges shall be due and payable on or before the tenth day of each calendar month for services rendered during the preceding month, based upon the following schedule:

**(1) COSTING AND BILLING RATES**

	Western State Hospital	Child Study and Treat- ment Center	Eastern State Hospital
<b>(a) INPATIENT SERVICES -</b>			
Per diem			
Hospital Costs	<del>((58.44))</del> <del>(\$76.12)</del> <del>(\$57.39))</del>		
	\$60.29	\$116.36	\$64.81
Physician Costs	<del>((2.00))</del>	<del>2.38</del>	<del>2.51))</del>
	2.40	1.55	2.86
<b>Total</b>	<del>((60.44))</del>	<del>78.50</del>	<del>59.98))</del>
	62.69	117.91	67.67
<b>(b) OUTPATIENT SERVICES -</b>			
Per diem			
Outpatient	—	<del>\$(67.13))</del>	—
		93.75	
Day Care	—	<del>((18.53))</del>	—
		29.11	
<b>(c) ANCILLARY SERVICES -</b>			
Per Relative Value Unit /1			
<b>Radiology:</b>			
Technical Component	<del>((3.23))</del> <del>3.23</del> <del>2.80))</del>		
	3.20	3.20	4.17
Professional Component	<del>((1.19))</del>	<del>1.19</del>	<del>.51))</del>
	1.25	1.25	.68
<b>Total Radiology</b>	<del>((4.42))</del>	<del>4.42</del>	<del>3.31))</del>
	4.45	4.45	4.85
<b>Pathology:</b>			
Technical Component	.26	.26	<del>((.09))</del>
			.27
Professional Component	.10	.10	<del>((.06))</del>
			.00
<b>Total Pathology</b>	.36	.36	<del>((.15))</del>
			.27
Medical Clinics	<del>((.83))</del> <del>.83</del> <del>.71))</del>		
	1.19	1.19	.45
Electroencephalogram	<del>((2.23))</del> <del>2.23</del> <del>1.74))</del>		
	2.38	2.38	1.57
Electrocardiogram	<del>((.16))</del>	<del>.16</del>	<del>.16))</del>
	.36	.36	.22
Inhalation Therapy	—	—	<del>((1.54))</del>
			.65
Physical Therapy	<del>((.50))</del> <del>((.50))</del>		—
	1.02	1.02	
Occupational Therapy	—	—	<del>((29.29))</del>
			28.35
Speech Therapy	—	—	<del>((2.03))</del>
			2.16
Dental	<del>((.17))</del>	<del>.17</del>	<del>21.17))</del>
	51.21	51.21	11.50
Podiatry	—	—	.75
	1.02	1.02	.81

(2) Services required by the patient that cannot be provided by hospital staff are purchased from private sources and charged at actual cost.

<sup>1</sup>/California Medical Association. "Relative Value Studies". Fifth Edition. San Francisco: 693 Sutter Publication, Inc., 1969, 135 pp.

**WSR 79-03-020**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
 [Order 1371—Filed February 21, 1979]

I, Michael Stewart, Exec. Assist., of the Department of Social and Health Services do promulgate and adopt

at Olympia, Washington, the annexed rules relating to management agreements, amending WAC 388-96-535.

This action is taken pursuant to Notice No. WSR 79-01-036 filed with the code reviser on 12/20/78. 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.

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 February 21, 1979.

By Michael S. Stewart  
Executive Assistant

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-535 MANAGEMENT AGREEMENTS. (1) If a contractor intends to enter into a management agreement with an individual or firm which will manage the nursing home as agent of the contractor, a copy of the agreement must be received by the department at least sixty days before it is to become effective. A copy of any amendment to a management agreement must also be received by the department in advance of the date it is to become effective. No management fees for periods prior to the time the department receives a copy of the applicable agreement will be allowable.

(2) Management fees will be allowed only if (a) a written management agreement both creates a principal/agent relationship between the contractor and the manager, and sets forth the items, services and activities to be provided by the manager; and (b) documentation demonstrates that the services contracted for were actually delivered.

(3) To be allowable, fees must be for necessary, non-duplicative services. Allowable fees for general management services, including the portion of a management fee which is not allocated to specific services such as accounting, are limited to (a) the maximum allowable compensation under WAC 388-96-533 of the licensed administrator and, if the facility has at least eighty set-up beds, of an assistant administrator, less (b) actual compensation received by the licensed administrator and by the assistant administrator (~~and administrator-in-training~~), if any. In computing maximum allowable compensation under WAC 388-96-533 for a facility with at least eighty set-up beds, include the maximum compensation of an assistant administrator even if no assistant administrator is employed.

(4) A management fee paid to or for the benefit of a related organization will be allowable to the extent it does not exceed either (a) the limits set out in subsection (3) of this section, or (b) the lower of the actual cost to the related organization of providing necessary services related to patient care under the agreement, or the cost of comparable services purchased elsewhere.

WSR 79-03-021  
ADOPTED RULES  
DEPARTMENT OF  
SOCIAL AND HEALTH SERVICES  
(Public Assistance)

[Order 1370—Filed February 21, 1979]

I, Michael Stewart, Exec. Assist., of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to nursing home accounting and reimbursement system, amending chapter 388-96 WAC.

This action is taken pursuant to Notice No. WSR 79-01-008 filed with the code reviser on 12/11/78. 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.

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 February 21, 1979.

By Michael S. Stewart  
Executive Assistant

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-101 REPORTS. (1) In order for a contractor to receive payments under the cost-related reimbursement system for providing care to medical care recipients, an annual report (~~and a semiannual report~~) based on the contractor's fiscal year, and four quarterly reports based on the calendar year, shall be submitted to the department.

(2) Each contractor shall submit an annual report covering the period from the beginning of its fiscal year in 1977 through December 31, 1977. For contractors with fiscal year-ends other than December 31, this report will replace an annual (~~or semiannual~~) report, in accordance with a revised schedule and instructions issued by the department.

(3) By December 31, 1979, each contractor's fiscal year for federal tax and cost reporting purposes shall coincide with the calendar year.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-104 DUE DATES FOR REPORTS.

(1) Quarterly reports shall be submitted within thirty days after the end of each calendar quarter.

(2) (~~Semiannual reports shall be submitted within ninety days after the end of the sixth month of the contractor's fiscal year.~~)

(3) Annual reports covering the complete fiscal year shall be submitted within ninety days after the end of the fiscal year.

AMENDATORY SECTION (Amending Order 1262, filed 12/30/77)

WAC 388-96-122 AMENDMENTS TO REPORTS. An amendment to an annual report shall be filed if significant errors or omissions are discovered prior to the commencement of the department's field audit. (~~An amendment to a semiannual report shall be filed if significant errors or omissions are discovered prior to the end of the fiscal year.~~) Errors or omissions shall be deemed "significant" if they would mean a net difference of two cents or more per patient day or one thousand dollars or more in reported costs, whichever is higher, in any cost area. To file an amendment, only those pages on which changes will appear need to be filed, together with the certification required by WAC 388-96-117. Adjustments to reimbursement rates resulting from an amended report will be made in accordance with WAC 388-96-769.

**WSR 79-03-022**  
**PROPOSED RULES**  
**OFFICE OF FINANCIAL MANAGEMENT**  
[Filed February 21, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 43.03.050-060, that the Office of Financial Management intends to adopt, amend, or repeal rules concerning state travel regulations, amending WAC 82-28-010, 82-28-040, 82-28-050, 82-28-06001, 82-28-080, 82-28-130, 82-28-190 and 82-28-230;

that such agency will at 9:00 a.m., Thursday, March 1, 1979, in the Large Conference Room, General Administration Bldg., Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Thursday, March 1, 1979, in the Large Conference Room, General Administration Bldg., Olympia, Washington.

The authority under which these rules are proposed is RCW 43.03.050 and 43.03.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to March 1, 1979, and/or orally at 9:00 a.m., Thursday, March 1, 1979, Large Conference Room, General Administration Bldg., Olympia, Washington.

This notice is connected to and continues the matter noticed in Notice No. WSR 79-01-091 filed with the code reviser's office on January 3, 1979.

Dated: February 21, 1979  
By: Orin C. Smith  
by Gerald L. Sorte  
Deputy Director

**WSR 79-03-023**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**LABOR AND INDUSTRIES**  
**(Apprenticeship and Training Council)**  
[Order 79-3—Filed February 22, 1979]

Be it resolved by the Washington State Apprenticeship and Training Council acting at Richland, Washington, that it does promulgate and adopt the annexed rules relating to Council meetings—When held—Notice—Who may attend—Quorum, incorporating provisions for resolving a tie vote situation, amending WAC 296-04-040.

This action is taken pursuant to Notice No. WSR 78-12-076 filed with the code reviser on 12/5/78. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 49.04.010 which directs that the Washington State Apprenticeship and Training Council has authority to implement the provisions of the Washington State Apprenticeship Act, chapter 49.04 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 January 18, 1979.  
By Hideo Naganawa  
Chairman

AMENDATORY SECTION (Amending Order No. 72-8, filed June 8, 1972)

WAC 296-04-040 COUNCIL MEETINGS—WHEN HELD—NOTICE—WHO MAY ATTEND—QUORUM. Council meetings shall be of two kinds—regular and special meetings.

(1) Regular Meetings. Regular meetings of the Council shall be held at least quarterly during each year on the third Thursday and Friday of the months of January, April, July and October. Such regular meetings shall be held at such locations within the State of Washington which in the opinion of the Council will best promote the purposes of the Washington State Apprenticeship and Training Act. All meetings of the Council shall be open to the general public, and all actions, transaction of official business of the Council, collective decision, commitment or promise, and all collective discussion, acquisition and exchange of facts in the course of deliberation prior to any action of the Council shall only be made in meetings open to the public consistent with the provisions of the Open Public Meetings Act of 1971 (Chapter 250, Laws of the First Extraordinary Session of 1971) and Chapter 34.04 RCW. No member of the general public will be required as a condition upon attending any Council meeting to register his name or give any other information or to fulfill any condition precedent to his attendance at Council meetings. Notice of such meetings shall be given to all approved committees and may be given to any persons, organizations, or

agencies at the direction of the Council, or any member thereof, and in addition shall be given to any newspaper, news service, television or radio station which has requested to be notified of Council meetings. Committee programs, plant programs, or amendments thereto, may be approved or disapproved only at regular meetings.

(2) **Special Meetings.** Special meetings of the Council may be called by the Chairman or by majority of the Council members by delivering personally or by mail written notice to each member of the Council and all approved joint apprenticeship and training committees and to each newspaper of general circulation, television or radio station which has on file with the Council or the Supervisor a request to be notified of such special meeting of the Council, which shall be ineffective unless it sets forth the date, time and location of the meeting, and specifies the business to be transacted by the Council at such special meeting. Final disposition may not be made of any matter at such special meeting other than specified in the notice of such special meeting. Special meetings shall be open to the general public to the same extent as the quarterly regular meetings of the Council. Notice of special meetings must be delivered personally or by mail at least twenty-four hours before the time specified in the notice of such special meeting, except in the case of rule changes pursuant to chapter 34.04 RCW which must be at least 20 days before the time specified in the notice.

(3) **Notice of Council Meetings.** Notice of each quarterly regular meeting of the Council shall be given to all Council members by the Supervisor at least 20 days before the date set for the meeting and in addition shall give notice to such other persons and organizations as specified in subsection (1) of this section.

(4) **Notice of Special Meetings of the Apprenticeship Council.** Notice of special meetings of the Council may be given by the Supervisor at the request of the Chairman or the majority of the members of the Council in the manner and form specified in subsection (2) of this section. If such notices are not given, no action taken by the Council shall be effective at such meetings unless each regular Council member at such meeting, or prior thereto, gives a written waiver of notice of such meeting to be filed by the Supervisor and the notice shall be deemed to be waived by any member who is present at the meeting at the time it convenes. **PROVIDED,** That rule change may not be made at such special meeting unless the requirements of Chapter 34.04 RCW have been complied with.

(5) **Submission of Petitions or Requests.** The Council will not act upon any petition or request which is addressed to the Council unless such a petition or request is submitted in writing to the Supervisor at least 30 days prior to the date of such quarterly regular meeting, and any petitions or requests not submitted 30 days prior to such quarterly meeting shall be deferred to the next quarterly regular meeting of the Council and the petitioner shall be so notified by the Supervisor.

(6) Tie Vote. When a tie vote occurs on an issue before the Council, the impasse will be resolved by the following procedure:

(a) The Chairman, Vice Chairman, and Supervisor (Assistant Director for Apprenticeship) shall meet and develop a recommendation to resolve the issue, reporting the outcome of such meeting to the Council prior to adjournment.

(b) If the issue remains unresolved, the Council shall instruct the Supervisor (Assistant Director for Apprenticeship) to request the intervention of the Director of the Department of Labor and Industries. If, in the opinion of the Director, the issue warrants his intervention, the Director shall review the matter and submit to the Council a recommended resolution for consideration at a special meeting or the next regular meeting, at which time the Council shall resolve the issue.

~~(6)~~ (7) **Quorum.** Two-thirds of the Council members entitled to vote shall be considered a quorum.

**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 79-03-024

#### EMERGENCY RULES

#### DEPARTMENT OF FISHERIES

[Order 79-12—Filed February 22, 1979]

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 the protective areas in WAC 220-32-036 are principally for fall chinook. Since spring chinook do not tend to concentrate off these river mouths, these areas can be fished without harming spawning escapement.

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 February 22, 1979.

By Gordon Sandison  
Director

NEW SECTION

WAC 220-32-03600B CLOSED AREAS, SALMON - RIVER MOUTHS Notwithstanding the provisions of WAC 220-32-036, it shall be lawful during lawful seasons in Columbia River Salmon Management and Catch Reporting Area 1C, to take, fish for and possess, for commercial purposes, salmon, with gillnet gear from the following waters:

- a. Cowlitz River downstream of the boundary markers approximately 1/2 mile downstream of the lowermost railroad bridge.
- b. Kalama River downstream of the boundary markers located near the outermost uplands of the mouth.
- c. Lewis River downstream of a line projected from a fishing boundary marker at Austin Point, through the Warrior Rock Range from the south, across the Lewis River to a fishing boundary marker on the opposite shore.

**WSR 79-03-025**  
**ADOPTED RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 79-13—Filed February 22, 1979]

I, Gordon Sandison, director of state Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to vessel buy back program.

This action is taken pursuant to Notice No. WSR 79-01-039 filed with the code reviser on 12/21/78. 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 February 9, 1979.

By Gordon Sandison  
Director

AMENDATORY SECTION (Amending Order 76-26, filed 4/20/76)

WAC 220-95-010 APPLICATION TO SELL—QUALIFICATION. (1) All persons desiring to offer to sell qualified commercial salmon fishing vessels, equipment, gear, nets, and/or licenses and permits to the Washington State Department of Fisheries Gear Reduction Program shall complete, and submit, a notarized Application for Survey of Commercial Salmon Fishing Vessel on a form supplied by the department. Said application shall be submitted to the Program's Manager and shall contain at least the following information in full:

- (a) Applicant's name, address, phone number, and date of birth.

(b) Description of the vessel, equipment, gear and of the title to same.

(c) Description of all current appropriate Washington commercial fishing licenses and delivery permits issued to the applicant and to the vessel.

(d) List of all claims against the vessel.

(e) Description of the vessel's insurance coverage.

(2) No vessel may be offered for sale to, or purchased by, the department unless it is currently licensed to fish or deliver fish within ~~((the case area))~~ Washington and unless the vessel is qualified pursuant to the terms of RCW 75.28.455 and 75.28.510.

AMENDATORY SECTION (Amending Order 76-98, filed 9/22/76)

WAC 220-95-015 SURVEY—VESSEL—GEAR—LICENSE—PERMIT.

(1) Each vessel and appurtenant equipment and gear other than gill nets for which an Application for Survey of Commercial Salmon Fishing Vessel is properly received shall be independently surveyed by two qualified marine surveyors appointed by the department to determine the current fair market value. The owner of each vessel, or his representative, shall be in attendance during each survey. The results of the surveys shall be confidential and shall at all times remain the property of the department; except that vessel surveys may be viewed by the vessel owner at the time the computed price is communicated to the applicant in writing but no copies of such surveys shall be made.

(2) The owner of each qualified vessel utilizing gill net gear may offer to sell no more than two gill nets together with the vessel provided that such nets shall each be suitable for use in a fishery for a different species of salmon, shall be no less than 100, nor more than 300, fathoms in length, and shall be suitable for immediate use in a gill net fishery. The owner of each gill net offered for sale shall complete and submit to the Program's Manager a notarized description of each net on a form supplied by the department.

(3) If the difference between the values received by the Program's Manager from the two surveyors is more than 20% of the lesser of the two surveyed values, the vessel and appurtenant equipment and gear other than gill nets shall be promptly surveyed by a third qualified marine surveyor appointed by the department to determine current fair market value. The owner of each vessel, or his representative, shall be in attendance during such third survey. The results of the third survey shall be confidential and shall at all times remain the property of the department; except that such third survey may be viewed by the vessel owner at the time the recomputed price is communicated to the applicant in writing but no copies of such surveys shall be made.

(4) Each license or delivery permit shall be valued by the department at ~~((the original cost of each such license or permit))~~ fair market value following consultation with Advisory Board established pursuant to RCW 75.28.530.

**WSR 79-03-026**  
**EMERGENCY RULES**  
**EDMONDS-EVERETT**  
**COMMUNITY COLLEGES**

[Order 79-2-2, Resolution 79-2-2—Filed February 23, 1979]

Be it resolved by the board of trustees of the Washington State Community College District V, acting at the District Office, Board Room, Paine Field, that it does promulgate and adopt the annexed rules relating to faculty tenure, dismissal and reduction in force, chapters 132E-128 and 132E-129 WAC.

We, 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 collective bargaining agreement expired 12/15/78. The board adopted policy regarding tenure, dismissal and reduction-in-force as required by statutes to assure continued ability to manage the personnel affairs of the district. Subsequently, on February 15, 1979 the board ratified a new collective bargaining agreement which of necessity is effective immediately.

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

This rule is promulgated pursuant to RCW 28B.50-.030, 28B.50.140(13) and 28B.50.852 which directs that the Washington State Community College District V has authority to implement the provisions of RCW 28B-.52.030, 28B.50.140(13) and 28B.50.852.

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 February 15, 1979.

By John T. Moss  
Interim Chancellor

**REPEALER**

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

- (1) WAC 132E-128-010 TENURE - PURPOSE.
- (2) WAC 132E-128-020 TENURE - DEFINITIONS
- (3) WAC 132E-128-030 TENURE - APPOINTMENT REVIEW COMMITTEES - PURPOSE OF THE COMMITTEES AND SELECTION OF MEMBERSHIP.
- (4) WAC 132E-128-040 TENURE - APPOINTMENT REVIEW COMMITTEES - DUTIES AND RESPONSIBILITIES.
- (5) WAC 132E-128-050 TENURE - APPOINTMENT REVIEW COMMITTEES - OPERATING PROCEDURES.

(6) WAC 132E-128-060 TENURE - AUTHORITY OF THE BOARD OF TRUSTEES.

(7) WAC 132E-128-070 TENURE - RIGHTS AND REASONABLE EXPECTATIONS OF THE PROBATIONER.

(8) WAC 132E-128-080 DISMISSAL OF TENURED AND PROBATIONARY FACULTY MEMBERS.

(9) WAC 132E-128-090 RIGHTS OF TRANSFEREES.

**NEW SECTION**

**WAC 132E-128-001 TENURE AND DISMISSAL.** *It is the policy of the Board of Trustees of Washington Community College District V that all matters relating to tenure and dismissal of academic employees shall be governed by the laws of the State of Washington and the terms of the negotiated agreement between the Board and the duly elected academic employee bargaining agent as contained in that agreement.*

**REPEALER**

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

- (1) WAC 132E-129-010 OBJECTIVE AND DEFINITION.
- (2) WAC 132E-129-020 PROCEDURES FOR DETERMINING THE NECESSITY.
- (3) WAC 132E-129-030 LAY-OFF UNITS.
- (4) WAC 132E-129-040 SENIORITY.
- (5) WAC 132E-129-050 IMPLEMENTATION OF REDUCTION-IN-FORCE.
- (6) WAC 132E-129-060 RIGHTS OF LAID OFF ACADEMIC EMPLOYEES.
- (7) WAC 132E-129-070 SPECIAL PROVISIONS.

**NEW SECTION**

**WAC 132E-129-001 REDUCTION-IN-FORCE.** *It is the policy of the Board of Trustees of Washington Community College District V that all matters relating to reduction-in-force of academic employees shall be governed by the laws of the State of Washington and the terms of the negotiated agreement between the Board and the duly elected academic employee bargaining agent as contained in that agreement.*

**WSR 79-03-027**  
**PROPOSED RULES**  
**BOARD OF HEALTH**  
 [Filed February 23, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State

Board of Health intends to adopt, amend, or repeal rules concerning:

- Amd WAC 248-18-110 Emergency light and power in existing hospitals.
- Amd WAC 248-18-160 Laundry in existing hospitals.
- Amd WAC 248-18-270 Use of medical gases, combustible anesthetics in existing hospitals.
- Amd WAC 248-18-200 Oxygen in existing hospitals.
- New WAC 248-18-315 Respiratory care services in existing hospitals;

that such agency will at 9:00 a.m., Wednesday, March 14, 1979, in the Pasco-Franklin County PUD Auditorium, 1411 W. Clark, Pasco, 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, March 14, 1979, in the Pasco-Franklin County PUD Auditorium, 1411 W. Clark, Pasco, WA.

The authority under which these rules are proposed is RCW 70.41.030.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to March 14, 1979, and/or orally at 9:00 a.m., Wednesday, March 14, 1979, Pasco-Franklin County PUD Auditorium, 1411 W. Clark, Pasco, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 79-01-094 filed with the code reviser's office on 1/3/79.

Dated: February 14, 1979

By: John A. Beare, M.D.

Secretary

**WSR 79-03-028**

**PROPOSED RULES**

**HIGHLINE COMMUNITY COLLEGE**

[Filed February 26, 1979]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Highline Community College intends to adopt, amend, or repeal rules concerning Bylaws of the Board of Trustees, chapter 1321-104 WAC, amending 1321-104-060 dealing with meetings of the Board of Trustees;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Thursday, April 19, 1979, in the Board Room of the Library, Highline Community College, Midway, Washington.

The authority under which these rules are proposed is chapter 28B.19 RCW and 28B.50.140(29).

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to April 5, 1979, and/or orally at 9:00 a.m., Thursday, April 5, 1979, Vice President's Office, Administration Building, Highline Community College.

Dated: February 22, 1979

By: Edward M. Command

Vice President

Chapter 1321-104

**BYLAWS OF THE BOARD OF TRUSTEES**

AMENDATORY SECTION

WAC 1321-104-060 MEETINGS OF THE BOARD OF TRUSTEES. The Board of trustees shall hold one regular meeting each month except during the month of August.

(1) Time of regular meeting: The regular monthly meeting shall be held on the third Thursday of each month, commencing at 8:30 a.m. with a study session. The action session will commence at 10:00 a.m. Regular meetings may be cancelled with consent of the majority of the Board.

(2) Place of regular meeting: The study session shall be held in the ((Board)) Conference Room of the Administration Building. All other meetings, both regular and special, shall be held in the ((Gold Room of the Performing Arts Center; provided, however, that)) Board Room of the Library: PROVIDED, That, the place of the meeting may be changed to such location as the Chairman may direct and 24 hours written notice of the change of place of the meeting shall be given to each member of the Board.

(3) Special meeting: Special meetings of the Board may be convened by the Chairman, provided written notice of such meeting is given to each individual Trustee at least 24 hours prior to a special meeting unless notice be waived in writing or by actual attendance at the meeting. Such notice shall specify the date, time, and place of the special meeting and the business to be transacted.

(4) Executive sessions: The Board may convene executive sessions whenever it is deemed necessary in the interest of the College for the purpose of discussing matters or items for which Executive Sessions are authorized in Chapter 42.30 RCW as it now exists or amended hereafter.

**WSR 79-03-029**

**ADOPTED RULES**

**HIGHER EDUCATION PERSONNEL BOARD**

[Order 71—Filed February 27, 1979]

Be it resolved by the Higher Education Personnel Board, acting at Clark College, Vancouver, Washington, that it does promulgate and adopt the annexed rules relating to:

- Amd WAC 251-10-030 Layoff.
- Amd WAC 251-12-600 Remedial action.
- Amd WAC 251-18-020 Examination notice—Publicity—Duration.
- Amd WAC 251-18-200 Eligible lists—Removal of name—Notification.
- Amd WAC 251-18-380 Appointment—Instructional year.
- Amd WAC 251-18-420 Appointment—Conversion of exempt position.
- Amd WAC 251-22-060 Annual leave—Accrual.

This action is taken pursuant to Notice No. WSR 79-01-092 filed with the code reviser on 1/3/79. Such rules shall take effect at a later date, such date being 4/2/79.

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 February 22, 1979.

By Douglas E. Sayan  
Director



AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

✓ WAC 251-10-030 LAYOFF. (1) An appointing authority may separate or reduce the number of working hours or the work year of an employee without prejudice because of lack of funds, curtailment of work, or good faith reorganization for efficiency reasons.

(2) Each institution shall develop for approval by the director a layoff procedure based upon layoff seniority as defined in WAC 251-04-020, to include as a minimum:

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

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

(3) A permanent status employee scheduled for layoff shall receive written notice of any available options in lieu of layoff as provided in subsections (5) and (6) of this section. The employee shall be given no less than three working days to select an option, if available, or to elect to be laid off and/or be placed on the appropriate institution-wide layoff list(s).

(4) Written notice of at least fifteen calendar days must be given to the employee after he/she has selected one of the options or upon completion of the option period.

(5) Within the layoff unit, a permanent status employee scheduled for layoff shall be offered employment options to comparable position(s), as determined by the personnel officer, in:

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

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

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

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

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

- (i) At the same level or lower than the class from which the employee is being laid off; and
- (ii) Vacant or held by a provisional, temporary, or probationary employee; and
- (iii) In a class for which the employee being laid off meets the minimum qualifications and can pass the appropriate qualifying examination.

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

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

(d) Employees appointed to positions through provisions of this subsection (6) will be required to serve a trial service period.

(7) In order to be offered a layoff option or return from layoff to a position for which selective certification as identified in WAC 251-18-250(1)(a) has been authorized by the personnel officer, the employee must possess the required prerequisite skill(s) called for in the selective certification.

(8) In a layoff action involving a position for which a particular sex is a bonafide occupational requirement, as approved by the Washington State Human Rights Commission, the most senior employee meeting the occupational requirements may be retained in the position over more senior employees in such class who do not meet the occupational requirement.

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

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

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

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

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

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

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

✓ WAC 251-12-600 REMEDIAL ACTION. When it has been determined that an individual has served six consecutive months in an institution in a position subject to the civil service but whose appointment by the institution has not been in accordance with the provisions of these rules, and the employee was not a party to the willful disregard of the rules, the director may take such appropriate action as to confer permanent status, set provision for salary maintenance, establish appropriate seniority, determine accrual of benefits, and such other actions as may be determined appropriate pursuant to the best standards of personnel administration. The order of the director shall be final and binding unless exceptions to the order, as provided in WAC 251-12-085(a) through (e), are filed with the board within thirty calendar days of the date of service of the order. The board will review the exceptions and may hold a hearing prior to modifying or affirming the director's order.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-18-020 EXAMINATION NOTICE—PUBLICITY—DURATION. (1) The personnel officer is responsible for determining when to open an eligible list and conduct examinations. Each personnel officer shall develop and maintain on file a procedure by which employees who have indicated an interest in promotion through the established procedure are made aware of promotional opportunities within the organizational unit.

(2) Public notice of examinations to establish eligible lists shall be made via recruitment bulletin (~~(board posting,)~~) for the duration of the announcement(;) and such other publicity as the personnel officer deems warranted in the interest of attracting adequate numbers of qualified applicants. The minimum period for posting (~~(employment)~~) recruitment bulletins will be seven calendar days(;-); for an open competitive posting(;-) the personnel officer may authorize a shorter minimum posting period. The personnel officer may extend the duration of a posting as required by giving public notice in the same manner as the original notice.

(3) Examination notices are of two types:

(a) Those having definite duration; and

(b) Those having indefinite duration during which application may be made. Prior to closing a notice published for an indefinite period, public notice of at least three calendar days shall be given. Such notice may take either of the following forms:

(i) Public notice given in the same manner as the original notice; or

(ii) A statement on the bulletin board posting that when sufficient applications are received, the application period may be closed upon three days prior notice.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-18-200 ELIGIBLE LISTS—REMOVAL OF NAME—NOTIFICATION. (1) The name of an eligible may be removed from an eligible list by the personnel officer for good and sufficient reason. Whenever any person's name is removed from an eligible list he/she shall be notified of the specific reasons for such removal and advised of the right (~~(of appeal per WAC 251-18-115)~~) to request a review by the personnel officer per subsection (2) of this section; except in instances where the eligible:

(a) Has requested removal from the list in writing;

(b) Has failed to respond within ten calendar days to a written inquiry or within three calendar days to a telegraphed inquiry from the personnel office relative to availability for appointment;

(c) Has failed to notify the personnel office of changes of address; or

(d) Is an open competitive candidate and has been removed from an eligible list due to expiration of eligibility.

(2) Such person may, within five working days of notification, make a written request to the personnel officer

for restoration to such eligible list for the duration of eligibility. The personnel officer, after full consideration of the request, may restore the name to the eligible list, or refuse to do so. The person shall be notified of the personnel officer's action and of the right of appeal per WAC 251-18-115.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

WAC 251-18-380 APPOINTMENT—INSTRUCTIONAL YEAR. (1) Positions established for periods coinciding with the instructional year of the institution are to be filled in accord with chapter 251-18 WAC.

(2) Employees occupying such positions may be placed on leave of absence without pay by the appointing authority for the scheduled vacation periods coinciding with the instructional year. Such leave of absence does not constitute a break in service and shall not be deducted from the employees' length of service in granting periodic increments except as provided in WAC 251-08-100(3)(f), nor in computing the employee's annual leave accrual rate.

(3) The personnel officer will maintain position rosters indicating all extended instructional year positions within the layoff unit which will become available to instructional year employees during the scheduled vacation period, and will maintain a seniority listing of eligible employees. The personnel officer will post the rosters by April 1 of each year. Eligible employees will have fifteen calendar days after the posting to indicate their availability for the positions.

(4) Within the layoff unit, extended instructional year positions filled during the scheduled vacation period will be filled by instructional year employees having the greatest institutional seniority.

(5) (~~(A permanent employee in an instructional year position may file a written request with the personnel office for appointment to vacant twelve-month positions through))~~ Transfers for instructional year employees will be handled in accord with the institution's transfer procedure as provided in WAC 251-18-346.

AMENDATORY SECTION (Amending Order 64, filed 12/23/77)

WAC 251-18-420 APPOINTMENT—CONVERSION OF EXEMPT POSITION. (1) Incumbents of positions which are converted from exempt to classified service for the following reasons may be placed within the classified service as provided in subsections (2) through (9) of this section:

(a) When it has been determined that the exempt position does not meet the criteria for exemption per WAC 251-04-040(1), (3), (4) or (5) and thus is inappropriately exempt;

(b) When an organizational realignment has caused the exempt position to become inappropriately exempt by no longer meeting the criteria for exemption per WAC 251-04-040(1), (3), (4) or (5); or

(c) When an institution elects to ((convert)) convert a position which has been exempt per the provisions of WAC 251-04-040(5).

(2) An incumbent whose position is converted as indicated in subsection (1)(c) of this section must have served a minimum of one year in the position being converted in order to be subject to the provisions of this section.

(3) The incumbent shall not be required to pass a qualifying examination or meet the minimum qualifications for entry into the class.

(4) The incumbent shall enter the classified position with permanent status unless he/she has been employed less than six months in the exempt position being converted, in which case he/she shall hold probationary status until a total of six months has been served.

(5) The incumbent shall be placed at the first step within the salary range or range extension which is not less than the current exempt salary.

(6) The periodic increment date shall be established ((as)) based on the date of conversion to the classified service or the date of last salary increase, whichever is sooner. Those employees at or above the top step of the new range shall not be assigned a P.I.D.

(7) The incumbent shall be credited with unused accrued sick leave on the books at the time of conversion and shall continue to accrue at the rate of one day per month as provided in WAC 251-22-100.

(8) The incumbent shall be credited with unused accrued annual leave on the books at the time of conversion and shall accrue at the same rate as for classified employees as provided in WAC 251-22-060.

(9) Layoff seniority for the incumbent shall be established based upon unbroken service at the institution.

AMENDATORY SECTION (Amending Order 61, filed 8/30/77)

✓ WAC 251-22-060 ANNUAL LEAVE—ACCRUAL. (1) Full-time employees eligible for annual leave shall accrue annual leave, to be credited monthly, at the following rates:

(a) During the first year of continuous state employment – 12 days (8.0 hours per month);

(b) During the 2nd year of continuous state employment – 13 days (8 hours, 40 minutes per month);

(c) During the 3rd and 4th years of continuous state employment – 14 days (9 hours, 20 minutes per month);

(d) During the 5th through the 9th years of total state employment – 15 days (10 hours per month);

(e) During the 10th year of total state employment – 16 days (10 hours, 40 minutes per month);

(f) During the 11th year of total state employment – 17 days (11 hours, 20 minutes per month);

(g) During the 12th year of total state employment – 18 days (12 hours per month);

(h) During the 13th year of total state employment – 19 days (12 hours, 40 minutes per month);

(i) During the 14th year of total state employment – 20 days (13 hours, 20 minutes per month);

(j) During the 15th year of total state employment – 21 days (14 hours per month);

(k) During the 16th and succeeding years of total state employment – 22 days (14 hours, 40 minutes per month).

(2) Employees working less than full time schedules shall accrue annual leave credit on the same prorata basis that their appointment bears to a full time appointment.

(3) Per the provisions of WAC 251-18-380(2), the scheduled period of instructional year leave of absence without pay shall not be deducted for purposes of computing the rate of annual leave accrual for instructional year employees.

(4) The following shall apply for purposes of computing years of qualifying state employment:

(a) Employment in the legislative and/or the judicial branch shall not be credited;

(b) Employment exempt by the provisions of WAC 251-04-040(2) or employment under the state personnel board jurisdiction which is analogous to the conditions specified in WAC 251-04-040(2) shall not be credited;

(c) Each contract year of full time faculty and/or administrative exempt employment within the higher education institutions shall be credited as a year of qualifying service;

(d) Employment in part time classified positions shall be credited as full time service.

(5) Annual leave credits shall not accrue during a leave of absence without pay which exceeds ten working days in any calendar month, nor shall credit be given toward the rate of annual leave accrual.

**WSR 79-03-030**

**ADOPTED RULES**

**HIGHER EDUCATION PERSONNEL BOARD**

[Order 72—Filed February 27, 1979]

Be it resolved by the Higher Education Personnel Board, acting at Clark College, Vancouver, Washington, that it does promulgate and adopt the annexed rules relating to payroll certification, adopting WAC 251-08-160.

This action is taken pursuant to Notice No. WSR 79-01-093 filed with the code reviser on 1/3/79. Such rules shall take effect at a later date, such date being 4/2/79.

This rule is promulgated under the general rule-making authority of the Higher Education Personnel Board as authorized in RCW 28B.16.100 and 28B.16.190.

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 February 22, 1979.

By Douglas E. Sayan  
Director

**NEW SECTION****WAC 251-08-160 PAYROLL CERTIFICATION.**

A disbursing officer shall not pay any employee holding a position covered by the Higher Education Personnel Law unless the employment is in accordance with chapter 28B.16 RCW and the provisions of these rules. The board and the institutions of higher education including the state board for community college education which shall act for the various community colleges shall jointly establish procedures for the certification of payrolls.

**WSR 79-03-031****ADOPTED RULES****UTILITIES AND TRANSPORTATION  
COMMISSION**

[Order R-123, Cause No. U-79-01—Filed February 28, 1979]

In the Matter of Amending WAC 480-120-021 and Adopting WAC 480-120-088, relating to telephone companies.

This action is taken pursuant to Notice No. WSR 79-01-081, filed with the code reviser January 3, 1979. These rules as hereinafter adopted shall take effect pursuant to RCW 34.04.040(2).

These rules are promulgated pursuant to RCW 80.36.140 which directs that the Washington Utilities and Transportation Commission has authority to implement the provisions of that section.

This rulemaking proceeding is in compliance with the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), the State Register Act (chapter 34.08 RCW), the State Economic Policy Act (chapter 43.21H RCW), and the State Environmental Policy Act of 1971 (chapter 43.21C RCW).

Pursuant to Notice No. WSR 79-01-081, a public hearing in the above matter was held on Thursday, February 8, 1979 in the Commission Hearing Room, Sixth Floor, Highways-Licenses Building, Olympia, Washington. Presenting testimony at this public hearing were Ms. L. Klemz, Ms. J. Macellari, Mr. D. McFeely, on behalf of the Federal Trade Commission, and Ms. M. Holifield, on behalf of Pacific Northwest Bell Telephone Company.

In addition, under the terms of the notice filed with the code reviser, interested persons were afforded the opportunity to submit data, views, or arguments to the Commission in writing prior to February 2, 1979. Written comments with respect to the proposed rule adoption have been received from: Floyd Thorpe, S. Marc Cohen, Gerhard A. Ruben, Elmer C. Froewiss, Richard Anderson, Lynn Dexter, and Dennis Neuzil as individuals; and James A. Murphy, for the Washington State Association of Broadcasters; Marianne Holifield, for Pacific Northwest Bell Telephone Company; and Don J. Solle, for General Telephone Company of the Northwest.

In accordance with Notice No. WSR 79-01-081, the proposed rule amendment and adoption came before the Commission for decision at 8:00 A.M., Wednesday,

February 28, 1979 in the Commission's Conference Room, Seventh Floor, Highways-Licenses Building, Olympia, Washington.

The amendment of WAC 480-120-021 and the adoption of WAC 480-120-088 on a permanent basis affect no economic values and have no discernable economic impact.

In reviewing the entire record herein, it has been determined that WAC 480-120-021 should be amended and WAC 480-120-088 should be adopted on a permanent basis as set forth in Appendix A, attached hereto and made a part hereof by reference. The amendment to WAC 480-120-021 defines what constitutes an automatic dialing-answering device. WAC 480-120-088, as adopted, sets forth the circumstances and conditions under which automatic dialing-answering devices may be connected to the telephone network.

**ORDER**

WHEREFORE, IT IS ORDERED That WAC 480-120-021 and 480-120-088, both relating to telephone companies, be and the same are hereby adopted as set forth in Appendix A as permanent rules of the Washington Utilities and Transportation Commission to take effect pursuant to RCW 34.04.040(2).

IT IS FURTHER ORDERED That the order and the annexed rules, after being first recorded in the Order Register of the Washington Utilities and Transportation Commission, shall be forwarded to the code reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

IT IS FURTHER ORDERED That there shall be forwarded to the secretary of the senate and the chief clerk of the house of representatives three copies of the statement required by RCW 34.04.045.

DATED at Olympia, Washington, this 28th day of February, 1979.

Washington Utilities and Transportation Commission

Robert C. Bailey, Chairman

Elmer C. Huntley, Commissioner

**AMENDATORY SECTION** (Amending Order R-25, filed 5/5/71)

**WAC 480-120-021 GLOSSARY. Automatic Dialing-Announcing Device - any automatic terminal equipment which incorporates the following features:**

- (1) (a) Storage capability of numbers to be called; or
- (b) A random or sequential number generator that produces numbers to be called; and
- (c) An ability to dial a call; and
- (2) Has the capability, working alone or in conjunction with other equipment, of disseminating a prerecorded message to the number called.

Base Rate Area or Primary Rate Area - the area or areas within an exchange area wherein mileage charges for primary exchange service do not apply.

Central Office - a switching unit in a telephone system having the necessary equipment and operating arrangements for terminating and interconnecting subscribers' lines, farmer lines, toll lines and interoffice

trunks. (More than one central office may be located in the same building or in the same exchange.)

Commission – the Washington Utilities and Transportation Commission.

Customer – user not classified as a subscriber.

Exchange – a unit established by a utility for communication service in a specific geographic area, which unit usually embraces a city, town or community and its environs. It usually consists of one or more central offices together with the associated plant used in furnishing communication service to the general public within that area.

Exchange Area – the specific area served by, or purported to be served by an exchange.

Farmer Line – outside plant telephone facilities owned and maintained by a subscriber or group of subscribers, which line is connected with the facilities of a telephone utility for switching service. (Connection is usually made at the base rate area boundary.)

Farmer Station – a telephone instrument installed and in use on a farmer line.

Outside Plant – the telephone equipment and facilities installed on, along, or under streets, alleys, highways, or on private rights-of-way between the central office and subscribers' locations or between central offices.

Station – a telephone instrument installed for the use of a subscriber to provide toll and exchange service.

Subscriber – any person, firm, partnership, corporation, municipality, cooperative organization, governmental agency, etc., supplied with service by any utility.

Toll Station – a telephone instrument connected for toll service only and to which message telephone toll rates apply for each call made therefrom.

Utility – any corporation, company, association, joint stock association, partnership, person, their lessees, trustees or receivers appointed by any court whatsoever, owning, controlling, operating or managing any telephone plant within the State of Washington for the purpose of furnishing telephone service to the public for hire and subject to the jurisdiction of the commission.

#### NEW SECTION

**WAC 480-120-088 AUTOMATIC DIALING-ANNOUNCING DEVICES.** An automatic dialing-announcing device (ADAD) may not be operated while connected to the telephone network, except under the following conditions:

(1) An ADAD may be used pursuant to a prior agreement from the called party that he or she desires to receive such telephone communication; or

(2) An ADAD may be used if the recorded message is preceded by an announcement made by a human operator who:

(a) States the nature and length in minutes of the recorded message; and

(b) Identifies the caller and the individual, business, group, or organization for whom the call is being made; and

(c) Asks the called party whether he or she is willing to listen to the recorded message; and

(d) Disconnects from the called party's line if the called party is unwilling to listen to the recorded message.

(3) Provision is made to preclude the dialing of designated public service emergency telephone numbers as listed in published telephone directories.

Before an ADAD may be operated while connected to the telephone network, the potential user of such device shall notify the telephone utility in writing of the intended use of the ADAD equipment. The written notice shall contain a statement of the calendar days and clock hours during which the ADAD(s) will be used and include an estimate of the expected traffic volume in terms of message attempts per hour and average length of completed message.

The telephone utility shall review the statement of intended use of ADAD equipment to determine whether there is a reasonable probability that use of the equipment will cause overload of the utility's facilities. If the utility finds that a reasonable probability exists that the ADAD operation will overload its network, the utility may refuse to provide connections for the ADAD(s) or provide them subject to conditions necessary to prevent an overload. If, after service has been established, it is determined that the volume of calling originated by the ADAD is degrading the service furnished to others, the utility may suspend or terminate the service after five days' notice to the subscriber. If use of the ADAD creates overloading in a telephone company switching office, the utility may suspend or terminate the service with no prior notice.

The telephone subscriber who uses ADAD equipment shall notify the utility in writing within thirty days of any changes in the ADAD operation which result in either an increase or decrease in traffic volume.

No ADAD shall be connected to the network unless the subscriber furnishes the utility with a written certification that the equipment can effectively preclude calls to designated public service emergency numbers or to any number or series of telephone numbers on a list of telephone subscribers who may be in the future designated by the utility, by regulation or by statute, as subscribers who are not to receive ADAD calls.

The telephone utility may suspend or terminate the telephone service of any subscriber who uses an ADAD in violation of the provisions of this rule provided that the subscriber is given five days' notice or with no prior notice if use of the ADAD creates overloading in a telephone company switching office.

**WSR 79-03-032**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Order 1375—Filed March 1, 1979]

I, Michael Stewart, Ex. Assist., of the Department of Social and Health Services do promulgate and adopt at

Olympia, Washington, the annexed rules relating to food assistance programs, amending chapter 388-54 WAC.

I, Michael Stewart, Ex. Assist., 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 Department is required by the U. S. Department of Agriculture to have these rules in effect on March 1, 1979.

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

This rule is promulgated pursuant to RCW 74.04.510 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) and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED March 1, 1979.

By Michael S. Stewart  
Executive Assistant

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 79-03-033**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Order 1374—Filed March 1, 1979]

I, Michael Stewart, Ex. Assist., of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to food assistance programs, amending chapter 388-54 WAC.

This action is taken pursuant to Notice No. WSR 78-12-086 filed with the code reviser on 12/6/78. 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.

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 February 28, 1979.

By Michael S. Stewart  
Executive Assistant

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 79-03-034**  
**NOTICE OF PUBLIC MEETINGS**  
**WHATCOM COMMUNITY COLLEGE**  
[Memorandum—February 27, 1979]

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 places:

- March 13, 1979 1:00 p.m. Mid-Town Center  
Second Floor, Douglas Building  
1407 Commercial  
Bellingham, WA 98225
- March 22, 1979 10:00 a.m. WCC Vocational Skills Center  
5705 Third Street  
Ferndale, WA 98248

**WSR 79-03-035**  
**PROPOSED RULES**  
**WHATCOM COMMUNITY COLLEGE**  
[Filed March 1, 1979]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030, that the Whatcom Community College, intends to adopt, amend, or repeal rules concerning standards for admission, graduation, tuition and fees and catalog publication, repealing WAC 132U-60-001 through 132U-60-012;

that such institution will at 1:00 p.m., Tuesday, April 10, 1979, in the College Service Center, 5217 Northwest Road, Bellingham, WA 98225, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:00 p.m., Tuesday, April 10, 1979, in the College Service Center, 5217 Northwest Road, Bellingham, WA 98225.

The authority under which these rules are proposed is RCW 28B.19.020 and 28B.19.030.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to April 10, 1979, and/or orally at 1:00 p.m., Tuesday, April 10, 1979, College Service Center, 5217 Northwest Road, Bellingham, WA 98225.

Dated: February 28, 1979

By: Dr. William Laidlaw  
President

It is the intent of Whatcom Community College to repeal the following WAC rules:

- WAC 132U-60-001 Catalog
- WAC 132U-60-002 Changes in Catalog
- WAC 132U-60-003 Finances
- WAC 132U-60-004 Refund of Tuition and Fees
- WAC 132U-60-005 Residency Classification
- WAC 132U-60-006 Sanctions
- WAC 132U-60-007 Admission
- WAC 132U-60-008 Admission of Special Students
- WAC 132U-60-009 Admission of High School Students
- WAC 132U-60-010 Registration
- WAC 132U-60-011 Withdrawal
- WAC 132U-60-012 Graduation

See 78-04-000 #2 #2A

RCW 28B.19.020 excludes any requirement to establish the above as WAC rules. Policy proposals serving the same purpose will be proposed to the college Board of Trustees for adoption.

For further information, please contact Dr. Harold Heiner, Dean for Instruction, at SCAN 738-2170.

**WSR 79-03-036**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Vocational Education)**  
 [Filed March 1, 1979]

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 relating to Purchase of services—Selection criteria—Vocational rehabilitation facilities and workshops, amending WAC 490-500-520.

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

Michael Stewart  
 Executive Assistant  
 Department of Social and Health Services  
 Mailstop OB-44 C  
 Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, April 18, 1979, in the Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, April 25, 1979, in William B. Pope's office, 3-D-14, State Office Bldg #2, 12th and Jefferson, Olympia, Washington.

The authority under which these rules are proposed is RCW 28A.10.025.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 18, 1979, and/or orally at 10:00 a.m., Wednesday, April 18, 1979, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, Washington.

Dated: February 28, 1979  
 By: Michael S. Stewart  
 Executive Assistant

**AMENDATORY SECTION (Amending Order 1050, filed 8/29/75)**

**WAC 490-500-520 PURCHASE OF SERVICES—SELECTION CRITERIA—REHABILITATION FACILITIES AND WORKSHOPS.** (1) A rehabilitation facility or a sheltered workshop which is to be utilized by the division for vocational evaluation, vocational adjustment, placement, or extended sheltered employment, shall have a current full or provisional certification from the division stating those specific services it is qualified to provide. ((The facility shall show evidence of an ongoing effort to move clients through the rehabilitation process; i.e., from work evaluation, work adjustment to placement or extended sheltered employment. The facility shall have a sufficient range of activities, or job stations that it can adequately evaluate employability and work behaviors of the client referred.)) Certification, whether full or provisional, by the division shall be based, in part, upon compliance with those accreditation criteria, which have been approved by the division, or such other national accreditation body as the division shall deem appropriate. Criteria for accreditation shall include, but are not limited to, evaluations of the organization,

administration and stated purpose of the facility; the services provided to the clients; personnel, including educational or other preparation for the position, as well as ongoing training within the facility; the maintenance of record keeping systems adequate to document both the fiscal adequacy and reliability of the facility and the services which are provided to, and the progress of, the client; fiscal management; physical plant, including adequacy, maintenance and compliance with all applicable statutes, regulations and ordinances; and such other evaluations of the program of the facility as a whole as the division shall require. National accreditation shall be one of the essential criteria utilized by the division in its determination of certifiability; however, no facility shall be certified by the division unless the division shall have determined, in its sole discretion, that there are sufficient potential clients to generate a need for the facility.

(2) Certification will be revoked, suspended or denied for failure to adequately comply with the criteria as determined by the division.

(3) Provisional certification may be granted by the division for not more than two years when a facility has been determined to be in substantial compliance with the above stated criteria, but is not yet eligible for national accreditation.

(4) The department shall maintain available copies of regulations for distribution. These may be found in the Washington state facility plan.

(5) The division may reimburse any rehabilitation facility for its cost of participation in required accreditation surveys performed by nationally recognized accreditation surveyor which the division deems appropriate.

**WSR 79-03-037**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Health)**  
 [Filed March 1, 1979]

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 relating to the Water System Coordination Act: Fire Flow Regulations, chapter 248-57 WAC;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Thursday, March 8, 1979, 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 70.116.080.

This notice is connected to and continues the matter noticed in Notice No. WSR 79-01-083 filed with the code reviser's office on 1/3/79.

Dated: February 28, 1979  
 By: Michael S. Stewart  
 Executive Assistant

**WSR 79-03-038**  
**ADOPTED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Institutions)**  
 [Order 1373—Filed March 1, 1979]

I, Michael Stewart, Ex. Assist., of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to criminally insane person committed to the care of the

Department of Social and Health Services—Evaluation, placement, care and discharge, amending chapter 275-59 WAC.

This action is taken pursuant to Notice No. WSR 79-01-037 filed with the code reviser on 12/20/78. 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 72.01.090.

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 February 21, 1979.

By Michael S. Stewart  
Executive Assistant

AMENDATORY SECTION (Amending Order 846, filed 8/9/73)

WAC 275-59-020 DEFINITIONS. (1) "Secretary" means the secretary of the department of social and health services or his designee.

(2) "Department" means the state department of social and health services.

(3) (~~"Office of mental health"~~) "Division" means the (~~office of~~) mental health(~~, social services~~) division, department of social and health services.

(4) "Treatment facility" means any facility operated or approved by the department of social and health services for the treatment of the criminally insane. Such definition shall not include any state correctional institution or facility.

(5) "Superintendent" means the person responsible for the functioning of a treatment facility.

(6) (~~"Treatment" means any currently standardized medical or mental health procedure including medication.~~

(7)) "Evaluation" means the initial procedure when a court requests the department to determine if a person charged with a crime is competent to stand trial or, if indicated and appropriate, if the person was suffering under a mental disease or defect excluding responsibility at the time of the commission of the crime.

(~~8~~) "Criminally insane" means any person who has been acquitted of a crime charged by reason of mental disease or defect excluding responsibility, and thereupon found to be a substantial danger to himself or other persons and therefore committed to the secretary for treatment.

(9)) (7) "Indigent" means any person who is financially unable to obtain counsel or other necessary expert or professional services without causing substantial hardship to himself or his family.

(~~10~~) (8) "Mental health professional" means:

(a) A psychiatrist. This is defined as a person having a license as a physician and surgeon in this state, who has in addition, completed three years of graduate training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association.

(b) A psychologist. This is defined as a person with a doctoral degree in clinical psychology from an accredited college or university, or who has been licensed as a psychologist pursuant to chapter 18.83 RCW.

(c) A social worker. This is defined as a person with a master's or further advanced degree from an accredited school of social work, and who has had a minimum of two years of experience in the direct treatment of mentally ill or emotionally disturbed persons under the supervision of a mental health professional.

(d) A psychiatric nurse. This is defined as a registered nurse who has a master's or further advanced degree in psychiatric nursing from an accredited college or university, and who has had a minimum of two years of experience in the direct treatment of mentally ill or emotionally disturbed persons under the supervision of a mental health professional.

AMENDATORY SECTION (Amending Order 846, filed 8/9/73)

WAC 275-59-030 (~~OFFICE OF~~) MENTAL HEALTH DIVISION. The secretary designates to the (~~office of mental health~~) division the responsibility for:

(1) (~~Assisting~~) Evaluation and treatment of any person committed to the secretary for evaluation or treatment, under chapter (117, Laws of 1973, 1st excess., or the court in obtaining non-departmental mental health professionals to participate in the evaluation or a hearing on behalf of the person so committed) 10.77 RCW;

(2) (~~Supervising the procedure whereby such professionals will be compensated, according to a fee schedule to be maintained by the office of mental health, if the person being evaluated or treated is an indigent~~) Assisting the court in obtaining nondepartmental mental health professionals to participate in the evaluation or a hearing on behalf of the defendant and supervising the procedure whereby such professionals will be compensated, according to fee schedule if the person being evaluated or treated is an indigent;

(3) Assuring that any nondepartmental mental health professional requesting compensation has maintained adequate evaluation and treatment records which justify compensation((-));

(4) Assisting the court by designation of professionals to examine the defendant and report to the court when the defendant is not committed to the secretary;

(5) Determination of what treatment center shall have custody of persons committed to the secretary under chapter 10.77 RCW.

