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CITATION

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DENNIS W. COOPER
Code Reviser

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STYLE AND FORMAT OF THE WASHINGTON STATE REGISTER

1. ARRANGEMENT OF THE REGISTER

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

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

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

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

3. PRINTING STYLE—INDICATION OF NEW OR DELETED MATTER

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

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

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

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

5. EFFECTIVE DATE OF RULES

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

6. EDITORIAL CORRECTIONS

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

7. INDEX AND TABLES

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

1980-1981
DATES FOR REGISTER CLOSING, DISTRIBUTION, AND FIRST AGENCY ACTION
(Revised 6/12/80)

Issue No.	Distribution Date	First Agency Action Date ²	Closing Dates ¹		
			OTS ³ 10 pages maximum (14 days)	Non-OTS and 11 to 29 pages (28 days)	Non-OTS and 30 pages or more (42 days)
80-06	Jun 18	Jul 8	Jun 4	May 21	May 7
80-07	Jul 2	Jul 22	Jun 18	Jun 4	May 21
80-08	Jul 16	Aug 5	Jul 2	Jun 18	Jun 4
80-09	Aug 6	Aug 26	Jul 23	Jul 9	Jun 25
80-10	Aug 20	Sep 9	Aug 6	Jul 23	Jul 9
80-11	Sep 3	Sep 23	Aug 20	Aug 6	Jul 23
80-12	Sep 17	Oct 7	Sep 3	Aug 20	Aug 6
80-13	Oct 1	Oct 21	Sep 17	Sep 3	Aug 20
80-14	Oct 15	Nov 4	Oct 1	Sep 17	Sep 3
80-15	Nov 5	Nov 25	Oct 22	Oct 8	Sep 24
80-16	Nov 19	Dec 9	Nov 5	Oct 22	Oct 8
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81-03	Feb 4	Feb 24	Jan 21	Jan 7	Dec 24, 1980
81-04	Feb 18	Mar 10	Feb 4	Jan 21	Jan 7
81-05	Mar 4	Mar 24	Feb 18	Feb 4	Jan 21
81-06	Mar 18	Apr 7	Mar 4	Feb 18	Feb 4
81-07	Apr 1	Apr 21	Mar 18	Mar 4	Feb 18
81-08	Apr 15	May 5	Apr 1	Mar 18	Mar 4
81-09	May 6	May 26	Apr 22	Apr 8	Mar 25
81-10	May 20	Jun 9	May 6	Apr 22	Apr 8
81-11	Jun 3	Jun 23	May 20	May 6	Apr 22
81-12	Jun 17	Jul 7	Jun 3	May 20	May 6

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

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

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

WSR 80-06-136
EMERGENCY RULES
DEPARTMENT OF
LABOR AND INDUSTRIES
 [Order 80-10—Filed June 2, 1980]

I, James T. Hughes, director of Labor and Industries, do promulgate and adopt at the Director's office, Olympia, Washington, the annexed rules relating to lead, identical to 29 CFR 1910.1025 OSHA, new WAC 296-62-07349.

I, James T. Hughes, 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 to prevent material impairment of health or functional capacity to employees exposed to lead in the work environment. Adopting this emergency rule will keep WISHA as effective as OSHA.

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

This rule is promulgated pursuant to RCW 49.17.450[49.17.050] and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 2, 1980.

By F. Byron Swigart
Deputy Director

NEW SECTION

WAC 296-62-07349 LEAD. (1) *Scope and Application.* (a) *This section applies to all occupational exposure to lead, except as provided in subdivision (1)(b).*

(b) *This section does not apply to the construction industry as defined or to agricultural operations covered by Chapter 296-306 WAC.*

(2) *Definitions as applicable to this part.*

(a) "Action level" – *employee exposure, without regard to the use of respirators, to an airborne concentration of lead of 30 micrograms per cubic meter of air (30 µg/m³) averaged over an 8-hour period.*

(b) "Director" – *the director of the Department of Labor and Industries.*

(c) "Lead" *Metallic lead, all inorganic lead compounds, and organic lead soaps. Excluded from this definition are all other organic lead compounds.*

(3) *Permissible exposure limit (PEL).* (a) *The employer shall assure that no employee is exposed to lead at concentrations greater than fifty micrograms per cubic meter of air (50 µg/m³) averaged over an 8-hour period.*

(b) *If an employee is exposed to lead for more than eight hours in any work day, the permissible exposure*

limit, as a time weighted average (TWA) for that day, shall be reduced according to the following formula:

$$\text{Maximum permissible limit (in } \mu\text{g/m}^3\text{)} = 400 \div \text{hours worked in the day.}$$

(c) *When respirators are used to supplement engineering and work practice controls to comply with the PEL and all the requirements of subsection (6) have been met, employee exposure, for the purpose of determining whether the employer has complied with the PEL, may be considered to be at the level provided by the protection factor of the respirator for those periods the respirator is worn. Those periods may be averaged with exposure levels during periods when respirators are not worn to determine the employee's daily TWA exposure.*

(4) *Exposure Monitoring.* (a) *General.* (i) *For the purposes of subsection (4), employee exposure is that exposure which would occur if the employee were not using a respirator.*

(ii) *With the exception of monitoring under subdivision (4)(c), the employer shall collect full shift (for at least seven continuous hours) personal samples including at least one sample for each shift for each job classification in each work area.*

(iii) *Full shift personal samples shall be representative of the monitored employee's regular, daily exposure to lead.*

(b) *Initial determination.* *Each employer who has a workplace or work operation covered by this standard shall determine if any employee may be exposed to lead at or above the action level.*

(c) *Basis of initial determination.* (i) *The employer shall monitor employee exposures and shall base initial determinations on the employee exposure monitoring results and any of the following, relevant considerations:*

(A) *Any information, observations, or calculations which would indicate employee exposure to lead;*

(B) *Any previous measurements of airborne lead; and*

(C) *Any employee complaints of symptoms which may be attributable to exposure to lead.*

(ii) *Monitoring for the initial determination may be limited to a representative sample of the exposed employees who the employer reasonably believes are exposed to the greatest airborne concentrations of lead in the workplace.*

(iii) *Measurements of airborne lead made in the preceding 12 months may be used to satisfy the requirement to monitor under item (4)(c)(i) if the sampling and analytical methods used meet the accuracy and confidence levels of subdivision (4)(i) of this section.*

(d) *Positive initial determination and initial monitoring.* (i) *Where a determination conducted under subdivision (4)(b) and (4)(c) of this section shows the possibility of any employee exposure at or above the action level, the employer shall conduct monitoring which is representative of the exposure for each employee in the workplace who is exposed to lead.*

(ii) *Measurements of airborne lead made in the preceding 12 months may be used to satisfy this requirement if the sampling and analytical methods used meet*

the accuracy and confidence levels of subdivision (4)(i) of this section.

(e) **Negative initial determination.** Where a determination, conducted under subdivisions (4)(b) and (4)(c) of this section is made that no employee is exposed to airborne concentrations of lead at or above the action level, the employer shall make a written record of such determination. The record shall include at least the information specified in subdivision (4)(c) of this section and shall also include the date of determination, location within the worksite, and the name and social security number of each employee monitored.

(f) **Frequency.** (i) If the initial monitoring reveals employee exposure to be below the action level the measurements need not be repeated except as otherwise provided in subdivision (4)(g) of this section.

(ii) If the initial determination or subsequent monitoring reveals employee exposure to be at or above the action level but below the permissible exposure limit the employer shall repeat monitoring in accordance with this subsection at least every six months. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the action level at which time the employer may discontinue monitoring for that employee except as otherwise provided in subdivision (4)(g) of this section.

(iii) If the initial monitoring reveals that employee exposure is above the permissible exposure limit the employer shall repeat monitoring quarterly. The employer shall continue monitoring at the required frequency until at least two consecutive measurements, taken at least seven days apart, are below the PEL but at or above the action level at which time the employer shall repeat monitoring for that employee at the frequency specified in item (4)(f)(ii), except as otherwise provided in subdivision (4)(g) of this section.

(g) **Additional monitoring.** Whenever there has been a production, process, control or personnel change which may result in new or additional exposure to lead, or whenever the employer has any other reason to suspect a change which may result in new or additional exposures to lead, additional monitoring in accordance with this subsection shall be conducted.

(h) **Employee notification.** (i) Within five working days after the receipt of monitoring results, the employer shall notify each employee in writing of the results which represent that employee's exposure.

(ii) Whenever the results indicate that the representative employee exposure, without regard to respirators, exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action taken or to be taken to reduce exposure to or below the permissible exposure limit.

(i) **Accuracy of measurement.** The employer shall use a method of monitoring and analysis which has an accuracy (to a confidence level of 95 percent) of not less than plus or minus 20 percent for airborne concentrations of lead equal to or greater than 30 $\mu\text{g}/\text{m}^3$.

(5) **Method of Compliance.** (a) **Engineering and work practice controls.** The employer shall implement engineering and work practice controls (including administrative controls) to reduce and maintain employee exposure to lead in accordance with the implementation schedule in Table I. Failure to achieve exposure levels without regard to respirators is sufficient to establish a violation of this provision.

TABLE I
IMPLEMENTATION SCHEDULE

Industry ¹	Compliance Dates ²		
	200 $\mu\text{g}/\text{m}^3$	100 $\mu\text{g}/\text{m}^3$	50 $\mu\text{g}/\text{m}^3$
Primary lead production	3	3	10
Secondary lead production	3	3	5
Lead-acid battery manufacturing	2	2	5
Nonferrous foundries	1	1	5
Lead pigment manufacturing	3	3	5
All other industries	Not Applicable	Not Applicable	1

¹ Includes ancillary activities located on the same worksite.

² Expressed as the number of years from the effective date by which compliance with the given airborne exposure level, as an 8-hour TWA, must be achieved.

³ On effective date. This continues an obligation from Table Z-2 of 29 CFR 1910.1000 which had been in effect since 1971 but which was deleted upon the effectiveness of this section.

(b) **Respiratory protection.** Where engineering and work practice controls do not reduce employee exposure to or below the 50 $\mu\text{g}/\text{m}^3$ permissible exposure limit, the employer shall supplement these controls with respirators in accordance with subsection (6).

(c) **Compliance program.** (i) Each employer shall establish and implement a written compliance program to reduce exposures to or below the permissible exposure limit, and interim levels if applicable, solely by means of engineering and work practice controls in accordance with the implementation schedule in subdivision (5)(a).

(ii) Written plans for these compliance programs shall include at least the following:

(A) A description of each operation in which lead is emitted; e.g., machinery used, material processed, controls in place, crew size, employee job responsibilities, operating procedures and maintenance practices;

(B) A description of the specific means that will be employed to achieve compliance, including engineering plans and studies used to determine methods selected for controlling exposure to lead;

(C) A report of the technology considered in meeting the permissible exposure limit;

(D) Air monitoring data which documents the source of lead emissions;

(E) A detailed schedule for implementation of the program, including documentation such as copies of purchase orders for equipment, construction contracts, etc.;

(F) A work practice program which includes items required under subsections (7), (8) and (9) of this regulation;

(G) An administrative control schedule required by subdivision (5)(f), if applicable; and

(H) Other relevant information.

(III) Written programs shall be submitted upon request to the director, and shall be available at the work-site for examination and copying by the director, any affected employee or authorized employee representatives.

(iv) Written programs shall be revised and updated at least every six months to reflect the current status of the program.

(d) Bypass of interim level. Where an employer's compliance plan provides for a reduction of employee exposures to or below the PEL solely by means of engineering and work practice controls in accordance with the implementation schedule in Table I, and the employer has determined that compliance with the 100 $\mu\text{g}/\text{m}^3$ interim level would divert resources to the extent that it clearly precludes compliance, otherwise attainable, with the PEL by the required time, the employer may proceed with the plan to comply with the PEL in lieu of compliance with the interim level if:

(i) The compliance plan clearly documents the basis of the determination;

(ii) The employer takes all feasible steps to provide maximum protection for employees until the PEL is met; and

(iii) The employer notifies the director in writing within ten working days of the completion or revision of the compliance plan reflecting the determination.

(e) Mechanical ventilation. (i) When ventilation is used to control exposure, measurements which demonstrate the effectiveness of the system in controlling exposure, such as capture velocity, duct velocity, or static pressure shall be made at least every three months. Measurements of the system's effectiveness in controlling exposure shall be made within five days of any change in production, process, or control which might result in a change in employee exposure to lead.

(ii) Recirculation of air. If air from exhaust ventilation is recirculated into the workplace, the employer shall assure that (A) the system has a high efficiency filter with reliable back-up filter; and (B) controls to monitor the concentration of lead in the return air and to bypass the recirculation system automatically if it fails are installed, operating, and maintained.

(f) Administrative controls. If administrative controls are used as a means of reducing employees TWA exposure to lead, the employer shall establish and implement a job rotation schedule which includes:

(i) Name or identification number of each affected employee;

(ii) Duration and exposure levels at each job or work station where each affected employee is located; and

(iii) Any other information which may be useful in assessing the reliability of administrative controls to reduce exposure to lead.

(6) Respiratory Protection. (a) General. Where the use of respirators is required under this section, the employer shall provide, at no cost to the employee, and assure the use of respirators which comply with the requirements of this subsection. Respirators shall be used in the following circumstances:

(i) During the time period necessary to install or implement engineering or work practice controls, except that after the dates for compliance with the interim levels in Table I, no employer shall require an employee to wear a negative pressure respirator longer than 4.4 hours per day;

(ii) In work situations in which engineering and work practice controls are not sufficient to reduce exposures to or below the permissible exposure limit; and

(iii) Whenever an employee requests a respirator.

(b) Respirator selection. (i) Where respirators are required under this section the employer shall select the appropriate respirator or combination of respirators from Table II.

TABLE II

RESPIRATORY PROTECTION FOR LEAD AEROSOLS

<u>Airborne Concentration of Lead on Condition of Use</u>	<u>Required Respirator¹</u>
Not in excess of 0.5 mg/m ³ (10X PEL).	Half-mask, air-purifying respirator equipped with high efficiency filters. ²
Not in excess of 2.5 mg/m ³ (50 X PEL).	Full facepiece, air-purifying respirator with high efficiency filters ¹ .
Not in excess of 50 mg/m ³ (1000X PEL).	(1) Any powered, air-purifying respirator with high efficiency filters ¹ ; or (2) Half-mask supplied-air respirator operated in positive pressure mode. ²
Not in excess of 100 mg/m ³ (2000X PEL).	Supplied-air respirators with full facepiece, hood, helmet, or suit, operated in positive pressure mode.
Greater than 100 mg/m ³ , unknown concentration or fire fighting.	Full facepiece, self-contained breathing apparatus operated in positive-pressure mode.

¹ Respirators specified for high concentrations can be used at lower concentrations of lead.

² Full facepiece is required if the lead aerosols cause eye or skin irritation at the use concentrations.

³ A high efficiency particulate filter means 99.97 percent efficient against 0.3 micron size particles.

(ii) The employer shall provide a powered, air-purifying respirator in lieu of the respirator specified, in Table II whenever:

(A) An employee chooses to use this type of respirator; and

(B) This respirator will provide adequate protection to the employee.

(iii) The employer shall select respirators from among those approved for protection against lead dust, fume, and mist by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health (NIOSH) under the provisions of 30 CFR Part 11.

(c) **Respirator usage.** (i) The employer shall assure that the respirator issued to the employee exhibits minimum facepiece leakage and that the respirator is fitted properly.

(ii) Employers shall perform quantitative face fit tests at the time of initial fitting and at least semiannually thereafter for each employee wearing negative pressure respirators. The test shall be used to select facepieces that provide the required protection as prescribed in Table II.

(iii) If an employee exhibits difficulty in breathing during the fitting test or during use, the employer shall make available to the employee an examination in accordance with subitem (10)(c)(i)(C) of this section to determine whether the employee can wear a respirator while performing the required duty.

(d) **Respirator program.** (i) The employer shall institute a respiratory protection program in accordance with WAC 296-24-08103, 296-24-08107, 296-24-08109 and 296-24-08111.

(ii) The employer shall permit each employee who uses a filter respirator to change the filter elements whenever an increase in breathing resistance is detected and shall maintain an adequate supply of filter elements for this purpose.

(iii) Employees who wear respirators shall be permitted to leave work areas to wash their face and respirator facepiece whenever necessary to prevent skin irritation associated with respirator use.

(7) **Protective Work Clothing and Equipment.** (a) **Provision and use.** If an employee is exposed to lead above the PEL, without regard to the use of respirators or where the possibility of skin or eye irritation exists, the employer shall provide at no cost to the employee and assure that the employee uses appropriate protective work clothing and equipment such as, but not limited to:

(i) Coveralls or similar full-body work clothing;

(ii) Gloves, hats, and shoes or disposable shoe coverlets; and

(iii) Face shields, vented goggles, or other appropriate protective equipment which complies with WAC 296-24-078.

(b) **Cleaning and replacement.** (i) The employer shall provide the protective clothing required in subdivision (7)(a) of this section in a clean and dry condition at least weekly, and daily to employees whose exposure levels without regard to a respirator are over $200 \mu\text{g}/\text{m}^3$ of lead as an 8-hour TWA.

(ii) The employer shall provide for the cleaning, laundering, or disposal of protective clothing and equipment required by subdivision (7)(a) of this section.

(iii) The employer shall repair or replace required protective clothing and equipment as needed to maintain their effectiveness.

(iv) The employer shall assure that all protective clothing is removed at the completion of a work shift only in change rooms provided for that purpose as prescribed in subdivision (9)(b) of this section.

(v) The employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of, is placed in a closed container in the

change-room which prevents dispersion of lead outside the container.

(vi) The employer shall inform in writing any person who cleans or launders protective clothing or equipment of the potentially harmful effects of exposure to lead.

(vii) The employer shall assure that the containers of contaminated protective clothing and equipment required by subdivision (7)(b)(v) are labeled as follows:

CAUTION: CLOTHING CONTAMINATED WITH LEAD. DO NOT REMOVE DUST BY BLOWING OR SHAKING. DISPOSE OF LEAD CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.

(viii) The employer shall prohibit the removal of lead from protective clothing or equipment by blowing, shaking, or any other means which disperses lead into the air.

(8) **Housekeeping.** (a) **Surfaces.** All surfaces shall be maintained as free as practicable of accumulations of lead.

(b) **Cleaning floors.** (i) Floors and other surfaces where lead accumulates may not be cleaned by the use of compressed air.

(ii) Shoveling, dry or wet sweeping, and brushing may be used only where vacuuming or other equally effective methods have been tried and found not to be effective.

(c) **Vacuums.** Where vacuuming methods are selected, the vacuums shall be used and emptied in a manner which minimizes the reentry of lead into the workplace.

(9) **Hygiene Facilities and Practices.** (a) The employer shall assure that in areas where employees are exposed to lead above the PEL, without regard to the use of respirators, food or beverage is not present or consumed, tobacco products are not present or used, and cosmetics are not applied, except in change rooms, lunchrooms, and showers required under subdivision (9)(b) - (9)(d) of this section.

(b) **Change rooms.** (i) The employer shall provide clean change rooms for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that change rooms are equipped with separate storage facilities for protective work clothing and equipment and for street clothes which prevent cross-contamination.

(c) **Showers.** (i) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators, shower at the end of the work shift.

(ii) The employer shall provide shower facilities in accordance with WAC 296-24-12009.

(iii) The employer shall assure that employees who are required to shower pursuant to item (9)(c)(i) do not leave the workplace wearing any clothing or equipment worn during the work shift.

(d) **Lunchrooms.** (i) The employer shall provide lunchroom facilities for employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators.

(ii) The employer shall assure that lunchroom facilities have a temperature controlled, positive pressure, filtered air supply, and are readily accessible to employees.

(iii) The employer shall assure that employees who work in areas where their airborne exposure to lead is above the PEL without regard to the use of a respirator wash their hands and face prior to eating, drinking, smoking or applying cosmetics.

(iv) The employer shall assure that employees do not enter lunchroom facilities with protective work clothing or equipment unless surface lead dust has been removed by vacuuming, downdraft booth, or other cleaning method.

(e) Lavatories. The employer shall provide an adequate number of lavatory facilities which comply with WAC 296-24-12009(1) and (2).

(10) Medical Surveillance. (a) General. (i) The employer shall institute a medical surveillance program for all employees who are or may be exposed above the action level for more than 30 days per year.

(ii) The employer shall assure that all medical examinations and procedures are performed by or under the supervision of a licensed physician.

(iii) The employer shall provide the required medical surveillance including multiple physician review under item (10)(c)(iii) without cost to employees and at a reasonable time and place.

(b) Biological monitoring. (i) Blood lead and ZPP level sampling and analysis. The employer shall make available biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels to each employee covered under item (10)(a)(i) of this section on the following schedule:

(A) At least every six months to each employee covered under item (10)(a)(i) of this section;

(B) At least every two months for each employee whose last blood sampling and analysis indicated a blood lead level at or above 40 $\mu\text{g}/100\text{ g}$ of whole blood. This frequency shall continue until two consecutive blood samples and analyses indicate a blood lead level below 40 $\mu\text{g}/100\text{ g}$ of whole blood; and

(C) At least monthly during the removal period of each employee removed from exposure to lead due to an elevated blood lead level.

(ii) Follow-up blood sampling tests. Whenever the results of a blood lead level test indicate that an employee's blood lead level exceeds the numerical criterion for medical removal under item (11)(a)(i), the employer shall provide a second (follow-up) blood sampling test within two weeks after the employer receives the results of the first blood sampling test.

(iii) Accuracy of blood lead level sampling and analysis. Blood lead level sampling and analysis provided pursuant to this section shall have an accuracy (to a confidence level of 95 percent) within plus or minus 15 percent or 6 $\mu\text{g}/100\text{ ml}$, whichever is greater, and shall be conducted by a laboratory licensed by the Center for Disease Control (CDC), United States Department of Health, Education and Welfare or which has received a satisfactory grade in blood lead proficiency testing from CDC in the prior twelve months.

(iv) Employee notification. Within five working days after the receipt of biological monitoring results, the employer shall notify in writing each employee whose blood lead level exceeds 40 $\mu\text{g}/100\text{ g}$: (A) of that employee's blood lead level and (B) that the standard requires temporary medical removal with Medical Removal Protection benefits when an employee's blood lead level exceeds the numerical criterion for medical removal under item (11)(a)(i) of this section.

(c) Medical examinations and consultations. (i) Frequency. The employer shall make available medical examinations and consultations to each employee covered under item (10)(a)(i) of this section on the following schedule:

(A) At least annually for each employee for whom a blood sampling test conducted at any time during the preceding 12 months indicated a blood lead level at or above 40 $\mu\text{g}/100\text{ g}$,

(B) Prior to assignment for each employee being assigned for the first time to an area in which airborne concentrations of lead are at or above the action level;

(C) As soon as possible, upon notification by an employee either that the employee has developed signs or symptoms commonly associated with lead intoxication, that the employee desires medical advice concerning the effects of current or past exposure to lead on the employee's ability to procreate a healthy child, or that the employee has demonstrated difficulty in breathing during a respirator fitting test or during use; and

(D) As medically appropriate for each employee either removed from exposure to lead due to a risk of sustaining material impairment to health, or otherwise limited pursuant to a final medical determination.

(ii) Content. Medical examinations made available pursuant to subitems (10)(c)(i)(A)-(B) of this section shall include the following elements:

(A) A detailed work history and a medical history, with particular attention to past lead exposure (occupational and nonoccupational), personal habits (smoking, hygiene), and past gastrointestinal, hematologic, renal, cardiovascular, reproductive and neurological problems;

(B) A thorough physical examination, with particular attention to teeth, gums, hematologic, gastrointestinal, renal, cardiovascular, and neurological systems. Pulmonary status should be evaluated if respiratory protection will be used;

(C) A blood pressure measurement;

(D) A blood sample and analysis which determines:

(aa) Blood lead level;

(bb) Hemoglobin and hematocrit determinations, red cell indices, and examination of peripheral smear morphology;

(cc) Zinc protoporphyrin;

(dd) Blood urea nitrogen; and

(ee) Serum creatinine;

(E) A routine urinalysis with microscopic examination; and

(F) Any laboratory or other test which the examining physician deems necessary by sound medical practice.

The content of medical examinations made available pursuant to subitems (10)(c)(i)(C)-(D) of this section shall be determined by an examining physician and, if

requested by an employee, shall include pregnancy testing or laboratory evaluation of male fertility.

(iii) Multiple physician review mechanism. (A) If the employer selects the initial physician who conducts any medical examination or consultation provided to an employee under this section, the employee may designate a second physician:

(aa) To review any findings, determinations or recommendations of the initial physician; and

(bb) To conduct such examinations, consultations, and laboratory tests as the second physician deems necessary to facilitate this review.

(B) The employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician conducts a medical examination or consultation pursuant to this section. The employer may condition its participation in, and payment for, the multiple physician review mechanism upon the employee doing the following within fifteen days after receipt of the foregoing notification, or receipt of the initial physician's written opinion, whichever is later:

(aa) The employee informing the employer that he or she intends to seek a second medical opinion, and

(bb) The employee initiating steps to make an appointment with a second physician.

(C) If the findings, determinations or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall assure that efforts are made for the two physicians to resolve any disagreement.

(D) If the two physicians have been unable to quickly resolve their disagreement, then the employer and the employee through their respective physicians shall designate a third physician:

(aa) To review any findings, determinations or recommendations of the prior physicians; and

(bb) To conduct such examinations, consultations, laboratory tests and discussions with the prior physicians as the third physician deems necessary to resolve the disagreement of the prior physicians.

(E) The employer shall act consistent with the findings, determinations and recommendations of the third physician, unless the employer and the employee reach an agreement which is otherwise consistent with the recommendations of at least one of the three physicians.

(iv) Information provided to examining and consulting physicians.

(A) The employer shall provide an initial physician conducting a medical examination or consultation under this section with the following information:

(aa) A copy of this regulation for lead including all Appendices;

(bb) A description of the affected employee's duties as they relate to the employee's exposure;

(cc) The employee's exposure level or anticipated exposure level to lead and to any other toxic substance (if applicable);

(dd) A description of any personal protective equipment used or to be used;

(ee) Prior blood lead determinations; and

(ff) All prior written medical opinions concerning the employee in the employer's possession or control.

(B) The employer shall provide the foregoing information to a second or third physician conducting a medical examination or consultation under this section upon request either by the second or third physician, or by the employee.

(v) Written medical opinions. (A) The employer shall obtain and furnish the employee with a copy of a written medical opinion from each examining or consulting physician which contains the following information:

(aa) The physician's opinion as to whether the employee has any detected medical condition which would place the employee at increased risk of material impairment of the employee's health from exposure to lead;

(bb) Any recommended special protective measures to be provided to the employee, or limitations to be placed upon the employee's exposure to lead;

(cc) Any recommended limitation upon the employee's use of respirators, including a determination of whether the employee can wear a powered air purifying respirator if a physician determines that the employee cannot wear a negative pressure respirator, and

(dd) The results of the blood lead determinations.

(B) The employer shall instruct each examining and consulting physician to:

(aa) Not reveal either in the written opinion, or in any other means of communication with the employer, findings, including laboratory results, or diagnoses unrelated to an employee's occupational exposure to lead; and

(bb) Advise the employee of any medical condition, occupational or nonoccupational, which dictates further medical examination or treatment.

(vi) Alternate physician determination mechanisms. The employer and an employee or authorized employee representative may agree upon the use of any expeditious alternate physician determination mechanism in lieu of the multiple physician review mechanism provided by this subsection so long as the alternate mechanism otherwise satisfies the requirements contained in this subsection.

(d) Chelation. (i) The employer shall assure that any person whom he retains, employs, supervises or controls does not engage in prophylactic chelation of any employee at any time.

(ii) If therapeutic or diagnostic chelation is to be performed by any person in item (10)(d)(i), the employer shall assure that it be done under the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring and that the employee is notified in writing prior to its occurrence.

(11) Medical Removal Protection. (a) Temporary medical removal and return of an employee.

(i) Temporary removal due to elevated blood lead levels.

(A) First year of the standard. During the first year following the effective date of the standard, the employer shall remove an employee from work having a daily eight hour TWA exposure to lead at or above 100 $\mu\text{g}/\text{m}^3$ on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above 80 $\mu\text{g}/100\text{ g}$ of whole blood;

(B) *Second year of the standard.* During the second year following the effective date of the standard, the employer shall remove an employee from work having a daily eight hour TWA exposure to lead at or above 50 $\mu\text{g}/\text{m}^3$ on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above 70 $\mu\text{g}/100$ g of whole blood;

(C) *Third year of the standard, and thereafter.* Beginning with the third year following the effective date of the standard, the employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a periodic and a follow-up blood sampling test conducted pursuant to this section indicate that the employee's blood lead level is at or above 60 $\mu\text{g}/100$ g of whole blood; and

(D) *Fifth year of the standard, and thereafter.* Beginning with the fifth year following the effective date of the standard, the employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that the average of the last three blood sampling tests conducted pursuant to this section (or the average of all blood sampling tests conducted over the previous six months, whichever is longer) indicates that the employee's blood lead level is at or above 50 $\mu\text{g}/100$ g of whole blood; provided, however, that an employee need not be removed if the last blood sampling test indicates a blood lead level at or below 40 $\mu\text{g}/100$ g of whole blood.

(ii) *Temporary removal due to a final medical determination.*

(A) The employer shall remove an employee from work having an exposure to lead at or above the action level on each occasion that a final medical determination results in a medical finding, determination, or opinion that the employee has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the phrase "final medical determination" shall mean the outcome of the multiple physician review mechanism or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section.

(C) Where a final medical determination results in any recommended special protective measures for an employee, or limitations on an employee's exposure to lead, the employer shall implement and act consistent with the recommendation.

(iii) *Return of the employee to former job status.* (A) The employer shall return an employee to his or her former job status:

(aa) For an employee removed due to a blood lead level at or above 80 $\mu\text{g}/100$ g, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below 60 $\mu\text{g}/100$ g of whole blood;

(bb) For an employee removed due to a blood lead level at or above 70 $\mu\text{g}/100$ g, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below 50 $\mu\text{g}/100$ g of whole blood;

(cc) For an employee removed due to a blood lead level at or above 60 $\mu\text{g}/100$ g, or due to an average

blood lead level at or above 50 $\mu\text{g}/100$ g, when two consecutive blood sampling tests indicate that the employee's blood lead level is at or below 40 $\mu\text{g}/100$ g of whole blood;

(dd) For an employee removed due to a final medical determination, when a subsequent final medical determination results in a medical finding, determination, or opinion that the employee no longer has a detected medical condition which places the employee at increased risk of material impairment to health from exposure to lead.

(B) For the purposes of this section, the requirement that an employer return an employee to his or her former job status is not intended to expand upon or restrict any rights an employee has or would have had, absent temporary medical removal, to a specific job classification or position under the terms of a collective bargaining agreement.

(iv) *Removal of other employee special protective measure or limitations.* The employer shall remove any limitations placed on an employee or end any special protective measures provided to an employee pursuant to a final medical determination when a subsequent final medical determination indicates that the limitations or special protective measures are no longer necessary.

(v) *Employer options pending a final medical determination.* Where the multiple physician review mechanism, or alternate medical determination mechanism used pursuant to the medical surveillance provisions of this section, has not yet resulted in a final medical determination with respect to an employee, the employer shall act as follows:

(A) *Removal.* The employer may remove the employee from exposure to lead, provide special protective measures to the employee, or place limitations upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status.