NEW SECTION

WAC 275-59-041 SCHEDULE OF MAXIMUM PAYMENT FOR DEFENDANT EXPERT OR PROFESSIONAL PERSON. Department payments to an expert or professional person obtained by an indigent person shall not exceed a payment per hour of fifty dollars nor shall not exceed a total payment of four hundred dollars, unless an exception is approved in writing by the division director.



AMENDATORY SECTION (Amending Order 846, filed 8/9/73)

WAC 275-59-050 TIME LIMITATIONS AND REQUIREMENTS. ~~((1) Whenever a court, prior to trial, commits a person to the department for evaluation of the person's competency to stand trial, the superintendent, or secretary if no superintendent, shall cause a report to be made to the court within fifteen (15) days after receiving the person. Such report shall contain:~~

- ~~(a) A description of the nature of the examination;~~
- ~~(b) A diagnosis of the mental condition of the person;~~
- ~~(c) If the person suffers from a mental disease or defect, an opinion as to his capacity to understand the proceedings against him and to assist in his own defense;~~
- ~~(d) If the court has indicated to the department that the person intends to rely on the defense of irresponsibility, an opinion as to the extent the person lacks capacity either:~~

~~(i) To know and appreciate the nature and consequences of such conduct, or~~

~~(ii) To know or appreciate the criminality of such conduct;~~

~~(e) If the court requires, an opinion as to the capacity of the defendant to have a particular state of mind which is an element of the offense charged;~~

~~(f) An opinion as to whether the defendant is a substantial danger to himself or others and is in need of control by the court or other persons or institutions.~~

~~(2) Whenever a court finds a person to be incompetent to stand trial and commits the person to the department for evaluation and treatment the department shall treat the person until competency is regained or for ninety days, whichever occurs first. If, by the ninetieth day, it appears that the person will not regain his competency, the superintendent, or the secretary if no superintendent, shall inform the court of the person's failure to regain competency and whether the person's progress during the first ninety days indicates that a ninety-day extension by the court is desirable because the person's progress has demonstrated there is a likelihood, with an extension, that the person would regain competency. Then, if the court so orders, the person may continue treatment for an additional ninety days or until he regains competency, whichever occurs first. The court, not the department, can provide an additional ninety-day continuance, which shall authorize the secretary to maintain custody for an additional ninety days.~~

~~(3)) If a person is committed to the secretary as criminally insane, commitment and treatment cannot exceed the maximum possible sentence for any offense charged. Therefore:~~

~~((a)) (1) The superintendent, if no superintendent then the ((secretary)) division, with the assistance of the office of the attorney general where necessary shall determine at the time of commitment the maximum possible sentence for any offense charged, and thereby compute a maximum release date for every individual so committed.~~

~~((b)) (2) If the committed person has not been released by court order six months prior to the expiration~~

of the maximum possible release date, the superintendent, if no superintendent, the ((secretary, shall with the assistance of the attorney general's office, obtain a court order releasing the individual, or if necessary and indicated, commence civil commitment proceedings.

~~(c) Notwithstanding the expiration of an individual's maximum release date, the department shall not release such an individual without a court order)) division, shall notify the committing court and prosecuting attorney of its computation of maximum release date and the requirement that the person must be released on that date unless civil proceedings are instituted or the court determines that the computation of maximum release date is incorrect.~~

AMENDATORY SECTION (Amending Order 846, filed 8/9/73)

WAC 275-59-060 INDIVIDUALIZED TREATMENT. (1) Whenever a person is committed to the secretary as criminally insane, the treatment facility to which the person is assigned ((by the secretary)) shall, within fifteen days of admission to the center, and through the use of appropriate mental health professionals, evaluate and diagnose the committed person for the purpose of devising an individualized treatment program.

(2) Every person, committed to the secretary as criminally insane, shall have an individualized treatment plan formulated by the treatment center. This plan shall be developed by appropriate mental health professionals and implemented as soon as possible but no later than fifteen days after the person's admission to the treatment center as criminally insane. Each individualized treatment plan shall include, but not be limited to:

(a) A statement of the nature of the specific problems and specific needs of the patient;

(b) A statement of the physical setting necessary to achieve the purposes of commitment;

(c) A description of intermediate and long-range treatment goals, with a projected timetable for their attainment;

(d) A statement and rationale for the plan of treatment for achieving these intermediate and long-range goals;

(e) A specification of staff responsibility and a description of proposed staff involvement with a patient in order to attain these treatment goals;

(f) Criteria for recommendation to the court for release((, and if appropriate, for a recommendation to the court that the person has gained competency to stand trial)).

(3) This individualized treatment plan shall be reviewed by the treatment center periodically, at least every six months, and a copy of the plan shall be sent to the committing court ((and the secretary)).

AMENDATORY SECTION (Amending Order 846, filed 8/9/73)

WAC 275-59-080 CONDITIONAL RELEASE.

(1) Any person committed to the secretary as criminally

insane may make application to the secretary for conditional release.

(2) The secretary designates the superintendent of the treatment facility, if no superintendent, then the director of the division, as the person to receive and act on such application for conditional release. ((If there is no superintendent then the application should be made directly to the secretary.))

(3) ((The superintendent or the secretary, as the case may be, shall review the application for conditional release together with a person's latest treatment plan records and thereafter forward the application with a recommendation for or against conditional release to the committing court. If the superintendent or secretary recommends conditional release but only upon certain terms and conditions, these terms and conditions shall be forwarded to the committing court along with the application.

(4)) The person making application for conditional release shall not, under any circumstances, be released until there is a court hearing on the application and recommendations and a court order authorizing conditional release has been issued.

((5)) (4) If conditional release is denied by the court the person making the applications may reapply after a period of six months from the date of denial.

((6)) (5) If the court grants conditional release and places the person making application under the supervision of a department employee, that supervising department employee shall make monthly reports, unless indicated otherwise by the court, concerning the conditionally released person's progress and compliance with the terms and conditions of conditional release. Such reports shall be forwarded to the committing court, the ((secretary)) division, the prosecuting attorney, and the treatment facility in which the person was most recently housed.

((7) For the purpose of conditional release, the secretary shall designate one or more department employees in each county who shall have the power to revoke conditional release. These department employees may order that the conditionally released person be apprehended and taken into custody if:

(a) The prosecuting attorney, the secretary, the court or the employee reasonably believes that the conditionally released person is failing to adhere to the terms and conditions of his conditional release; and

(b) Because of that failure the person has become a substantial danger to himself or others; and

(c) That a court hearing is scheduled as soon as possible, after apprehension, to determine the facts and whether or not the person should be returned to the treatment facility.))

(6) The following persons are designated to exercise power and authority of the secretary contained in RCW 10.77.190:

(a) The director or designee of the division;

(b) The probation and parole office, if any, supervising the conditionally released person; and

(c) The treatment facility supervising the conditionally released person or from which the person was conditionally released.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- ✓ (1) WAC 275-59-040 COURT COMMITMENT.
- ✓ (2) WAC 275-59-070 ATTENDANCE AT HEARINGS.

**WSR 79-03-039**  
**ADOPTED RULES**  
**DEPARTMENT OF GAME**  
 [Order 130—Filed March 1, 1979]

Be it resolved by the Game Commission, State of Washington acting Yakima, Washington, that it does promulgate and adopt the annexed rules relating to the 1979 Spring and Summer Hunting Seasons.

This action is taken pursuant to Notice No. WSR 78-11-093 filed with the Code Reviser on November 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 Game Commission as authorized in RCW 77.12.040.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW) or the Administrative Procedure Act (chapter 34.04 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, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED January 8, 1979.

by Ralph W. Larson  
 Director

NEW SECTION

WAC 232-28-701 1979 SPRING AND SUMMER HUNTING SEASONS.

Reviser's Note: The text and accompanying map comprising the 1979 Spring and Summer Hunting Seasons adopted by the Department of Game 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 adopted rules may be obtained from the main office of the Department of Game, 600 North Capitol Way, Olympia, Washington, 98504, and upon final adoption are available in pamphlet form from the Department, its six regional offices, and at numerous drug and sporting goods stores throughout the state.

REPEALER

The following section of the Washington Administrative Code is repealed:

- ✓ (1) WAC 232-28-700 1978 Spring and Summer Hunting Seasons.

**WSR 79-03-040**  
**PROPOSED RULES**  
**OFFICE OF FINANCIAL MANAGEMENT**  
 [Filed March 1, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 43.03.050-060, that the Office of Financial Management intends to adopt, amend, or repeal rules concerning state travel regulations, amending WAC 82-28-010, 82-28-040, 82-28-050, 82-28-06001, 82-28-080, 82-28-130, 82-28-190 and 82-28-230;

that such agency will at 10:00 a.m., Monday, March 12, 1979, in Room 105, House Office Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Monday, March 12, 1979, in Room 105, House Office Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 43.03.050 and 43.03.060.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to March 12, 1979, and/or orally at 10:00 a.m., Monday, March 12, 1979, Room 105, House Office Building, Olympia, Washington.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 79-01-091 and 79-03-022 filed with the code reviser's office on January 3, 1979 and February 21, 1979.

Dated: March 1, 1979  
 By: Gerald L. Sorte  
 for Orin C. Smith  
 Deputy Director

**WSR 79-03-041**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Board of Psychology)**  
 [Filed March 1, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Psychology intends to adopt, amend, or repeal rules concerning oral and written examinations of psychologists, amending WAC 308-122-220, 308-122-230 and 308-122-410. Copy of rules are shown below, however, changes may be made at the public hearing;

that such agency will at 9 a.m., Friday, June 8, 1979, in the Cascade Room, Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9 a.m., Friday, June 8, 1979, in the Cascade Room, Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

The authority under which these rules are proposed is RCW 18.83.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to June 8, 1979, and/or orally at 9 a.m.,

Friday, June 8, 1979, Cascade Room, Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

Dated: February 22, 1979

By: Richard A. Finnigan  
 Assistant Attorney General

**AMENDATORY SECTION** (Amending Order #PL-245, filed 4-15-76)

**WAC 308-122-220 PSYCHOLOGISTS-WRITTEN EXAMINATION.** Written examination requirements: The written examination that is used in the state of Washington is the examination of Professional Practice of Psychology. The examination consists of objective multiple choice questions covering the major areas of psychology. Each form of the examination contains between 150 and 200 items in the areas listed below:

(1) Background information, including physiological psychology and comparative psychology, learning, history, theory and systems, sensation and perception, motivation, social psychology, personality, cognitive processes, developmental psychology and psychopharmacology.

(2) Methodology including research design and interpretation, statistics, test construction and ~~((interpretation))~~ interpretation, scaling.

(3) Clinical psychology including test usage and interpretation, diagnosis, psychopathology, therapy, judgment in clinical situations, community mental health.

(4) Behavior modification including learning and applications.

(5) Other specialties including management consulting, industrial and human engineering, social psychology, t-groups, counseling and guidance, communication systems analysis.

(6) Professional conduct and ethics including interdisciplinary relations and knowledge of professional affairs.

~~((The test is not a speed test.))~~ The cutoff score which the Washington state board of examiners (~~((currently))~~) uses is ~~((one-half standard deviation below the cumulative))~~ the current national mean.

**AMENDATORY SECTION** (Amending Order #PL-245, filed 4-15-76)

**WAC 308-122-230 PSYCHOLOGISTS-ORAL EXAMINATION.** Oral examination: The oral exam covers the same core issues for all candidates ranging through ~~((three))~~ four major foci:

(1) Professional judgment in areas of stated competence;

(2) Knowledge of state laws pertaining to ~~((psychologist))~~ psychologist and psychological ethics;

(3) Knowledge and skills in area of stated competence. The candidate must be able to articulate and relate conceptual rationale and methodological interventions;

(4) Adequacy of candidate's professional training, supervision and experience.

**AMENDATORY SECTION** (Amending Order #PL-202, filed 10-1-75)

**WAC 308-122-410 PSYCHOLOGISTS-WRITTEN EXAMINATION.** The applicant must satisfactorily pass the written examination developed by the professional testing service of the American Association of State Psychology Boards. The cutting score for the written examination shall be ~~((one-half standard deviation below))~~ the cumulative national mean. Any applicant who fails to make a passing score on the examination shall be allowed to take the examination again, subject to the standard examination fee. Written examinations shall be administered at least once a year ~~((by the board secretary))~~.

**WSR 79-03-042**  
**PROPOSED RULES**  
**CENTRAL WASHINGTON UNIVERSITY**  
 [Filed March 2, 1979]

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:

- ch. 106-08 WAC Regular meeting time of the board of trustees.
- ch. 106-116 WAC Parking and traffic regulations.
- ch. 106-120 WAC Student rights and responsibilities.
- ch. 106-136 WAC Use of university facilities;

that such institution will at 2:00 p.m., Thursday, May 10, 1979, in the Samuelson Union Building, room 206, Central Washington University campus, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Thursday, May 10, 1979, in the Samuelson Union Building, room 206, Central Washington University 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 May 10, 1979, and/or orally at 2:00 p.m., Thursday, May 10, 1979, in the Samuelson Union Building, room 206, Central Washington University campus.

Dated: February 28, 1979  
 By: Barbara A. Davis  
 Administrative Secretary

AMENDATORY SECTION (Amending Order 42, filed 11/14/78)

WAC 106-08-001 REGULAR MEETING. The regular meetings of the Board of Trustees of Central Washington University shall be held quarterly (~~on the second Friday of each month at 8:00 p.m.~~) in room 143 (~~(128C)~~) in Bouillon Hall (~~(Library)~~) on the Central Washington University campus in Ellensburg, Washington.

AMENDATORY SECTION (Amending Order 37 filed 1/13/78)

WAC 106-116-201 PERMITTED PARKING AREAS. (1) University owned parking areas are marked with signs reading, "Parking by University Permit Only." Vehicles parked without valid parking permits will be ticketed from 7:30 a.m. to 5:30 p.m. Monday through Friday, except:

(2) Vehicles parked in the C-1 Pavilion parking area without a valid parking permit will be ticketed from 7:30 a.m. to 4:00 p.m. Monday through Friday. No parking permitted daily in C-1 lot from 2:00 a.m. to 6:00 a.m.

(3) Vehicles parked in the C-2 Stadium parking area without a valid parking permit will be ticketed from 7:30 a.m. to 3:00 p.m. Monday through Friday.

(4) Enforcement shall be in effect twenty-four (~~24~~) hours a day in the following parking areas:

- (a) Residence hall staff (~~(Head Resident)~~) parking areas,
- (b) Buttons Apartments,
- (c) Thirty minute parking zones,
- (d) J Lot

(5) Vehicles parked in "B" Lot, Hertz Music Building parking area without a valid parking permit will be ticketed from 7:30 a.m. to 4:00 p.m. Monday through Friday.

AMENDATORY SECTION (Amending Order 37 filed 1/13/78)

WAC 106-116-205 APARTMENT RESIDENTS. (1) Residents of Brooklane Village, Walnut Street Duplexes, (~~(and)~~) Student Village Apartments and Buttons Apartments do not need parking permits to park in front of or immediately adjacent to their respective apartments but must register their vehicles with the university.

(2) Apartment residents may purchase a commuter parking permit.

(3) Residents of Student Village may park in Lots G-1 and G-2 without a permit.

(4) Residents of Anderson Apartments will be given a parking permit for J Lot.

AMENDATORY SECTION (Amending Order 37 filed 1/13/78)

WAC 106-116-603 FINES SCHEDULE FOR COURT.

Offense	Fine
(1) Improper display of permit .....	\$1.00
(2) Parking faculty-staff area .....	\$1.00
(3) Parking yellow stripe or curb .....	\$2.00
(4) Parking outside designated parking area .....	\$2.00
(5) Live parking area .....	\$2.00
(6) Obstructing traffic .....	\$2.00
(7) Double parking .....	\$2.00
(8) Parking at improper angle or using more than one stall, or backing into parking stall .....	\$2.00
(9) Violation of the bicycle parking rules in WAC 106-116-901 .....	\$1.00
(10) Reserved parking area .....	\$2.00
(11) No parking area .....	\$2.00
(12) Failure to remove keys from ignition .....	\$2.00
(13) Overtime parking .....	\$1.00
(14) Vehicle not registered .....	\$2.00
(15) Falsification of vehicle registration .....	\$5.00
(16) Using counterfeit, falsely made or altered permit .....	\$10.00
(17) Illegal use of permit .....	\$10.00
(18) No current permit .....	\$2.00
(19) Parking service drive .....	\$2.00
(20) Parking/driving sidewalks, malls .....	\$5.00
(21) Parking/driving lawns .....	\$10.00
(22) Parking fire lane .....	\$10.00
(23) Parking fire hydrant .....	\$10.00
(24) Driving, walking, leading, etc., certain animals on campus without permit (WAC 106-116-10401) .....	\$10.00
(25) Other violations of the objectives of the CWU parking and traffic regulations .....	\$1.00 to \$10.00
(26) <u>Parking in a space marked "Disability Permits Only"</u> .....	\$10.00

(27) (~~(26)~~) (a) When a citation for offenses (1), (2), (9), and (13) is issued, any violator may, within one (1) full business day of the issuance thereof, present such citation to the District Court office in the Kittitas County Courthouse and therewith pay \$.75 and no additional fine or penalty shall be imposed for such violation.

(b) The Court Commissioner of the Kittitas County District Court and authorized deputies, or during non-business hours of said Court the office of the Sheriff of Kittitas County will accept payments made under this rule.

(c) This schedule of fines and provisions for payment corresponds with rules laid down by the Lower Kittitas County District Court, the Justice of the Peace for Kittitas County. This Court may issue arrest warrants for fines not paid within ten (10) days.

**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 41, filed 10/4/78)

WAC 106-120-010 RIGHTS AND RESPONSIBILITIES OF STUDENTS. (1) Students at the university neither lose the rights nor escape the obligations of citizenship. Students retain and enjoy all rights secured to citizens by the Constitution and laws of the United States, and the Constitution and laws of the state of Washington, and ordinances and laws of the county of Kittitas and city of Ellensburg. Students are obliged to obey these laws and ordinances.

(2) The university distinguishes its responsibility for student conduct from the controls imposed by the larger community outside the university, and of which the university is a part. When students are charged with violations of laws of the nation (~~(or)~~), state, or ordinances of the county or city, the university will neither request nor agree to special consideration for students because of their status as students, but the university will cooperate with law enforcement agencies, courts, and any other agencies in programs for rehabilitation of students.

(3) The university reserves the right to impose further sanctions after law enforcement agencies, courts, and other agencies have imposed penalties or otherwise disposed of a case.

(4) The university does not have the responsibilities of a parent for the conduct of students, and is not responsible for law enforcement off campus.

**AMENDATORY SECTION** (Amending Order 41, filed 10/4/78)

**WAC 106-120-020 PROSCRIBED CONDUCT.** A student shall be subject to disciplinary action or sanction upon violation of any of the following conduct proscriptions:

(1) Academic dishonesty in all its forms including, but without being limited to, cheating on tests, plagiarism, collusion, and submission of another's work product as the student's own.

(2) Cheating on tests.

(3) Copying from another student's test paper.

(4) Using materials during a test not authorized by the person giving the test.

(5) Collaboration with any other person during a test without authority.

(6) Knowingly obtaining, using, buying, selling, transporting, or soliciting in whole or in part the contents of an unadministered test.

(7) Bribing any other person to obtain an unadministered test or information about an unadministered test.

(8) Substitution for another student or permitting any other person to substitute for oneself to take a test.

(9) "Plagiarism" which shall mean the appropriation of any other person's work and the unacknowledged incorporation of that work in one's own work offered for credit.

(10) "Collusion" which shall mean the unauthorized collaboration with any other person in preparing work offered for credit.

(11) Filing a formal complaint with the dean of student development or his designee with the intention of falsely accusing another with having violated a provision of this code.

(12) Furnishing false information to the Campus Judicial Council with the intent to deceive, the intimidation of witnesses, the destruction of evidence with the intent to deny its presentation to the Campus Judicial Council or the willful failure to appear before the Campus Judicial Council when properly notified to appear.

(13) Intentionally setting off a fire alarm or reporting a fire or other emergency or tampering with fire or other emergency equipment except when done with the reasonable belief in the existence of a need therefore.

(14) Forgery, alteration, or misuse of university documents, records, or identification cards.

(15) Physically abusing or intentionally inflicting severe emotional distress upon another member of the university community whether occurring on or off campus; or physically abusing or intentionally inflicting severe emotional distress upon a nonmember of the university community (~~on the campus~~).

(16) Theft or malicious destruction, damage or misuse of university property or private property of another member of the university community whether occurring on or off campus; or theft or malicious destruction, damage or misuse on campus of property of a nonmember of the university community.

(17) Unauthorized seizure or occupation or unauthorized presence in any university building or facility.

(18) Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other university activities or programs whether occurring on or off campus or of activities or programs authorized or permitted by the university to be conducted on campus.

(19) Intentional participation in a demonstration which is in violation of rules and regulations governing demonstrations promulgated by the university pursuant to the provisions of WAC 106-120-700 through 106-120-799.

(20) Unauthorized entry upon the property of the university or into a university facility or any portion thereof which has been reserved, restricted in use, or placed off limits; unauthorized presence in any university facility after closing hours; or unauthorized possession or use of a key to any university facility.

(21) Possession or use on campus of any firearm or other dangerous weapon or incendiary device or explosive unless such possession or use has been authorized by the university.

(22) Possession, use, or distribution on campus of any narcotic or dangerous or unlawful drug as defined by the laws of the United States or the state of Washington except as expressly permitted by law.

(23) Violation of the university Board of Trustees' policy on alcoholic beverages which states:

(a) Persons twenty-one years of age or older may possess and/or consume alcoholic beverages within the privacy of their residence hall rooms or apartments(~~(f-1)~~); Washington state law provides severe penalties for the possession or consumption of alcoholic beverages by persons under twenty-one years of age and for persons who furnish alcoholic beverages to minors. All university students should be aware of these laws and the possible consequences of violations.

(b) The university does not condone the consumption of alcoholic beverages at functions sponsored by Central Washington University organizations. Organizations are held responsible for the conduct of their members at functions sponsored by the organization and for failure to comply with Washington state law.

(c) The Campus Judicial Council may place on probation any organization or prohibit a specific campus social function when the consumption of alcoholic beverages has become a problem of concern to the university.

(24) Violation of clearly stated proscriptions in any published rule or regulation promulgated by any official campus committee or commission or council acting within the scope of its authority.

(25) Violation on campus of any state or federal law or violation of any state or federal law off campus while participating in any university sponsored activity.

**AMENDATORY SECTION** (Amending Order 41, filed 10/4/78)

**WAC 106-120-043 MEETING WITH THE DEAN OF STUDENT DEVELOPMENT.** (~~((f-1))~~) At the meeting with the dean of student development or his designee, the student shall be informed of provisions of the Student Rights and Responsibilities Policy that are involved, that he may appeal any sanction imposed by the dean of student development or his designee to the Campus Judicial Council and that if a hearing is required, he may have (~~((the))~~~~(that))~~ that hearing open to the public. If the student requests a formal hearing, the dean of student development or his designee shall take no action nor make any determination in the matter other than to inform the student of the time, date, and location of the formal hearing by the Campus Judicial Council.

**AMENDATORY SECTION** (Amending Order 41, filed 10/4/78)

**WAC 106-120-050 CAMPUS JUDICIAL COUNCIL.** (1) The Campus Judicial Council shall be the principal campus wide judicial body with jurisdiction and authority to hear all charges of misconduct against students, whether graduate or undergraduate. The Campus Judicial Council has authority to impose the sanctions described in WAC 106-120-030 for acts of misconduct specified in WAC 106-120-020(~~(f-1)~~).

(2) For the purpose(~~((f-1))~~) of these rules, any person enrolled for classes and considered a student by the definition in WAC 106-120-013(4) is subject to these rules, independent of any other status the individual may have with the university. Any action taken against a student under these rules shall be independent of other actions taken by virtue of another relationship with the university in addition to that of student.

(3) The Campus Judicial Council has jurisdiction over all students and student organizations. Other divisions of the university may elect to establish subsidiary judicial agencies, over which the Campus Judicial Council will have appellate jurisdiction. Appeals from these subsidiary councils or agencies must be made within five working days from the time of publication of findings by said subsidiary judicial agency. Failure to file such an appeal will constitute and be construed as full acceptance by all parties of the findings. Decisions made by the Campus Judicial Council will be deemed to be final decisions in a contested case and appealable only to the Superior Court.

(4) Persons or agencies levying sanctions should devise sanctions which (~~((are))~~~~(were))~~ were in proportion to both the nature and extent of the misconduct, and which compensate as far as possible for injury, expense, and/or inconvenience. The sanction should redress injury, damage, or grievance as far as possible.

(5) Due process of law is recognized as essential to the proper enforcement of university rules. No charges may be heard or sanctions levied in the name of the university except in accordance with these rules.

**AMENDATORY SECTION** (Amending Order 41, filed 10/4/78)

**WAC 106-120-051 MEMBERSHIP IN CAMPUS JUDICIAL COUNCIL.** (1) The council shall consist of three faculty members

holding the rank of assistant professor or above, and six students, at least one of whom should be a graduate student if a graduate student files for election to the council. ~~((At least three of the student members are to be undergraduate students.))~~ At least three of the student members are to be undergraduate students.

(2) The faculty members of the council shall be designated by the Faculty Senate. The student members of the council shall be elected according to procedures indicated by the constitution of the Associated Students of Central. The faculty members will be designated at the beginning of each academic year. Six student members shall be elected: ~~Three ((during))~~ during winter quarter registration and three during spring quarter registration, each student being elected for a term of one calendar year, in accordance with the ASC Bylaws. Terms of office for students begin with the first day of instruction of the quarter following election to office.

(3) A chairperson of the Campus Judicial Council shall be elected at the first meeting of the fall quarter, and shall continue in office until the person's term expires, the person resigns, or is recalled~~((f))~~. The duties of the chairperson are as follows:

(a) To call regular and special meetings of the council by notification to members at least twenty-four hours in advance of the meeting time, except in bona fide emergency situations.

(b) To preside over all regular and special meetings.

(c) To act as hearing officer at all meetings of the hearing board.

#### AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-120-055 PROCEDURES FOR HEARING. ~~((f))~~~~((a))~~ (1) When disciplinary cases have been referred for hearing, the chairperson shall call a special meeting of the council and arrange for such hearing in the following manner:

(a) The council shall determine the time and place of hearing, which shall be at least two working days after said special meeting of the council. Time and place shall be set to make the least inconvenience for all interested parties.

(b) The council shall draw lots to determine a hearing board consisting of four student members and two faculty members of the council, and the chairperson of the council acting as hearing officer.

(c) A quorum of the hearing board shall be two of the four student members and two faculty members, as selected by lot at the special meeting of the council~~((f))~~, and the chairperson of the council. No case shall be heard unless the full membership of the hearing board is present.

(d) All cases will be heard de novo, whether the case be an appeal from a subsidiary judicial body or being heard as an original complaint.

(2) The chairperson of the council shall insure that:

(a) The hearing is held in an orderly manner, giving full care that the rights of all parties to a full, fair and impartial hearing are maintained.

(b) The charges and supporting evidence or testimony shall be presented first, and that there is full opportunity for the accused student to challenge the testimony and/or evidence, and to cross examine appropriately.

(c) The student charged shall next present evidence or testimony to refute the charge, and that there is full opportunity for the accuser to challenge testimony and/or evidence, and to cross examine appropriately.

(d) The hearing board, after all parties have been heard, shall deliberate in executive session until a decision is reached. After the decision is reached, it shall be communicated in writing to all of the parties, including the complainant and to the dean of student development.

(3) Hearings will ordinarily be held in closed session, unless the hearing board shall determine that there is compelling reason for the hearing to be open to all those interested. A closed hearing shall include only members of the hearing board, persons directly involved in the hearing as parties, and persons called as witnesses. If at any time during the conduct of a hearing any person is disruptive of the proceedings and cannot be persuaded to observe the necessary decorum for an appropriate hearing, the hearing officer is empowered to exclude such person from the hearing room, using such means as are necessary to insure an orderly hearing.

(4) The student has a right to a fair and impartial hearing before the committee on any charge of violating a provision or provisions of WAC 106-120-020. The student's failure to cooperate with the hearing procedures hereinafter outlined, however, shall not preclude the

committee from making its findings of fact, conclusions and recommendations as provided below. Failure by the student to cooperate may be taken into consideration by the committee in deciding the appropriate disciplinary action.

(5) The student shall be given written notice from the dean of student development or his designee by certified mail to the student's last known address of the time and place of his hearing before the board. Said notice shall contain:

(a) A statement of the date, time, place and nature of the disciplinary proceedings.

(b) A statement of the specific charges against him including reference to the particular sections of chapter 106-120 WAC involved.

(c) To the extent known, a list of witnesses who will appear and a summary description of any documentary or other physical evidence that will be presented by the university at the hearing.

(6) The student shall be entitled to hear and examine the evidence against him and be informed of the identity of its source; he shall be entitled to present evidence in his own behalf and cross-examine witnesses testifying against him as to factual matters. The student shall have all authority possessed by the university to obtain information he specifically describes, in writing, and tenders to the dean of student development or his designee no later than two days prior to the hearings or to request the presence of witnesses or the production of other evidence relevant to the hearings.

Notwithstanding the provisions of the paragraph immediately above, the university shall not be liable for information requested by the student or the presence of witnesses when circumstances beyond the control of the university prevent the obtaining of such information or the attendance of such witnesses at the hearing.

(7) The student may be represented by counsel of his choice at the disciplinary hearings. If the student elects to choose a duly licensed attorney admitted to practice law in the state of Washington as his counsel, he must tender two days notice thereof to the dean of student development or his designee.

In all disciplinary proceedings the university may be represented by the dean of student development or his designee who may present the university's case against the student accused of violating chapter 106-120 WAC provided, that in those cases in which the student elects to be represented by a licensed attorney, the dean of student development or his designee may elect to have the university represented by an assistant attorney general.

(8) The proceedings of the hearing shall be tape recorded. A copy thereof shall be on file at the office of the dean of student development. Either party at its own expense may produce a transcript of the proceedings.

(9) The hearing board may change the time and place of the hearing for sufficient cause.

#### AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-120-061 PERMISSION TO ENTER OR REMAIN ON CAMPUS. During the period of summary suspension, the suspended student shall not enter the campus of the university other than to meet with the dean of student development or to attend the summary suspension hearing. However, the dean may grant the student special permission ~~((to enter))~~ to enter for the express purpose of meeting with faculty, staff, or students in preparation for the hearing.

#### AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-120-062 NOTICE OF SUMMARY SUSPENSION PROCEEDINGS. If the dean of student development or his designee finds it necessary to exercise the authority to summarily suspend a student, he shall:

(1) Give an oral or written notice of the alleged misconduct and violation(s) of any provision(s) of ~~((WAC))~~ chapter 105-120 WAC to the student;

(2) Give an oral or written explanation of the evidence in support of the charge(s) to the student;

(3) ~~((given))~~ Give an oral or written explanation of the corrective action or punishment (up to a maximum of ten academic calendar days suspension) which may be imposed, to the student; and

(4) The student shall be provided an opportunity to present his or her explanation of the conduct alleged to be violative of the university's Student Rights and Responsibilities Policy~~((f))~~.

**AMENDATORY SECTION** (Amending Order 41, filed 10/4/78)

**WAC 106-120-064 DECISION BY THE DEAN.** If the dean, at the conclusion of the summary suspension proceedings, finds that there is ~~((probable))~~ probable cause to believe that:

(1) The student against whom specific violations of law or of provisions of chapter 106-120 WAC are alleged has committed one or more of such violations; and

(2) Such violation or violations of the law or of provisions of chapter 106-120 WAC constitute grounds for disciplinary action; and

(3) Summary suspension of the student is necessary, the dean may immediately suspend such student from the university for up to ten academic calendar days.

**AMENDATORY SECTION** (Amending Order 22, filed 7/29/75)

**WAC 106-120-200 PURPOSE OF THE RESIDENCE HALL ARBITRATION COUNCIL.** The Residence Hall Arbitration Council exists to provide members of the Central Washington ~~((State College))~~ University residence hall community with a means for resolving problems through an educational and objective process. Cases may be brought to this council by any member of the campus community. The Residence Hall Arbitration Council shall negotiate a settlement of the case with the involved parties and/or make a recommendation for action to proper administration or judicial authorities.

**AMENDATORY SECTION** (Amending Order 22, filed 7/29/75)

**WAC 106-120-210 THE RESIDENCE HALL ARBITRATION COUNCIL.** (1) The Residence Hall Arbitration Council shall be available to conduct hearings for all students contracting to live in the residence hall system. When problems develop involving people who do not live in the residence hall system, the Arbitration Council may take action on a complaint or refer the case elsewhere.

(2) The Residence Hall Arbitration Council shall provide hearings for matters relating to these problem areas in the residence halls, dining room facilities or residence hall grounds;

(a) Damages inflicted on residence hall buildings, furnishings or grounds.

(b) Damages to personal property of students living in the residence hall system.

(c) Noise disturbances.

(d) Disorderly conduct.

(e) Physical or mental harassment of students living in the residence hall system.

(f) Illegal entry into a student's room.

(g) Unauthorized seizure or occupation of a student's room.

(h) Violations of ~~((college))~~ university policy.

(i) Other related behavioral problems.

**AMENDATORY SECTION** (Amending Order 22, filed 7/29/75)

**WAC 106-120-220 MEMBERSHIP OF THE RESIDENCE HALL ARBITRATION COUNCIL.** (1) For each case heard the membership of the Residence Hall Arbitration Council shall consist of seven people selected on a random, rotating basis, normally from outside the residence hall in which the problem occurred. The seven members will include:

(a) Two female residence hall students.

(b) Two male residence hall students.

(c) One student residence hall staff member, i.e., a living group advisor or building manager.

(d) The director or assistant director of Residence Living or the director of Housing Services or his/her designee.

(e) The Residence Hall Arbitration Council coordinator.

(2) All the council members (except the coordinator) will be selected by the coordinator on a random, rotating basis from a list of volunteers in each category. This list will be updated quarterly and maintained on file by the coordinator.

(3) As each individual is selected to serve, the council coordinator will ascertain whether that person is relatively free of bias in the case. If a prospective member reports a bias or the council coordinator determines that bias exists, the prospective member will be replaced by another person from the volunteer lists prior to the council hearing. At the time of member selection, the council coordinator also will ascertain whether each prospective member can be present at the specified date and time for the hearing. If they cannot be present, another volunteer will be randomly selected.

(4) A quorum of five of the seven council members must be present in order to hold a hearing. All seven members hold equal positions on the council; and each member has an equal vote regarding any recommendations the council shall make. In order to be approved, all actions must be supported by a majority of the council members in attendance.

**AMENDATORY SECTION** (Amending Order 22, filed 7/29/75)

**WAC 106-120-230 HEARING PROCEDURES.** (1) The Residence Hall Arbitration Council will meet whenever a case has been referred by the council coordinator, the director or assistant director of Residence Living, or the director of Housing Services. However, before any case is referred to the council, every effort should be made to resolve the concern at the lowest possible level, e.g., between two individuals or within a residence hall.

(2) Any person wishing to bring a case to the Residence Hall Arbitration Council should notify the council coordinator in person and provide a signed statement. At the time of notification:

(a) The reason for filing the case with the council should be stated; and

(b) The names of the person(s) involved should be shared with the council coordinator. The council coordinator will then have five working days from which time the complaint is filed to:

~~((a))~~ (i) Set a hearing date, time and place;

~~((b))~~ (ii) Notify the involved person(s) about the complaint and hearing date;

~~((c))~~ (iii) Select by random methods a set of council members from the volunteer lists; and

~~((d))~~ (iv) Do any preliminary work for the hearing, e.g., take depositions.

The council coordinator should give the person(s) involved in the case a minimum of three days notice of the hearing date, time, and place.

(3) In informing the person(s) involved in the case, the council coordinator will send a letter:

(a) Stating the nature of the complaint being brought against him/her; and

(b) Unless the person(s) against whom the complaint is filed contacts the council coordinator no less than ~~((48))~~ forty-eight hours prior to the hearing to request a change of time or place not to exceed twelve hours from the previously set time and date, the council will meet at the date, time and place cited in the letter.

If the person(s) against whom the complaint is being filed lives in a residence hall, the staff members in the building will be informed as to the date, time, place and outcome of the council proceedings. Staff members of the involved residence hall(s) may be present at the council meeting.

(4) Prior to the council meeting, the council members will meet among themselves to review their responsibilities and options. When the council meeting commences, the council coordinator will present the details of the case to the other members. The council members then may ask questions of the council coordinator, the person(s) appearing before the council, the person(s) who recorded the complaint or any witnesses. The person filing the complaint shall be present at the hearing. However, the council may elect to hear separately the statements of the person(s) filing the complaint and the person(s) named in the complaint.

(5) Attendance at the Residence Hall Arbitration Council hearings will be limited to:

(a) Members of the council;

(b) The person(s) directly involved in the case, i.e., person(s) filing the complaint, person(s) named in the complaint, and any other interested person(s) that the council shall choose to admit;

(c) Any staff members of the involved residence hall(s) who wish to attend; and

(d) The director or assistant director of Residence Living, the director of Housing Services or their designee(s).

(6) Discussions are to be directed toward:

(a) Discovering the complete nature of the problem;

(b) Determining the course of action that will best meet the needs of the individuals involved and the residence hall community(ies) in which they are living.

All council members and other persons involved in the case should be reminded that the purpose of the council is to seek solutions that assist in the growth and education of individuals living in the residence hall community. Any solution the Residence Hall Arbitration Council shall offer for a situation brought before it should be developed with positive behavior changes as the primary motivating factor.



(7) After all discussions and investigations have been completed, the members of the Residence Hall Arbitration Council will retire to decide upon a course of action in the case. When a decision has been reached the person(s) involved in the case will be informed. The council coordinator then will be responsible for implementing the course of action and/or transmitting the recommendation.

(8) The Residence Hall Arbitration Council has authority to take any of the ensuing actions in a case:

(a) Negotiate a behavioral contract with the person(s) brought before the council. This contract will define the specific obligations the student(s) have to meet, and will be signed by the student(s) and the Residence Hall Arbitration Council coordinator. Fulfillment of the terms will be determined jointly by the council members and the appropriate persons or agencies involved with the case. Upon failure of a student to honor the terms of the behavioral contract, the council members who originally heard the case will reconvene, and make a new decision.

(b) Refer the incident to the Campus Judicial Council.

(c) Refer the matter and make a recommendation available to the appropriate ((college)) university administrator.

(d) Refer the matter with recommendations back to the residence hall in which it occurred.

(e) Recommend that the person(s) involved be suspended from ((college)) the university.

(f) Recommend that the person(s) be transferred from one residence hall to another.

(g) Transfer the case to the Campus Police.

(9) If after proper notification procedures have been followed, a person(s) against whom a complaint has been filed fails to attend the Residence Hall Arbitration Council hearing regarding his/her case:

(a) The hearing will proceed as scheduled;

(b) The council members will make a recommendation in the case; and

(c) The person(s) involved will be notified of the nature of that recommendation.

(10) If the council members hearing a case later find that a person(s) has not abided by the negotiated contract, the council then shall recommend and take appropriate action as provided in WAC 106-120-230(8).

#### AMENDATORY SECTION (Amending Order 22, filed 7/29/75)

WAC 106-120-240 DISRUPTIONS OF A COUNCIL HEARING. (1) If, at any time in a council hearing, a person becomes disorderly or disruptive, the council coordinator may remove (or cause to be removed) that person from the hearing room.

(2) A person(s) being disruptive at a council hearing may be subject of a complaint to be brought before the Residence Hall Arbitration Council by the council coordinator.

#### AMENDATORY SECTION (Amending Order 22, filed 7/29/75)

WAC 106-120-250 ANNUAL REVIEW OF THE RESIDENCE HALL ARBITRATION COUNCIL. ((+)) The effectiveness of the Residence Hall Arbitration Council will be reviewed each Spring Quarter by a panel composed of:

((+)) (1) Students who served as council members within the academic year being reviewed, i.e., two student residents and two student staff;

((+)) (2) Representatives from Residence Hall Council;

((+)) (3) Students who appeared before the council to answer complaints; and

((+)) (4) Students who appeared before the council to file complaints.

The director and assistant director of Residence Living and the director of Housing Services will meet with the panel to listen to feedback, ask pertinent questions, and review all recommendations that may be made. Any resulting changes or modifications will be written into the Residence Hall Arbitration Council code during the Summer Quarter of each year.

#### AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-120-700 DEMONSTRATIONS ON CAMPUS. Because the rights of free speech and peaceable assembly are fundamental to the democratic process, Central Washington ((State-College)) University supports rights of students and other members of the ((College)) university community to express their views or peacefully protest

against actions and opinions with which they disagree. The ((College)) university also recognizes a concurrent obligation to maintain on the campus an atmosphere conducive to academic work; to preserve the dignity and seriousness of the ((College)) university ceremonies and public exercises; and to respect the private rights of all individuals. The following regulations are intended to reconcile these objectives: Campus demonstrations may be conducted in areas which are generally available to the public, provided such demonstrations:

(1) Are conducted in an orderly and nondisruptive manner.

(2) Do not interfere with vehicular or pedestrian traffic.

(3) Do not interfere with classes, scheduled meetings and ceremonies, or with other educational processes of the ((College)) university.

(4) Are not held in a disruptive manner in public areas within ((College)) university buildings, stadium, or fields where ((College)) university functions are in progress therein.

(5) Do not continue after the usual closing hours of buildings or facilities.

(6) Are not conducted within the residence and dining halls of the campus.

#### AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-120-800 RIGHT TO FORM ORGANIZATIONS. Student organizations may be established within the ((College)) university for any lawful purpose. Affiliation of any student organization with lawful off campus groups shall not, in itself, disqualify that organization from enjoying the benefits and privileges which the ((College)) university affords to student organizations. Organizations shall have the right to keep membership lists confidential and solely for their own use. The name and address of officers or representatives shall be required by the ((College)) university as a condition of ((cognition)) recognition and of ((College)) university privileges.

#### AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-120-900 STUDENT GOVERNMENT. The ASC constitution establishes the governing bodies for students of the ((College)) university. Amendments to the constitution require approval by the Board of Trustees.

#### AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-136-200 PLACEMENT SERVICE—EMPLOYERS RECRUITING ON CAMPUS. All arrangements for campus recruiting shall be coordinated by the Placement Service and are subject to the following conditions:

(1) Any bona fide employer offering to recruit and hire personnel for his own organization shall be eligible to recruit on campus, provided that all employers must comply with Federal and state laws against discrimination.

(2) Representatives from college or university graduate schools may recruit on campus.

(3) No commercial or state employment agency shall be allowed to solicit student or alumni applications on campus.

(4) All interviewing arranged by the Placement Office shall be conducted in offices provided for this purpose and not in hallways or other public areas and subject to the following:

(a) Recruiters for school districts, business and industrial firms, and government agencies shall be assigned individual rooms and students sign on pre-arranged interview schedules.

(b) Recruiters for the military, Peace Corps and Vista are assigned individual rooms and students may be interviewed on a "drop-in" basis.

(c) All company literature and brochures shall be displayed within the interviewing room and placement office literature racks.

(d) Poster boards and signs related to campus interviews may be posted on bulletin boards or other designated areas upon approval of the placement office. (In accordance with departmental or building policy.)

(5) All prospective employers shall be free to present their points of view, and all students shall be free to determine whether they desire to listen to their presentations.

(6) Arranging for the appearance of a prospective employer on the Central Washington ((State-College)) University campus is not an endorsement of the employer, or his organization's policies, by the ((College)) university.



AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-136-201 PLACEMENT SERVICE—ELIGIBILITY TO REGISTER FOR PLACEMENT SERVICE. The following individuals may register for placement service:

- (1) ((EWSE)) CWU students of senior standing.
- (2) Graduate or 5th year students who received their baccalaureate degrees from ((EWSE)) CWU.
- (3) Alumni who have completed fifteen quarter hours in residence at ((EWSE)) CWU.
- (4) Graduates from other colleges or universities who have completed fifteen quarter hours of work in residence at ((EWSE)) CWU.
- (5) Graduates from other colleges or universities who haven't completed fifteen quarter hours in residence may use the services of the placement office if a reciprocity agreement is established.
- (6) The general services that may be available to all ((EWSE)) CWU students and alumni are as follows:
  - (a) Career planning and development.
  - (b) Employment information relevant to their academic interests.
  - (c) Career information center.
  - (d) Summer jobs related to career positions.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-136-202 PLACEMENT SERVICE—PLACEMENT FILE. Each individual's placement file shall be completed in the following manner:

- (1) Registration forms shall be typed by candidate; and
- (2) It shall be the responsibility of the candidate to deliver or send the recommendation forms to the persons from whom he desires statements; and
- (3) A minimum of two recommendations must be in the candidate's file before it can be sent to prospective employers.
- (4) One of these recommendations shall be written by a ((EWSE)) CWU faculty member or administrator.
- (5) A personal or small group interview with a placement officer shall be a part of registration, provided that this provision may be waived for alumni and seniors who do not register until after they graduate and leave campus.
- (6) Registration shall be completed by the candidate before requesting file to be sent to prospective employers.
- (7) Incomplete files or portions of files shall not be released.

AMENDATORY SECTION (Amending Order 26, filed 8/1/75)

WAC 106-136-205 PLACEMENT SERVICE—JOB NOTIFICATION. Direct notification of positions listed with the placement office shall be available only to:

- (1) Registered seniors who have graduated during the current placement year and have left Ellensburg.
- (2) Registered seniors doing individual field study or practicums away from Ellensburg.
- (3) Seniors at student teaching centers are notified through ((college)) university supervisors.
- (4) Registered alumni who have updated and activated their placement files.
- (5) Graduates of other colleges or universities who have established reciprocity.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-136-206 PLACEMENT SERVICE—RECIPROCAL SERVICE. Requests from ((EWSE)) CWU candidates for service from another institution must be by the placement director. Candidate's file must be updated and active.

AMENDATORY SECTION (Amending Order 26, filed 8/1/75)

WAC 106-136-207 PLACEMENT SERVICE—CONFIDENTIALITY. All student records on file at Central Washington ((State College)) University shall be the property of the ((College)) university including, but not limited to, the following information:

- (1) Recommendations from teachers, former employers, and others acquainted with the student or former student.
- (2) Reports on student teaching, internship, and other special professional laboratory experiences.
- (3) Personal data concerning the student or former student.
- (4) Special reports from various offices concerning individuals for whom placement credentials are on file.

(5) Other pertinent information.

Placement files are subject to the following terms and conditions:

(1) After November 21, 1974, any senior or alumni who establishes a new file, or updates his present placement file, shall be accorded the option to have his/her placement file be open for his/her review, or be confidential. Such option shall be exercised in writing on the form provided for this purpose.

Option for an "open" file:

(a) Recommendation forms will be provided stating to the writer that his/her statement is subject to candidate's review.

(b) Recommendation will be subject to review by the candidate at the Career Planning & Placement Center with a placement officer.

(c) Candidates are responsible for acquiring copies of "open" recommendations from the writer. Copies of recommendations will not be duplicated and given to candidates by the Career Planning and Placement Center. An exception to this policy may be allowed if a hardship case is established. In an accepted hardship case, the candidate must request that the writer send us written instructions to provide the candidate with a copy of the recommendation. A minimum of one dollar ((~~\$1.00~~)) service fee will be charged for each request.

(d) Candidates who have established a file before November 21, 1974, and sign the option to have an open file, may include former confidential statements in their open file.

(e) Candidates who start a placement file after November 21, 1974, and sign the option to have an open file, may not add confidential statements to their open file.

Option for a "confidential" file:

(a) The individual must sign a waiver of right to review recommendations.

(b) The individual may not review confidential materials in his placement file.

(c) Recommendation forms will be provided stating to the writer that his/her statement will be confidential.

(2) All recommendations written before November 21, 1974, will continue to be confidential and may not be reviewed by the candidate.

(3) All placement files—Confidential and Open, Subject to Review by Candidate—are to be handled as confidential material and are not to be shown to candidate under any circumstances by employers or graduate schools.

(4) All placement files—Confidential and Open, Subject to Review by Candidate—are to be handled as confidential files and are not to become a part of the employer's personnel files that are established on their employees.

(5) Any state with laws prohibiting handling placement files in a confidential manner so that the candidate's rights of privacy are protected are to return the file to the Career Planning and Placement Center.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-136-208 PLACEMENT SERVICE—RELEASING OF INFORMATION. Placement credentials and other information on file may be released according to the following guidelines:

(1) Credential files shall be made available to prospective employers, properly identified, upon the request of the student (or former student).

(2) The credential file for an individual can also be mailed to another recognized college placement office or graduate school at the request of the individual.

(3) At no time shall credentials be mailed to a commercial agency or to state employment agencies.

(4) Information submitted by applicants on placement service forms is considered as confidential and shall not be released without the applicant's consent.

(5) If the applicant desires, he may request that the file be presented to employers only upon the applicant's written permission.

(6) Candidates' files will be made available to ((EWSE)) CWU department chairmen or other ((college)) university administrators for the purpose of granting assistantships or hiring purposes. For other purposes Central faculty members or administrators may only review what they have written about the candidate.

(7) Recommendations may be removed from candidate's file by written request of the author, or by written request of the candidate without evaluation. This does not include the college student teaching evaluation.

AMENDATORY SECTION (Amending Order 26, filed 8/1/75)

WAC 106-136-209 FREE POLICY. The Board of Trustees shall establish fees which shall be based upon the placement year, October 1 to September 30, and shall be used to establish or bring a file up to date, assign it to a placement officer for service, and make it readily available for office use or mailing to prospective employers. The fee also includes duplicating and sending credentials to prospective employers. Mailing list service is covered by a separate fee. The types of fees and conditions for fees are as follows:

(1) Graduates from other colleges or universities which establish reciprocity shall be charged a fee for one placement year.

(2) Placement services are provided for a fee (included with graduation fees—see ((college)) university catalog) to all undergraduates, who complete their baccalaureate degree at ((EWSE)) CWU, for the placement year in which they receive their degrees. Up to ten copies of the candidate's placement file will be furnished with the initial registration. Thereafter during the same placement year, there will be a charge at the beginning of each additional group of five sets of credentials mailed or picked up by prospective employers.

(3) Graduate students from ((EWSE)) CWU, who continue their studies immediately beyond the Bachelor's degree, will be granted placement services at the culmination of their work. Up to ten sets of credentials will be furnished without charge. Thereafter during the same placement year, there will be a charge at the beginning of each additional group of five sets of credentials mailed or picked up by prospective employers.

(4) Alumni, two year technical vocational ((EWSE)) CWU students, graduate students who have not completed their studies immediately beyond the Bachelor's Degree, and graduate students who did not receive their undergraduate training at ((EWSE)) CWU are subject to a registration or renewal fee. This fee will enable the candidates to have sent to bona fide employers, up to five copies of their credentials within the placement year. Thereafter during the same year, there will be a charge at the beginning of each additional group of five sets of credentials mailed or picked up by prospective employers.

(5) Alumni Mailing List Fee. This fee enables the candidate to receive notification of job opportunities. Vacancies are listed by level:

- ((+)) (a) Elementary,
- ((2)) (b) Secondary,
- ((3)) (c) School administration,
- ((4)) (d) College, and
- ((5)) (e) Government/business.

Candidates are charged for each level of listings desired.

(6) Checks shall be made payable to the Career Planning and Placement Center and shall be paid before the file is activated. The annual fee entitles the registrant to placement assistance during the placement year ending September 30.

(7) The Board of Trustees shall establish the fee categories and dollar amounts, and the Career Planning and Placement Center shall publish notice of such fees.

AMENDATORY SECTION (Amending Order 4, filed 6/16/72)

WAC 106-136-300 ((KWS)) KCAT-AM RADIO STATION-ADVERTISING RATES. Whenever possible, the advertising rates of ((KWS)) KCAT-AM shall be in accordance with the standards set by the Intercollegiate Broadcasting System.

AMENDATORY SECTION (Amending Order 8, filed 9/7/72)

WAC 106-136-400 SCHEDULING OFFICE-DUTIES OF THE SCHEDULING COORDINATOR. (1) The Scheduling Center is responsible for coordinating all arrangements relative to meetings, conferences, workshops, social functions and other events involving the use of campus facilities. The Central Washington ((State-College)) University Master Activity Calendar is also maintained in this office. Advance scheduling as far ahead as a full year is strongly recommended.

(2) Any organization, club or individual with an outstanding balance in the Scheduling Center will not be allowed to schedule until all bills are paid.

(3) In planning various group functions, requests for the following items should be directed to the Scheduling Center:

(a) Ticket Sale Table—advance reservation is needed for a space assignment, tables and chairs.

(b) Name tags—pressure-sensitive or plastic badges with Central Washington ((State-College)) University imprints are available at cost.

(c) Campus Maps.

(d) Special arrangement of furniture, podiums, and other equipment; construction of special platforms.