(B) *Return.* The employer may return the employee to his or her former job status, end any special protective measures provided to the employee, and remove any limitations placed upon the employee, consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status, with two exceptions. If:

(aa) The initial removal, special protection, or limitation of the employee resulted from a final medical determination which differed from the findings, determinations, or recommendations of the initial physician; or

(bb) The employee has been on removal status for the preceding 18 months due to an elevated blood lead level, then the employer shall await a final medical determination.

(b) *Medical removal protection benefits.* (i) *Provision of medical removal protection benefits.* The employer shall provide to an employee up to 18 months of medical removal protection benefits on each occasion that an employee is removed from exposure to lead or otherwise limited pursuant to this section.

(ii) *Definition of medical removal protection benefits.* For the purposes of this section, the requirement that an

employer provide medical removal protection benefits means that the employer shall maintain the earnings, seniority and other employment rights and benefits of an employee as though the employee had not been removed from normal exposure to lead or otherwise limited.

(iii) Follow-up medical surveillance during the period of employee removal or limitation. During the period of time that an employee is removed from normal exposure to lead or otherwise limited, the employer may condition the provision of medical removal protection benefits upon the employee's participation in follow-up medical surveillance made available pursuant to this section.

(iv) Workers' compensation claims. If a removed employee files a claim for workers' compensation payments for a lead-related disability, then the employer shall continue to provide medical removal protection benefits pending disposition of the claim. To the extent that an award is made to the employee for earnings lost during the period of removal, the employer's medical removal protection obligation shall be reduced by such amount. The employer shall receive no credit for workers' compensation payments received by the employee for treatment related expenses.

(v) Other credits. The employer's obligation to provide medical removal protection benefits to a removed employee shall be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program, or receives income from employment with another employer made possible by virtue of the employee's removal.

(vi) Employees whose blood lead levels do not adequately decline within 18 months of removal. The employer shall take the following measures with respect to any employee removed from exposure to lead due to an elevated blood lead level whose blood lead level has not declined within the past 18 months of removal so that the employee has been returned to his or her former job status:

(A) The employer shall make available to the employee a medical examination pursuant to this section to obtain a final medical determination with respect to the employee;

(B) The employer shall assure that the final medical determination obtained indicates whether or not the employee may be returned to his or her former job status, and if not, what steps should be taken to protect the employee's health;

(C) Where the final medical determination has not yet been obtained, or once obtained indicates that the employee may not yet be returned to his or her former job status, the employer shall continue to provide medical removal protection benefits to the employee until either the employee is returned to former job status, or a final medical determination is made that the employee is incapable of ever safely returning to his or her former job status.

(D) Where the employer acts pursuant to a final medical determination which permits the return of the employee to his or her former job status despite what would otherwise be an unacceptable blood lead level, later questions concerning removing the employee again

shall be decided by a final medical determination. The employer need not automatically remove such an employee pursuant to the blood lead level removal criteria provided by this section.

(vii) Voluntary removal or restriction of an employee. Where an employer, although not required by this section to do so, removes an employee from exposure to lead or otherwise places limitations on an employee due to the effects of lead exposure on the employee's medical condition, the employer shall provide medical removal protection benefits to the employee equal to that required by item (11)(b)(i) of this section.

(12) Employee Information and Training. (a) Training program.

(i) Each employer who has a workplace in which there is a potential exposure to airborne lead at any level shall inform employees of the content of Appendices A and B of this regulation.

(ii) The employer shall institute a training program for and assure the participation of all employees who are subject to exposure to lead at or above the action level or for whom the possibility of skin or eye irritation exists.

(iii) The employer shall provide initial training by 180 days from the effective date for those employees covered by item (12)(a)(ii) on the standard's effective date and prior to the time of initial job assignment for those employees subsequently covered by this subsection.

(iv) The training program shall be repeated at least annually for each employee.

(v) The employer shall assure that each employee is informed of the following:

(A) The content of this standard and its appendices;

(B) The specific nature of the operations which could result in exposure to lead above the action level;

(C) The purpose, proper selection, fitting, use, and limitations of respirators;

(D) The purpose and a description of the medical surveillance program, and the medical removal protection program including information concerning the adverse health effects associated with excessive exposure to lead (with particular attention to the adverse reproductive effects on both males and females);

(E) The engineering controls and work practices associated with the employee's job assignment;

(F) The contents of any compliance plan in effect; and

(G) Instructions to employees that chelating agents should not routinely be used to remove lead from their bodies and should not be used at all except under the direction of a licensed physician.

(b) Access to information and training materials. (i) The employer shall make readily available to all affected employees a copy of this standard and its appendices.

(ii) The employer shall provide, upon request, all materials relating to the employee information and training program to the director.

(iii) In addition to the information required by item (12)(a)(v), the employer shall include as part of the training program, and shall distribute to employees, any materials pertaining to the Occupational Safety and Health Act, the regulations issued pursuant to that Act, and this lead standard, which are made available to the employer by the director.

(13) Signs. (a) General. (i) The employer may use signs required by other statutes, regulations or ordinances in addition to, or in combination with, signs required by this subsection.

(ii) The employer shall assure that no statement appears on or near any sign required by this subsection which contradicts or detracts from the meaning of the required sign.

(b) Signs. (i) The employer shall post the following warning signs in each work area where the PEL is exceeded:

**WARNING
LEAD WORK AREA
POISON
NO SMOKING OR EATING**

(ii) The employer shall assure that signs required by this subsection are illuminated and cleaned as necessary so that the legend is readily visible.

(14) Recordkeeping. (a) Exposure monitoring. (i) The employer shall establish and maintain an accurate record of all monitoring required in subsection (4) of this section.

(ii) This record shall include:

(A) The date(s), number, duration, location and results of each of the samples taken, including a description of the sampling procedure used to determine representative employee exposure where applicable;

(B) A description of the sampling and analytical methods used and evidence of their accuracy;

(C) The type of respiratory protective devices worn, if any;

(D) Name, social security number, and job classification of the employee monitored and of all other employees whose exposure the measurement is intended to represent; and

(E) The environmental variables that could affect the measurement of employee exposure.

(iii) The employer shall maintain these monitoring records for at least 40 years or for the duration of employment plus 20 years, whichever is longer.

(b) Medical surveillance. (i) The employer shall establish and maintain an accurate record for each employee subject to medical surveillance as required by subsection (10) of this section.

(ii) This record shall include:

(A) The name, social security number, and description of the duties of the employee;

(B) A copy of the physician's written opinions;

(C) Results of any airborne exposure monitoring done for that employee and the representative exposure levels supplied to the physician; and

(D) Any employee medical complaints related to exposure to lead.

(iii) The employer shall keep, or assure that the examining physician keeps, the following medical records:

(A) A copy of the medical examination results including medical and work history required under subsection (10) of this section;

(B) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to that information; and

(C) A copy of the results of biological monitoring.

(iv) The employer shall maintain or assure that the physician maintains those medical records for at least 40 years, or for the duration of employment plus 20 years, whichever is longer.

(c) Medical removals. (i) The employer shall establish and maintain an accurate record for each employee removed from current exposure to lead pursuant to subsection (11) of this section.

(ii) Each record shall include:

(A) The name and social security number of the employee;

(B) The date on each occasion that the employee was removed from current exposure to lead as well as the corresponding date on which the employee was returned to his or her former job status;

(C) A brief explanation of how each removal was or is being accomplished; and

(D) A statement with respect to each removal indicating whether or not the reason for the removal was an elevated blood lead level.

(iii) The employer shall maintain each medical removal record for at least the duration of an employee's employment.

(d) Availability. (i) The employer shall make available upon request all records required to be maintained by subsection (14) of this section to the director for examination and copying.

(ii) Upon request, the employer shall make environmental monitoring, biological monitoring, and medical removal records available to affected employees, former employees or their authorized employee representatives for inspection and copying.

(iii) Upon request, the employer shall make an employee's medical records required to be maintained by this section available to the affected employee or former employee or to a physician or other individual designated by such affected employee or former employees for examination and copying.

(e) Transfer of records. (i) Whenever the employer ceases to do business, the successor employer shall receive and retain all records required to be maintained by subsection (14) of this section.

(ii) Whenever the employer ceases to do business and there is no successor employer to receive and retain the records required to be maintained by this section for the prescribed period, these records shall be transmitted to the director.

(iii) At the expiration of the retention period for the records required to be maintained by this section, the employer shall notify the director at least three months prior to the disposal of such records and shall transmit those records to the director if requested within the period.

(15) Observation of Monitoring. (a) Employee observation. The employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to lead conducted pursuant to subsection (4) of this section.

(b) **Observation procedures.** (i) Whenever observation of the monitoring of employee exposure to lead requires entry into an area where the use of respirators, protective clothing or equipment is required, the employer shall provide the observer with and assure the use of such respirators, clothing and such equipment, and shall require the observer to comply with all other applicable safety and health procedures.

(ii) Without interfering with the monitoring, observers shall be entitled to:

(A) Receive an explanation of the measurement procedures;

(B) Observe all steps related to the monitoring of lead performed at the place of exposure; and

(C) Record the results obtained or receive copies of the results when returned by the laboratory.

(16) **Effective Date.** This Emergency Rule shall become effective upon filing with the Code Reviser.

(17) **Appendices.** The information contained in the appendices to this section is not intended by itself, to create any additional obligations not otherwise imposed by this standard nor detract from any existing obligation.

(18) **Startup Dates.** All obligations of this standard commence on the effective date except as follows:

(a) The initial determination under subdivision (4)(b) shall be completed as soon as possible but no later than 30 days from the effective date.

(b) Initial monitoring under subdivision (4)(d) shall be completed as soon as possible but no later than 90 days from the effective date.

(c) Initial biological monitoring and medical examinations under subsection (10) shall be completed as soon as possible but no later than 180 days from the effective date. Priority for biological monitoring and medical examinations shall be given to employees whom the employer believes to be at greatest risk from continued exposure.

(d) Initial training and education shall be completed as soon as possible but no later than 180 days from the effective date.

(e) Hygiene and lunchroom facilities under subsection (9) shall be in operation as soon as possible but no later than one year from the effective year.

(f) Respiratory protection required by subsection (6) shall be provided as soon as possible but no later than the following schedule:

(i) Employees whose 8-hour TWA exposure exceeds $200 \mu\text{g}/\text{m}^3$ —on the effective date.

(ii) Employees whose 8-hour TWA exposure exceeds the PEL but is less than $200 \mu\text{g}/\text{m}^3$ —150 days from the effective date.

(iii) Powered, air-purifying respirators provided under (6)(b)(ii) — 210 days from the effective date.

(iv) Quantitative fit testing required under item (6)(c)(ii) — one year from effective date. Qualitative fit testing is required in the interim.

(g) Written compliance plans required by subdivision (5)(c) shall be completed and available for inspection and copying as soon as possible but no later than the following schedule:

(i) Employers for whom compliance with the PEL or interim level is required within one year from the effective date — six months from the effective date.

(ii) Employers in secondary smelting and refining, lead storage battery manufacturing lead pigment manufacturing and nonferrous foundry industries — one year from the effective date.

(iii) Employers in primary smelting and refining industry — one year from the effective date for the interim level; five years from the effective date for PEL.

(iv) Plans for construction of hygiene facilities, if required — six months from the effective date.

(h) The permissible exposure limit in subsection (3) shall become effective 150 days from the effective date.

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 80-07-001
ADOPTED RULES
STATE BOARD
OF EDUCATION**

[Order 10-80—Filed June 5, 1980]

Be it resolved by the State Board of Education, acting at Moses Lake, Washington, that it does promulgate and adopt the annexed rules relating to school building construction, relating to the program for barrier free facilities pursuant to provisions of section 504, Public Law 93-112, Rehabilitation Act of 1973 as amended, procedures for review of project plans and rules for equipment allowance and purchases, chapter 180-30 WAC.

This action is taken pursuant to Notice No. WSR 80-04-099 filed with the code reviser on April 1, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.47-.060 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED May 16, 1980.

By Wm. Ray Broadhead
Secretary

NEW SECTION

WAC 180-30-071 GENERAL REGULATION—CHANGE IN PROJECT SCOPE. A project for which the state board of education has granted approval of preliminary plans shall not be increased in excess of the total floor area eligible for state matching purposes except upon approval by the state board.

AMENDATORY SECTION (Amending Order 7-69, filed 10/31/69)

WAC 180-30-100 BASIC STATE SUPPORT LEVEL-RELATED FACTORS. The amount of state assistance to a school district in providing school plant facilities shall be determined on the basis of component factors, as hereinafter in WAC 180-30-110 through 180-30-135 set forth, relating to (a) the number of un-housed students, (b) space allocations, (c) square foot cost allowance which may fluctuate according to the construction cost index and state resources available, (d) allowance for equipment purchases, (e) the amount of insurance, federal or other nontax source local funds applied to a project and ~~((e))~~ (f) certain specified costs which must be financed entirely by the school district. The limitations specified in the aforementioned factors represent the level of state support within funds available and are not to be interpreted as maximum criteria to meet the educational requirements of all school districts, the determination of such criteria being the prerogative of the respective school districts.

NEW SECTION

WAC 180-30-116 BASIC STATE SUPPORT LEVEL-EQUIPMENT ALLOWANCE. (1) An allowance for furniture and equipment purchases shall be added to the total construction cost of a project determined eligible for state matching funds. The equipment allowance for state matching purposes shall be developed by multiplying the eligible square foot area of a project by the prevailing square foot cost level of state support times two percent for elementary, three percent for middle or junior high, four percent for high schools and five percent for vocational-technical facilities.

(2) The school district shall submit to the superintendent of public instruction certification of equipment purchase in the form and in the manner prescribed within one hundred and eighty days following the final acceptance of the building by the school district board of directors.

(3) Any allotment of funds not required to provide state matching funds for equipment purchases certified for a specific project as set forth above shall revert to the fund from which the allotment was made.

AMENDATORY SECTION (Amending Order 1-80, filed 2/5/80)

WAC 180-30-805 PROGRAM FOR BARRIER FREE FACILITIES-BASIC POLICIES. The state board of education hereby establishes policies, rules, and regulations governing state assistance in alteration or modification of school facilities pursuant to requirements of section 504, Public Law 93-112, rehabilitation act of 1973, as amended, hereinafter referred to in this chapter as section 504.

(1) State participation in financing costs necessary for compliance with minimal requirements for accessibility of facilities by the handicapped as specified by section 504 shall be limited to those projects for which modification of existing facilities has been determined necessary for compliance with section 504 ~~((and for which~~

~~school district local funds have been provided as in WAC 180-30-035 set forth))~~ and the availability of state funds reserved specifically for such purpose.

(2) A school district having authorized work required by section 504 subsequent to June 30, 1979, but prior to adoption of rules and regulations contained herein may, if otherwise qualified, be considered for a state ~~((assistance))~~ grant.

(3) ~~((The state board of education hereby establishes June 30, 1980, as the final date for submittal of applications and supporting data pursuant to WAC 180-30-810. Any school district failing to submit an application by that date shall be deemed ineligible for state assistance consideration for provision of barrier free facilities.~~

(4)) Any school district ((receiving state funding hereunder, or federal or other funding for the purpose herein set forth, shall be ineligible for any further state funding for the purposes of this program)) requesting consideration of state funding must submit its transition plan as required by section 504 to the office of the superintendent of public instruction.

(4) Consideration of an allotment of state funds pursuant to provisions of WAC 180-30-800 through 180-30-845 is not conditional upon compliance with provisions of WAC 180-30-035.

AMENDATORY SECTION (Amending Order 1-80, filed 2/5/80)

WAC 180-30-807 PROGRAM FOR BARRIER FREE FACILITIES-BASIC STATE SUPPORT LEVEL. (1) ~~((The percentage of state assistance to a school district, if otherwise qualified under prevailing statutory provisions and rules and regulations of the state board of education, shall be determined in accordance with the state matching formula as in RCW 28A-47-803 set forth, and as further prescribed in provisions of WAC 180-30-205))~~ In order to be considered eligible for a state grant any modification project must be included in the district's transition plan. The grant amount shall be determined by formula established by the superintendent of public instruction. Should the actual total cost of the approved modification project be less than the state grant, the grant shall be reduced accordingly and/or the district shall refund the difference between the amount of the state grant and the actual total cost of the approved modification project.

(2) ~~((Costs of a modification project considered eligible for state assistance shall be comprised of (a) construction costs for the necessary minimum modification of facilities as set forth in approved plan and specifications; (b) the amounts of sales and/or use taxes levied generally throughout the state of Washington by local governmental agencies and state imposed sales and/or use taxes applicable to the matchable portion of the project cost; and (c) architectural and engineering services applicable to the matchable construction costs of the project.~~

~~((3))~~ All costs in excess of the state ~~((support factors))~~ grant established by the state board of education ~~((for state participation in financing as in WAC 180-~~

~~30-807 set forth~~) shall be paid from school district local funds ~~((in excess of local funds applied for matchable costs of approved project costs)).~~

AMENDATORY SECTION (Amending Order 1-80, filed 2/5/80)

WAC 180-30-810 PROGRAM FOR BARRIER FREE FACILITIES—APPLICATION REQUIREMENTS AND PROCEDURAL REGULATIONS ((GOVERNING STATE ASSISTANCE)). All applications for a state ~~((assistance)) grant~~, allocations of state funds and disbursement of school district and state funds for approved projects ((approved for state assistance)) in providing barrier free facilities pursuant to provisions of section 504 shall meet the requirements and shall be in conformity with the procedures set forth in this chapter. The superintendent of public instruction shall prescribe and furnish forms for the purposes as in ~~((this chapter))~~ WAC 180-30-805 through 180-30-845 set forth.

AMENDATORY SECTION (Amending Order 1-80, filed 2/5/80)

WAC 180-30-825 PROGRAM FOR BARRIER FREE FACILITIES—APPLICATION FOR STATE ASSISTANCE. (1) Upon receipt of notification as in WAC 180-30-820 provided, that the proposed plan appears to qualify for a state ~~((assistance)) grant~~ the district shall cause to be prepared final plans and specifications in accordance with the following regulations, the state bid law, chapter 43.19 RCW, if applicable, and such other requirements as may be prescribed by the state board of education.

(a) ~~((Separate and/or combined bids. Separate and/or combined bids may be received for general construction, mechanical work and electrical work. Separate contracts or a combined contract for the construction of the entire project may be awarded on the basis of whichever is the most advantageous to the school district and to the state in accordance with bids received.))~~ Governmental agency approvals of final plan and specifications. The final plan and specifications for modification of facilities to meet provisions of section 504 relating to handicapped accessibility shall be subject to the approval of the fire and health officials having jurisdiction and the state electrical inspector when applicable with respect to compliance with pertinent rules and regulations established by such agencies.

(b) ~~((Alternate bids or cost breakdown on items to be financed entirely from school district local funds. For the purpose of determining the exact cost thereof, provision must be made for alternate bids, or a cost breakdown by the contract, on all items included in the plan and specifications which are to be financed entirely from school district local funds.))~~ The school district shall submit to the superintendent of public instruction a signed copy of the approvals of final plan and specifications by the agencies set forth above.

Any exceptions indicated by the aforementioned agencies shall be corrected and so noted on the final plan

and specifications or shall be corrected by issuance of addenda to the specifications and/or revised drawings.

Final plan and specifications shall be in full compliance with pertinent public works statutory provisions, chapter 19.27 RCW, and any and all other pertinent statutes relating to construction of public buildings applicable to school building construction.

~~((c) Cash allowance. A cash allowance item shall not be a part of specifications nor included in any contract which involves state matching funds.~~

~~(d) Fire insurance coverage on structure under contract. The general conditions incorporated in the specifications shall provide that the school district and/or the contractor shall effect and maintain fire insurance coverage on the structure under contract equal to one hundred percent of the insurable value thereof including materials in plan or on the premises for use in the construction.~~

~~(e) Bidder's guarantee requirements. Each bidder on a project approved for state assistance must submit with his bid a certified check or a cashier's check equivalent to at least five percent of the amount of the bid, or a bid bond. To facilitate the procuring of a certified check or a cashier's check prior to the determination of the amount of his bid, a contractor may submit a certified check or a cashier's check based on five percent of the architect's estimated cost of the work on which said contractor proposes to submit a bid.~~

~~(f) Governmental agency approvals of final plan and specifications. The final plan and specifications for modification of facilities to meet provisions of section 504 relating to handicapped accessibility shall be subject to the approval of the fire and health officials having jurisdiction and the state electrical inspector when applicable with respect to compliance with pertinent rules and regulations established by such agencies.~~

~~(g) The school district shall receive written approval of final plan and specifications by the agencies set forth above prior to the call for bid. Any exceptions indicated by the aforementioned agencies shall be corrected and so noted on the final plan and specifications or shall be corrected by issuance of addenda to the specifications and/or revised drawings.~~

~~The architect shall certify that the final plan and specifications (construction documents) are in full compliance with pertinent public works statutory provisions, chapter 19.27 RCW, and any and all other pertinent statutes relating to construction of public buildings applicable to school building construction.~~

~~(2) The school district shall submit one copy of its final plan for modification of facilities to the state board of education for review and one copy each of the supporting documents listed below, if applicable:~~

~~(a) Form for certification of construction documents and final cost estimate of project, completed and signed by architect or by authorized representative of the school district.~~

~~(b) Signed copy or photocopy of letters of approval when required by governmental agencies in accordance with provisions of WAC 180-30-640.~~

~~(c) Signed or certified copy of contract between school district and architect.~~

~~(3) The school district shall obtain approval of final plan by the state board of education prior to call for bids on any project to be financed with state assistance.))~~

AMENDATORY SECTION (Amending Order 1-80, filed 2/5/80)

WAC 180-30-830 PROGRAM FOR BARRIER FREE FACILITIES—APPROVAL OF FINAL PLAN. When upon review of final plan, final cost estimates and such other data as may be necessary for determination of eligibility, it is found by the state board that the project is eligible for a state ((assistance)) grant, that the modification plan meets state board requirements and that state funds are available ((for state assistance)), the state board will grant approval of the project((: PROVIDED, That such authorization shall be subject to the following conditions:

(1) Bid specifications. Bid specifications for a modification project approved by the state board of education for state participation in financing shall be in accordance with the approved final plan and specifications for such project on file in the office of the state board and shall be in conformity with provisions of WAC 180-30-825.

(2) Advertisement for bids. An advertisement for bids on any modification project approved by the state board of education for state participation in financing must be published once each week for two consecutive weeks in a journal of general circulation, such as the Daily Journal of Commerce or Northwest Construction News, and a like number of times in a publication circulated throughout the area)).

AMENDATORY SECTION (Amending Order 1-80, filed 2/5/80)

WAC 180-30-845 PROGRAM FOR BARRIER FREE FACILITIES—DISBURSEMENT OF FUNDS FOR MODIFICATION OF FACILITIES FOR HANDICAPPED ACCESSIBILITY. (1) The superintendent of public instruction is hereby authorized and directed to administer the disbursement of state funds allotted by the state board of education to school districts for modification of facilities for handicapped accessibility pursuant to provisions of section 504, Public Law 93-112, as amended, said disbursements to be in compliance with procedural regulations established by the state board, pertinent statutory requirements and such other requirements as the state superintendent may determine to be necessary.

(2) The superintendent of public instruction shall keep a complete and accurate record of each allotment of state ((assistance)) funds made to a school district by the state board of education and of all disbursements, unpaid balances and other matters connected therewith.

(3) Disbursement of funds shall be ((in sequence)) in accordance with applicable requirements as set forth in WAC ((180-30-715 through)) 180-30-740((, with attendant requirements therein)).

REPEALER

The following sections of the Washington Administrative Code are repealed:

(1) WAC 180-30-835 PROGRAM FOR BARRIER FREE FACILITIES—BID DATA AND DOCUMENT REQUIREMENTS FOLLOWING BID OPENING.

(2) WAC 180-30-840 PROGRAM FOR BARRIER FREE FACILITIES—FINAL ALLOTMENT OF STATE FUNDS.

WSR 80-07-002
ADOPTED RULES
BOARD OF HEALTH
 [Order 199—Filed June 5, 1980]

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

Amd ch. 248-72 WAC Camps and parks (title).
 Rep WAC 248-72-100 Milk and cream.

This action is taken pursuant to Notice No. WSR 80-04-090 filed with the code reviser on April 1, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Board of Health as authorized in RCW 43.20.050.

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

APPROVED AND ADOPTED May 14, 1980.

By Robert H. Barnes MD

Chairman

John B. Conway

Ronald L. Jacobus

John A. Beare MD

Secretary

CHAPTER 248-72
CAMPS ((AND PARKS))

REPEALER

The following section of the Washington Administrative Code is hereby repealed:

(1) WAC 248-72-100 MILK AND CREAM

WSR 80-07-003
EMERGENCY RULES
DEPARTMENT OF
NATURAL RESOURCES
(Board of Natural Resources)
 [Resolution 294—Filed June 6, 1980]

Be it resolved by the Board of Natural Resources, Department of Natural Resources, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to establishing a temporary rental of one dollar and twenty-five cents per acre per year and a royalty of five dollars per acre or fraction thereof per year and procedures under oil and gas leases issued by the Department of Natural Resources, amending WAC 332-12-010(2), 332-12-020(2) and 332-12-060(1), (2), (5) and (6) and adding (7).

We, the Board of Natural Resources, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that 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 unit price provisions of RCW 79.14.030 were amended by virtue of section 1, chapter 151, Laws of 1980, effective June 12, 1980. WAC's 332-12-010(2), 332-12-020(2) and 332-12-060(1), (2), (5) and (6) and adding (7), must be amended by the Board of Natural Resources to conform with the new statutory provisions. There is insufficient time to promulgate permanent rules by June 12, 1980. Unless emergency rules are adopted, there will be no WAC provisions reflecting the new statutory requirements and the Department of Natural Resources will be in violation of the law.

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

This rule is promulgated pursuant to section 1, chapter 151, Laws of 1980, which directs that the Board of Natural Resources has authority to implement the provisions of section 1, chapter 151, Laws of 1980.

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

APPROVED AND ADOPTED June 3, 1980.

By Bert L. Cole
 Secretary, Board of Natural Resources

BOARD OF NATURAL RESOURCES

AMENDATORY SECTION (Amending Rule (I)(1), filed 8/7/62; Rule (I)(2), filed 3/23/60)

WAC 332-12-010 APPLICATION FOR LEASE.
 (1) *Qualification of applicants.* Any citizen of the United States, or person who has, in good faith, declared his intention of becoming a citizen of the United States, or any corporation, organized and existing under and by virtue of the laws of any state or territory of the United

states, may apply for an hold an oil and gas lease on public and other lands of the state of Washington.

(2) *Form and manner of application.* All such applications shall be filed in the office of the commissioner of public lands at Olympia, Washington, and shall be on forms provided by the commissioner. ~~((and accompanied by first year advance rental of \$0.50 per acre per year and a lease fee of \$5.00.))~~

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 Rule (I)(3), filed 3/23/60)

WAC 332-12-020 APPROVAL OR REJECTION OF APPLICATIONS. (1) Upon receipt of an application duly filed, the commissioner of public lands shall, as soon as the normal course of business allows, examine the application and lands concerned and either approve or reject said application.

(2) In event of rejection the commissioner shall promptly notify the applicant, giving reason for rejection. ~~((and return the rental money paid. The filing fee will not be returned. Should an application be rejected in part, only that rental money paid for the rejected portion will be returned.))~~ Upon approval of application, the commissioner shall offer the lands for lease under a competitive bidding sale unless otherwise prescribed by law.

AMENDATORY SECTION (Amending Rule (II), filed 3/23/60)

WAC 332-12-060 OFFER OF OIL AND GAS LEASES BY COMPETITIVE BIDDING. (1) Offer of oil and gas leases by competitive bidding. Unless otherwise prescribed by law, oil and gas leases will be issued after competitive offers by sealed bid or public auction. Lands to be offered by sealed bid or public auction shall be advertised not less than 30 days nor more than 180 days after date of ~~((filing))~~ approval of application by any qualified person or corporation for lease of such lands. Notice of the offer of such lands for lease shall be given by publication in a newspaper of general circulation in Olympia, Washington, and in such other publications as the commissioner may authorize. Such notice shall specify the place, date, and hour of the offer and contain a description of the lands to be offered for lease, with a statement of the minimum bid which will be accepted. This notice shall also be posted on the bulletin board in the lobby of the office of the commissioner of public lands for 30 days prior to the offer.

(2) Sealed bid offer. In the event two or more sealed bids tie for the highest bid on an individual tract the commissioner shall reject all bids for the tract of land involved and reoffer said tract for competitive bidding within ~~((thirty))~~ not less than 30 nor more than 45 days.

(3) Oral auction offer. The commissioner will accept and hold sealed bids, said sealed bids to be opened at time of auction and to be considered as a single oral auction bid. No sealed bids will be accepted after ten o'clock a.m. on day of auction.

(4) Award of leases. Subject to the commissioner's powers to withhold any tract or tracts from leasing and to reject any or all bids, oil and gas leases offered shall be awarded to the qualified person who offers the greatest cash bonus; however, in event a cash bonus is not offered a lease may be awarded to the applicant for the minimum acceptable bid or withdrawn until further notice subject to approval by the commissioner.

(5) Competitive bid terms. ((The successful bidder)) Bidders must submit with ((this bid)) their bids the following: Certified check, money order or cash for at least one-fifth of the cash bonus bid by him. ((Following the auction;)) Unless all bids are rejected, the commissioner will, following the auction, send to the successful bidder three copies of the lease. The bidder will be required within 30 days after receipt thereof to execute the lease, pay the balance of his bonus bid, and the first year's rental((-)) of \$1.25 per acre. Upon failure of the successful bidder to fulfill the above requirements, the ((deposit)) money tendered will be forfeited and the application rejected. Further consideration of the land involved will require a new application.

(6) Rejection of bids and reoffer of lease. If any bid is rejected by the commissioner, the ((deposit)) money tendered will be returned. Lands for which no award has been made may be reaucted not less than 30 days after notice of reauction has been published.

(7) Rental rate and minimum royalty rate. The rental rate for all oil and gas leases issued by the department shall be one dollar and twenty-five cents per acre and the minimum royalty rate shall be five dollars per acre or fraction thereof.

WSR 80-07-004
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-43—Filed June 6, 1980]

I, Gordon Sandison, director of State Department of Fisheries, do promulgate and adopt at Olympia, Washington, the annexed rules relating to personal use 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 adopts rules consistent with section 2, chapter 55, Laws of 1980.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 6, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-56-31000A OYSTERS AND CLAMS ON PRIVATE TIDELANDS — PERSONAL USE

(1) Notwithstanding the provisions of Chapter 220-56 WAC, WAC 220-56-310, WAC 220-56-340 through 355, and WAC 220-56-375 through 385 shall not apply to private tideland owners or lessees of state tidelands taking or possessing oysters, clams (except razor clams), cockles, borers and mussels for personal use from their own tidelands or leased state tidelands.

(2) It shall be unlawful for private tideland owners or lessees of state tidelands to transport or possess oysters, clams (except razor clams), cockles, borers or mussels away from their owned or leased tidelands in excess of personal use limits as provided in WAC 220-56-310.

WSR 80-07-005
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order DE 79-32—Filed June 6, 1980]

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at Lacey City Hall, Council Chambers, Lacey, Washington, the annexed rules relating to Instream Resources Protection Program—Green—Duwamish River Basin, Water Resource Inventory Area (WRIA) 9, adopting chapter 173-509 WAC.

This action is taken pursuant to Notice No. WSR 79-12-110 and 80-05-076 filed with the code reviser on 12/5/79 and 4/30/80. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.22.020, 90.54.020 and 90.54.040 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 5, 1980.

By Elmer C. Vogel
Deputy Director

Chapter 173-509 WAC
INSTREAM RESOURCES PROTECTION
PROGRAM—GREEN—DUWAMISH RIVER
BASIN, WATER RESOURCE INVENTORY AREA
(WRIA) 9

NEW SECTION

WAC 173-509-010 PURPOSE. The purpose of this chapter is to retain perennial rivers, streams, and lakes in the Green-Duwamish drainage basin with instream flows and levels necessary for preservation and protection of wildlife, fish, scenic, aesthetic and other environmental values, recreational and navigational values, and to preserve water quality. Nothing in this chapter shall preclude the future issuance of regulations and/or signing of intergovernmental agreements which attempt to optimize the total public use of the basin water resources, providing they are consistent with the intent of this chapter. The instream flow rules presented here are for preservation of the existing resources so that when future planning or development occurs on this river these resources will be available.

NEW SECTION

WAC 173-509-015 BACKGROUND. The Green-Duwamish river basin has been modified significantly since settlement of the area. Urbanization in the lower basin has influenced water quality and diversions for municipal and industrial water supply have altered the stream flow of the Green-Duwamish river. Ground water has been developed for consumptive use within the basin. The White River originally had a confluence with the Green River near Auburn but since 1906 it has been diverted into the Puyallup River. A dam on the Black River near Tukwila prevents water from the Green River from flowing into Lake Washington during periods of high flow. In 1913 the City of Tacoma commenced diversions for municipal and industrial uses. Since 1962 the Green-Duwamish river has been influenced by the operation of the Howard A. Hanson Dam, a Corps of Engineers flood control project with authorization to provide instream flow maintenance of at least 110 cfs for fisheries conservation purposes. The operation has also considered drinking water quality requirements of the City of Tacoma.

The Green-Duwamish river basin is a natural rearing and spawning area primarily for steelhead trout and chinook, coho and chum salmon. Fish hatcheries are located on tributary streams and these contribute to total numbers of fish produced by the river system. The river itself and the shoreline also offer easily accessible recreational opportunities.

NEW SECTION

WAC 173-509-020 GENERAL PROVISION. These rules apply to all waters within the Green-Duwamish River Basin, WRIA 9 (see WAC 173-500-040). This chapter is promulgated pursuant to chapter 90.54 RCW (Water Resources Act of 1971), chapter 90.22 RCW (Minimum Water Flows and Levels), and in accordance with chapter 173-500 WAC (Water Resources Management Program). The provisions of this chapter apply, as a matter of State law, to future water right authorizations issued pursuant to the State's water rights codes.

NEW SECTION

WAC 173-509-030 ESTABLISHMENT OF INSTREAM FLOWS. (1) Instream flows are established for stream management units with monitoring to take place at certain control stations as follows:

STREAM MANAGEMENT UNIT INFORMATION

Control Station No. Stream Management Unit Name	Control Station by River Mile and Section, Township and Range	Affected Stream Reach Including Tributaries
12.1130.00 Green River near Auburn, WA	32.0 17-21-5	From influence of mean annual high tide at low instream flow levels (approximately River Mile 11.0) to USGS Gage #12.1067.000
12.1067.00 Gage Green River near Palmer, WA	60.4 13-21-7	From USGS #12.1067.000 to headwaters.

The Palmer gage will be used to condition future water rights upstream from that gage. The Auburn gage will be used to condition future water right appropriations downstream from the Palmer gage. If it becomes necessary to change a control station location to improve measurement accuracy or management capability, the department shall do so under provisions in WAC 173-500-060(6).

(2) Instream flows established for the stream management units in WAC 173-509-030(1) are as follows:

INSTREAM FLOWS FOR FUTURE WATER RIGHTS IN THE GREEN-DUWAMISH RIVER BASIN (in Cubic Feet per Second)

Month	Day	12.1130.00 Normal Year Green River Near Auburn	12.1067.00 Normal Year Green River Near Palmer	12.1067.00 Critical Year Green River Near Palmer
Jan.	1	650	300	300
	15	650	300	300
Feb.	1	650	300	300
	15	650	300	300
Mar.	1	650	300	300
	15	650	300	300
Apr.	1	650	300	300
	15	650	300	300
May	1	650	300	300
	15	650	300	300
June	1	650	300	300
	15	650	300	210
July	1	550	300	150
	15	300	150	150
Aug.	1	300	150	150
	15	300	150	150
Sept.	1	300	150	150
	15	300	150	150
Oct.	1	300	190	150
	15	350	240	150
Nov.	1	550	300	190
	15	550	300	240
Dec.	1	650	300	300
	15	650	300	300

(a) Future water right holders subject to regulation by the Palmer gage will not be allowed to continue diversions when flows fall below the normal year instream flows at the Palmer gage unless a critical condition is declared by the director. The director, or his designee,

may authorize, in consultation with the State Departments of Fisheries and Game, a reduction in instream flows during a critical condition period. At no time will diversions subject to regulation by the Palmer gage be continued when flows fall below the critical year instream flows at Palmer. At no time will diversions subject to regulation by the Auburn gage be continued when flows fall below the normal year instream flows at Auburn. When a declaration of overriding considerations of public interest is made by the Director, these requirements may be modified or waived. A declaration of overriding consideration because of drought conditions shall not be made when natural flows equal or exceed the one-in-fifty year low flow condition. The director shall consult with the directors of the state departments of game and fisheries before making a declaration of overriding consideration. Any declaration of critical conditions or overriding considerations of public interest made by the director shall be communicated to all basin resource agencies, water purveyors, and local general purpose governments, and include the reason for such declaration and its expected duration.

(b) The director will consider declaring a critical period when:

(1) In the spring the basin runoff volume forecast of May 1 is not adequate to meet the sum of any rights which the city of Tacoma may have established through historical usage prior to the adoption of this regulation plus the normal year instream flows plus the volume required to replenish the conservation storage.

(2) In the summer and fall the sum of the reservoir inflows extrapolated from current observations plus the volume of water in storage at Howard A. Hanson Dam is not adequate to meet the sum of any rights which the city of Tacoma may have established through historical usage prior to the adoption of this regulation plus the

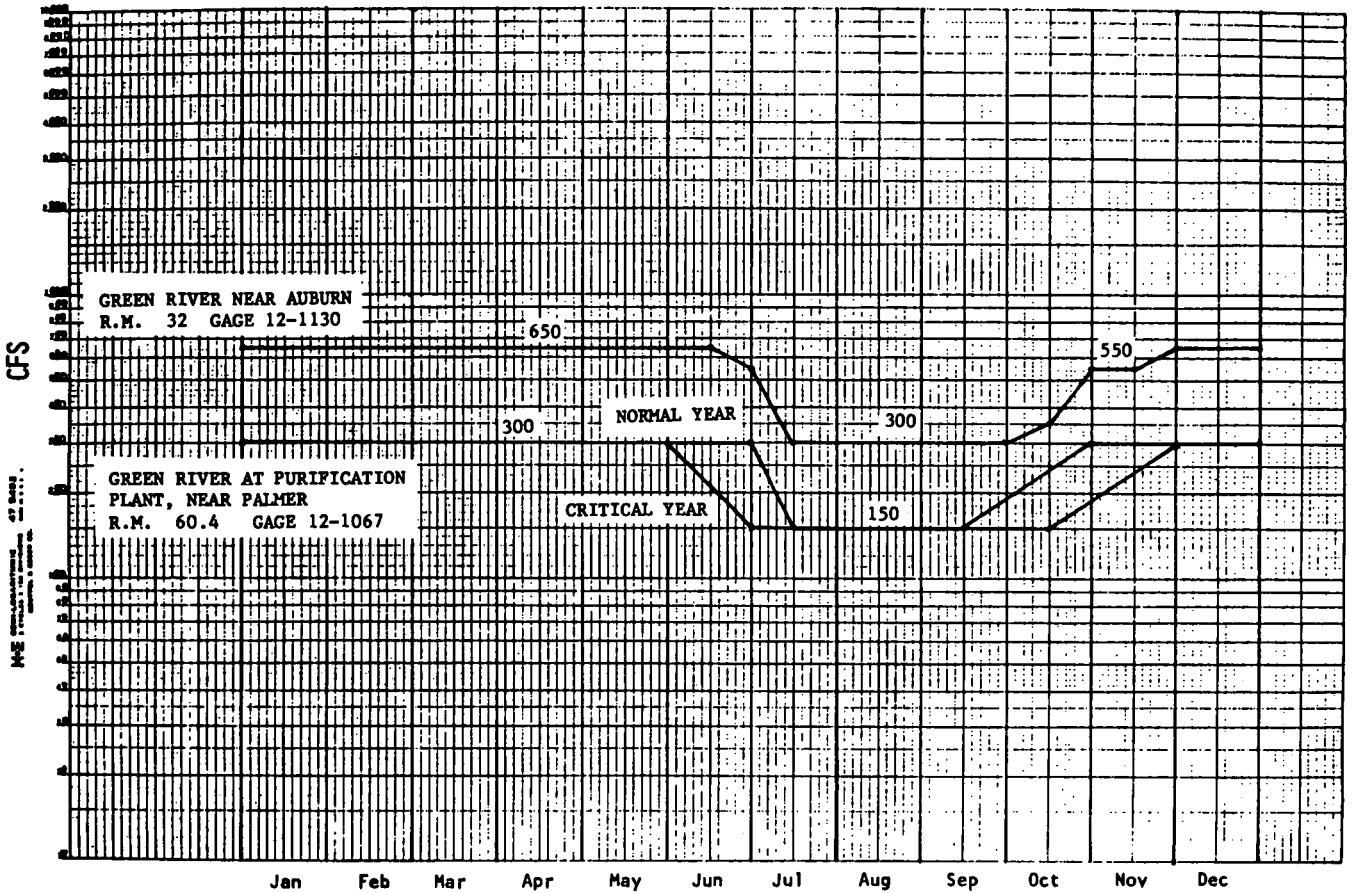
normal year instream flows. Within five days the director will inform the major affected water right holders of the extent of the allowed deviation from the normal year instream flows. Once a deviation from normal year instream flows is allowed, the water resources shall be evaluated at least every 7 days to see if additional deviation is warranted. Before allowing deviation from the normal year instream flows, water conservation practices and use of other sources shall be considered.

(c) In addition to other necessary provisions, any diversion of the natural flow, including diversion to storage under future water rights shall cease (or be regulated to the extent necessary) when the flow at the applicable control station falls below (or is less than) the instream flows established by this regulation and made a condition of said future water right. Said future water rights are subject to the rights and authority of the Corps of Engineers to utilize for storage and conservation flows, the natural inflow to the Howard A. Hanson reservoir and to all other prior water right holders' authorized use of natural flows, including any rights that the City of Tacoma may have established through historical usage. The use of stored waters is not to be impaired, limited, or diminished by this regulation.

The department recognizes that from time to time the Corps of Engineers may establish a minimum reservoir level which is necessary to provide conservation flows with a high measure of assurance. When the reservoir falls below this level it may be necessary for the Corps of Engineers to replenish conservation storage. When this occurs, water rights subject to the provisions of this chapter may be temporarily regulated or diminished and the actual stream discharge diminished.

(3) Instream flows, as represented in Figure 1, shall be used for definition of instream flows on those days not specifically identified in WAC 173-509-030(2).

FIGURE 1 - PROPOSED INSTREAM FLOWS FOR FUTURE WATER RIGHTS IN THE GREEN-DUWAMISH RIVER BASIN



(4) All consumptive water rights hereafter established shall be expressly subject to the instream flows established in WAC 173-509-030(1) through (3). However, nothing in this section shall prohibit the release or diversion of stored water or the use of any water course as a means for its conveyance in accordance with RCW 90.03.030.

NEW SECTION

WAC 173-509-040 SURFACE WATER SOURCE LIMITATIONS TO FURTHER CONSUMPTIVE APPROPRIATIONS. (1) The department, having determined there are no waters available for further appropriation through the establishment of rights to use water consumptively, closes the following streams to further consumptive appropriation for the periods indicated. These closures confirm surface water source limitations previously established administratively under authority of chapter 90.03 RCW and RCW 75.20.050.

SURFACE WATER CLOSURES

Stream	Date of Administrative Closure	Period of Administrative Closure
All tributaries of Green River SE1/4SE1/4 sec. 14, T.32 N., R.4E.	8/19/53	All Year
Deep Creek (including Hyde Lk.), tributary to Deep Lake NW1/4SE1/4 sec. 18, T.21N., R.7E.	4/17/53	All Year
Unnamed stream (Des Moines Creek, Tributary to Puget Sound) SW1/4SW1/4 sec. 8, T.22N., R.4E.	8/22/52	All Year
Unnamed stream (Garrison Creek), Tributary to Black River (indirect) NW1/4NW1/4NW1/4 sec. 6, T.22N., R.5E.	10/18/51	All Year
Unnamed stream (Miller Creek) (Maybrook Creek), Tributary to Puget Sound NE1/4NE1/4 sec. 36, T.23N., R.3E.	1/7/46	All Year
Unnamed stream (Springbrook Creek), Tributary to Black River NE1/4SE1/4SW1/4 sec. 13, T.23N., R.4E.	11/14/45	All Year

(2) The department, having determined that maximum lake levels have been established by court decree for certain lakes in WRIA 9, adopts the following lake levels. These maximum lake levels confirm lake levels previously established by order of the Superior Court for King County.

MAXIMUM LAKE LEVELS

Lakes	Lake Level Established	Date of Order
Angle Lake	349.27 ft. at MSL	4/21/75
Star Lake	324.46 ft. at MSL	9/20/50
Lake Sawyer (Tributary to Covington Creek)	518.94 ft. at MSL	8/5/52

NEW SECTION

WAC 173-509-050 GROUND WATER. Future groundwater withdrawal permits will not be affected by this chapter unless such withdrawal would clearly have an adverse impact upon the surface water system contrary to the intent and objectives of this chapter.

NEW SECTION

WAC 173-509-060 FUTURE RIGHTS. No right to divert or store public waters of the Green-Duwamish river basin, WRIA 9, shall be granted which shall conflict with the purposes of this chapter: provided however, withdrawals of water which would conflict with said purposes may be authorized in those situations where it is clear that overriding considerations of the public interest will be served.

NEW SECTION

WAC 173-509-070 EXEMPTIONS. (1) Nothing in this chapter shall affect water rights, riparian, appropriative, or otherwise, existing on the effective date of this chapter, nor shall it affect existing rights relating to the operation of any navigation, hydroelectric or water storage reservoir or related facilities, including but not limited to: (a) Howard Hanson Dam storage and operation as authorized in the Flood Control Act of May 17, 1950; (b) any existing right the City of Tacoma may have.

(2) Domestic inhouse use for a single residence and stock watering, except that related to feed lots, shall be exempt from the provisions of this chapter.

(3) Storage projects may be approved if they are not in conflict with the purposes of this chapter.

NEW SECTION

WAC 173-509-080 ENFORCEMENT. In the enforcement of this chapter, the department of ecology may impose such sanctions as appropriate under authorities vested in it, including but not limited to the issuance of regulatory orders under RCW 43.27A.190 and civil penalties under RCW 43.83B.335.

NEW SECTION

WAC 173-509-090 REGULATION REVIEW. The rules in this chapter shall be reviewed by the department of ecology at least once in every five-year period. The director shall initiate a review of the rules by appointing a committee of major affected water right holders, basin resource management interests, and governmental agencies.

NEW SECTION

WAC 173-509-100 IMPLEMENTATION. In the event the COE is authorized to change the operation of Howard Hanson Dam in order to meet the stream flows established in this chapter and so advises the director, these regulations shall be reviewed by the department within 180 days of the COE authorization to determine, what, if any, amendments are required to maintain the integrity and purpose of this chapter.

**WSR 80-07-006
PROPOSED RULES
DEPARTMENT OF ECOLOGY
[Filed June 6, 1980]**

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Department of Ecology intends to adopt, amend, or repeal rules concerning Hoquiam, city of, amending WAC 173-19-2204;

and that the adoption, amendment, or repeal of such rules will take place at 9:45 a.m., Thursday, June 26, 1980, in Room 273, Department of Ecology Headquarters Offices, St. Martin's College Campus, Lacey, Washington.

The authority under which these rules are proposed is RCW 90.58.120 and 90.58.200.

This notice is connected to and continues the matter noticed in Notice Nos. WSR 80-04-140 and 80-06-049 filed with the code reviser's office on 4/2/80 and 5/14/80.

Dated: June 5, 1980
By: Elmer C. Vogel
Deputy Director

**WSR 80-07-007
ADOPTED RULES
DEPARTMENT OF ECOLOGY
[Order DE 80-26—Filed June 6, 1980]**

I, Elmer C. Vogel, deputy director of the Department of Ecology, do promulgate and adopt at Lacey City Hall Council Chambers, Lacey, Washington, the annexed rules relating to Grays Harbor County, amending WAC 173-19-220.

This action is taken pursuant to Notice Nos. WSR 80-04-140 and 80-06-049 filed with the code reviser on 4/2/80 and 5/14/80. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 90.58.120 and 90.58.200 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 5, 1980.

By Elmer C. Vogel
Deputy Director

AMENDATORY SECTION (Amending Order DE 79-34, filed 1/30/80)

WAC 173-19-220 GRAYS HARBOR COUNTY. Grays Harbor County master program approved August 6, 1975. Revision approved December 2, 1977. Revision approved July 17, 1978. Revision approved March 27, 1980.

WSR 80-07-008
EMERGENCY RULES
DEPARTMENT OF
EMERGENCY SERVICES
[Order 80-02—Filed June 7, 1980]

I, Edward Chow, Jr., director of the Department of Emergency Services, do promulgate and adopt at 4220 East Martin Way, Olympia, WA, the annexed rules relating to Mt. St. Helens closure, rules for permitted entry and/or occupation, amending chapter 118-03 WAC.

I, Edward Chow, Jr., 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 on June 2, 1980, the Governor issued EO 80-09 closing an area of approximately twenty miles in radius from the center of Mt. St. Helens to entry or occupation by all persons with certain exceptions. On June 4, 1980, emergency WAC's were filed. These amendatory sections to chapter 118-03 WAC are necessary to expedite the permit process for individuals and government entities under WAC 118-03-090 (f) and 118-03-120 to allow their employee(s), agent(s), and contractor(s) to enter and/or occupy the Red Zone.

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

This rule is promulgated pursuant to chapters 43.06 and 38.52 RCW and is intended to administratively implement that statute.

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

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

APPROVED AND ADOPTED June 7, 1980.

By James M. Thomas
for Edward Chow, Jr.
Director

Chapter 118-03 WAC

**MT. ST. HELENS CLOSURE — RULES FOR
PERMITTED ENTRY AND/OR OCCUPATION**

AMENDATORY SECTION (Amending Order 80-01, filed 6/4/80)

WAC 118-03-040

APPLICATION/PROCESSING PROCEDURE — NON-PERMANENT RESIDENTS. (1) ~~((Persons))~~ Individuals desiring access should contact one of the designated DOL Driver's License Examiners at the locations listed above during regular business hours, Tuesday through Saturday, 8:30 a.m. to 5:00 p.m., and complete an application form for a permit stating the nature and need for this access and sign the waiver contained on the application form. Federal, state and local governmental personnel on official business will only be required to complete and submit a permit application form. Upon completion and submission of this application to DOL, the approval or disapproval of the ((applicant)) application will be made no later than five (5) regular working days of DOL. After approval of the application a permit will be made available immediately.

~~((2) DOL will screen applicants according to the criteria published herein and will issue permits to those that have legitimate needs to enter and/or occupy the RED zone. the DLE will determine all pertinent data such as time of entry, duration of need, and mode of travel, and will inform the applicant of entry requirements as stated herein.))~~

(2) Individuals who are employers or government entities applying for a permit under WAC 118-03-090 and 118-03-120 may complete and submit an industrial application form to be issued an industrial permit which would allow the entry and/or occupation within the RED zone by its authorized employees, contractors or agents for business reasons.

~~((3) DOL will provide the Director, DES, the Director, USFS Emergency Coordination Center and the Sheriffs of Clark, Cowlitz, Lewis, and Skamania Counties with a list on a daily basis of permits issued.))~~

(3) DOL will screen applicants according to the criteria published herein and will issue permits to those that have legitimate needs to enter and/or occupy the RED zone. The DLE will determine all pertinent data such as time of entry, duration of need, and mode of travel, and will inform the applicant of entry requirements as stated herein.

(4) DOL will provide the Director, DES, the Director, USFS Emergency Coordination Center, and the sheriffs of Clark, Cowlitz, Lewis, and Skamania Counties with a list on a daily basis of permits issued.

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 80-01, filed 6/4/80)

WAC 118-03-120 PRIVATE BUSINESS. (1) Permits for entry to the RED zone granted to those who have legitimate business reasons shall be based on the following considerations:

- (a) That such entry is necessary to provide for health, safety, and welfare of citizens in the disaster area; or
- (b) That such entry is necessary to assess damages to property caused by the volcanic eruption or for the purpose of protecting against further loss if possible; or
- (c) That such entry is necessary to provide required service to disaster victims or those residing in the RED zone; or
- (d) That such entry is necessary to livelihood; and
- (e) That such entry will not burden official search and rescue missions or other emergency operations scheduled or currently underway; and

(f) That such entry can be limited in duration and by type of transportation to assure, to the extent possible, the safety of those granted entry permits; and

(g) That such entry be limited to the extent possible to specified destination and route within the RED zone.

(2) The duration of an industrial permit issued under 118-03-040 shall be for no more than thirty (30) days from the date of issuance. This permit may be renewable as long as the permittee is under WAC 118-03-090 (f) and 118-030-120.

NEW SECTION

WAC 118-03-190 Appendix D - Industrial Form - Mt. St. Helens Red Zone Entry Permit Application

APPENDIX D

MT. ST. HELENS RED ZONE ENTRY PERMIT APPLICATION
(Industrial-Form)

Permit Validation No. _____ Date _____

- PLEASE PRINT -

ENTITY: _____

BUSINESS ADDRESS (main office): _____

DESTINATION: _____

VIA: _____

PURPOSE: _____

EFFECTIVE PERIOD: DATE _____ TO _____

EFFECTIVE TIME: _____ TO _____

APPROVED DENIED Enter reasons on reverse side.

Travel on roads or routes and purposes of entry beyond the scope of this permit will be in violation of RCW 38.52.050(3)(a), 38.52.150(2), 43.06.010 and 43.06.220(2),(8) and (9).

Every person convicted under RCW 38.52.050(3)(a), 38.52.150(2) will be subject to a fine not exceeding \$500 or imprisonment in the county jail for not more than ninety days or both fine and imprisonment.

Every person convicted under RCW 43.06.010 and 43.06.220(2),(8) and (9) will be subject to a fine not exceeding \$1,000 or imprisonment in the county jail for not more than one year or both fine and imprisonment.

Issuing Personnel _____ Date _____

Escorting Officer (if applicable) _____

I will contact the county sheriff or appropriate law enforcement agency prior to each entry to determine if the permit is valid (if required).

I understand the permit may be revoked or suspended when volcanic activity, weather conditions preclude visibility of the entire mountain, or other events increase the danger already present in the RED zone.

INDEMNIFICATION CLAUSE*

_____ agrees to defend and indemnify the United States, the State of Washington, all political subdivisions thereof, and their officers, agents, and employees against all claims and liabilities asserted against them by reason of any damages, injuries, or losses suffered by any person while in the RED zone or as a result of entering or occupying that zone, under the authority of this permit.

Authorized Agent's Signature _____ Title _____ Date _____

Address _____ Zip _____ Telephone _____

WAIVER OF RIGHTS*

_____ hereby understands and agrees to the terms of permit

Permittee's Name _____ number _____ and does further understand that it is entering a high hazard area with full knowledge that it does so at its own risk releasing and discharging the federal government, the State of Washington and all its political subdivisions, their officers, agents and employees from all liability for any damages or losses incurred while within the RED zone.

Authorized Agent's Signature _____ Date _____

Address _____ Zip _____ Telephone _____

GOVERNMENTAL ENTITY(S)

Authorized Agent's Signature _____ Address _____ Date _____

*Not applicable to Governmental Entity(s)

NEW SECTION

WAC 118-03-210 APPENDIX E - INDUSTRIAL FORM - MT. ST. HELENS RED ZONE ENTRY PERMIT, STATE OF WASHINGTON, DEPARTMENT OF EMERGENCY SERVICES

APPENDIX E

MT. ST. HELENS RED ZONE ENTRY PERMIT

STATE OF WASHINGTON

READ REVERSE SIDE

DEPARTMENT OF EMERGENCY SERVICES

(Industrial-Form)

NAME OF BUSINESS:
OFFICE ADDRESS:
TYPE OF BUSINESS:
DESTINATION:
VIA:
PURPOSE:
EFFECTIVE PERIOD: DATE:TO
EFFECTIVE TIME:TO

REVERSE SIDE

This permit may be revoked or suspended when volcanic activity, weather conditions preclude visibility of the entire mountain or other events increase the danger already present in the RED zone.

Monitor the radio systems continuously, and remain within 15 minutes walking distance of the vehicle while in the RED zone.

Contact the county sheriff or appropriate law enforcement agency prior to each entry to determine if the permit is valid (if required by DES).

Entry into the RED zone will be granted only through roadblocks where a law enforcement person is on duty (if required by DES).

NEW SECTION

WAC 118-03-075 CONDITIONS FOR ENTRY - EMPLOYEES, CONTRACTORS AND AGENTS OF INDIVIDUAL(S) OR GOVERNMENTAL ENTITY(S) ISSUED INDUSTRIAL PERMITS. (1) Individual(s) or governmental entity(s) issued a permit under WACs 118-03-040, 118-03-090 (f) and 118-03-120 shall:

- (a) *Have a method to identify the location(s) of each authorized employee, agent and contractor who is within the RED zone for the permittee's business;*
- (b) *Inform each authorized employee, agent and contractor of predesignated escape routes;*
- (c) *Monitor the local sheriff's department of other governmental agency radio frequency which is established for transmitting emergency messages related to Mt. St. Helens;*
- (d) *Maintain a daily check-in and check-out procedure for all authorized employee(s), agent(s) and contractor(s) who are within the RED zone under the permittee's business;*

(e) *Issue an identification card, tag or other form of identification approved by the Director of DES or his designee to each authorized employee, agent and contractor who is within the RED zone for the permittee's business;*

(f) *Provide the foreman of each work crew, or one member of each group working together, with a two-way radio and require them to make regular contact with a central dispatcher;*

(g) *Inform each employee, agent and contractor authorized to enter the RED zone for permittee's business to stay within fifteen (15) minutes walking distance from their vehicles, and*

(H) *Make every reasonable effort to insure compliance from their authorized employee(s), agent(s) and contractor(s) according to WACs 118-03-070, 118-08-075 and all other applicable safety regulations and procedures.*

(2) *Individual(s) other than government entity(s) shall indemnify the United States, the State of Washington, all political subdivisions thereof and their officer(s), agent(s) and employee(s), against all claims and liabilities which may be asserted against them for any damages, injuries or losses suffered by any person while within the RED zone or as a result of entering or occupying that zone, under the authority of the industrial permit.*

**WSR 80-07-009
PROPOSED RULES
YAKIMA VALLEY
COMMUNITY COLLEGE
[Filed June 9, 1980]**

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.50.130, that the Yakima Valley Community College, District 16, intends to adopt, amend, or repeal rules concerning board of trustees bylaws, chapter 132P-104 WAC;

that such institution will at 4:00 p.m., Wednesday, August 6, 1980, in the Board Room, Yakima Valley College, 16th and Nob Hill Blvd., Yakima, Washington 98907, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Wednesday, August 6, 1980, in the Board Room, Yakima Valley College, 16th and Nob Hill Blvd., Yakima, Washington 98907.

The authority under which these rules are proposed is RCW 28B.50.130.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to August 6, 1980, and/or orally at 4:00 p.m., Wednesday, August 6, 1980, Board Room, Yakima Valley College, 16th and Nob Hill Blvd., Yakima, Washington 98907.

Dated: June 9, 1980
By: Thomas L. Anderson
Assistant Attorney General

REPEALER

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

- (1) WAC 132P-104-010 OFFICES
- (2) WAC 132P-104-011 MEETINGS
- (3) WAC 132P-104-012 EXECUTIVE SESSIONS
- (4) WAC 132P-104-020 ORDER OF AGENDA
- (5) WAC 132P-104-030 RECORDS OF BOARD ACTION
- (6) WAC 132p=104-031 PARLIAMENTARY PROCEDURE
- (7) WAC 132P-104-032 ADOPTION OR REVISION OF POLICIES
- (8) WAC 132P-104-040 OFFICERS OF THE BOARD
- (9) WAC 132P-104-045 COMMITTEES
- (10) WAC 132P-104-050 FISCAL YEAR
- (11) WAC 132P-104-060 OFFICIAL SEAL
- (12) WAC 132P-104-070 CHANGES TO BYLAWS

WSR 80-07-010
ADOPTED RULES
DEPARTMENT OF LICENSING
(Examining Board of Psychology)
 [Order PL 346—Filed June 9, 1980]

Be it resolved by the Washington State Examining Board of Psychology, acting at Seattle, Washington, that it does promulgate and adopt the annexed rules relating to written examination of psychologists, amending WAC 308-122-220 and 308-122-410.

This action is taken pursuant to Notice No. WSR 80-04-068 filed with the code reviser on March 26, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 18.83.050 and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 6, 1980.

By Yvonne Braeme
 Executive Secretary

AMENDATORY SECTION (Amending PL #309, filed 7/9/79)

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, 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 cutoff score which the Washington state board of examiners uses is ~~((the current national mean, as achieved by doctorates taking the examination for the first time))~~ 75% of the raw score.

AMENDATORY SECTION (Amending Order PL #309, filed 7/9/79)

WAC 308-122-410 PSYCHOLOGISTS—WRITTEN EXAMINATION. The applicant must satisfactorily pass the written examination developed by the professional testing service of the ~~((a))~~ American ~~((a))~~ Association of ~~((s))~~ State ~~((p))~~ Psychology ~~((b))~~ Boards. The cutting score for the written examination shall be ~~((the current national mean, as achieved by doctorates taking the examination for the first time))~~ 75% of the raw score. 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.

WSR 80-07-011
EMERGENCY RULES
DEPARTMENT OF
EMERGENCY SERVICES
 [Order 80-03—Filed June 10, 1980]

I, Edward Chow, Jr., director of the Department of Emergency Services, do promulgate and adopt at 4220 East Martin Way, Olympia, WA, the annexed rules relating to the Governor's Executive Order 80-09, Mt. St. Helens closure—Rules for permitted entry and/or occupation, chapter 118-03 WAC.

I, Edward Chow, Jr., 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 amendatory sections to implement the Governor's Executive Order 80-09, which closes Mt. St. Helens area but allows specific exemptions.

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

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

This rule is promulgated pursuant to chapters 38.52 and 43.06 RCW and is intended to administratively implement that statute.

APPROVED AND ADOPTED June 9, 1980.

By James M. Thomas for Edward Chow, Jr. Director

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

AMENDATORY SECTION (AMENDING ORDER 80-01, FILED 6/4/80)

WAC 118-03-170 Appendix A - Form - Mt. St. Helens Red Zone Entry Permit Application

APPENDIX A MT. ST. HELENS RED ZONE ENTRY PERMIT APPLICATION

Permit Validation No. _____ Date _____

-Please Print-

NAME: Last First Middle Initial

ADDRESS: _____

AFFILIATION: _____

SEX: Male Female DATE OF BIRTH EYES: WEIGHT: HEIGHT:

DESTINATION: _____

VIA: (VEHICLE LICENSE #): _____

PURPOSE: _____

EFFECTIVE PERIOD: DATE FROM TIME DATE TO TIME

APPROVED DENIED Enter reasons on reverse side

Travel on roads or routes and purposes of entry beyond the scope of this permit will be in violation of RCW 38.52.050(3)(a), 38.52.150(2), 43.06.010 and 43.06.220(2),(8), and (9).