(e) Audio-visual equipment such as movie projectors, tape recorders, public address systems, etc.

(4) Any division or ((college)) university organization, listed on the ((college)) university register, may obtain use of ((college)) university facilities by filing with the Scheduling Center a request for the use of ((college)) university facilities at least seven ((7)) days before the event; provided, however, the time requirement shall be waived whenever reasonable cause is shown.

(5) Scheduling requests shall include the following information:

(a) The name of the organization or organizations sponsoring the program.

(b) The name of the speaker and the general topic of address and/or program (note entertainment exception).

(c) The number of persons expected to attend.

(d) Any special facilities or equipment required for the presentation of the program.

(e) The organization's preferences, if any, for specific facilities.

(6) Upon receiving such information the Scheduling Center shall within 48 hours assign in writing an appropriate room or space for the meeting and shall assist the sponsoring organization or organizations in arranging for the special equipment that may be required. In assigning space the scheduling Center shall consider the size of the facility required, other events scheduled by prior request, and the preferences of the requesting organization, unless the Scheduling Center deems the requested facilities to be inappropriate for the proposed use, or otherwise unavailable. The Scheduling Center shall not be limited to space in the Samuelson Union Building, but shall consider all facilities, and after consultation with the office authorized to schedule space in the particular facility, may assign any appropriate facility in the ((College)) university for speakers or programs.

(7) If the sponsoring organization objects to the space or date assigned, it may appeal the Scheduling Center decision to the dean of student development, who shall render a decision within five business days.

(8) SUB "Pit" (the central stairwell lounge area) may be scheduled with the approval of the assistant director of the SUB.

(9) Academic divisions or departments, when sponsoring a speaker or other special event as a part of that department's or division's program may schedule the event in the facilities regularly assigned to that department or division without consent of the Scheduling Center; provided, however, that the department or division head shall advise the Scheduling Center of the name of the speaker, the general topic of the address and the time and place of the program at least five days before the presentation of the program, or, if such advance notice is not feasible, as long a time as possible before the presentation.

(10) Individual students, faculty members, and staff may form ad hoc organizations for the express purpose of inviting a particular speaker or program to address them and others on a specific occasion by filing with the Scheduling Center a statement of intention and sponsorship. The statement of intention and sponsorship shall be signed by at least three students, faculty members, or staff members and shall state the name of the speaker, the subject of his talk, and the purpose of the sponsors in inviting him. The statement shall also contain a certificate signed by the three sponsors stating that they are acting as individuals and not on behalf of any division or organization. The statement of intention and sponsorship shall be accompanied, when required, by payment in advance of the fee for use of the facility. Each signator is individually liable for any damages, costs, or charges incurred as a result of the scheduled event.

AMENDATORY SECTION (Amending Order 8, filed 9/7/72)

WAC 106-136-410 USE OF FACILITIES FOR CAMPAIGN PURPOSES. No political candidate or group supporting specific candidates for political office, or persons or groups campaigning for specific political issues, or political candidates can use ((college)) university space or facilities free of charge, such as the campus newspaper, campus radio or TV station, or receive ((college)) university support for those political activities. Furthermore, no ((college)) university equipment, including duplicating machines, computers, telephones, mailing services or supplies may be used free of charge for political or other ((noncollege)) nonuniversity purposes. (See WAC 106-140-160)

AMENDATORY SECTION (Amending Order 8, filed 9/7/72)

WAC 106-136-411 USE OF FACILITIES FOR CAMPAIGN PURPOSES—REQUIREMENTS. The purpose of Central Washington ((~~State College~~) University) is to provide a liberal education in a number of academic fields; it has been established for public benefit rather than for the benefit of any private endeavors. Consequently, private organizations composed solely of students, faculty members, and staff members of Central Washington ((~~State College~~) University), and others may use ((~~college~~) university) facilities and services for political and other community-oriented activities, subject to applicable scheduled rental charges and ((~~college~~) university) rules, regulations and procedures. Conditions for all such use include, in addition to previously mentioned rental charges, reimbursement for the use of telephones and other utilities or services, maintenance and security, campus mail services, postage, vehicles, computer time and other incidental costs. In no case may ((~~college~~) university) facilities or services be used to establish or maintain an office or headquarters for a political candidate or partisan political cause. Rules, regulations, policies, procedures and practices regarding the use of ((~~college~~) university) facilities shall not discriminate or promote discrimination among political parties or groups solely on the basis of their particular political viewpoint.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-501 FACILITIES SCHEDULING AND USE POLICY. The provisions of WAC 106-136-501 through 106-136-599 shall constitute the Facilities Scheduling and Use Policy of Central Washington ((~~State College~~) University).

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-510 DEFINITIONS. (1) "Academic Facilities" shall mean all ((~~college~~) university) owned and/or operated facilities and realty located within the main campus area which are primarily used for classwork and classroom instruction, including all athletic and intramural facilities.

(2) "Accredited Classes" shall mean those classes offered for credit by Central Washington ((~~State College~~) University). They include but are not limited to:

- (a) Course offerings which appear in current class schedule booklets, or
- (b) Workshops, or
- (c) Credit and noncredit courses offered through the division of Continuing Education.

(3) "((~~College~~) University) Organizations" shall mean and include only those organizations defined in WAC 106-124-105(1), (3), and (4).

(4) "Laboratories" are rooms with special purpose equipment for student participation, experimentation, observation, or practice in a field of study. Such rooms include class laboratories, special class laboratories, individual study laboratories, and nonclass laboratories as defined in the Higher Education Facilities Inventory and Classification Manual.

(5) "Limited Housing and Dining Hall Facilities" shall mean only certain specified lounges, studies, meeting rooms, and dining rooms within ((~~college~~) university) operated student residences and dining halls.

(6) "((~~Noncollege~~) Nonuniversity) Organizations" for purposes of WAC 106-136-501 through 106-136-599 shall mean and include those organizations defined in WAC 106-124-105(2), private entities and other individuals, associations and corporations not directly associated with Central Washington ((~~State College~~) University).

(7) "Scheduling Coordinator" shall mean the individual responsible for implementing the Facilities Scheduling and Use Policy: PROVIDED, That only the associate dean for Student Union and Activities or his designee shall be the scheduling coordinator for SUB facilities.

(8) "SUB Facilities" shall mean the certain specified Samuelson Union Building rooms and patios immediately adjacent thereto, excluding the ((~~College~~) University) Bookstore.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-520 AVAILABLE SPACE. The ((~~college~~) university) property available for scheduling and use in accordance with the provisions of this policy shall be limited to:

- (1) Classrooms (lecture and seminar) and certain specified conference rooms within academic facilities;

- (2) SUB facilities; and

(3) Limited housing and dining hall facilities, except that such facilities are only made available through the director of Auxiliary Services or his designee as provided in chapter 106-156 WAC.

Assignment of space shall be at the sole discretion of the scheduling coordinator.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-521 AVAILABLE SPACE—LISTING OF SPACE OR PREMISES AVAILABLE FOR LEASING OR RENTING. All ((~~college~~) university) space or premises available for leasing or renting under the authority of the Facilities Scheduling and Use Policy shall be listed in the scheduling coordinator's office, together with the corresponding lease fee or rental rate.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-522 AVAILABLE SPACE—PRIORITY FOR USE. Scheduling of academic facilities space shall be on a first in time of application basis: PROVIDED, That where a lease has not been executed, ((~~college~~) university) organizations shall have priority over ((~~noncollege~~) nonuniversity) organizations: AND PROVIDED FURTHER, That the academic needs of the institution shall have first priority where a lease has not been executed.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-523 AVAILABLE SPACE—CLASSROOMS. Classrooms may be made available for scheduling and use between the hours of 7:00 a.m. and 10:00 p.m. when not in use by accredited classes: PROVIDED, The ((~~college~~) university) has sufficient personnel available. The guidelines for scheduling accredited classes into classrooms are defined in the ((~~Faculty Handbook~~) Policies and Procedures Manual).

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-524 AVAILABLE SPACE—LEASE REQUIREMENT. All ((~~noncollege~~) nonuniversity) persons and organizations desiring to use space in accordance with this Facilities Scheduling and Use Policy shall execute a lease with the scheduling coordinator for temporary or short-term use of ((~~college~~) university) space. The lease may include a description of the premises or space leased, the rental rate, the names of the individuals responsible for the debts of the lessee, the nature and purpose of the intended use, time of use, number of people expected, price of admission, if any, amount of deposit, if any, food service charges, special use or set up charges, statement of responsibility for damages, verification of insurance coverage and other pertinent information, including but not limited to, a statement that the lessee agrees to adhere to and abide by all rules and regulations of Central Washington ((~~State College~~) University).

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-525 AVAILABLE SPACE—LEASING FEE OR RENTAL RATE. The leasing fee or rental rate for use of ((~~college~~) university) space available in accordance with the Facilities Scheduling and Use Policy shall be available in the office of the ((~~college~~) university) scheduling coordinator. Lease fees or rental rates may be different for ((~~college~~) university) organizations than for ((~~noncollege~~) nonuniversity) organizations, and for usage which involves fund raising either through solicitation of donations or by admission charge. The lease fee or rental rate shall be established by the vice president for business and financial affairs. The ((~~College~~) university) reserves the right to change the rates without notice: PROVIDED, That such changes shall also be available in the office of the scheduling coordinator.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-526 AVAILABLE SPACE—SCHEDULING DEADLINES. All applications for the leasing or rental of space shall be submitted in writing, together with a written food service guarantee, if any, not less than ten ((+10)) calendar days in advance of the date requested and a lease or rental agreement shall be executed not less than ten ((+10)) calendar days prior to the date requested.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-527 AVAILABLE SPACE—PROHIBITION. (~~College~~) University organizations or members of the staff, faculty, students or administration of Central Washington (~~State College~~) University shall not be permitted to assume co-sponsorship for another group or individual in order to favorably affect scheduling priority or to reduce the costs otherwise chargeable to such other group or individual.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-528 AVAILABLE SPACE—LIMITATIONS. (~~College~~) University facilities available to (~~noncollege~~) nonuniversity organizations through the Scheduling Office may be used for religious worship, training, instruction, or prayer meetings when available and at full rental charge rates: PROVIDED, That such facilities may not be scheduled, leased, rented, or used on a regular series basis, daily, weekly, monthly, etc., or in any manner that establishes a consistent pattern of the aforementioned religious usage of (~~college~~) university facilities.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-529 AVAILABLE SPACE—AUTHORITY OF SCHEDULING COORDINATOR. The scheduling coordinator of Central Washington (~~State College~~) University may impose special conditions or additional requirements where necessary to meet proper health or safety standards, or to assure compliance with (~~college~~) university rules, upon any organization as a condition precedent to the scheduling, leasing or renting of (~~college~~) university facilities under the provisions of WAC 106-136-501 through 106-136-599. The scheduling coordinator may in his or her discretion make exceptions to the provisions of WAC 106-136-501 through 106-136-599 where extraordinary circumstances exist.

AMENDATORY SECTION (Amending Order 13, filed 5/4/73)

WAC 106-136-590 RESOLUTION OF CONFLICTS WITH OTHER (~~COLLEGE~~) UNIVERSITY POLICIES. The provisions of the Entertainment Policy, WAC 106-36-800 through 106-36-880, the provisions of the Speaker Policy, WAC 106-136-400 through 106-136-411, the provisions of the (~~College~~) university Housing and Dining Hall Services Policy, WAC 106-156-010 through 106-156-082 and the provisions of the Human Rights Policy, WAC 106-72-010 through 106-72-270, shall prevail over the provisions of the Facilities Scheduling and Use Policy wherever any conflicts arise.

AMENDATORY SECTION (Amending Order 12, filed 4/11/73)

WAC 106-136-591 RESOLUTION OF CONFLICTS WITH OTHER (~~COLLEGE~~) UNIVERSITY POLICIES—COMMERCIAL ENTERPRISE. Whenever the purpose of the organization in leasing or renting (~~college~~) university facilities is to conduct a commercial enterprise other than the presentation of entertainment, the provisions of WAC 106-140-001 through 106-140-099 shall apply.

AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-136-601 ENTERTAINMENT DEFINED. "Entertainment" wherever used in WAC 106-136-600 through 106-136-680 shall be defined as follows: "Any performance, dance, concert, attraction, fund-raising event (~~etc.~~) or other event presented on campus which shall require the use of Central Washington University facilities and is sponsored by either the Associated Students of Central, an officially recognized student organization, or private entity."

AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-136-620 RESPONSIBILITIES OF THE ASSOCIATED STUDENTS OF CENTRAL. The Associated Students of Central shall provide crowd control personnel for all entertainment that the Associated Students of Central sponsor. The (~~Associated Students of Central and the student fees budget~~) areas may be required to assume financial responsibility and liability for any claims that may arise against the university for damage or injuries occurring as a result of an Associated Students of Central sponsored entertainment event.

AMENDATORY SECTION (Amending Order 17, filed 7/2/74)

WAC 106-136-625 PROHIBITED ACTIVITIES AT ENTERTAINMENT PRESENTATION. The following activities shall be prohibited at any presentation of entertainment: Smoking, drinking, usage of drugs, any act which is destructive in nature, behavior infringing upon the dignity, well-being or the rights of another individual, as well as all other acts prohibited by institutional policy, state and federal law.

AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-136-630 OBLIGATIONS OF OFFICIALLY RECOGNIZED STUDENT ORGANIZATIONS AND PRIVATE ENTITIES. All officially recognized student organizations and private entities presenting entertainment as determined and approved by dean of student development or his designee are subject to the provisions of WAC 106-136-600 through 106-136-680 and shall be subject to the same regulations concerning responsibilities and liabilities as (~~the~~) set forth in WAC (~~106-136-620 and~~) 106-136-620 and 106-136-625.

AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-136-643 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE—REQUIREMENTS FOR SCHEDULING. No facility will be scheduled for use by recognized student organizations or private entities until a duly authorized representative of that organization has:

- (1) Signed a contract for the use of the facility;
- (2) paid the rental fee for the use of that facility(~~etc.~~), if required in advance;
- (3) furnished satisfactory proof of the acquisition of the insurance coverage required by this policy, ten business days prior to the date requested.

AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-136-644 SCHEDULING RESPONSIBILITIES, REQUIREMENTS, PRIORITIES AND PROCEDURE—LIMITATIONS ON USE OF FACILITIES. (1) Facilities for presentation of entertainment by organizations as defined in WAC 106-124-105(2) may not be scheduled, rented, or used on any regular series basis, daily, weekly, monthly, or in any manner that establishes a consistent pattern of usage or commitment of campus facilities.

(2) The dean of student development or his designee may impose special conditions (~~of or~~) or additional requirements where necessary to meet proper health or safety standards, or to assure compliance with campus rules, upon any organization or private entity as a condition precedent to the presentation of entertainment. The dean of student development or his designee may use whatever discretion necessary in making exceptions to the provisions of WAC 106-136-600 through 106-136-680 where extraordinary circumstances exist.

AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-136-670 AUTHORITY OF DEAN OF STUDENT DEVELOPMENT TO ADMINISTER RECREATION PROGRAM. The dean of student development or his designee may establish reasonable admission charges, schedules, rules and regulations regarding uses, attendance and crowd control (~~during periods of the Associated Students of Central funded Recreation Program~~) at Nicholson Pavilion and Pool, and admission charges will be assessed for university employees and their immediate families during such periods. Advance notice of such charges, schedules, rules and regulations shall be provided to interested parties, whenever possible, by the dean of student development or his designee.

AMENDATORY SECTION (Amending Order 41, filed 10/4/78)

WAC 106-136-680 AUTHORITY OF ACADEMIC DEPARTMENTS TO ADMINISTER THEIR SPONSORED PUBLIC EVENTS. Following approval by the appropriate dean, academic departments may establish reasonable admission fees, rules and regulations regarding attendance and crowd control for public events which they sponsor. Such admission charges may be assessed for university staff, faculty, student body, and the general public (~~etc.~~). However, when Central Washington University student fees are allocated for the direct support of an academically related public event, Central

Washington University students shall normally be provided a reduced student admission charge for such event. Advance notice of such admission fees, rules and regulations shall be provided to interested parties as soon as possible after their adoption, by the respective academic departments.

**AMENDATORY SECTION** (Amending Order 2, filed 1/13/72)

**WAC 106-136-910 USE OF COMPUTER FACILITIES BY STUDENTS, FACULTY AND STAFF.** Self-service keypunching and programming room facilities at specified times are only available for faculty and students. These facilities as well as limited assistance and consultation in the areas of computing are available during these same periods. The specified times of availability of these facilities will be determined by the director of Computer Services and posted in a conspicuous location in the Computer Center area. The times of availability may vary from time to time as necessary, and shall provide for an orderly progression of data processing by which the academic, administrative, and instructional requirements receive processing and such schedules may be developed and projected to provide maximum utilization for the many areas of the data processing facility to the students, faculty and administration.

**AMENDATORY SECTION** (Amending Order 2, filed 1/13/72)

**WAC 106-136-911 USE OF COMPUTER FACILITIES BY STUDENTS, FACULTY AND STAFF—INSTRUCTIONAL REQUIREMENTS.** Adequate instruction and training as determined by the director of Computer Services is mandatory prior to any use of the self-service activities on any computer center facilities. The standards prescribed in the instruction and training program shall be adhered to prior to the center processing any job submitted.

**AMENDATORY SECTION** (Amending Order 2, filed 1/13/72)

**WAC 106-136-920 TYPE OF USE PERMITTED.** The Computer Center facilities shall be used only for purposes directly related to official state or ((college)) university activities. No work shall be processed through or by the computer facilities which contributes to the personal gain of any individual, except for the personal gain experienced by students in their normal regularly scheduled classroom educational activities.

**WSR 79-03-043  
PROPOSED RULES  
DEPARTMENT OF AGRICULTURE  
(Filed March 2, 1979)**

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapters 15.58 and 17.21 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning regulations controlling the use of microencapsulated methyl parathion in WAC 16-230-260, 16-230-270 and 16-230-290;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Friday, March 16, 1979, in the Director's office, Department of Agriculture, Olympia, Washington.

The authority under which these rules are proposed is chapters 15.58 and 17.21 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to March 9, 1979.

This notice is connected to and continues the matter noticed in Notice No. WSR 79-01-080 filed with the code reviser's office on January 2, 1979.

Dated: March 2, 1979  
By: Bob J. Mickelson  
Director

**WSR 79-03-044  
PROPOSED RULES  
DEPARTMENT OF PERSONNEL  
(State Personnel Board)  
(Filed March 2, 1979)**

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:

New WAC 356-30-075 Appointments—Veterans—Non-competitive.  
New WAC 356-35-020 Disabled employees—Transfer or demotion;

that such agency will at 10:00 a.m., Thursday, April 12, 1979, in the Board Meeting Room, 600 South Franklin, 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., Thursday, April 12, 1979, in the Board Meeting Room, 600 South Franklin, Olympia, WA 98504.

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 April 10, 1979, and/or orally at 10:00 a.m., Thursday, April 12, 1979, Board Meeting Room, 600 South Franklin, Olympia, WA.

Dated: March 2, 1979  
By: Leonard Nord  
Secretary

**NEW SECTION**

**WAC 356-30-075 APPOINTMENTS—VETERANS—NON-COMPETITIVE.** (1) Veterans, their widows or widowers, and spouses of veterans with service connected permanent and total disabilities, who are certified to positions in the non-competitive service, shall be selected over non-veterans when the appointing authority determines that the individual is at least as qualified to perform the duties of the position as other applicants who are considered to be among the best qualified candidates. Age, loss of limb or other physical impairment which does not in fact incapacitate the applicant shall not be deemed to disqualify the applicant provided the applicant possesses the capacity necessary to discharge the duties of the subject position.

Such preference shall also apply to individuals certified to classes or positions in the non-competitive local lists and unranked registers.

Eligible veterans, widows, widowers and spouses of veterans with service connected permanent and total disabilities will be identified on the certification.

(2) For purposes of this section, veteran means honorably discharged soldiers, sailors and marines who are veterans of any war of the United States, or of any military campaign for which a campaign ribbon shall have been awarded.

**NEW SECTION**

**WAC 356-35-020 DISABLED EMPLOYEES—TRANSFER OR DEMOTION.** A permanent employee who becomes permanently disabled while employed by the state and subsequently is judged by a physician to be unable to fully perform the duties of the position, may voluntarily transfer or demote within or between agencies. Such transfers or demotions may be made without regard to other provisions of these rules when the gaining appointing authority approves and certifies in writing that the employee is qualified to perform the duties of the position. Such transfers or demotions, accompanied by the certification, shall be reported to the Director of Personnel.

**WSR 79-03-045**  
**EMERGENCY RULES**  
**DEPARTMENT OF GAME**  
[Order 82—Filed March 2, 1979]

Be it resolved by the undersigned, Ralph W. Larson, Director, Washington State Department of Game, that I promulgate and adopt at Olympia, Washington, as emergency rule of this governing body, the annexed rule:

**WAC 232-32-114 CLOSURE OF THE SKAGIT RIVER WATERSHED AND MARINE AREA 8 TO THE TAKING OF STEELHEAD TROUT BY SPORTSMEN OR TREATY INDIANS**

I, Ralph W. Larson, find an emergency exists and that the foregoing order adopting emergency rule WAC 232-32-114 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 and that observance of the requirements for adoption of permanent rules which are effective only upon expiration of 30 days after the date of filing is contrary to public interest as the statement of facts constituting such emergency reveals. A statement of the facts constituting such emergency is:

Data gathered by Department of Game creel census, information provided by the licensed fish buyers reporting sales of steelhead harvested by Treaty Indian fishermen from the Skagit River watershed and Marine Area 8 pursuant to the reporting system approved by the United States District Court in United States v. Washington, and information from the Skagit Cooperative of Indian Tribes indicates that the harvestable surplus of steelhead in the Skagit River System and Marine Area 8 will have been harvested by March 7, 1979. Therefore, a closure of the Skagit River system, its tributaries and Marine Area 8 is necessary to insure conservation of steelhead stocks returning to the river system.

Such rule is therefore adopted as an emergency.

This rule is promulgated under the authority of the Director of Game as authorized in RCW 77.12.150 with the approval of the Game Commission as provided in that statute.

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), or the Administrative Procedures Act (chapter 34.04 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, shall be forwarded to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED March 2, 1979.

Ralph W. Larson

**NEW SECTION**

**WAC 232-32-114 CLOSURE OF THE SKAGIT RIVER, ITS TRIBUTARIES AND MARINE AREA 8 TO THE TAKING OF STEELHEAD TROUT. It**

*shall be unlawful for all persons to take, fish for or possess steelhead from the Skagit River, its tributaries and Marine Area 8: effective 6:00 PM March 7, 1979 until midnight May 25, 1979.*

**WSR 79-03-046**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
[Order 79-14—Filed March 5, 1979]

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 this order provides special personal use regulations for the Edmonds Public Fishing Pier. This is necessary in order to develop a harvest management plan for underwater reef enhanced fishing areas.

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 75.08.085 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 March 5, 1979.

By Gordon Sandison  
Director

**NEW SECTION**

**WAC 220-56-06500A EDMONDS FISHING PIER** *Notwithstanding the provisions of WAC 220-56-020, WAC 220-56-030, WAC 220-56-040, and WAC 220-56-065, effective March 9, 1979 until further notice, it shall be unlawful to take, fish for or possess food fish or shellfish for personal use from the Edmonds Public Fishing Pier contrary to the following bag limits and gear restrictions:*

- (1) *Bag limits.*
- (a) *Rockfish (Scorpaenidae) – all species, 5 fish per day.*
- Kelp greenling (Hexagrammos decagrammus) – 3 fish per day.*
- Pacific (true) cod (Gadus macrocephalus), Pacific tomcod (Microgadus proximus), and Walleye pollock (Theragra chalcogrammus) – 10 fish in the aggregate per day.*
- Surfperch (Embiotocidae) – all species – 10*

fish per day.

Cabezon (*Scorpaenichthys marmoratus*) – 3 fish per day.

Flounders (*Bothidae* and *Pleuronectidae*) – all species, except Pacific halibut (*Hippoglossus stenolepis*), 10 fish per day.

- (b) Octopus – closed to harvest.
- (2) Gear restrictions.
- (a) Angling shall be as provided in WAC 220-56-020, however, the lures must remain outboard of the pier railing while casting.
- (b) It shall be unlawful to operate more than one hand dip net, one ring net or one shellfish pot per angler.

### WSR 79-03-047

#### PROPOSED RULES

#### BOARD OF ACCOUNTANCY

[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Accountancy intends to adopt, amend, or repeal rules concerning fees for permit to practice accounting; applications for examinations; applicants for initial permits to practice public accounting; renewal of permits to practice public accounting; applicants for permits to practice public accounting from other status; basic requirements – amount and effective date of requirement and exceptions. (A copy of the said rules are shown below, but the Board reserves the right to adopt any rules consistent with the subject matter herein);

that such agency will at 1:30 p.m., Thursday, April 26, 1979, in the Seattle Center, Lopez Room, North Court, Seattle, Washington conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Thursday, April 26, 1979, in the Seattle Center, Lopez Room, North Court, Seattle, Washington.

The authority under which these rules are proposed is RCW 18.04.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 26, 1979, and/or orally at 1:30 p.m., Thursday, April 26, 1979, Seattle Center, Lopez Room, North Court, Seattle, Washington.

Dated: March 5, 1979

By: James R. Silva  
Assistant Attorney General

#### AMENDATORY SECTION (Amending Order PL-230, filed 11-17-75)

WAC 4-04-210 ((ANNUAL CPA LICENSE FEE. The annual fee for a certified public accountant's license shall be \$25.)) FEES FOR PERMIT TO PRACTICE ACCOUNTING. (1) The annual fee for a permit to practice public accounting shall be Forty Dollars for CPAs, LPAs and PAs.

(2) The annual fee for a permit to practice non-public accounting shall be Twenty-Five Dollars for CPAs, LPAs and PAs. This permit enables a Washington CPA, LPA or PA to use the appropriate title for occupational purposes (other than engaging in public accounting). The

requirements for this permit are licensure, annual application and payment of the annual fee.

#### AMENDATORY SECTION (Amending Order PL-116, filed 12-14-71)

WAC 4-12-020 ((TIME FOR SUBMITTING APPLICATION FOR EXAMINATION)) APPLICATIONS FOR EXAMINATIONS. Applications for examination((- in whole or in part;)) or reexamination must be ((mailed to)) received by the department of ((motor vehicles)) licensing at least ((forty-five)) sixty days prior to the examination.

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

#### NEW SECTION

WAC 4-12-170 APPLICANTS FOR INITIAL PERMITS TO PRACTICE PUBLIC ACCOUNTING. An applicant for an initial permit to practice public accounting shall show to the satisfaction of the board the following:

(1) An applicant who is a graduate of a college or university and who has completed courses satisfactory to the board in the study of accounting, business law, economics and finance must have either engaged in the practice of public accounting for one year or been employed in private or governmental accounting work acceptable to the board for two years. Each two months of private or governmental work may be substituted for one month of public accounting experience.

(2) An applicant who is a graduate of a college or university, but who has not completed the courses required by the board in subsection (1) above must have engaged in the practice of public accounting for two years or been employed in private or governmental accounting work acceptable to the board at least three years. Each three months' experience in private or governmental accounting work may be substituted for two months of the public accounting experience required by this subsection.

(3) An applicant must provide the affidavit of a CPA or LPA currently holding a valid permit to practice public accounting showing to the satisfaction of the board that the applicant has experience in the elements of the attest function to include:

(a) Experience in applying a variety of auditing procedures and techniques to the usual and customary financial transactions recorded in accounting records.

(b) Experience in the preparation of audit working papers covering the examination of the accounts usually found in accounting records.

(c) Experience in the planning of the program of audit work including the selection of the procedures to be followed.

(d) Experience in the preparation of written explanations and comments on the findings of the examination and on the content of the accounting records.

(e) Experience in preparation and analysis of financial statements, together with explanations and notes thereof.

#### NEW SECTION

WAC 4-12-180 RENEWAL OF PERMITS TO PRACTICE PUBLIC ACCOUNTING. An applicant for renewal of a permit to practice public accounting shall demonstrate to the board, compliance with continuing education provisions of RCW 18.04.290(2).

#### NEW SECTION

WAC 4-12-190 APPLICANTS FOR PERMITS TO PRACTICE PUBLIC ACCOUNTING FROM OTHER STATUS. An applicant for permit to practice public accounting who is entering public accounting from some other status shall:

(1) Show to the board's satisfaction that the applicant has current experience in the elements of the attest function as listed in WAC 4-12-170(3).

(2) Show to the board's satisfaction compliance with the continuing education requirements of Chapter 4-20 WAC or successor chapters.

#### AMENDATORY SECTION (Amending Order PL-148, filed 9-25-73)

WAC 4-20-020 BASIC REQUIREMENTS – AMOUNT. In the three year period ending the December 31 immediately preceding the



annual renewal of the permit to practice public accounting, the applicant must have completed 15 days, or accumulated 120 hours of acceptable continuing education: Provided, that at least two days or 16 hours in each calendar year period and six days or 48 hours in each three-year reporting period shall consist of accounting related or auditing related subjects: Provided, Further, That affected licensees shall report 140 hours for the three and one-half year period ending December 31, 1979, of which at least eight hours must be in accounting or auditing related subjects. For the three-year period ending December 31, 1980, 120 hours must be reported of which at least 24 hours must be in accounting or auditing related subjects. For three-year periods ending December 31, 1981, and thereafter, 120 hours must be reported, of which at least 48 hours must be in accounting or auditing related subjects.

(1) Measurement is in full hours only (a fifty minute period equals one hour). A one day course will constitute eight hours of credit.

(2) Only class hours or the equivalent (and not hours devoted to preparation) are counted.

(3) Acceptable courses taken after January 1, 1974 may be included in the initial qualification.

AMENDATORY SECTION (Amending Order 233, filed 12-17-75)

WAC 4-20-030 BASIC REQUIREMENTS - EFFECTIVE DATE OF REQUIREMENT. (1) The effective date of the requirement will be three years after July 16, 1973. Therefore, the required number of hours must first be met by June 30, 1977.

(2) With respect to any individual, the regulation will become effective ((on the effective date of the requirement or three years after his first annual license renewal, whichever is later)) on December 31, three years following the end of the calendar year in which the individual's first annual permit to practice public accounting is issued: Provided, That all individuals holding valid Washington CPA, LPA or PA certificates who are not eligible under RCW 18.04.290(2) to practice public accounting at the time of this amendment must comply with terms of this regulation prior to applying for a permit to practice public accounting: Provided, further, That licensees entering public accounting from some other status after the effective date of this amendment must demonstrate compliance with WAC 4-20-020 before applying for a license to practice public accounting.

AMENDATORY SECTION (Amending Order PL-175, filed 9-24-74)

WAC 4-20-045 BASIC REQUIREMENTS - EXCEPTIONS. The following are exceptions from the continuing education requirements:

(1) Licensees who are not practicing public accounting in the state of Washington ((-but do hold a permit to practice public accounting in the state of Washington)) are exempt from any continuing education requirement of RCW 18.04.290(2) and the applicable continuing education rules and regulations of the board ((-PROVIDED, That if such licensee subsequently enters the practice of public accounting within the state of Washington, such licensee shall satisfy all continuing education requirements of RCW 18.04.290(2) and all applicable continuing education rules and regulations of the board upon the first renewal of his permit following his entry into the practice of public accounting, except as otherwise provided in WAC 4-20-030(2))).

(2) Upon a showing of good cause by a licensee to the board, the board may exempt such licensee from any, all or part of the continuing education requirements of RCW 18.04.290(2) and the applicable continuing education rules and regulations of the board. Good cause includes but is not limited to: chronic illness, retirement or military service.

(3) ((Upon the date of entering into public practice any licensee must advise the board of the date of entry into public practice)) A licensee is exempted from the 16-hour accounting and auditing related subject provision for any calendar year in a reporting period during which the licensee was not involved in preparing reports on financial statements: Provided, That a licensee must accumulate at least 16 hours in accounting and auditing related subjects during the current calendar year if (s)he reasonably expects to be involved in preparing financial statements in the calendar year following the reporting period.

REPEALER

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

- (1) WAC 4-04-040 REGISTRATION LIMITED TO INDIVIDUALS AND PARTNERSHIPS - ASSUMED NAME PROHIBITED.
- (2) WAC 4-04-080 PROFESSIONAL SERVICE CORPORATIONS DESIGNATION.
- (3) WAC 4-04-170 EDUCATIONAL AND EXPERIENCE REQUIREMENTS.
- (4) WAC 4-04-240 ANNUAL FEE FOR LPA LICENSE.
- (5) WAC 4-04-270 ANNUAL FEE FOR PA LICENSE.
- (6) WAC 4-12-050 CONSTRUCTION OF RCW 18.04.120(6)(c) AS TO EQUIVALENT EDUCATION.
- (7) WAC 4-12-160 MINIMUM ACCOUNTING EXPERIENCE.

**WSR 79-03-048**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning bentgrass seed certifications, WAC 16-316-0401, 16-316-0551 and 16-316-0901;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979

By: Art G. Losey  
Assistant Director

AMENDATORY SECTION (Amending Order 1451, filed 5/13/76)

WAC 16-316-0401 CERTIFICATION FEES. (1) Seedling Applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Seedling application fee:
  - Per variety, per grower . . . . . \$10.00
- (b) Late seedling penalty fee: . . . . . \$10.00

This additional fee shall be charged for each seedling application received more than sixty days after planting.

(2) Renewal Applications: Due May 1, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Renewal application fee:
  - Per variety, per grower . . . . . \$10.00
- (b) Late renewal penalty fee: . . . . . \$10.00

This additional fee shall be charged per grower for renewal applications received after May 1.

- (3) Reinspection: Other than isolation (each field) . . \$(~~+0.00~~)  
20.00



If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection is corrected. Only two reinspections are permitted for each field each year.

- (4) ((Sampling fee: (per 100 lbs.) ..... \$ 0.25  
~~Production fee — includes tagging: (per 100 lbs) ... \$ 0.25~~

The sampling and production fees are billed at completion of tests. If none of the seed is tagged, 10¢ of the 25¢ cwt. production fee charged is refundable:))

Inspection and final certification fees:

Inspection and final certification fees will be based on pounds sampled and billed upon completion of required tests.

- (a) Inspection and final certification fee: ..... \$0.60  
per 100 pounds. (If no seed is tagged, 20¢ of the  
final certification fee is refundable upon request.)
- (b) Service fee for out-of-state origin ..... \$0.30  
per 100 pounds.

(c) Blend fee shall be as established by blend regulation, and in addition to above fees. However, blend fee not applicable to salvage blends.

(d) Payment of fees shall be the responsibility of the person signing the application. However the processor may assume responsibility.

(5) Fees for services such as O.E.C.D. and sod quality, etc., shall be in addition to the fees listed in these standards.

(6) Purity & Germination test((.....)) fees as established by the director of agriculture.

((6)) (7) Fees for ((resampling,)) retagging, or services not listed in this order shall be the most applicable fee established by the director of agriculture.

((7)) (8) Fees for reissue of tags shall be \$ 0.05 a tag with minimum fee of \$5.00.

AMENDATORY SECTION (Amending Order 1451, filed 5/13/76)

WAC 16-316-0551 FIELD TOLERANCES. Field tolerances shall be as follows:

(1) Maximum other varieties permitted in fields producing:

- Foundation: 0%
- Registered: 0%
- Certified: ((0%))2%

(2) A trace of redtop is permitted in certified blue tag bentgrass fields.

(3) Prohibited noxious weeds must be controlled to prevent seed formation.

AMENDATORY SECTION (Amending Order 1301, filed 4/24/73)

WAC 16-316-0901 STANDARDS FOR VERIFICATION OF TURF SEED INGREDIENTS. (1) The general rules for seed certification are basic and together with the following specific regulations constitute the rules for certification identity of mixtures of different kinds of certified seed.

(2) A blend data sheet, including proof of certification, verifying the origin and the certifying agency along with the analysis and pounds of each lot must be submitted to the certifying agency for approval.

(3) Each lot of certified seed shall:

- (a) Meet standards acceptable to the certifying agency.
- (b) Be sampled by a certifying agency representative prior to blending. The sample shall be identified with:

- (i) The verification of certification, origin, and certifying agency;
- (ii) The kind/variety;
- (iii) The analysis and size of lot.

(4) The certifying agency reserves the right to:

- (a) Refuse permission to use individual lots;
- (b) Approve the equipment to be used and procedure to follow in blending;

(c) Approve the containers and labeling to be used;

(d) Sample the final blend.

(5) The certifying agency will identify each container with an official certification label verifying that the individual lots used were certified seed lots.

(6) For a mixture to be labeled Sod Quality each component shall meet sod quality standards.

(7) Fees for turf seed blending shall be 30¢ per 100 pounds based on the pounds of seed packaged, and 2¢ for each label used.

**WSR 79-03-049**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning field pea seed certification standards, WAC 16-316-470;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979

By: Art G. Losey  
 Assistant Director

AMENDATORY SECTION (Amending Order 1458, filed 5/13/76)

WAC 16-316-470 FIELD PEA SEED CERTIFICATION STANDARDS. The general ((rules for)) seed certification standards are basic and together with the following specific ((rules)) standards constitute the ((rules)) standards for field pea seed certification.

**WSR 79-03-050**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning proprietary variety certification standards, WAC 16-316-600;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service

Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979
By: Art G. Losey
Assistant Director

AMENDATORY SECTION (Amending Order 1461, filed 5/13/76)

WAC 16-316-600 GENETIC PURITY CERTIFICATION. (1) The general certification standards and specific crop certification standards are basic and, together with the following exceptions and specific regulations, constitute the rules for genetic purity seed certification.

(2) Only proprietary varieties and O.E.C.D. varieties not of U.S. origin to be tagged under the O.E.C.D. scheme are eligible for genetic purity certification.

(3) Only the specific crop certification standards that pertain to genetic purity such as land requirements and isolation shall apply, however, in addition fields must not contain other varieties or off-type plants in excess of established standards; and the grower is expected to control noxious weeds to prevent seed formation.

(4) Excessive prohibited and/or objectionable weeds, poor stands, lack of vigor, or other conditions which make inspection inaccurate may be cause for rejection of a field.

(5) Field Inspection. A field inspection shall be made each year at the time the seed crop is in bloom, or at such other times as may be most advantageous to determine genetic purity. A complete record shall be maintained on the condition of the field (weeds, crop mixtures, etc.) and all such information reported to the authorized agent and/or grower. Upon completion of all requirements for field inspection, a final field inspection report shall be issued stating that seed produced from said field passed genetic purity requirements.

(6) Seed Standards. Seed to be certified must not contain seeds of other varieties or off-types in excess of established standards. The quality of each lot of seed represented to be certified must be that which is normally acceptable in the marketing of high quality seed. The certifying agency shall test all lots to determine the purity and germination quality. Failure to maintain acceptable quality shall be considered cause for revoking permission to participate in seed certification by genetic purity.

(7) Processing Requirements. Only those cleaning plants approved by the certifying agency are permitted to process seed for certification. Complete records must be kept of all processing. Blending of seed lots of the same variety from fields passing field inspections may be permitted with prior approval and if in accordance with regulations for blending. ((There shall be a certification representative in each approved plant to be responsible for all operations involving certified seed. This representative will draw a sample of each lot of certified seed after the lot is brought to the condition in which it is to be marketed.)) Sampling and all other operations involving certified seed shall be under supervision of the certifying agency. The sample shall be obtained in accordance with official sampling procedures. The entire lot must be cleaned and in condition for sale at the time of sampling. This sample will be submitted to the Seed Laboratory for testing to evaluate quality. Lots of questionable quality may be rejected and not eligible for certification.

(8) Certification tags ((used)) will be clearly marked, "Genetic Purity Certified".

(9) Fees for genetic purity certification are as established for each commodity under Washington certification and the authorized agent or grower is responsible for all authorized fees.

WSR 79-03-051
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning white clover and trefoil seed certification, WAC 16-316-660 and 16-316-680;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979
By: Art G. Losey
Assistant Director

AMENDATORY SECTION (Amending Order 1497, filed 3/31/77)

WAC 16-316-660 CERTIFICATION FEES. (1) Seedling Applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.

(a) Seedling application fee:
Per variety, per grower ..... \$10.00
(b) Late seedling penalty fee: ..... \$10.00
This additional fee shall be charged for each seedling application received more than sixty days after planting.

(c) Seedling acreage fee: (per acre) ..... \$ 1.00
(Refundable if acreage is withdrawn before inspection). Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July 31, however, may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) Renewal applications: Due June 15, however, may be accepted after due date at the discretion of the certifying agency.

(a) Renewal application fee:
Per variety, per grower ..... \$10.00
(b) Renewal acreage fee: (per acre) ..... \$ 1.00
(Refundable if acreage is withdrawn before inspection).

(c) Late renewal penalty fee: ..... \$10.00
This additional fee shall be charged for each renewal application received after June 15.

(3) Reinspection: ((First reinspection included with acreage fee. Second reinspection))
Other than isolation (each field) ..... \$20.00

If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection has been corrected. Only two re-inspections are permitted for each field each year.

(4) ((Sampling fee: (per 100 lbs.) ..... \$ 0.15))
Production fee includes sampling and tagging per cwt. .... \$ 0.30
Production fee ((-) includes sampling and tagging ((-) per ((100 lbs.)) cwt. .... \$ ((0.15))0.30

The ((sampling and)) production fee((s are)) is billed at completion of tests. If none of the seed is tagged, 10¢ of the ((15¢)) 30¢ cwt. production fee charged is refundable.

(5) Purity and Germination test: ..... Fees as established by the director of agriculture.

(6) Fees for ((resampling;)) retagging((;)) or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$0.05 a tag with a minimum fee of \$5.00.

AMENDATORY SECTION (Amending Order 1566, filed 3/1/78)

WAC 16-316-680 SEED STANDARDS. (1) Seed standards shall be as follows: (((+)))

[CODIFICATION NOTE: The graphic presentation of this table has been varied slightly in order that it would fall within the printing specifications for the Washington Administrative Code. In the following columns, "WHITE CLOVER" AND "TREFOIL", which read across the page in the originally filed order, will be covered in two separate tables listed vertically down the page.]

PART I OF TABLE

WHITE CLOVER

		Found.	Reg.	Cert.
Pure Seed	(Min)	98.0%	99.00%	99.0%
Other Crop	(Max)	0.1%	.25%	0.3%
Inert	(Max)	2.0%	1.00%	1.0%
Weed Seed	(Max)	0.1%	0.25%	0.3%
Sweet Clover	(Max)	—	90/lb	90/lb
Objectionable Weed Seeds	(Max)	10/lb	90/lb	90/lb
Germination	(Min)	85.0%	85.0%	85.0%
(Germination + Hard Seed) or Tetrazolium (Minimum total tetrazolium and hard seeds)				87.0%

PART II OF TABLE

TREFOIL

		Found.	Reg.	Cert.
Pure Seed	(Min)	98.0%	98.00%	99.0%
Other Crop	(Max)	0.1%	0.2%	0.5%
Inert	(Max)	2.0%	2.0%	1.0%
Weed Seed	(Max)	0.2%	0.25%	0.3%
Sweet Clover	(Max)	None	9/lb	90/lb
Objectionable Weed Seeds	(Max)	None	45/lb	90/lb
Germination	(Min)	85.0%	85.0%	85.0%
(Germination + Hard Seed) or Tetrazolium (Minimum total tetrazolium and hard seeds)				87.0%

(2) White Clover and Trefoil seed must be free of prohibited noxious weed seeds. Further, the foundation class must also be free of Brassica spp.

(3) Foundation ((or registered)) seed that has been rejected in the laboratory for prohibited noxious weed seeds may be reclassified to the certified blue tag class ((but shall)) and may not be eligible for seed stock even though it is re-cleaned and meets certification standards.

WSR 79-03-052  
 PROPOSED RULES  
 DEPARTMENT OF AGRICULTURE  
 [Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning varieties eligible for seed certification, WAC 16-316-790, 16-316-800, 16-316-810, 16-316-820, 16-316-830, 16-316-840, 16-316-0042 and 16-316-0057;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30,

1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
 By: Art G. Losey  
 Assistant Director

AMENDATORY SECTION (Amending Order 1568, filed 3/1/78)

WAC 16-316-790 VARIETIES ELIGIBLE FOR SEED CERTIFICATION. (1) Following are the lists of varieties eligible and certification scheme:

\* 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.

(2) As the list of varieties is subject to change, other varieties may be eligible upon approval of the certifying agency.

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

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

- |  |  |
|--|--|
| Alkali grass   | Fultz*p  |
| Bentgrass:<br>(subject to poa annua quarantine)          | Astoria Colonial***<br>Highland Colonial**<br>Seaside Creeping***<br>Emerald Creeping**  |
| Big Bluegrass:   | Sherman**  |
| Canada Bluegrass:<br>(subject to poa annua quarantine)   | Reubens**pat   |
| Kentucky Bluegrass:<br>(subject to poa annua quarantine) | A20-6*p<br>A-34 (Bensun)**p<br>Adelphi**pat<br>Baron**pat<br>Birka*p<br>Bonnieblue (Pac)**pat<br>Bono (Birdie)*p<br>Cheri(Golf)*p<br>Cougar*<br>Delta*<br>Fylking**pat<br>Georgetown**p<br>Geronimo*p<br>Glade**pat<br>Kenblue*<br>I-13**p<br>Majestic**pat<br>Merion**<br>Newport**<br>Nugget*<br>Parade*p<br>Park**<br>Plush*p |

Prato\*\*p  
 Ram 1\*p  
 S-21\*\*p  
 Touchdown\*pvv  
 Troy\*\*p  
 Victa\*p

Meadow Brome: Regar\*\*  
 Mountain Brome: Bromar\*\*

Smooth Brome: Baylor\*p  
 Blair\*p  
 Manchar\*\*  
 Sac\*\*  
 Saratoga\*

Deertongue: Tioga\*  
 (subject to poa annua quarantine)

Fescue: Cascade Chewings\*\*  
 (subject to poa annua quarantine - except tall fescue) Dawson Red\*p  
 Novorubra Red\*p  
 Pennlawn Red\*  
 Alta Tall\*\*  
 Wintergreen Red\*  
 Scaldis Hard\*pvv  
 Ruby Red\*p  
 Durar Hard\*\*  
 Cover Sheep\*\*  
 Fawn Tall\*

Orchardgrass: Latar\*\*  
 Pennlate\*  
 Potomac\*

Indian Ricegrass: Nezapar\*\*  
 Perennial Ryegrass: Cropper\*({P})p  
 (subject to poa annua quarantine) Diplomat\*pvv  
 NK-100\*p  
 Yorktown\*pvv  
 Norlea\*p  
 Pennfine\*pvv  
 Pelo\*\*p  
 Yorktown II\*pvv  
 Manhattan\*p  
 ((Chair\*\*))

((Timothy:)) Champlain\*  
 Timothy: Clair\*\*  
 Climax\*  
 Pronto\*p

Wheatgrass: Witmar Beardless\*\*  
 Fairway Crested\*  
 Nordan Crested\*\*  
 Amur Intermediate\*\*\*  
 Greengar 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.  
 ((~~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  
 pvv — Plant Variety Protected

pvv — Plant Variety Protected plus to be sold by variety name only as a class of certified seed))

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

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*pvv	((Prosper*p)) Prosper 1*p
Florie*({p})p	Redland*pvv
Hamidori*p	
Kenland*	((Redman*p)) Redman*p
Kenstar*pvv	Ruby*p
	Tristan*p

(2) VARIETY RESTRICTIONS. Kenstar: No seed production permitted year of seeding.  
 ((~~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  
 pvv — Plant Variety Protected  
 pvv — Plant Variety Protected plus to be sold by variety name only as a class of certified seed))

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

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 38**p	
A-59**p	Saranac AR*pvv
Agate*	SX10*p
Anchor*pvv	Team*
Answer*p	
Apalachee*	Tempo*p
Apollo*pvv	Thor*p
Arc*	Titan*p
Arnim*p	
Atlas*pvv	
Atra-55*p	Vernal*
	Vanguard*pvv
Baker*pvv	Vista*p
Blazer*p	WL-220*p
	Warrior*p
	Washoe*
	Weevichek*p
Citation*pvv	
Conquest*p	
Dawson*	
Delta**	
Dupuits*p	WL-215*p
Fame*p	
G-777*p	WL-219*p
G-7730*p	
Glacier*p	WL-307*p
Gladiator*p	WL-318*p
	120*p
	123*p
Honeoye*pvv	
Iroquois*	
Ladak**	521*p
Ladak 65*p	520*p
Liberty**	
Marathon*p	530*p
Mesilla**	
Narragansett**	
Nomad**	
Nugget*pvv	
Olympic*pvv	
Peak*p	
Phytor*p	

Polar I\*p  
Ramsey\*p  
Ranger\*\*

(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.

~~((\*) 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))

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

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***
Pink:	Gloria** Roza** ((Sutter**)) Viva**
Small White:	Chief** Aurora** Bonus**
Kidney:	Royal Red**
Snap Bean:	Yakima** Apollo**

~~((\*) 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))

AMENDATORY SECTION (Amending Order 1575, filed 5/10/78)

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

Merit Ladino Clover\*  
Pilgrim Ladino Clover\*  
Tillman White Clover\*\*

Cascade Birdsfoot 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))

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-316-0042 PROMULGATION.
- (2) WAC 16-316-0057 PROMULGATION.

**WSR 79-03-053**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning noxious weed seeds, WAC 16-300-003 and 16-300-020;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

AMENDATORY SECTION (Amending Order 1554, filed 3/1/78)

WAC 16-300-020 RESTRICTED NOXIOUS WEED SEEDS.

(1) Restricted (secondary) noxious weed seeds are the seeds of weeds which are objectionable in fields, lawns, and gardens of this state, but which can be controlled by cultural or chemical practices.

(2) It shall be unlawful for any person to distribute mislabeled seed. Seed shall be deemed to be mislabeled if it consists of or contains any of the restricted noxious weed seeds listed below in excess of the number declared on the label.

English or Common Name	Botanical or Scientific Name
Bermudagrass	Cynodon dactylon (L.) Pers.
Blue lettuce	Lactuca pulchella (Pursh.) DC.
Docks and Sorrel	Rumex spp.
Dodder	Cuscuta spp.
Field pennycress (fanweed)	Thlaspi arvense
Field sandbur	Cenchrus pauciflorus Benth.
Gromwell (only in small grain)	Lithospermum arvense
Halogeton	Halogeton glomeratus ((M.-Bieb.)) C. A. Mey.
Jointed goatgrass	Aegilops Cylindrica
Medusahead	Elymus caput-medusae L. or Taeniatherum asperum (Sim.) Nevski
Pacific Meadow-foxtail	Alopecurus myosuroides Huds. Fl. Angl.

English or Common Name	Botanical or Scientific Name
Plantains	Plantago spp.
Poverty weed	Iva axillaris Pursh.
Puncturevine	Tribulus terrestris L.
Rye (only in other small grain)	Secale cereale
St. Johnswort	Hypericum perforatum L.
Dalmation toadflax	Linaria dalmatica (L.) Mill.
Yellow toadflax	Linaria vulgaris Hill.
Western ragweed	Ambrosia psilostachya DC.
Wild mustard	Brassica kaber (DC.) L.C. Wheeler Var.
Wild oat	Avena fatua L.
Yellow starthistle	Centaurea solstitialis L.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

WAC 16-300-003 PROMULGATION.

**WSR 79-03-054**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning seed assessment fees, WAC 16-304-110;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

AMENDATORY SECTION (Amending Order 1571, filed 3/31/78)

WAC 16-304-110 ANNUAL SEED INSPECTION CHARGE. Each person required to obtain a seed labeling permit, pursuant to RCW 15.49.400, of the Washington State Seed Act, shall also, pursuant to RCW 15.49.310 and ~~((15.49.370 (15.49.370)))~~ 15.49.370, pay a general seed inspection charge annually to the department in the amount of 10 cents per one hundred dollars gross annual dollar sales of agricultural and/or vegetable seed distributed in this state during the preceding fiscal year: PROVIDED, That no assessment shall be collected on (1) seed for which the assessment has been previously collected, except when such seed has been relabeled; (2) agricultural or vegetable seed distributed out of state; (3) seed distributed in containers of 4 ounces or less; (4) stock seed; and (5) seed distributed by governmental agencies, such as but not limited to the USDA National foundation seed project ~~((and))~~; PROVIDED FURTHER, That erroneous and overpayments shall be refunded on request. Requests for refund must be filed by June 30 of the year following the due date.

Agricultural and/or vegetable seeds distributed under bailment contract shall be valued at the producer-processor agreement rate in lieu of sale.

The assessment fees for the period beginning July 1, 1978 through June 30, 1979 shall be due August 1, 1979 and payable by February 1, 1980. The assessment fees for the period beginning July 1, 1979 through June 30, 1980 shall be due August 1, 1980 and payable by February 1, 1981.

The assessment may accompany the annual application for the seed labeling permit. A penalty of ten percent of the assessment fee or minimum of \$10.00, whichever is greater, shall be added to all assessments not paid by February 1. These funds shall only be used for seed control activities. The annual seed labeling permit may not be issued until all assessments and penalties have been satisfied.