Every person convicted under RCW 38.52.050(3)(a), 38.52.150(2) will be subject to a fine not exceeding \$500 or imprisonment in the county jail for not more than ninety days or both fine and imprisonment.

Every person convicted under RCW 43.06.010 and 43.06.220(2),(8) and (9) will be subject to a fine not exceeding \$1,000 or imprisonment in the county jail for not more than one year or both fine and imprisonment.

Issuing personnel _____ Date _____

Escorting officer (if applicable) _____

I will contact the county sheriff or appropriate law enforcement agency prior to each entry to determine if the permit is valid.

I understand the permit may be revoked or suspended when volcanic activity, weather conditions preclude visibility of the entire mountain, or other events increase the danger already present in the RED zone.

WAIVER OF RIGHTS

I, _____ hereby understand and agree to the terms of permit number _____ and do further understand that I am entering a high hazard area with full knowledge that I do so at my own risk releasing and discharging the federal government, the state of Washington and all its political subdivisions, their officers, agents and employees from all liability for any damages, injuries or losses incurred while within the RED zone or as a result of entering and/or occupying that zone.

AMENDATORY SECTION (AMENDING ORDER 80-02, FILED 6/7/80)

WAC 118-03-190 Appendix D - Industrial Form - Mt. St. Helens Red Zone Entry Permit Application

APPENDIX D
MT. ST. HELENS RED ZONE ENTRY PERMIT APPLICATION
(Industrial Form)

Permit Validation No. _____ Date _____
-PLEASE PRINT-

ENTITY: _____

BUSINESS ADDRESS (main office): _____

DESTINATION: _____

VIA: _____

PURPOSE: _____

EFFECTIVE PERIOD: DATE _____ TO _____

EFFECTIVE TIME: _____ TO _____

APPROVED DENIED Enter reasons on reverse side

Travel on roads or routes and purposes of entry beyond the scope of this permit will be in violation of RCW 38.52.050(3)(a), 38.52.150(2), 43.06.010 and 43.06.22(2),(8) and (9).
Every person convicted under RCW 38.52.050(3)(a), 38.52.150(2) will be subject to a fine not exceeding \$500 or imprisonment in the county jail for not more than ninety days or both fine and imprisonment.
Every person convicted under RCW 43.06.010 and 43.06.220(2),(8) and (9) will be subject to a fine not exceeding \$1,000 or imprisonment in the county jail for not more than one year or both fine and imprisonment.

Issuing Personnel _____ Date _____

Escorting Officer (if applicable) _____

I will contact the county sheriff or appropriate law enforcement agency prior to each entry to determine if the permit is valid (if required).
I understand the permit may be revoked or suspended when volcanic activity, weather conditions preclude visibility of the entire mountain, or other events increase the danger already present in the RED zone.

INDEMNIFICATION CLAUSE*

_____ agrees to defend and indemnify the United States, the State of Washington, all political subdivisions thereof, and their officers, agents, and employees against all claims and liabilities asserted against them by reason of any damages, injuries, or losses suffered by any person while in the RED zone or as a result of entering or occupying that zone, under the authority of this permit.

((Authorized Agent's Signature _____ Title _____ Date _____))

((Address _____ Zip _____ Telephone _____))

WAIVER OF RIGHTS*

_____ hereby understands and agrees to the terms of permit number _____ and does further understand that I/it am/is entering a high hazard area with full knowledge that I/it do/does so at its own risk releasing and discharging the federal government, the State of Washington and all its political subdivisions, their officers, agents and employees from all liability for any damages, injuries or losses incurred while within the RED zone or as a result of entering and/or occupying that zone.

Authorized Agent's Signature _____ Title _____ Date _____

Address _____ Zip _____ Telephone _____

GOVERNMENT((AL)) ENTITY(S)

Authorized Agent's Signature _____ Title _____ Date _____

Address _____ Zip _____ Telephone _____

*Not applicable to Government((al)) Entity(s)

WSR 80-07-012
PROPOSED RULES
CENTRAL WASHINGTON UNIVERSITY
 [Filed June 10, 1980]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.35.120, that Central Washington University intends to adopt, amend, or repeal rules concerning:

- Amd chapter 106-116 WAC Parking and traffic regulations.
- Amd chapter 106-120 WAC Students rights and responsibilities.
- Amd chapter 106-124 WAC General conduct—Speakers and programs.
- Amd chapter 106-156 WAC Dining hall services and housing policy.
- Amd chapter 106-276 WAC Public records and legislative liaisons;

that such institution will at 9:00 a.m., Monday, August 11, 1980, in Conference Room 207, Bouillon Hall, CWU campus, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:30 a.m., Monday, August 11, 1980, in Conference Room 207, Bouillon Hall, CWU campus.

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

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to August 11, 1980, and/or orally at 9:00 a.m., Monday, August 11, 1980, Conference Room 207, Bouillon Hall, CWU campus.

Dated: June 9, 1980

By: Barbara A. Davis
 Administrative Secretary

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-020 OBJECTIVES OF PARKING AND TRAFFIC RULES AND REGULATIONS. (1) To protect and control pedestrian and vehicular traffic.

- (2) To assure access at all times for emergency equipment.
- (3) To minimize traffic disturbance during class hours.
- (4) To facilitate the work of the university by assuring access ((to it)) by vehicles and by assigning the limited parking space for the most efficient use.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-040 AUTHORITY OF CAMPUS ((POLICE)) SAFETY OFFICERS. Campus ((police)) safety officers, duly appointed and sworn pursuant to RCW 28B.10.555 are peace officers of the state and have police powers as are vested in sheriffs and peace officers generally under the laws of the State of Washington.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-042 CITATIONS. (1) The entire campus, including parking and traffic areas, is patrolled by the Campus ((Police)) Safety Department with authority to issue citations for on-campus violations. This authority is further shown in WAC 106-114-040 of this policy.

(2) The Campus ((Police)) Safety Department and its duly sworn officers have authority to issue citations for violations of Washington Administrative Codes and ordinances and laws of the City of Ellensburg, County of Kittitas, and State of Washington, which violations occur on university owned property.

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 37, filed 1/13/78)

WAC 106-116-050 MODIFICATION OF THESE REGULATIONS. The Board of Trustees reserves the right to add, delete or modify portions of these regulations including the appended ((fee and)) fine and penalty schedules in accordance with its regulations and applicable laws.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-103 ADDITIONAL VEHICLES. When a new or different motor vehicle is acquired, it shall be necessary to obtain a new permit for that vehicle. When such a change of vehicles has been accomplished, the old permit will be surrendered to the Campus ((Police)) Safety Department, and a new permit with the same expiration date assigned will be issued at no charge by the Cashier's Office.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-10401 ANIMAL TRAFFIC. It shall be unlawful for any person to drive, lead, walk or ride any cattle, horse or beast of burden upon any of the lawns, beds, sidewalks, malls, service drives or parking lots of Central Washington University except as authorized by permit by the Chief of Campus ((Police)) Safety for parades and university sponsored activities.

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 43, filed 5/16/78)

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)) 4:00 a.m. to ((6:00)) 5:00 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 hours a day in the following parking areas:

- (a) Residence Hall staff 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.

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 37, filed 1/13/78)

WAC 106-116-202 NO PARKING AREAS. Parking is permitted only in areas designated and marked for parking and in accordance with all signs posted in the designated parking area.

For example, prohibited areas include fire hydrants, yellow curb zones, crosswalks, driveways, service drives or any area not expressly permitted by sign or these regulations. Vehicles are not permitted to be parked on any undeveloped university property without the approval of the Campus ((Police)) Safety Department.

AMENDATORY SECTION (Amending Order 43, filed 5/16/78)

WAC 106-116-205 APARTMENT RESIDENTS. (1) Residents of Brooklane Village, ((Walnut Street Duplexes)) Roy P. Wahle University Complex, 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) Only residents of Anderson Apartments ((will be given)) who purchase a parking permit ((for)) may park in J Lot.

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 15, filed 8/17/73)

WAC 106-116-207 FACULTY-STAFF PARKING. ((During the entire 12 months from 7:30 a.m. to 5:30 p.m., Monday through Friday, student parking is not permitted in any designated Faculty and Staff Parking Area.)) Faculty and staff parking areas are posted with signs reading, "Faculty and Staff Parking Only". Student parking is not permitted in any designated faculty and staff parking area Monday through Friday from 7:30 a.m. to 5:30 p.m.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-208 FIRE LANES AND SERVICE DRIVES. Parking is not allowed at any time in the service drives or fire lanes of all campus buildings. Service drives may be used by service and emergency vehicles, and for loading and unloading personal items. A permit for vehicle to load and unload must be obtained from Campus ((Police)) Safety Department.

AMENDATORY SECTION (Amending Order 24, filed 7/30/75)

WAC 106-116-211 SMALL CAR PARKING. Parking areas on campus posted for "Small Cars Only" shall be restricted to vehicles with a 100 inch wheelbase or less. Example, Datsun-all models, Fiat-all models, Opel, Colt, Vega, Corvette, etc. A list of vehicles with a 100 inch wheelbase or less is on file in the Campus ((Police)) Safety Department.

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 37, filed 1/13/78)

WAC 106-116-213 PARKING OF TRAILERS, CAMPERS, AND SIMILAR PURPOSE VEHICLES ON CAMPUS. It shall be unlawful for any individual, firm, or corporation to park any type of vehicle on the grounds of Central Washington University for the purpose of using such vehicle as a living unit.

Any exception must be approved by the Chief of Campus ((Police)) Safety, in writing.

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 37, filed 1/13/78)

WAC 106-116-305 SPECIAL PARKING PERMITS. Special parking permits are available from the Campus ((Police)) Safety Department or automatic ticket dispensers. These permits must be displayed in clear view on the dash of the vehicle, printed side readable from outside the vehicle.

(1) A special permit is available when permitted vehicle is inoperative and replacement vehicle being used (no cost).

(2) Permits are available for loading and unloading. The time limit is thirty ((30)) minutes.

(3) Vendor permits are available for ((non-contracted)) vendors conducting business on campus.

(4) Persons possessing a valid parking permit may purchase a second permit for the sum of \$2.00 per quarter. Both vehicles may not be parked on campus simultaneously.

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 24, filed 7/30/75)

WAC 106-116-308 REPLACEMENT OF PARKING PERMIT. (1) Parking permits will be issued at no cost for a newly acquired vehicle if that vehicle replaces one which had a permit.

(2) Remains of the original parking permit must be presented to the Campus ((Police)) Safety Department.

(3) Lost or stolen parking permits will be replaced without cost upon presentation of satisfactory proof of loss.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-310 CONTRACTOR PARKING PERMITS. All contractors responsible for construction projects on the campus or for repair and maintenance contracts and those who make continuous deliveries of supplies must contact the campus ((Police)) Safety department prior to starting work to obtain permits for the parking of those vehicles necessary to carry on the work.

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 37, filed 1/13/78)

WAC 106-116-311 PARKING FEE REFUNDS. (1) Application for parking permit fee refunds are to be made at the Campus ((Police)) Safety Department. The parking permit must be surrendered upon application for a refund.

(2) A full parking fee refund is obtainable only within the first seven ((7)) calendar days of any academic quarter in which the permit is issued.

(3) Refunds are only permitted under the following conditions:

(a) Student teaching, or other off-campus program;

(b) Withdrawal from the university

(c) Termination of employment,

(d) Refunds will not be made for daily permits.

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 37, filed 1/13/78)

WAC 106-116-401 DEFINITION OF A VISITOR. For the purpose of issuance of parking permits, a visitor is considered to be any person who is on Central Washington University property and is not a ((member of the faculty, staff;)) university employee or ((a)) student. ((The definition of a visitor also includes)) Parents and other individuals specifically invited to the campus by faculty, staff, or students for a specific period of time are considered to be visitors.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-403 VISITOR PARKING PERMITS. Visitors may obtain parking permits from the Campus ((Police)) Safety Department or from the automatic permit dispensers. The Campus ((Police)) Safety Department is located at 11th and D Streets, near the entrance to parking area "B". ((The)) An automatic permit dispenser is near the entrance in "B" Lot, "C-1" Lot in front of Nicholson Pavilion, and "D" Lot.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-521 FINES AND PENALTIES. (1) The fines or penalties to be assessed for violations of these regulations shall be those detailed in WAC 106-116-603.

(2) The Chief of Campus ((Police)) Safety will cause:

(a) These regulations or a reasonable condensation thereof to be prominently displayed in the Campus ((Police)) Safety Department.

(b) The amount of the fine to be written on the parking violation notices served on alleged violators.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-601 TRAFFIC REGULATION SIGNS, MARKINGS, BARRICADES, ETC. (1) The Campus ((Police)) Safety and the Physical Plant Department are authorized to erect signs, barricades and other structures and to paint marks and other directions

upon the streets and roadways for the regulation of traffic and parking upon state lands devoted mainly to the educational or research activities of Central Washington University. Such signs, barricades, structures, markings and directions shall be so made and placed as to, in the opinion of the Chief of Campus ((Police Department)) Safety and the Director of Physical Plant, best effectuate the objectives stated in WAC 106-116-020 of these regulations.

(2) No sign, barricade, structure, marking, or direction for the purpose of regulation traffic or parking shall be moved, defaced, or in any way changed by any person without authorization from the Chief of Campus ((Police)) Safety.

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 43, filed 5/16/78)

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) Parking in a space marked "Disability Permits Only"	\$10.00
(27) (a) When a citation for offenses (1), (2), (9), and (13) is issued, any violator may, within one ((+)) 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 their payment corresponds with rules laid down by the Lower Kittitas County District Court, ~~((the Justice of the Peace for Kittitas County. This))~~ The Court may issue arrest warrants for fines not paid within ten ~~((+))~~ 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.

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 37, filed 1/13/78)

WAC 106-116-701 IMPOUNDING PROCEDURES. (1) Any vehicle parked upon the Central Washington University campus lands in violation of these regulations, including the motor vehicle and other traffic laws of the State of Washington and the Traffic Code of the City of Ellensburg, may be impounded and taken to such place for storage as the Chief of Campus ((Police)) Safety selects.

(2) The expense of such impounding and storage shall be charged to the owner or operator of the vehicle and paid prior to the release of the vehicle.

(3) CWU and its employees shall not be liable for loss or damage of any kind resulting from such immobilization, impounding and storage.

AMENDATORY SECTION (Amending Order 37, filed 1/13/78)

WAC 106-116-901 BICYCLE PARKING AND TRAFFIC REGULATIONS. (1) The primary aim of the bicycle control program is safety, and this aim will be achieved by keeping bicycles out of buildings, away from building exits, and parking them off paths and sidewalks. Bicycles must never be parked in stairwells, hallways, or any place which will be a safety hazard or hinder exit from buildings.

(2) Bicycles must be parked in racks. At times, rack space may not be available and parking near the racks is permitted provided the parked bicycles do not interfere with pedestrian traffic.

(3) The following specific regulations must be observed while operating bicycles on campus:

(a) Do not ride or park bicycles inside buildings at any time.

(b) Do not lean or park bicycles near or against windows.

(c) Pedestrians having right-of-way, at times and places of congested pedestrian traffic, the bicycle rider must walk the bicycle. A violation of this provision shall constitute a moving violation and shall be referred directly to the Court of the Justice of the Peace for Kittitas County.

(d) Bicyclists must observe the 5 MPH speed limits on malls and service drives.

(e) Bicyclists must ride in designated lanes where they exist ~~((and on the rider's right hand side of any mall or traffic way))~~.

(4) Impounding for illegal parking:

(a) Bicycles parked on paths, sidewalks, in buildings or near building exits may be impounded. Except in areas adjacent to residence halls, bicycles left over 72 hours may be impounded.

(b) Impounded bicycles will be stored in a location determined by the Chief of Campus ((Police)) Safety. Bicycles will be released at specific times and upon presentation of proof of ownership. Owners of impounded bicycles, if identifiable, will be notified immediately upon impoundment and must reclaim the bicycle within seven ~~((7))~~ days.

(c) Abandoned, lost or found bicycles shall be subject to sale in accordance with the laws of the State of Washington applicable to such sales conducted by law enforcement authorities.

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 43, filed 5/16/79)

WAC 106-120-055 PROCEDURES FOR HEARING. (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, 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 7, filed 8/18/72)

WAC 106-124-100 SPEAKERS AND PROGRAMS. Central Washington ((~~State College~~)) University confirms its commitment to academic freedom, to the concept of a ((~~college~~)) university that encourages the free flow of ideas on all subjects, including controversial issues, and to the opportunity of subjecting all ideas to objective, critical analysis. The ((~~College~~)) university shall not adopt any policy or practice of censorship and shall protect the rights of all speakers and programs guaranteed under the first and fourteenth amendments of the United States Constitution, and the court decisions interpreting these provisions of the United States Constitution.

Academic freedom, the free flow of ideas, the right to speak and the right to hear must be protected not only from censorship but also from those of disruption. It is the responsibility of all members of the academic community to refrain from such conduct and the ((~~College~~)) university should apply appropriate sanctions under proper procedural safeguards to those who violate this obligation.

Therefore, in accordance with the basic principle of freedom of inquiry, the Central Washington ((~~State College~~)) University makes this specific statement of policy with respect to the appearance of campus speakers and programs that are not part of the ((~~college~~)) university community:

(1) Any faculty or recognized student group may invite to the campus any speaker or program the group would like to hear or see.

(2) The appearance of an invited speaker or program on the campus does not involve an endorsement, either implicit or explicit, of views expressed by this ((~~College~~)) university, its faculty, its administration or its board of trustees.

(3) All persons on the campus of the ((~~College~~)) university, whether administrators, faculty, students, employees or guests, are subject to the law. Those who violate the law while on the campus do so at the risk of prosecution in the courts by appropriate government officials.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-124-101 SPEAKERS AND PROGRAMS—SCOPE OF REGULATIONS—EXCEPTIONS. The provisions of WAC 106-124-100 through 106-124-199 shall apply to those speakers and programs which are invited by ((~~college~~)) university organizations to address groups on the campus of Central Washington ((~~State College~~)) University and shall not apply to the following:

(1) Speakers and programs which come within the definition of "entertainment" as set forth in WAC 106-36-801; and

(2) Guest lecturers addressing classes at the invitation of the respective faculty member; and

(3) Speakers at commencement, ((~~college~~)) university graduation convocations, or ((~~college~~)) university convocations authorized by the president.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-124-102 SPEAKERS AND PROGRAMS—CONVENTION RESTRICTIONS. Nothing in WAC 106-124-100 shall be construed to authorize the hosting of any convention on the campus by any organization, budgeted or nonbudgeted, without prior consent of the president of Central Washington ((~~State College~~)) University or his designee.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-124-105 DEFINITIONS. (1) ((~~College~~)) University divisions" shall mean only those committees or entities established under ((~~college~~)) university policies and procedures to select and invite speakers and/or programs as set forth in WAC 106-124-101, and for which ((~~college~~)) university funds have been duly budgeted under ((~~college~~)) university procedures for that purpose.

(2) "Organization" shall mean all recognized groups of individuals with membership principally comprised of Central Washington ((~~State College~~)) University students, faculty or employees, with officers who are exclusively Central Washington ((~~State College~~)) University students, faculty or employees and for which ((~~college~~)) university funds are not budgeted for the purpose of inviting speakers and/or programs to the campus. For the purpose of this definition the word "principally" shall mean that at least ninety per cent (90%) of the members of the organization are Central Washington ((~~State College~~)) University students, faculty or employees and that no more than ten per cent (10%)

of the membership are persons who are not students, faculty or employees of Central Washington (~~(State-College)~~) University. Such recognized groups are not a part of Central Washington (~~(State-College)~~) University and are not arms, agents or representatives of the (~~(College)~~) university or the state, but rather private associations recognized by the institution as being principally composed of (~~(college)~~) university community members.

(3) "Departments" shall mean those academic units of Central Washington (~~(State-College)~~) University that are from time to time authorized and established by the President of Central Washington (~~(State-College)~~) University.

(4) "Department or (~~(College)~~) University Student Organizations" shall mean those organizations of students authorized and established by the faculty of any department of the (~~(College)~~) university, which are responsible to the faculty and administrative head of that department and in which all students majoring in the department are eligible for membership.

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 7, filed 8/18/72)

WAC 106-124-110 COLLEGE DIVISIONS—RIGHT TO INVITE SPEAKERS AND/OR PROGRAMS. (1) (~~(College)~~) University divisions as defined in WAC 106-124-105 may invite speakers to the campus of Central Washington (~~(State-College)~~) University under the aegis of the (~~(College)~~) university and use the name of the (~~(College)~~) university in the invitations, advertising or presentation of the program when that division is acting within the authority granted the division by the (~~(college)~~) university policies and procedures and the budget appropriated to the division.

(2) Budgeted funds to such divisions may be used only by the division to which they are budgeted and for the purpose for which they are budgeted. Such funds cannot be diverted to other purposes through regular budget approval procedures. The authority to expend funds or the authority to invite speakers and/or programs (see WAC 106-124-101) under the aegis of the (~~(College)~~) university and to use the (~~(college)~~) university's name granted by this section shall not be delegated by a division to any other group or organization.

(3) Nothing in WAC 106-124-110(2) above, however, shall prohibit a division from co-sponsoring a speaker program and using funds budgeted for support of speaker programs in co-sponsoring such an event with any other division or an organization; provided, the name of the division appears in all invitations and advertising of the program and in the presentation of the program as a co-sponsor; and provided further, that the division participates fully and meaningfully in the planning and presentation of the program or after full disclosure approves previously made plans for the presentation of the program.

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 7, filed 8/18/72)

WAC 106-124-120 ORGANIZATIONS—RIGHT TO INVITE SPEAKERS OR PROGRAMS. (1) Organizations as defined in WAC 106-124-105 which are listed on the official (~~(college)~~) university register may invite speakers to the campus and use (~~(college)~~) university facilities under the provisions of WAC 106-124-130; provided, that such functions shall be carried out at the expense of the organization and as a function solely of that organization, except then WAC 106-124-110(3) is applicable.

(2) Except to identify the location of the meeting, the name of Central Washington (~~(State-College)~~) University shall not be used in the invitations, the publicity or the presentation of the program.

(3) Any organization, club or individual with an outstanding balance in the Scheduling Center shall not be allowed to schedule until all bills are paid.

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 7, filed 8/18/72)

WAC 106-124-121 ORGANIZATIONS—NO ASSUMPTION OF OBLIGATION. The (~~(College)~~) university assumes no obligation to provide an audience for speakers and programs by organizations on its campus. All invitations and engagements of speakers and programs must be initiated by members of the (~~(college)~~) university community.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-124-122 ORGANIZATIONS—PROCEDURES. The following conditions and procedures are to be followed in speaker and program scheduling:

(1) The (~~(College)~~) university grants to the individual faculty member the right to arrange any speaker or program he chooses in his classes. This right carries with it the assumption of individual faculty responsibility.

(2) The scheduling of speakers or programs shall be subject to the availability of appropriate space and to the needs of the regularly scheduled (~~(college)~~) university activities. The Scheduling Office shall make all reasonable efforts to arrange suitable space.

(3) All speakers and programs from off campus must be scheduled with the Scheduling Office. To insure adequate preparations, all scheduling of outside speakers and programs shall be completed seven (~~(7))~~ days prior to the engagement. Exceptions to these regulations can be made through the Student Activities Office.

(4) Before final arrangements are made or any speaker or program contract is signed, sponsoring organizations shall fill out the proper scheduling forms and have them signed by a faculty advisor and the associate dean of student (~~(Union and Activities))~~ development.

(5) It is suggested that groups obtain written permission from the speaker before any tape recordings are made.

(6) Speakers and programs are subject to the normal considerations for law and order and to the specific limitations imposed by the state constitution and statutory law relating to religion.

(7) The (~~(College)~~) university may close the meeting if lack of order and proper restraint creates an emergency which destroys the conditions of free speech and inquiry. The (~~(College)~~) university shall have the authority to insure that no act is committed during a speaker's presentation or a program which would violate the laws of the state of Washington.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-124-123 ORGANIZATIONS—SCHEDULING LIMITATIONS ON USE OF FACILITIES FOR SPEAKERS AND PROGRAMS. Facilities for presentation of speakers or programs invited or sponsored by individual faculty or organizations as defined in WAC 106-124-105(2) may be scheduled, rented, or used on a regular series bases, daily, weekly, monthly, or in a manner that establishes a consistent pattern of usage or commitment of (~~(college)~~) university facilities only when established usage patterns for such facilities indicate their probable continued availability, and with the consent of the principal schedulers of such facilities (e.g., Music Department in Hertz Auditorium, Drama Department in McConnel Auditorium, and (~~(Associate Dean for Student Union and Activities))~~ the Scheduling Center in the Samuelson Union Building).

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 7, filed 8/18/72)

WAC 106-124-130 ORGANIZATIONS—REGISTRY. (1) Organizations shall be listed on the (~~(college)~~) university register of organizations by complying with WAC 106-124-130(3). Such listing shall not imply any sponsorship or patronage of the organization by Central Washington (~~(State-College)~~) University.

(2) Organizations listed on the official (~~(college)~~) university register shall have the privilege of using (~~(college)~~) university facilities under WAC 106-124-120 and WAC 106-124-130 of these regulations.

(3) Any organization wishing to use (~~(college)~~) university facilities may be added to the register by filing with the office of the associate

dean of student (~~(Union and Activities)~~) development the following information:

(a) The name of the organization, provided, that for the purposes of the invitations, publicity and presentation of programs involving guest speakers, the name of Central Washington (~~(State College)~~) University shall not be included in the name of the organization.

(b) A constitution, charter or official statement of the organization that:

(i) Sets forth the lawful purposes and organizations of the group.

(ii) Defines the qualifications of the membership in terms that require membership to be principally comprised of students, faculty, and/or employees of Central Washington (~~(State College)~~) University as such terms are defined herein.

(iii) Provides for a method of choosing the official representatives of the organization, all of whom shall be students, faculty, and/or employees of Central Washington (~~(State College)~~) University.

(c) All amendments to its constitution since its last filing.

(d) A list of the names and addresses of its current official representatives who are authorized to request the use of (~~(college)~~) university facilities or deal with the (~~(college)~~) university or others on matters concerning the organization.

(e) A statement of intent to become listed on the register of (~~(college)~~) university organizations.

(4) Upon meeting these requirements, the organization shall be forthwith listed upon the (~~(college)~~) university register of (~~(college)~~) university organizations in the office of the dean of student development and the officer responsible for scheduling extra-curricular programs. If any issue or dispute concerning qualification or revocation of privileges under this section arises, the matter shall be referred to and decided by the associate dean of student (~~(Union and Activities)~~) development.

(5) The registry shall be maintained only for one year at a time, beginning September 1 and terminating on August 31 of each year.

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 7, filed 8/18/72)

WAC 106-124-131 ORGANIZATIONS—ORGANIZATIONAL CONDUCT—GENERAL POLICY. The (~~(College)~~) university, in granting recognition to organizations, expects conduct and activities which are in conformity with applicable law.

AMENDATORY SECTION (Amending Order 7, filed 8/18/72)

WAC 106-124-801 ANIMALS PROHIBITED. (1) No animals, including dogs and cats, will be allowed, under any circumstances, in any (~~(college)~~) university operated building.

(2) All dogs on campus shall be under direct physical control, leashed, of their owner or custodian.

(3) Dogs not under direct physical control of their owner or custodian, i.e., unleashed or tied and owner or custodian not present, shall be subject to fines as determined under city ordinances.

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 27, filed 4/22/76)

WAC 106-156-011 STUDENTS REQUIRED TO LIVE IN UNIVERSITY RESIDENCE HALLS—EXCEPTIONS. Exceptions to WAC 106-156-010 may be granted to the following students:

(1) Those who are living with parents or relatives.

(2) Those with medical reasons.

(3) Those employed off campus and housing and/or board is a part of their overall compensation received.

(4) Those who will reach the age of 21 within thirty (~~((30))~~) days after the start of the quarter.

(5) Those who have completed six (~~((6))~~) quarters as a full time student.

(6) Those who have unique situations not otherwise covered in this paragraph of exceptions and obtain the approval of the director of auxiliary services, or the director's designee.

The director of auxiliary services has established a committee of whom the student may request a hearing and ruling on the student's request for an exception. The decision of the committee may be appealed to the (~~(Admissions, Matriculation and Graduation Committee and ultimately the Board of Trustees)~~) Undergraduate Council.

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 39, filed 7/11/78)

WAC 106-276-060 DESIGNATION OF PUBLIC RECORDS OFFICERS. (1) In accordance with the requirements of Initiative 276, insofar as such initiative requires state agencies to adopt and enforce reasonable rules and regulations to provide full public access to official records while yet protecting the same from damage and to prevent excessive interference with essentials of the agency, all public records at the university shall be in charge of persons holding positions as records officers.

(2) Overall responsibility for coordinating responses to requests for examination of public records shall be the responsibility of the person known as the "public records officer." The person holding such position will be headquartered in Mitchell Hall at the university; his exact location and name may be determined by inquiry at the office of the president of the university. The public records officer shall also be responsible for compiling and maintaining the index required by Initiative 276.

(3) For purposes of this chapter, the custody of the university's records shall be deemed divided into the following divisions:

(a) Office of the president;

(b) Office of the vice president for academic affairs;

(c) Office of the vice president for business and financial affairs;

(d) Office of the (~~(executive)~~) special assistant to the president. The above-designated division head shall be deemed custodian of the records in the possession or control of agencies, departments, officers and employees of his division and responsible for the care and custody of records within his division even though such person is not in actual possession or control of such records. Such division heads shall be known as the university "records custodians".

(4) In any cases where a question arises as to whether a given public record is a responsibility of one records custodian or another, the determination of such ministerial responsibility shall for the purposes of this chapter be made by the public records officer, or the president of the university.

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

WSR 80-07-013 PROPOSED RULES YAKIMA VALLEY COLLEGE [Filed June 10, 1980]

Notice is hereby given in accordance with the provisions of RCW 28B.19.030 and 28B.50.130, that the Yakima Valley Community College, District 16 intends to adopt, amend, or repeal rules concerning:

Rep	ch. 132P-12 WAC	Classified personnel.
Rep	ch. 132P-16 WAC	Negotiations by certified personnel.
Rep	ch. 132P-84 WAC	Reduction in force of classified personnel.
Rep	ch. 132P-120 WAC	Students rights and responsibilities.
Rep	ch. 132P-132 WAC	College calendar.
Rep	ch. 132P-144 WAC	Special charges.
Rep	ch. 132P-168 WAC	The library.
Rep	ch. 132P-180 WAC	Costs and special fees;

that such institution will at 4:00 p.m., Wednesday, August 6, 1980, in the Board Room, Yakima Valley

College, 16th and Nob Hill Blvd., Yakima, Washington 98907, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 4:00 p.m., Wednesday, August 6, 1980, in the Board Room, Yakima Valley College, 16th and Nob Hill Blvd., Yakima, Washington 98907.

The authority under which these rules are proposed is RCW 28B.50.130.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to August 6, 1980, and/or orally at 4:00 p.m., Wednesday, August 6, 1980, Board Room, Yakima Valley College, 16th and Nob Hill Blvd., Yakima, Washington 98907.

Dated: June 10, 1980

By: Thomas L. Anderson
Assistant Attorney General

REPEALER

The following sections of the Washington Administrative Code of Yakima Valley Community College are hereby repealed:

132P-12-003 Purpose.
132P-12-006 Positions covered by the rules.
132P-12-009 Adoption of rules.
132P-12-012 Amendment of rules.
132P-12-015 Definition of terms.
132P-12-018 Organization.
132P-12-021 Compensation.
132P-12-024 Election of officers.
132P-12-027 Meetings.
132P-12-030 Powers and duties.
132P-12-036 Powers and duties.
132P-12-039 Content.
132P-12-042 Amendment.
132P-12-045 Allocation.
132P-12-048 Interpretation of specifications.
132P-12-051 Use in allocation.
132P-12-054 Use in examination.
132P-12-057 Statements of general qualifications.
132P-12-060 Authority.
132P-12-063 Use of class titles.
132P-12-066 General policies.
132P-12-069 Content.
132P-12-072 Amendment.
132P-12-075 Payroll certification.
132P-12-078 Hours of work.
132P-12-084 Rest periods.
132P-12-087 Holidays.
132P-12-096 Annual leave.
132P-12-120 Sick leave.
132P-12-144 Military training leave with pay.
132P-12-147 Military leave without pay.
132P-12-150 Leave for civil duty.
132P-12-153 Leave of absence without pay.
132P-12-165 Absence without authorized leave.
132P-12-168 Selection by examination.
132P-12-171 Content of announcements.
132P-12-175 Distribution of announcements.
132P-12-177 Open competitive examinations.
132P-12-180 Promotional examinations.
132P-12-183 Forms of application.
132P-12-186 Freedom from bias.
132P-12-189 Admission to examination.
132P-12-192 Disqualification of applicants.
132P-12-195 Original examinations.
132P-12-198 Promotional examinations.
132P-12-201 Noncompetitive examinations.
132P-12-204 Open-continuous examinations.
132P-12-207 Conduct of examinations.
132P-12-210 Anonymity of applicants.
132P-12-213 Rating of examinations.
132P-12-216 Veteran's preference.

132P-12-219 Notification of examination results.
132P-12-221 Medical examination.
132P-12-224 Establishment and maintenance.
132P-12-227 Organizational units.
132P-12-230 Merits lists.
132P-12-233 Layoff lists.
132P-12-236 Unranked lists.
132P-12-239 Duration of eligible lists.
132P-12-242 Registers—Generally.
132P-12-245 Registers—Departmental Reduction-in-force—Duration.
132P-12-248 Registers—Classified service-wide reduction-in-force—Duration.
132P-12-251 Registers—Intra-departmental promotion—Duration.
132P-12-254 Registers—Inter-departmental promotion—Duration.
132P-12-257 Registers—Departmental unranked reinstatement—Duration.
132P-12-260 Registers—Classified service-wide unranked reinstatement—Duration.
132P-12-263 Registers—Unranked transfer—Duration.
132P-12-266 Registers—Open-competitive—Duration.
132P-12-269 Removal of names from eligible lists.
132P-12-272 Comparable lists.
132P-12-275 Availability of eligibles.
132P-12-278 Request for employees.
132P-12-281 Method of certification.
132P-12-284 Ranked lists.
132P-12-287 Related lists.
132P-12-290 Urgency certification.
132P-12-293 Selection.
132P-12-296 Probationary appointments.
132P-12-299 Provisional appointments.
132P-12-302 In-training appointments.
132P-12-305 Transfer.
132P-12-308 Demotion.
132P-12-311 Purpose.
132P-12-314 Duration.
132P-12-317 Removal during probationary period.
132P-12-320 Demotion during probationary period.
132P-12-323 Separation.
132P-12-326 Resignation.
132P-12-329 Reduction in force—Layoff.
132P-12-332 Dismissal.
132P-12-335 Abandonment of position.
132P-12-338 Disciplinary action.
132P-12-341 Suspension.
132P-12-344 Demotion.
132P-12-347 Reprimand.
132P-12-350 Who may appeal.
132P-12-353 Procedures for hearing appeals.
132P-12-356 Employee representation.
132P-12-359 Grievances.
132P-12-425 Questions and inquiries.
132P-12-428 Service ratings.
132P-12-431 Education and training.
132P-12-434 Outside course work.
132P-12-437 Classes during working hours—Compensation—Authorization.
132P-12-440 Special training programs.
132P-12-444 Political activity.
132P-12-447 Outside employment.
132P-12-450 Employment of more than one member of a family.
132P-12-453 False statements—Fraud.
132P-12-456 Bribery.
132P-12-459 Interference by officials.
132P-12-462 Penalties.
132P-12-465 Discrimination.
132P-12-468 Personnel records.
132P-12-471 Roster.
132P-12-474 Reports to the personnel director.
132P-12-477 Public records.
132P-12-480 Conflict with federal requirements.
132P-12-483 Severability clause.

NEGOTIATIONS BY CERTIFIED PERSONNEL

- 132P-16-003 Purpose.
- 132P-16-006 Request for election—Canvass of certificated employees by independent and neutral person or association.
- 132P-16-009 Notice of election—Organizations to be included on ballot—Time for filing.
- 132P-16-012 Contents of notice of election—Designation of chief election officer—Duties.
- 132P-16-015 List of certificated employees—Posting of list.
- 132P-16-016 Election inspectors—Duties—Right to challenge voter—Improper conduct.
- 132P-16-018 Ballots.
- 132P-16-021 Record of vote—Signature—Challenge.
- 132P-16-024 Incorrectly marked ballot.
- 132P-16-027 Privacy for voter—Equipment.
- 132P-16-030 Folding ballot—Ballot box.
- 132P-16-033 Challenged ballot—Procedure.
- 132P-16-036 Employees present entitled to vote—Sealing ballot box—Unused ballots.
- 132P-16-039 Election inspectors duties after voting has terminated.
- 132P-16-042 Disposition of challenged ballots—Tally sheets—Investigation by chief election officer.
- 132P-16-045 Counting of ballots—Procedure—Certification of results of election—Retention of ballots—Signed voting lists.
- 132P-16-046 Electioneering within the polls forbidden.
- 132P-16-048 Contest of election—Time for filing objections—Investigation of objections.
- 132P-16-051 Persons eligible to vote—Definition "certificated employee."
- 132P-16-054 Election determined by majority of valid votes cast—Run-off election.
- 132P-16-055 Time lapse for new election.

REDUCTION IN FORCE OF CLASSIFIED PERSONNEL

- 132P-84-010 Purpose of the rules.
- 132P-84-020 Definitions.
- 132P-84-030 Initial procedures for reduction in force.
- 132P-84-040 Initial order of layoff.
- 132P-84-050 Options in lieu of layoff.
- 132P-84-060 Procedures for establishing order of layoff and notice requirements.
- 132P-84-070 Distribution of layoff notice.
- 132P-84-080 Reemployment rights of laid off employees.

STUDENTS RIGHTS AND RESPONSIBILITIES

- 132P-120-710 Employment opportunities.
- 132P-120-720 On-campus employment.
- 132P-120-730 Scholarships.
- 132P-120-810 Purpose.
- 132P-120-815 Issuance.
- 132P-120-816 Cost of cards.
- 132P-120-820 Admission to events.
- 132P-120-825 Special events.
- 132P-120-830 Identification.
- 132P-120-910 Athletic eligibility.

COLLEGE CALENDAR

- 132P-132-010 College year.

SPECIAL CHARGES

- 132P-144-010 Purpose.
- 132P-144-020 Responsibility.

THE LIBRARY

- 132P-168-010 The library.

COSTS AND SPECIAL FEES FOR CONTRACTED EDUCATIONAL SERVICES

- 132P-180-010 Costs and special fees for contracted educational services.

WSR 80-07-014
ADOPTED RULES
BOARD OF HEALTH
 [Order 200—Filed June 10, 1980]

Be it resolved by the Washington State Board of Health, acting at Seattle, Washington, that it does promulgate and adopt the annexed rules relating to general design requirements, amending WAC 248-18-718.

This action is taken pursuant to Notice No. WSR 80-04-079 filed with the code reviser on March 31, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Washington State Board of Health as authorized in RCW 43.20.050.

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

APPROVED AND ADOPTED May 14, 1980.

By Robert H. Barnes MD

Chairman

John B. Conway

Ronald L. Jacobus

John A. Beare MD

Secretary

AMENDATORY SECTION (Amending Order 193, filed 2/26/80)

WAC 248-18-718 GENERAL DESIGN REQUIREMENTS. (REQUIREMENTS ARE SHOWN IN CAPITAL LETTERS. SEE WAC 248-18-515).

(1) VECTOR CONTROL. CONSTRUCTION OF THE BUILDING SHALL BE SUCH AS TO PREVENT THE ENTRANCE AND HARBORAGE OF RODENTS AND INSECTS.

(2) ELEVATORS.

(a) AT LEAST ONE ELEVATOR IN ALL HOSPITALS WITH A PATIENT ROOM, OPERATING ROOM, DELIVERY ROOM, BIRTHING ROOM, NEONATAL INTENSIVE CARE UNIT, X-RAY ROOM, SOLARIUM, OR TREATMENT ROOM ON OTHER THAN A SINGLE FLOOR CONVENIENTLY ACCESSIBLE FROM GROUND LEVEL.

(b) AT LEAST TWO ELEVATORS IN ALL HOSPITALS WITH A CAPACITY OF MORE THAN SIXTY BEDS ON OTHER THAN THE GROUND FLOOR.

(c) AT LEAST THREE ELEVATORS IN ALL HOSPITALS WITH A CAPACITY OF OVER TWO HUNDRED BEDS ON OTHER THAN THE GROUND FLOOR.

(d) A GREATER NUMBER OF ELEVATORS MAY BE REQUIRED BECAUSE OF THE HOSPITAL PLAN, VOLUME OF VISITOR TRAFFIC AND FOOD AND SUPPLY DISTRIBUTION SYSTEM.

(e) SIZE OF REQUIRED ELEVATORS AT LEAST 5'-4" by 8'-0" WITH A CAPACITY OF 3500 POUNDS, CAR AND SHAFT DOORS OF AT LEAST 3'-10" CLEAR OPENING.

(3) STAIRWAYS, RAMPS, CORRIDORS AND AISLES.

(a) STAIRWAYS AND RAMPS.

(i) NONSKID SURFACES.

(ii) HANDRAILS ON BOTH SIDES.

(iii) ADEQUATE GUARDRAILS AND OTHER SAFETY DEVICES ON ALL STAIRWELLS AND RAMPS.

(iv) SLOPE OF RAMPS USED FOR PATIENTS NOT TO EXCEED ONE IN TWELVE.

SLOPE OF RAMPS IN SERVICE AREAS NOT TO EXCEED ONE IN TEN.

(b) CORRIDORS.

(i) CORRIDORS AT LEAST 8'-0" WIDE WITH NO RESTRICTION MORE THAN 7" TOTAL. EXCEPTIONS MAY BE PERMITTED FOR AMBULATORY TRAFFIC SERVING A SINGLE HOSPITAL DEPARTMENT BUT NO LESS THAN 5'-0". EXISTING 7'-0" CORRIDORS ACCEPTABLE FOR ALTERATIONS.

(ii) HANDRAILS BOTH SIDES OF CORRIDORS USED BY PATIENTS ON REHABILITATION NURSING UNITS, NURSING HOME UNITS, AND OTHER LONG TERM CARE NURSING UNITS.

(iii) DOORS EXCEPT THOSE TO SMALL SPACES WHICH ARE NOT NORMALLY OCCUPIED SHALL NOT SWING INTO THE CORRIDORS.

(c) AISLES.

SUFFICIENTLY WIDE TO ALLOW FOR UNIMPEDED MOVEMENT OF EQUIPMENT AND PERSONNEL.

(4) DOORS, WINDOWS AND SCREENS.

(a) DOORS.

(i) 4'-0" MINIMUM WIDTH IN OPERATING ROOM, DELIVERY ROOM, BIRTHING ROOM, RECOVERY ROOM, EMERGENCY ROOM, FRACTURE ROOM, X-RAY ROOM AND DOORS TO ALL TYPES OF INTENSIVE CARE UNITS. IN ALTERATION PROJECTS FOR BIRTHING ROOM(S) AN EXISTING 3'-8" DOOR IS ACCEPTABLE.

(ii) 4'-0" MINIMUM WIDTH FOR PATIENT ROOM DOORS AND TREATMENT ROOM DOORS IN ALL INTENSIVE CARE UNITS.

(iii) 3'-10" MINIMUM WIDTH FOR PATIENT ROOMS, NEWBORN NURSERIES, EXIT AND OTHER DOORS THROUGH WHICH PATIENTS ARE TRANSPORTED IN STRETCHERS OR BEDS. 4'-0" doors recommended. EXISTING 3'-8" DOOR ACCEPTABLE IN LIMITED ALTERATION PROJECTS.

(iv) 3'-0" MINIMUM WIDTH FOR ALL DOORS WHICH MAY BE USED BY PERSONS IN WHEELCHAIRS INCLUDING PATIENT TOILETS AND BATHROOMS EXCEPT DOORS TO TOILETS AND BATHROOMS WHICH OPEN INTO PATIENT ROOMS SHALL BE NOT LESS THAN 2'-6" IN WIDTH.

(v) Doors to toilets adjoining patient rooms should not swing into toilet rooms.

(vi) Adequate width for receiving entrance doors, store room doors, and other doors through which large carts or bulk goods are transported.

(vii) VISION PANELS IN ALL DOUBLE-ACTING DOORS. Four inches wide by twenty-four inches high recommended.

(b) WINDOWS.

(i) REQUIRED IN PATIENT ROOMS EXCEPT LABOR ROOMS AND NURSERIES.

(ii) REQUIRED WINDOWS TO HAVE CLEAR GLASS AREA OF AT LEAST ONE-EIGHTH FLOOR AREA.

(iii) REQUIRED WINDOWS TO BE LOCATED IN OUTSIDE WALLS PERMITTING A SATISFACTORY AMOUNT OF UNOBSTRUCTED NATURAL LIGHT. No required windows should be located within twenty feet of another building or the opposite wall of a court or within ten feet of a property line except a street.

(iv) WINDOW SILLS OF REQUIRED WINDOWS IN PATIENT ROOMS NO HIGHER THAN 3'-0" FROM THE FLOOR. GRADE³⁷ ADJACENT TO REQUIRED WINDOWS IN PATIENT ROOMS TO BE BELOW WINDOW SILL.

(c) SCREENS.

16 MESH SCREEN OR EQUAL ON WINDOW OPENINGS WHICH SERVE FOR REQUIRED VENTILATION.

(5) FLOOR FINISHES, WALL SURFACES AND CEILINGS.

(a) FLOOR FINISHES:

(i) EASILY CLEANED AND SUITABLE TO THE FUNCTIONS OF EACH AREA.

(ii) NONSLIP AT ENTRANCES AND OTHER AREAS SUBJECT TO TRAFFIC WHILE WET.

(iii) COVED BASES INTEGRAL WITH FLOORS OR TOPSET BASE TIGHT TO FLOORS AND WALLS.

(iv) ELECTRICALLY CONDUCTIVE IN AREAS WHERE COMBUSTIBLE ANESTHETIC GASES ARE TO BE USED PER NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) STANDARDS.³⁸

(v) SPECIFICATIONS FOR CARPETING IN NONPATIENT OCCUPIED AREAS:

(A) PILE YARN FIBER: FIBER WHICH MEETS THE STANDARDS OF THE STATE FIRE MARSHAL (SEE RCW 70.41.080) SHALL BE ACCEPTABLE PROVIDED THE FIBER IS EASILY CLEANABLE.

(B) PILE TUFTS PER SQUARE INCH: MINIMUM 64 OR EQUIVALENT DENSITY.

(C) PILE HEIGHT: FROM A MINIMUM OF .125 INCHES TO A MAXIMUM OF .312 INCHES.

(D) PAD: MAY BE SEPARATE PAD.

(vi) SPECIFICATIONS FOR CARPETING IN PATIENT OCCUPIED AREAS:

(A) PILE YARN FIBER: FIBERS WHICH MEET THE STANDARDS OF THE STATE FIRE MARSHAL (SEE RCW 70.41.080) SHALL BE ACCEPTABLE PROVIDED THE FIBER IS EASILY CLEANABLE.

(B) PILE TYPE: ROUND LOOP.

(C) PILE TUFTS PER SQUARE INCH: MINIMUM 64 OR EQUIVALENT DENSITY.

(D) PILE HEIGHT: LEVEL PILE, FROM A MINIMUM OF .125 INCHES TO A MAXIMUM OF .255 INCHES.

(E) BACKING: SHALL BE WATER IMPERVIOUS OR A WATER IMPERVIOUS PAD SHALL BE PERMANENTLY BONDED TO THE BACKING.

(vii) INSTALLATION OF CARPET MATERIAL:

(A) BONDED PAD CARPET MUST BE CEMENTED TO THE FLOOR WITH WATERPROOF CEMENT.

(B) EDGES OF CARPET MUST BE COVERED AND COVE OR BASE SHOE USED AT ALL WALL JUNCTURES. SEAMS ARE TO BE BONDED TOGETHER WITH MANUFACTURER RECOMMENDED CEMENT.

(C) SAFETY OF PATIENTS OR OCCUPANTS IS TO BE ASSURED DURING INSTALLATION. ROOMS MUST BE WELL VENTILATED AND NOT BE USED BY RESIDENT OCCUPANTS OR PATIENTS DURING INSTALLATION. THE ROOM MAY NOT BE RETURNED TO USE UNTIL THE ROOM IS FREE OF VOLATILE FUMES AND ODORS FROM ADHESIVES.

(b) WALL SURFACES:

(i) EASILY CLEANED AND SUITABLE TO THE FUNCTIONS OF EACH AREA.

(ii) SMOOTH AND WASHABLE FINISH (e.g., washable paint on smooth finish plaster or gypsum board as opposed to rough or exposed masonry finishes) IN ROOMS USED FOR PATIENT CARE OR TREATMENT AND ROOMS IN WHICH SUPPLIES AND EQUIPMENT FOR PATIENT CARE OR TREATMENT ARE STORED, ASSEMBLED OR PROCESSED, AND IN CLINICAL LABORATORIES.

(iii) A FINISH WHICH WILL MINIMIZE GLARE IN PATIENT ROOMS AND LABOR ROOMS.

(iv) A WATERPROOF PAINTED, GLAZED, OR SIMILAR WATERPROOF FINISH EXTENDING ABOVE THE SPLASH LINE IN ALL ROOMS OR AREAS THAT ARE SUBJECT TO SPLASH OR SPRAY.

(v) Wainscot of five feet minimum height of a durable surface in operating rooms, delivery rooms, emergency rooms, treatment rooms and corridors.

(vi) External angles protected by corner guards to resist impact in areas of heavy traffic.

(c) CEILINGS:

(i) EIGHT FEET MINIMUM HEIGHT, EXCEPTIONS MAY BE PERMITTED IN MINOR AUXILIARY ROOMS.

(ii) NINE FEET MINIMUM HEIGHT IN OPERATING ROOMS, DELIVERY ROOMS, AND SIMILAR ROOMS HAVING SPECIAL CEILING-MOUNTED LIGHT FIXTURES. Higher ceilings may be needed for some types of equipment.

(iii) EASILY CLEANED AND SUITABLE TO THE FUNCTIONS OF EACH AREA.

(iv) SMOOTH AND WASHABLE FINISH (e.g., washable paint on smooth finish plaster or gypsum board as opposed to fissured tile or rough finishes) IN ROOMS USED FOR PATIENT CARE OR TREATMENT, AND IN ROOMS IN WHICH SUPPLIES AND EQUIPMENT FOR PATIENT CARE OR TREATMENT ARE STORED, ASSEMBLED OR PROCESSED, AND CLINICAL LABORATORIES. NO EXPOSED DUCTWORK AND PIPING.

(v) SMOOTH AND WASHABLE FINISH WITHOUT VISIBLE JOINTS OR CREVICES IN AREAS WHERE SURGICAL ASEPSIS MUST BE ASSURED SUCH AS OPERATING ROOMS, DELIVERY ROOMS, AND EMERGENCY TREATMENT ROOMS.

(vi) A FINISH WHICH WILL MINIMIZE GLARE IN PATIENT ROOMS, LABOR ROOMS AND BIRTHING ROOMS.

(vii) Sound-absorptive treatment in corridors of patient areas, nurses' stations, dining rooms and hydrotherapy rooms.

(6) PLUMBING AND SEWERAGE.

(a) PLUMBING AND SEWERAGE. CONSTRUCTED IN ACCORDANCE WITH THE UNIFORM PLUMBING CODE,⁴⁰ OR EQUIVALENT LOCAL CODE.

(b) WATER SUPPLY.

(i) AN ADEQUATE WATER SUPPLY WHICH CONFORMS TO THE QUALITY STANDARDS OF CHAPTER 248-54 WAC.

(ii) TEMPERATURE OF HOT WATER AT BATHING FIXTURES THERMOSTATICALLY CONTROLLED NOT TO EXCEED 110 DEGREES FAHRENHEIT.

(iii) THERMOSTATICALLY CONTROLLED HOT WATER HEATING EQUIPMENT OF SUFFICIENT CAPACITY TO SUPPLY SIX AND ONE-HALF GALLONS OF WATER PER HOUR PER BED FOR GENERAL USE AT NOT LESS THAN 125 DEGREES FAHRENHEIT, AND AN ADEQUATE AMOUNT AT NOT LESS THAN 160 DEGREES FAHRENHEIT FOR LAUNDRY, MECHANICAL DISHWASHERS AND OTHER SPECIAL MECHANICAL WASHERS.⁵⁶

(iv) CIRCULATING SYSTEMS AS NECESSARY TO ENSURE A READY SUPPLY OF HOT WATER AT FIXTURES.

(c) INSULATION.

(i) HOT WATER PIPING INSULATED AS REQUIRED TO CONTROL EXCESSIVE HEAT TRANSFER AND TO PROVIDE SAFETY.

(ii) COLD WATER AND DRAINAGE PIPING INSULATED AS REQUIRED TO CONTROL CONDENSATION.

(iii) AVOID EXPOSING PIPING TO FREEZING TEMPERATURES. IF UNAVOIDABLE, DESIGN TO PREVENT FREEZING.

(d) SEWERAGE.

SEWAGE DISPOSAL SYSTEM IN CONFORMANCE WITH WAC 248-50-100 AND CHAPTER 248-92 OR 248-96 WAC CODIFIED RULES, REGULATIONS AND STANDARDS OF THE STATE BOARD OF HEALTH.

(e) PLUMBING FIXTURES.

(i) DESIGNED AND INSTALLED TO BE EASILY CLEANED, MAINTAINED AND SUITABLE TO THE INTENDED USE.²⁴ ADEQUATE SUPPORT FOR FIXTURES.

(ii) LAVATORIES PROVIDED IN EACH TOILET ROOM EXCEPT WHERE PROVIDED IN CONNECTING PATIENT ROOM, DRESSING ROOM, OR LOCKER ROOM.

(iii) DRINKING FOUNTAINS OR EQUIVALENT AT SUITABLE LOCATIONS.²⁴

(iv) SINKS IN WHICH UTENSILS AND EQUIPMENT ARE TERMINALLY CLEANED TO BE DOUBLE COMPARTMENT OF ADEQUATE SIZE AND DEPTH (Recommended each compartment 20 x 22 x 14 or similar) WITH ADEQUATE COUNTER SPACE ON BOTH SIDES.²⁴

(v) EACH FIXTURE, EXCEPT WATER CLOSETS AND SPECIAL USE FIXTURES, PROVIDED WITH HOT AND COLD WATER THROUGH A MIXING OUTLET.

(vi) DEVICES TO PREVENT BACKFLOW ON WATER SUPPLY TO FIXTURES OR GROUP OF FIXTURES WHERE THE USE OF EXTENSION HOSES AND TUBE CLEANING EQUIPMENT IS ANTICIPATED (e.g., sinks in laboratory, central service, garbage can wash area, and housekeeping facilities and mechanical areas). Also refer to chapter 248-54 WAC.

(f) FITTINGS.

(i) WRIST, KNEE, OR FOOT FAUCET CONTROLS AND GOOSENECK SPOUTS OR THE EQUIVALENT ON LAVATORIES IN PATIENT ROOMS AND TOILETS ADJOINING PATIENT ROOMS EXCEPT THOSE FOR PSYCHIATRIC PATIENTS TO BE IN ACCORDANCE WITH PROGRAM REQUIREMENTS.

(ii) WRIST, KNEE, OR FOOT FAUCET CONTROLS AND GOOSENECK SPOUTS OR THE EQUIVALENT⁴¹ ON ALL LAVATORIES AND SINKS FOR PERSONNEL USE WHERE REQUIRED TO CONTROL CROSS INFECTION (e.g., nursing service areas including isolation rooms, laboratory, and physical therapy), UNLESS THE FIXTURE IS USED FOR SOILED FUNCTIONS ONLY AND ANOTHER SINK OR LAVATORY WITH WRIST, KNEE, OR FOOT CONTROLS OR EQUIVALENT⁴¹ IS LOCATED IN THE SAME AREA OF THE ROOM. FAUCET CONTROLS ON LAVATORIES IN NEWBORN NURSERY UNITS, NEONATAL INTENSIVE CARE UNITS, BIRTHING ROOMS AND ALL SCRUB SINKS TO BE KNEE OR FOOT CONTROLS OR EQUIVALENT.⁴¹

(iii) WRIST CONTROLS TO HAVE A MINIMUM OF 4 INCH SPACE BETWEEN BACK SPLASH AND ENDS OF CONTROLS AT FULL CLOSED POSITION AND A MINIMUM OF 4 INCH SPACE BETWEEN THE END OF CONTROLS AND THE WATER SPOUT IN THE FULL OPEN POSITION. 90 DEGREE VALVE OPERATION.

(g) ACCESSORIES.

(i) BACKING FOR MOUNTING TO SUPPORT THE INTENDED USE OF ALL ACCESSORIES.

(ii) SUITABLE SHELF OR EQUIVALENT, AND MIRROR AT EACH LAVATORY IN TOILET ROOMS, PATIENT ROOMS, BIRTHING ROOMS, DRESSING ROOMS, AND LOCKER ROOMS.

(iii) TOWEL BAR OR HOOK AT EACH PATIENT LAVATORY ON NURSING UNITS AND IN BIRTHING ROOMS AND AT EACH BATHING FACILITY.

(iv) ROBE HOOK AT EACH BATHING FACILITY, WATER CLOSET, DRESSING ROOMS AND EXAMINATION ROOMS.

(v) TOILET PAPER HOLDER PROPERLY LOCATED AT EACH WATER CLOSET.

(vi) Sanitary napkin dispenser in each women's toilet room except inpatient toilets.

(vii) AT LEAST TWO GRAB BARS OR EQUIVALENT⁶⁰ OF SUITABLE STRENGTH, EASILY CLEANABLE, RESISTANT TO CORROSION AND FUNCTIONAL DESIGN SECURELY MOUNTED AND PROPERLY LOCATED AT EACH BATHTUB, SHOWER AND WATER CLOSET FOR PATIENTS.

(viii) DISPENSERS FOR SINGLE USE TOWELS AT ALL LAVATORIES AND SINKS MOUNTED TO AVOID CONTAMINATION FROM SPLASH AND SPRAY.

(ix) SUITABLE PROVISION FOR SOAP AT EACH LAVATORY, SINK, AND BATHING FACILITY.

(x) Paper cup dispensers at all lavatories except in soiled areas.

(xi) Dispenser for seat covers at each water closet properly located.

(h) NONFLAMMABLE MEDICAL GAS SYSTEMS IN ACCORDANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA).³⁸

(i) Clinical vacuum (suction) systems in accordance with the recommendations of Compressed Gas Association⁵⁹ except the zone valves may be omitted.

(7) HEATING.³⁹

(a) A HEATING SYSTEM ADEQUATE TO MAINTAIN 75 DEGREES FAHRENHEIT MINIMUM TEMPERATURE IN EACH ROOM AND OCCUPIED SPACE.

(b) THE SYSTEM OF SUFFICIENT SIZE AND CAPACITY FOR THE PROPER DESIGN TEMPERATURE FOR THE LOCALITY.

(c) HEAT SUPPLY FOR EACH PATIENT ROOM PROVIDED WITH INDIVIDUAL THERMOSTATIC CONTROL. Manual or zone control acceptable for existing facility alteration projects. ((†)) Individual

room thermostatic control recommended for all rooms. HEATING SYSTEM SUITABLY ZONED (e.g., by exposure and usage of areas) AND THERMOSTATICALLY CONTROLLED UNLESS INDIVIDUAL ROOMS THERMOSTATICALLY CONTROLLED.

~~((e))~~ (d) Heat supply to operating rooms, delivery rooms, birthing rooms, recovery rooms, nurseries, all intensive care units and other selected areas arranged so that they may be heated at times when the general building heating system is not operating.

~~((f))~~ (e) PIPING THROUGHOUT BUILDING INSULATED AS REQUIRED TO CONTROL EXCESSIVE HEAT TRANSFER AND TO PROVIDE SAFETY.

(8) VENTILATION AND AIR CONDITIONING.³⁹

(a) ALL ROOMS AND AREAS ADEQUATELY VENTILATED BY MECHANICAL MEANS. (Refer to Table B) DESIGN OF SYSTEM TO PREHEAT COLD OUTSIDE AIR MAKEUP. Gravity exhaust acceptable for gas storage rooms, mechanical rooms and similar areas.

(b) Approved recovery systems to reclaim heat from exhausts are recommended for energy conservation. DESIGN AND INSTALLATION OF HEAT RECOVERY EQUIPMENT TO CONTROL CROSS CONTAMINATION.

(c) ALL FANS SERVING EXHAUST SYSTEMS SHALL BE LOCATED AT THE DISCHARGE END OF THE SYSTEM OR THE SYSTEMS DESIGNED TO PREVENT LEAKAGE TO OCCUPIED AREAS.

(d) DESIGN OF AIR DISTRIBUTION AND BALANCING OF AIR SYSTEMS:³⁴

(i) TO MAINTAIN APPROPRIATE PRESSURE GRADIENTS AMONG ADJOINING ROOMS AND AREAS TO CONTROL AIR FLOWS IN ACCORDANCE WITH THE RELATIVE DEGREE OF PROTECTION REQUIRED FROM THE SPREAD OF ODORS, MOISTURE, TOBACCO SMOKE AND CONTAMINANTS, i.e., flow from relatively clean areas to relatively soiled areas. Refer to Table B.

(ii) FOR NEWBORN NURSERY FACILITIES TO PREVENT AIR FLOW TO ANY NURSERY ROOM FROM ANY OTHER ROOM.

(iii) FOR NEONATAL INTENSIVE CARE UNIT POSITIVE PROTECTIVE AIR PRESSURE GRADIENT FROM EACH NURSERY ROOM TO SURROUNDING AREAS EXCEPT CLEAN UTILITY, CLEAN STORAGE ROOMS AND NEWBORN NURSERY FACILITIES. POSITIVE AIR PRESSURE GRADIENT FROM NEONATAL INTENSIVE CARE UNIT TO CORRIDORS AND ROOMS OUTSIDE THE UNIT.

(e) ~~((PROPERLY DESIGNED))~~ EXHAUST HOODS OR OTHER APPROVED EXHAUST DEVICES.

(i) LOCATED OVER EQUIPMENT LIKELY TO PRODUCE EXCESSIVE HEAT, MOISTURE, ODORS, OR CONTAMINANTS (e.g., kitchen, laundry, sterilizing and dishwashing equipment, laboratory and special ~~((laboratory))~~ work areas) PROPERLY DESIGNED FOR INTENDED USE.