**WSR 79-03-055**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning labeling small grain seed, WAC 16-317-040, 16-317-050, 16-317-060 and 16-317-002;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

AMENDATORY SECTION (Amending Order 1123, filed 8/19/69)

WAC 16-317-040 LABELING REQUIREMENTS FOR SMALL GRAIN SEEDS. In addition to the labeling requirements specified in ~~((New Section 32))~~ RCW 15.49.320 of the Washington State Seed Act, labels for small grain seed shall contain the following information:

~~((b))~~ (1) Each variety (e.g., Nugaines, type (winter or spring), and kind (e.g., wheat), or each type and kind when in excess of 5 ~~((per cent))~~ percent by weight of the whole; or type may not be shown ~~((:))~~; PROVIDED, That the label shall conspicuously show the words "type not stated".

~~((b))~~ (2) A tetrazolium test may be used in lieu of germination ~~((:))~~; PROVIDED, That the label shall state "Tetrazolium . . . .%" and ~~((PROVIDED FURTHER,))~~ that a germination test of the lot is in process and shall be made available to the purchaser when completed. The label shall also show the calendar month and year the tetrazolium test was completed.

AMENDATORY SECTION (Amending Order 1123, filed 8/19/69)

WAC 16-317-050 ALTERNATE LABELING REQUIREMENTS AND EXEMPTIONS. ((a)) (1) Seed distributed in packaged form to a wholesaler or a commercial grower for his own use and accompanied by an invoice or other document containing the labeling information required in ((new section 32)) RCW 15.49.320(1)(b), (d), (g) and (2)(a), (c), (d), and (e) ((RCW 15.49.320)) of the Washington State Seed Act need only contain the information required in WAC 16-317-040(a) and ((New Section 32)) RCW 15.49.320(1)(b), (c), and (e) ((RCW 15.49.320)) on the attached labels((:)); PROVIDED, That the purchaser has knowledge of and consents to said invoice labeling.

((b)) (2) When seed is needed for immediate planting, a purchaser may waive the seed analysis information requirement for his purchase by completion of the following waiver:

CUSTOMER WAIVER AFFIDAVIT

Date .....

.....  
.....  
.....  
(Seed Dealer's Name and Address)

I, ....., because of an emergency need for ..... seed, am waiving my rights as provided in ((section 32)) RCW 15.49.320(4) ((RCW 15.49.320(4))) to receive the germination and purity information required in ((section 32)) RCW 15.49.320(1)(g) and (2) ((RCW 15.49.320(1)(g) and (2)), chapter 63, Laws of 1969)), on lot/s ..... purchased on .....((:)); PROVIDED, That within ((30)) thirty days, the supplier provides the above information to me in writing.

.....  
(Customer's Signature)

((c)) (3) When seed is distributed in bulk, the information required in WAC 16-317-040 and ((New Section 32 [RCW 15.49.320]) RCW 15.49.320 of the Washington State Seed Act shall be provided on the invoice or other document accompanying the distribution of said seed.

((d)) (4) The seed labeling registrant may provide the information required in WAC 16-317-040(a) and (b) and ((New Section 32)) RCW 15.49.320 of the Washington State Seed Act as a guaranteed analysis at the time of distribution((:)); PROVIDED, That the label, invoice, or other document accompanying the seed states "guaranteed analysis", and ((PROVIDED FURTHER,)) that the results of a purity and germination test of a representative sample is made available to the purchaser no later than thirty ((30)) days following the initial distribution of the lot.

((e)) (5) Origin is not required for small grain seed labeling.

AMENDATORY SECTION (Amending Order 1123, filed 8/19/69)

WAC 16-317-060 SEED HELD IN STORAGE. Seed held for bulk distribution or invoice labeling, shall be plainly identified with information required under WAC 16-317-040(a) and ((New Section 32)) RCW 15.49.320(1)(b) and (e) ((RCW 15.49.320(1)(b) and (e))) of the Washington State Seed Act.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 16-317-002 PROMULGATION.

WSR 79-03-056  
PROPOSED RULES  
DEPARTMENT OF AGRICULTURE  
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend,

or repeal rules concerning annual bluegrass quarantine procedures, WAC 16-495-080, 16-495-085, 16-495-090, 16-495-095, 16-495-105, 16-495-001, 16-495-002, 16-495-003, 16-495-005, and 16-495-060;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979

By: Art G. Losey

Assistant Director

AMENDATORY SECTION (Amending Order 1468, filed 5/13/76)

WAC 16-495-080 ANNUAL BLUEGRASS QUARANTINE PROCEDURES. The following procedures will be followed in implementing the annual bluegrass (Poa annua) quarantine which specifies: Each lot of grass seed stock shipped, transported or moved in or into that area of the state of Washington lying east of the Cascade Divide shall be ((officially)) sampled ((by an approved representative)) under supervision of the Washington State Department of Agriculture and tested by an official seed laboratory for annual bluegrass (Poa annua).

AMENDATORY SECTION (Amending Order 1556, filed 3/1/78)

WAC 16-495-085 DEFINITIONS. (1) Annual bluegrass - Poa annua and all related subspecies.

(2) Seed stock - those seeds of grasses which are to be planted for seed increase or with intent of seed increase; except this definition does not include: Big Bluegrass, Upland Bluegrass, ((Brome-grasses)) Brome, Tall Fescue, Meadow Fescue, Oatgrass, Orchardgrass, Timothy, or Wheatgrass.

(3) Official Seed Laboratory - seed testing laboratory approved by the director, such as, but not limited to, Washington State Seed Lab, 2015 South 1st Street, Yakima, Washington; and Oregon State Seed Laboratory, Oregon State University, Corvallis, Oregon.

(4) ((Official)) Representative Sample - sample drawn in accordance with sampling procedures adopted by the director.

(5) Annual Bluegrass Analysis Certificate - a test report from an official laboratory showing freedom from annual bluegrass of ((an official)) a 25 gram sample for bluegrass; 50 gram sample for other grasses.

(6) Quarantine Tag - a tag issued by Washington State Department of Agriculture to be sealed to each bag showing said seed has met quarantine requirements.

AMENDATORY SECTION (Amending Order 1468, filed 5/13/76)

WAC 16-495-090 PROCEDURE FOR CLEARING. (1) Each person moving, shipping or transporting seed stock in or into the regulated area must:

(a) Submit an official laboratory analysis of ((an official)) a representative sample showing freedom from annual bluegrass; or

(b) Have ((an official)) a representative sample submitted for testing.

(2) Upon receipt of an official laboratory analysis showing freedom from annual bluegrass, the department of agriculture will tag each bag of those lots found free of annual bluegrass by the required test with "Annual Bluegrass Quarantine" tag, stating said seed is eligible for planting in eastern Washington.

AMENDATORY SECTION (Amending Order 1468, filed 5/13/76)

WAC 16-495-095 SEED STOCK CONTAINING ANNUAL BLUEGRASS. Each lot of seed stock found to contain annual bluegrass shall be placed under "Stop Sale" to be released only for shipment out of the quarantine area or for planting in nurseries of two acres or less under the supervision of, and approved by, an agent of the Department of Agriculture. The nursery shall be seeded in rows (~~with twenty-four inches minimum spacing~~). It shall be the duty of the person receiving such seed to rogue this increase area or chemically treat to eradicate the annual bluegrass thus assuring production of seed that is free of annual bluegrass. Seed increase areas shall be inspected by the department at least three times during the seedling year. Any areas not passing inspection shall not be harvested, but instead shall be destroyed by the person who planted the increase area upon order of the director of the Washington State Department of Agriculture or his agent. If not destroyed as directed, the Department of Agriculture shall have the plot destroyed and the grower shall be liable for all expenses.

AMENDATORY SECTION (Amending Order 1468, filed 5/13/76)

WAC 16-495-105 FEES. (1) Fees for (~~official~~) sampling and analysis shall be that fee established by the director.  
(2) Inspection fee for nursery plantings shall be \$50.00 per acre or portion thereof.  
(3) (~~The minimum fee shall be \$10.00 for each lot and first 20 quarantine tags. For lots requiring more than 20 tags, the fee shall be the minimum fee of \$10.00 plus 50¢ cwt~~) The tagging fee shall be 50¢ cwt with a minimum fee of \$10.00.

REPEALER (Amending Order 1468, filed 5/13/76)

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-495-001 PROMULGATION—ESTABLISHING QUARANTINE.
- (2) WAC 16-495-002 PROMULGATION.
- (3) WAC 16-495-003 PROMULGATION.
- (4) WAC 16-495-005 PROMULGATION.
- (5) WAC 16-495-060 VIOLATIONS AND PENALTY.

**WSR 79-03-057**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning interstate certification of seeds, WAC 16-320-010, 16-320-020, 16-320-030, 16-320-040, 16-320-050, 16-320-060, 16-320-070, 16-320-080, 16-320-090, 16-320-100, 16-320-110 and 16-320-120;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service

Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-320-010 VARIETIES ELIGIBLE
- (2) WAC 16-320-020 AGENCIES ELIGIBLE
- (3) WAC 16-320-030 APPLICATION OF STANDARDS
- (4) WAC 16-320-040 EVIDENCE OF SEED ELIGIBILITY
- (5) WAC 16-320-050 PRIOR APPROVAL OF COOPERATING CERTIFICATION AGENCIES
- (6) WAC 16-320-060 BLENDING
- (7) WAC 16-320-070 APPROVAL OF PROCESSORS
- (8) WAC 16-320-080 INSPECTION OF PROCESSING OPERATIONS
- (9) WAC 16-320-090 SAMPLES
- (10) WAC 16-320-100 TAGS AND TAGGING
- (11) WAC 16-320-110 EDUCATIONAL RESPONSIBILITIES
- (12) WAC 16-320-120 FEES

**WSR 79-03-058**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning alfalfa seed certification standards, WAC 16-316-230 and 16-316-250;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

AMENDATORY SECTION (Amending Order 1499, filed 3/31/77)

WAC 16-316-230 CERTIFICATION FEES. (1) Seedling Applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Seedling application fee:  
Per variety, per grower ..... \$10.00
- (b) Late seedling penalty fee: ..... \$10.00

This additional fee shall be charged for each seedling application received more than sixty days after planting.



**WSR 79-03-059**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed March 6, 1979]

(c) Seedling acreage fee: (per acre) . . . . . \$ 1.00  
 (Refundable if acreage is withdrawn before inspection). Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July 31, however, may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) Renewal Applications: Due June 15, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Renewal application fee:  
 Per variety, per grower . . . . . \$10.00
- (b) Renewal acreage fee: (per acre) . . . . . \$ 1.00  
 (Refundable if acreage is withdrawn before inspection).

(c) Late renewal penalty fee: . . . . . \$10.00  
 This additional fee shall be charged for each renewal application received after June 15.

(3) Reinspection: (~~First reinspection included with acreage fee. Second reinspection~~) Other than isolation (each field) . . . . . \$20.00

If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

(4) (~~Sampling fee: (per 100 lbs.) . . . . . \$ 0.15~~)  
 Production fee ((-)) includes sampling and tagging per cwt.: (~~((per 100 lbs.))~~) . . . . . \$ ((0+5))0.30

The sampling and production fees are billed at completion of tests. If none of the seed is tagged, 10¢ of the ((+5¢)) 30¢ cwt. production fee charged is refundable.

(5) Purity & germination test: . . . . . Fees as established by the director of agriculture.

(6) Fees for (~~resampling~~) retagging, or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$ 0.05 a tag with a minimum fee of \$5.00.

AMENDATORY SECTION (Amending Order 1499, filed 3/31/77)

WAC 16-316-250 SEED STANDARDS. (1) Seed standards shall be as follows:

((+))

Purity		Founda- tion	Regis- tered	Blue Tag Certi- fied
Pure seed	(Min.)	99.00%	99.00%	99.00%
Other crops	(Max.)	.10%	.10%	.25%
Sweet clover	(Max.)	none	none	90 per lb.
Inert matter	(Max.)	1.00%	1.00%	1.00%
Weed seed	(Max.)	.10%	.20%	.25%
Objectionable weed seeds: Maximum total		none	none	18 per lb.
Germination (Min. total germination and hard seed)		80.00%	85.00%	85.00%
or Tetrazolium (Min. total of Tetrazolium and hard seed)		82.00%	87.00%	87.00%

(2) Alfalfa seed must be free of prohibited noxious weed seeds. Further, the foundation class must also be free of Brassica spp.

(3) Foundation or registered seed that has been rejected in the laboratory for prohibited noxious weed seeds may be reclassified to the certified blue tag class (~~(but shall)~~) and may not be eligible for seed stock even though it is re-cleaned and meets certification standards.

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning grass seed certification standards, WAC 16-316-350 and 16-316-370;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
 By: Art G. Losey  
 Assistant Director

AMENDATORY SECTION (Amending Order 1560, filed 3/1/78)

WAC 16-316-350 CERTIFICATION FEES. (1) SEEDLING APPLICATIONS: Due within sixty days after planting: PROVIDED, That such applications may be accepted after due date at the discretion of the certifying agency upon payment of the late seedling penalty fee.

- (a) Seedling Application Fee:  
 Per variety, per grower . . . . . \$10.00
- (b) Late Seedling Penalty Fee: (per kind) . . . . . \$10.00  
 This additional fee shall be charged for seedling applications received more than sixty days after planting.

(c) Seedling Producing Application Fee:  
 Per variety, per grower . . . . . \$10.00  
 Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July (31): PROVIDED, That such application may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) RENEWAL APPLICATIONS: Due May 1: PROVIDED, That such applications may be accepted after due date at the discretion of the certifying agency upon payment of the late renewal penalty fee.

- (a) Renewal Application Fee:  
 Per variety, per grower . . . . . \$10.00
- (b) Late Renewal Penalty Fee: (per kind) . . . . . \$10.00  
 This additional fee shall be charged for renewal applications received after May 1.

(3) REINSPECTION: Other than isolation (each field) . . . . . \$((+0.00))  
 20.00

If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection is corrected. Only two reinspections are permitted for each field each year.

(4) INSPECTION & FINAL CERTIFICATION FEES: Inspection and final certification fees will be based on pounds sampled and billed upon completion of required tests (Option A). Those dealers requesting sampling and tagging privileges and/or participation in Option B must sign a Memorandum of Agreement that shall expire on June 30 of each year. Memorandum may be terminated by the director if processor violates certification standard or requirements of memorandum.

(a) Option A: When based on pounds sampled, and billed at completion of required laboratory tests, the fees shall be:

(i) Inspection and final certification fee . . . . . \$ 0.60 per 100 pounds. (If no seed is tagged, 20¢ of the final certification fee is refundable upon request).

(ii) ~~((Resampling if required . . . . . \$ 0.15 per 100 pounds. Fees not applicable if lot has met Washington seed certification standards on previous certified sample and lot was remilled to improve quality.~~

~~((iii))~~ Service fee for out-of-state origin . . . . . \$ 0.30 per 100 pounds.

~~((iv))~~ (iii) Blend fee shall be as established by blend regulation, and in addition to above fees. However, blend fee not applicable to salvage blends.

~~((v))~~ (iv) Payment of fees shall be the responsibility of the person signing the application. However, processor may assume this responsibility.

(b) Option B: When based on pounds tagged after required laboratory tests are completed, the fees shall be:

(i) Inspection and final certification fee . . . . . \$ 1.00 per 100 pounds. (Minimum fee per tagging) . . . . . \$10.00

(ii) Service fee for out-of-state origin . . . . . \$ 0.75 per 100 pounds.

(iii) Blend fee (in addition to fee established by blend regulation) shall be as follows, and payable upon completion of blend on total weight of blend:

(A) Washington origin certified seed used in blend . . . . \$ 0.95 per 100 pounds.

(B) Out-of-state origin certified seed used in blend . . . . \$ 0.70 per 100 pounds: PROVIDED, That those fees listed in (a) and (b) above are not applicable to certified seed that is tagged and sealed, and on which final fees have been paid.

(C) A refund or credit will be issued for the percent of the blend lot not tagged. (For example, if 40% of the blend is not tagged, 40% of the fees charged under Option B above is refundable). Requests for refunds must be made by June 30 following final disposition of the blend.

(iv) Payment of fees shall be the responsibility of the processor. A processor choosing this program shall handle all certified grasses in his warehouse under this program for the entire crop year. Upon termination or nonrenewal of Option B Memorandum of Agreement, processor shall be responsible for Option A fees on all certified seed not tagged at termination date.

(5) FEES FOR SERVICES such as O.E.C.D. and sod quality, etc., shall be in addition to the fees listed in these standards.

(6) PURITY AND GERMINATION TEST fees shall be as established by the director of agriculture.

(7) FEES FOR ~~((RESAMPLING,))~~ RETAGGING, OR SERVICES NOT LISTED IN THIS ORDER shall be the most applicable fee established by the director of agriculture.

(8) FEES FOR REISSUE OF TAGS shall be \$0.05 per tag with a minimum fee of \$5.00.

**AMENDATORY SECTION** (Amending Order 1560, filed 3/1/78)

**WAC 16-316-370 SEED STANDARDS.** Seed standards for grass shall be as follows:

[CODIFICATION NOTE: The graphic presentation of this table has been varied slightly in order that it would fall within the printing specifications for the Washington Administrative Code. In the following table, the text under the heading "Crop & its type of Reproduction" has been repeated twice. The table columns "Symbol" through the third "Cert." have been displayed with the Crop Name in PART ONE of the Table and the table columns "Max. % Weed(b) Fndt. Reg." through the last "Reg." have been displayed with the Crop Name in Part Two of the Table.]

PART ONE OF TABLE

Crop & it's type of Reproduction	Symbol (as defined in WAC 16-316-360)	Min. % Germ		Min. % Pure Fndt.		Max. % Inert Fndt.	
		Fndt. Reg.	Cert.	Reg. Cert.	Reg. Cert.	Reg. Cert.	Reg. Cert.
Bluegrass							
Sherman	(A)	70	70	90	90	10	10
Kentucky	(A)	80(e)	80(e)	97	97(d)	3	3
Merion Kentucky	(A)	80(e)	80(e)	92	92(d)	8	8
Canada	(A)	80	80	96	96(d)	4	4
Smooth Brome	(C)	80	85	95	95	5	5
Deertongue	(C)	50	50	97	95	3	5
Fescue							
Tall	(C)	80	85	95	97	5	3
Hard Fescue	(C)	80	85	95	95	5	5
Other Fescue	(C)	80	90	95	95	5	5
Orchardgrass	(C)	80	85	85	90	15	10
			80 for Pennlate & Latar				
Ryegrass	(C)	85(g)	90(g)	96	((98))	4	((2))
					97		3
Pennfine	(C)	85(g)	85(g)	96	97	4	3
Timothy	(C)	80	85	97	97	3	3
Wheatgrass							
Beardless	(C)	80	85	90	90	10	10
Intermediate	(C)	80	85	95	95	5	5
Pubescent	(C)	80	85	95	95	5	5
Streambank	(C)	80	85	90	90	10	10
Crested,							
Siberian	(C)	80	85	90	95	10	5
Slender	(S)	80	85	90	95	10	5
Tall	(C)	80	85	95	95	5	5

PART TWO OF TABLE

Crop & it's type of Reproduction	Max. % Weeds(b) Fndt.		Max. % Other Crop Fndt.(a)		Max. No. seeds of other grass spp.	
	Reg.	Cert.	Reg.	Cert.	Fndt.	Reg.
Bluegrass						
Sherman	.05	.3	.1	.5	1/10	1/1
					grams	grams
Kentucky	.05	.3	.1	.5(d)	1/10	1/1
					grams	grams
Merion Kentucky	.05	.3	.1	.5(d)	1/10	2/1
					grams	grams
Canada	.05	.3	.1	.5(d)	1/10	1/1
					grams	grams
Smooth Brome	.05	.3(c)	.1	.5	1/50	10/50
					grams	grams
Deertongue	.50	.5(c)	1.0	1.0	1%	—
Fescue						
Tall	.03	.3(c)	.1	.5	2/50	10/50
					grams	grams
Hard Fescue	.03	.3(c)	.1	.5	1/50	5/50
					grams	grams
Other Fescue	.03	.3(c)	.1	.5	1/50	5/50
					grams	grams
Orchardgrass	.03	.3(c)	.1	.5	3/50	10/50
					grams	grams
Ryegrass	.1	.3(c)	.1	.5	1/50	5/50
					grams	grams
Pennfine	.1	.3(c)	.1	.5	1/50	5/50
					grams	grams
Timothy	.1	.3	.1	.5	1/50	5/50
					grams	grams
Wheatgrass						
Beardless	.1	.3(c)	.1(f)	.5	1/50	5/50
					grams	grams

Crop & it's type of Reproduction	Max. % Weeds(b) Fndt.		Max. % Other Crop Fndt.(a)		Max. No. seeds of other grass spp.	
	Reg.	Cert.	Reg.	Cert.	Fndt.	Reg.
Intermediate	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Pubescent	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Streambank	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Crested, Siberian	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Slender	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams
Tall	.1	.3(c)	.1(f)	.5	1/50 grams	5/50 grams

[The following (a-f) are NOTES to the above tables.]

- (a) Not to exceed twenty-five hundredths of one percent (.25%) other grass species for certified seed.
- (b) Grass seed must not contain more than 45 per lb. for registered seed, 90 per pound for blue tag seed, singly or collectively, of objectionable weed((s)) seeds. (See current general rules.) Grass seed must be free of the seed of prohibited noxious weeds.
- (c) A tolerance of .5% will be allowed for samples containing weedy bromus spp., provided the total of all other weed seeds does not exceed .3%.
- (d) A 3% tolerance of other Kentucky Bluegrass varieties will be allowed in Merion. (Note: containing minimum 92% Merion.) In a Kentucky Bluegrass other than Merion, 2% of varieties other than the variety certified will be allowed. In Canada bluegrass 3% Kentucky bluegrass will be permitted.
- (e) A standard tetrazolium (200 seed) test may be used in lieu of germination test.
- (f) A tolerance of .8% will be allowed in registered and certified wheatgrass containing small grain seed, providing the total of all other crop seed does not exceed .1% for registered class and .5% for certified class.
- (g) Acceptable maximum fluorescence allowed:

Variety	Foundation	Registered	Certified
NK-100	3 -12%	—	3 -12%
Norlea	2%	—	5%
Pelo	1%	2%	5%
Pennfine	0 - 1%	—	0 - 3%
Cropper	((To be determined))	—	3%
	0	—	—
NK-200	0	—	3%
Yorktown	0	0	2%
Loretta	((To be determined))	—	2%
	0	—	—

**WSR 79-03-060  
PROPOSED RULES  
DEPARTMENT OF AGRICULTURE  
[Filed March 6, 1979]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning bean seed certification, WAC 16-316-270, 16-316-275, 16-316-280, 16-316-285 and 16-316-290;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30,

1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

**AMENDATORY SECTION** (Amending Order 1500, filed 4/11/77)

**WAC 16-316-270 CERTIFICATION FEES.** (1) Applications: Due July 1, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Application fee:  
Per variety, per grower ..... \$10.00
- (b) Acreage fee:

(i) One Inspection: (per acre) ..... \$ 1.00  
For certification of Great Northern, Red Mexican, Pinto and Pink Beans.

(ii) Two Inspections: (per acre) ..... \$ 1.50  
Includes windrow inspection which is required for: Certification of Snap Beans (~~(Small White Beans)~~) and Kidney Beans; Phyto-Sanitary Certificates; Eligibility for shipment into Idaho.

(iii) Acreage fee is refundable if acreage is withdrawn before inspection. Fifty cents of the \$1.50 acreage fee for two inspections is refundable if the second inspection is not made.

(c) Late application penalty fee: ..... \$10.00  
This additional fee shall be charged per grower for applications received after July 1.

(2) Reinspection: (each field) ..... \$((~~10.00~~))  
20.00

If a field is rejected for reasons other than bacterial diseases at the first inspection, the grower may apply for reinspection after the cause for rejection has been corrected. Only two reinspections are permitted for each field each year.

(3) ((~~Sampling Fee: (per 100 lbs.) ..... \$ 0.05~~))

(a) Minimum Fee: ..... \$10.00))

Production fee ((-)) includes sampling and tagging  
per cwt.: ((per 100 lb.)) ..... \$ ((~~0+5~~))0.20

The ((sampling and)) production fees are billed at completion of tests. If none of the seed is tagged, 10¢ of the ((+5¢)) 20¢ cwt. production fee charged is refundable.

(4) Purity & Germination tests: ..... Fees as established by the director of agriculture.

(5) Fees for ((resampling,)) retagging or services not listed in this order shall be the most applicable fee established by the director of agriculture.

**AMENDATORY SECTION** (Amending Order 1454, filed 5/13/76)

**WAC 16-316-275 LAND REQUIREMENTS.** (1) A field to be eligible for the production of certified seed must not have been planted to beans of the same variety and strain the preceding three years((; unless the previous crops were under certification and free of bacterial blight)). This requirement is waived if the previous crop was of the same variety and of a certified class equal or superior to that of the crop seeded. The field to be planted must have been free of bacterial diseases the previous two years.

(2) A field will not be eligible for production of certified seed for more than two consecutive years.

**AMENDATORY SECTION** (Amending Order 1454, filed 5/13/76)

**WAC 16-316-280 FIELD TOLERANCES.** Field tolerances shall be as follows:

(1)

	Field Producing		
	Found- ation	Regis- tered	Certi- fied
Other varieties or off-type plants	none	0.1%	0.2%
Other crops	none	0.1%	0.1%
Total seed-borne diseases	none	0.5%	1.5%
Bacterial bean blights and wilt	none	none	none
Anthraxnose	none	none	none
Mosaic seed-borne	none	0.5%	0.5%

(2) Snap beans (~~(small white))~~ and kidney beans grown under sprinkler irrigation will not be eligible for certification. Further snap and kidney beans shall be isolated by 1320 feet from known bacterial blight.

(3) Fields must be rogued of weeds, off-type plants, volunteer plants, and plants showing symptoms of seed-borne diseases. Excessive night-shade shall be a cause for rejection.

(4) A field to be eligible for certification must have clean, cultivated boundaries at least ten feet wide.

(5) Excessive weeds, poor stands, lack of vigor, or any other condition which is apt to make inspection inaccurate may be cause for rejection of the field.

**AMENDATORY SECTION (Amending Order 1454, filed 5/13/76)**

WAC 16-316-285 INSPECTION REQUIREMENTS. Inspection requirements shall be as follows: (1) When ~~((the plants are at the 3rd leaf stage and when plants are full grown))~~ factors affecting certification are most evident. The ~~((3rd))~~ 2nd inspection, when required, shall be a windrow inspection.

(2) A greenhouse test may be required if the certifying agency deems it necessary.

(3) The combined results of field inspections, laboratory test, and greenhouse test, when required, will determine final certification.

**AMENDATORY SECTION (Amending Order 1454, filed 5/13/76)**

WAC 16-316-290 SEED STANDARDS. Seed standards shall be as follows:

(1)

Purity		Foun- ation	Regis- tered	Blue Tag Certi- fied
Pure seed	(Min.)	98%	98%	98%
Other crops & varieties	(Max.)	none	none	2/100
Badly damaged	(Max.)		2%	2%
Inert matter	(Max.)		2%	2%
Splits & cracks	(Max.)		2%	2%
Weed seed	(Max.)		none	none
Germination (minimum)			85%	85%

(2) Total inert matter, splits and cracks, and badly damaged seed shall not exceed 2% except for foundation ~~((seed))~~ class.

(3) Test reports will show percent of discolored beans for information only.

(4) Rough handling of bean seed in the combine or cleaning plant reduces germination materially. Precautions must be taken against such treatment and the seed safeguarded against high drops.

**WSR 79-03-061  
PROPOSED RULES  
DEPARTMENT OF AGRICULTURE  
[Filed March 6, 1979]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that

the Department of Agriculture intends to adopt, amend, or repeal rules concerning general seed certification standards, WAC 16-316-165, 16-316-175 and 16-316-190;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979

By: Art G. Losey  
Assistant Director

**AMENDATORY SECTION (Amending Order 1557, filed 3/1/78)**

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

ENGLISH OR COMMON NAME	BOTANICAL OR SCIENTIFIC NAME
Bermudagrass	Cynodon dactylon (L.) Pers.
Blue lettuce	Lactuca pulchella (Pursh.) DC.
Docks and Sorrel	Rumex spp.
Field pennycress (fanweed)	Thlaspi arvense
Field sandbur	Cenchrus pauciflorus Benth.
Halogeton	Halogeton glomeratus <del>((M. Brev.))</del> C. <del>((W))</del> A. Mey.
Jointed goatgrass (in small grain)	Aegilops cylindrica
Medusahead	Elymus caput-medusae L. or Taeniatherum asperum (Sim) Nevski
Plantains	Plantago spp.
Poverty weed	Iva axillaris Pursh.
Puncturevine	Tribulus terrestris L.
St. Johnswort	Hypericum perforatum L.
Dalmation toadflax	Linaria dalmatica (L.) Mill.
Yellow toadflax	Linaria vulgaris Hill.
Western ragweed	Ambrosia psilostachya DC.
Wild mustard	Brassica kaber (DC.) L.C. Wheeler Var. Avena fatua L.
Wild oat	Centaurea solstitialis L.
Yellow starthistle	<del>((Aegilops cylindrica))</del>
<del>((Goatgrass (in small grain)))</del>	Lithospermum arvense
Gromwell (in small grain)	Secale cereale
Rye (in other small grain)	

**AMENDATORY SECTION (Amending Order 1452, filed 5/13/76)**

WAC 16-316-175 ALL GROWERS IN THE CERTIFICATION PROGRAM. All growers in the certification program shall: (1) Show that reasonable precaution has been taken to control contaminating crops and varieties, noxious weeds, and seedborne diseases.

(2) Exercise precaution to prevent crop and lot mixture when harvesting.

(3) Identify his crop with the assigned field number ~~((of-~~or~~))~~ or numbers as it is delivered to the processor.

(4) Have his seed cleaned at a seed processor which has been approved by the Seed Branch, Department of Agriculture.

**AMENDATORY SECTION** (Amending Order 1452, filed 5/13/76)

**WAC 16-316-190 CONTAINERS AND LOT NUMBERS.** (1) When harvesting, use clean equipment and take all precautions to prevent mixture. The field number must be on all containers or bulk delivery documents to insure identity when delivered to processor.

(2) All seed for certification shall be packaged in clean, new containers of uniform weight and identified with a lot number when tagged and sealed.

(3) The required lot number shall identify the producer and year of production for each lot of seed. This requirement may be satisfied by use of a processor's code.

**WSR 79-03-062**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

{Filed March 6, 1979}

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning varietal certification, WAC 16-316-215;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979

By: Art G. Losey  
Assistant Director

**AMENDATORY SECTION** (Amending Order 1558, filed 3/1/78)

**WAC 16-316-215 REGULATIONS AND PROCEDURES FOR ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT SCHEME FOR VARIETAL CERTIFICATION.** (1) O.E.C.D. certification is an international certification scheme limited to federal government membership. The agricultural research service of the United States department of agriculture is responsible for implementing the O.E.C.D. seed certification schemes in the United States. The state department of agriculture, by virtue of a memorandum of agreement with the agricultural research service, USDA, is authorized to implement O.E.C.D. certification in the state of Washington.

(2) The general and specific crop certification standards established by Washington State department of agriculture and the O.E.C.D. Scheme for Varietal Certification are basic and, together with the following specific regulations, constitute the rules for O.E.C.D. seed certification.

(3) Varieties Eligible.

(a) Crop varieties of U.S. origin will be eligible for O.E.C.D. certification only if accepted into Washington State's certification program.

(b) Crop varieties, of origin other than U.S., will be eligible for O.E.C.D. certification only if listed in O.E.C.D. publication, "List of Cultivars Eligible for Certification".

(4) Classes of Seed Eligible.

Washington and U.S. Seed Classes	Label Color	Equivalent O.E.C.D. Seed Classes	O.E.C.D. Label Color
Breeder Foundation Registered Certified	White Purple Blue	PreBasic Basic 1st Generation Certified Seed	White White Blue
Certified produced from Certified	Blue	2nd Generation Certified Seed	Red

(a) Breeder or PreBasic must be planted to be eligible to produce Basic White label.

(b) Foundation White label, Registered Purple label, or Basic White label must be planted to be eligible to produce 1st Generation Blue label.

(c) Certified or 1st Generation Blue label must be planted to be eligible to produce 2nd Generation Red label.

(5) Seed Stock Sample. Each lot of O.E.C.D. seed stock must be sampled under supervision of the certifying agency before seals are broken. If part of a seed stock lot is received at different times, samples must be drawn from both shipments. Sample will be used as control for grow-out test and a portion may be submitted to seed laboratory for analysis if deemed necessary. Seed stock lots without official tags may not be granted O.E.C.D. approval.

(6) The department of agriculture must obtain approval from the originating country for each portion of an O.E.C.D. seed stock lot to be planted in the state of Washington for O.E.C.D. production. If stock is received in different shipments, separate requests will be submitted covering weights of each shipment. Request for O.E.C.D. approval will be submitted by the seed branch to ARS-Beltsville, Maryland, who then contacts the originating country.

(7) Application for Certification and Fees.

(a) Applicant desiring plantings to be eligible for O.E.C.D. certification must submit applications and fees as required for certification of that crop under Washington State's certification standards. Certification requirements and procedures for each kind shall be those standards in Washington State certification program supplemented by O.E.C.D. standards and by the limitations specified by originating country; such as, length of stand and number of seed crops eligible.

(b) Seed produced from foreign varieties grown under the O.E.C.D. scheme will be O.E.C.D. certified as to genetic purity only. These seed lots will not be required to meet Washington's minimum purity or germination certified seed standards; however, all seed must be officially sampled and tested prior to tagging.

(c) Washington O.E.C.D. eligible lots may, with approval of both agencies involved, be blended with O.E.C.D. eligible seed of other state agencies. Applicant is responsible for all fees of both agencies involved.

(d) Seed produced out of state and processed in Washington must be O.E.C.D. tagged by the state of origin.

(8) Tagging and Sealing. O.E.C.D. tags will be printed and issued according to O.E.C.D. rules. Seed Branch will issue an O.E.C.D. reference number; e.g. (USA-W-78-000), which will be printed on each tag. It is recommended that O.E.C.D. reference numbers be stenciled on each bag. Extra statement on the O.E.C.D. tag such as, "date of sealing", etc. will be kept to a minimum.

(9) Bagging Sample. A bagging sample of each lot of O.E.C.D. seed tagged must be drawn under supervision of the certifying agency. 100 to 250 grams of the sample will be held for the originating country, the balance will be used for required post control grow-out tests.

(10) O.E.C.D. Certificate. The seed branch will issue an O.E.C.D. certificate showing kind, variety, reference number, date of sealing, number of containers, weight of lot, class of seed and O.E.C.D. reference number of seed stock used for each lot tagged and sealed upon receipt of tagging report and official bagging sample. One copy of the O.E.C.D. certificate is to be mailed to the shipper, one copy to ARS-USDA, one copy attached to bagging sample and one copy for seed branch files.

(11) Grow-Out Tests. As prescribed by O.E.C.D. rules, at least 1 of 4 domestic lots tagged and all lots of foreign varieties O.E.C.D. tagged will be planted in grow-out tests.

(12) Special O.E.C.D. Fees. In addition to fees required by applicable Washington certification rules, the following fees are in addition and will apply to all seed tagged O.E.C.D.:

- (a) Tagging \$ 0.25 cwt.
- (b) O.E.C.D. Certificate \$10.00 each
- (c) O.E.C.D. Grow-out Test (no charge for control entry) ~~\$(30.00)~~ each 40.00 entry

(d) Fees for seed stock sampling or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(e) All fees payable by person requesting O.E.C.D. certificate. Certifying agency may require fees payable in advance.

**WSR 79-03-063**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning bacterial diseases, WAC 16-494-040;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
 By: Art G. Losey  
 Assistant Director

AMENDATORY SECTION (Amending Order 1555, filed 3/1/78)

WAC 16-494-040 CONDITIONS. (1) No beans shall be planted in the regulated area which are found to be or are known to be contaminated with the aforementioned diseases.

(2) No common beans or Azuki beans (*Phaseolus angularis*) shall be shipped, transported, or moved into the regulated area for planting on or after the effective date of this quarantine unless such beans are accompanied by an origin Phyto-Sanitary Certificate showing that such common beans are free from the aforementioned diseases on the basis of at least one field inspection and one windrow inspection(:); PROVIDED, That the requirement for the windrow inspection portion of the Phyto-Sanitary Certificate requirement may be waived when:

(a) The bean seed is accompanied by an official certificate, issued by an approved testing agency stating such bean seed is free from the aforementioned diseases, based on an approved laboratory and/or greenhouse test, of a 5 pound sample from each 10,000 pounds or fraction thereof and/or any other methods approved by the director, and when:

(b) Said bean seed planted for seed increase or with intentions of seed increase shall be planted only in fields entered into either the Washington State Seed Certification Inspection Program or the

Washington State Bean Seed Phyto-Sanitary Certificate Inspection Program.

(c) Said bean seed planted for harvest as green beans for cannery or freezing are not required to be entered into an inspection program. However, the department reserves the right to request complete listing and location of all such plantings and other information the department may deem necessary. Further, if for any reason it is decided that said plantings are not to be harvested as green beans the Department of Agriculture, 2015 S. 1st Street, Yakima, Washington, must be notified immediately and said plantings placed under an inspection program.

(3) The requirement for a Phyto-Sanitary Certificate will be waived for Pinto, Red Mexican, Great Northern, ((California)) Pink, Black Turtle, ((California)) Small White, and Flat Small White beans grown west of the Continental Divide, when the seed is accompanied by an official certificate, issued by an approved testing agency stating such bean seed is free from the aforementioned diseases, based on an approved laboratory and/or greenhouse test, and/or any other methods approved by the director. Each planting made from said bean seed shall be reported to the director who shall have authority to enter and inspect said field.

(4) This quarantine shall not apply to the shipment, movement, or transportation of beans prepackaged in packages of eight ounces or less for home garden use in the said regulated area if, as far as known, said beans are free of bacterial diseases.

(5) This quarantine shall not apply to experiments or trial grounds of the United States Department of Agriculture or Washington State University Experiment Station, or to any person, firm, or corporation; provided said plantings are approved by the director, and under supervision of technically trained personnel familiar with bacterial diseases.

(6) Any person prior to shipping, moving, or transporting any common beans for planting purposes into the regulated area shall forthwith notify the department of agriculture in writing of such person's intent to ship, move, or transport any common beans into said regulated area. Such notice of intent shall be accompanied by a copy of the Phyto-Sanitary Certificate issued for such common beans.

**WSR 79-03-064**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning seed blending, WAC 16-313-015, 16-313-090 and 16-313-001;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
 By: Art G. Losey  
 Assistant Director

**AMENDATORY SECTION** (Amending Order 1496, filed 3/31/77)

**WAC 16-313-015 FIELD RUN AND REMILL BLENDS.** (1) Upon approval, field run lots may be commingled to facilitate processing. The blend fee shall not apply.

(2) Remill lots may be blended prior to testing to facilitate processing. A blend data sheet (~~should~~) shall be filed prior to blending and laboratory analysis completed before tags can be issued.

**AMENDATORY SECTION** (Amending Order 979, filed 4/15/65)

**WAC 16-313-090 CALCULATED ANALYSIS.** Blends will be eligible for tagging prior to analysis of the official sample of the blend upon meeting the following conditions:

(1) The calculated percent of impurities (weeds, crop, inert, etc.) shall be twenty percent less than the maximum allowed in rules for seed certification.

(2) The calculated percent of germination shall be not less than the minimum germination standard in the rules for seed certification (~~plus fifteen percent of the difference of the minimum germination standard and one hundred percent. (For example, alfalfa shall calculate eighty-five percent plus fifteen percent of fifteen (difference of eighty-five and one hundred) equals 87.25%.)~~).

(3) All the lots blended have met certification standards.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

**WAC 16-313-001 PROMULGATION.**

**WSR 79-03-065**

**PROPOSED RULES**

**DEPARTMENT OF AGRICULTURE**

[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning laboratory changes, WAC 16-304-040, 16-304-002, 16-304-003 and 16-304-006;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979

By: Art G. Losey  
Assistant Director

**AMENDATORY SECTION** (Amending Order 1501, filed 3/31/77)

**WAC 16-304-040 SCHEDULE OF LABORATORY CHARGES.** (1) Testing fees shall be as follows:

	SAMPLE MIN. SIZE	NOXIOUS		PURITY & TETRA-ZOLIUM		
		(a)	(b)	(c)	((Seeds)) 200 Seeds	
Bentgrass*	2 oz.	\$12.00	<del>(\$ 7.00)</del> \$8.00	<del>\$6.50</del> \$8.00	<del>\$18.50</del> \$20.00	<del>\$6.00</del> \$12.00
Bluegrass*	4 oz.	<del>((10.00))</del> 12.00	<del>6.00</del> 8.00	<del>7.00</del> 9.00	<del>17.00</del> 21.00	<del>6.00</del> 12.00
Bromegrass	6 oz.	<del>((11.00))</del> 12.00	<del>6.00</del> 8.00	<del>5.50</del> 8.00	<del>16.50</del> 20.00	<del>6.00</del> 12.00
Fescue	4 oz.	<del>((10.00))</del> 12.00	<del>6.00</del> 8.00	<del>5.50</del> 8.00	<del>15.50</del> 20.00	<del>6.00</del> 12.00
<del>((Orchardgrass</del>	<del>4 oz.</del>	<del>12.00</del>	<del>7.20</del>	<del>6.00</del>	<del>18.00</del>	<del>6.00</del>
Ryegrass	4 oz.	<del>((10.00))</del> 12.00	<del>6.00</del> 8.00	<del>5.00</del> 8.00	<del>15.00</del> 20.00	<del>6.00</del> 12.00
Timothy Crested	4 oz.	8.00	5.00	7.00	15.00	12.00
Wheatgrass	4 oz.	12.00	<del>((7.20))</del> 8.00	<del>6.00</del> 8.00	<del>18.00</del> 20.00	<del>6.00</del> 12.00
Other Wheatgrasses	6 oz.	<del>((17.00))</del> 20.00	12.00	<del>((6.00))</del> 8.00	<del>23.00</del> 28.00	<del>6.00</del> 12.00
Other grasses	4 oz.	<del>((8.50))</del> 12.00	<del>5.10</del> 8.00	<del>5.00</del> 8.00	<del>13.50</del> 20.00	<del>6.00</del> 12.00
Beans & Peas	1 1/4 lb.	6.00	<del>((3.60))</del> 5.00	<del>5.50</del> 9.00	<del>11.50</del> 15.00	<del>---</del> 12.00
Cereals	1 1/4 lb.	<del>((6.50))</del> 8.00	<del>3.90</del> 5.00	<del>5.50</del> 7.00	<del>12.00</del> 15.00	<del>6.00</del> 12.00
Other crops	4 oz.	<del>((6.50))</del> 8.00	<del>3.90</del> 5.00	<del>5.50</del> 7.00	<del>12.00</del> 15.00	<del>4.00</del> 7.00
Mixture (for each additional kind)		<del>((5.00))</del> 6.00		<del>((5.00))</del> 7.00		<del>((per fee above))</del> 12.00
*Separation of other varieties				<del>((4.00))</del> 5.00		

(Required when labeling bentgrass or bluegrass by variety name).

(a) Purity - analysis to determine percent pure, other crop, inert, and weeds based on working sample as prescribed by Federal Seed Act (example: 1 gram - bluegrass; 5 grams - alfalfa; and 100 grams - wheat) and examined for Washington state noxious weeds based on minimum sample size as prescribed by Federal Seed Act (example: 10 grams - bluegrass; 50 grams - alfalfa; 100 grams - wheat).

(b) Germination - test prescribed by Federal Seed Act to determine percent germination of seed sample based on 400 seeds.

(c) Purity and Germination - includes both (a) and (b). This combination of tests provides information needed to label seed under state and Federal Acts.

(d) Tetrazolium Test - a chemical test that measures viability and germination potential. (A germination test should also be obtained).

(2) Special Tests: (Standard noxious exam size unless otherwise specified).

(a) Crop and/or Weed Exam. Noxious only fee plus. ~~5.00~~ 3.00  
All crop seeds and/or all weed seeds are listed as number per pound.

(b) Poa annua check for bentgrass and bluegrass - each 5 grams ..... \$ ~~((5.00))~~ 6.00  
Poa annua check for other grasses - each 10 grams ... \$ ~~((4.00))~~ 5.00

(c) Sod Seed Analysis - ~~((includes Poa annua test))~~ \$30.00

Bluegrass ..... \$40.00  
Fescue ..... \$30.00  
Ryegrass ..... \$20.00

(A special test of turf grasses (~~of importance to sod industry, golf superintendents and others~~)) for those who need a detailed examination of seed before purchase and/or use. ~~((includes purity, variety separation, 25 gram all weed/all crop, and 10 gram Poa annua exam (except 50 gram noxious and all weed/all crop for fescue and ryegrass))~~) Bluegrass test includes purity, variety separation, 25 gram all weed/all crop, except 10 gram Poa annua exam. Ryegrass and Fescue test includes purity, 50 gram all weed/all crop. (Fluorescent required on Ryegrass).

(d) Fluorescent Test - (400 seed test) ..... \$ ~~((7.00))~~ 8.00

(e) Pest & Disease, Soil Exam or similar ..... \$ ~~((9.00))~~ 11.00  
(Reported on Seed Analysis Certificate). A visual examination of a representative sample. Phyto requested in addition to analysis certificate ..... \$ ~~((5.00))~~ 6.00

(f) Sod Analysis Check - 50 grams exam to evaluate if a lot appears to be Sod Quality (phone report only) ..... \$11.00

(3) Inventory Testing for Germination: A service to provide opportunity to have carry-over seed stocks tested at lowest possible charge. Not an official germination test.

- (a) Reports will not be mailed until all tests are completed.
- (b) Samples must be plainly labeled "Inventory Samples".
- (c) Samples will be reported according to the sender's designation. The laboratory will assume no responsibility for correct identification. These samples and tests will not become a part of our permanent record.

(d) The fee for this service will be one-half the regular germination fee except for mixtures where the primary ingredient will be tested at half price - balance to be tested at regular germination fee.

(e) Inventory testing for germination will be run as germination space is available, with the understanding that regular service samples have priority.

- (4) Miscellaneous Laboratory Fees:
- ~~((a))~~ Rush Samples ..... \$ 4.00
  - (b) Rush and phone  
(Requested when sample submitted) ..... \$ 5.00
  - ~~(c)~~ Phone report ..... \$ 1.50
  - ~~(d)~~ Request for progress of test ..... \$ 2.00
  - ~~(e)~~ Preliminary report ..... \$ 4.50  
(Written progress report on status of sample):
  - ~~(f)~~ Additional statements on purity  
and/or germination report ..... \$ 3.00
  - ~~(g)~~ Morphological Test ..... \$ 4.50  
(Alfalfa or clover examined under magnification for combine damage):
  - ~~(h)~~ Copies of reports in excess of two ..... \$ 1.00
  - ~~(i)~~ Recopies of reports after  
original typing ..... \$ 1.50
  - ~~(j)~~ Retyping of reports ..... \$ 2.50
  - (a) Rush Samples (includes phone report if requested) . \$ 7.00
  - (b) Phone report on test result. Per call ..... \$ 3.00
  - (c) Preliminary report on germination (phone report only) . \$ 8.00
  - (d) Morphological Test ..... \$ 5.00  
(Alfalfa or clover examined under magnification for combine damage):
  - (e) Additional mailing of report ..... \$ 1.00
  - (f) Recopies or retyping of reports ..... \$ 3.00
  - (g) ISTA Test — Purity and germination fee plus 50%
  - (h) Extra charge for samples requiring special preparation  
for germination, i.e. Beets, pelleted seeds, etc. .... \$ 5.00

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-304-002 PROMULGATION.
- (2) WAC 16-304-003 PROMULGATION.
- (3) WAC 16-304-006 PROMULGATION.

**WSR 79-03-066**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning soybean seed certification standards, WAC 16-316-900 and 16-316-925;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

**AMENDATORY SECTION (Amending Order 1466, filed 5/13/76)**

**WAC 16-316-900 SOYBEAN SEED CERTIFICATION STANDARDS.** The general ((rules for)) seed certification standards are basic and together with the following specific ((rules)) standards, constitute the ((rules)) standards for soybean certification.

**AMENDATORY SECTION (Amending Order 1466, filed 5/13/76)**

**WAC 16-316-925 FIELD STANDARDS.**

Factor	Founda- tion	Regis- tered	Certi- fied
Off-types	(Max.) 0.10%	0.20%	0.20%

((a)) (1) The field inspection will be made when the seedcrop is in full bloom and/or of mature color.

((b)) (2) Any condition or practice which permits or causes contamination of the seedcrop, such as failure to ((present)) prevent seed formation in prohibited noxious weeds, or excess objectionable or common weeds, or mechanical field mixing, shall be cause for rejection.

**WSR 79-03-067**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning lentil seed certification standards, WAC 16-316-690;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director



**AMENDATORY SECTION** (Amending Order 1464, filed 5/13/76)

**WAC 16-316-690 LENTIL SEED CERTIFICATION STANDARDS.** The general ~~((rules for))~~ seed certification standards are basic and together with the following specific ~~((rules))~~ standards, constitute the ~~((rules))~~ standards for lentil seed certification.

**WSR 79-03-068  
PROPOSED RULES  
DEPARTMENT OF AGRICULTURE  
[Filed March 6, 1979]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning varieties eligible, WAC 16-316-020 and 16-316-622;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

**AMENDATORY SECTION** (Amending Order 1565, filed 3/1/78)

**WAC 16-316-620 STANDARDS.** Seed standards for sod quality grass seed are as follows:

Variety	Min-imum Purity	Min-imum Germination	Maxi-mum* Other Crop	Maxi-mum*** Weed
Merion Kentucky Bluegrass	<del>((96%))</del> 95%	80%	0.1%**	.02%
Other varieties of Kentucky Bluegrass	97%	80%	0.1%**	.02%
Red Fescue	98%	90%	0.1% <del>((**))</del>	.02%
Chewings Fescue	98%	90%	0.1% <del>((**))</del>	.02%

\*Must be free of ryegrass, orchardgrass, timothy, bentgrass, big bluegrass, Poa trivialis, smooth brome, reed canarygrass, tall fescue, and clover and meadow foxtail. Maximum allowable Canada bluegrass .02%.

\*\*Other Kentucky bluegrass - Maximum 2%.

~~((\*\*Canada bluegrass in Kentucky bluegrass and fescue - Maximum .02%:))~~

~~((\*\*\*Must be free of dock, chickweed, crabgrass, plantain, short-awn foxtail, black medic, annual bluegrass, velvetgrass, and prohibited noxious weed seeds:))~~ \*\*\*Must be free of dock, chickweed, crabgrass, plantain, short-awn foxtail, black medic,

annual bluegrass, velvetgrass, and prohibited noxious weed seeds.

**AMENDATORY SECTION** (Amending Order 1565, filed 3/1/78)

**WAC 16-316-622 RYEGRASS STANDARDS.** Seed standards for sod quality Ryegrass grass seed are as follows:

Variety	Min-imum Purity	Min-imum Germination	Maxi-mum Other Crop*	Maxi-mum*** Weed
Ryegrass**	98%	90%	0.10%	.02%

\*Must be free of orchardgrass, timothy, bentgrass, big bluegrass, Poa trivialis, smooth brome~~((grass))~~, reed canarygrass, tall fescue, clover and meadow foxtail. Maximum allowable Canada bluegrass 0.02%.

\*\*Maximum fluorescence levels as determined by breeder or variety owner.

\*\*\*Must be free of dock, chickweed, crabgrass, plantain, black medic, annual bluegrass, velvetgrass, short-awn foxtail, and prohibited noxious weed seeds. An additional 0.07% of bromus spp. will be allowed.

**WSR 79-03-069  
PROPOSED RULES  
DEPARTMENT OF AGRICULTURE  
[Filed March 6, 1979]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning establishing quarantine, WAC 16-495-050;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

**AMENDATORY SECTION** (Amending Order 1467, filed 5/13/76)

**WAC 16-495-050 CONDITIONS GOVERNING MOVEMENT OF REGULATED ARTICLES.** (1) No seed stock shall be shipped, transported, or moved in, or into the regulated area on or after the effective date of this quarantine unless such seed stock is accompanied by a test report from an official laboratory showing ~~((the officially drawn sample))~~ said seed stock is free of annual bluegrass on the basis of a minimum 25 gram analysis for bluegrasses and bentgrasses and a minimum of 50 gram analysis for other grasses: PROHIBITED, That seed stock found to contain annual bluegrass may be

planted in the regulated area if planted in a nursery under an inspection program as established by the state department of agriculture.

(2) This quarantine shall not apply to seed sown for forage or turf.
(3) This quarantine shall not apply: To experiments or trial grounds of the United State Department of Agriculture; to experiments or trial grounds of Washington State University Experiment Station; or to trial grounds of any person, firm, or corporation; provided said trial ground plantings are approved by the director and under supervision of technically trained personnel familiar with annual bluegrass control.

(4) Any person shipping, moving or transporting any seed stock for planting purposes in or into the regulated area that is not tagged with official "Annual Bluegrass Quarantine" tags shall ((forthwith notify the Department of Agriculture, 2015 S. 1st Street, Yakima, Washington 98903, in writing. Such notice of "seed stock" shall):

- (a) State where and when seed stock can be ((officially)) sampled for the required annual bluegrass test; or
(b) Have attached a copy of the official laboratory analysis ((of an official sample)) showing freedom from annual bluegrass; or
(c) ((Be submitted with an official sample)) Have representative sample submitted for testing.