(ii) LABORATORY HOODS WHERE INFECTIOUS MATERIALS ARE HANDLED.³³

(A) MINIMUM FACE VELOCITY OF 75 FEET PER MINUTE AT MAXIMUM OPERATING LEVEL OF SASH.

(B) SERVED BY INDEPENDENT EXHAUST SYSTEM WITH THE EXHAUST FAN LOCATED AT THE DISCHARGE END OF THE DUCT.

(C) DUCT TO HAVE WELDED JOINTS OR EQUIVALENT FROM THE HOOD TO FILTER ENCLOSURE.

(D) FILTERS WITH 99.97% EFFICIENCY (DI-OCTYL-PHTHALATE, (DOP), TEST METHOD) IN THE EXHAUST STREAM.

(E) DESIGNED AND EQUIPPED TO PERMIT THE SAFE REMOVAL OF CONTAMINATED FILTERS.

(F) CHEMICAL FUME HOODS SHALL NOT BE USED FOR HANDLING INFECTIOUS MATERIALS.

(iii) LABORATORY HOODS WHERE STRONG OXIDIZING AGENTS, (e.g., perchloric acid,) ARE PROCESSED,

(A) MINIMUM FACE VELOCITY OF 100 FEET PER MINUTE AT MAXIMUM OPERATING LEVEL OF SASH.

(B) EACH HOOD CONNECTED TO INDEPENDENT EXHAUST SYSTEM WITH AN EXHAUST FAN AT THE DISCHARGE END OF THE DUCT.

(C) DUCT OF WELDED STAINLESS STEEL OR EQUIVALENT THROUGHOUT THE EXHAUST SYSTEM.

(D) HOOD AND EXHAUST DUCT SYSTEM EQUIPPED WITH WASHDOWN FACILITIES.

(iv) HOODS WHERE RADIOACTIVE PARTICULATE AEROSOLS MAY BE RELEASED.

(A) MINIMUM FACE VELOCITY OF 100 FEET PER MINUTE AT MAXIMUM OPERATING LEVEL OF SASH.

(B) EACH HOOD CONNECTED TO AN INDEPENDENT EXHAUST SYSTEM WITH AN EXHAUST FAN AT THE DISCHARGE END OF THE DUCT.

(C) DUCT TO HAVE WELDED JOINTS OR EQUIVALENT FROM THE HOOD TO THE FILTER ENCLOSURE.

(D) FILTERS WITH 99.97% EFFICIENCY (DI-OCTYL-PHTHALATE, (DOP) TEST METHOD) IN THE EXHAUST STREAM.

(E) DESIGNED AND EQUIPPED FOR THE SAME REMOVAL OF CONTAMINATED FILTERS.

(f) ALL CENTRAL VENTILATION OR AIR CONDITIONING SYSTEMS EQUIPPED WITH FILTERS.

(i) NUMBER OF FILTER BEDS AND FILTER EFFICIENCIES⁴⁴ NO LESS THAN THOSE SPECIFIED IN TABLE A.

(ii) FILTER BED NO. 2 SHALL BE DOWNSTREAM OF THE LAST COMPONENT OF ANY CENTRAL AIR HANDLING UNIT, EXCEPT A STEAM INJECTION TYPE HUMIDIFIER MAY BE

DOWNSTREAM OF FILTER BED NO. 2. TERMINAL COOLING COILS (EXCEPT INDUCTION UNITS, FAN COIL UNITS OR EQUIVALENT INDIVIDUAL ROOM UNITS (REFER TO (g))) DOWNSTREAM OF FILTER BED NO. 2 SHALL HAVE ADDITIONAL FILTRATION MEETING REQUIREMENTS OF FILTER BED NO. 2.

Table A

FILTER EFFICIENCIES FOR CENTRAL VENTILATION AND AIR CONDITIONING SYSTEMS IN GENERAL HOSPITALS

AREA DESIGNATION	FILTER EFFICIENCIES (Percent)***		
	MINIMUM NUMBER OF FILTER BEDS	FILTER BED NO. 1	FILTER BED NO. 2
Sensitive Areas*	2	25	90
Patient Care, Treatment Diagnostic, and Related Areas	2	25	90**
Food Preparation Areas and Laundries	1	80	—
Administrative, Bulk Storage and Soiled Holding Areas	1	25	—

* Includes surgical suites, delivery suites, nursery units, recovery rooms, special procedure rooms (cardiac catheterizations) and all intensive care units.

** May be reduced to 80 percent for systems using all-outdoor air.

*** Average dust spot test.

~~(iii) ((LABORATORY HOODS WHERE INFECTIOUS MATERIALS ARE HANDLED.⁵³~~

~~(A) MINIMUM FACE VELOCITY OF 75 FEET PER MINUTE AT MAXIMUM OPERATING LEVEL OF SASH:~~

~~(B) SERVED BY INDEPENDENT EXHAUST SYSTEM:~~

~~(C) FILTERS WITH 99.97% EFFICIENCY (DI-OCTYL-PHTHALATE, (DOP), TEST METHOD) IN THE EXHAUST STREAM:~~

~~(D) DESIGNED AND EQUIPPED TO PERMIT THE SAFE REMOVAL OF CONTAMINATED FILTERS:~~

~~(E) CHEMICAL FUME HOODS SHALL NOT BE USED FOR HANDLING INFECTIOUS MATERIAL:~~

~~(iv) LABORATORY HOODS WHERE RADIOACTIVE AND STRONG OXIDIZING AGENTS e.g., perchloric acid, ARE PROCESSED:~~

~~(A) DUCT OF STAINLESS STEEL FOR A MINIMUM DISTANCE OF 10'-0" FROM EACH HOOD:~~

~~(B) HOOD FOR STRONG OXIDIZING AGENTS EQUIPPED WITH WASHDOWN FACILITIES:~~

~~(C) EACH HOOD CONNECTED TO INDEPENDENT EXHAUST SYSTEM:~~

~~(D) MINIMUM FACE VELOCITY OF 100 FEET PER MINUTE AT MAXIMUM OPERATING LEVEL OF SASH:~~

~~(v)) FILTER FRAMES WITH AIRTIGHT SEAL TO THE ENCLOSING DUCTWORK BY USE OF GASKETS OR EQUIVALENT.~~

~~((vi)) (iv) A MANOMETER SHALL BE INSTALLED ACROSS EACH FILTER BED SERVING~~

SENSITIVE AREAS (Refer to Table A) OR CENTRAL AIR SYSTEMS.

(g) NONCENTRAL SUPPLY VENTILATION SYSTEMS, i.e. individual room units.

(i) IN SENSITIVE AREAS (Refer to Table A) SHALL MEET THE FILTERING OBJECTIVES FOR CENTRAL SYSTEMS.

(ii) IN AREAS OTHER THAN SENSITIVE AREAS OUTDOOR AIR FOR INDIVIDUAL ROOM UNITS SHALL MEET FILTERING REQUIREMENTS FOR CENTRAL SYSTEMS UNDER TABLE A. RECIRCULATED AIR TO INDIVIDUAL ROOM UNITS NEED NOT BE FILTERED (lint screen and/or filter recommended).

(h) AIR HANDLING DUCT SYSTEMS.

(i) IN ACCORDANCE WITH NATIONAL FIRE PROTECTION ASSOCIATION.⁴⁵

(ii) BUILDING SPACES USED FOR PLENUMS SHALL BE RESTRICTED TO ADMINISTRATIVE, PUBLIC WAITING AND PUBLIC MEETING AREAS.

(iii) NONEROSIVE WEARING SURFACES ARE REQUIRED FOR FIBERGLASS SUPPLY DUCTS (PER UL STANDARDS⁵⁷) AND/OR SUPPLY DUCT LINERS (PER SMACNA STANDARDS⁵⁸), IF INSTALLED.

(iv) NINETY PERCENT EFFICIENCY FILTERS DOWNSTREAM OF LININGS SERVING SENSITIVE AREAS (Refer to Table A) EXCEPT LINING OF TERMINAL UNITS MEETING THE REQUIREMENTS OF (iii) ABOVE.

(i) AIR SUPPLY AND EXHAUSTS LOCATIONS.

(i) AIR SUPPLY INTAKES LOCATED TO ENSURE A SOURCE OF FRESH AIR (preferably above the roof or high on an exterior wall to avoid sources of contamination or pollution).

(ii) EXHAUST AIR DISCHARGE LOCATED TO AVOID CROSS CIRCULATION TO SUPPLY AIR INTAKES OR OPERABLE WINDOWS. Separation distances dependent upon factors such as air volumes, wind directions and building configurations.

(j) OPERATING ROOMS, DELIVERY ROOMS, NEWBORN NURSERY ROOMS, NEONATAL INTENSIVE CARE UNITS AND THEIR ANCILLARY FACILITIES MECHANICALLY VENTILATED TO PROVIDE ONE HUNDRED PERCENT FRESH AIR WITHOUT RECIRCULATION. Recommended for birthing rooms, labor rooms, recovery rooms and all intensive care units. Refer to Table B.

(k) VENTILATION SYSTEMS FOR ANESTHETIZING LOCATIONS USING FLAMMABLE ANESTHETICS SHALL MEET THE REQUIREMENTS OF THE NATIONAL FIRE PROTECTION ASSOCIATION, (NFPA).³⁸

(l) AIR CONDITIONING TO ADEQUATELY CONTROL TEMPERATURE, AIR CHANGES AND AIR MOTION OF OPERATING ROOMS, DELIVERY ROOMS, NEONATAL INTENSIVE CARE NURSERY ROOMS, RECOVERY ROOMS, INTENSIVE CARE AND CARDIAC INTENSIVE

CARE UNITS, NEWBORN NURSERY FACILITIES, AND SPECIAL PROCEDURE ROOMS.

(m) RELATIVE HUMIDITY.

(i) OPERATING ROOMS, DELIVERY ROOMS, SPECIAL PROCEDURE ROOMS, ANESTHETIZING LOCATIONS AND RECOVERY ROOMS, FIFTY PERCENT MINIMUM TO SIXTY PERCENT MAXIMUM AT SEVENTY-TWO DEGREES FAHRENHEIT.

(ii) NEWBORN NURSERY FACILITIES AND NEONATAL INTENSIVE CARE UNITS, FORTY-FIVE PERCENT MINIMUM TO SIXTY PERCENT MAXIMUM AT SEVENTY-FIVE DEGREES FAHRENHEIT.

(iii) INTENSIVE CARE UNITS, THIRTY PERCENT MINIMUM TO SIXTY PERCENT MAXIMUM AT SEVENTY-TWO DEGREES FAHRENHEIT.

(n) FIRE SHUTDOWN AS REQUIRED BY NATIONAL FIRE PROTECTION ASSOCIATION (NFPA)⁴⁵ BY BOTH MANUAL CONTROL AND EITHER OF THE FOLLOWING OPTIONS FOR AUTOMATIC SHUTDOWN:

(i) TOTAL SHUTDOWN BY AUTOMATIC CONTROLS FOR SOUNDING FIRE ALARM, CLOSING SMOKE DOORS AND SMOKE DAMPERS IN VENTILATION SYSTEM, AND SHUTTING DOWN SUPPLY FAN(s) AND EXHAUST FAN(s).

(ii) SELECTIVE SHUTDOWN BY AUTOMATIC CONTROLS FOR SOUNDING FIRE ALARM, CLOSING SMOKE DOORS AND ACTUATING ONLY SMOKE DAMPERS IN RECIRCULATION SYSTEM TO EXHAUST ALL RECIRCULATED AIR. ONLY THE SMOKE DETECTOR ON THE DOWNSTREAM SIDE OF THE LAST COMPONENT OF THE CENTRAL SUPPLY SYSTEM SHALL SHUT DOWN THE SUPPLY AND EXHAUST VENTILATION SYSTEMS AND SHALL CLOSE ALL SMOKE DAMPERS. This selective shutdown option is recommended for hospitals having multiventilation systems.

(o) VENTILATION REQUIREMENTS ARE SUMMARIZED IN TABLE B FOR TYPICAL HOSPITAL AREAS. THOSE AREAS NOT SPECIFICALLY DESIGNATED SHALL COMPLY WITH REQUIREMENTS FOR COMPARABLE AREAS.

TABLE B GENERAL PRESSURE RELATIONSHIPS AND VENTILATION⁶
OF CERTAIN HOSPITAL AREAS

AREA DESIGNATION	PRESSURE RELATIONSHIP TO ADJACENT AREAS ^{5,4}	MINIMUM AIR CHANGES OF OUTDOOR AIR PER HOUR SUPPLIED TO ROOM	MINIMUM TOTAL AIR CHANGES PER HOUR IN ROOM	ALL AIR EXHAUSTED DIRECTLY TO OUTDOORS	RECIRCULATED WITHIN ROOM UNITS
A. ANESTHETIZING AREAS					
1. Delivery and operating rooms ¹	PP	15	15 ⁵	Yes	No
2. Dental Operating Rooms	P	8	8	Yes	No
3. Endoscopy Room	P	8	8	Yes	No
4. Emergency Major Treatment Rooms	N	2	6	Yes	No
5. Outpatient Operating ¹ and/or Treatment Rooms	PP	5	15 ⁴	Yes	No
6. Special Procedures Rooms (Cardiac Catheterizations) ¹	PP	12	12	Yes	No
B. CENTRAL SERVICE					
1. Cart Wash Room or Area	N	2	10	Yes	No
2. Clean & Sterile Storage Room	PP	2	2	Optional	No ³
3. Sterilizer Access Service Room	NN	Optional	12	Yes	No
4. Sterilizing Area	P	2	4	Optional	No ³
5. Clean Equipment Storage Room	P	2	2	Optional	Optional
6. Decontamination Area or Room	NN	2	12	Yes	No
C. GENERAL					
1. Administrative Areas: i.e., Offices, Admitting Facilities, Registration, etc.	P	2	2	Optional	Optional
2. Bathing and Wet Treatment Facilities: i.e., Showers, Tubs, Sitz Baths, Hydrotherapy.	N	2	10	Yes	No
3. Clean Facilities: Utility or Work Rooms, Medicine Preparation Areas, Holding and Storage Rooms.	P	2	4	Optional	No ³
4. Corridors, General Circulating. ²	P and N	2	2	Optional	Optional
5. Entrances	P	Optional	2	Optional	Optional
6. Housekeeping Facilities: i.e., Janitor Closets, Trash Chutes or Trash Storage Rooms	N	Optional	10	Yes	No
7. Lounges, Locker & Dressing Rooms	N	Optional	10	Yes	No
8. Nurses Station & Unit Dose Medicine Cart Areas	P	2	4	Optional	Optional
9. Receiving & Stores Incl. Breakout Area	N	Optional	2	Optional	Optional
10. Scrub-up Area	P	2	2	Optional	No
11. Soiled Facilities: Utility or Work Rooms, Holding, Bedpan, Clean-up, Linen & Storage.	N	2	10	Yes	No
12. Toilet Rooms	N	Optional	10	Yes	No
13. Waiting Rooms, Conference, Solariums, Day Rooms, or Other Smoking Areas.	N	2	2	Yes	No
14. Mechanical Rooms	N	Optional	2	Yes	No
D. KITCHEN AND DIETARY					
1. Bulk Day Food Storage Room	E or P	Optional	2	Optional	Optional

AREA DESIGNATION	PRESSURE RELATIONSHIP TO ADJACENT AREAS ⁵⁴	MINIMUM AIR CHANGES OF OUTDOOR AIR PER HOUR SUPPLIED TO ROOM	MINIMUM TOTAL AIR CHANGES PER HOUR IN ROOM	ALL AIR EXHAUSTED DIRECTLY TO OUTDOORS	RECIRCULATED WITHIN ROOM UNITS
2. Cafeteria or Dining Room	E or N	6	8	Optional	Optional
3. Dishwashing Room or Area	NN	4	8	Yes	No
4. Garbage Storage and Can Washing Area	NN	Optional	10	Yes	No
5. Kitchen	NN	4	8	Yes	No
E. LABORATORY					
1. Autopsy Room and Morgue	NN	2	12	Yes	No
2. Bacteriology	NN	2	12	Yes	No
3. Blood Drawing Area or Room	P	2	4	Optional	Optional
4. General Laboratory Rooms i.e., Hematology, Pathology.	N	2	10	Yes	No
5. Media Preparation and Transfer Room	P	2	4	Optional	No
6. Decontamination Area	NN	2	12	Yes	No
F. LAUNDRY					
1. Clean Linen Storage	P	2	2	Optional	No ³
2. Clean sorting, folding & ironing	P	2	6	Yes	No ³
3. Detergent & Supply Storage Room	N	Optional	2	Optional	Optional
4. Processing, washing and drying	P	4	10	Yes	No
5. Soiled sorting and storage	N	Optional	10	Yes	No
G. PATIENT CARE AREAS					
1. Acute Cardiac Care and Intensive Care Patient Rooms	PP	2	6 ⁴	Optional	No ³
2. Birthing Room	P	6	6 ⁴	Optional	No
3. Examination Rooms	E or P	2	6	Optional	No ³
4. Electroencephalogram (EEG) Electromyogram (EMG) & Electrocardiogram (ECG or EKG)	E or P	2	6	Optional	Optional
5. Isolation Room, Airborne	NN	2	6	Yes	No
6. Isolation Room, Protective	P	4	4	Yes	No
7. Isolation Anteroom	NN	2	10	Yes	No
8. Isolation Room with Anteroom	Optional	2	6	Yes	No
9. Labor Room	E or P	2	2 ⁴	Optional	No ³
10. Neonatal Intensive Care Room ¹	PP	6	6 ⁵	Optional	No
11. Newborn Nursery Room ¹	PP	6	6 ⁵	Optional	No
12. Observation Rooms (Out-Patient & Emergency Departments)	N	2	6	Yes	No
13. Patient Rooms	E or P	2	2	Optional	Optional
14. Pulmonary & Inhalation Therapy Treatment Rooms	E or P	2	2	Yes	No
15. Recovery Rooms ¹	PP	2	6 ⁴	Optional	No
H. PHARMACY					
1. Compounding & Dispensing Areas	P	2	2	Optional	No ³
2. Intravenous Additive Room	PP	2	2	Optional	No ³
I. RADIOLOGY					
1. C.A.T., general & Ultrasound Rooms	E or P	2	6	Optional	Optional
2. Darkroom	N	2	6	Yes	No
3. Film Viewing & Storage	E	2	4	Optional	Optional

AREA DESIGNATION	PRESSURE RELATIONSHIP TO ADJACENT AREAS ³⁴	MINIMUM AIR CHANGES OF OUTDOOR AIR PER HOUR SUPPLIED TO ROOM	MINIMUM TOTAL AIR CHANGES PER HOUR IN ROOM	ALL AIR EXHAUSTED DIRECTLY TO OUTDOORS	RECIRCULATED WITHIN ROOM UNITS
Room					
4. Fluoroscopy Rooms	N	2	6	Yes	NO
5. Nuclear Diagnostic Rooms	E or N	2	4	Optional	Optional
6. Radiation Therapy Treatment Rooms	N	2	6	Yes	No
7. Special Procedures Rooms, i.e., Angiography, etc.	P	2	6	Optional	No

CODES

- P = POSITIVE
- N = NEGATIVE
- E = EQUAL
- PP = STRONGLY POSITIVE
- NN = STRONGLY NEGATIVE

REFERENCE NOTATIONS:

- ¹ THE SEGREGATED SURGICAL, DELIVERY, COMBINED SURGICAL-DELIVERY SUITES, OTHER OPERATING ROOM SUITES AND THE NEWBORN NURSERY UNIT FACILITIES SHALL BE POSITIVE TO THE OUTSIDE CORRIDOR.
- ² GENERAL CIRCULATING CORRIDORS SHALL BE POSITIVE TO THE EXTERIOR, I.E., ELEVATORS, STAIRWELLS, EXIT DOORS AND SHALL BE NEGATIVE TO PATIENT ROOMS.
- ³ Recirculating room units meeting the appropriate filtering requirements in Table A, WAC 248-18-718(8)(g)(ii) are acceptable.
- ⁴ Recommend one hundred percent fresh outdoor air supplied to room.
- ⁵ THESE ROOMS AND THEIR ANCILLARY FACILITIES SHALL BE SUPPLIED WITH ONE HUNDRED PERCENT OUTSIDE (FRESH) AIR.
- ⁶ Heat recovery systems should be utilized for exhaust air.

(9) INCINERATION FACILITIES.

(a) May be omitted if another approved method of disposal is used.

(b) INCINERATOR OF ADEQUATE SIZE AND DESIGN. LOCATED AND DESIGNED TO PREVENT OBJECTIONABLE HEAT, SMOKE, AND ODORS. (Separate room or outside area).

(c) SUPPLEMENTAL FUEL FIRED FOR COMPLETE COMBUSTION.

(d) CHUTE-FED INCINERATORS NOT PERMITTED.

(10) ELECTRICAL SYSTEMS AND EMERGENCY ELECTRICAL SERVICE.

(a) IN ADDITION TO SPECIFIC REQUIREMENTS OF THIS SECTION, CHAPTER 296-46 WAC, "RULES AND REGULATIONS FOR INSTALLING ELECTRIC WIRES AND EQUIPMENT AND ADMINISTRATIVE RULES", AND THE NATIONAL ELECTRIC CODE OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA - 70) APPLY AS ADOPTED BY THE WASHINGTON STATE DEPARTMENT OF LABOR AND INDUSTRIES.

(b) ELECTRICAL SYSTEMS AND EQUIPMENT IN CONFORMANCE WITH NFPA STANDARDS³⁸

IN AREAS WHERE INHALATION ANESTHETICS ARE TO BE USED (such as operating rooms, delivery rooms, and major emergency treatment rooms).

(c) NUMBER OF RECEPTACLE OUTLETS.

(i) MINIMUM OF SIX RECEPTACLE OUTLETS IN OPERATING AND DELIVERY ROOMS. MINIMUM OF FOUR RECEPTACLE OUTLETS IN EMERGENCY TREATMENT ROOMS, BIRTHING ROOMS, ANESTHETIZING LOCATIONS AND SPECIAL PROCEDURES ROOMS. AT LEAST ONE RECEPTACLE OUTLET ON EACH WALL WHERE POSSIBLE. ADDITIONAL PROPERLY LOCATED RECEPTACLE OUTLETS SUITABLE FOR EQUIPMENT TO BE USED WITHOUT USE OF EXTENSION CORDS²⁴.

(ii) TWO DUPLEX ELECTRICAL RECEPTACLES (OR EQUIVALENT) AT THE HEAD OF EACH BED, IN PATIENT ROOMS (INCLUDING LABOR, BIRTHING ROOMS, AND RECOVERY), three duplex receptacles per bed recommended.

(iii) FOUR DUPLEX ELECTRICAL RECEPTACLES (OR EQUIVALENT) AT THE HEAD OF EACH BED IN EACH INTENSIVE CARE⁴³ PATIENT ROOMS. AT LEAST SIX DUPLEX RECEPTACLES (OR EQUIVALENT)⁴² FOR EACH INFANT STATION IN NEONATAL INTENSIVE CARE UNITS.⁴³

(iv) AT LEAST ONE DUPLEX RECEPTACLE (OR EQUIVALENT)⁴² FOR EVERY TWO BASSINETS FOR FULL TERM INFANTS AND FOR EACH BASSINET AND INCUBATOR FOR PRE-MATURE INFANTS.

(v) CIRCUITS SERVING RECEPTACLES AT THE HEAD OF EACH BED IN ALL INTENSIVE CARE UNITS⁴³ SHALL SERVE NO OTHER RECEPTACLES OR OUTLETS.

(vi) LIMITED TO SIX DUPLEX RECEPTACLES PER 20 AMP CIRCUIT IN ALL PATIENT CARE AREAS, INCLUDING OUTPATIENT CARE AREAS. LIMITED TO FOUR DUPLEX RECEPTACLES PER 20 AMP CIRCUIT SERVING PATIENT BEDS IN ALL INTENSIVE CARE UNITS.⁴³

(vii) AT LEAST ONE ADDITIONAL DUPLEX RECEPTACLE (OR EQUIVALENT)⁴² AT A SEPARATE CONVENIENT LOCATION IN EACH PATIENT ROOM (INCLUDING LABOR, RECOVERY, AND ALL INTENSIVE CARE ROOMS).⁴³ ADDITIONAL RECEPTACLE IF TELEVISION IS PROVIDED.

(viii) HOSPITAL GRADE RECEPTACLES IN RECOVERY ROOMS AND ALL INTENSIVE CARE UNITS. Recommended in other patient care areas.

(ix) FIFTEEN OR TWENTY AMPERES, 125 VOLT RECEPTACLES IN ROOMS USED BY PEDIATRIC OR PSYCHIATRIC PATIENTS SHALL BE A TAMPER PROOF OR SAFETY TYPE DEVICE.

(x) One receptacle protected by ground fault circuit interrupter adjacent to mirror over lavatory recommended.

(xi) AT LEAST ONE DUPLEX RECEPTACLE (OR EQUIVALENT)⁴² PER 4 LINEAR FEET OF COUNTER IN LABORATORY FACILITIES. SURFACE METAL RACEWAYS, IF USED, SHALL INCLUDE AN EQUIPMENT GROUNDING CONDUCTOR CONNECTED TO EACH RECEPTACLE.

(d) LIGHTING FIXTURES.

(i) NUMBER, TYPE AND LOCATION OF LIGHTING FIXTURES TO PROVIDE ADEQUATE ILLUMINATION FOR THE FUNCTIONS OF EACH AREA.

(ii) A PROPERLY DESIGNED READING LAMP⁶ CONVENIENTLY LOCATED FOR EACH BED IN PATIENT ROOMS.

(iii) SUITABLE LIGHT AT LAVATORIES IN PATIENT ROOMS AND PATIENT TOILET ROOMS.

(iv) NIGHT LIGHT LOCATED BELOW LEVEL OF THE PATIENT'S BED TO DIMLY LIGHT PATHWAY IN EACH PATIENT ROOM AND LOCATED AT PROPER INTERVALS IN CORRIDOR CEILINGS OR WALLS IN NURSING UNITS.

(v) SWITCHES FOR NIGHT LIGHTS AND GENERAL ILLUMINATION ADJACENT TO DOORS TO PATIENT ROOMS. SWITCHES LOCATED OUTSIDE PSYCHIATRIC AND PEDIATRIC PATIENT ROOMS. QUIET OPERATING SWITCHES IN NURSING UNITS.

(e) BRANCH CIRCUIT PANELS FOR ROOMS IN ALL INTENSIVE CARE UNITS⁴³ TO BE LOCATED IN EACH PATIENT ROOM OR OTHER LOCATION PROVIDING READY ACCESSIBILITY TO CIRCUIT BREAKERS FOR STAFF CARING FOR PATIENTS IN THESE ROOMS.

(f) EMERGENCY ELECTRICAL SERVICE. (REFER TO THE NATIONAL ELECTRIC CODE (NFPA - 70).)

(i) ADEQUATE ELECTRICAL GENERATING EQUIPMENT (OR EQUIVALENT) WITH AUTOMATIC TRANSFER TO THE EMERGENCY ELECTRICAL SERVICE IN CASE OF INTERRUPTION OF NORMAL SERVICE.

(ii) EMERGENCY LIGHTING OF EXITS, STAIRS, PATIENTS' CORRIDORS, OPERATING ROOMS, DELIVERY ROOMS, BIRTHING ROOMS, EMERGENCY ROOMS, NURSERIES, ALL INTENSIVE CARE UNITS AND OTHER SPECIALIZED PATIENT CARE AREAS.

(iii) EMERGENCY POWER TO THE NURSES' CALL SYSTEM, THE FIRE ALARM SYSTEM, MEDICAL GAS SYSTEMS AND THEIR ALARMS, ELECTRICALLY OPERATED DOORS, REFRIGERATORS AND FREEZERS FOR BIOLOGICALS, ONE ELEVATOR SERVING ALL FLOORS AND ADEQUATE CONVENIENCE OUTLETS FOR CRITICALLY NEEDED EQUIPMENT IN ALL PATIENT CARE AREAS (e.g., recovery rooms, nurseries, operating rooms, delivery rooms, birthing rooms, emergency rooms, intensive care units and at intervals in nursing unit corridors) recommended for food refrigerators, culture incubators, ventilation units, sterilizers, x-ray machines, and heating plant.

(11) MISCELLANEOUS.

(a) FILM ILLUMINATORS. AT LEAST TWO X-RAY FILM ILLUMINATORS⁶ IN EACH OPERATING ROOM, NEONATAL INTENSIVE CARE UNIT, ONE IN EACH MAJOR EMERGENCY TREATMENT ROOM, and one in each delivery room.

(b) CALL SYSTEM.

(i) PROPERLY LOCATED ELECTRICAL SIGNALING DEVICE⁵⁵ AT THE HEAD OF EACH BED IN PATIENT ROOMS, (INCLUDING LABOR ROOMS AND BIRTHING ROOMS) AT EACH WATER CLOSET AND BATHING FACILITY FOR PATIENTS, AT EACH TREATMENT AREA IN PHYSICAL THERAPY DEPARTMENTS and in each dayroom, solarium, dining room(s) and patient dressing areas.

(ii) EACH CALL SIGNAL TO REGISTER BY LIGHT AT THE CORRIDOR DOOR, THE NURSES' STATION, AND AT OTHER NURSES WORK STATIONS SUCH AS UTILITY ROOMS. CALL SIGNALS INITIATED WITHIN OTHER DEPARTMENTS (such as x-ray and physical therapy) TO REGISTER AT THE CONTROL POINT OF EACH DEPARTMENT. SIGNALS FROM WATER CLOSETS AND BATHING FACILITIES TO HAVE DISTINCTIVE LIGHT (flashing lights) AND AUDIBLE SIGNAL.

(iii) MEDICAL EMERGENCY SIGNAL DEVICE FOR USE OF THE NURSE IN EACH NURSERY ROOM, PSYCHIATRIC ROOMS, OPERATING, DELIVERY, BIRTHING ROOM, RECOVERY ROOMS, AND EACH PATIENT ROOM IN ALL INTENSIVE CARE UNITS; IN EACH TREATMENT ROOM AND NURSERY ROOM OF NEONATAL INTENSIVE CARE UNITS; AND IN EACH EMERGENCY TREATMENT, EXAMINATION AND OBSERVATION ROOM. TO REGISTER DISTINCTIVE AUDIBLE SIGNAL AT LOCATION FROM WHICH ADDITIONAL ASSISTANCE IS ALWAYS AVAILABLE.

(iv) A CALL SIGNAL FOR NIGHT USE SHALL BE PROVIDED AT EMERGENCY ENTRANCES.

(c) TELEPHONES.

(i) ON EACH NURSING UNIT, SURGICAL SUITE AND OBSTETRICAL DELIVERY SUITE. ADDITIONAL TELEPHONES OR EXTENSIONS AS REQUIRED TO PROVIDE ADEQUATE COMMUNICATION (A MINIMUM OF ONE ON EACH FLOOR OF THE HOSPITAL).

(ii) PUBLIC TELEPHONE IN LOBBY.

(iii) Telephones or other similar means for two-way communication among departments of the hospital, including doctors' locker and lounge in surgery and delivery suite.

(d) CLOCKS.

(i) WALL MOUNTED CLOCKS PROPERLY LOCATED IN OPERATING ROOMS, DELIVERY ROOMS, BIRTHING ROOMS, EMERGENCY ROOMS, NURSERIES, INTENSIVE CARE UNITS, LABORATORIES and other suitable locations.

(ii) CLOCKS IN OPERATING ROOMS, DELIVERY ROOMS, EMERGENCY ROOMS AND ALL INTENSIVE CARE UNITS TO HAVE SWEEP SECOND HANDS.