WSR 79-03-070
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning red clover seed certification standards, WAC 16-316-440 and 16-316-460;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979
By: Art G. Losey
Assistant Director

AMENDATORY SECTION (Amending Order 1495, filed 3/31/77)

WAC 16-316-440 CERTIFICATION FEES. (1) Seedling Applications: Due within sixty days after planting, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Seedling application fee:
Per variety, per grower ..... \$10.00
(b) Late seedling penalty fee: ..... \$10.00
This additional fee shall be charged for each seedling application received more than sixty days after planting.

(c) Seedling acreage fee: (per acre) ..... \$ 1.00 (Refundable if acreage is withdrawn before inspection). Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July 31, however, may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) Renewal applications: Due June 15, however, may be accepted after due date at the discretion of the certifying agency.

- (a) Renewal application fee:
Per variety, per grower ..... \$10.00
(b) Renewal acreage fee: (per acre) ..... \$ 1.00 (Refundable if acreage is withdrawn before inspection).
(c) Late renewal penalty fee: ..... \$10.00
This additional fee shall be charged for each renewal application received after June 15.

(3) Reinspection: ((First reinspection included with acreage fee. Second reinspection)) Other than isolation (each field) ..... \$20.00
If a field is rejected for certification, the grower may apply for reinspection after the cause for rejection has been corrected. Only two re-inspections are permitted for each field each year.

(4) ((Sampling Fee: (per 100 lbs.) ..... \$ 0-15)) Production fee ((-) includes sampling and tagging per cwt.: ((per 100 lbs.)) ..... \$ ((0-15))0.30
The ((sampling and)) production fee((s are)) is billed at completion of tests. If none of the seed is tagged, 10¢ of the ((15¢)) 30¢ cwt. production fee charged is refundable.

(5) Purity & Germination test: ..... Fees as established by the director of agriculture.

(6) Fees for ((resampling,)) retagging, or services not listed in this order shall be the most applicable fee established by the director of agriculture.

(7) Fees for reissue of tags shall be \$0.05 a tag with a minimum fee of \$5.00.

AMENDATORY SECTION (Amending Order 1457, filed 5/13/76)

WAC 16-316-460 SEED STANDARDS. Seed standards shall be as follows:

(1)

Table with 3 columns: Purity, Foundation((\*)), Blue Tag Certified((\*)). Rows include Pure seed, Other crops, Inert matter, Sweet clover, Weed seed, Objectionable weed seeds, Germination (Minimum total germination and hard seeds), and OR Tetrazolium (Minimum total tetrazolium and hard seeds).

((\*) (2) Red Clover seed must be free of prohibited noxious weed seeds. FURTHER, the foundation class must also be free of Brassica spp.

(3) Foundation seed that has been rejected in the laboratory for prohibited noxious weed seeds may be reclassified to the certified blue tag class and may not be eligible for seed stock even though it is re-cleaned and meets certification standards.

WSR 79-03-071
PROPOSED RULES
DEPARTMENT OF AGRICULTURE
[Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning small grain seed certification standards, WAC 16-316-520, 16-316-525, 16-316-530, 16-316-540, 16-316-545 and 16-316-550;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference

Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979

By: Art G. Losey  
Assistant Director

AMENDATORY SECTION (Amending Order 1459, filed 5/13/76)

WAC 16-316-520 SMALL GRAIN SEED CERTIFICATION STANDARDS. The general ((rules for)) seed certification standards are basic and together with the following specific ((rules)) standards, constitute the ((rules)) standards for small grain seed certification.

AMENDATORY SECTION (Amending Order 1562, filed 3/1/78)

WAC 16-316-525 ELIGIBLE VARIETY AND STOCK SEED.

Kind, type	Variety
Barley, spring	Belford, Blazer, Klages, Larker, Steptoe, Unitan, Vale 70, Vanguard, Kombar (P), Stepford (P), Woodvale
Barley, winter	Boyer, Kamiak
Oat, spring	Cayuse, Park, Victory
Rye, winter	Puma, Rymin
Wheat, spring	Borah, Fielder, Marfed, Peak 72, Prodx (P), Profit 75 (P), Prosper (P), Springfield, Twin, Urquie, Wandell, Wared, WS-1 (P), WS-6 (P), WS-25 (P), Kitt, RF-75 (P), Wampum
Wheat, winter	Barbee, Daws, Faro, Gaines, Hyslop, Luke, McCall, McDermid, Moro, Nugaines, Paha, Sprague, Wanser, Yamhill, Jacmar (P), Stephens

Triticale, spring

(P) means Proprietary

The eligibility of other varieties may be approved by the certifying agency.

Foundation seed is eligible to produce registered seed or certified seed.

Registered seed is eligible to produce certified seed.

Certified seed is not eligible for recertification.

AMENDATORY SECTION (Amending Order 1562, filed 3/1/78)

WAC 16-316-530 APPLICATION AND FEES. (1) An application for seed certification with application fee, field inspection fee, and late application fee (if due) for each field must be filed by or for each grower with Washington State Crop Improvement Association, Inc., the certifying agency for small grain seed.

(2) Due Dates:

(a) June 1 for winter varieties; however, acceptable for service after due date with late application fee.

(b) July 1 for spring varieties; however, acceptable for service after due date with late application fee.

(3) Fees:

- (a) Application fee per variety per grower ..... \$10.00
- (b) Field inspection fee per acre ..... \$ 0.70
- (c) Late application fee ..... \$10.00
- (d) Reinspection fee ..... \$20.00  
minimum

for each field which did not pass field inspection plus \$ 0.20 each acre over 25. The reinspection fee for isolation requirements only for a field of any size is \$20.00.

(e) Final certification fee ..... \$ 0.10  
per cwt. of clean seed sampled, which shall be charged to processing plant or production fee ..... \$ 0.10  
per cwt. of production from fields inspected which is utilized for seed.

(f) Sampling fee ..... \$ 0.10  
per cwt. of clean seed sampled, with minimum charge of \$10.00 per sample, which shall be charged to processing plant in lieu of mechanical sampling.

(4) A field may be withdrawn upon notification by the applicant before field inspection. In such case, the field inspection fee shall be refunded upon request until June 30 of the year following harvest.

(5) Harvest before field inspection causes forfeiture of both the application and field inspection fees, and completion of certification.

AMENDATORY SECTION (Amending Order 1459, filed 5/13/76)

WAC 16-316-540 ISOLATION REQUIREMENTS. (1) Each small grain field for certification must be isolated from other small grain fields by three feet.

(2) Each rye field for certification must be isolated from fields producing a certified class of the same variety by three feet, and from other rye fields by six hundred sixty feet.

(3) Each triticale field for certification must be isolated from fields producing a certified class of the same variety by three feet, and from other triticale, rye and wheat fields by three hundred feet.

AMENDATORY SECTION (Amending Order 1459, filed 5/13/76)

WAC 16-316-545 FIELD STANDARDS.

Factor	Founda- tion	Regis- tered	Certi- fied
Off-types	(Max.) None	5 plants /acre	15 plants /acre
Other small grains	(Max.) None	5 plants /acre	15 plants /acre
Rye and triticale in barley, oat or wheat	None	None	None
Vetch, triticale	None	None	None

((a)) (1) The field inspection will be made when the seedcrop is fully headed and of mature color.

((b)) (2) Any condition or practice which permits or causes contamination of the seedcrop, such as failure to prevent seed formation in prohibited noxious weeds, or excess objectionable or common weeds, or mechanical field mixing, shall be cause for rejection.

AMENDATORY SECTION (Amending Order 1493, filed 3/31/77)

WAC 16-316-550 SEED STANDARDS.

Factor	Founda- tion	Regis- tered	Certi- fied
Pure seed	(Min.) 99.00%	99.00%	99.00%
Off-types	(Max.) None	1/lb.	4/lb.
Inert matter	(Max.) 1.00%	1.00%	1.00%
Other crop seed	(Max.) None	0.05%	0.10%
Other small grains	(Max.) None	1/lb.	2/lb.
Rye and triticale in barley, oat or wheat	None	None	None
Vetch((-Triticale))	None	None	None
Weed seed	(Max.) None	0.05%	0.05%
Prohibited noxious Objectionable, goatgrass and gromwell	(Max.) None	None	None
Wild oat	(Max.) None	None	1/lb. None, except 1/lb. barley, oat
Germination when sampled	(Min.) 85.00%	85.00%	85.00%

**WSR 79-03-072**  
**PROPOSED RULES**  
**BOARD OF PILOTAGE COMMISSIONERS**  
 [Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Pilotage Commissioners intends to adopt, amend, or repeal rules concerning WAC 296-116-080, 296-116-081, 296-116-200 and 296-116-351 relating to licensing of pilots, rest periods, pilot duties and Grays Harbor pilotage rates;

that such agency will at 9 a.m., Thursday, April 12, 1979, in the Conference Room, Washington State Ferries, Pier 52, Seattle, Washington 98104 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place immediately after the above hearing in the same location.

The authority under which these rules are proposed is chapter 88.16 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 11, 1979, and/or orally at the time and place of the hearing.

Dated: March 6, 1979

By: Richard A. Berg  
 Chairman

**AMENDATORY SECTION** (Amending Order 75-8, filed 3-10-75)

**WAC 296-116-080 LICENSING OF PILOTS AND LIMITATIONS.** No person shall be licensed by the board (~~(of pilotage commissioners)~~) unless he has complied with the requirements of the pilotage act and the rules and regulations of the board. The examining committee shall consist of the board of pilotage commissioners. They shall examine applicants for a state license as provided in the pilotage act and the rules and regulations of the board. The majority of the entire board shall pass on the (~~(appointment)~~) licensing of a state pilot. All licenses shall be signed by the chair(~~(man)~~)person of the board. The initial license issued by the board to a pilot who has successfully completed his examination shall not authorize such pilot to perform pilotage services (~~(for any vessel on waters subject to the authority of chapter 88.16 RCW)~~) on any vessel of a size of 25,000 gross tons or more or upon a partially or fully loaded oil tanker for the first (~~(two)~~) year (~~(period)~~) that such licensee becomes an active pilot. (~~(and such license shall contain a written limitation which shall provide that the named licensee is not authorized to engage in the pilotage of any vessel of a size of 25,000 gross tons or more on any waters of the state subject to the authority of the provisions of chapter 88.16 RCW)~~) During the second year of piloting under an initial license the pilot may perform pilotage on vessels in excess of 25,000 gross tons if such pilotage does not include the docking or undocking of the vessel. Pilots shall not perform pilotage on partially or fully loaded oil tankers during their first two years of pilotage service. The initial license shall contain the above limitations and the date of the commencement and expiration of such ((two year)) periods of limitation ((shall be endorsed upon such initial license by authority of the commission)).

**AMENDATORY SECTION** (Amending Order 73-6, filed 5-11-73)

**WAC 296-116-081 REST PERIOD(~~(SUPER SHIPS)~~).** (~~(Any state licensed pilot authorized to engage in the pilotage of vessels of 60,000 gross tons or more, shall not be assigned to pilot any such vessel following the completion of a pilotage assignment or an accumulation of assignments of seven hours or more in duration, including travel time to and from such assignment or assignments, until the expiration of a seven hour period of rest prior to commencing travel to a pilotage assignment to a vessel of 60,000 gross tons or more. The commission will periodically review the dispatching of pilots for the purpose of determining whether or not provisions of this section are being effectively~~

~~enforced and for the purpose of determining the need for the revision of the limitations of this section)) (1) Pilots shall observe rest period requirements as set out in RCW 88.16.103 as now or hereafter amended. For purposes of applying this rule an assignment shall begin at the pilot's dispatched departure time if the pilot is on board, regardless of when the ship actually sails. The assignment ends when the pilot leaves the vessel. Travel time shall not be included in an assignment.~~

~~(2) If a pilot refuses a pilotage assignment pursuant to RCW 88.16.103 as now or hereafter amended, or for any other reason, the pilot shall submit to the chairperson of the board a written explanation for such refusal within two working days.~~

**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 73-6, filed 5-11-73)

**WAC 296-116-200 DUTIES OF PILOTS.** (1) In any case where a vessel in charge of a state licensed pilot shall go aground, collide with another vessel, or dock, or shall meet with any casualty, or be injured or damaged in any way, the said pilot shall, within ten days thereafter, make written report thereof to said board, and the board of pilotage commissioners may thereupon, either with or without complaint being made against the said pilot, investigate the matter reported upon. In any case of apparent damage being sustained or caused by a vessel under his charge, the pilot shall file his written report as soon as possible after returning to shore. It is important that the board be promptly advised of the facts in all cases of accident, without delay.

(2) Pilots will report to the pilot office and to the Aids to Navigation Officer of the U.S. Coast Guard, all changes in lights, range lights, buoys, and any dangers to navigation that may come to their knowledge.

(3) Any pilot who shall fail, neglect or refuse to make a report to the board of pilotage commissioners as required by the pilotage laws of the state, or by these rules and regulations, for a period of ten days after the date when the said report is required to be made, shall be subject to having his license(~~(d)~~) suspended at the discretion of the board, and if he fails to report for a period of thirty days the board may, at its discretion, revoke his license.

(4) Pilots when so notified in writing shall report in person to the board, at any meeting specified in such notice.

(5) Any pilot summoned to testify before the pilotage board shall appear in accordance with such summons and shall make answer, under oath, to any question put to him which deals with any matter connected with the pilot service, or of the pilotage waters over which he is licensed to act. He shall be entitled to have his attorney or advisor present during any such appearance and testimony.

(6) Any pilot who shall absent himself from his pilotage duties or district for a period of sixty days without permission of the board of pilotage commissioners shall be liable to suspension or to the forfeiture of his license.

(7) A pilot on boarding a ship, if required by the master thereof, shall exhibit his license, or photostatic copy thereof.

(8) When a pilot licensed under this act is employed on an enrolled ship, the same rules and regulations shall apply as pertain to registered ships.

(9) Any state licensed pilot assigned to pilot a vessel entering, leaving, or shifting berths under its own power in any of the waters subject to the provisions of chapter 88.16 RCW shall before assuming pilotage obligations for such vessel obtain assurance from the master that the vessel meets all requirements for safe navigation and maneuvering. In addition, the pilot shall obtain assurance that the ship's officers will maintain navigation procedures by all navigational aids available to insure that the vessel's position is known at all times. If the pilot in his professional judgment considers the vessel to be incapable of safe navigation and maneuvering due to performance limitations, he shall refuse to assume the obligations of pilotage for such vessel until such limitations have been corrected and shall promptly notify the pilot's control station (~~(and the chairman of the board of pilotage commissioners of such action)~~). If the pilot refuses pilotage services on the vessel he or she shall make a written report of the refusal to the chairperson of the board within two days as required in WAC 296-116-081.

**AMENDATORY SECTION** (Amending Order 79-1, filed 1-19-79)

**WAC 296-116-351 PILOTAGE RATES FOR GRAYS HARBOR AND WILLAPA BAY PILOTAGE DISTRICT.** These rates are effective February 20, 1979 through December 31, 1979 and thereafter until changed by the Board.

CLASSIFICATION OF PILOTAGE SERVICE	RATE
Piloting of vessels in the inland waters, tributaries of Grays Harbor & Willapa Bay.	\$21.40 Per Meter
Per Meter or Per Foot of Draft	or 6.53 Per Foot
and Per Net Registered Ton	.0562 Per N.R.T.
Minimum Charge for Net Registered Tonnage	214.00
Extra Vessel (in case of tow)	133.75
Boarding Fee:	
Per each boarding/deboarding from a boat. Note: The boarding fee is to finance the purchase of the pilot boat Chehalis. When the boat is fully amortized, the boarding fee will be terminated.	25.00
The following Travel Allowance Shall be Charged:	
Boarding a vessel off Grays Harbor or Willapa Harbor entrance	30.00
Disembarking a vessel off Grays Harbor or Willapa Harbor entrance	30.00
Returning to Grays Harbor from piloting a vessel to Raymond	30.00
Traveling to Raymond to pilot a vessel to sea	30.00
Harbor Shifts ((including Travel Allowance)):	
Grays Harbor:	
One dock to another dock	107.00
Anchorage to dock or dock to Anchorage (Upper Bay)	107.00
Dock to Anchorage (Lower Bay)	133.75
Anchorage in Lower Bay to berth Upper Bay	133.75
Cancellation Charge at dock	53.50
Cancellation Charge if boat operation involved	214.00
Delays Per Hour	32.10
Willapa Bay:	
Same as Grays Harbor	
Pilot when traveling to an outlying port to join a vessel or returning through an outlying port from a vessel which has been piloted to sea shall be paid one hundred and seven dollars (\$107.00) for each day or fraction thereof and the following travel expense allowances:	
From Aberdeen to:	
Seattle	65.00
Tacoma	55.00
Olympia	45.00
Port Angeles	65.00
Longview	60.00
Portland	70.00
Astoria	65.00
Transportation and living expenses for other ports as incurred.	
Bridge Transit:	
Charge if vessel transits one or more bridges	70.00
Late Payment Charge:	
The balance of amounts due for pilotage rates not paid within 60 days of invoice will be assessed a 1% per month late charge.	

**WSR 79-03-073**  
**EMERGENCY RULES**  
**DEPARTMENT OF FISHERIES**  
 [Order 79-15—Filed March 6, 1979]

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 this regulation is adopted

pursuant to a telephone meeting of the Columbia River Compact March 5, 1979.

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 March 6, 1979.

By Gordon Sandison  
Director

**NEW SECTION**

**WAC 220-32-03000M GILL NET SEASONS**  
 Notwithstanding the provisions of WAC 220-32-030, WAC 220-32-031, and WAC 220-32-032, it shall be unlawful to take, fish for, or possess salmon for commercial purposes with gill net gear in Columbia River Salmon Management and Catch Reporting Areas 1A, 1B, 1C, 1D, and 1E, except in those areas at those times and with the gear designated below:

Areas 1A, 1B, 1C and that portion of 1D downstream from a line perpendicular to the thread of the river from Kelley Point, east bank of the Willamette River.

6 p.m. March 5 until 6 p.m. March 7, 1979

8 inch minimum mesh restriction

**REPEALER**

The following section of the Washington Administrative Code is hereby repealed:

**WAC 220-32-03000L GILL NET SEASONS (79-3)**

**WSR 79-03-074**  
**PROPOSED RULES**  
**COMMISSION ON EQUIPMENT**  
 [Filed March 6, 1979]

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 towing businesses, chapter 204-66 WAC;

that such agency will at 1:30 p.m., Friday, April 20, 1979, in the large conference room, 1st floor, General Administration Building, Olympia, Washington, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 1:30 p.m., Friday, April 20, 1979, in the large conference room, 1st floor, General Administration Building, Olympia, Washington.

The authority under which these rules are proposed is RCW 46.37.005.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 20, 1979, and/or orally at 1:30 p.m., Friday, April 20, 1979, large conference room, 1st floor, General Administration Building, Olympia, Washington.

Dated: March 5, 1979

By: M. J. Obert  
Secretary

Chapter 204-66

Towing Businesses

**AMENDATORY SECTION** (Amending Order 7720-B, filed 7-27-78)

**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 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 dual winches to control a minimum of two service cables.

(3) A minimum of one hundred feet of  $\frac{3}{8}$  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 equivalent [devices].

(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.

**WSR 79-03-075**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed March 6, 1979]

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:

Amd WAC 388-28-515 Net cash income—Determination—Employment or training—Deductions from gross income.

Amd WAC 388-29-155 Standards for additional requirements under specified circumstances—Child care expenses for employed persons.

It is the intention of the Department to adopt these rules on an emergency basis prior to the hearing.

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

Michael Stewart  
Executive Assistant  
Department of Social and Health Services  
Mailstop OB-44 C  
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, April 18, 1979, 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, April 25, 1979, 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 4/18/79, and/or orally at 10:00 a.m., Wednesday, April 18, 1979, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: March 5, 1979

By: Michael S. Stewart  
Executive Assistant

**AMENDATORY SECTION** (Order 1358, Filed 9/18/78)

**WAC 388-28-515 NET CASH INCOME—DETERMINATION—EMPLOYMENT OR TRAINING EXPENSES—DEDUCTIONS FROM GROSS INCOME.** (1) This section does not apply to earned income of a child. Specific rules applicable to a child are in WAC 388-28-535(3).

(2) "Gross income" means the total wages, commissions, salary, bonus, in cash or in-kind, currently earned by an individual or income received for the purpose of obtaining remedial education or vocational training.

~~((a))~~ Deleted.)

~~((b))~~ (a) The thirty dollars monthly incentive payment made by WSES to any participant in a WIN program of institutional and work experience training is disregarded in AFDC.

~~((c))~~ (b) The thirty dollars weekly incentive payment received by a CETA participant is disregarded in AFDC. For continuing general assistance such payments are considered available to meet need.

~~((d))~~ (c) A person receiving an MDTA or CETA basic training allowance may not receive an AFDC or continuing general assistance grant concurrently.

(3) In determining net income from a training allowance, applicable expenses in subdivisions (4)(a) through ~~((4)(d))~~ (6) shall be deducted from the gross training allowance received.

(4) Personal and nonpersonal work expenses computed according to subdivisions (4)(a) through ~~((4)(d))~~ (6) shall be deducted from earnings according to the method outlined in WAC 388-28-570(8). Work related expenses other than child care shall be deducted in accordance with the "percentage method" or the "actual method", whichever is chosen by the client.

~~((a))~~ Payroll deductions, required by law or as a condition of employment in the amounts actually withheld:

(b) The necessary cost for transportation of the recipient to and from the place of employment or training in accordance with the following limitations:

(i) The most economical means of transportation shall be used.

(ii) When public transportation is available at the recipient's regular place of residence and practical for his use, the allowance shall be the cost for such transportation from his home to the stop nearest his employment or training. The amount allowed is the actual cost of common carrier, based upon commuter's book of tickets, bus tokens at reduced quantity rate, etc., when available.

(iii) The term "public transportation" includes scheduled intracity and intercity busses, trains, boats, etc., but not "for hire" vehicles, such as taxis and rental cars.

(iv) When public transportation is not available or not practical for his use, a recipient who shows that he uses a car to travel to and from employment or the training facility shall be allowed mileage at the rate of eight cents per mile. Shared rides shall be prorated on an equitable basis, depending on the travel plan:

(c) Expenses of employment necessary for continued employment, such as, tools, materials, union dues, transportation to service customers if not furnished by the employer. Cost of special uniforms and laundering thereof are taken into account in subdivision (4)(d):

(d) The additional cost of clothing in the following monthly amounts:

(i) Individual working — five dollars and seventy cents monthly or the actual cost of special clothing whichever is higher. The term "special clothing" means uniforms or clothing needed on the job and not suitable for wear away from the job.

(ii) Individual enrolled in a remedial education or vocational training course — Actual cost of uniforms and/or special clothing required in training as priced by the ESSO.

(5) Expenses of necessary child care shall not be deducted from gross income to compute net income. Expenses of child care for a person in an approved training plan shall be authorized as a service cost as specified in WAC 388-15-170. For child care expenses of participants in the WIN program see WAC 388-57-057. Expense of child care for a person who is employed shall be authorized as an additional requirement. See WAC 388-29-150 and 388-29-155.)

(a) If the client chooses the "percentage method", 20% of the gross income shall be deducted.

(b) If the client chooses the "actual method", the actual cost of each work related expense shall be deducted. This method shall be used when the client provides written verification of all work related expenses claimed.

(c) The client shall have the option to change methods whenever he/she reports income to the CSO.

(5) The following work related expenses shall be deducted when claimed and verified under the actual method.

(a) Payroll deductions required by law or as a condition of employment in the amounts actually withheld.

(b) The necessary cost for transportation of the recipient to and from the place of employment or training and to and from child care provider in accordance with the following limitations:

(i) The most economical means of transportation shall be used.

(ii) When public transportation is available near the recipient's regular place of residence and practical for his/her use, the allowance shall be the cost for such transportation from the recipient's home to the stop nearest his employment or training. The amount allowed is the actual cost of common carrier, based upon commuter's book of tickets, bus tokens at reduced quantity rate, etc., when available.

(iii) The term "public transportation" includes scheduled intracity and intercity busses, trains, boats, etc., but not "for hire" vehicles, such as taxis and rental cars unless no other means of public transportation is available.

(iv) When public transportation is not available or not practical for his/her use, a recipient who shows that he/she uses a vehicle to travel

to and from employment or the training facility shall be allowed the actual cost of such transportation provided that the recipient furnishes verification of these costs. Shared rides shall be prorated on an equitable basis, depending on the travel plan.

(A) The actual work related cost of operating the vehicle shall be the total operating cost of the vehicle times the percentage obtained from dividing the actual monthly mileage to and from work by the total miles driven during the month.

(B) The total operating cost of a vehicle shall be limited to gas, oil and fluids; necessary service and repairs; replacement of worn items such as tires; registration and licensing fees; and depreciation and interest on automobile loans.

(v) When the client so chooses, eight cents per mile shall be allowed to cover the work-related costs of gas, oil, fluids, and depreciation.

(c) The cost of tolls and parking required for employment shall be deducted as a work related expense.

(d) Expenses of employment necessary for continued employment, such as tools, materials, union dues, fees to employment agencies incurred via a legally binding contract, cost of special uniforms and laundering, and transportation to service customers if not furnished by the employer.

(e) The additional cost of clothing provided that it is verified that such clothing is necessary for continued employment.

(6) For individuals enrolled in a remedial education or vocational training course, the actual cost of uniforms and/or special clothing, as priced by the CSO, shall be deducted.

(7) Expenses of necessary child care shall not be deducted from gross income to compute net income. Expenses of child care for a person in an approved training plan shall be authorized as a service cost as specified in WAC 388-15-170. For child care expenses of participants in the WIN program see WAC 388-57-057. Expense of child care for a person who is employed shall be authorized as an additional requirement; see WAC 388-29-150 and WAC 388-29-155.

(8) These rules shall be effective March 1, 1979, for income received after that date.

#### AMENDATORY SECTION (Order 1327, Filed 8/21/78)

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) An additional requirement shall be authorized for licensed out-of-home day care.

(ii) Recipients utilizing unlicensed out-of-home day care will be given thirty days to obtain appropriate care. Such thirty-day period shall begin on the date the client is given written notice of this requirement.

~~((i))~~ (iii) The part-time payment standard for day care of less than seven hours per day shall (~~not exceed~~) be 97 cents per hour for each child.

~~((ii))~~ (iv) The full-time payment standard for day care of seven hours or more per day shall (~~not exceed~~) be \$6.79 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 \$33.95 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~~) be 97 cents per hour for the care of three children or less in the family, or ~~((1+9))~~ \$1.26 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.

(4) The payment standards in (2) (a) and (2) (b) above may be exceeded provided that the actual rate is the least expensive rate available to the client, for the type of care required.

(5) Payment based upon the rate incurred through an enrollment contract can be made provided that:

(a) the requirements in item (4) are met and,  
(b) no other non-contractual child care is reasonably available to the client and,

(c) any absence in excess of two days per month is attributable to illness.

(7) "Enrollment contract" shall be defined as a legally binding written agreement between a client and a day care facility in which fees are set on the basis of the child's registration for attendance in the facility.

(8) These rules shall be effective March 1, 1979.

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 79-03-076**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
**[Filed March 6, 1979]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.65 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning increasing the assessment from 25 cents to 50 cents per hundredweight of cleaned seed, amending WAC 16-529-140;

that such agency will at 1:00 p.m., Thursday, April 19, 1979, in the Conference Room, Tri-Cities Airport, Pasco, Washington 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 22, 1979, in the office of the Director of Agriculture.

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 April 19, 1979, and/or orally at 1:00 p.m., Thursday, April 19, 1979, Conference Room, Tri-Cities Airport, Pasco, Washington.

Dated: March 6, 1979

By: G. David Kile  
Assistant Director

**AMENDATORY SECTION (Amending Order 1, filed 3/13/75)**

WAC 16-529-140 ASSESSMENTS. (1) The fixed annual assessment on all varieties of alfalfa seed subject to this marketing order shall be ~~((twenty-five))~~ fifty cents ~~((25¢))~~ per hundredweight of cleaned seed, which shall be paid by the producer thereof upon each and every unit sold, marketed, or delivered for sale by him.

(2) First handlers or purchasers shall collect assessments at time of payment for seed from producers whose production they handle and remit the same to the board in accordance with procedures adopted by the board.

Producers and producer-handlers who ship their alfalfa seed direct to handlers outside of the state of Washington shall remit assessments to the board at time of shipment.

**WSR 79-03-077**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
**[Filed March 6, 1979]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning promulgations, WAC 16-316-0012, 16-316-0013, 16-316-0014, 16-316-0017, 16-316-0018, 16-316-0023, 16-316-0024, 16-316-0028, 16-316-003, 16-316-0031, 16-316-0032, 16-316-0033, 16-316-0034, 16-316-0036, 16-316-0039, 16-316-0041, 16-316-0046, 16-316-0047, 16-316-0048, 16-316-0049, 16-316-0051, 16-316-0052, 16-316-0054, 16-316-0056, 16-316-0061, 16-316-0063, 16-316-0064, 16-316-0066, 16-316-007, 16-316-0071, 16-316-0075, 16-316-0091 and 16-316-0092;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979 in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
By: Art G. Losey  
Assistant Director

**REPEALER**

The following sections of the Washington Administrative Code are repealed:

- (1) ~~WAC 16-316-0012~~ PROMULGATION.
- (2) ~~WAC 16-316-0013~~ PROMULGATION.
- (3) ~~WAC 16-316-0014~~ PROMULGATION.
- (4) ~~WAC 16-316-0017~~ PROMULGATION.
- (5) ~~WAC 16-316-0018~~ PROMULGATION.
- (6) ~~WAC 16-316-0023~~ PROMULGATION.
- (7) ~~WAC 16-316-0024~~ PROMULGATION.
- (8) ~~WAC 16-316-0028~~ PROMULGATION.
- (9) ~~WAC 16-316-003~~ PROMULGATION.
- (10) ~~WAC 16-316-0031~~ PROMULGATION.
- (11) ~~WAC 16-316-0032~~ PROMULGATION.
- (12) ~~WAC 16-316-0033~~ PROMULGATION.
- (13) ~~WAC 16-316-0034~~ PROMULGATION.
- (14) ~~WAC 16-316-0036~~ PROMULGATION.
- (15) ~~WAC 16-316-0039~~ PROMULGATION.
- (16) ~~WAC 16-316-0041~~ PROMULGATION.
- (17) ~~WAC 16-316-0046~~ PROMULGATION.
- (18) ~~WAC 16-316-0047~~ PROMULGATION.
- (19) ~~WAC 16-316-0048~~ PROMULGATION.
- (20) ~~WAC 16-316-0049~~ PROMULGATION.
- (21) ~~WAC 16-316-0051~~ PROMULGATION.
- (22) ~~WAC 16-316-0052~~ PROMULGATION.
- (23) ~~WAC 16-316-0054~~ PROMULGATION.
- (24) ~~WAC 16-316-0056~~ PROMULGATION.
- (25) ~~WAC 16-316-0061~~ PROMULGATION.
- (26) ~~WAC 16-316-0063~~ PROMULGATION.



- (27) WAC 16-316-0064 PROMULGATION.
- (28) WAC 16-316-0066 PROMULGATION.
- (29) WAC 16-316-007 PROMULGATION.
- (30) WAC 16-316-0071 PROMULGATION.
- (31) WAC 16-316-0075 PROMULGATION.
- (32) WAC 16-316-0091 PROMULGATION.
- (33) WAC 16-316-0092 PROMULGATION.

**WSR 79-03-079**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed March 6, 1979]

**WSR 79-03-078**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 22.09 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning financial statements, WAC 16-212-160;

that such agency will at 11:00 a.m., Wednesday, April 11, 1979, in the Conference Room, Lincoln Savings and Loan, Ritzville, Washington conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's Office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 22.09 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 11, 1979, and/or orally at 11:00 a.m., Wednesday, April 11, 1979, Conference Room, Lincoln Savings and Loan, Ritzville, Washington.

Dated: March 6, 1979  
 By: Art G. Losey  
 Assistant Director

AMENDATORY SECTION (Amending Order No. 1532, Filed 6/1/77)

WAC 16-212-160 FINANCIAL STATEMENTS. ((The department shall receive annually as close to the end of the warehouseman's fiscal year as practical but in no case later than six months an independent financial statement prepared by a licensed certified public accountant. The portion of the company's business that comes under the jurisdiction of the Washington Warehouse Act chapter 22.09 RCW must be audited and show gross sales and net profit from that portion of the business. The Department reserves the right to ask for a complete audited statement, if circumstances warrant.)) The department shall receive annually a financial report of the licensee prepared by a certified public accountant for the most recent calendar or fiscal year which includes:

- (1) Balance sheet;
- (2) Annual gross sales of commodities covered under the Washington Warehouse Act chapter 22.09 RCW;
- (3) Annual net profit or loss of licensee;
- (4) Total bushels/pounds received annually by commodity;
- (5) Amount of each commodity in storage at end of year;
- (6) Amount of each commodity held for depositors;
- (7) Amount of each commodity sold but not shipped (if this includes farm storage, indicate amount);
- (8) New crop purchases and sales.

For purposes of this section, commodity refers to those commodities covered under the Washington Warehouse Act chapter 22.09 RCW.

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning forest tree seed certification standards, WAC 16-319-020 and 16-319-041;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979  
 By: Art Losey  
 Assistant Director

AMENDATORY SECTION (Amending Order 1506, filed 4/11/77)

WAC 16-319-020 FOREST TREE SEED CERTIFICATION STANDARDS. ((<sup>(1)</sup>) (1) Purpose. The purpose of certification of forest reproductive material is to make available reproductive material properly identified by species or species and cultivar, and by source and origin.

(2) Definitions ((<sup>(1)</sup>))

(a) Applicant means person or organization who submits application for certification of forest reproductive material to certifying agency and who assumes responsibility for compliance with these standards.

(b) Audit means periodic examination and check by certifying agency of any part or all of the records and procedures specified in field standards and processing standards, and of additional records pertinent to inventory and distribution of reproductive material including verification of corresponding physical inventory to assure that no significant errors or omissions exist.

(c) Batch means all or part of a lot of reproductive material of a single species collected during one crop season from within stated seed ((zones)) zone(s) and from within stated 500-foot elevation increment(s) and collected or processed at one time. Batches may be combined subsequently with other batches into a lot. Batches shall be identified distinctively as they are processed by number and/or code or as specified on the Certificate of Genetic Identity.

(d) Buyer means person who first receives reproductive material from the collector.

(e) Certificate of Genetic Identity means a document describing the ancestry and breeding ((behaviour)) behavior of a lot of reproductive material.

(f) Certificate of Origin means a document issued by certifying agency which verifies source and origin of reproductive material by field inspection and audit.

(g) Certification of reproductive material means execution by certifying agency of field inspection, plant/warehouse inspection and/or audit to accomplish the purpose described in paragraph (1).

(h) Certifying Agency means the duly designated state agent: In Oregon State, the Oregon Seed Certification Service, Cooperative Extension Service, 102 Farm Crops Building, Oregon State University, Corvallis, Oregon 97331. In Washington State, Washington State Crop Improvement Association, Inc., 513 North Front Street, Yakima, Washington 98901.

(i) Character means a distinctive trait, but not necessarily an invariable feature, exhibited by all individuals of a group and capable of being described or measured: e.g., growth; form; color; resistance to disease, insects, weather, animals, etc.

(j) Code means a unique identification of a group of pertinent records about a lot of forest reproductive material.

(k) Collector means a person who collects forest reproductive material at its source.

(l) Elevation means altitude above sea level and is coded in 500-foot increments as follows:

0 - 500 feet — Code 05	2501 - 3000 feet — Code 30
501 - 1000 feet — Code 10	3001 - 3500 feet — Code 35
1001 - 1500 feet — Code 15	3501 - 4000 feet — Code 40
1501 - 2000 feet — Code 20	4001 - 4500 feet — Code 45
2001 - 2500 feet — Code 25	4501 - 5000 feet — Code 50
	and so forth.

(m) Field inspection means observation by certifying agency of all activities and records involved in propagation, collection, buying, production, and transportation of forest reproductive material to assure compliance with field standards.

(n) Forest reproductive material means plant material of genera and species of trees which will be used for forestry.

(o) Genetic identity means the ((~~ancestry~~ [~~ancestry~~])) ancestry and breeding background of the forest reproductive material.

(p) Genetic superiority means that forest reproductive material originated from tree(s) whose superiority in one or more characters important to forestry has been proven by tests conducted in specified environments.

(q) Location means description by seed zone or portion thereof and elevation.

(r) Lot means a homogeneous quantity of forest reproductive material.

(i) For Tested and Selected classes, it is of a single species or cultivar collected during one crop season from the distinctively described population of trees as specified on the Certificate of Genetic Identity.

(ii) ((~~Four~~ [~~For~~])) For Source Identified class, it is a single species collected during one crop season from within state seed zone(s) and from within 500-foot elevation increment(s).

(iii) For Audit class, it is a single species collected during one crop season from within stated seed zone(s) and from within 500-foot elevation increment(s).

(iv) Lots shall be identified by number and/or code.

(s) Origin means the location of the indigenous parents; for nonindigenous parents, it is the location from which the seed or plants were originally introduced.

(t) Plant/warehouse inspection means observation by certifying agency of all activities and records involved in receiving, processing, storage and labeling of forest reproductive material to assure compliance with processing standards.

(u) Producer means person, company, bureau or agency with overall responsibility for producing forest reproductive material.

(v) Provenance means the original geographic source of seed, pollen or propagules.

(w) Reproductive material means seed, pollen, trees, cuttings, scions, etc., originating from forest trees.

(x) Seed zone means a geographic area delineated on Western Forest Tree Seed Council's Tree Seed Zone Map published July 1973, or similarly authoritative maps of seed zones as approved by certifying agency.

(y) Source means the location of the immediate parents, the origin of which may be indigenous, nonindigenous, or unknown.

(z) Test means evaluation of parents by comparing the performance of their offspring under more controlled conditions than exist for the parent(s) or other applicable tests which evaluate specific character(s) of the parents.

(aa) Unit of measure means a consistent volume of measure, i.e., bushels, pounds, grams, number, cubic centimeters, etc.

((<sup>1</sup>Underlining in the text indicates a direct reference to specific terms which are defined or described herein:))

AMENDATORY SECTION (Amending Order 1506, filed 4/11/77)

WAC 16-319-041 APPLICATION FOR CERTIFICATION OF FOREST REPRODUCTIVE MATERIAL. (1) The conditions of applicant's submittal and of certifying agency's acceptance of application are:

(a) All reproductive material acquired or distributed by applicant of a type for which certification is requested is subject to audit.

(b) Applicant shall be responsible for payment of fees for certification services.

(c) Applicant is responsible for developing a record keeping system and labels available and satisfactory to the certifying agency.

(d) Certifying agency reserves the right to refuse certification service to applicant.

(e) Application for audit certificate reproductive material shall be filed with certifying agency of the state in which warehouse, nursery, etc., is located with a copy to the certifying agency in the state where the reproductive material is collected.

(2) The application, with a copy of the Certificate of Genetic Identity form for Tested and Selected classes, for current year's production of reproductive material shall be received by certifying agency from applicant not later than three days prior to initiation of collection, production, or propagation of reproductive material. Payment for requested services is prescribed below:

(3) Schedule of fees. Fees may be adjusted at the beginning of a crop year if certifying agency determines that costs are significantly more or less than anticipated: PROVIDED, That increases shall not exceed 25 percent of the following schedules:

(a) Service for certification of Tested and Selected classes, including review of test plans, audit of pertinent records and field inspection, shall be charged for at the rate of \$15.00 per man-hour job time payable as services are performed. This fee shall apply whether or not approved for such.

(b) The fee for Source Identified classes of tree seed is sixty cents (\$0.60) per bushel of cones collected for each lot containing 60 bushels or more collected in one crop year of a single species from a single zone or portion thereof and from a single elevation increment.

(i) The fee for each lot as defined above containing less than 60 bushels of cones shall be a maximum of \$36.00: PROVIDED, That the certifying agency, due to specific circumstances, may waive this maximum fee or a part thereof.

(ii) Sixty percent of the fee for the estimated collection of cones shall be paid with the application, the remainder to be paid when billed by the certifying agency after processing is completed. The full \$0.60 per bushel fee shall apply to all bushels presented for source identified certification whether or not approved for such.

(iii) Source identified certification services for other types of reproductive material shall be at the rate of \$15.00 per man-hour job time payable as services are performed. These fees shall apply for source identified certification whether or not approved for such.

(c) The fee for Audit Class reproductive material is: \$15.00 per man-hour job time for audit payable as services are performed. This fee shall apply for audit class whether or not offered material qualifies.

(d) The fee for audit of reproductive material not entered for certification service is payable as services are performed at the rate of \$15.00 per man-hour job time required by and satisfactory to certifying agency to exercise said audit simultaneously with audit of reproductive material for which applicant has requested certification service.

(e) Other services requested by applicant, i.e., education to comply with these standards, advising on the development of record keeping system directly connected with certification needs, etc., may be provided at the rate of \$15.00 per man-hour job time payable as services are performed.

**WSR 79-03-080**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
 [Filed March 6, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and chapter 15.49 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning phyto-sanitary certificate, WAC 16-316-315, 16-316-326, 16-316-327, 16-316-300, 16-316-305 and 16-316-325;

that such agency will at 10:30 a.m., Thursday, April 12, 1979, in the Agriculture Service Center Conference

Room, 2015 South 1st Street, Yakima, WA 98903 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Monday, April 30, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapter 15.49 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10:30 a.m., Thursday, April 12, 1979, Agriculture Service Center Conference Room, 2015 South 1st Street, Yakima, WA 98903.

Dated: March 6, 1979

By: Art G. Losey  
Assistant Director

AMENDATORY SECTION (Amending Order 1559, filed 3/1/78)

WAC 16-316-315 FEES AND CHARGES. (1) Fee for area and field inspection:

(a) Field Inspection (Payable with application). For each required inspection (per acre or fraction thereof) ..... \$ 2.00

(with minimum fee of \$10.00 per field per inspection).  
"Field inspection fee" includes only one phyto-sanitary certificate per field. Additional certificates \$10.00 each. An additional charge of 50¢ per acre shall be charged for each disease requested in excess of two.

(b) Area Inspection (per 100 lbs) ..... \$ 0.05  
Billed at time certificate is issued with a minimum of \$10.00 and a maximum of \$100.00 per certificate.

(2) Late Application Penalty Fee ..... \$10.00  
This additional fee shall be charged for each application received after due date.

(3) Sampling fee when sampling is required:

(a) Beans, peas, lentils, cereal grains (per 100 lbs) ..... \$ 0.03

(b) Other crops (per 100 lbs) ..... \$ 0.15

(4) (~~Tagging fee when phyto-sanitary tag is requested:~~

(a) Beans, peas, lentils, cereal grains (per 100 lbs) ..... \$ 0.15

(b) Other crops (per 100 lbs) ..... \$ 0.25

(5) Serology test:

Fee to be established by the state of Idaho. An official 5 pound sample is required from each 10,000 pounds or portion thereof. Officially drawn samples will be submitted to: State Plant Pathologist, Idaho Department of Agriculture, P.O. Box 410, Twin Falls, Idaho 83301.

~~((6))~~ (5) Fees for services not listed in this order shall be set on the basis of the actual cost to the department of agriculture or the most appropriate fee established will be used.

~~((7))~~ (6) Nursery grow-out plots, etc: Per hour ..... \$12.50  
Applicant will also be billed (~~at the rate of 13¢ per mile~~) mileage fee as set by statute, plus \$8.25 per hour travel time when additional travel is required. Attempts will be made to combine work assignments keeping additional travel to a minimum.

~~((8))~~ (7) Laboratory analysis of plant material: An additional fee of \$10.00 per field shall be charged when necessary to examine plant material in the laboratory to verify disease.

AMENDATORY SECTION (Amending Order 1559, filed 3/1/78)

WAC 16-316-326 PHYTO-SANITARY CERTIFICATE FOR PEAS. (1) Specific diseases of peas for which phyto-sanitary certificate will be issued:

(a) *Pseudomonas pisi* (Sackett)

(b) Pea Seed-borne Mosaic Virus - based on two field inspections.

(2) Pea seed to be eligible for a phyto-sanitary certificate stating freedom from *Pseudomonas pisi* (Sackett):

(a) Based on area inspection must be free of the disease in question as determined by area inspection of at least 10% of the acreage and not less than 200 acres in each specified inspection area. The department of agriculture will also conduct a survey of county extension agents, extension pathologists, and plant pathologists at experiment stations and Washington State University. Each company desiring his production eligible must make inspections of the fields throughout the growing season. If symptoms of said disease are found, it must be reported to the Seed Branch, Department of Agriculture, 2015 South 1st Street, Yakima, Washington 98903, immediately. At the end of the growing season, and not later than September 1, each applicant must file a report with the Seed Branch, Department of Agriculture, based on company pathologist inspections and what other information he may have if the disease in question was or was not observed.

(b) Based on field inspection must be free of said disease as determined by one field inspection made during growing stage most optimum for detecting of said disease.

(3) Pea seed to be eligible for certificate stating freedom from Pea Seed-borne Mosaic Virus must be free of said disease as determined by one inspection at 2 to 4 weeks after seedling emergence, and second inspection 1 to 2 weeks before dry pod stage.

(a) It is recommended that breeding nurseries, isolation nurseries, and/or small seed-increase plots be entered for inspection.

(b) Phyto-sanitary certificates for (~~1975 crop and older~~) carryover seed lots may be obtained by planting a representative one pound sample in isolated grow-out plots. Certificate issued will indicate the basis is on grow-out test.

AMENDATORY SECTION (Amending Order 1455, filed 5/13/76)

WAC 16-316-327 PHYTO-SANITARY CERTIFICATE FOR BEANS. (1) Specific bacterial diseases of beans for which phyto-sanitary certificates will be issued are:

(a) Halo Blight - *Pseudomonas* (~~medicaginis var.~~) *phaseolicola* (Burk.) Dows.

(b) Common Bean Blight - *Xanthomonas phaseoli* (E.F. Sm.) Dows.

(c) Fuscous Blight - *Xanthomonas phaseoli* var. *fuscans* (Burk.)

(d) Bean Bacterial Wilt - *Corynebacterium flaccumfaciens* (Hedg-es) Dows.

(e) Or any varieties or new strains of these diseases.

(2) Common bean seed to be eligible for a phyto-sanitary certificate covering the bacterial diseases listed above, must be free of the diseases in question as determined by field inspection during the growing season and by a windrow inspection. (Serology test and greenhouse test may be accepted in lieu of windrow inspection at the discretion of the department of agriculture.)

(3) Snap beans (~~small white~~) and kidney beans grown under sprinkler irrigation will not be eligible for phyto-sanitary certificates covering bacterial diseases.

(4) To be eligible for phyto-sanitary certificate, field planted must be free of halo blight the previous two years.

(5) To be eligible for phyto-sanitary certificate, field must be 1320 feet from an incident of diseases listed in paragraph (1) of this section. It is recommended that equipment be disinfected between fields.

(6) Field inspection requirements:

~~((a))~~ At least two field inspections are required for beans being inspected for the bacterial diseases listed above:

~~((i))~~ (a) The first inspection is required when (~~the plants are at the third-leaf stage or when the plants are grown~~) factors effecting diseases are most evident.

~~((ii))~~ (b) The second inspection is required when the plants are in the windrow.

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-316-300 DISEASES FOR WHICH PHYTO-SANITARY CERTIFICATES WILL BE ISSUED.
- (2) WAC 16-316-305 PHYTO-SANITARY ELIGIBILITY.
- (3) WAC 16-316-325 INSPECTION REQUIREMENTS.

**WSR 79-03-081**  
**EMERGENCY RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**

[Order 1376—Filed March 7, 1979]

I, Michael Stewart, Ex. Assist., of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

- Amd WAC 388-28-515 Net cash income—Determination—Employment or training—Deductions from gross income.
- Amd WAC 388-29-155 Standards for additional requirements under specified circumstances—Child care expenses for employed persons.

I, Michael Stewart, 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 immediate implementation of these rules is necessary to resolve a compliance issue with USDHEW.

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 March 6, 1979.

By Michael S. Stewart  
 Executive Assistant

AMENDATORY SECTION (Order 1358, Filed 9/18/78)

WAC 388-28-515 NET CASH INCOME—DETERMINATION—EMPLOYMENT OR TRAINING. EXPENSES—DEDUCTIONS FROM GROSS INCOME. (1) This section does not apply to earned income of a child. Specific rules applicable to a child are in WAC 388-28-535(3).

(2) "Gross income" means the total wages, commissions, salary, bonus, in cash or in-kind, currently earned by an individual or income received for the purpose of obtaining remedial education or vocational training.

~~((a) Deleted:)~~

~~((b)) (a)~~ The thirty dollars monthly incentive payment made by WSES to any participant in a WIN program of institutional and work experience training is disregarded in AFDC.

~~((c)) (b)~~ The thirty dollars weekly incentive payment received by a CETA participant is disregarded in AFDC. For continuing general assistance such payments are considered available to meet need.

~~((d)) (c)~~ A person receiving an MDTA or CETA basic training allowance may not receive an AFDC or continuing general assistance grant concurrently.

(3) In determining net income from a training allowance, applicable expenses in subdivisions (4)(a) through ~~((4)(d))~~ (6) shall be deducted from the gross training allowance received.

(4) Personal and nonpersonal work expenses computed according to subdivisions (4)(a) through ~~((4)(d))~~ (6) shall be deducted from earnings according to the method outlined in WAC 388-28-570(8). Work related expenses other than child care shall be deducted in accordance with the "percentage method" or the "actual method", whichever is chosen by the client.

~~((a) Payroll deductions, required by law or as a condition of employment in the amounts actually withheld:~~

~~(b) The necessary cost for transportation of the recipient to and from the place of employment or training in accordance with the following limitations:~~

~~(i) The most economical means of transportation shall be used:~~

~~(ii) When public transportation is available at the recipient's regular place of residence and practical for his use, the allowance shall be the cost for such transportation from his home to the stop nearest his employment or training. The amount allowed is the actual cost of common carrier, based upon commuter's book of tickets, bus tokens at reduced quantity rate, etc., when available:~~

~~(iii) The term "public transportation" includes scheduled intracity and intercity busses, trains, boats, etc., but not "for hire" vehicles, such as taxis and rental cars:~~

~~(iv) When public transportation is not available or not practical for his use, a recipient who shows that he uses a car to travel to and from employment or the training facility shall be allowed mileage at the rate of eight cents per mile. Shared rides shall be prorated on an equitable basis, depending on the travel plan:~~

~~(c) Expenses of employment necessary for continued employment, such as, tools, materials, union dues, transportation to service customers if not furnished by the employer. Cost of special uniforms and laundering thereof are taken into account in subdivision (4)(d):~~

~~(d) The additional cost of clothing in the following monthly amounts:~~

~~(i) Individual working — five dollars and seventy cents monthly or the actual cost of special clothing whichever is higher. The term "special clothing" means uniforms or clothing needed on the job and not suitable for wear away from the job:~~

~~(ii) Individual enrolled in a remedial education or vocational training course — Actual cost of uniforms and/or special clothing required in training as priced by the ESSO:~~

~~(5) Expenses of necessary child care shall not be deducted from gross income to compute net income. Expenses of child care for a person in an approved training plan shall be authorized as a service cost as specified in WAC 388-15-170. For child care expenses of participants in the WIN program see WAC 388-57-057. Expense of child care for a person who is employed shall be authorized as an additional requirement. See WAC 388-29-150 and 388-29-155.)~~

(a) If the client chooses the "percentage method", 20% of the gross income shall be deducted.

(b) If the client chooses the "actual method", the actual cost of each work related expense shall be deducted. This method shall be used when the client provides written verification of all work related expenses claimed.

(c) The client shall have the option to change methods whenever he/she reports income to the CSO.

(5) The following work related expenses shall be deducted when claimed and verified under the actual method.

(a) Payroll deductions required by law or as a condition of employment in the amounts actually withheld.

(b) The necessary cost for transportation of the recipient to and from the place of employment or training and to and from child care provider in accordance with the following limitations:

(i) The most economical means of transportation shall be used.

(ii) When public transportation is available near the recipient's regular place of residence and practical for his/her use, the allowance shall be the cost for such transportation from the recipient's home to the stop nearest his employment or training. The amount allowed is the actual cost of common carrier, based upon commuter's book of tickets, bus tokens at reduced quantity rate, etc., when available.

(iii) The term "public transportation" includes scheduled intracity and intercity busses, trains, boats, etc., but not "for hire" vehicles, such as taxis and rental cars unless no other means of public transportation is available.

(iv) When public transportation is not available or not practical for his/her use, a recipient who shows that he/she uses a vehicle to travel to and from employment or the training facility shall be allowed the actual cost of such transportation provided that the recipient furnishes verification of these costs. Shared rides shall be prorated on an equitable basis, depending on the travel plan.

(A) The actual work related cost of operating the vehicle shall be the total operating cost of the vehicle times the percentage obtained from dividing the actual monthly mileage to and from work by the total miles driven during the month.

(B) The total operating cost of a vehicle shall be limited to gas, oil and fluids; necessary service and repairs; replacement of worn items such as tires; registration and licensing fees; and depreciation and interest on automobile loans.

(v) When the client so chooses, eight cents per mile shall be allowed to cover the work-related costs of gas, oil, fluids, and depreciation.

(c) The cost of tolls and parking required for employment shall be deducted as a work related expense.

(d) Expenses of employment necessary for continued employment, such as tools, materials, union dues, fees to employment agencies incurred via a legally binding contract, cost of special uniforms and laundering, and transportation to service customers if not furnished by the employer.

(e) The additional cost of clothing provided that it is verified that such clothing is necessary for continued employment.

(6) For individuals enrolled in a remedial education or vocational training course, the actual cost of uniforms and/or special clothing, as priced by the CSO, shall be deducted.

(7) Expenses of necessary child care shall not be deducted from gross income to compute net income. Expenses of child care for a person in an approved training plan shall be authorized as a service cost as specified in WAC 388-15-170. For child care expenses of participants in the WIN program see WAC 388-57-057. Expense of child care for a person who is employed shall be authorized as an additional requirement; see WAC 388-29-150 and WAC 388-29-155.

(8) These rules shall be effective March 1, 1979, for income received after that date.

AMENDATORY SECTION (Order 1327, Filed 8/21/78)

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) An additional requirement shall be authorized for licensed out-of-home day care.

(ii) Recipients utilizing unlicensed out-of-home day care will be given thirty days to obtain appropriate care. Such thirty-day period shall begin on the date the client is given written notice of this requirement.

((+)) (iii) The part-time payment standard for day care of less than seven hours per day shall ((not exceed)) be 97 cents per hour for each child.

((+)) (iv) The full-time payment standard for day care of seven hours or more per day shall ((not exceed)) be \$6.79 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 \$33.95 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)) be 97 cents per hour for the care of three children or less in the family, or ((\$1-19)) \$1.26 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.

(4) The payment standards in (2) (a) and (2) (b) above may be exceeded provided that the actual rate is

the least expensive rate available to the client, for the type of care required.

(5) Payment based upon the rate incurred through an enrollment contract can be made provided that:

(a) the requirements in item (4) are met and,

(b) no other non-contractual child care is reasonably available to the client and,

(c) any absence in excess of two days per month is attributable to illness.

(7) "Enrollment contract" shall be defined as a legally binding written agreement between a client and a day care facility in which fees are set on the basis of the child's registration for attendance in the facility.

(8) These rules shall be effective March 1, 1979.

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 79-03-082**  
**PROPOSED RULES**  
**DEPARTMENT OF AGRICULTURE**  
[Filed March 7, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, chapter 17.21 and 15.58 RCW, that the Department of Agriculture intends to adopt, amend, or repeal rules concerning desiccants and defoliants, WAC 16-230-150 and 16-230-190;

that such agency will at 1:00 p.m., Friday, April 13, 1979, in the County Services Building Conference Room, Walla Walla, Washington conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Thursday, April 26, 1979, in the Director's office, Department of Agriculture, Olympia, Washington 98504.

The authority under which these rules are proposed is chapters 17.21 and 15.58 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 13, 1979, and/or orally at 1:00 p.m., Friday, April 13, 1979, County Services Building Conference Room, Walla Walla, Washington.

Dated: March 7, 1979

By: Art G. Losey  
Assistant Director

AMENDATORY SECTION (Amending Order No. 1591, filed January 29, 1979)

WAC 16-230-150 AREA UNDER ORDER—RESTRICTED USE DESICCANTS AND DEFOLIANTS. (1) Area under order: All counties located east of the crest of the Cascade Mountains, including additional restrictions for Walla Walla county.

(2) Restricted use desiccants and defoliants: The following desiccants and defoliants are by this order declared to be restricted use desiccants and defoliants: 6,7-dihydrodipyrdo (1,2-a:2',1'c) pyrazidinium dibromide, herein and commonly referred to as Diquat; Paraquat dichloride (1,1'-dimethyl-4,4'-bipyridinium dichloride, herein and commonly referred to as Paraquat; Mono (N,N dimethylalkylamine) salt of 7-oxabicyclo (2.2.1) heptane-2,3-dicarboxylic acid, herein and commonly referred to as the amine salt of Endothal; (~~Dinitro-o-sec-butylphenol~~) and Dinoseb (2-sec-Butyl-4,6-dinitrophenol), herein and commonly referred to as Dinitro.

AMENDATORY SECTION (Amending Order No. 1591, filed January 29, 1979)

WAC 16-230-190 RESTRICTIONS ON THE USE OF DIQUAT(~~(:)~~) AND PARAQUAT (~~(AND DINITRO)~~) IN WALLA WALLA COUNTY. (~~((+)) Applications of Diquat or any mix containing Diquat is hereby prohibited in Walla Walla county and application equipment used for Diquat applications in allowable areas in Eastern Washington must be decontaminated prior to bringing the application equipment into Walla Walla county.~~)

~~((2))~~ (1) Area 1 description - Town of Walla Walla and vicinity: This area includes all lands lying within the Town of Walla Walla and vicinity beginning at the Washington state line at the common boundary line between Sections 15 and 16, T6N, R34E, north along Hoon Road and continuing north on McDonald Bridge Road; across U.P.R.R. and Highway 12; thence north 4 miles more or less to the northwest corner of Section 10, T7N, R34E; thence east 20 miles to the northeast corner of Section 11, T7N, R37E; thence south 7 miles more or less to the Washington-Oregon state line; thence west to point of beginning.

~~((3))~~ (2) Area 1 restrictions:

(a) The application of Paraquat or Diquat or any mix containing Paraquat or Diquat is hereby prohibited in Area 1. PROVIDED, That the department, upon written request, may issue a permit for the use of Paraquat for special weed control in the area lying northwest of Dry Creek in Area 1.

(b) The loading and/or mixing of Paraquat or Diquat for aerial application is prohibited on any airstrip, airfield or any location within Area 1 of Walla Walla county (~~(and)~~). Aerial application equipment used for Paraquat or Diquat applications (~~(in allowable areas in Eastern Washington)~~) must be decontaminated prior to bringing the application equipment back into Area 1 of Walla Walla county. PROVIDED, That the loading and/or mixing of Paraquat shall be allowed at the Walla Walla airport and those aircraft are restricted to exit and enter the airport to the north over Sections 10 and 11, T7N, R36E.

~~((c)) Aerial applications of Dinitro or any mix containing Dinitro is hereby prohibited in Area 1 of Walla Walla county.~~)

~~((4))~~ (3) Area 2 description: All lands in Walla Walla county excluding Area 1.

~~((5))~~ (4) Area 2 restrictions:

(a) The application of Paraquat or any mix containing Paraquat is hereby prohibited four hours prior to sunset to two hours after sunrise the following morning. PROVIDED, That this restriction shall not apply to ground applications during the month of December and January.

(b) Application of Diquat or any mix containing Diquat is hereby restricted to ground apparatus only upon obtaining a permit from the Washington State Department of Agriculture. Such ground apparatus must be equipped with a Washington State Department of Agriculture approved canopy over the spray boom. Visco elastic additives must be added to all applications and applicable label directions for that product must be followed.

(c) Diquat applications shall be limited to a total of 100 acres per day.

(d) The Washington State Department of Agriculture will consider recommendations of the Touchet and Gardena Alfalfa Seed Growers Associations in issuing permits.

**WSR 79-03-083**

**NOTICE OF PUBLIC MEETINGS**  
**STATE HOSPITAL COMMISSION**

[Memorandum—March 2, 1979]

The State Hospital Commission will hold its second meeting in March on Thursday, March 22, 1979, beginning at 9:30 a.m., at the University Tower Hotel, N.E. 45th and Brooklyn Avenue, Seattle, Washington. Hospitals scheduled for informal hearings have previously filed with the Commission their annual budget and rate requests or requests for amendments to previously approved budgets and rates. Staff findings and

recommendations will be prepared and transmitted to each of the scheduled hospitals and to members of the Hospital Commission in accordance with WAC 261-40-135. Such information is on file in the Commission offices and is available for inspection.

**WSR 79-03-084**  
**PROPOSED RULES**  
**DEPARTMENT OF NATURAL RESOURCES**  
[Filed March 7, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, 46.09.180 and chapter 79.68 RCW, that the Department of Natural Resources intends to adopt, amend, or repeal rules concerning regulation of organized recreational events in the Capital Forest by the Department of Natural Resources;

and that the adoption, amendment, or repeal of such rules will take place at 10:00 a.m., Wednesday, April 11, 1979, in Room 301, Public Lands Building, Olympia, Washington.

The authority under which these rules are proposed is chapter 79.68 RCW and RCW 46.09.180.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 10, 1979.

Dated: March 7, 1979

By: Bert L. Cole  
Commissioner of Public Lands

AMENDATORY SECTION (Amending Order 29, filed 4/17/70)

WAC 332-52-010 DEFINITIONS. The following definitions shall apply to all of the listed regulations:

(1) The term "developed recreation sites" means all improved observation, swimming, boating, camping and picnic sites.

(2) The term "camping equipment" includes tent or vehicle used to accommodate the camper, the vehicles used for transport, and the associated camping paraphernalia.

(3) The term "department" shall mean the Department of Natural Resources.

(4) The term "vehicle" shall mean any motorized device capable of being moved upon a road and in, upon, or by which any persons or property is or may be transported or drawn upon a road. It shall include, but not be limited to automobiles, trucks, motorcycles, motor bikes, motor-scooters and snowmobiles, whether or not they can legally be operated on the public highways.

(5) The term "organized event" shall mean any event involving more than fifty participants which is advertised in advance, sponsored by any recognized club(s), and conducted at a predetermined time and place.

NEW SECTION

WAC 332-52-055 CAPITAL FOREST—ORGANIZED EVENTS—PROHIBITED WITHOUT PRIOR WRITTEN APPROVAL. (1) Organized events are prohibited in the Capital Forest without the prior written approval of the department. Any group or organization desiring to utilize department lands or recreational facilities within the Capital Forest for an organized event shall make written request at least thirty days in advance of such event to the department's central area office in Chehalis on a form designated by the department for this purpose.

(2) All requests for an organized event in the Capital Forest shall include the following information:

- (a) The name of the group;
- (b) The name, address, and telephone number of the designated group representative;
- (c) A general description of the organized event;
- (d) The location and description of the land and facilities to be used;

(e) The date and time of the organized event;

(f) A legible map clearly delineating the facility and routes to be used and the direction of travel;

(g) The kind of markers, if any, to be used.

(3) The department's central area office shall make a determination regarding the organized event within ten calendar days of receiving a written request by approving, disapproving or conditionally approving the same. The department's determination will be based upon the nature of the proposed use, seasonal factors and other environmental conditions, other known uses of affected areas, and other requests for organized events in the affected vicinity. The department's determination on the request shall be in writing and will explain the basis for any disapproval or conditional approval.

(4) The sponsoring group, in carrying out any organized event, shall, unless specifically waived in writing by the department:

(a) Limit participants to the maximum number specified by the department;

(b) Identify all route markers with the sponsor's name and the date of the use;

(c) Post and maintain signs clearly warning participants and others of any hazardous conditions and all road and trail intersections throughout the entire route;

(d) Post signs to warn nonparticipants of the organized event and the flow of traffic;

(e) Remove all route markers and posted signs within forty-eight hours after completion of the organized event.

**WSR 79-03-085**  
**PROPOSED RULES**  
**DEPARTMENT OF**  
**SOCIAL AND HEALTH SERVICES**  
**(Public Assistance)**  
[Filed March 7, 1979]

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 good cause for failure to cooperate with support enforcement, amending WAC 388-24-111.

It is the Secretary's intention to file these rules on an emergency basis prior to the hearing.

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

Michael Stewart  
Executive Assistant  
Department of Social and Health Services  
Mailstop OB-44 C  
Olympia, WA 98504;

that such agency will at 10:00 a.m., Wednesday, April 18, 1979, 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, April 25, 1979, 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 April 18, 1979, and/or orally at 10:00 a.m., Wednesday, April 18, 1979, Auditorium, State Office Bldg #2, 12th and Jefferson, Olympia, WA.

Dated: March 7, 1979

By: Michael S. Stewart  
Executive Assistant



AMENDATORY SECTION (Amending Order 1330, filed 8/22/78)

WAC 388-24-111 GOOD CAUSE FOR FAILURE TO COOPERATE WITH SUPPORT ENFORCEMENT. (1) The requirement for cooperation of the applicant/recipient in WAC 388-24-109 shall be waived if the department determines that such cooperation would not be in the best interest of the child(ren) for whom assignment has been made according to WAC 388-24-108.

(2) The applicant/recipient must be informed ~~((that they have))~~ of: (a) The benefits the child may receive from establishing paternity. ((the)) (b) Their right to claim good cause for refusing to cooperate as specified in WAC 388-14-200(2)(a), (b) and (c) and 388-24-109.

(3) The applicant/recipient who claims to have good cause for refusing to cooperate must:

(a) Provide evidence of at least one of the good cause circumstances; or

(b) Provide sufficient information (such as the putative father or absent parent's name and address) to permit an investigation to determine the existence of any of the circumstances specified in subsection (6) of this section.

(4) When an applicant/recipient claims to have good cause for refusing to cooperate, the ~~((ESSO))~~ CSO social service staff will determine that good cause exists only if it finds that:

(a) The evidence supplied by the applicant/recipient establishes that cooperation would be against the best interest of the child; or

(b) Investigation of the circumstances of the case confirms the applicant's/recipient's claim that cooperation would be against the best interest of the child(ren).

(5) The final determination by the ~~((ESSO))~~ CSO social service staff that good cause does or does not exist ~~((shall be made promptly; will be in writing and contain the ESSO's findings and basis for determination. It shall))~~ ;

(a) Shall be made as quickly as possible within thirty days from the date of the good cause claim, unless exceptional circumstances such as those described in WAC 388-38-110 occur and a longer time period is required.

(b) Shall be in writing and contain the CSO findings and basis for determination.

(c) Shall also be entered into the financial and service records.

(6) The CSO social service staff will determine that cooperation in establishing paternity and/or securing support is against the best interest of the child only if:

(a) The applicant's/recipient's cooperation is reasonably anticipated to result in ~~((Physical or bona fide emotional harm to the))~~ physical or emotional harm which clearly demonstrates observable consequences substantially impairing the functioning of either:

(i) The child for whom support is to be sought; or

(ii) ~~((Physical or emotional harm to the))~~ The parent or caretaker relative with whom the child is living which reduces the parent or caretaker relative's capacity to care for the child adequately; or

(b) At least one of the following circumstances exists, and the ~~((ESSO))~~ CSO social service staff believes that because of the existence of that circumstance, in the particular case, proceeding to establish paternity or secure support would be detrimental to the child for whom support would be sought:

(i) The child for whom support is sought was conceived as a result of incest or forcible rape;

(ii) Legal proceedings for the adoption of the child are pending before a superior court; or

(iii) The applicant/recipient is currently being assisted by a public or licensed child-placing agency to resolve the issue of whether to keep the child or relinquish it for adoption, and the discussions have not gone on for more than three months.

(7) Acceptable evidence upon which the ~~((ESSO))~~ CSO social service staff will base a determination of good cause, without further investigation, is limited to the following documents:

(a) Birth certificates or medical or law enforcement records which indicate that the child was conceived as the result of incest or forcible rape;

(b) Court documents or other records which indicate that legal proceedings for adoption are pending before a superior court;

(c) Court, medical, criminal, child protective services, social services, psychological, or law enforcement records which indicate that the putative father or absent parent might inflict physical or emotional harm on the child or parent or caretaker relative;

(d) Medical records which indicate emotional health history and present emotional health status or written statements from a mental health professional indicating a diagnosis or prognosis concerning the

emotional health of the parent or caretaker relative or the child(ren) for whom support would be sought. The recommendation of the mental health professional or the indication of the medical records must be that cooperation by the parent or caretaker relative would not be in the best interest of the child(ren);

(e) A written statement which includes the dates of counseling from a public or licensed child-placing agency that the applicant/recipient is being assisted by the agency to resolve the issue of whether to keep the child or relinquish it for adoption.

(8) Upon request, the ~~((ESSO))~~ CSO will assist the applicant/recipient in obtaining the required evidence.

(9) If the applicant/recipient cannot present evidence as outlined in subsection (7) of this section and still wishes to claim good cause, the applicant/recipient must provide information which will enable the ~~((ESSO))~~ CSO to conduct an investigation regarding the circumstances of the claim. A determination that good cause exists may be based on any verifying information acceptable to the ~~((ESSO))~~ CSO social service staff. However, during the investigation the ~~((ESSO))~~ CSO:

(a) Shall not contact the absent parent or alleged father from whom support would be sought unless such contact is determined to be necessary to establish the good cause claim; and

(b) Prior to making such necessary contact, shall notify the applicant/recipient and give them the opportunity to:

(i) Present additional evidence or information so that contact with the absent parent or putative father becomes unnecessary; or

(ii) Withdraw the application for assistance; or

(iii) Request a fair hearing.

(10) For every good cause determination which is based in whole or in part upon the anticipation of emotional harm to the child, the custodial parent or the caretaker relative, the ~~((ESSO))~~ CSO social service staff shall consider and document its findings regarding the following factors:

(a) The present emotional state of the individual subject to emotional harm;

(b) The emotional health history of the individual subject to emotional harm;

(c) The intensity and probable duration of the emotional upset;

(d) The degree of cooperation to be required; and

(e) The extent of involvement of the child in the paternity establishment or support enforcement activity to be undertaken.

(11) In the process of making a final determination of good cause for refusal to cooperate, the ~~((ESSO))~~ CSO social service staff shall:

(a) Afford the Office of Support Enforcement ~~((office of support enforcement))~~ the opportunity to review and comment on the findings and basis for the proposed determination;

(b) Consider any recommendation from the ~~((o))~~ Office of ~~((s))~~ Support ~~((e))~~ Enforcement; and

(c) Provide the ~~((o))~~ Office of ~~((s))~~ Support ~~((e))~~ Enforcement the opportunity to participate in any hearing that results from an applicant's/recipient's appeal of any determination based on a good cause claim.

(12) Assistance shall not be denied, delayed or discontinued pending a determination of good cause for refusal to cooperate if the applicant/recipient has complied with the requirements to furnish evidence or information, if the applicant/recipient is otherwise eligible.

(13) ~~((+))~~ If the ~~((ESSO))~~ CSO social service staff makes a determination of good cause on the basis of circumstances specified in subsection (6) of this section, ~~((it shall also make a determination of whether or not enforcement activities could proceed without risk of harm to the child or the parent or caretaker relative if the enforcement activities did not involve their participation.))~~ no attempt shall be made to establish paternity or secure support. This determination shall be in writing, contain the ~~((ESSO's))~~ CSO's findings and basis for determination, and be entered into the financial and service records.

(14) ~~((+))~~ The ~~((ESSO))~~ CSO social service staff shall periodically review, not less frequently than at each eligibility review, all cases in which a finding of good cause for refusal to cooperate has been made. If it determines that good cause no longer exists, it will rescind its decision and require cooperation by the applicant/recipient.

(15) If the CSO social service staff determines that good cause does not exist:

(a) The applicant/recipient shall be so notified and afforded the opportunity to cooperate, withdraw their application for assistance, have the case closed, or request fair hearing; and

(b) Continued refusal to cooperate shall result in the loss of AFDC eligibility for the caretaker relative as specified in WAC 388-24-108(2).



(16) ~~((+4))~~ The ~~((ESSO))~~ CSO shall maintain records concerning its activities under this section.

~~((+16))~~ If the ~~ESSO~~ social service staff excuses cooperation but determines that the office of support enforcement may proceed to establish paternity or enforce support, it shall notify the applicant/recipient to enable the applicant/recipient, if they desire, to withdraw their application for assistance, or request a fair hearing.

(17) The ~~((ESSO))~~ CSO will promptly report to the ~~((o))~~ Office of ~~((s))~~ Support ~~((e))~~ Enforcement:

(a) All cases in which good cause has been claimed and a determination is pending;

(b) All cases in which it has been determined that there is good cause for refusal to cooperate ; ~~and its determination whether or not support enforcement activities may proceed without the participation of the parent or caretaker relative; and~~

(c) All cases in which it has been determined that there is not good cause for refusal to cooperate;

(d) All cases in which a fair hearing has been requested; and

(e) Results of subsequent eligibility reviews in cases previously determined to have good cause.

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 79-03-086**

**ADOPTED RULES**

**COUNCIL FOR POSTSECONDARY EDUCATION**

[Order 3-79, Resolution 79-27—Filed March 7, 1979—Eff. April 9, 1979]

Be it resolved by the Council for Postsecondary Education, acting at the Greenwood Inn, Olympia, Washington, that it does promulgate and adopt the annexed rules relating to the approval of academic programs for veterans benefits under Title 38 of the U.S. Code.

This action is taken pursuant to Notice No. WSR 78-12-045 filed with the code reviser on 11/27/78. Such rules shall take effect at a later date, such date being April 9, 1979.

This rule is promulgated pursuant to RCW 28B.80-.120 and 28B.80.230 which directs that the Council for Postsecondary Education has authority to implement the provisions of Executive Order 78-02 and Chapter 36, Title 38, U.S. Code.

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 January 25, 1979

By Chalmers Gail Norris  
Executive Coordinator

**Chapter 250-50 WAC  
VETERANS EDUCATION PROGRAM UNIT**

**NEW SECTION**

✓ WAC 250-50-010 **AUTHORITY.** Effective January 27, 1978, the council for postsecondary education was designated, by Executive Order 78-2, the state approving agency for academic schools, colleges and universities, both public and private, pursuant to Public Law 89-358 (Title 38, U.S. Code, subsection 1771(a)).

**NEW SECTION**

✓ WAC 250-50-020 **RESPONSIBILITY.** As the state approving agency, the council for postsecondary education is responsible, for inspection and supervision, in connection with federal veterans education requirements, of academic institutions operating in Washington and for determining those courses of study which may be approved for the enrollment of veterans and other eligible persons. The council, as state approving agency, is also responsible for ascertaining whether a school at all times complies with its established standards relating to the course or courses of study which have been approved (Title 38, U.S. Code, sections 1772 and 1773).

**NEW SECTION**

✓ WAC 250-50-030 **STANDARDS FOR ACCREDITED INSTITUTIONS.** In reviewing institutions accredited by an agency or association included on the list of nationally-recognized accrediting agencies or associations, published by the United States commissioner of education, the council for postsecondary education shall apply the standards contained in section 1775, chapter 36, Title 38, U.S. Code as implemented by VA Regulation 14253 and published in the Policies and Procedures Manual of the state approving agency.

**NEW SECTION**

✓ WAC 250-50-040 **STANDARDS FOR NONACCREDITED INSTITUTIONS.** In reviewing institutions not accredited by an agency or association included on the list of nationally-recognized accrediting agencies or associations, published by the United States commissioner of education, the council for postsecondary education shall apply the standards contained in section 1776, chapter 36, Title 38, U.S. Code as implemented by VA Regulation 14254 and published in the Policies and Procedures Manual of the state approving agency.

**NEW SECTION**

✓ WAC 250-50-050 **POLICIES AND PROCEDURES.** The policies observed and the procedures followed by the council for postsecondary education in discharging its responsibilities as state approving agency shall be those published and distributed to all affected institutions in the Policies and Procedures Manual for the Veterans Education Program Unit consistent with chapter 36, Title 38, U.S. Code as implemented by the relevant VA Regulations.

**WSR 79-03-087**  
**PROPOSED RULES**  
**COUNCIL FOR POSTSECONDARY EDUCATION**  
 [Filed March 7, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 28B.10.806, that the Council for Postsecondary Education intends to adopt, amend, or repeal rules concerning State of Washington College Work Study Program, amending WAC 250-40-030 and 250-40-050;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, April 18, 1979, in the University of Washington, Seattle, Washington.

The authority under which these rules are proposed is RCW 28B.10.806.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 10, 1979.

Dated: March 7, 1979  
 By: Chalmers Gail Norris  
 Executive Coordinator

AMENDATORY SECTION (Amending Order 5-77, filed May 11, 1977)

WAC 250-40-030 DEFINITIONS. (1) "Financial need" shall be the difference between the budgetary cost to the student attending an institution of postsecondary education and the total applicant resources which the institutional financial aid officer determines can reasonably be expected to be available to the student for meeting such costs.

(2) "Budgetary cost" of attending an institution shall consist of that amount required to support the individual and his or her dependents during the period in which that individual is enrolled as a student. Budgets will reflect the latest recognized cost levels for room and board, transportation, books, supplies, personal expenses, and any other cost factors deemed necessary for consideration.

(3) "Total applicant resources" for the dependent student shall mean the sum of the amounts which reasonably may be expected from the student and his or her spouse inclusive of expected summer savings to meet the student's cost of education, and the amount which reasonably may be expected to be made available to the student by his or her parents for such purposes. For the self-supporting student total applicant resources shall mean the amount which reasonably may be expected from the student and his or her spouse inclusive of expected summer savings to meet the student's cost of education.

(4) "Washington resident" shall be defined as an individual who has been domiciled within the state of Washington for at least one year. Domicile shall denote a person's true fixed and permanent home and place of habitation. It is the place where he or she intends to remain and to which he or she upon leaving, expects to return without intending to establish a new domicile elsewhere. Determination of domicile shall be in accordance with RCW 28B.15.011 - RCW 28B.15.014.

(5) "Eligible institution of postsecondary education" shall mean any postsecondary educational institution in the state of Washington accredited by the Northwest Association of Secondary and Higher Schools, or any public vocational-technical institute in the state of Washington.

(6) "Eligible employer" shall be defined as any eligible public institution of postsecondary education, any other nonprofit organization which is nonsectarian, or any profit-making nonsectarian organization which can and agrees to provide employment of a demonstrable benefit related to the student's postsecondary educational pursuits and which has been approved by the Council for Postsecondary Education for participation in the Work-Study program. In approving an employer as eligible, the Council will consider at the minimum:

- (a) The relationship of the job to the student's educational objective;
- (b) The potential for displacement of regular employees;
- (c) The rate of pay as compared to salaries and wages provided other employees engaged in similar work.

(d) The employer's compliance with appropriate federal and state civil rights laws.

(7) "Dependent student" shall mean any post-high school student attending an eligible institution of postsecondary education who does not qualify as a self-supporting student in accordance with (8).

(8) "Self-supporting student" shall be one who demonstrates compliance with all of the following criteria:

(a) The student will not be and has not been claimed as an exemption for federal income tax purposes by any person except his or her spouse for the calendar year(s) in which a Work-Study award is received and the prior calendar year.

(b) The student will not receive and has not received financial assistance of more than ~~(((\$600))~~ \$750 in cash or kind from his or her parent(s) in the calendar year(s) in which a Work-Study award is received and the prior calendar year.

(c) The student will not live and has not lived in the home(s) of his or her parent(s) except during limited vacation periods during the calendar year(s) in which an award is received and the prior calendar year unless the student reimburses the parent(s) for at least the value of the student's room and board and personal benefits. Vacation periods will not include summer vacation unless such vacation is for a limited time between the end of spring term and the beginning of summer term or summer employment, or the end of summer term or summer employment and the beginning of fall term. As a general rule, vacation periods should not exceed the length of break periods between academic terms. Any individual variance from this guideline which would warrant special classification of the student as self-supporting must be approved by the Council for Postsecondary Education.

(9) "Half-time-student" means any student enrolled in exactly one-half of the credit hour or clock hour load defined by the institution as constituting expected full time progress toward the particular degree or certificate.

**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 3-78, filed July 7, 1978)

WAC 250-40-050 RESTRICTIONS ON STUDENT PLACEMENT AND COMPENSATION. (1) Displacement of employees. Employment of state work-study students may not result in displacement of employed workers or impair existing contracts for services. State work-study students employed by public institutions of postsecondary education may not fill positions currently or formerly occupied by classified employees. In all other cases, state work-study students may not fill positions which have been occupied by regular employees during the current or prior calendar or fiscal year.

(2) Rate of compensation. All work-study positions shall receive compensation equal to the entry level salary of comparable positions.

(3) Appeals. The Council shall be notified of any violation of the requirements under (1) and (2) above. If satisfactory resolution cannot be made by the council, the advisory committee authorized by WAC 250-40-070(6) shall review the appeal and make a recommendation to the Council on the disposition of the appeal.

(4) Maximum total compensation. Earnings beyond the student's state work-study eligibility must be reported to the financial aid officer, and resulting adjustments made in the financial aid package. However, if necessary to complete a special state work-study assignment, or to continue employment to the end of an academic term, the student may be allowed, upon agreement of the financial aid officer, to earn up to an additional \$200 ~~((beyond the))~~ through the State Work-Study (award) program without penalty. In addition, a student wishing to extend his/her work experience beyond the \$200 maximum may, after all possible adjustments have been made in the financial aid package, replace expected family contribution by continuing in his/her employment position as long as the employer pays 100% of the student's compensation.

(5) State share of student compensation. The state share of compensation paid students employed by state supported institutions of postsecondary education shall not exceed 80 percent of the student's gross compensation. The state share of compensation paid students employed by all other employers shall not exceed 65 percent of the student's gross compensation.

(6) Employer share of student compensation. The employer shall pay a minimum of 20% or 30% of the student's gross compensation as

specified in section 5 above, plus the costs of any employee benefits including all payments due as an employer's contribution under the state workman's compensation laws, federal social security laws, and other applicable laws.

(7) Academic credit for state work-study employment. Students may receive academic credit for experience gained through state work-study employment.

(8) Maximum hours worked. Employment of a student in excess of an average of 19 hours per week over the period of enrollment for which the student has received an award or maximum of 40 hours per week during vacation periods will not be eligible for reimbursement from state funds. Further, the student cannot accept other on-campus employment which results in achievement of a change in residency status for tuition and fee purposes under RCW 28B.15.014.

(9) Types of work prohibited. Work performed by a student under the State College Work-Study program shall not be sectarian related and shall not involve any partisan or nonpartisan political activity.

**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 79-03-088

#### PROPOSED RULES

#### COUNCIL FOR POSTSECONDARY EDUCATION

[Filed March 7, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 28B.10.806, that the Council for Postsecondary Education intends to adopt, amend, or repeal rules concerning State of Washington Need Grant Program, amending WAC 250-20-011, 250-20-021, 250-20-041, 250-20-051, 250-20-061;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, April 18, 1979, in the University of Washington, Seattle, Washington.

The authority under which these rules are proposed is RCW 28B.10.806.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 10, 1979.

Dated: March 7, 1979

By: Chalmers Gail Norris  
Executive Coordinator

#### AMENDATORY SECTION (Amending Order 2-77, filed April 13, 1977)

##### WAC 250-20-011 ((PROGRAM)) STUDENT ELIGIBILITY.

(1) For a student to be eligible for a State Need Grant he or she must:

(a) Be a "needy student" or "disadvantaged student" as determined by the Council for Postsecondary Education in accordance with RCW 28B.10.802.

(b) Have been domiciled within the State of Washington for at least one year.

(c) Be enrolled or accepted for enrollment as a full-time undergraduate student or be a student under an established program designed to qualify him or her for enrollment as a full-time student at a postsecondary institution in the State of Washington.

(i) For purposes of Need Grant eligibility, the student must be enrolled in a course load of at least twelve credit or equivalent clock hours unless it is documented that "full-time" for the particular course the student is pursuing is less than twelve credit or equivalent clock hours. Should a student be in such a course of study, he or she must be enrolled for the number of credit or equivalent clock hours accepted as full-time for that course of study. A grant recipient enrolled less than full-time may not receive this grant for the term in question, but is eligible for reinstatement or reapplication for a grant upon return to

full-time status. If, on the written recommendation of a counselor or a professor, and in accordance with agreement by the financial aid officer, the student enrolls in a course load less than full-time, the student will be allowed to retain his or her grant for that term.

(ii) In addition to enrolling full-time, the student is also expected to satisfactorily complete twelve credit or equivalent clock hours or the appropriate number of hours as documented. Each institution must submit to the Council for Postsecondary Education for approval its policy for awarding financial aid to students who do not complete the required number of credit or clock hours. The financial aid office must have on record in each student's file justification for reawarding a Need Grant to any student who received a grant the previous academic term and did not complete a full-time course load during that term.

(iii) If the Council is notified in writing that a Need Grant recipient will not attend the institution for a term during the academic year of the grant award, but plans to return that same academic year, a portion of the full year's grant may be awarded for those terms the student attends full-time.

(d) Not be pursuing a degree in theology.

(e) Be a citizen of the United States or in the process of becoming a citizen.

(f) Not have received a State Need Grant for more than eight semesters or twelve quarters or equivalent or a combination of these two. Upon receipt of a bachelor's degree, a student is no longer eligible. A fifth-year student in a program requiring five years for a bachelor's degree may receive a State Need Grant if he or she has not received a State Need Grant for the maximum number of quarters or semesters.

(g) Have applied for a Basic Educational Opportunity Grant.

(h) Certify that he or she does not owe a refund on a State Need Grant a Basic Educational Opportunity Grant or a Supplemental Educational Opportunity Grant, and is not in default on a loan made, insured or guaranteed under the National Direct Student Loan or Guaranteed Loan 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 2-78, filed April 27, 1978)

WAC 250-20-021 PROGRAM DEFINITIONS. (1) The term "needy student" shall mean a post-high school student of an institution of postsecondary education who demonstrates to the Council the financial inability, either parental, familial, or personal, to bear the total cost of education for any semester or quarter.

(2) The term "disadvantaged student" shall mean a post-high school student who by reason of adverse cultural, educational, environmental, experiential or familial circumstance is unable to qualify for enrollment as a full-time student in a postsecondary institution, and who otherwise qualified as a needy student and who is attending a postsecondary educational institution under an established program designed to qualify him or her for enrollment as a full-time student.

(3) The term "postsecondary institution" shall mean any public or private college, university or community college in the state of Washington which is recognized by the Northwest Association of Secondary and Higher Schools; a postsecondary institution shall also mean any state-supported vocational-technical institute in the state of Washington.

(4) The term "domicile" shall denote a person's true fixed and permanent home and place of habitation. It is the place where he or she intends to remain and to which he or she, upon leaving, expects to return without intending to establish a new domicile elsewhere. Determination of "domicile" shall be in accordance with RCW 28B.15.011-RCW 28B.15.014.

(5) "Dependent student" shall mean any post-high school student who does not qualify as an independent student in accordance with WAC 250-20-021(6).

(6) "Independent student" shall mean any student whose parents (including step-parent(s) do not acknowledge and accept a financial responsibility for the student and have on record in the financial aid office documentation attesting to requirements for independence. Such requirements include the following criteria:

(a) The student has not and will not be claimed as an exemption for federal income tax purposes by any person except his or her spouse for the calendar year(s) in which a State Need Grant is received and the prior calendar year.

(b) The student has not received and will not receive financial assistance of more than \$600 in cash or kind from his or her parent(s) in the calendar year(s) in which a State Need Grant is received and the prior calendar year.

(c) The student has not lived and will not live in the home of his or her parent(s) except during occasional temporary visits during the calendar year(s) in which the Need Grant is received and the prior calendar year.

(d) A special category of independent students consists of persons emancipated or independent by circumstances beyond their control. Examples are wards of court and orphans. An affidavit describing such circumstances is required in lieu of documentation of the family financial situation. Students in this category will be treated as independent applicants with a \$0 parental income and contribution.

(e) Married students will be considered as dependent or independent as appropriate.

(7) Definitions of "undergraduate students" will be in accord with definitions adopted for institutional use by the Council.

(8) "Budgetary cost" shall consist of that amount required to support an individual as a student for nine months taking into consideration cost factors for maintaining the student's dependents. The Council for Postsecondary Education will annually review and adjust budgets which will reflect the latest recognized cost levels for room and board, transportation, books, supplies, personal expenses and any other factors deemed necessary for consideration. The adopted budgets will be published concurrent with annual guidelines for program administration.

(9) "Total family contribution" for dependent students and students who have been independent from their parents for less than five years shall mean the sum of the assumed parents' contribution, expected student summer savings, contribution from student assets, and additional student resources. For students who have been independent for five years or longer, "total family contribution" shall mean the sum of expected family summer savings, contribution from student assets and additional student resources.

(10) "Parents' contribution" shall mean the contribution toward college expenses from the student's parent(s) as related to the total financial strength of the parents.

(11) "Student's expected summer savings" shall be an established amount expected of State Need Grant nominees to be applied toward their educational costs as a result of savings from summer employment.

(12) "Student assets" are comprised of those funds other than the student's expected summer savings and additional student resources as defined in WAC 250-20-021(13) to meet his or her educational expenses which were generated primarily through the student's own efforts. Examples of student assets are money in a savings account or in a trust fund.

(13) "Additional student resources" consist of those funds made available to the student primarily because of his or her student status such as G.I. Bill or veterans benefits. They also include financial support such as public assistance benefits, vocational rehabilitation funds, CETA funds, spouse's academic year income, those portions of agency funds designated for expenses other than tuition and fees, etc. Funds administered by the institution, Basic Grants, BIA Grants, those portions of agency funds designated for tuition and fees, and student employment are to be used as matching funds and as such are not included as "additional student resources".

(14) (~~"Determined need"~~) "State Need Index" is the difference between the appropriate (~~student budget~~) ranking factor as identified in the following table and the student's total family contribution. Ranking Factors: Students living with parents - \$1970, student living away from parents - \$2770, Two-person families - \$4065, plus an additional \$1000 for the first dependent, and \$800 for each subsequent dependent.

(15) "Academic year" is that nine-month period of time from September to June during which a full-time student would normally be expected to complete the equivalent of two semesters or three quarters of instruction.

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 2-77, filed April 13, 1977)

WAC 250-20-041 AWARD PROCEDURE. (1) The Council shall annually determine recipients of Washington State Need Grants from among Washington residents who have applied either directly or indirectly for a State Need Grant by ranking them according to (~~determined financial need~~) their State Need Indexes.

(2) Grant receipt shall be determined by the inability of the student and family, if appropriate, to contribute to the postsecondary educational costs of the applicant as demonstrated by the (~~determined need~~) State Need Index of the student.

(3) Maximum and minimum grant amounts will be established by the Council each year.

(4) Students may receive a State Need Grant for any regular academic term in which they are enrolled full-time. Depending on the availability of funds, students may receive a Need Grant for summer session attendance.

(5) Upon determination of grant recipients, the Council will notify the institution of the applicants who will receive a State Need Grant and the amounts of the grants.

(6) The institution will be expected, insofar as possible, to match the State Need Grant with other funds sufficient to meet the student's need. Matching moneys may consist of student financial aid funds and/or student self-help.

(7) (~~The institution will notify the student of receipt of the State Need Grant.~~) All financial resources available to a State Need Grant recipient, when combined, may not exceed the amount computed as necessary for the student to attend a postsecondary institution. Should a Need Grant recipient be employed in a work-study position, however, the student may be allowed to earn up to \$200 above his or her need in order to continue employment to the end of the academic year.

(8) (~~Grant receipt for those students nominated by the institutions or applying directly to the Council after the initial closing date will be determined in the same manner as described in WAC 250-20-041(1) and 250-20-041(2) above.~~) The institution will notify the student of receipt of the State Need Grant.

(9) Grant receipt for those students nominated by the institutions or applying directly to the Council after the initial closing date will be determined in the same manner as described in WAC 250-20-041(1) and 250-20-041(2) above.

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 2-77, filed April 13, 1977)

WAC 250-20-051 GRANT DISBURSEMENT. (1) Every term financial aid officers from participating institutions will submit the appropriate warrant order form to the Council for Postsecondary Education for each State Need Grant recipient certifying full-time enrollment and grant eligibility.

(2) Upon receipt of the warrant order forms, the Council for Postsecondary Education will forward warrants to the appropriate institution for each recipient.

(3) The student must acknowledge receipt of the State Need Grant each term agreeing to the conditions of award.

(4) All signed receipts for State Need Grant are to be returned to the Council, along with all unclaimed warrants on or before the date specified by the Council each term.

(5) Should a student recipient leave school by reason of failure or withdrawal at the end of the grading period, the unused portion of the grant will remain with the state.

(6) Should a student recipient withdraw from classes during the term in which he or she was awarded a State Need Grant, (~~and prior to the institutional deadline for refunding of any portion of registration fees, he or she shall return the unused portion to the Council~~) he or she shall be required to repay the appropriate amount to the Council.

(a) Each institution must submit for Council approval its policies and procedures for calculating the amount of State Need Grant funds to be returned to the Council by students who withdraw from classes after having been awarded State Need Grants.

(b) The amount of State Need Grant funds to be returned to the Council shall be determined by the institution in accordance with its Council-approved policies and procedures.

(c) The institution shall advise the students and the Council of amounts to be repaid.

(d) The Council will advise the institution when the student has repaid the amount due.

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 1-79, filed February 5, 1979)

**WAC 250-20-061 PROGRAM ADMINISTRATION AND AUDITS.** (1) The staff of the Council for Postsecondary Education under the direction of the Executive Coordinator, will manage the administrative functions relative to this program.

(2) As a precedent to participating in the State Need Grant program, each institution must acknowledge its responsibility to administer the program according to prescribed rules and regulations and guidelines.

(3) The Council for Postsecondary Education will review institutional administrative practices to determine institutional compliance with rules and regulations and program guidelines. If such a review determines that an institution has failed to comply with program rules and regulations or guidelines, the institution will reimburse the program in the appropriate amount.

(4) Any student who has obtained a State Need Grant through means of a willfully false statement or failure to reveal any material fact, condition, or circumstance affecting eligibility will be subject to punitive action.

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 79-03-089**  
**PROPOSED RULES**  
**BOARD OF HEALTH**  
 [Filed March 7, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Washington State Board of Health intends to adopt, amend, or repeal rules concerning the repeal of WAC 248-54-250 through 248-54-510;

that such agency will at 9:00 a.m., Wednesday, April 11, 1979, in the Auditorium, Office Building #2, 12th and Franklin, Olympia, WA 98504 conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, April 11, 1979, in the Auditorium, Office Building #2, 12th and Franklin, Olympia, WA 98504.

The authority under which these rules are proposed is RCW 43.20.050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 11, 1979, and/or orally at 9:00 a.m., Wednesday, April 11, 1979, Auditorium, Office Building #2, 12th and Franklin, Olympia, WA 98504.

Dated: March 7, 1979  
 By: John A. Beare, M.D.  
 Secretary

**REPEALER**

The following sections of Washington Administrative Code are hereby repealed:

- (1) WAC 248-54-250 PURPOSE AND SCOPE
- (2) WAC 248-54-260 DEFINITIONS
- (3) WAC 248-54-270 ADMINISTRATION
- (4) WAC 248-54-280 COMPREHENSIVE PLAN
- (5) WAC 248-54-290 PRELIMINARY REPORT REQUIRED
- (6) WAC 248-54-300 SUBMISSION OF PLANS FOR NEW WATER WORKS
- (7) WAC 248-54-310 SUBMISSION OF PLANS FOR ALTERATIONS TO WATER WORKS
- (8) WAC 248-54-320 REQUIREMENTS FOR ENGINEERS
- (9) WAC 248-54-330 APPROVAL BY HEALTH OFFICER
- (10) WAC 248-54-340 INSPECTION AND CERTIFICATION BY A PROFESSIONAL ENGINEER
- (11) WAC 248-54-350 SOURCE PROTECTION
- (12) WAC 248-54-360 WATER TREATMENT
- (13) WAC 248-54-370 FLUORIDATION
- (14) WAC 248-54-380 DESIGN OF PUBLIC WATER SUPPLY FACILITIES
- (15) WAC 248-54-385 DISTRIBUTION RESERVOIRS
- (16) WAC 248-54-390 DISINFECTION OF FACILITIES
- (17) WAC 248-54-400 BYPASSES
- (18) WAC 248-54-410 QUANTITY AND PRESSURE
- (19) WAC 248-54-420 RELIABILITY
- (20) WAC 248-54-430 QUALITY
- (21) WAC 248-54-440 MAINTENANCE AND OPERATION
- (22) WAC 248-54-450 EMERGENCY MEASURES
- (23) WAC 248-54-460 ALTERATIONS OR CHANGES REQUIRED
- (24) WAC 248-54-470 CROSS-CONNECTIONS
- (25) WAC 248-54-480 DEFINITIONS
- (26) WAC 248-54-490 CROSS-CONNECTIONS PROHIBITED
- (27) WAC 248-54-500 USE OF BACKFLOW PREVENTION DEVICES
- (28) WAC 248-54-510 EXEMPTIONS

**WSR 79-03-090**  
**PROPOSED RULES**  
**GAMBLING COMMISSION**  
 [Filed March 7, 1979]

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. (Copy of the proposed rules are attached hereto; however, changes may be made at the public hearing);

that such agency will at 10 a.m., Thursday, April 12, 1979, in the Walla Walla Community College, Walla Walla, Washington conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 10 a.m., Thursday, April 12, 1979, in the Walla Walla Community College, Walla Walla, Washington.

The authority under which these rules are proposed is chapter 9.46 RCW.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 12, 1979, and/or orally at 10 a.m.,

Thursday, April 12, 1979, Walla Walla Community College, Walla Walla, Washington.

Dated: March 7, 1979

By: Jeffrey O. C. Lane  
Assistant Attorney General

AMENDATORY SECTION (Amending Order #85, filed 5-25-78)

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.)) No activity for which a license or permit from the commission is required under chapter 9.46 RCW or commission rule shall be conducted or performed, or allowed to be conducted, played or performed, on any premises unless the operator of, or person conducting or performing, the activity first obtains the appropriate license or permit from the commission.

[ALTERNATE: Repeal WAC 230-04-070.]

[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:** 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.

NEW SECTION

WAC 230-04-199 CLASS R RECREATIONAL CARD GAMES CONDUCTED BY A BONA FIDE CHARITABLE OR BOND FIDE NONPROFIT ORGANIZATION. (1) Bona fide charitable or bona fide nonprofit organizations will be issued, and may permit the playing of social card games on their premises, under a class R recreational card game license only when the following conditions are met:

(a) No person is charged, directly or indirectly, more than \$1.00 in cash, or goods or services, to play in card games permitted on the premises in any calendar day; and

(b) Only bona fide members and guests of the organization are permitted to play in the card games with the number of guests not exceeding 25% of those persons playing at any one time; and

(c) Only bona fide members of the organization who are not compensated for such services are permitted to perform any work or service in support of such card games; and

(d) Only the following card games are permitted by the licensee:

- (i) Hearts,
- (ii) Rummy,
- (iii) Pitch,
- (iv) Pinochle,
- (v) Cribbage,
- (vi) Bridge.

See WAC 230-40-015 to determine rules of these games.

(2) Applications for such class R recreational cardroom licenses shall be made on a simplified form prepared by the director submitted in the manner, and including the information, required by WAC 230-04-065(4);

(3) Class R licensees need not comply with the following rules of the commission:

(a) WAC 230-04-280, requiring notice to local law enforcement of the activity;

(b) WAC 230-04-010 and WAC 230-04-090, respecting record keeping; and WAC 230-04-160, respecting quarterly reports, but the licensee must, in the alternative, maintain those records required by WAC 230-04-015, such records to be retained by the licensee for a period of not less than one year from the end of the license year for which the record is kept;

(c) WAC 230-40-020, limiting the part of premises which may be used for card playing;

(d) WAC 230-40-030, limiting the number of tables and players;

(e) WAC 230-40-050, fees for card playing, provided the \$1.00 per day limit set out in (1)(a) above may not be exceeded;

(f) WAC 230-40-070, requiring the licensee to furnish all cards, chips and other services;

(g) WAC 230-40-080, prohibiting people from bringing their own cards and chips; and

(h) WAC 230-40-130, requiring wagers to be made only with chips. [This rule is promulgated pursuant to RCW 9.46.070(1) and (13) 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.

AMENDATORY SECTION (Amending Order #88, filed 12-18-78)

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)~~ \$125.

(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)~~ \$250.

(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.

(e) Class R - primarily for recreational purposes and meets the standards of WAC 230-04-199 - \$.

(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, pinocle, 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.

(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.

(10) PUNCHBOARDS AND PULL TABS - each licensee, per premises - \$300.

(11) Manufacturer license - \$1250.

(12) Distributor license - \$1000.

(13) Distributor's representative license - \$100.

(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.

[This rule is promulgated pursuant to RCW 9.46.070(5) 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.

**WSR 79-03-091**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Medical Examining Board)**  
 [Filed March 7, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Medical Examining Board intends to adopt, amend, or repeal rules concerning the practice of acupuncture by physicians' assistants setting forth procedures for application and standards for practice, repealing WAC 308-52-130;

that such agency will at 8:00 p.m., Friday, May 4, 1979, in the Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 8:00 p.m., Friday, May 4, 1979, in the Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

The authority under which these rules are proposed is RCW 18.71A.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 4, 1979, and/or orally at 8:00 p.m., Friday, May 4, 1979, Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

Dated: March 7, 1979

By: Joanne Redmond  
 Assistant Administrator

**NEW SECTION**

**WAC 308-52-500 ACUPUNCTURE ASSISTANT EDUCATION.** Each applicant for an authorization to perform acupuncture

must present evidence satisfactory to the board which discloses in detail the formal schooling or other type of training the applicant has previously undertaken which qualifies him or her as a practitioner of acupuncture. Satisfactory evidence of formal schooling or other training for thirty-six months in acupuncture totalling 1,400 or more hours of study may include, but is not limited to, certified copies of certificates or licenses which acknowledge that the person has the qualifications to practice acupuncture, issued to an applicant by the government of the People's Republic of China, Korea, Japan or Taiwan. Whenever possible, all copies of official diplomas, transcripts and licenses or certificates should be forwarded directly to the Board from the issuing agency rather than from the applicant.

**NEW SECTION**

**WAC 308-52-510 ACUPUNCTURE EQUIVALENCY EXAMINATION.** (a) Applicants for registration who have not been issued a license or certificate to practice acupuncture from the governments listed in RCW 18.57A.070, or from a country or state with equivalent standards, must pass an equivalency examination prescribed by the board.

(b) The examination shall be written and practical and shall examine the applicant's knowledge of anatomy, physiology, bacteriology, bio-chemistry, pathology, hygiene and acupuncture.

(c) Each applicant shall provide his or her own needles and other equipment necessary for demonstrating the applicant's skill and proficiency in acupuncture.

**NEW SECTION**

**WAC 308-52-520 ACUPUNCTURE EXPERIENCE.** An applicant for an authorization as a physician's acupuncture assistant must present satisfactory evidence to the board that he or she has actually practiced acupuncture full time for at least three years.

**NEW SECTION**

**WAC 308-52-530 INVESTIGATION.** An applicant for an authorization to perform acupuncture shall, as part of his or her application, furnish written consent to an investigation of his or her personal background, professional training and experience by the board or any person acting on its behalf.

**NEW SECTION**

**WAC 308-52-540 ENGLISH FLUENCY.** Each applicant must demonstrate sufficient fluency in reading, speaking and understanding the English language to enable the applicant to communicate with supervising physicians and patients concerning health care problems and treatment.

**NEW SECTION**

**WAC 308-52-550 SUPERVISING PHYSICIANS' KNOWLEDGE OF ACUPUNCTURE.** Physicians applying for authorization to utilize the services of a physician's acupuncture assistant shall demonstrate to the board that the physician possesses sufficient understanding of the application of acupuncture treatment, its contraindications and hazards so as to adequately supervise the practice of acupuncture.

**NEW SECTION**

**WAC 308-52-560 ACUPUNCTURE ASSISTANT UTILIZATION.** (1) Persons authorized as physicians' acupuncture assistants shall be restricted in their activities to only those procedures which a duly licensed supervising physician may request them to do. Under no circumstances may a physician's acupuncture assistant perform any diagnosis of patients or recommend or prescribe any forms of treatment or medication.

(2) An acupuncture assistant shall treat patients only under the direct supervision of a physician who is present on the same premises where the treatment is to be given.

(3) A physician shall not employ or supervise more than one acupuncture assistant.



**NEW SECTION**

**WAC 308-52-570 X-RAYS AND LABORATORY TESTS.** X-ray and laboratory tests are not approved techniques for use by physicians' acupuncture assistants, and use of such techniques is expressly prohibited. No physicians' acupuncture assistant may prescribe, order, or treat by any of the following means or modalities:

- (1) diathermy treatments
- (2) ultrasound treatments
- (3) infrared treatments
- (4) electromuscular stimulation for the purpose of stimulating muscle contractions.

**NEW SECTION**

**WAC 308-52-580 ETHICAL CONSIDERATIONS.** The following acts and practices are unethical and unprofessional conduct warranting appropriate disciplinary action:

- (1) The division or "splitting" of fees with other professionals or nonprofessionals as prohibited by chapter 19.68 RCW. Specifically, a person authorized by this board shall not:
  - (a) Employ another to solicit or obtain, or remunerate another for soliciting or obtaining, patient referrals.
  - (b) Directly or indirectly aid or abet an unlicensed person to practice acupuncture or medicine or to receive compensation therefrom.
- (2) Use of testimonials, whether paid for or not, to solicit or encourage use of the licensee's services by members of the public.
- (3) Making or publishing, or causing to be made or published, any advertisement, offer, statement or other form of representation, oral or written, which directly or by implication is false, misleading or deceptive.

**REPEALER**

The following section of the Washington Administrative Code is repealed:

- (1) WAC 308-52-130 PHYSICIANS' ASSISTANTS.

**WSR 79-03-092**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Physical Therapy Examining Committee)**  
 [Filed March 7, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Physical Therapy Examining Committee intends to adopt, amend, or repeal rules concerning the licensure of physical therapists amending the committee meeting dates and examination dates and establishing a due date for applications;

that such agency will at 9:00 a.m., Thursday, April 19, 1979, in the 6th Floor Conference Room, Highway-Licenses Building, 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., Thursday, April 19, 1979, in the 6th Floor Conference Room, Highway-Licenses Building, Olympia, WA.