(iii) Interval timers recommended.

(e) EQUIPMENT AND CASEWORK.

(i) DESIGNED, MANUFACTURED, AND INSTALLED FOR EASE OF PROPER CLEANING AND MAINTENANCE OF EQUIPMENT AND CASEWORK, AND SURROUNDING FLOOR AND WALLS.

(ii) DESIGN, MATERIALS, AND FINISHES SUITABLE TO THE FUNCTIONS OF EACH AREA.

(iii) EQUIPMENT FOR FOOD SERVICE FUNCTIONS TO MEET STANDARDS OF NATIONAL SANITATION FOUNDATION,⁴⁶ OR EQUIVALENT.

(iv) ALL AUTOCLAVES TO HAVE RECORDING THERMOMETERS.

(f) Chutes.

(i) Linen chutes and trash chutes not recommended.

(ii) CHUTES DIRECTLY CONNECTED TO INCINERATORS NOT PERMITTED.

(iii) CYLINDRICAL DESIGN.

(iv) TWENTY-FOUR INCH MINIMUM DIAMETER.

(v) SMOOTH, WASHABLE INTERIOR FINISH, INCLUDING JOINTS.

(vi) SELF-CLOSING, TIGHT-FITTING ACCESS DOORS AT LEAST THIRTY INCHES FROM THE FLOOR.

(vii) ACCESS DOOR(S) IN SEPARATE ENCLOSED ROOM(S) OR SEPARATE AREA OF SOILED UTILITY OR CLEAN-UP ROOM USED FOR SOILED FUNCTIONS ONLY OR OTHER SIMILAR ROOM.

(viii) CHUTES TO DISCHARGE INTO SEPARATE ENCLOSED TRASH AND SOILED LINEN COLLECTION ROOMS.

(A) FLOOR DRAINS EQUIPPED WITH TRAP PRIMERS IN TRASH AND SOILED LINEN COLLECTION ROOMS.

(B) HANDWASHING FACILITY IN OR ADJACENT TO SOILED LINEN COLLECTION ROOM IF THIS ROOM USED FOR SORTING SOILED LINEN.

(ix) CHUTES DESIGNED AND/OR VENTILATED TO AVOID CONTAMINATION BY AIR FLOW FROM ACCESS DOORS WHEN OPENED.

(x) CHUTES PROVIDED WITH SUITABLE MEANS TO ADEQUATELY WASH ENTIRE LENGTH.

(g) HARDWARE.

(i) SELECTED TO SUIT THE FUNCTIONS OF EACH ROOM AND TO ENSURE QUIETNESS AND SANITATION.

(ii) PATIENT ROOM DOORS EQUIPPED TO HOLD OPEN IN ANY POSITION OR IN SEVERAL POSITIONS.

(iii) PROVISION FOR IMMEDIATE EMERGENCY ACCESS TO PATIENT ROOMS AND PATIENT TOILETS, SHOWERS, AND BATH ROOMS.

(iv) HARDWARE OF EXTERIOR DOORS DESIGNED TO PREVENT ENTRY OF UNAUTHORIZED PERSONS.

(h) IDENTIFICATION OF DOORS, ROOMS AND SPACES.²⁴

(i) EACH ROOM AND SPACE NAMED AND NUMBERED IN CONSECUTIVE ORDER ON ALL DRAWINGS.

(ii) Each door numbered consecutively on all drawings.

(iii) Permanent label with the same identifying door and room numbers as used on the drawings attached to the outside upper strike side of each door.

NOTES:

⁶ May be movable equipment.

²⁴ In accordance with program.

³⁷ See definition of "Grade", WAC 248-18-505.

³⁸ REFER TO STANDARD FOR THE USE OF INHALATION ANESTHETICS (FLAMMABLE AND NONFLAMMABLE) NATIONAL FIRE PROTECTION ASSOCIATION, (NFPA), 56-A, 1973 EDITION AND NONFLAMMABLE MEDICAL GAS SYSTEMS, NATIONAL FIRE PROTECTION ASSOCIATION, (NFPA), 56-F, 1977 EDITION.

³⁹ Use of the guide, published by the American Society of Heating, Refrigeration, and Air Conditioning Engineers, (ASHRAE) recommended for design of heating and ventilating systems.

⁴⁰ UNIFORM PLUMBING CODE, 1976 EDITION, BY INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS (IAPMO).

⁴¹Equivalent when used in reference to faucet controls means a mechanism for operating without the use of hands, wrists, or arms.

⁴²Equivalent when used in reference to receptacle outlets means that two single receptacle outlets are considered to be equal to one duplex receptacle outlet.

⁴³Refer to definitions of intensive care unit WAC 248-18-505(12), WAC 248-18-001(9), acute cardiac care unit WAC 248-18-001(2) and neonatal intensive care unit WAC 248-18-223 (1)(c) and (d).

⁴⁴AMERICAN SOCIETY OF HEATING, REFRIGERATING AND AIR-CONDITIONING ENGINEERS, (ASHRAE), STANDARD NO. 52-76, 1976 EDITION AND AIR-CONDITIONING AND REFRIGERATION INSTITUTE (ARI) STANDARD 680-74, 1974 EDITION.

⁴⁵NATIONAL FIRE PROTECTION ASSOCIATION, (NFPA) STANDARD NO. 90A-1975 EDITION.

⁴⁶FOOD SERVICE EQUIPMENT STANDARDS OF THE NATIONAL SANITATION FOUNDATION, 1976, ANN ARBOR, MICHIGAN.

⁴⁹Compressed air is filtered air free of oil and other substances, particles, or contaminants.

⁵⁰Equivalent for x-ray receptacle outlet(s) refer to a battery operated self-contained x-ray machine.

⁵³Recommend use of the following standards:

- a. "Classification of Etiologic Agents on the Basis of Hazard"
U.S. Dept. of Health, Education & Welfare Publication
Public Health Service
Center for Disease Control
Office of Biosafety
Atlanta, GA 30333
- b. "Selecting a Biological Safety Cabinet"
U.S. Dept. of Health, Education & Welfare
Public Health Service
National Institutes of Health
National Cancer Institute
Office of Research Safety
Bethesda, MD 20014
- c. For the design, construction and performance of "Class II Biohazard Cabinetry NSF No. 49"
National Science Foundation
NSF Building
Ann Arbor, MI 48105

⁵⁴Balance for appropriate positive and negative gradients will be evaluated by measuring proper direction of air flow at each doorway by smoke indicator. Designs should be based on anticipated leakage at each door. (Fifty CFM minimum to one hundred CFM maximum for usual room door).

⁵⁵A PROPERLY LOCATED SIGNAL DEVICE SHALL BE ACTIVATED BY A NONCONDUCTIVE PULL CORD AT WATER CLOSETS AND BATHING FACILITIES. AT BATHING FACILITIES THE SIGNAL DEVICE PULL CORD SHALL BE LOCATED FOR EASY GRASP BY A PATIENT WHO IS IN OR HAS FALLEN BESIDE A BATHING FACILITY. AT A WATER CLOSET THE SIGNAL DEVICE PULL CORD SHALL BE LOCATED FOR EASY GRASP BY A PATIENT WHO HAS SLUMPED FORWARD ON THE WATER CLOSET OR FALLEN ONTO THE FLOOR.

⁵⁶RINSE WATER TO BE ONE HUNDRED EIGHTY DEGREES FAHRENHEIT OR EQUIVALENT.

⁵⁷UNDERWRITERS LABORATORIES (UL) 181-15 STANDARD FOR SAFETY AIR DUCTS, 1974 EDITION.

⁵⁸SHEET METAL AND AIR CONDITIONING CONTRACTORS' NATIONAL ASSOCIATION, INC., (SMACNA) ARLINGTON, VA., 1975 EDITION, SECTION D.4.10.

⁵⁹Compressed Air Association Pamphlet No. P-2.1, 1967 Edition.

⁶⁰An equivalency for a grab bar at the side of a water closet means that the lavatory may be substituted for one grab bar: PROVIDED, That because of space limitations, the lavatory must be located adjacent to the water closet on the same wall (width limited to sixty-six inches or less); the side of the lavatory will be located not more than eighteen inches from the center line of the water closet; and the lavatory will be mounted to support a three hundred pound live load without permanent deflection.

WSR 80-07-015

ADOPTED RULES

WASHINGTON STATE UNIVERSITY

[Order 80-2, Resolution 6/80-15—Filed June 11, 1980]

Be it resolved by the board of regents, of Washington State University, acting at Pullman, Washington, that it does promulgate and adopt the annexed rules relating to Campus traffic and parking regulations, chapter 504-16 WAC; University policies and regulations, chapter 504-20 WAC; Regulations applying to all student organizations, chapter 504-28 WAC; Rules for use of mall, chapter 504-32 WAC; and Health and safety regulations, chapter 504-36 WAC.

This action is taken pursuant to Notice No. WSR 80-04-141 filed with the code reviser on April 2, 1980. Such rules shall take effect pursuant to RCW 28B.19.050(2).

This rule is promulgated under the general rule-making authority of the Board of Regents of Washington State University as authorized in RCW 28B.30.125 and 28B.30.150.

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

APPROVED AND ADOPTED June 6, 1980.

By Glenn Terrell
President

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 80-07-016

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 80-44—Filed June 11, 1980]

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 adopt regulations consistent with those adopted by the U.S. Department of Commerce.

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

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

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

APPROVED AND ADOPTED June 11, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-24-01000C UNLAWFUL ACTS — TROLL Notwithstanding the provisions of WAC 220-24-010, effective immediately through 11:59 p.m. July 14, 1980, it shall be unlawful for any person to possess in or transport through the waters of District No. 1 any salmon taken for commercial purposes from District No. 1, the Pacific Ocean or District No. 2.

NEW SECTION

WAC 220-24-02000E CLOSED SEASON — TROLL Notwithstanding the provisions of WAC 220-24-020, effective immediately through 11:59 p.m. July 14, 1980, it shall be unlawful to take, fish for or possess salmon taken for commercial purposes with troll gear in Washington coastal waters.

WSR 80-07-017
ADOPTED RULES
DEPARTMENT OF FISHERIES
[Order 80-45—Filed June 11, 1980]

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

This action is taken pursuant to Notice No. WSR 80-05-082 filed with the code reviser on May 1, 1980. 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 June 11, 1980.

By Gordon Sandison
Director

AMENDATORY SECTION (Amending Order 79-75, filed 9/7/79)

WAC 220-20-010 GENERAL PROVISIONS—LAWFUL AND UNLAWFUL ACTS—SALMON, OTHER FOOD FISH AND SHELLFISH. (1) It shall

be unlawful to take, fish for, possess or transport for any purpose food fish, shellfish or parts thereof, in or from any of the waters or land over which the state of Washington has jurisdiction, or from the waters of the Pacific Ocean, except at the times, places and in the manners and for the species, quantities, sizes or sexes provided for in the regulations of the Department of Fisheries.

(2) It shall be unlawful for any person, corporation, business, or company to have in possession or under control or custody any salmon or other food fish or shellfish within the land or water boundaries of the state of Washington, except in those areas which are open to commercial fishing or wherein the possession, control or custody of salmon or other food fish or shellfish for commercial purposes is made lawful under a statute of the state of Washington or the rules and regulations of the Director of Fisheries, unless otherwise provided.

(3) It shall be lawful to take, fish for, possess, process and otherwise deal in food fish and fish offal or scrap for any purpose, provided; that it shall be unlawful to use any of the following listed species for purposes other than human consumption or fishing bait:

- | | |
|---|----------------------------|
| Pacific halibut | (Hippoglossus stenolepis) |
| Pacific herring | (Clupea harengus pallasii) |
| (except when lawfully taken from Marine Fish-Shellfish Management and Catch Reporting Areas 20A, 20B, 21A, and 21B as prescribed in WAC 220-49-020) | |
| Salmon | |
| Chinook | (Oncorhynchus tshawytscha) |
| Coho | (Oncorhynchus kisutch) |
| Chum | (Oncorhynchus keta) |
| Pink | (Oncorhynchus gorbuscha) |
| Sockeye | (Oncorhynchus nerka) |
| Masu | (Oncorhynchus masu) |

(4) It shall be unlawful for any person to take, fish for or possess food fish or shellfish smaller than the lawful commercial sizes while aboard any craft engaged in commercial fishing or having commercially caught fish aboard.

(5) It shall be unlawful for the owner or operator of any commercial food fish or shellfish gear to leave such gear unattended in waters of the state or offshore waters unless said gear is marked with a buoy to which shall be affixed in a visible and legible manner the Department of Fisheries approved and registered buoy brand provided that;

(a) Buoys affixed to unattended gear must be visible on the surface of the water except during strong tidal flow or extreme weather conditions.

(b) Effective January 1, 1975, when two or more shellfish pots are attached to a common ground line the number of pots so attached must be clearly labeled on the required buoy.

(c) It shall be unlawful at any time to leave a gill net unattended in the commercial salmon fishery.

(6) It shall be unlawful to place any commercial food fish or shellfish gear in any waters closed to commercial fishing, provided; that this provision shall not apply to reef nets or brush weirs or to gear being tested under

supervision of the Department of Fisheries, provided further that it shall be unlawful to take, fish for or possess food fish with any type of commercial fishing gear in the waters of Carr Inlet north of north latitude 47° 20' from August 15 through November 30 except as provided in chapter 220-47 WAC.

(7) It shall be unlawful for the owner or operator of any fishing gear to refuse to submit such gear to inspection in any manner specified by authorized representatives of the Department of Fisheries.

(8) It shall be unlawful for any person taking or possessing food fish or shellfish taken from any of the waters or beaches of the state of Washington or the Pacific Ocean for any purpose to fail to submit such food fish or shellfish for inspection by authorized representatives of the Department of Fisheries.

(9) It shall be unlawful for any person licensed under the Fisheries Code of Washington to fail to make any report or return required of him by the Department of Fisheries relative to the taking, selling, possessing, transporting, processing, freezing and storing of food fish or shellfish whether taken within the jurisdiction of the state of Washington or beyond or on Indian reservations or usual and accustomed Indian fishing grounds.

(10) It shall be unlawful to take, fish for or possess or to injure, kill or molest fish in any fishway, fish ladder, fish screen, holding pond, rearing pond, or other fish protective device, or to interfere in any manner with the proper operation of such fish protective devices.

(11) It shall be unlawful to club, gaff, shoot, snag, snare, dip net, harass, spear, stone or otherwise molest, injure, kill or destroy any food fish or shellfish or parts thereof, or for any person to attempt to commit such acts, or to have any fish, shellfish or parts thereof so taken in possession, provided; that it shall be lawful to use a dip net, gaff or club in the landing of food fish taken by personal-use angling.

(12) It shall be unlawful to take or possess for any purpose any food fish or shellfish smaller than the lawful minimum size limits. Any such fish either snagged, hooked, netted or gilled must be immediately returned to the water with the least possible injury to the fish or shellfish and it shall be unlawful to allow undersize salmon entangled in commercial nets to pass through a power block or onto a power reel or drum.

(13) It shall be unlawful to possess aboard any vessel engaged in commercial fishing or having commercially caught fish aboard any salmon or other food fish or shellfish in such condition that its species, length, weight or sex cannot be determined if a species, length, weight, or size limit is prescribed for said species.

(14) It shall be unlawful in any area to use, operate or carry aboard a commercial fishing vessel a licensed net or combination of such nets, whether fished singly or separately, in excess of the maximum lawful size or length prescribed for a single net in that area, except as otherwise provided for in the rules and regulations of the Department of Fisheries.

(15) It shall be unlawful for any permit holder to fail to comply with all provisions of any special permit or letter of approval issued to him under the authority of

the Director of Fisheries, or to perform any act not specifically authorized in said document or in the regulations of the Director of Fisheries.

(16) It shall be unlawful to use, place or cause to be placed in the waters or on the beaches or tidelands of the state any substance or chemical used for control of predators or pests affecting food fish or shellfish or other aquatic marine organisms, without first having obtained a special permit to do so from the Director of Fisheries.

(17) It shall be lawful to test commercial net fishing gear, excluding gill nets, as follows:

(a) Bellingham Bay – inside of a line from Governor's Point to the north tip of Eliza Island to Point Francis in waters 10 fathoms and deeper.

(b) Central Puget Sound – between lines from Meadow Point to Point Monroe and ((~~Skipp~~)) Skiff Point to West Point in waters 50 fathoms and deeper.

(c) East Pass – between lines from Point Robinson true east to the mainland and from Dash Point to Point Piner in waters 50 fathoms and deeper.

(d) All tows or sets are limited to one hour exclusive of setting and retrieving time.

(e) All testing is to be accomplished between 8:00 ((~~AM~~)) a.m. and 4:00 ((~~PM~~)) p.m.

(f) Codends of trawl nets must be left open.

(g) Any and all incidentally caught fish must be returned to the waters, and no fish are to be brought aboard the vessel at any time during a gear test operation.

(h) It shall be unlawful for any person conducting such gear testing operations to fail to notify the Fisheries Patrol office in Olympia prior to testing.

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

WAC 220-22-410 MARINE FISH-SHELLFISH MANAGEMENT AND CATCH REPORTING AREAS, COASTAL WATERS. (1) Area 50 shall include waters of the Bering Sea north of the Aleutian Islands.

(2) Area 51 shall include waters south of the Aleutian Islands and west of longitude 159° W.

(3) Area 52 shall include waters west of longitude 154° W and east of Area 51.

(4) Area 53 shall include waters west of longitude 147° W and east of Area 52.

(5) Area 54 shall include waters west of longitude 137° W and east of Area 53.

(6) Area 55 shall include waters north of latitude 54° 40' N and east of Area 54.

(7) Area 56 shall include waters north of latitude 50° 30' N and south of Area 55.

(8) Area 57 shall include waters north of latitude 48° 26' N and south of Area 56.

(9) Area 58 shall include waters west of a line projected 220° True southwest from the equidistant point between the United States and Canada along the Cape Flattery to Bonilla Point line, north of a line projected true west from Point Grenville and south of Area 57.

(10) Area 59 shall include waters east of the 220° True line, west of a line from Cape Flattery to Bonilla Point, and north of a line true west from Point Grenville.

(11) Area 60A shall include waters north of a line projected true west from the Washington-Oregon boundary in the Columbia River, and south of Areas 58 and 59, exclusive of the Columbia River estuary, Grays Harbor and Willapa Bay.

(12) Area 60B shall include the waters of Grays Harbor east of a line projected from the outermost end of the north jetty to the outermost end of the south jetty.

(13) Area 60C shall include the saltwater areas of Willapa Bay east of a line from Leadbetter Point to Cape Shoalwater light.

(14) Area 60D shall include waters of the Columbia River east of a line projected from the inshore end of the north jetty in the state of Washington to the knuckle of the south jetty in the state of Oregon, and west of the Megler-Astoria Bridge.

(15) Area 61 shall include waters north of latitude 42° 00' N, and south of Area 60A, exclusive of the Columbia River estuary.

(16) Area 62 shall include waters north of latitude 38° 00' N, and south of Area 61.

(17) Area ((62)) 63 shall include waters north of latitude 32° 00' N, and south of Area 62.

(18) Area 64 shall include all waters south of Area 63.

(19) This WAC will not apply to hardshell clams, oysters, or geoducks.

AMENDATORY SECTION (Amending Order 80-12, filed 2/27/80, effective 4/1/80)

WAC 220-56-165 BOW AND ARROW FISHING. It shall be lawful to take, fish for and possess food fish, except salmon, shad, sturgeon, and shellfish, for personal use in marine waters by bow and arrow fishing, unless otherwise restricted.

AMENDATORY SECTION (Amending Order 80-12, filed 2/27/80, effective 4/1/80)

WAC 220-56-250 LINGCOD—AREAS AND SEASONS. It shall be unlawful to take, fish for or possess lingcod for personal use except during the ((areas and)) seasons and within the areas herein provided:

(1) Coastal area (salmon punch card areas 1 through 3 and that portion of area 4 west of a line projected from the most westerly point on Cape Flattery to Tatoosh Island Light, thence to Bonilla Point) – open the entire year.

(2) Salmon punch card areas 5, 6, 7, ((8;)) that portion of area 9 north of a line between Liplip Point and Bush Point, and that portion of area 4 east of a line projected from the most westerly point on Cape Flattery to Tatoosh Island Light, thence to Bonilla Point – April 15 through November 30.

(3) All other areas closed the entire year.

AMENDATORY SECTION (Amending Order 80-12, filed 2/27/80, effective 4/1/80)

WAC 220-56-235 POSSESSION LIMITS—BOTTOMFISH. It shall be lawful, unless otherwise provided, for any one person to take in any one day in

the state of Washington the following quantities of bottomfish for personal use. The possession limit at any one time shall not exceed the equivalent of two daily bag limits of fresh bottomfish.

(1) Lingcod:

(a) Coastal (punch card areas 1-3 and area 4 west of a line projected from the most westerly point on Cape Flattery to the Tatoosh Island Light, thence to Bonilla Point) – 3 fish;

(b) All other open areas – 2 fish.

(2) All species of greenling and rockfish, Pacific cod, and walleye pollock: 15 fish in the aggregate of all species but not to exceed 10 rockfish in salmon punch card areas 5 through 13.

(3) All other bottomfish: No limit.

WSR 80-07-018

PROPOSED RULES

LIQUOR CONTROL BOARD

[Filed June 11, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and WAC 1-12-030, that the Washington State Liquor Control Board intends to adopt, amend, or repeal rules concerning chapter 314-52 WAC relating to advertising;

that such agency will at 9:30 a.m., Wednesday, June 18, 1980, in the Office of the Liquor Control Board, 5th Floor, Capitol Plaza Building, 1025 East Union Avenue, Olympia, WA 98504, conduct a hearing relative thereto; and that the adoption, amendment, or repeal of such rules will take place at 9:30 a.m., Wednesday, June 18, 1980, in the Office of the Liquor Control Board, 5th Floor, Capitol Plaza Building, 1025 East Union Avenue, Olympia, WA 98504.

The authority under which these rules are proposed is RCW 66.08.030, 66.08.060, 66.98.070 and Title 34 RCW.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-080 filed with the code reviser's office on April 30, 1980.

Dated: June 11, 1980

By: L. H. Pedersen
Chairman

WSR 80-07-019

PROPOSED RULES

BOARD OF

CHIROPRACTIC EXAMINERS

[Filed June 11, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the Board of Chiropractic Examiners intends to adopt, amend, or repeal rules concerning new section WAC 114-12-150, Licensees residing and practicing out of state—Continuing education requirements; new section WAC 114-12-160, Continuing chiropractic education—Guidelines for symposium

approval; new section WAC 114-12-170, License renewal—Affidavit of compliance with continuing education requirements; new section WAC 114-12-121, Examination National Board; new section WAC 114-12-131, Chiropractic examinations—Limitation; repeal WAC 114-12-120 and 114-12-130;

that such agency will at 8:00 p.m., Thursday, August 14, 1980, in Room Mercury 3 and 4, Seatac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 8:00 p.m., Thursday, August 14, 1980, in Room Mercury 3 and 4, Seatac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188.

The authority under which these rules are proposed is RCW 18.25.070 and 18.25.017.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 14, 1980, and/or orally at 8:00 p.m., Thursday, August 14, 1980, Room Mercury 3 and 4, Seatac Red Lion Inn, 18740 Pacific Highway South, Seattle, WA 98188.

Dated: June 11, 1980

By: Joanne Redmond
Assistant Administrator

Division of Professional Licensing

NEW SECTION

WAC 114-12-150. LICENSEES RESIDING AND PRACTICING OUT OF STATE — CONTINUING EDUCATION REQUIREMENTS. Pursuant to RCW 18.25.070(1)(b), Washington licensed chiropractors who reside and practice exclusively outside the state of Washington may satisfy the continuing education requirements for renewal of their Washington licenses by meeting, and certifying to the Washington Board of Chiropractic Examiners that they have met, the continuing education requirements of the state in which they are residing and practicing.

NEW SECTION

WAC 114-12-160. CONTINUING CHIROPRACTIC EDUCATION — GUIDELINES FOR SYMPOSIUM APPROVAL. (1) In order to be used by a licensee to satisfy the continuing chiropractic education requirements of RCW 18.25.070(1) an educational symposium must be approved by the Washington Board of Chiropractic Examiners.

(2) In order to qualify for board approval, the subject matter of an educational symposium must be limited to one or more of the following categories: chiropractic research; spinal adjusting technique and examination procedures; spinal x-ray; chiropractic philosophy.

(3) In order to qualify for board approval an educational symposium offered within the state of Washington must offer a minimum of nine hours provided by a minimum of two lecturers who are affiliated with chiropractic colleges approved by the Washington Board of Chiropractic Examiners; PROVIDED, that this requirement shall not apply to those educational symposiums using lecturers who have participated in educational symposiums approved by the Washington Board of Chiropractic Examiners for continuing education purposes within a ten-year period immediately prior to the date of the program seeking approval.

(4) As a condition of board approval, sponsors of educational symposiums offered within the state of Washington shall provide the board within thirty (30) days after the symposium is completed with an alphabetical list of those participants who were registered for the symposium.

NEW SECTION

WAC 114-12-170. LICENSE RENEWAL — AFFIDAVIT OF COMPLIANCE WITH CONTINUING EDUCATION REQUIREMENTS. (1) In conjunction with his or her annual application for renewal of license, a licensee shall submit, on a form provided by the

board, an affidavit of compliance with the continuing education requirements of RCW 18.25.070.

(2) In addition to the affidavit of compliance, the licensee shall submit such further and other evidence and documentation to substantiate the affidavit of compliance as the board may request in any individual case. It shall be the responsibility of the licensee to maintain and provide such evidence and/or documentation on request of the board.

NEW SECTION

WAC 114-12-121. EXAMINATIONS — NATIONAL BOARD. (1) Any applicant presenting evidence of having successfully completed Part I of the examination conducted by the National Board of Chiropractic Examiners, or presenting a basic science certificate, or successfully completing an examination conducted by the Board of Chiropractic Examiners, will be considered to have satisfied the requirement for basic sciences examination and such shall be waived.

(2) Any applicant presenting evidence of having successfully completed Part II of the examination conducted by the National Board of Chiropractic Examiners will be considered as having met the examination requirements as outlined in RCW 18.25.030, except that each such applicant, shall be required to appear before the Washington State Board of Chiropractic Examiners to be examined in the subjects of: Principles of Chiropractic; x-ray; and Adjustive Technique.

NEW SECTION

WAC 114-12-131. CHIROPRACTIC EXAMINATION — LIMITATION. A passing score in the examination administered by the board in principles of chiropractic may be carried forward. A passing score in the written and practical board administered examinations in x-ray and adjustive technique will not be carried forward and must be taken each time an applicant is examined by the board.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 114-12-120 EXAMINATIONS — NATIONAL BOARD.

WAC 114-12-130 CHIROPRACTIC EXAMINATION — LIMITATION.

**WSR 80-07-020
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
[Filed June 11, 1980]**

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 minimum licensing requirements for child care facilities, amending chapter 388-73 WAC.

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

N. Spencer Hammond
Executive Assistant
Department of Social and Health Services
Mailstop OB-44 C
Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Jefferson, Olympia, Washington, Phone (206) 753-7015, by July 30, 1980. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Wednesday, August 13, 1980, in the Auditorium, State Office Building #2, 12th and Franklin, 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, August 20, 1980, in William B. Pope's office, 3-D-14, State Office Building #2, 12th and Franklin, Olympia.

The authority under which these rules are proposed is RCW 79.15.030[74.15.030].

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to August 13, 1980, and/or orally at 10:00 a.m., Wednesday, August 13, 1980, Auditorium, State Office Building #2, 12th and Franklin, Olympia, Washington.

Dated: June 11, 1980

By: N. Spencer Hammond
Executive Assistant

AMENDATORY SECTION (Amending Order 1431, filed 9/10/79)

WAC 388-73-140 HEALTH HISTORY, PHYSICAL EXAMINATIONS, IMMUNIZATIONS. This section is not applicable to crisis residential centers and juvenile detention facilities.

(1) A health history for each person under care shall be obtained when the person is accepted for care. This shall include the date of the person's last physical examination, allergies, any special health problems, and for children, an immunization history.

(2) If a child has not been under regular medical supervision or has not had a physical examination by a physician, physician's assistant or certified registered nurse (nurse practitioner) within one year prior to admission, arrangements shall be made for an examination within thirty days.

(3) Yearly physical examinations are required for each child who is not under regular medical supervision.

(4) Prior to admission or within ~~((a reasonable period of time thereafter))~~ forty-five calendar days of the child's first day of attendance, each child shall ~~((have immunizations appropriate to his age completed or brought up to date for diphtheria, tetanus, polio, measles and rubella:))~~ present proof of full immunization for diphtheria, tetanus, pertussis (whooping cough), poliomyelitis, measles (rubeola), rubella (German measles), and mumps as set forth in WAC 248-100-164(2). (Note: Appropriate forms and information may be obtained at the local health department. For the requirements applying to day care centers, see WAC 248-100-164.)

(5) Children who have not received all immunizations ~~((appropriate for their age))~~ as set forth in WAC 248-100-164(2) may be accepted on a ~~((provisional))~~ conditional basis if immunizations are ~~((started))~~ initiated and are completed as rapidly as is medically indicated. Exemptions to this immunization requirement shall be made in the case of a parent or guardian who expresses religious, ~~((intellectual, or))~~ philosophical, or personal objections by signing a statement to this effect ~~((Children also shall be excused upon the presentation of a physician's statement that a valid medical reason exists to contraindicate immunization)); or there is a physician's statement that a valid medical reason exists to contraindicate immunization.~~

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 1336, filed 9/8/78)

WAC 388-73-142 TUBERCULOSIS, COMMUNICABLE DISEASE. (1) Each licensee, employee ~~((and)),~~ adult volunteer, and other adult persons who have regular contact with persons in care shall have a tuberculin skin test, by the Mantoux method ~~((every two years)),~~ upon employment or licensing unless medically contraindicated.

(a) Persons whose TB skin test is ~~((or has previously been))~~ positive (10 mm or more induration) shall have a chest x-ray ~~((every two years))~~ within ninety days following the skin test.

(b) Persons whose TB skin test has been documented as negative (less than 10 mm) within the last two years shall not be retested.

(c) Routine periodic retesting or x-ray (biennial or otherwise) after the entry testing is not required.

(2) A record of skin test results, x-rays, or exemptions to such will be kept in the facility.

~~((2))~~ (3) Persons with a communicable disease in an infectious stage shall not be on duty.

AMENDATORY SECTION (Amending Order 1336, filed 9/8/78)

WAC 388-73-144 NUTRITION. (1) Food served by each agency shall be planned in light of the needs of the persons under care, taking into consideration their ages, cultural background, any handicapping condition, and hours of care in the facility.

(2) The use of raw milk is prohibited. Skim milk and reconstituted nonfat dry milk shall not be used for drinking purposes by children less than two and one-half years of age, except with the written permission of a physician. Dry milk and milk products may be reconstituted in the facility for drinking purposes for children over two and one-half years of age provided the preparation, service, and storage of said milk is in accordance with the requirements of chapter 248-84 WAC relating to potentially hazardous foods.

(3) ~~((For))~~ Facilities licensed to care for seven or more persons ~~((:))~~ shall record all food served. Daily menus ~~((including snacks:))~~ shall be prepared at least one week in advance, dated and plainly posted ~~((for a one-week time span))~~. Any substitutions shall be of comparable food value and recorded. These menus shall be kept on file for a minimum of six months for review by the department.