The authority under which these rules are proposed is RCW 18.74.020.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 19, 1979, and/or orally at 9:00 a.m., Thursday, April 19, 1979, 6th Floor Conference Room, Highway-Licenses Building, Olympia, WA.

Dated: March 7, 1979  
 By: Joanne Redmond  
 Assistant Administrator

**AMENDATORY SECTION** (Order PL 191, filed 5/29/75)

**WAC 308-42-035 EXAMINATION COMMITTEE—MEETINGS.** The examining committee shall meet at least three times each calendar year. ~~((The first meeting shall be called by the chairman, within the first 60 days of the calendar year, to meet at the Division of Professional Licensing, Olympia, Washington. The remaining meetings shall be held concurrent and in conjunction with the examination dates as set forth in WAC 308-42-040.))~~

**AMENDATORY SECTION** (Order PL 191, filed 5/29/75)

**WAC 308-42-040 EXAMINATION—WHEN HELD.** (1) Examinations of applicants for registration as physical therapists shall be held ~~((on the second Saturday in May and the fourth Saturday in September))~~ twice a year at the time and location prescribed by the Director with the advice and consent of the examining committee.

(2) If for religious or other reasons acceptable to the examining committee, an applicant is unable to be examined on the appointed day, another examination may be given within a reasonable time thereafter on a day approved by the examining committee.

(3) Physical therapy students in their last year may apply for licensure by examination prior to graduation under the following circumstances:

(a) Receipt of a letter from an official, of their physical therapy school, verifying the probability of graduation prior to the date of the examination for which they are applying.

(b) Results of the examination and the probational certificate will be withheld until a diploma is received by the department.

**NEW SECTION**

**WAC 308-42-110 APPLICATION DUE DATE.** All examination applications must be submitted no later than sixty (60) days prior to the examination.

**WSR 79-03-093**  
**PROPOSED RULES**  
**DEPARTMENT OF LICENSING**  
**(Medical Examining Board)**  
 [Filed March 7, 1979]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Medical Examining Board intends to adopt, amend, or repeal rules concerning the practice of medicine, deleting the licensure examination credit for years of active practice and amending the continuing education requirements;

that such agency will at 8:00 p.m., Friday, May 4, 1979, in the Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 8:00 p.m., Friday, May 4, 1979, in the Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

The authority under which these rules are proposed is RCW 18.71.017.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to May 4, 1979, and/or orally at 8:00 p.m., Friday, May 4, 1979, Vance Airport Inn, 18220 Pacific Highway South, Seattle, WA.

Dated: March 7, 1979  
 By: Joanne Redmond  
 Assistant Administrator



AMENDATORY SECTION (Order PL 284, filed 3/14/78)

WAC 308-52-260 EXAMINATION SCORES. ((+)) Examinations given by the Washington state board of medical examiners(-):

(a) The board adopts the examination of the federation of state licensing boards as the examination given by the board.

(b) The minimal passing scores for the FLEX examination shall be a FLEX weighted average of seventy-five percent.

~~((2) Credit for years of active practice. The board may allow five points credit for each subject included in the examination if the applicant can demonstrate that he has been engaged in the active practice of medicine for ten or more years immediately preceding his examination. Periods of time spent in the first year of residency training or administrative positions shall not be included in computing such years of practice. Such credit shall be applied only to individual test scores and shall not be applied to the aggregate score for the various parts (days) of the examination.))~~

AMENDATORY SECTION (Order PL 247, filed 5/17/76)

WAC 308-52-405 GENERAL REQUIREMENTS. (1) The Washington state board of medical examiners requires one hundred fifty credit hours of continuing education every three years. All medical doctors currently licensed will be required to show evidence of one hundred fifty credit hours of continuing medical education by their license renewal date in 1979.

(2) In lieu of one hundred fifty hours of continuing medical education the board will accept a current physician's recognition award of the American Medical Association, or a current certificate of continuing education from either the American Academy of Family Physicians or the American College of Obstetricians and Gynecologists and will consider approval of other programs as they are developed. The board will also accept ((current)) certification or recertification by a specialty board as the equivalent of one hundred fifty hours of continuing medical education. The certification or recertification must be obtained in the three years preceding application for renewal.

(3) In case licensees fail to meet the requirements because of illness or other extenuating circumstances, each case will be considered by the board on an individual basis; and when circumstances justify it, the board may grant an extension of time.

**WSR 79-03-094**  
**PROPOSED RULES**  
**SECRETARY OF STATE**  
 [Filed March 7, 1979]

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 appointment of committees to draft statements for the voters pamphlet and submission of arguments and rebuttals by such committees;

that such agency will at 11:00 a.m., Tuesday, April 17, 1979, in the Office of the Secretary of State, Olympia, Washington conduct a hearing relative thereto; and that the adoption, amendment, or repeal of such rules will take place at 3:00 p.m., Tuesday, April 17, 1979, in the Office of the Secretary of State, Olympia, Washington.

The authority under which these rules are proposed is RCW 29.04.080 and 29.81.070.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to April 16, 1979, and/or orally at 11:00 a.m., Tuesday, April 17, 1979, Office of the Secretary of

State, Legislative Building, Olympia, Washington 98504.

Dated: March 7, 1979  
 By: Carmela M. Bowns  
 Assistant Secretary of State

NEW SECTION

WAC 434-81-010. COMMITTEES TO WRITE ARGUMENTS FOR AND AGAINST CONSTITUTIONAL AMENDMENTS, REFERENDUM BILLS, AND ALTERNATIVES TO INITIATIVES TO THE LEGISLATURE. Within thirty days of the final passage of any constitutional amendment, referendum bill, or alternative to an initiative to the legislature by both houses of the state legislature, the presiding officer of the state senate shall appoint one senator known to favor the measure and one senator known to have opposed the measure to serve on the respective committees to draft arguments for and against the measure in the official voters pamphlet and the presiding officer (or officers acting concurrently) of the house of representatives shall appoint one representative known to favor the measure and one representative known to oppose the measure to serve on the respective committees. If no senator or representative consents to serve on a committee to draft an argument for or against a measure appearing in the voters pamphlet, the presiding officer of the senate, the presiding officer or officers of the house of representatives, and the secretary of state, acting concurrently, shall appoint up to two persons who wish to support or oppose that measure, as the case may be.

NEW SECTION

WAC 434-81-020. COMMITTEES TO WRITE ARGUMENTS FOR AND AGAINST INITIATIVES, INITIATIVES TO THE LEGISLATURE, AND REFERENDUM MEASURES. Within thirty days after the submission of signatures in support of a proposed initiative or referendum measure or within thirty days after the adjournment of a regular session of the legislature at which an initiative to the legislature was not approved, the presiding officer of the state senate, the presiding officer or officers of the state house of representatives, and the secretary of state, acting concurrently, shall appoint for each such initiative, referendum measure or initiative to the legislature two persons known to favor such measure and two persons known to oppose such measure to serve on the respective committees to draft arguments for and against that measure to appear in the voters pamphlet.

NEW SECTION

WAC 434-81-030. ADDITIONAL MEMBERS ON COMMITTEES TO DRAFT ARGUMENTS FOR THE VOTERS PAMPHLETS. Within ten days after the appointment of the latter of the two persons appointed pursuant to WAC 434-81-010 or WAC 434-81-020 to serve on a committee to draft arguments for or against a measure appearing in the voters pamphlet, such persons shall appoint a third person to serve with them on that committee and shall, within ten days, notify the secretary of state in writing of the name and address of the person so appointed.

NEW SECTION

WAC 434-81-040. SELECTION OF A CHAIRMAN FOR COMMITTEES TO DRAFT ARGUMENTS FOR OR AGAINST MEASURES APPEARING IN THE VOTERS PAMPHLET. Within ten days after the selection of a third person to serve on a committee to draft an argument for or against a measure appearing in the voters pamphlet, the committee shall elect from among their members a chairman and shall immediately notify the secretary of state of the name, address and telephone number of the person so elected.

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

NEW SECTION

WAC 434-81-050. ADVISORY COMMITTEES[COMMITTEES]. Committees appointed to write arguments for or against measures appearing in the voters pamphlet may select up to five other persons to serve as an advisory committee. They

shall notify the secretary of state of such appointments prior to the first day of August prior to the election at which the measure is to be submitted. Persons serving on advisory committees to committees drafting arguments for or against measures appearing in the voters pamphlet who are officers, employees, or representatives of any organization may only be designated as such if that organization has taken an official action to support or oppose the measure, as the case may be.

#### NEW SECTION

WAC 434-81-060. LENGTH OF STATEMENTS AND REBUTTALS. Arguments for and against measure appearing in the voters pamphlet shall not exceed two hundred and fifty words, except that the committee may use up to four headings to summarize and identify major arguments or portions of the statement for the convenience of the reader and such headings shall not be included in the computation of the number of words in the statement. Rebuttals to arguments for and against measures appearing in the voters pamphlet shall not exceed seventy-five words and must address issues raised in the opposing argument without injecting issues not previously discussed by either the argument for or against that measure. Headings are not permitted in connection with rebuttal statements.

#### NEW SECTION

WAC 434-81-070. RESTRICTIONS ON THE STYLE OF STATEMENTS IN THE VOTERS PAMPHLET. The secretary of state finds that it is in the public interest that all statements published in the voters pamphlet be of substantially similar format and style. To promote such consistency, all statements submitted for publication in the voters pamphlet shall be typewritten on plain sheets of white paper measuring eight and one half inches by eleven inches and containing the name, address, and telephone number of the chairman of the committee submitting such statement. All statements shall be typeset in block paragraph style without tables, lists, or other material requiring multiple indentation and words which are underlined, in italics, or all in upper-case letters will be typeset in italics.

#### NEW SECTION

WAC 434-81-080. SUBMISSION OF STATEMENTS AND REBUTTALS. Arguments for or against measures appearing in the voters pamphlet shall be submitted to the secretary of state by the chairman of the committee appointed to draft that argument within sixty days after the appointment of said chairman or by September 1 whichever is earlier. Rebuttals of arguments to statements for or against measures appearing in the voters pamphlet shall be submitted to the secretary of state by the chairman of the opposing committee within thirty days following receipt of said argument by the committee or by September 15, whichever is earlier.

#### NEW SECTION

WAC 434-81-090. REJECTION OF STATEMENTS FOR THE VOTERS PAMPHLET. Any statement submitted for publication in the voters pamphlet pursuant to WAC 434-81-080 which, in the opinion of the secretary of state, contains any obscene, libelous, or defamatory matter or any language or matter the circulation of which is prohibited by federal law shall be rejected. Within five days of the rejection of any statement, the committee proposing such statement may appeal the rejection to a board of review consisting of the governor, lieutenant governor, and the superintendent of public instruction. The board shall render a decision within three business days of the appeal and such decision to accept or reject the statement shall be final.

#### NEW SECTION

WAC 434-81-100. EDITING OF STATEMENTS FOR THE VOTERS PAMPHLET. The secretary of state finds that it is in the public interest that all statements published in the voters pamphlet be accurate as to form and syntax. To promote such accuracy, the secretary of state may correct any incidental errors of spelling, grammar, and punctuation which he feels would unfairly prejudice the statement or confuse the voters so long as such corrections do not alter the meaning or substance of the statement.

#### WSR 79-03-095

#### NOTICE OF PUBLIC MEETINGS WESTERN WASHINGTON UNIVERSITY [Memorandum, Ass't. Att. General—March 6, 1979]

WHEREAS, the requirements under WAC 516-04-010 and the Board of Trustees Handbook require that regular meetings of the Board of Trustees of Western Washington University be held on the first Thursday of each month unless such date is changed by Board resolution at a meeting regularly scheduled or called for that purpose; and

WHEREAS, members of the Board of Trustees of Western Washington University desire to hold the regular meeting for the month of April, 1979, on Wednesday, April 4, 1979, at Old Main 340 on the campus of Western Washington University rather than in Seattle on Thursday, April 5;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Western Washington University will meet for the regular meeting of the month of April, 1979, on Wednesday, April 4, 1979, at 2:30 p.m. in Old Main 340 on the campus of Western Washington University.

PASSED AND APPROVED by the Board of Trustees of Western Washington University at a meeting thereof duly held this 1st day of March, 1979.

Western Washington University  
Ark G. Chin  
Chairman, Board of Trustees

ATTEST:

Curtis J. Dalrymple  
Secretary, Board of Trustees

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #
4-04-040	REP-P 79-03-047	16-316-0071	REP-P 79-03-077	16-427-015	REP-P 79-02-071
4-04-080	REP-P 79-03-047	16-316-0075	REP-P 79-03-077	16-427-020	REP-P 79-02-071
4-04-170	REP-P 79-03-047	16-316-0091	REP-P 79-03-077	16-427-025	REP-P 79-02-071
4-04-210	AMD-P 79-03-047	16-316-0092	REP-P 79-03-077	16-427-030	REP-P 79-02-071
4-04-240	REP-P 79-03-047	16-316-0401	AMD-P 79-03-048	16-427-040	REP-P 79-02-071
4-04-270	REP-P 79-03-047	16-316-0551	AMD-P 79-03-048	16-427-050	REP-P 79-02-071
4-12-020	AMD-P 79-03-047	16-316-0601	AMD-P 79-03-048	16-427-060	REP-P 79-02-071
4-12-050	REP-P 79-03-047	16-316-165	AMD-P 79-03-061	16-427-070	REP-P 79-02-071
4-12-160	REP-P 79-03-047	16-316-175	AMD-P 79-03-061	16-428-001	REP-P 79-02-071
4-12-170	NEW-P 79-03-047	16-316-190	AMD-P 79-03-061	16-428-010	REP-P 79-02-071
4-12-180	NEW-P 79-03-047	16-316-215	AMD-P 79-03-062	16-428-020	REP-P 79-02-071
4-12-190	NEW-P 79-03-047	16-316-230	AMD-P 79-03-058	16-428-030	REP-P 79-02-071
4-20-020	AMD-P 79-03-047	16-316-250	AMD-P 79-03-058	16-428-040	REP-P 79-02-071
4-20-030	AMD-P 79-03-047	16-316-270	AMD-P 79-03-060	16-428-050	REP-P 79-02-071
4-20-045	AMD-P 79-03-047	16-316-275	AMD-P 79-03-060	16-428-060	REP-P 79-02-071
16-212-160	AMD-P 79-03-078	16-316-280	AMD-P 79-03-060	16-428-070	REP-P 79-02-071
16-218-010	AMD-P 79-02-073	16-316-285	AMD-P 79-03-060	16-429-001	REP-P 79-02-071
16-218-02001	AMD-P 79-02-073	16-316-290	AMD-P 79-03-060	16-429-010	REP-P 79-02-071
16-228-165	AMD-P 79-02-077	16-316-300	REP-P 79-03-080	16-429-020	REP-P 79-02-071
16-230-150	AMD 79-02-046	16-316-305	REP-P 79-03-080	16-429-030	REP-P 79-02-071
16-230-150	AMD-P 79-03-082	16-316-315	AMD-P 79-03-080	16-429-040	REP-P 79-02-071
16-230-160	AMD 79-02-046	16-316-325	REP-P 79-03-080	16-429-050	REP-P 79-02-071
16-230-170	AMD 79-02-046	16-316-326	AMD-P 79-03-080	16-429-060	REP-P 79-02-071
16-230-180	AMD 79-02-046	16-316-327	AMD-P 79-03-080	16-429-070	REP-P 79-02-071
16-230-190	AMD 79-02-046	16-316-350	AMD-P 79-03-059	16-429-080	REP-P 79-02-071
16-230-190	AMD-P 79-03-082	16-316-370	AMD-P 79-03-059	16-429-090	REP-P 79-02-071
16-230-200	REP 79-02-046	16-316-440	AMD-P 79-03-070	16-429-100	REP-P 79-02-071
16-230-260	AMD-P 79-01-080	16-316-460	AMD-P 79-03-070	16-430-001	REP-P 79-02-071
16-230-260	AMD-P 79-03-043	16-316-470	AMD-P 79-03-049	16-430-010	REP-P 79-02-071
16-230-270	AMD-P 79-01-080	16-316-520	AMD-P 79-03-071	16-430-015	REP-P 79-02-071
16-230-270	AMD-P 79-03-043	16-316-525	AMD-P 79-03-071	16-430-020	REP-P 79-02-071
16-230-290	AMD-P 79-01-080	16-316-530	AMD-P 79-03-071	16-430-025	REP-P 79-02-071
16-230-290	AMD-P 79-03-043	16-316-540	AMD-P 79-03-071	16-430-040	REP-P 79-02-071
16-300-003	REP-P 79-03-053	16-316-545	AMD-P 79-03-071	16-430-050	REP-P 79-02-071
16-300-020	AMD-P 79-03-053	16-316-550	AMD-P 79-03-071	16-430-060	REP-P 79-02-071
16-304-002	REP-P 79-03-065	16-316-600	AMD-P 79-03-050	16-430-070	REP-P 79-02-071
16-304-003	REP-P 79-03-065	16-316-620	AMD-P 79-03-068	16-430-100	REP-P 79-02-071
16-304-006	REP-P 79-03-065	16-316-622	AMD-P 79-03-068	16-430-110	REP-P 79-02-071
16-304-040	AMD-P 79-03-065	16-316-660	AMD-P 79-03-051	16-432-010	NEW-P 79-02-071
16-304-110	AMD-P 79-03-054	16-316-680	AMD-P 79-03-051	16-432-020	NEW-P 79-02-071
16-313-001	REP-P 79-03-064	16-316-690	AMD-P 79-03-067	16-432-030	NEW-P 79-02-071
16-313-015	AMD-P 79-03-064	16-316-790	AMD-P 79-03-052	16-432-040	NEW-P 79-02-071
16-313-090	AMD-P 79-03-064	16-316-800	AMD-P 79-03-052	16-432-050	NEW-P 79-02-071
16-316-0012	REP-P 79-03-077	16-316-810	AMD-P 79-03-052	16-432-060	NEW-P 79-02-071
16-316-0013	REP-P 79-03-077	16-316-820	AMD-P 79-03-052	16-432-070	NEW-P 79-02-071
16-316-0014	REP-P 79-03-077	16-316-830	AMD-P 79-03-052	16-432-080	NEW-P 79-02-071
16-316-0017	REP-P 79-03-077	16-316-840	AMD-P 79-03-052	16-432-090	NEW-P 79-02-071
16-316-0018	REP-P 79-03-077	16-316-900	AMD-P 79-03-066	16-432-100	NEW-P 79-02-071
16-316-0023	REP-P 79-03-077	16-316-925	AMD-P 79-03-066	16-432-110	NEW-P 79-02-071
16-316-0024	REP-P 79-03-077	16-317-002	REP-P 79-03-055	16-432-120	NEW-P 79-02-071
16-316-0028	REP-P 79-03-077	16-317-040	AMD-P 79-03-055	16-432-130	NEW-P 79-02-071
16-316-003	REP-P 79-03-077	16-317-050	AMD-P 79-03-055	16-454-050	REP-P 79-02-071
16-316-0031	REP-P 79-03-077	16-317-060	AMD-P 79-03-055	16-454-055	REP-P 79-02-071
16-316-0032	REP-P 79-03-077	16-319-020	AMD-P 79-03-079	16-454-060	REP-P 79-02-071
16-316-0033	REP-P 79-03-077	16-319-041	AMD-P 79-03-079	16-454-065	REP-P 79-02-071
16-316-0034	REP-P 79-03-077	16-320-010	REP-P 79-03-057	16-454-070	REP-P 79-02-071
16-316-0036	REP-P 79-03-077	16-320-020	REP-P 79-03-057	16-454-075	REP-P 79-02-071
16-316-0039	REP-P 79-03-077	16-320-030	REP-P 79-03-057	16-454-080	REP-P 79-02-071
16-316-0041	REP-P 79-03-077	16-320-040	REP-P 79-03-057	16-454-085	REP-P 79-02-071
16-316-0042	REP-P 79-03-052	16-320-050	REP-P 79-03-057	16-454-090	REP-P 79-02-071
16-316-0046	REP-P 79-03-077	16-320-060	REP-P 79-03-057	16-454-095	REP-P 79-02-071
16-316-0047	REP-P 79-03-077	16-320-070	REP-P 79-03-057	16-494-040	AMD-P 79-03-063
16-316-0048	REP-P 79-03-077	16-320-080	REP-P 79-03-057	16-495-001	REP-P 79-03-056
16-316-0049	REP-P 79-03-077	16-320-090	REP-P 79-03-057	16-495-002	REP-P 79-03-056
16-316-0051	REP-P 79-03-077	16-320-100	REP-P 79-03-057	16-495-003	REP-P 79-03-056
16-316-0052	REP-P 79-03-077	16-320-110	REP-P 79-03-057	16-495-005	REP-P 79-03-056
16-316-0054	REP-P 79-03-077	16-320-120	REP-P 79-03-057	16-495-050	AMD-P 79-03-069
16-316-0056	REP-P 79-03-077	16-401-003	REP-P 79-02-072	16-495-060	REP-P 79-03-056
16-316-0057	REP-P 79-03-052	16-401-025	AMD-P 79-02-072	16-495-080	AMD-P 79-03-056
16-316-0061	REP-P 79-03-077	16-401-030	AMD-P 79-02-072	16-495-085	AMD-P 79-03-056
16-316-0063	REP-P 79-03-077	16-401-035	REP-P 79-02-072	16-495-090	AMD-P 79-03-056
16-316-0064	REP-P 79-03-077	16-403-170	AMD-P 79-01-076	16-495-095	AMD-P 79-03-056
16-316-0066	REP-P 79-03-077	16-427-001	REP-P 79-02-071	16-495-105	AMD-P 79-03-056
16-316-007	REP-P 79-03-077	16-427-010	REP-P 79-02-071	16-529-140	AMD-P 79-03-076

### Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
16-620-007	REP-P	79-02-004	106-136-200	AMD-P	79-03-042	132E-129-060	REP-E	79-03-026
16-620-007	REP-P	79-02-076	106-136-201	AMD-P	79-03-042	132E-129-070	NEW-E	79-02-018
16-620-240	AMD-P	79-02-004	106-136-202	AMD-P	79-03-042	132E-129-070	REP-E	79-03-026
16-620-240	AMD-P	79-02-076	106-136-205	AMD-P	79-03-042	132I-104-060	AMD-P	79-03-028
16-620-260	AMD-P	79-02-004	106-136-206	AMD-P	79-03-042	132U-60-001	REP-P	79-03-035
16-620-260	AMD-P	79-02-076	106-136-207	AMD-P	79-03-042	132U-60-002	REP-P	79-03-035
16-750-010	AMD-P	79-02-074	106-136-208	AMD-P	79-03-042	132U-60-003	REP-P	79-03-035
24-12-011	AMD-P	79-02-026	106-136-209	AMD-P	79-03-042	132U-60-004	REP-P	79-03-035
50-12-040	AMD-P	79-01-095	106-136-300	AMD-P	79-03-042	132U-60-005	REP-P	79-03-035
50-12-040	AMD-E	79-02-034	106-136-400	AMD-P	79-03-042	132U-60-006	REP-P	79-03-035
50-12-050	AMD-P	79-01-095	106-136-410	AMD-P	79-03-042	132U-60-007	REP-P	79-03-035
50-12-050	AMD-E	79-02-034	106-136-411	AMD-P	79-03-042	132U-60-008	REP-P	79-03-035
50-16-030	AMD-P	79-01-095	106-136-501	AMD-P	79-03-042	132U-60-009	REP-P	79-03-035
50-16-035	AMD-P	79-01-095	106-136-510	AMD-P	79-03-042	132U-60-010	REP-P	79-03-035
50-16-045	AMD-P	79-01-095	106-136-520	AMD-P	79-03-042	132U-60-011	REP-P	79-03-035
50-16-060	AMD-P	79-01-095	106-136-521	AMD-P	79-03-042	132U-60-012	REP-P	79-03-035
50-16-070	AMD-P	79-01-095	106-136-522	AMD-P	79-03-042	136-10-050	AMD	79-01-096
50-16-075	AMD-P	79-01-095	106-136-523	AMD-P	79-03-042	136-18-020	AMD	79-01-098
50-16-080	AMD-P	79-01-095	106-136-524	AMD-P	79-03-042	136-18-030	AMD	79-01-098
50-16-095	AMD-P	79-01-095	106-136-525	AMD-P	79-03-042	136-18-040	REP	79-01-098
50-16-100	AMD-P	79-01-095	106-136-526	AMD-P	79-03-042	136-18-050	AMD	79-01-098
50-20-010	AMD-P	79-01-095	106-136-527	AMD-P	79-03-042	136-18-060	AMD	79-01-098
50-20-050	AMD-P	79-01-095	106-136-528	AMD-P	79-03-042	136-18-070	AMD	79-01-098
50-24-030	AMD-P	79-01-095	106-136-529	AMD-P	79-03-042	136-20-010	AMD	79-01-099
50-24-120	AMD-P	79-01-095	106-136-590	AMD-P	79-03-042	136-20-020	AMD	79-01-099
50-24-140	AMD-P	79-01-095	106-136-591	AMD-P	79-03-042	136-20-030	AMD	79-01-099
51-10	AMD-P	79-02-078	106-136-601	AMD-P	79-03-042	136-20-040	AMD	79-01-099
51-10	AMD-P	79-02-078	106-136-620	AMD-P	79-03-042	136-20-050	AMD	79-01-099
82-28-010	AMD-P	79-01-091	106-136-625	AMD-P	79-03-042	136-20-060	AMD	79-01-099
82-28-010	AMD-P	79-03-022	106-136-630	AMD-P	79-03-042	136-32-030	AMD	79-01-097
82-28-010	AMD-P	79-03-040	106-136-643	AMD-P	79-03-042	173-58	NEW-P	79-01-079
82-28-040	AMD-P	79-01-091	106-136-644	AMD-P	79-03-042	173-70	NEW-P	79-01-078
82-28-040	AMD-P	79-03-022	106-136-670	AMD-P	79-03-042	173-160-090	AMD	79-02-010
82-28-040	AMD-P	79-03-040	106-136-680	AMD-P	79-03-042	173-160-09001	NEW	79-02-010
82-28-050	AMD-P	79-01-091	106-136-910	AMD-P	79-03-042	173-160-100	AMD	79-02-010
82-28-050	AMD-P	79-03-022	106-136-911	AMD-P	79-03-042	173-160-200	AMD	79-02-010
82-28-050	AMD-P	79-03-040	106-136-920	AMD-P	79-03-042	173-160-290	AMD	79-02-010
82-28-06001	AMD-P	79-01-091	131-08-005	AMD-P	79-01-086	173-240-010	NEW	79-02-033
82-28-06001	AMD-P	79-03-022	131-16-011	AMD-P	79-01-087	173-240-020	NEW	79-02-033
82-28-06001	AMD-P	79-03-040	131-16-040	AMD-P	79-01-087	173-240-030	NEW	79-02-033
82-28-080	AMD-P	79-01-091	131-16-061	AMD-P	79-01-087	173-240-040	NEW	79-02-033
82-28-080	AMD-P	79-03-022	131-16-062	NEW-P	79-01-087	173-240-050	NEW	79-02-033
82-28-080	AMD-P	79-03-040	131-16-067	NEW-P	79-01-087	173-240-060	NEW	79-02-033
82-28-130	AMD-P	79-01-091	132E-128-001	NEW-E	79-03-026	173-240-070	NEW	79-02-033
82-28-130	AMD-P	79-03-022	132E-128-010	AMD-E	79-02-018	173-240-080	NEW	79-02-033
82-28-130	AMD-P	79-03-040	132E-128-010	REP-E	79-03-026	173-240-090	NEW	79-02-033
82-28-190	AMD-P	79-01-091	132E-128-020	AMD-E	79-02-018	173-240-100	NEW	79-02-033
82-28-190	AMD-P	79-03-022	132E-128-020	REP-E	79-03-026	173-240-105	NEW	79-02-033
82-28-190	AMD-P	79-03-040	132E-128-030	AMD-E	79-02-018	173-240-110	NEW	79-02-033
82-28-230	AMD-P	79-01-091	132E-128-030	REP-E	79-03-026	173-240-120	NEW	79-02-033
82-28-230	AMD-P	79-03-022	132E-128-040	AMD-E	79-02-018	173-240-130	NEW	79-02-033
82-28-230	AMD-P	79-03-040	132E-128-040	REP-E	79-03-026	173-240-140	NEW	79-02-033
106-08-001	AMD-P	79-03-042	132E-128-050	AMD-E	79-02-018	173-240-150	NEW	79-02-033
106-116-201	AMD-P	79-03-042	132E-128-050	REP-E	79-03-026	173-240-160	NEW	79-02-033
106-116-205	AMD-P	79-03-042	132E-128-060	AMD-E	79-02-018	173-240-170	NEW	79-02-033
106-116-603	AMD-P	79-03-042	132E-128-060	REP-E	79-03-026	173-240-180	NEW	79-02-033
106-120-010	AMD-P	79-03-042	132E-128-070	AMD-E	79-02-018	180-16-167	REP	79-02-048
106-120-020	AMD-P	79-03-042	132E-128-070	REP-E	79-03-026	180-16-240	AMD	79-02-048
106-120-043	AMD-P	79-03-042	132E-128-080	AMD-E	79-02-018	180-30-110	AMD-P	79-02-070
106-120-050	AMD-P	79-03-042	132E-128-080	REP-E	79-03-026	180-30-250	AMD-P	79-02-070
106-120-051	AMD-P	79-03-042	132E-128-090	REP-E	79-02-018	204-36-010	AMD	79-02-085
106-120-055	AMD-P	79-03-042	132E-128-090	REP-E	79-03-026	204-36-020	AMD	79-02-085
106-120-061	AMD-P	79-03-042	132E-129-001	NEW-E	79-03-026	204-36-030	AMD	79-02-085
106-120-062	AMD-P	79-03-042	132E-129-010	AMD-E	79-02-018	204-36-060	AMD	79-02-085
106-120-064	AMD-P	79-03-042	132E-129-010	REP-E	79-03-026	204-36-070	AMD	79-02-085
106-120-200	AMD-P	79-03-042	132E-129-020	AMD-E	79-02-018	204-52-010	NEW	79-02-084
106-120-210	AMD-P	79-03-042	132E-129-020	REP-E	79-03-026	204-52-020	NEW	79-02-084
106-120-220	AMD-P	79-03-042	132E-129-030	NEW-E	79-02-018	204-52-030	NEW	79-02-084
106-120-230	AMD-P	79-03-042	132E-129-030	REP-E	79-03-026	204-52-040	NEW	79-02-084
106-120-240	AMD-P	79-03-042	132E-129-040	NEW-E	79-02-018	204-52-050	NEW	79-02-084
106-120-250	AMD-P	79-03-042	132E-129-040	REP-E	79-03-026	204-52-060	NEW	79-02-084
106-120-700	AMD-P	79-03-042	132E-129-050	NEW-E	79-02-018	204-52-070	NEW	79-02-084
106-120-800	AMD-P	79-03-042	132E-129-050	REP-E	79-03-026	204-52-080	NEW	79-02-084
106-120-900	AMD-P	79-03-042	132E-129-060	NEW-E	79-02-018	204-52-090	NEW	79-02-084

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
204-52-100	NEW	79-02-084	220-56-021	AMD	79-02-052	232-18-310	AMD-P	79-02-009
204-66-160	AMD-P	79-03-074	220-56-023	AMD	79-02-052	232-18-320	AMD-P	79-02-009
204-66-180	AMD	79-01-077	220-56-050	AMD-P	79-02-054	232-18-330	AMD-P	79-02-009
220-16-025	AMD-P	79-01-100	220-56-065	AMD	79-02-052	232-18-340	AMD-P	79-02-009
220-16-025	AMD	79-03-014	220-56-06500A	NEW-E	79-03-046	232-18-345	AMD-P	79-02-009
220-16-028	AMD-P	79-01-100	220-56-080	AMD	79-02-052	232-18-350	AMD-P	79-02-009
220-16-028	AMD	79-03-014	220-56-08000G	NEW-E	79-02-051	232-18-355	AMD-P	79-02-009
220-16-045	REP-P	79-01-100	220-56-084	AMD	79-02-052	232-18-360	AMD-P	79-02-009
220-16-050	REP-P	79-01-100	220-56-086	AMD	79-02-052	232-18-365	AMD-P	79-02-009
220-16-050	REP	79-03-014	220-56-088	AMD	79-02-052	232-18-370	AMD-P	79-02-009
220-16-051	NEW-P	79-01-100	220-57-130	AMD	79-02-052	232-18-375	AMD-P	79-02-009
220-16-051	NEW	79-03-014	220-57-135	AMD	79-02-052	232-18-400	AMD-P	79-02-009
220-16-060	REP-P	79-01-100	220-57-137	NEW	79-02-052	232-18-410	AMD-P	79-02-009
220-16-060	REP	79-03-014	220-57-145	AMD	79-02-052	232-18-420	AMD-P	79-02-009
220-16-070	AMD-P	79-02-083	220-57-155	AMD	79-02-052	232-18-425	AMD-P	79-02-009
220-16-135	REP-P	79-01-100	220-57-160	AMD	79-02-052	232-18-440	AMD-P	79-02-009
220-16-340	AMD-P	79-02-083	220-57-200	AMD	79-02-052	232-18-442	AMD-P	79-02-009
220-20-020	AMD-P	79-01-100	220-57-205	AMD	79-02-052	232-18-444	AMD-P	79-02-009
220-20-020	AMD-P	79-02-083	220-57-210	AMD	79-02-052	232-18-450	AMD-P	79-02-009
220-20-020	AMD	79-03-014	220-57-215	AMD	79-02-052	232-18-455	AMD-P	79-02-009
220-22-400	AMD-P	79-01-100	220-57-220	AMD	79-02-052	232-18-460	AMD-P	79-02-009
220-28-007FOE	REP-E	79-02-002	220-57-235	AMD	79-02-052	232-18-470	AMD-P	79-02-009
220-28-007GOC	REP-E	79-02-002	220-57-240	AMD	79-02-052	232-18-480	AMD-P	79-02-009
220-28-010DOG	REP-E	79-02-002	220-57-260	AMD	79-02-052	232-18-485	AMD-P	79-02-009
220-28-013BOG	REP-E	79-02-002	220-57-265	AMD	79-02-052	232-18-500	AMD-P	79-02-009
220-28-013GOC	REP-E	79-02-002	220-57-270	AMD	79-02-052	232-18-535	AMD-P	79-02-009
220-28-013GOD	NEW-E	79-03-003	220-57-290	AMD	79-02-052	232-18-540	AMD-P	79-02-009
220-32-02200B	NEW-E	79-02-035	220-57-305	AMD	79-02-052	232-18-545	AMD-P	79-02-009
220-32-03000L	NEW-E	79-02-035	220-57-310	AMD	79-02-052	232-18-550	AMD-P	79-02-009
220-32-03000L	REP-E	79-03-073	220-57-345	AMD	79-02-052	232-18-570	AMD-P	79-02-009
220-32-03000M	NEW-E	79-03-073	220-57-350	AMD	79-02-052	232-18-580	AMD-P	79-02-009
220-32-03600B	NEW-E	79-03-024	220-57-370	AMD	79-02-052	232-18-600	AMD-P	79-02-009
220-32-04000E	NEW-E	79-02-035	220-57-385	AMD	79-02-052	232-18-650	AMD-P	79-02-009
220-32-05100H	NEW-E	79-02-035	220-57-400	AMD	79-02-052	232-18-660	AMD-P	79-02-009
220-32-05700D	NEW-E	79-02-035	220-57-435	AMD	79-02-052	232-18-690	AMD-P	79-02-009
220-36-03001	AMD-P	79-02-083	220-57-455	AMD	79-02-052	232-18-695	AMD-P	79-02-009
220-40-030	AMD-P	79-02-083	220-57-460	AMD	79-02-052	232-18-700	AMD-P	79-02-009
220-44-030	AMD-P	79-01-100	220-57-465	AMD	79-02-052	232-18-830	REP-P	79-02-009
220-44-030	AMD	79-03-014	220-57-473	NEW	79-02-052	232-18-835	REP-P	79-02-009
220-44-040	AMD-P	79-01-100	220-57-480	AMD	79-02-052	232-28-700	REP	79-03-039
220-44-040	AMD	79-03-014	220-57-505	AMD	79-02-052	232-28-701	NEW	79-03-039
220-48-080	AMD-P	79-01-100	220-57-515	AMD	79-02-052	232-28-800	REP-P	79-02-086
220-48-080	AMD	79-03-014	220-57A-005	AMD	79-02-052	232-28-801	NEW-P	79-02-086
220-48-08000A	NEW-E	79-02-045	220-57A-010	AMD	79-02-052	232-32-114	NEW-E	79-03-045
220-48-09100A	NEW-E	79-02-013	220-57A-040	AMD	79-02-052	236-12-440	AMD-P	79-03-011
220-48-100	AMD-P	79-01-100	220-57A-060	REP	79-02-052	236-12-440	AMD-E	79-03-012
220-48-100	AMD	79-03-014	220-57A-065	AMD	79-02-052	248-08-595	AMD	79-02-055
220-49-020	AMD-P	79-01-100	220-57A-080	AMD	79-02-052	248-14-001	AMD	79-02-036
220-49-020	AMD	79-03-014	220-57A-095	AMD	79-02-052	248-14-230	AMD	79-02-036
220-49-02000D	NEW-E	79-03-009	220-57A-115	AMD	79-02-052	248-14-235	NEW	79-02-036
220-49-022	AMD-P	79-01-100	220-57A-120	AMD	79-02-052	248-14-240	AMD	79-02-036
220-49-022	AMD	79-03-014	220-57A-135	AMD	79-02-052	248-14-245	NEW	79-02-036
220-50-010	NEW-P	79-02-083	220-57A-150	AMD	79-02-052	248-14-250	AMD	79-02-036
220-50-020	NEW-P	79-02-083	220-57A-155	AMD	79-02-052	248-14-260	AMD	79-02-036
220-50-030	NEW-P	79-02-083	220-57A-185	AMD	79-02-052	248-14-270	AMD	79-02-036
220-50-040	NEW-P	79-02-083	220-57A-190	AMD	79-02-052	248-14-401	NEW	79-02-036
220-50-050	NEW-P	79-02-083	220-95-010	AMD	79-03-025	248-18-060	AMD-P	79-01-094
220-50-060	NEW-P	79-02-083	220-95-015	AMD	79-03-025	248-18-090	AMD-P	79-01-094
220-50-080	NEW-P	79-02-083	230-04-070	AMD-P	79-03-090	248-18-110	AMD-P	79-01-094
220-50-100	NEW-P	79-02-083	230-04-199	NEW-P	79-03-090	248-18-110	AMD-P	79-03-027
220-52-018	AMD	79-02-053	230-04-200	AMD-P	79-03-090	248-18-135	AMD-P	79-01-094
220-52-019	AMD	79-02-053	232-12-510	AMD	79-02-008	248-18-140	AMD-P	79-01-094
220-52-040	AMD	79-02-053	232-18-025	AMD-P	79-02-009	248-18-150	AMD-P	79-01-094
220-52-043	AMD	79-02-053	232-18-040	AMD-P	79-02-009	248-18-155	NEW-P	79-01-094
220-52-050	AMD	79-02-053	232-18-050	AMD-P	79-02-009	248-18-160	AMD-P	79-01-094
220-52-053	AMD	79-02-053	232-18-060	AMD-P	79-02-009	248-18-160	AMD-P	79-03-027
220-52-060	AMD	79-02-053	232-18-100	AMD-P	79-02-009	248-18-170	AMD-P	79-01-094
220-52-071	AMD	79-02-053	232-18-150	AMD-P	79-02-009	248-18-200	AMD-P	79-03-027
220-52-073	AMD	79-02-053	232-18-190	AMD-P	79-02-009	248-18-270	AMD-P	79-01-094
220-52-074	AMD	79-02-053	232-18-203	AMD-P	79-02-009	248-18-270	AMD-P	79-03-027
220-52-07400A	REP-E	79-02-042	232-18-205	AMD-P	79-02-009	248-18-280	AMD-P	79-01-094
220-52-07400B	NEW-E	79-02-042	232-18-240	AMD-P	79-02-009	248-18-315	NEW-P	79-01-094
220-52-075	NEW	79-02-053	232-18-300	AMD-P	79-02-009	248-18-315	NEW-P	79-03-027
220-56-019	AMD	79-02-052	232-18-305	AMD-P	79-02-009	248-54-250	REP-P	79-03-089

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
248-54-260	REP-P	79-03-089	260-24-470	AMD-P	79-03-008	332-17-320	NEW	79-02-001
248-54-270	REP-P	79-03-089	260-84-030	AMD-P	79-03-008	332-17-340	NEW	79-02-001
248-54-280	REP-P	79-03-089	260-84-040	REP-P	79-03-008	332-17-400	NEW	79-02-001
248-54-290	REP-P	79-03-089	260-84-080	REP-P	79-03-008	332-17-410	NEW	79-02-001
248-54-300	REP-P	79-03-089	261-40-020	AMD-E	79-02-049	332-17-420	NEW	79-02-001
248-54-310	REP-P	79-03-089	275-16-030	AMD	79-03-019	332-17-430	NEW	79-02-001
248-54-320	REP-P	79-03-089	275-59-020	AMD	79-03-038	332-17-440	NEW	79-02-001
248-54-330	REP-P	79-03-089	275-59-030	AMD	79-03-038	332-17-450	NEW	79-02-001
248-54-340	REP-P	79-03-089	275-59-040	REP	79-03-038	332-17-460	NEW	79-02-001
248-54-350	REP-P	79-03-089	275-59-041	NEW	79-03-038	332-52-010	AMD-P	79-03-084
248-54-360	REP-P	79-03-089	275-59-050	AMD	79-03-038	332-52-055	NEW-P	79-03-084
248-54-370	REP-P	79-03-089	275-59-060	AMD	79-03-038	352-32-250	AMD	79-02-032
248-54-380	REP-P	79-03-089	275-59-070	REP	79-03-038	356-10-030	AMD-P	79-02-016
248-54-385	REP-P	79-03-089	275-59-080	AMD	79-03-038	356-10-030	AMD	79-03-010
248-54-390	REP-P	79-03-089	296-04-040	AMD	79-03-023	356-10-050	AMD-P	79-02-016
248-54-400	REP-P	79-03-089	296-62-07335	AMD-E	79-02-038	356-10-050	AMD	79-03-010
248-54-410	REP-P	79-03-089	296-62-07347	NEW	79-02-037	356-10-060	AMD-P	79-02-016
248-54-420	REP-P	79-03-089	296-62-14531	NEW	79-02-037	356-10-060	AMD	79-03-010
248-54-430	REP-P	79-03-089	296-104-200	AMD-P	79-02-007	356-18-060	AMD-P	79-02-016
248-54-440	REP-P	79-03-089	296-116-080	AMD-P	79-03-072	356-18-060	AMD	79-03-010
248-54-450	REP-P	79-03-089	296-116-081	AMD-P	79-03-072	356-26-060	AMD-P	79-01-101
248-54-460	REP-P	79-03-089	296-116-200	AMD-P	79-03-072	356-30-075	NEW-P	79-03-044
248-54-470	REP-P	79-03-089	296-116-351	AMD	79-02-030	356-35-020	NEW-P	79-03-044
248-54-480	REP-P	79-03-089	296-116-351	AMD-P	79-03-072	360-11-010	AMD-P	79-02-068
248-54-490	REP-P	79-03-089	308-12-311	NEW-E	79-02-043	360-12-015	NEW-P	79-02-068
248-54-500	REP-P	79-03-089	308-12-311	NEW-P	79-02-067	360-12-050	AMD-P	79-02-068
248-54-510	REP-P	79-03-089	308-24-335	NEW	79-02-012	360-12-065	AMD-P	79-02-068
248-57	NEW-P	79-03-037	308-42-035	AMD-P	79-03-092	360-12-130	AMD-P	79-02-068
248-57-010	NEW-P	79-01-083	308-42-040	AMD-P	79-03-092	360-16-240	AMD	79-02-060
248-57-100	NEW-P	79-01-083	308-42-110	NEW-P	79-03-092	360-36-110	AMD	79-02-060
248-57-200	NEW-P	79-01-083	308-52-130	REP-P	79-03-091	360-36-120	AMD	79-02-060
248-57-300	NEW-P	79-01-083	308-52-260	AMD-P	79-03-093	360-36-130	AMD-P	79-02-068
248-57-400	NEW-P	79-01-083	308-52-405	AMD-P	79-03-093	360-36-130	AMD	79-02-060
248-57-500	NEW-P	79-01-083	308-52-500	NEW-P	79-03-091	360-36-140	AMD	79-02-060
248-57-600	NEW-P	79-01-083	308-52-510	NEW-P	79-03-091	360-36-150	REP	79-02-060
248-57-700	NEW-P	79-01-083	308-52-520	NEW-P	79-03-091	360-36-160	REP	79-02-060
248-57-800	NEW-P	79-01-083	308-52-530	NEW-P	79-03-091	360-36-170	REP	79-02-060
248-57-900	NEW-P	79-01-083	308-52-540	NEW-P	79-03-091	360-52-060	AMD-P	79-02-068
248-57-990	NEW-P	79-01-083	308-52-550	NEW-P	79-03-091	360-54-010	NEW	79-02-061
248-76	REP-P	79-02-031	308-52-560	NEW-P	79-03-091	360-54-020	NEW	79-02-061
248-102-030	REP	79-02-014	308-52-570	NEW-P	79-03-091	360-54-030	NEW	79-02-061
248-102-040	AMD	79-02-014	308-52-580	NEW-P	79-03-091	360-54-040	NEW	79-02-061
248-102-050	REP	79-02-014	308-122-220	AMD-P	79-02-075	360-54-050	NEW	79-02-061
248-102-060	REP	79-02-014	308-122-220	AMD-P	79-03-041	365-60-010	NEW-P	79-01-074
250-20-011	AMD-P	79-03-088	308-122-230	AMD-P	79-02-075	365-60-010	NEW-E	79-01-075
250-20-021	AMD-P	79-03-088	308-122-230	AMD-P	79-03-041	365-60-010	NEW	79-03-004
250-20-041	AMD-P	79-03-088	308-122-410	AMD-P	79-02-075	365-60-020	NEW-P	79-01-074
250-20-051	AMD-P	79-03-088	308-122-410	AMD-P	79-03-041	365-60-020	NEW-E	79-01-075
250-20-061	AMD	79-02-066	308-138-100	NEW	79-02-011	365-60-020	NEW	79-03-004
250-20-061	AMD-P	79-03-088	308-138-110	NEW	79-02-011	372-20	REP	79-02-033
250-40-030	AMD-P	79-03-087	308-138-120	NEW	79-02-011	372-20-005	REP	79-02-033
250-40-050	AMD-P	79-03-087	308-138-130	NEW	79-02-011	372-20-010	REP	79-02-033
250-40-070	AMD	79-02-088	308-138-140	NEW	79-02-011	372-20-020	REP	79-02-033
250-50-010	NEW	79-03-086	308-138-150	NEW	79-02-011	372-20-025	REP	79-02-033
250-50-020	NEW	79-03-086	308-138-160	NEW	79-02-011	372-20-030	REP	79-02-033
250-50-030	NEW	79-03-086	308-138-170	NEW	79-02-011	372-20-040	REP	79-02-033
250-50-040	NEW	79-03-086	308-138-180	NEW	79-02-011	372-20-050	REP	79-02-033
250-50-050	NEW	79-03-086	308-300-030	AMD	79-01-088	372-20-055	REP	79-02-033
251-08-160	NEW-P	79-01-093	308-300-110	AMD	79-01-088	372-20-060	REP	79-02-033
251-08-160	NEW	79-03-030	320-18-010	NEW	79-02-044	372-20-070	REP	79-02-033
251-10-030	AMD-P	79-01-092	332-17-010	NEW	79-02-001	372-20-080	REP	79-02-033
251-10-030	AMD	79-03-029	332-17-020	NEW	79-02-001	372-20-090	REP	79-02-033
251-12-600	AMD-P	79-01-092	332-17-030	NEW	79-02-001	372-20-100	REP	79-02-033
251-12-600	AMD	79-03-029	332-17-100	NEW	79-02-001	372-20-110	REP	79-02-033
251-18-020	AMD-P	79-01-092	332-17-110	NEW	79-02-001	388-15-230	REP	79-03-013
251-18-020	AMD	79-03-029	332-17-120	NEW	79-02-001	388-24-090	REP	79-03-013
251-18-200	AMD-P	79-01-092	332-17-130	NEW	79-02-001	388-24-107	AMD	79-03-013
251-18-200	AMD	79-03-029	332-17-140	NEW	79-02-001	388-24-111	AMD-P	79-03-085
251-18-380	AMD-P	79-01-092	332-17-150	NEW	79-02-001	388-24-135	AMD	79-03-013
251-18-380	AMD	79-03-029	332-17-160	NEW	79-02-001	388-28-515	AMD-P	79-03-075
251-18-420	AMD-P	79-01-092	332-17-165	NEW	79-02-001	388-28-515	AMD-E	79-03-081
251-18-420	AMD	79-03-029	332-17-200	NEW	79-02-001	388-29-130	AMD-P	79-01-089
251-22-060	AMD-P	79-01-092	332-17-300	NEW	79-02-001	388-29-155	AMD-P	79-03-075
251-22-060	AMD	79-03-029	332-17-310	NEW	79-02-001	388-29-155	AMD-E	79-03-081

**Table of WAC Sections Affected**

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-29-230	AMD-P	79-02-057	388-54-540	REP	79-03-033	388-54-717	NEW	79-03-033
388-52-166	AMD	79-03-013	388-54-545	REP-E	79-03-032	388-54-720	NEW-E	79-03-032
388-54-405	REP-E	79-03-032	388-54-545	REP	79-03-033	388-54-720	NEW	79-03-033
388-54-405	REP	79-03-033	388-54-550	AMD-E	79-01-090	388-54-725	NEW-E	79-03-032
388-54-410	REP-E	79-03-032	388-54-550	REP-E	79-03-032	388-54-725	NEW	79-03-033
388-54-410	REP	79-03-033	388-54-550	REP	79-03-033	388-54-730	NEW-E	79-03-032
388-54-415	REP-E	79-03-032	388-54-555	AMD-E	79-01-090	388-54-730	NEW	79-03-033
388-54-415	REP	79-03-033	388-54-555	REP-E	79-03-032	388-54-735	NEW-E	79-03-032
388-54-420	REP-E	79-03-032	388-54-555	REP	79-03-033	388-54-735	NEW	79-03-033
388-54-420	REP	79-03-033	388-54-560	REP-E	79-03-032	388-54-740	NEW-E	79-03-032
388-54-425	REP-E	79-03-032	388-54-560	REP	79-03-033	388-54-740	NEW	79-03-033
388-54-425	REP	79-03-033	388-54-565	REP-E	79-03-032	388-54-745	NEW-E	79-03-032
388-54-430	REP-E	79-03-032	388-54-565	REP	79-03-033	388-54-745	NEW	79-03-033
388-54-430	REP	79-03-033	388-54-570	REP-E	79-03-032	388-54-750	NEW-E	79-03-032
388-54-432	REP-E	79-03-032	388-54-570	REP	79-03-033	388-54-750	NEW	79-03-033
388-54-432	REP	79-03-033	388-54-575	REP-E	79-03-032	388-54-755	NEW-E	79-03-032
388-54-435	REP-E	79-03-032	388-54-575	REP	79-03-033	388-54-755	NEW	79-03-033
388-54-435	REP	79-03-033	388-54-580	REP-E	79-03-032	388-54-760	NEW-E	79-03-032
388-54-440	REP-E	79-03-032	388-54-580	REP	79-03-033	388-54-760	NEW	79-03-033
388-54-440	REP	79-03-033	388-54-585	REP-E	79-03-032	388-54-765	NEW-E	79-03-032
388-54-442	REP-E	79-03-032	388-54-585	REP	79-03-033	388-54-765	NEW	79-03-033
388-54-442	REP	79-03-033	388-54-590	REP-E	79-03-032	388-54-770	NEW-E	79-03-032
388-54-445	REP-E	79-03-032	388-54-590	REP	79-03-033	388-54-770	NEW	79-03-033
388-54-445	REP	79-03-033	388-54-595	REP-E	79-03-032	388-54-775	NEW-E	79-03-032
388-54-448	REP-E	79-03-032	388-54-595	REP	79-03-033	388-54-775	NEW	79-03-033
388-54-448	REP	79-03-033	388-54-598	REP-E	79-03-032	388-54-780	NEW-E	79-03-032
388-54-452	REP-E	79-03-032	388-54-598	REP	79-03-033	388-54-780	NEW	79-03-033
388-54-452	REP	79-03-033	388-54-600	NEW-E	79-03-032	388-54-785	NEW-E	79-03-032
388-54-455	REP-E	79-03-032	388-54-600	NEW	79-03-033	388-54-785	NEW	79-03-033
388-54-455	REP	79-03-033	388-54-605	NEW-E	79-03-032	388-54-790	NEW-E	79-03-032
388-54-460	REP-E	79-03-032	388-54-605	NEW	79-03-033	388-54-790	NEW	79-03-033
388-54-460	REP	79-03-033	388-54-610	NEW-E	79-03-032	388-54-795	NEW-E	79-03-032
388-54-462	REP-E	79-03-032	388-54-610	NEW	79-03-033	388-54-795	NEW	79-03-033
388-54-462	REP	79-03-033	388-54-620	NEW-E	79-03-032	388-54-800	NEW-E	79-03-032
388-54-465	REP-E	79-03-032	388-54-620	NEW	79-03-033	388-54-800	NEW	79-03-033
388-54-465	REP	79-03-033	388-54-625	NEW-E	79-03-032	388-54-805	NEW-E	79-03-032
388-54-470	AMD-E	79-01-090	388-54-625	NEW	79-03-033	388-54-805	NEW	79-03-033
388-54-470	REP-E	79-03-032	388-54-630	NEW-E	79-03-032	388-54-810	NEW-E	79-03-032
388-54-470	REP	79-03-033	388-54-630	NEW	79-03-033	388-54-810	NEW	79-03-033
388-54-475	REP-E	79-03-032	388-54-635	NEW-E	79-03-032	388-54-815	NEW-E	79-03-032
388-54-475	REP	79-03-033	388-54-635	NEW	79-03-033	388-54-815	NEW	79-03-033
388-54-480	REP-E	79-03-032	388-54-640	NEW-E	79-03-032	388-54-820	NEW-E	79-03-032
388-54-480	REP	79-03-033	388-54-640	NEW	79-03-033	388-54-820	NEW	79-03-033
388-54-485	REP-E	79-03-032	388-54-645	NEW-E	79-03-032	388-54-825	NEW-E	79-03-032
388-54-485	REP	79-03-033	388-54-645	NEW	79-03-033	388-54-825	NEW	79-03-033
388-54-490	REP-E	79-03-032	388-54-650	NEW-E	79-03-032	388-54-830	NEW-E	79-03-032
388-54-490	REP	79-03-033	388-54-650	NEW	79-03-033	388-54-830	NEW	79-03-033
388-54-495	REP-E	79-03-032	388-54-655	NEW-E	79-03-032	388-54-835	NEW-E	79-03-032
388-54-495	REP	79-03-033	388-54-655	NEW	79-03-033	388-54-835	NEW	79-03-033
388-54-500	REP-E	79-03-032	388-54-660	NEW-E	79-03-032	388-54-840	NEW-E	79-03-032
388-54-500	REP	79-03-033	388-54-660	NEW	79-03-033	388-54-840	NEW	79-03-033
388-54-505	REP-E	79-03-032	388-54-665	NEW-E	79-03-032	388-55-010	AMD	79-02-025
388-54-505	REP	79-03-033	388-54-665	NEW	79-03-033	388-57-015	AMD	79-03-013
388-54-510	AMD	79-01-085	388-54-670	NEW-E	79-03-032	388-57-025	AMD	79-03-013
388-54-510	REP-E	79-03-032	388-54-670	NEW	79-03-033	388-57-030	AMD	79-03-013
388-54-515	REP-E	79-03-032	388-54-675	NEW	79-03-033	388-57-061	AMD	79-03-013
388-54-515	REP	79-03-033	388-54-680	NEW-E	79-03-032	388-57-062	AMD	79-03-013
388-54-520	REP-E	79-03-032	388-54-680	NEW	79-03-033	388-59-010	AMD-P	79-01-089
388-54-520	REP	79-03-033	388-54-685	NEW-E	79-03-032	388-59-020	AMD-P	79-01-089
388-54-525	REP-E	79-03-032	388-54-685	NEW	79-03-033	388-59-030	AMD-P	79-01-089
388-54-525	REP	79-03-033	388-54-690	NEW-E	79-03-032	388-59-040	AMD-P	79-01-089
388-54-526	REP-E	79-03-032	388-54-690	NEW	79-03-033	388-59-045	NEW-P	79-01-089
388-54-526	REP	79-03-033	388-54-695	NEW-E	79-03-032	388-59-048	NEW-P	79-01-089
388-54-527	REP-E	79-03-032	388-54-695	NEW	79-03-033	388-59-050	AMD-P	79-01-089
388-54-527	REP	79-03-033	388-54-700	REP-E	79-03-032	388-59-060	AMD-P	79-01-089
388-54-528	REP-E	79-03-032	388-54-700	REP	79-03-033	388-59-090	AMD-P	79-01-089
388-54-528	REP	79-03-033	388-54-705	REP-E	79-03-032	388-70-022	AMD-P	79-02-069
388-54-530	REP-E	79-03-032	388-54-705	REP	79-03-033	388-88-117	NEW	79-01-084
388-54-530	REP	79-03-033	388-54-710	REP-E	79-03-032	388-96-010	AMD-P	79-02-058
388-54-535	REP-E	79-03-032	388-54-710	REP	79-03-033	388-96-101	AMD	79-03-021
388-54-535	REP	79-03-033	388-54-715	NEW-E	79-03-032	388-96-104	AMD	79-03-021
388-54-540	AMD-E	79-01-090	388-54-715	NEW	79-03-033	388-96-122	AMD	79-03-021
388-54-540	REP-E	79-03-032	388-54-717	NEW-E	79-03-032	388-96-125	AMD-P	79-02-081
						388-96-222	AMD-P	79-02-039



Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
388-96-535	AMD	79-03-020	490-02-010	NEW	79-02-019	490-44A-020	REP	79-02-019
388-96-585	AMD-P	79-02-081	490-03-010	NEW	79-02-019	490-44A-030	REP	79-02-019
388-96-719	AMD-P	79-02-081	490-04A-010	AMD	79-02-019	490-44A-040	REP	79-02-019
388-96-727	AMD-P	79-02-081	490-04A-040	AMD	79-02-019	490-44A-050	REP	79-02-019
388-96-750	NEW-P	79-02-058	490-04A-050	REP	79-02-019	490-44A-060	REP	79-02-019
390-05-270	REP	79-02-056	490-04A-060	NEW	79-02-019	490-44A-070	REP	79-02-019
390-05-271	NEW	79-02-056	490-04A-070	NEW	79-02-019	490-44A-080	REP	79-02-019
390-05-273	NEW	79-02-056	490-05-001	NEW	79-02-019	490-48A-010	AMD	79-02-019
391-21-003	NEW	79-03-015	490-05-020	NEW	79-02-019	490-52A	REP	79-02-019
434-81-010	NEW-P	79-03-094	490-05-030	NEW	79-02-019	490-52A-010	REP	79-02-019
434-81-020	NEW-P	79-03-094	490-08A-001	NEW	79-02-019	490-52A-020	REP	79-02-019
434-81-030	NEW-P	79-03-094	490-08A-010	AMD	79-02-019	490-52A-030	REP	79-02-019
434-81-040	NEW-P	79-03-094	490-12A	REP	79-02-019	490-53-001	NEW	79-02-019
434-81-050	NEW-P	79-03-094	490-12A-010	REP	79-02-019	490-53-010	NEW	79-02-019
434-81-060	NEW-P	79-03-094	490-12A-020	REP	79-02-019	490-56A	REP	79-02-019
434-81-070	NEW-P	79-03-094	490-12A-022	REP	79-02-019	490-56A-010	REP	79-02-019
434-81-080	NEW-P	79-03-094	490-12A-024	REP	79-02-019	490-56A-020	REP	79-02-019
434-81-090	NEW-P	79-03-094	490-12A-030	REP	79-02-019	490-56A-030	REP	79-02-019
434-81-100	NEW-P	79-03-094	490-12A-032	REP	79-02-019	490-60A-010	AMD	79-02-019
446-10-010	NEW-P	79-02-023	490-12A-034	REP	79-02-019	490-64A	REP	79-02-019
446-10-010	NEW-E	79-02-024	490-12A-036	REP	79-02-019	490-64A-010	REP	79-02-019
446-10-020	NEW-P	79-02-023	490-12A-040	REP	79-02-019	490-64A-020	REP	79-02-019
446-10-020	NEW-E	79-02-024	490-12A-042	REP	79-02-019	490-64A-030	REP	79-02-019
446-10-030	NEW-P	79-02-023	490-12A-044	REP	79-02-019	490-64A-040	REP	79-02-019
446-10-030	NEW-E	79-02-024	490-12A-046	REP	79-02-019	490-64A-050	REP	79-02-019
446-10-040	NEW-P	79-02-023	490-12A-050	REP	79-02-019	490-64A-060	REP	79-02-019
446-10-040	NEW-E	79-02-024	490-12A-052	REP	79-02-019	490-64A-070	REP	79-02-019
446-10-050	NEW-P	79-02-023	490-15A	REP	79-02-019	490-68A	REP	79-02-019
446-10-050	NEW-E	79-02-024	490-15A-001	REP	79-02-019	490-68A-010	REP	79-02-019
446-10-060	NEW-P	79-02-023	490-15A-004	REP	79-02-019	490-68A-020	REP	79-02-019
446-10-060	NEW-E	79-02-024	490-15A-008	REP	79-02-019	490-68A-030	REP	79-02-019
446-10-070	NEW-P	79-02-023	490-15A-012	REP	79-02-019	490-68A-040	REP	79-02-019
446-10-070	NEW-E	79-02-024	490-15A-016	REP	79-02-019	490-72A	REP	79-02-019
446-10-080	NEW-P	79-02-023	490-15A-020	REP	79-02-019	490-72A-010	REP	79-02-019
446-10-080	NEW-E	79-02-024	490-15A-024	REP	79-02-019	490-72A-020	REP	79-02-019
446-10-090	NEW-P	79-02-023	490-15A-028	REP	79-02-019	490-72A-030	REP	79-02-019
446-10-090	NEW-E	79-02-024	490-28A-001	NEW	79-02-019	490-72A-040	REP	79-02-019
446-10-100	NEW-P	79-02-023	490-28A-002	NEW	79-02-019	490-76A-010	AMD	79-02-019
446-10-100	NEW-E	79-02-024	490-28A-010	REP	79-02-019	490-76A-020	AMD	79-02-019
446-10-110	NEW-P	79-02-023	490-28A-011	REP	79-02-019	490-500-140	REP-P	79-02-059
446-10-110	NEW-E	79-02-024	490-28A-012	AMD	79-02-019	490-500-145	AMD-P	79-02-059
446-10-120	NEW-P	79-02-023	490-28A-013	AMD	79-02-019	490-500-190	AMD-P	79-02-059
446-10-120	NEW-E	79-02-024	490-28A-014	NEW	79-02-019	490-500-520	AMD-P	79-03-036
446-10-130	NEW-P	79-02-023	490-28A-030	REP	79-02-019	516-20-005	AMD-P	79-03-018
446-10-130	NEW-E	79-02-024	490-28A-040	REP	79-02-019	516-20-010	AMD-P	79-03-018
446-10-140	NEW-P	79-02-023	490-28A-050	REP	79-02-019	516-20-011	AMD-P	79-03-018
446-10-140	NEW-E	79-02-024	490-28A-060	REP	79-02-019	516-20-015	AMD-P	79-03-018
446-10-150	NEW-P	79-02-023	490-29-001	NEW	79-02-019	516-20-020	AMD-P	79-03-018
446-10-150	NEW-E	79-02-024	490-29-002	NEW	79-02-019	516-20-030	AMD-P	79-03-018
468-42-002	AMD-P	79-02-064	490-31-001	NEW	79-02-019	516-20-040	AMD-P	79-03-018
468-42-004	AMD-P	79-02-063	490-31-010	NEW	79-02-019	516-20-050	AMD-P	79-03-018
468-42-012	AMD-P	79-02-065	490-32A-001	NEW	79-02-019	516-20-120	AMD-P	79-03-018
468-42-303	AMD-P	79-02-062	490-32A-010	AMD	79-02-019	516-20-125	REP-P	79-03-018
468-42-308	NEW-P	79-02-062	490-33-001	NEW	79-02-019	516-20-137	AMD-P	79-03-018
468-300-010	AMD-P	79-02-050	490-33-010	NEW	79-02-019	516-20-140	AMD-P	79-03-018
468-300-020	AMD-P	79-02-050	490-34-001	NEW	79-02-019	516-20-145	REP-P	79-03-018
468-300-030	AMD-P	79-02-050	490-34-010	NEW	79-02-019	516-20-150	AMD-P	79-03-018
468-300-040	AMD-P	79-02-050	490-34-020	NEW	79-02-019	516-20-152	NEW-P	79-03-018
468-300-050	AMD-P	79-02-050	490-36A-001	NEW	79-02-019	516-20-155	REP-P	79-03-018
468-300-060	REP-P	79-02-050	490-36A-020	AMD	79-02-019	516-20-156	NEW-P	79-03-018
478-116-600	AMD-P	79-02-090	490-36A-030	NEW	79-02-019	516-20-160	AMD-P	79-03-018
478-140-015	AMD-P	79-02-080	490-40A-010	AMD	79-02-019	516-20-165	AMD-P	79-03-018
478-140-018	AMD-P	79-02-080	490-40A-020	AMD	79-02-019	516-20-170	AMD-P	79-03-018
478-140-021	AMD-P	79-02-080	490-40A-030	REP	79-02-019	516-20-172	NEW-P	79-03-018
478-140-024	AMD-P	79-02-080	490-40A-040	AMD	79-02-019	516-20-175	AMD-P	79-03-018
478-140-070	NEW-P	79-02-080	490-40A-050	REP	79-02-019	516-20-180	AMD-P	79-03-018
478-156-017	AMD-P	79-02-089	490-40A-060	REP	79-02-019	516-20-181	NEW-P	79-03-018
480-12-190	AMD-P	79-02-082	490-40A-070	REP	79-02-019	516-20-182	NEW-P	79-03-018
480-62-080	NEW-P	79-01-082	490-40A-080	REP	79-02-019	516-20-185	AMD-P	79-03-018
480-62-080	NEW	79-02-087	490-40A-090	REP	79-02-019	516-20-190	AMD-P	79-03-018
480-120-021	AMD-P	79-01-081	490-40A-100	REP	79-02-019	516-20-195	AMD-P	79-03-018
480-120-021	AMD	79-03-031	490-40A-110	REP	79-02-019	516-20-200	AMD-P	79-03-018
480-120-088	NEW-P	79-01-081	490-44A	REP	79-02-019	516-20-205	REP-P	79-03-018
480-120-088	NEW	79-03-031	490-44A-010	REP	79-02-019	516-20-210	AMD-P	79-03-018



### Table of WAC Sections Affected

<u>WAC #</u>		<u>WSR #</u>
516-20-215	AMD-P	79-03-018
516-26-010	AMD-P	79-03-018
516-26-020	AMD-P	79-03-018
516-26-030	AMD-P	79-03-018
516-26-035	AMD-P	79-03-018
516-26-040	AMD-P	79-03-018
516-26-050	AMD-P	79-03-018
516-26-060	AMD-P	79-03-018
516-26-065	REP-P	79-03-018
516-26-070	AMD-P	79-03-018
516-26-080	AMD-P	79-03-018
516-26-085	AMD-P	79-03-018
516-26-090	AMD-P	79-03-018
516-26-095	AMD-P	79-03-018
516-26-100	AMD-P	79-03-018

## Subject/Agency Index

<b>ACCOUNTANCY, BOARD OF</b>		
Permit to practice applications	79-03-047	
continuing education fee	79-03-047	
<b>ACUPUNCTURE</b>		
Assistants, osteopathic physicians	79-02-011	
Physicians' assistants	79-03-091	
<b>ADULT CORRECTIONAL INSTITUTIONS</b>		
Cosmetology instruction, license credit	79-02-012	
<b>AGRICULTURE, DEPARTMENT OF</b>		
Alfalfa seed commission, assessment rate	79-03-076	
Apples, Granny Smith variety, grading standards	79-01-076	
Beans, bacterial disease quarantine, certificate waiver	79-03-063	
Blueberries, annual assessment, increase	79-01-046	
Bluegrass, annual quarantine movement conditions	79-03-069	
procedures	79-03-056	
Commodity warehousemen, financial statements, annual	79-03-078	
Custom farm slaughtering hide inspection	79-02-004	
	79-02-076	
tag fee	79-02-004	
	79-02-076	
Desiccants and defoliant, use, eastern Washington	79-02-046	
Herbicides		
Spokane county, use of	79-01-038	
Hops		
assessment, annual, increase	79-01-044	
	79-01-045	
chemical analysis, grading fees	79-02-073	
Horticultural inspection fees, changes	79-01-035	
Noxious weed seeds, restricted	79-03-053	
Noxious weeds, proposed list	79-02-074	
Nursery inspection fee schedule	79-02-072	
Nursery stock standards	79-02-071	
Pesticides		
dinitro, diquat, paraquat	79-03-082	
microencapsulated methyl parathion, controls	79-01-080	
	79-03-043	
restricted use, permits	79-02-077	
Promulgations, repealed	79-03-077	
Seed assessment fees	79-03-054	
Seed certification		
alfalfa	79-03-058	
beans	79-03-060	
bentgrass	79-03-048	
blending	79-03-064	
eligible varieties	79-03-052	
field pea	79-03-049	
forest tree standards	79-03-079	
general standards	79-03-061	
genetic purity	79-03-050	
grass	79-03-059	
grass standards	79-03-068	
interstate	79-03-057	
laboratory charges, schedule	79-03-065	
lentil standards	79-03-067	
O.E.C.D tag fees	79-03-062	
phyto-sanitary certificate	79-03-080	
red clover standards	79-03-070	
small grain standards	79-03-071	
soybean standards	79-03-066	
white clover and trefoil	79-03-051	
Seeds, small grain, labeling	79-03-055	
<b>AIR</b>		
Pollution (See POLLUTION)		
<b>APPLE ADVERTISING COMMISSION</b>		
Assessment	79-02-026	
<b>APPRENTICESHIP COUNCIL</b>		
Meetings, tie vote	79-03-023	
<b>ARCHITECTS</b>		
License fee schedule		79-12-067
		79-02-043
<b>ARCHITECTS, BOARD OF REGISTRATION FOR</b>		
Licensing examinations		79-01-058
fees		79-01-058
<b>BANKS</b>		
Loans to officers, limitations		79-02-034
Operating requirements		79-01-095
Supervisor of banking, fees		79-02-034
<b>BELLEVUE COMMUNITY COLLEGE</b>		
Public meeting notice		79-01-040
<b>BOATS</b>		
Fishing gear reduction program		79-01-039
		79-03-025
		79-02-030
Grays Harbor pilotage rates		79-03-072
		79-01-078
Noise performance standards		
Pilots		
duties		79-03-072
licenses, limitations		79-03-072
rest periods		79-03-072
<b>BOILERS</b>		
Code addenda		79-02-007
<b>BRIDGES</b>		
Counties, inspection		79-01-099
<b>BUILDING CODE ADVISORY BOARD</b>		
Barrier-free facilities, residential dwellings		79-02-078
Public meeting notice		79-01-102
		79-02-079
<b>CATTLE</b>		
Custom farm slaughterers, hide inspection, tag fees		79-02-004
<b>CENTRAL WASHINGTON UNIVERSITY</b>		
Board of trustees, regular meetings		79-03-042
Facilities, use of		79-03-042
Parking and traffic		79-03-042
Public meeting notice		79-03-005
Student rights and responsibilities		79-03-042
<b>CIVIL SERVICE</b>		
Colleges and universities		
employment requirements		79-01-092
payroll certification		79-01-093
State		
disabled employees, transfer or demotion		79-03-044
registers, certification		79-01-101
veterans, appointments, noncompetitive		79-03-044
<b>CLARK COLLEGE</b>		
Public meeting notice		79-01-064
		79-03-006
<b>COLLECTIVE BARGAINING</b>		
Community college district V		79-03-026
Marine employees		79-01-016
Port districts		79-01-017
		79-01-018
		79-03-015
<b>COLLEGES AND UNIVERSITIES</b>		
Employment requirements		79-01-092
		79-03-029
Guaranteed student loans		79-03-002
Payroll certification		79-01-093
		79-03-030
Retirement and annuity plan, faculty, staff		79-01-087
Student financial aid, need grant program		79-03-088
institutional compliance		79-02-066
Work-study program		
income, employment limitation		79-03-087
institutional compliance		79-02-088

## Subject/Agency Index

<b>COMMUNITY COLLEGE DISTRICT V (SNOHOMISH)</b>		
Faculty tenure, dismissal, reduction in force	79-02-018 79-03-026	
<b>COMMUNITY COLLEGE EDUCATION, STATE BOARD FOR</b>		
Public meeting notice	79-01-086	
Retirement and annuity plan, faculty, staff	79-01-087	
<b>COMMUNITY SERVICES/CONTINUING EDUCATION COUNCIL</b>		
Public meeting notice	79-02-079	
<b>CONSERVATION COMMISSION</b>		
Public meeting notice	79-02-093	
<b>COSMETOLOGY</b>		
Correctional institution instruction, license credit	79-02-012	
<b>COUNTIES</b>		
Bridge inspection	79-01-099	
Road construction projects, administration	79-01-098	
Road department, management policy	79-01-096	
Road work, interdepartmental	79-01-097	
<b>COUNTY ROAD ADMINISTRATION BOARD</b>		
Bridge inspection	79-01-099	
County construction projects, administration	79-01-098	
Road departments, management policy	79-01-096	
Road work, interdepartmental	79-01-097	
<b>CREDIT UNIONS</b>		
Examination, supervision fees	79-01-025	
<b>CRIMES</b>		
Criminally insane, commitment procedures	79-01-037 79-03-038	
<b>DISCLOSURE</b>		
University of Washington, student records	79-02-080	
<b>DRUGS</b>		
Amphetamines, prescription of	79-02-044	
Controlled substances, scheduling	79-02-060	
Pentazocine, controlled substance, scheduling	79-02-068	
<b>EASTERN WASHINGTON UNIVERSITY</b>		
Public meeting notice	79-01-054 79-02-027	
<b>ECOLOGICAL COMMISSION</b>		
Public meeting notice	79-02-091 79-02-092	
<b>ECOLOGY, DEPARTMENT OF</b>		
Air pollution control requirements	79-01-051 79-01-061	
Emission controls, volatile organic compounds (VOC)	79-01-052 79-01-060	
Sound level measurement procedures	79-01-079	
Waste water facilities, construction requirements	79-02-033	
Water quality management plan (Section 208), public hearings	79-01-050	
Water wells, construction and maintenance standards	79-02-010	
Watercraft noise performance standards	79-01-078	
<b>ECONOMIC OPPORTUNITY ADVISORY COUNCIL, OFFICE OF</b>		
Public meeting notice	79-01-102 79-02-079	
<b>EDUCATION, STATE BOARD OF</b>		
State funding building construction, space requirements program standards, nonstudent visitation rights	79-02-070 79-02-048	
<b>ELECTIONS</b>		
Voter pamphlets, committees to draft statements for constitutional amendments, initiative alternatives, referendum bills		79-03-094
<b>EMERGENCIES</b>		
Authorized emergency vehicles, permits		79-02-085
<b>EMPLOYER AND EMPLOYEES</b>		
Public housekeeping industry, employment standards		79-01-015 79-01-030
<b>ENERGY</b>		
Geothermal, drilling, completion practices		79-02-001
<b>ENVIRONMENT</b>		
Game department of, state act, implementation		79-02-009
University of Washington, implementation		79-01-013
<b>EQUIPMENT, COMMISSION ON</b>		
Emergency vehicles, authorized, permits		79-02-085
Motorcyclists' eye protection		79-02-084
Tow truck business letter of appointment, revocation, grounds for truck standards, dual winches		79-01-077 79-03-074
<b>EVERGREEN STATE COLLEGE, THE</b>		
Facilities usage		79-01-020
<b>EXECUTIVE ORDERS</b>		
Guaranteed student loans		79-03-002
<b>EXEMPTIONS</b>		
Health rules, board review		79-02-055
<b>FARMS</b>		
Alfalfa seed commission, assessment rate		79-03-076
Apples advertising assessment		79-02-026
Granny Smith variety, grading standards		79-01-076
Beans, bacterial disease quarantine certificate waiver		79-03-063
Bluegrass, annual quarantine movement conditions procedures		79-03-069 79-030-56
Custom slaughtering hide inspection		79-02-004 79-02-076
tag fee		79-02-004 79-02-076
Desiccants and defoliants, use, eastern Washington		79-02-046
Hops, chemical analysis, grading fees		79-02-073
Noxious weed seeds, restricted		79-03-053
Noxious weeds, proposed list		79-02-074
Pesticides microencapsulated methyl parathion, controls		79-01-080 79-03-043
restricted use, permits		79-02-077
Seed assessment fees		79-03-054
Seed certification		
beans		79-03-060
bentgrass		79-03-048
blending		79-03-064
eligible varieties		79-03-052
field peas		79-03-049
general standards		79-03-061
genetic purity		79-03-050
grass		79-03-059
grass standards		79-03-068
interstate		79-03-057
laboratory charges, schedule		79-03-065
lentil standards		79-03-067
O.E.C.D. tag fees		79-03-062
red clover standards		79-03-070
small grain standards		79-03-071
soybean standards		79-03-066
white clover and trefoil		79-03-051

## Subject/Agency Index

### FEES

Accountants	
permit to practice	79-03-047
Architects	
license	79-01-058
	79-12-067
	79-02-043
Banks, supervision	79-02-034
Credit unions	
examination, supervision	79-01-025
Custom farm slaughterers	
identification tag	79-02-004
	79-02-076
Environmental learning center	79-02-032
Gambling licenses	
fund raising events	79-01-026
	79-03-090
Hops, chemical analysis, grading	79-02-073
Horticultural inspection services	79-01-035
Nurseries, inspection charges	79-02-072
Savings and loan associations	
examination, supervision	79-01-024
Seed assessment	79-03-054
Seed certification	
bentgrass	79-03-048
laboratory charges	79-03-065
O.E.C.D. tags	79-03-062
University of Washington	
parking	79-02-090

### FERRIES

Toll schedule, state system	79-02-050
-----------------------------	-----------

### FINANCIAL MANAGEMENT, OFFICE OF

State travel	79-01-091
	79-03-022
	79-03-040

### FINES

Horse racing	79-03-008
--------------	-----------

### FIRES

Water systems, flow regulations	79-01-083
	79-03-037

### FISHERIES, DEPARTMENT OF

Boat buy back program	79-01-039
	79-03-025
Commercial fishing	
Area 7B	
chum salmon conservation	79-01-049
Area 7C	
chum salmon conservation	79-01-049
Area 10C	
sockeye closure rescinded	79-01-071
Area 11A	
conservation closures, rescinded	79-01-021
bottomfish, Puget Sound, gear	79-02-045
chum salmon closures	79-01-001
rescinded	79-02-002
closure repeals	79-01-031
closure repeals, stocks no longer present	79-01-011
coastal bottomfishing seasons	79-01-009
Columbia river	
area 1C, salmon	79-03-024
chinook salmon and sturgeon	79-02-035
gill net seasons	79-03-073
gear, lawful, unlawful acts, areas	79-01-100
	79-03-014
	79-02-083
	79-03-009
general revisions	
herring, net gear limits	
Hoko river	
conservation closures, rescinded	79-01-021
Hood Canal conservation closures, rescinded	79-01-022
Nisqually river chum salmon, closure	79-03-003
Nooksack river	
chum salmon conservation	79-01-049
Pacific halibut	79-02-083
Puyallup river	
conservation closures, rescinded	79-01-021

### FISHERIES, DEPARTMENT OF—cont.

Sekiu river	
conservation closures, rescinded	79-01-021
set net closed areas	79-02-013
smelt, weekly period	79-01-057
White river	
conservation closures, rescinded	79-01-021
Gear reduction program	79-01-039
Personal use	
comprehensive amendments	79-02-052
Edmonds public fishing pier	79-03-046
Shellfish	
commercial, comprehensive revisions	79-02-053
crab season, early opening	79-01-012
razor clams	
Long Beach, personal use closure	79-02-051
personal use, physical disability permit	79-02-054
sea urchins	
areas	79-01-048
seasons	79-01-048
	79-02-042

### FISHING

Game fish buyers permit	79-01-088
Game fish seasons	
catch limits, 1979	79-01-047
Seasons	
game fish, 1979	79-01-047
Steelhead	
Lake Washington,	
area 10B, treaty Indians	79-01-072
Skagit river watershed, marine	
area 8, closure	79-03-045

### FOREST PROTECTION ASSOCIATION

Public meeting notice	79-01-032
-----------------------	-----------

### FORESTS

Tax	
1977, land values	79-01-004
	79-01-005
stumpage values	79-01-065
	79-01-066
Tree seeds, standards	79-03-079

### FRUIT

Apples	
advertising assessment	79-02-026
Granny Smith variety, grading standards	79-01-076
Blueberries, annual assessment, increase	79-01-046
Inspection services, fees, changes	79-01-035

### GAMBLING COMMISSION

Card games, recreational, class R	79-03-090
Fund raising events	
license fee	79-03-090
limitations, conditions, license fees	79-01-026

### GAME, DEPARTMENT OF

Environmental policy act, implementation	79-02-009
Hunting seasons, spring and summer, 1979	79-03-039
License dealers	
money remittance	79-02-008
Mountain goat, sheep and moose,	
hunting season, 1978, 1979	79-02-086
Public meeting notice	79-01-028
Steelhead	
Lake Washington, area 10B,	
treaty Indians	79-01-072
Skagit river watershed, marine area	
8, closure	79-03-045
1979	
game fish seasons, catch limits	79-01-047
spring and summer hunting seasons	79-03-039

### GARBAGE AND REFUSE COLLECTION COMPANIES

Rate changes, notice	79-01-034
----------------------	-----------

### GENERAL ADMINISTRATION, DEPARTMENT OF

Banking, supervisor of	
banks	79-01-095

## Subject/Agency Index

<b>GENERAL ADMINISTRATION, DEPARTMENT OF</b>			
—cont.			
fees	79-02-034		
industrial loan companies	79-01-095		
loans, to officers, limitations	79-02-034		
public records	79-01-095		
small loan companies	79-01-095		
Capitol grounds			
demonstrations, permit	79-03-011		
	79-03-012		
Credit unions			
examination, supervision fees	79-01-025		
Savings and loan associations			
examination, supervision fees	79-01-024		
<b>GOVERNOR, OFFICE OF THE</b>			
Guaranteed student loans	79-03-002		
<b>HANDICAPPED</b>			
Vocational rehabilitation,			
selection, eligibility	79-02-059		
<b>HEAD START ADVISORY COUNCIL</b>			
Public meeting notice	79-02-079		
<b>HEALTH</b>			
Medical assistance, state provided			
eligibility requirements	79-01-002		
<b>HEALTH, BOARD OF</b>			
Exemptions, board review	79-02-055		
Hospitals			
maintenance, operational requirements	79-01-094		
	79-03-027		
	79-02-031		
Mobile homes, mobile home parks			
Nursing homes			
operating standards	79-02-036		
Phenylketonuria	79-02-014		
Public water supplies	79-03-089		
<b>HEALTH COORDINATING COUNCIL</b>			
Public meeting notice	79-01-067		
<b>HERBICIDES</b>			
Desiccants, and defoliants,			
use, eastern Washington	79-02-046		
Spokane county, use of	79-01-038		
<b>HIGHER EDUCATION PERSONNEL BOARD</b>			
Employment requirements	79-01-092		
	79-03-029		
Payroll certification	79-01-093		
	79-03-030		
<b>HIGHLINE COMMUNITY COLLEGE</b>			
Board of trustees, meeting places	79-03-028		
<b>HIGHWAYS</b>			
Keyport, state route 308, parking prohibited	79-02-062		
Longview, state route 4, parking prohibited	79-02-063		
Monroe, state route 2, parking prohibited	79-02-064		
Parking restrictions			
Keyport, state route 308	79-02-062		
Longview, state route 4	79-02-063		
Monroe, state route 2, Kelsey Street	79-02-064		
Walla Walla, state route 12	79-02-065		
Walla Walla, state route, 12, parking	79-02-065		
<b>HOPS</b>			
Assessment, annual, increase	79-01-044		
	79-01-045		
Chemical analysis, grading, fees	79-02-073		
<b>HORSE RACING COMMISSION</b>			
Fines, payment	79-03-008		
Trainer responsibility	79-03-008		
<b>HOSPITAL COMMISSION</b>			
Public meeting notice	79-01-019		
	79-02-017		
	79-02-040		
	79-02-047		
	79-03-016		
	79-03-083		
Rates, commission approval	79-02-049		
<b>HOSPITALS</b>			
Maintenance, operational requirements	79-01-094		
	79-03-027		
Mental, state, charges	79-01-063		
	79-01-070		
	79-03-019		
<b>HOUSING</b>			
Assistance programs, rent subsidies	79-01-074		
	79-01-075		
	79-03-004		
<b>HUMAN RIGHTS COMMISSION</b>			
Public meeting notice	79-02-028		
<b>HUNTING</b>			
Mountain goat, sheep and moose,			
1978, 1979 seasons	79-02-086		
Spring and summer seasons, 1979	79-03-039		
<b>INDUSTRIAL LOAN COMPANIES</b>			
Operating requirements	79-01-095		
<b>INDUSTRIAL WELFARE COMMITTEE</b>			
Public housekeeping industry,			
employment standards	79-01-015		
	79-01-030		
<b>INFANTS</b>			
Phenylketonuria	79-02-014		
<b>INSTITUTIONS</b>			
Cosmetology instruction, license credit	79-02-012		
<b>INTERAGENCY COMMITTEE FOR OUTDOOR REC-</b>			
<b>REATION</b>			
Public meeting notice	79-01-059		
<b>LABOR AND INDUSTRIES, DEPARTMENT OF</b>			
Apprenticeship council			
meetings, tie votes	79-03-023		
Boilers			
code addenda	79-02-007		
Industrial welfare committee			
public housekeeping employment standards	79-01-015		
	79-01-030		
Occupational health, safety			
benzene	79-02-038		
cotton dust, cotton gin exposure	79-02-037		
inorganic arsenic	79-02-037		
inorganic arsenic, exposure control	79-01-003		
<b>LICENSES</b>			
Acupuncture assistants, osteopathic physicians	79-02-011		
Architects			
examinations, fees	79-01-058		
Gambling			
card games, recreational	79-03-090		
fund raising events	79-01-026		
	79-03-090		
Game			
dealers, remittance of moneys	79-02-008		
Pharmacists	79-02-068		
Psychology, examinations	79-02-075		
	79-03-041		
<b>LICENSING, DEPARTMENT OF</b>			
Architects			
license fee schedule	79-12-067		
	79-02-043		
Cosmetology schools			
correctional institution instruction,			
license credit	79-02-012		
Game fish buyers permit	79-01-088		
<b>LIQUOR CONTROL BOARD</b>			
Public meeting notice	79-01-053		
<b>LOWER COLUMBIA COLLEGE</b>			
Public meeting notice	79-01-055		
<b>MARINE EMPLOYEES</b>			
Collective bargaining	79-01-016		
<b>MEDICAL DISCIPLINARY BOARD</b>			
Amphetamines, prescription of	79-02-044		

## Subject/Agency Index

<b>MEDICAL EXAMINING BOARD</b>			
Acupuncture, practice by physicians' assistants	79-03-091		
Continuing education	79-03-093		
Examination, practice credit	79-03-093		
<b>MENTALLY ILL, MENTALLY RETARDED</b>			
Criminally insane, commitment procedures	79-01-037		
	79-03-038		
Hospitals, state facilities, charges	79-01-063		
	79-01-070		
	79-03-019		
Nursing homes (IMR)			
social leave	79-01-084		
<b>MOBILE HOMES</b>			
Health rules	79-02-031		
<b>MOTOR CARRIERS</b>			
Drivers' hours, federal regulations	79-02-082		
Safety regulations	79-01-029		
<b>MOTORCYCLES</b>			
Eye protection	79-02-084		
<b>NATURAL RESOURCES, DEPARTMENT OF</b>			
Capital forest			
organized events, approval	79-03-084		
Geothermal resources drilling, completion practices	79-02-001		
<b>NOISE</b>			
Sound level measurement procedures	79-01-079		
Watercraft, standards	79-01-078		
<b>NOTICE</b>			
Garbage, refuse collection companies rate changes	79-01-034		
<b>NOXIOUS WEED CONTROL BOARD</b>			
Proposed list	79-02-074		
<b>NURSERIES (PLANTS)</b>			
Inspection fee schedule	79-02-072		
Stock standards	79-02-071		
<b>NURSING HOMES</b>			
Health, board of, regulations	79-02-036		
Management agreements	79-01-036		
	79-03-020		
Mentally retarded			
social leave	79-01-084		
Reimbursement rates, state	79-02-081		
Reporting requirements	79-01-008		
	79-03-021		
State payment			
return on investment	79-02-058		
settlement	79-02-039		
<b>OCCUPATIONAL SAFETY</b>			
Inorganic arsenic	79-01-003		
<b>OSTEOPATHIC EXAMINING COMMITTEE</b>			
Acupuncture assistants	79-02-011		
<b>PARKING</b>			
Central Washington University	79-03-042		
Keyport, state route 308, parking prohibited	79-02-062		
Longview, state route 4, parking prohibited	79-02-063		
Monroe, state route 2, parking prohibited	79-02-064		
University of Washington, fees	79-02-090		
Walla Walla, state route 12, parking	79-02-065		
<b>PARKS AND RECREATION COMMISSION</b>			
Environmental learning centers, fees	79-02-032		
Public meeting notice	79-01-014		
<b>PER DIEM</b>			
State travel	79-01-091		
	79-03-022		
	79-03-040		
<b>PERMITS</b>			
Accountants application	79-03-047		
<b>PERMITS—cont.</b>			
continuing education	79-03-047		
fee	79-03-047		
Authorized emergency vehicles	79-02-085		
Capitol grounds demonstrations	79-03-011		
	79-03-012		
<b>PERSONNEL, DEPARTMENT OF</b>			
Disabled employees, transfer or demotion	79-03-044		
Positions, allocation, reallocation	79-02-016		
	79-03-010		
Registers, certification	79-01-101		
Sick leave, paid	79-02-016		
	79-03-010		
Special assignment pay provisions			
fisheries employees	79-01-023		
Veterans, appointments, non-competitive	79-03-044		
<b>PESTICIDES</b>			
Dinitro	79-03-082		
Diquat	79-03-082		
Microencapsulated methyl parathion, controls	79-01-080		
	79-03-043		
	79-03-082		
Paraquat	79-03-082		
Restricted use, permits	79-02-077		
<b>PHARMACY, BOARD OF</b>			
Controlled substances, scheduling	79-02-060		
Nuclear pharmacies and pharmacists	79-02-061		
Pentazocine, controlled substance scheduling	79-02-068		
Pharmacy grading and inspection	79-02-060		
Practice requirements	79-02-068		
<b>PHYSICAL THERAPY EXAMINING COMMITTEE</b>			
Examinations	79-03-092		
Meetings	79-03-092		
<b>PHYSICIANS AND SURGEONS</b>			
Acupuncture, practice by physicians' assistants	79-03-091		
Amphetamines, prescription of	79-02-044		
Continuing education	79-03-093		
Examination, practice credit	79-03-093		
<b>PILOTAGE COMMISSIONERS, BOARD OF</b>			
Grays harbor pilotage rates	79-02-030		
	79-03-072		
Pilots			
duties	79-03-072		
licensing, limitations	79-03-072		
rest periods	79-03-072		
<b>PLANNING AND COMMUNITY AFFAIRS AGENCY</b>			
Housing assistance program, rent subsidies	79-01-074		
	79-01-075		
	79-03-004		
<b>POLLUTION</b>			
Air, control requirements	79-01-051		
	79-01-061		
Volatile organic compound emissions, control standards	79-01-052		
	79-01-060		
<b>PORT DISTRICTS</b>			
Collective bargaining rules	79-01-017		
	79-01-018		
	79-03-015		
<b>POSTSECONDARY EDUCATION, COUNCIL FOR</b>			
College work-study program			
income, employment limitations	79-03-087		
institutional compliance	79-02-088		
Need grant program	79-03-088		
Student financial aid, need grant program			
institutional compliance	79-02-066		
Veterans benefits, academic program approval	79-03-045		
<b>PRESCRIPTIONS</b>			
Amphetamines, schedule II drugs	79-02-044		

## Subject/Agency Index

<b>PSYCHOLOGY, BOARD OF</b>		<b>PUBLIC MEETING NOTICES—cont.</b>	
Examinations	79-02-075 79-03-041	Hospital commission	79-01-019 79-02-017 79-02-040 79-02-047 79-03-016 79-03-083 79-02-028 79-01-059 79-01-053 79-01-055 79-01-014 79-01-073 79-01-027 79-03-007 79-02-005 79-01-062 79-03-017 79-02-006 79-03-001 79-02-015 79-02-003 79-03-005 79-03-095 79-02-029 79-02-041 79-03-034 79-03-005
<b>PUBLIC ASSISTANCE</b>		Human rights commission	
Aid to dependent children	79-01-010	Interagency committee for outdoor recreation	
eligibility requirements	79-01-042	Liquor control board	
Chore services determination	79-01-043	Lower Columbia College	
Congregate care facility, cost standards	79-01-089	Parks and recreation commission	
Eligibility		Real Estate Commission	
child care expenses	79-03-075	State capitol historical association	
income determination	79-03-081 79-03-075 79-03-081	State library commission	
Employment	79-01-069 79-03-013	Transportation commission	
Family, children, adult services		University of Washington	
median income tables	79-01-041	Urban arterial board	
Food stamps		Vocational education, advisory council on	
certification	79-01-085	Volunteer firemen, board for	
federal rules compliance	79-01-090	Wenatchee Valley College	
income deductions	79-01-068	Western Washington University	
program reenactment	79-01	Whatcom community college	
(text appears at the beginning of Issue 79-01)	79-03-032 79-03-033 79-02-069	Yakima Valley College	
Foster care, payment of		<b>PUBLIC OFFICERS AND EMPLOYEES</b>	
General assistance		Office or facility use,	
eligibility requirements	79-01-010	public disclosure requirement	79-02-056
Indochinese refugee assistance	79-02-025	State	
Medical assistance, eligibility requirements	79-01-002	civil service	
Social services		registers, certification	79-01-101
median income tables	79-01-041	positions, allocations, reallocations	79-02-016 79-03-010 79-02-016 79-03-010
SSI, state supplemental payments	79-01-089	sick leave, paid	
Support enforcement		special assignment pay provisions	
failure to cooperate, good cause	79-03-085	fisheries employees	79-01-023
Winterizing homes	79-02-057	travel expenses	79-01-091 79-03-022 79-03-040
<b>PUBLIC DISCLOSURE COMMISSION</b>		<b>PUBLIC RECORDS</b>	
Public office or agency, use of	79-02-056	Banking, supervisor of	79-01-095
<b>PUBLIC EMPLOYMENT RELATIONS COMMISSION</b>		State patrol	79-02-023 79-02-024
Collective bargaining		<b>RAILROADS</b>	
marine employees	79-01-016	Accident reports	79-01-082 79-02-087
port districts	79-01-017 79-01-018 79-03-015	<b>RATES</b>	
<b>PUBLIC INSTRUCTION, SUPERINTENDENT OF</b>		Garbage, refuse collection companies	
Levies, school districts,		notice	79-01-034
maximum dollar amounts	79-01-006	Hospital, commission approval	79-02-049
State school funding,		<b>REAL ESTATE COMMISSION</b>	
enrollment reporting procedures	79-01-007	Public meeting notice	79-01-073
<b>PUBLIC MEETING NOTICES</b>		<b>REPORTS</b>	
Bellevue Community College	79-01-040	Railroad accidents	79-01-082 79-02-087
Building code advisory council	79-01-102 79-02-079 79-03-005	<b>RETIREMENT</b>	
Central Washington University	79-03-042	Community colleges, plan for faculty, staff	79-01-087
Clark College	79-01-064 79-03-006	<b>REVENUE, DEPARTMENT OF</b>	
Community college education, state board for	79-01-086	Forest land values	
Community services/Continuing education council	79-02-079	1977	79-01-004 79-01-005
Conservation commission	79-02-093	Forest tax, stumpage values	79-01-065 79-01-066
Eastern Washington University	79-01-054 79-02-027	<b>ROADS</b>	
Ecological commission	79-02-091 79-02-092	Counties	
Ecology, department of, water		construction projects, administration	79-01-098
quality management plan, public hearings	79-01-050	departmental management policy	79-01-096
Economic opportunity advisory council, office of	79-01-102 79-02-079	interdepartmental projects	79-01-097
Forest protection association	79-01-032		
Game commission	79-01-028		
Head start advisory council	79-02-079		
Health Coordinating Council	79-01-067		

## Subject/Agency Index

<b>RULES OF COURT</b>		<b>SOCIAL AND HEALTH SERVICES, DEPARTMENT</b>	
Evidence rules	79-02-021	<b>OF—cont.</b>	
Supreme court		chore services determination	79-01-042
Administrative rule 15 (SAR 15) commissioner	79-02-022		79-01-043
<b>SAFETY</b>		congregate care facility, cost standards	79-01-089
Benzene	79-02-038	eligibility	
Cotton dust, exposure to in cotton gins	79-02-037	child care expenses	79-03-075
Inorganic arsenic	79-02-037		79-03-081
Motor carriers	79-01-029	income determination	79-03-075
drivers' hours, federal regulations	79-02-082		79-03-081
Motorcyclists' eye protection	79-02-084	employment	79-01-069
			79-03-013
<b>SAVINGS AND LOAN ASSOCIATIONS</b>		general assistance	
Examination, supervision fees	79-01-024	eligibility requirements	79-01-010
<b>SCHOOLS</b>		medical assistance, eligibility requirements	79-01-002
Levies, maximum dollar amounts	79-01-006	SSI, state supplemental payments	79-01-089
State funding		winterizing homes	79-02-057
building construction, space requirements	79-02-070	<b>Social services</b>	
enrollment reporting procedures	79-01-007	median income tables	79-01-041
program standards,		<b>Support enforcement</b>	
nonstudent visitation rights	79-02-048	failure to cooperate, good cause	79-03-085
<b>SECRETARY OF STATE</b>		Vocational rehabilitation	
Voters pamphlets appointment of		facilities and workshops, certification	79-03-036
committees to draft statements,		handicapped, selection, eligibility	79-02-059
constitutional amendments, initiative		Water systems, fire flow regulations	79-01-083
alternatives, referendum bills	79-03-094		79-03-037
<b>SEWERS</b>		<b>SPOKANE COUNTY</b>	
Waste water treatment plants,		Herbicides, use of	70-01-038
construction requirements	79-02-033	<b>STATE</b>	
<b>SHELLFISH</b>		Boat buy-back program	79-01-039
Commercial regulations, comprehensive revisions	79-02-053		79-03-025
Crab season, early opening	79-01-012	<b>Building code</b>	
Razor clams		barrier-free facilities,	
Long Beach, personal use closure	79-02-051	residential dwellings	79-02-078
personal use, physical disability permit	79-02-054	Capitol grounds	
Sea urchins		demonstrations, permit	79-03-011
areas	79-01-048		79-03-012
seasons	79-01-048	<b>Civil service</b>	
	79-02-042	registers, certification	79-01-101
<b>SMALL LOAN COMPANIES</b>		<b>Employees</b>	
Operating requirements	79-01-095	disabled, transfers or demotions	79-03-044
<b>SOCIAL AND HEALTH SERVICES, DEPARTMENT</b>		positions, allocations, reallocations	79-02-016
<b>OF</b>			79-03-010
Criminally insane, commitment procedures	79-01-037	sick leave, paid	79-02-016
	79-03-038		79-03-010
Family, children, adult services		travel expenses	79-01-091
median income tables	79-01-041		79-03-022
Food stamps		veterans, appointment, non-competitive	79-03-044
certification	79-01-085	Ferry system, toll schedule	79-02-050
federal rules compliance	79-01-090	School fiscal support	
income deductions	79-01-068	building construction, space requirements	79-02-070
program reenactment		enrollment reporting procedures	79-01-007
(Text appears at the beginning of Issue 79-01)	79-01	Schools, support program standards,	
	79-03-032	nonstudent visitation rights	79-02-048
	79-03-033	<b>STATE CAPITOL HISTORICAL ASSOCIATION</b>	
Foster care, payment of	79-02-069	Public meeting notice	79-01-027
Health, board of			79-03-007
mobile homes, mobile home parks	79-02-031	<b>STATE LIBRARY</b>	
Indochinese refugee assistance	79-02-025	Documents depository system	79-01-056
Mental hospitals, charges	79-01-063	<b>STATE LIBRARY COMMISSION</b>	
	79-01-070	Public meeting notice	79-02-005
	79-03-019	<b>STATE PATROL</b>	
Nursing homes		Public records	79-02-023
management agreements	79-01-036		79-02-024
	79-03-020	<b>STUDENTS</b>	
mentally retarded, social leave	79-01-084	Central Washington University	
reimbursement, return on investment	79-02-058	rights and responsibilities	79-03-042
reimbursement rates	79-02-081	College-work study program	
reporting requirements	79-01-008	income, employment limitations	79-03-087
	79-03-021	institutional compliance	79-02-088
settlement	79-02-039	Financial aid, need grant program,	
Public assistance		postsecondary education	
aid to dependent children		institutional compliance	79-02-066
eligibility requirements	79-01-010		



## Subject/Agency Index

<b>STUDENTS—cont.</b>		
Guaranteed student loans	79-03-002	
Need grant program	79-03-088	
University of Washington		
housing assignment priority	79-02-089	
records, disclosure	79-02-080	
Western Washington University		
records	79-03-018	
rights and responsibilities	79-03-018	
<b>SUPERINTENDENT OF PUBLIC INSTRUCTION</b>		
(See PUBLIC INSTRUCTION, SUPERINTENDENT OF)		
<b>SUPREME COURT</b>		
Administrative rule 15 (SAR 15) commissioner	79-02-022	
Department assignments, January, 1979 term	79-02-020	
Evidence rules (ER)	79-02-021	
<b>TAXATION</b>		
Forest land values		
1977	79-01-004	
	79-01-005	
Forest tax, stumpage values	79-01-065	
	79-01-066	
Schools, excess levies, maximums	79-01-006	
<b>TELEPHONES</b>		
Automatic dialing—announcing devices	79-01-081	
	79-03-031	
<b>TOLLS</b>		
State ferry system	79-02-050	
<b>TOW TRUCKS</b>		
Letter of appointment,		
revocation, grounds for	79-01-077	
Standards dual winches	79-03-074	
<b>TRANSPORTATION, DEPARTMENT OF</b>		
Ferries, toll schedule	79-02-050	
Keyport, state route 308, parking prohibited	79-02-062	
Longview, state route 4, parking prohibited	79-02-063	
Monroe, state route 2, parking prohibited	79-02-064	
Parking restrictions		
Keyport, state route 308	79-02-062	
Longview, state route 4	79-02-063	
Monroe, state route 2, Kelsey Street	79-02-064	
Walla Walla, state route 12	79-02-065	
Public meeting notice	79-01-062	
Readoption, departmental reorganization	79-01-033	
Walla Walla, state route 12, parking	79-02-065	
<b>TRAVEL</b>		
State	79-01-091	
	79-03-022	
	79-03-040	
<b>UNIVERSITY OF WASHINGTON</b>		
Environmental policy act, implementation	79-01-013	
Housing assignment priority	79-02-089	
Parking and traffic		
fees, fines, penalties	79-02-090	
Public meeting notice	79-03-017	
Student records, disclosure	79-02-080	
<b>URBAN ARTERIAL BOARD</b>		
Public meeting notice	79-02-006	
<b>UTILITIES AND TRANSPORTATION COMMISSION</b>		
Garbage, refuse collection companies		
rates, notice	79-01-034	
Motor carriers		
drivers' hours, federal regulations	79-02-082	
safety regulations	79-01-029	
Railroads		
accident reports	79-01-082	
	79-02-087	
Telephone companies		
automatic dialing—announcing devices	79-01-081	
	79-03-031	
<b>VEGETABLES</b>		
Inspection services, fees, changes	79-01-035	
<b>VETERANS</b>		
Education benefits, academic program approval	79-03-086	
<b>VOCATIONAL EDUCATION, ADVISORY COUNCIL ON</b>		
Public meeting notice	79-02-015	
<b>VOCATIONAL EDUCATION, COMMISSION FOR</b>		
Comprehensive revision,		
federal act implementation	79-02-019	
<b>VOCATIONAL REHABILITATION</b>		
Facilities and workshops, certification	79-03-036	
Handicapped, selection, eligibility	79-02-059	
<b>VOLUNTEER FIREMEN, BOARD FOR</b>		
Public meeting notice	79-02-003	
<b>WATER</b>		
Public systems		
fire flow regulations	79-01-083	
	79-03-037	
state board, repealer	79-03-089	
Quality management plan		
(Section 208), public hearings	79-01-050	
Waste water facilities,		
construction requirements	79-02-033	
Wells, construction and maintenance standards	79-02-010	
<b>WEEDS</b>		
Noxious weed seeds, restricted	79-03-053	
Noxious weeds, proposed list	79-02-074	
<b>WELLS</b>		
Geothermal, drilling, completion practices	79-02-001	
Water, construction and maintenance standards	79-02-010	
<b>WENATCHEE VALLEY COLLEGE</b>		
Public meeting notice	79-03-005	
<b>WESTERN WASHINGTON UNIVERSITY</b>		
Public meeting notice	79-03-095	
Students		
records	79-03-018	
rights and responsibilities	79-03-018	
<b>WHATCOM COMMUNITY COLLEGE</b>		
Admission standards, graduation, tuition,		
catalog publication, repeal	79-03-035	
Public meeting notice	79-02-029	
	79-02-041	
	79-03-034	
<b>YAKIMA VALLEY COLLEGE</b>		
Public meeting notice	79-03-005	