(4) Nutrient concentrates, supplements and modified diets (therapeutic and allergy diets) shall not be served except with the written instructions of a physician. The parent, responsible relative or physician must submit a written diet listing foods the person cannot have. This list, with the person's name, must be plainly posted and followed by staff.

(5) Day care and day treatment - Children in care for five to ten hours shall be served food that provides at least one-third of the ~~((1974))~~ 1980 recommended dietary allowances set by the national research council. Children in care for more than ten hours shall be served food that provides at least one-half of the ~~((1974))~~ 1980 recommended dietary allowances ~~((set by the national research council))~~. Children who bring sack lunches from home shall be provided additional foods to meet these requirements. Licensees shall consult with parents as to ~~((the))~~ what additional foods ~~((that are))~~ should be provided.

(a) All children arriving before 7:00 a.m. who have not received breakfast shall be offered a breakfast that provides at least one-fourth of the recommended dietary allowances.

(b) All children present shall be offered mid-morning and mid-afternoon snacks. If a breakfast was served to all children, then a mid-morning snack is not required. Children arriving after school shall be offered a snack.

(c) Between-meal snacks shall be provided ~~((and may be part of))~~ that contribute toward the daily food needs. Snacks shall consist of two or more of the following items ~~((two foods within the same grouping may be served))~~, served in age-appropriate serving sizes:

(i) Milk or milk products;
(ii) Fruit and/or vegetables;
(iii) Fruit and/or vegetable juices that are at least fifty percent real juice;

(iv) Whole grain or enriched breads and/or cereal products;
(v) Protein foods (animal or vegetable).

(d) The occasional serving of party foods which do not meet these requirements is not prohibited.

(6) Full-time care providers - Food shall be served in accordance with the ~~((1974))~~ 1980 recommended dietary allowances of the food and nutrition board, national research council, adjusted for age, sex, physical abilities, and activity of each person.

A minimum of three meals in each twenty-four hour period shall be provided, except that when a written request has been made to, and approved in writing by, the department, deviation may be made from this minimum. The time interval between the evening meal and breakfast shall be not more than fourteen hours.

AMENDATORY SECTION (Amending Order 1336, filed 9/8/78)

WAC 388-73-408 EVENING AND NIGHTTIME CARE. (1) A day care provider offering care during evening and nighttime hours shall adapt the program and equipment and plan for staffing to meet

the physical and emotional needs of children away from their families at night.

(2) The child care staff to child ratio shall remain the same as during daytime care. During sleeping hours, all children shall be within visual range or listening distance of a staff member.

(3) Grouping of children shall be arranged so the sleeping children are not disturbed by the arrival or pickup of other children.

(4) Children in evening care shall be served a ((nutritious)) dinner that meets one-third of the 1980 recommended dietary allowances as set by the national research council, if not fed the dinner meal at home prior to arrival((-and a bedtime snack)). All children present shall be offered a bedtime snack that shall consist of two or more of the following items, allowed in age appropriate serving sizes: (refer to WAC 388-73-144(5)(c)(i), (ii), (iii), (iv), (v)). Children in nighttime care shall be served a ((nutritious)) breakfast that meets one-fourth of the recommended dietary allowances if they remain in care after the usual breakfast hour. See WAC 388-73-144 (nutrition).

WSR 80-07-021
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed June 11, 1980]

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 ch. 388-29 WAC AFDC and GAU—Eligibility—Standards of assistance.
- Amd WAC 388-35-070 GAN—Requirements.
- Amd WAC 388-42-150 Funeral standards.

It is the intention of the secretary to adopt these rules on an emergency basis on July 1, 1980.

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

N. Spencer Hammond
 Executive Assistant
 Department of Social and Health Services
 Mailstop OB-44 C
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Jefferson, Olympia, Washington, Phone (206) 753-7015, by July 23, 1980.

The meeting site is in a location which is barrier free; that such agency will at 10:00 a.m., Wednesday, August 6, 1980, in the Auditorium, 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., Wednesday, August 20, 1980, in William B. Pope's office, 3-D-14, State Office Building #2, 12th and Franklin, Olympia, Washington.

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 August 6, 1980, and/or orally at 10:00

a.m., Wednesday, August 6, 1980, Auditorium, General Administration Building, Olympia, Washington.

Dated: June 11, 1980
 By: N. Spencer Hammond
 Executive Assistant

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-100 MONTHLY STANDARDS FOR BASIC REQUIREMENTS—AFDC AND CONTINUING GENERAL ASSISTANCE. (1) The state-wide monthly standards for food, clothing, personal maintenance and necessary incidentals, household maintenance and shelter for those owning (including life estate), buying or renting an apartment or house shall be:

Recipients in Household	State Standard	Area Differential for King, Pierce, Snohomish, Kitsap and Thurston Counties	State Standard Plus Area Differential for King, Pierce, Snohomish, Kitsap and Thurston Counties
1	(\$220)	(\$13)	(\$233)
	\$244	\$15	\$259
2	(\$305)	(\$34)	(\$339)
	339	37	376
3	(\$383)	(\$30)	(\$413)
	425	33	458
4	(\$453)	(\$30)	(\$483)
	503	33	536
5	(\$523)	(\$30)	(\$553)
	581	33	614
6	(\$593)	(\$30)	(\$623)
	659	33	692
7	(\$663)	(\$30)	(\$693)
	737	33	770
8	(\$733)	(\$30)	(\$763)
	815	33	848
9	(\$803)	(\$30)	(\$833)
	893	33	926
10	(\$873)	(\$30)	(\$903)
	971	33	1,004
11	(\$943)	(\$30)	(\$973)
	1,049	33	1,082
12	(\$1,013)	(\$30)	(\$1,043)
	1,127	33	1,160
13	(\$1,083)	(\$30)	(\$1,113)
	1,205	33	1,238
14	(\$1,153)	(\$30)	(\$1,183)
	1,283	33	1,316
15	(\$1,223)	(\$30)	(\$1,253)
	1,361	33	1,394
16	(\$1,293)	(\$30)	(\$1,323)
	1,439	33	1,472
17	(\$1,363)	(\$30)	(\$1,393)
	1,517	33	1,550
18 or more	(\$1,433)	(\$30)	(\$1,463)
	1,595	33	1,628

- (2) Deleted
- (3) Household with supplied shelter.

The monthly standard for supplied shelter includes requirements for food, clothing, personal maintenance and necessary incidentals, and household maintenance.

Recipients in household - all counties

1	\$ ((143)) 159
2	((208)) 231
3	((276)) 306
4	((344)) 381
5	((412)) 456
6	((480)) 531
7	((548)) 606
8	((616)) 681
9	((684)) 756
10	((752)) 831
11	((820)) 906
12	((888)) 981
13	((956)) 1,056
14	((1,024)) 1,131
15	((1,092)) 1,206

Recipients in household - all counties

16	((+160))	<u>1,281</u>
17	((+228))	<u>1,356</u>
18 or more	((+296))	<u>1,431</u>

(4) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-110 MAXIMUMS TO MONTHLY STANDARDS FOR BASIC REQUIREMENTS. (1) Grants to families of 7 or more shall not exceed the following maximums. In computing the grant amount nonexempt income and resources which are available to meet need shall be deducted from the monthly standard specified in WAC 388-29-100.

	Number of recipients in household					
	7	8	9	10	11	12
Maximum	((\$694) <u>\$771</u>)	((\$727) <u>\$804</u>)	((\$758) <u>\$835</u>)	((\$787) <u>\$864</u>)	((\$814) <u>\$891</u>)	((\$839) <u>\$916</u>)
	13	14	15	16	17	18
Maximum	((\$862) <u>\$939</u>)	((\$883) <u>\$960</u>)	((\$902) <u>\$979</u>)	((\$919) <u>\$996</u>)	((\$934) <u>\$1,011</u>)	((\$947) <u>\$1,024</u>)

(2) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-135 COST STANDARDS FOR REQUIREMENTS—MATERNITY HOME CARE. (1) The payment standard for a recipient of AFDC residing in a maternity home shall be ((~~\$457.80~~)) \$504.60 per month, which includes \$32.50 for clothing and personal incidentals.

(2) The standard for maternity home care for an unmarried child eligible for foster care payment shall be the rate established in the agreement between the department and the maternity home agency.

(3) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

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.

(a) Out-of-home day care

(i) An additional requirement shall be authorized for licensed out-of-home day care. Licensure is not required of those persons exempted in RCW 74.15.020.

(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. Payment will not be withheld from recipients whose out-of-home day care provider has made application for licensure.

(iii) The part-time payment standard for day care of less than seven hours per day shall be ((~~\$1.04~~)) \$1.11 per hour for each child.

(iv) The full-time payment standard for day care of seven hours or more per day shall be ((~~\$7.27~~)) \$7.78 per day for each child.

(b) In-home child care

(i) The payment standard for in-home care shall be ((~~\$1.04~~)) \$1.11 per hour for the care of three children or less in the family, or ((~~\$1.35~~)) \$1.44 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 subsection (2)(a) and (b) of this section 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 subsection (4) of this section are met; and

(b) No other noncontractual child care is reasonably available to the client; and

(c) Any absence in excess of two days per month is attributable to illness.

(6) "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.

(7) These rules shall be effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-160 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIC CIRCUMSTANCES—RESTAURANT MEALS. (1) Restaurant meals shall be an additional requirement only when:

(a) The individual is physically or mentally unable to prepare any of his meals, and

(b) Board, or board and room, is not available or the use of such facilities is not feasible for an individual.

(2) The monthly additional requirement for restaurant meals shall be ((~~\$72.40~~)) \$80.35.

(3) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-170 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—DAILY RESTAURANT MEALS. (1) The standard for emergency restaurant meals shall be ((~~\$3.85~~)) \$4.30 per day.

(2) The daily restaurant meal standard shall be used only when such assistance is required pending full determination of eligibility, or for temporary assistance of a week or less. The emergency standard shall be used not to exceed one week within a thirty-day period. When need for restaurant meals continues beyond one week, the standard in WAC 388-29-160 shall be used.

(3) The emergency restaurant meal allowance is a subsistence standard and does not provide adequate nutrition for a prolonged period.

(4) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-200 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—FOOD FOR GUIDE DOG. (1) The cost of food for a guide dog shall be an additional requirement when an applicant for SSI or an assistance grant has a guide dog assigned to him by an accredited guide dog organization. The cost standard for food for a guide dog shall be ((~~\$23.25~~)) \$25.80.

(2) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-220 STANDARDS FOR ADDITIONAL REQUIREMENTS UNDER SPECIFIED CIRCUMSTANCES—LAUNDRY. (1) Laundry is an additional requirement when:

(a) The applicant or recipient is physically unable to do his laundry, and

(b) He has no one able to perform this service for him.

(2) The monthly cost standard for laundry shall be ((~~\$6.35~~)) \$7.05.

(3) These standards are effective July 1, ((+979)) 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-29-260 REQUIREMENTS OF PERSON IN BOARDING HOME—CONTINUING GENERAL ASSISTANCE. (1) The standard for board and room shall be ((~~\$160.00~~)) \$177.60 per month or ((~~\$5.26~~)) \$5.85 per day.

(2) The monthly standard for clothing and personal maintenance and necessary incidentals shall be \$27.50.

(3) These standards are effective July 1, ((1979)) 1980.

AMENDATORY SECTION (Amending Order 1436, filed 9/21/79)

WAC 388-35-070 NONCONTINUING GENERAL ASSISTANCE-REQUIREMENTS. (1) The standards for monthly requirements for a noncontinuing general assistance applicant/recipient, effective July 1, ((1979)) 1980, shall be:

Table with 9 columns: Number of GA-N recipients in assistance unit (1-9). Rows show standard amounts for 1979 and 1980.

Table with 9 columns: Number of GA-N recipients in assistance unit (10-18 or more). Rows show standard amounts for 1979 and 1980.

(2) An emergency shelter requirement shall be authorized by the CSO in the following circumstances:

(a) The applicant/recipient has been given, and presents to the CSO, a notice to quit premises or pay rent.

(b) The CSO has contacted the landlord and has been assured that payment of up to one month's rent standard will be sufficient to forestall eviction.

(c) The amount authorized shall be the actual amount needed to forestall eviction, not to exceed the following standards:

Table with 9 columns: Number of GA-N recipients in assistance unit (1-9). Rows show standard amounts for 1979 and 1980.

Table with 9 columns: Number of GA-N recipients in assistance unit (10-18 or more). Rows show standard amounts for 1979 and 1980.

(3) An emergency utility requirement shall be authorized by the CSO in the following circumstances:

(a) The applicant/recipient has been given, and presents to the CSO, a notice of impending utility shut-off issued by the company providing the service, or it is otherwise verified by the CSO that the applicant or recipient is without necessary fuel for heating or cooking.

(b) The CSO has contacted the utility company or other provider of fuel to determine the amount necessary to forestall shut-off or otherwise provide necessary fuel.

(c) The amount authorized shall be the actual amount needed to forestall shut-off or to purchase one month's supply of fuel, not to exceed the following standards:

Table with 9 columns: Number of GA-N recipients in assistance unit (1-9). Rows show standard amounts for 1979 and 1980.

Table with 9 columns: Number of GA-N recipients in assistance unit (10-18 or more). Rows show standard amounts for 1979 and 1980.

AMENDATORY SECTION (Amending Order 1434, filed 9/21/79)

WAC 388-42-150 MAXIMUM COST STANDARDS FOR FUNERAL DIRECTOR'S SERVICES AND BURIAL OR CREMATION SERVICES. (1) Funeral director's services—Actual charges, but not to exceed

- (a) Minimum service: Adult or older child (casket 5 feet or larger) \$((217))232, Child (casket 2 feet 6 inches, less than 5 feet) \$((169))181, Child (casket less than 2 feet 6 inches) \$ ((81))87. (b) Regular service: Adult or older child (casket 5 feet or larger) \$((496))531, Child (casket 2 feet 6 inches, less than 5 feet) \$((209))224, Child (casket less than 2 feet 6 inches) \$ ((81))87. (2) Burial or cremation services: (a) Burial only \$((223))239, Burial in grave of another \$((223))239, Burial with lot included. \$((251))261

(b) Cremation only \$((223))239, Cremation with burial place included \$((230))246

(3) These standards include all applicable taxes. (4) These standards shall be effective July 1, ((1979)) 1980.

WSR 80-07-022 PROPOSED RULES BOARD OF HEALTH [Filed June 11, 1980]

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 obstetrical department, amending WAC 248-18-220;

that such agency will at 9:00 a.m., Wednesday, July 9, 1980, in the Meeting Room, Multiple Services Building, 2109 Sumner, Aberdeen, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 9, 1980, in the Meeting Room, Multiple Services Building, 2109 Sumner, Aberdeen, WA.

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 July 9, 1980, and/or orally at 9:00 a.m., Wednesday, July 9, 1980, Meeting Room, Multiple Services Building, 2109 Sumner, Aberdeen, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-120 filed with the code reviser's office on May 7, 1980.

Dated: June 11, 1980 By: John A. Beare MD Secretary

WSR 80-07-023 PROPOSED RULES BOARD OF HEALTH [Filed June 11, 1980]

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 immunization of school children against certain vaccine-preventable diseases, amending WAC 248-100-163;

that such agency will at 9:00 a.m., Wednesday, July 9, 1980, in the Meeting Room, Multiple Services Building, 2109 Sumner, Aberdeen, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 9:00 a.m., Wednesday, July 9, 1980, in the Meeting Room, Multiple Services Building, 2109 Sumner, Aberdeen, WA.

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 July 9, 1980, and/or orally at 9:00 a.m., Wednesday, July 9, 1980, Meeting Room, Multiple Services Building, 2109 Sumner, Aberdeen, WA.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-119 filed with the code reviser's office on May 7, 1980.

Dated: June 11, 1980
By: John A. Beare MD
Secretary

WSR 80-07-024
EMERGENCY RULES
CODE REVISER
[Order 20—Filed June 12, 1980]



I, Dennis W. Cooper, Code Reviser of the state of Washington, do promulgate and adopt at Olympia, the annexed rules relating to regulations for the drafting and filing of notices and rules by state agencies and institutions of higher education, chapters 1-12 and 1-13 WAC.

I, Dennis W. Cooper, Code Reviser, 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 implementation of chapter 186, Laws of 1980, which takes effect June 12, 1980, requires certain amendments to chapters 1-12 and 1-13 WAC; however, the legislation was not approved by the governor until April 4, 1980, which did not permit sufficient time for adoption of permanent rules to take effect at the same time as the underlying statute.

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

This rule is promulgated pursuant to RCW 34.08.030 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 1.08.110, 28B.19.080, and 34.04.055 which directs that the Code Reviser has authority to implement the provisions of chapters 28B.19 and 34.04 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 June 12, 1980.

By Dennis W. Cooper
Code Reviser

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-005 **DECLARATION OF PURPOSE.** *The creation and maintenance of the Washington Administrative Code is a task of considerable magnitude.*

In recognition of the amount of total effort involved, and in order to effect overall economies in this important function of state government, the legislature has placed responsibilities upon the individual agencies by requiring (RCW 34.04.057 and ((~~34.04.055~~ (1977 c 19 § 1))) 34.04.058) that they formulate both newly created and amendatory rules in the bill drafting style of the legislature and further in accordance with the style, format, and numbering system of the code.

This chapter is promulgated by the code reviser pursuant to the authority granted by RCW ((~~1.08.110~~ (1977 1st ex.s. c 240 § 2))) 1.08.110, 34.04.055, and ((~~34.08.030~~ (1977 1st ex.s. c 240 § 4))) 34.08.030 in the interest of assisting the agencies in preparing, promulgating, and disseminating their administrative rules in an expeditious, orderly, and uniform manner so as to produce a state register and an administrative code which shall be as concise and accurate as possible, and at minimum overall expense to the state. The format standards imposed by this chapter are necessary to enable the inclusion of the rules as part of the register and the code in an orderly and efficient manner.

The code reviser's office will be pleased to afford such advice and assistance to requesting agencies regarding this chapter as its time and resources will permit.

The code reviser expressly reserves the power to create new code titles, chapters, and sections of the Washington Administrative Code, or otherwise revise the title, chapter, and sectional organization of the code, all as may be required from time to time, to effectuate the orderly and logical arrangement of the rules published therein.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-030 **NOTICES OF INTENTION TO ADOPT RULES.** (1) Statutory notice requirements; see RCW 34.04.025¹, 34.04.045, and ((~~34.08.030~~ (1977 1st ex.s. c 240 § 3))) 34.08.020.³

(2) Failure to comply with twenty days notice requirement—Code reviser not to publish rule and rule not effective for any purpose; see RCW 34.04.027.²

(3) Form of notice. Notice shall be filed on forms provided by the code reviser's office (Form CR-1). No other form will be accepted for filing. ((~~On and after January 1, 1978,~~)) The notice shall also include the full text of any proposed new or amendatory rule and the citation and caption of any existing rule to be repealed. Such proposal shall be done according to the bill drafting style requirements of WAC 1-12-125 through 1-12-160. The rule purpose statement required by RCW 34.04.045 shall also be included with the notice. (See WAC 1-12-065.)

(4) Number of copies; Notice numbers. Agencies shall file in the code reviser's office an original and ((two)) three copies of the notice and rule purpose statement whereupon the date of filing and the notice number will be affixed and a copy returned to the filing agency. Such notice number or numbers shall in the event of one or more continuances, be entered in paragraph (7) of all subsequent notices relating to the original notice (Form CR-1). The notice number and date (or the latest such number and date if due to continuances there be more

than one) shall be entered by the agency on the administrative order and transmittal form by which the rules are adopted and transmitted for filing.

(5) Computation of time with respect to the twenty day rule. The effect of RCW 34.04.025 and 34.04.027 is to require the code reviser to ascertain agency compliance with the twenty day rule. Such compliance will be determined as follows:

(a) The code reviser's office construes the twenty day notice requirement of RCW 34.04.025 and 34.04.027 as relating to the date upon which the first action will be taken by the agency upon the proposed rule changes; thus if the agency provides for a public hearing upon the matter, the twenty day requirement applies to the date of such hearing, otherwise it will apply to the date upon which the agency convenes to adopt, amend, or repeal the rules in question. The dates of the hearing, if any, and of the decision shall be inserted in parts (2) and (3), respectively, of the notice form (CR-1), and such dates may, of course, be coincidental.

(Attention is also directed to the additional requirement embodied in RCW 34.04.025(1)(b) which provides that "Prior to the adoption, amendment, or repeal of any rule, each agency shall: . . . Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing . . .")

~~(b) ((Prior to January 1, 1978, the code reviser construes RCW 34.04.025(1)(a) as requiring the actual physical filing of the notice in the code reviser's office at least twenty days prior to the date of such first action; thus notices filed by mail must have been received at least twenty days prior to the date of such first action. The time from such date of receipt, to the time of such first action, will be computed according to RCW 1.12-.040 which provides that:~~

~~_____ "The time within which an act is to be done, as herein provided, shall be computed by excluding the first day, and including the last, unless the last day is a holiday or Sunday, and then it is also excluded."~~

~~As a rule of thumb consider the date of filing in the code reviser's office as day twenty. Count down to day zero to find the first day on which action may be taken (hearing or meeting, whichever occurs first); cf. State ex rel. Earley v. Batchelor, 15 Wn.2d 149.~~

~~(c) On and after January 1, 1978;)) The twenty day notice requirement ((will apply)) applies to the publication of the notice and text of the proposal in the state register ((and not to its filing with the code reviser. The twenty day count will)) and begins with the distribution date of the register in which the notice has been published (or a notice regarding the omission of a rule has been published pursuant to RCW 34.04.050(3)). Consider the distribution date of the pertinent register as day twenty, count down to day zero to find the first day on which action may be taken (hearing or meeting, whichever occurs first); cf. RCW 1.12.040 and State ex rel. Earley v. Batchelor, 15 Wn.2d 149.~~

~~((†)) (c) The distribution dates of ((each monthly)) registers shall be the first and third Wednesdays of ((that)) each month((:)). If a distribution date falls on a~~

state holiday as determined by RCW 1.16.050, the distribution date of that register shall be delayed until Thursday. The last day to file material in the code reviser's office for inclusion in ((that month's)) any particular register will be established according to WAC 1-12-035.

~~((†)) (d) If upon convening on any of the dates announced in parts (2) and (3) of the notice form (Form CR-1) the agency desires to continue either the hearing or the decision meeting, or both, to a future time certain but does not desire to file a new notice which would be subject to the twenty day rule such agency may, if it has complied with the twenty day rule as to its original notice and has convened at the time and place specified in such notice, announce a continuance to a date certain and forthwith file with the code reviser a continuation notice (Form CR-1) containing in part (1) thereof the same terms, substance, or description as was contained in the original notice (or if some of the matters have been disposed of, then such portions thereof as remain applicable) and supplying the additional information required by part (7) of such form. In the event of one or more such continuances, the compliance of the original notice with the twenty day rule will be deemed to relate to the continuation notices, and the text of the proposal need not be submitted with a notice of continuance. If an agency determines in advance of a hearing or adoption that it desires to continue either or both actions, it may file notice of a continuance in advance of the action if the notice will appear in a register with a distribution date at least ten days before the first action date of the previous notice.~~

NOTES:

¹RCW 34.04.025 as amended by § 7, chapter 240, Laws of 1977 ((††)) ex. sess. (effective January 1, 1978) provides:

"(1) Prior to the adoption, amendment, or repeal of any rule, each agency shall:

(a) File notice thereof with the code reviser in accordance with RCW 34.08.020(1) for publication in the state register, and mail such notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings. Such notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon;

(b) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. In case of substantive rules, opportunity for oral hearing must be granted if requested by twenty-five persons, by a governmental subdivision or agency, or by an association having not less than twenty-five members. The agency shall consider fully all written and oral submissions respecting the proposed rule. Upon adoption of a rule, the agency, if requested to do so by an interested person either prior to adoption or within thirty days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

(2) No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an agency giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

(3) No rule hereafter adopted is valid unless adopted in substantial compliance with this section, or, if an emergency rule designated as such, adopted in substantial compliance with RCW 34.04.030, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of RCW 34.08.020(1), of this section, or of RCW 34.04.030, as now or

hereafter amended, after two years have elapsed from the effective date of the rule."

²RCW 34.04.027 provides:

"When twenty days notice of intended action to adopt, amend or repeal a rule has not been filed with the code reviser, as required in RCW 34.04.025, the code reviser shall not publish such rule and such rule shall not be effective for any purpose."

³RCW (~~34.08..... (1977 1st ex.s. c 240 § 3))~~ 34.08.020 as amended by § 15, chapter 186, Laws of 1980 provides: "There is hereby created a state publication to be called the Washington State Register, which shall be published on no less than a monthly basis. The register shall contain, but is not limited to, the following materials received by the code reviser's office during the pertinent publication period:

(1) The full text of any proposed new or amendatory rules, as defined in RCW 34.04.010, and the citation of any existing rules the repeal of which is proposed, prior to the public hearing on such proposal. Such material shall be considered, when published, to be the official notification of the intended action, and no state agency or official thereof may take action on any such rule except on emergency rules adopted in accordance with RCW 34.04.030, until twenty days have passed since the distribution date of the register in which the rule and hearing notice have been published or a notice regarding the omission of the rule has been published pursuant to RCW 34.04.050(3) as now or hereafter amended;

(2) The full text of any new or amendatory rule adopted, and the citation of any existing rule repealed, on a permanent or emergency basis;

(3) Executive orders and emergency declarations of the governor;

(4) Public meeting notices of any and all agencies of state government, including state elected officials whose offices are created by Article III of the state Constitution or RCW 48.02.010;

(5) Rules of the state supreme court which have been adopted but not yet published in an official permanent codification; and

(6) Summaries of attorney general opinions and letter opinions, noting the number, date, subject, and other information, and prepared by the attorney general for inclusion in the register."

NEW SECTION

WAC 1-12-033 WITHDRAWAL OF PROPOSED RULE. Pursuant to RCW 34.04..... (1980 c 186 § 11) a proposed rule may be withdrawn by the proposing agency at any time before adoption. Notice of withdrawal shall be provided to the code reviser's office in the form of a letter or memorandum from the proposing agency signed by the person signing the notice of proposal or by a designee of that person.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-035 TIME FOR FILING MATERIAL FOR INCLUSION IN REGISTER. To permit sufficient lead time for the editorial, data capture, and printing process, material to be published under RCW (~~34.08..... (1977 1st ex.s. c 240 § 3))~~ 34.08.020 in a particular (~~(monthly)~~) register shall be in the actual physical possession of and filed in the code reviser's office according to the following schedule:

(1) If the material has been prepared and completed by the order typing service (OTS) of the code reviser's office, by 5:00 p.m. on the fourteenth day prior to the distribution date of that (~~(month's)~~) period's register, or

(2) If the material has been prepared other than by the code reviser's order typing service (OTS) and:

(a) Contains no more than ten pages in conformance with WAC 1-12-170; by 5:00 p.m. on the fourteenth day prior to the distribution date of that (~~(month's)~~) period's register, or

(b) Contains more than ten but less than thirty pages in conformance with WAC 1-12-170; by 5:00 p.m. on the twenty-eighth day prior to the distribution date of that (~~(month's)~~) period's register, or

(c) Contains thirty or more pages in conformance with WAC 1-12-170; by 5:00 p.m. on the forty-second day prior to the distribution date of that (~~(month's)~~) period's register.

AMENDATORY SECTION (Amending Order 12, filed 5/9/77, effective 6/9/77)

WAC 1-12-040 ADMINISTRATIVE ORDER—HOW PROMULGATED. The promulgation of new rules and of rules amending or repealing existing rules shall be accomplished by an administrative order. Such order shall include, as a minimum, the substance of the items set forth in WAC 1-12-930 and 1-12-940 (Forms CR-7 and CR-8). If other items or findings are required by law to be included in an agency order, such material may be included within or appended to the order, and if certain terms or nomenclature in such forms are inappropriate for a particular agency or adoption, correct terminology may be substituted. Orders shall be numbered seriatim by the agency and a record thereof shall be maintained by the agency. (See WAC 1-12-045 for maintaining order register.)

Four copies of the administrative order are required for filing in the code reviser's office. The order shall be properly signed by an authorized agent of the agency.

Each order shall set forth an appropriate statement of state statutory authority as required by RCW (~~34.04..... (1977 c 19 § 2))~~ 34.04.026.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-050 FILING OF ADMINISTRATIVE ORDER—RULES ADOPTED. Each filing of rules, whether permanent or emergency, shall be assembled and presented to the code reviser's office in the following order:

(1) The administrative order adopting said rules, Form CR-7 or CR-8, as appropriate; four signed copies (See WAC 1-12-040);

(2) (~~The rule purpose statement, one copy (see WAC 1-12-065);~~

~~(3))~~) The text of rules adopted; one original and three identical copies.

The adoption of permanent and emergency rules shall be effected by separate administrative orders and transmittals thereof.

AMENDATORY/RECODIFICATION SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77; recodified as WAC 1-12-032)

WAC 1-12-065 RULE PURPOSE AND IMPLEMENTATION STATEMENT. RCW (~~34.04..... (1977 1st ex.s. c 84 § 1))~~ 34.04.045¹ requires that when (~~(any adopted)~~) notice of any proposed rule(~~(; whether permanent or emergency,)~~) is filed with the code reviser it shall be accompanied by a statement generally describing the rule's purpose and how it is to be

implemented. Such statement shall also contain, as a minimum, the other items required by that statute. One copy of the purpose statement shall be attached to each copy of the notice filed with the code reviser's office. Also note that it is the responsibility of the adopting agency to transmit three copies each of the statement to the secretary of the senate and the chief clerk of the house of representatives.

NOTE:

¹RCW ((34.04..... (1977 1st ex.s. c 84 § 1))) 34.04.045, as amended by 1980 c 186 § 10, provides:

(1) For the purpose of legislative review of agency rules filed pursuant to this chapter, any new or amendatory rule proposed after June 12, 1980, shall be accompanied by a statement prepared by the adopting agency which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall be on the agency's stationery or a form bearing the agency's name and shall contain, but is not limited to, the following:

(a) A title, containing a description of the rule's purpose, the statutory authority for the rule, and any other information which may be of assistance in identifying the rule or its purpose;

(b) A summary of the rule and a statement of the reasons supporting the proposed action;

(c) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

(d) The name of the person or organization, whether private, public, or governmental, proposing the rule;

(e) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

(f) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting agency shall have copies of the statement on file and available for public inspection and shall forward three copies each of the statement to the secretary of the senate and the chief clerk of the house of representatives, who will in turn forward the statement to the majority and minority caucuses and to the appropriate legislative committees.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-130 DRAFTING INSTRUCTIONS—AMENDATORY SECTION. (1) Both proposed and adopted rules which amend a section or sections of existing rules shall set forth the full text of the most current version of the section or sections including the WAC citation number, caption, text of the section, and associated agency explanatory notes and shall indicate by use of deletion and/or addition marks the amendment being made (RCW ((34.04..... (1977 c 19 § 1))) 34.04.058).

(2) Amendments shall be to the most current permanent version of a WAC section and shall be drafted in the following manner only:

(a) Language added to an existing WAC section shall be underlined;

(b) Language to be deleted from an existing WAC section shall be

(i) preceded by two left parentheses,

(ii) struck over with hyphens, and

(iii) followed by two right parentheses;

(c) New language which replaces deleted language shall follow the deleted language.

(3) Each amendatory section shall be headed "AMENDATORY SECTION" followed by reference

to the agency order number and filing date of the latest permanent order affecting that section. (See WAC 1-12-155 for style of this reference.)

(4) Special care must be taken to make sure that punctuation is not neglected. Addition and deletion of punctuation must be indicated in the above manner also. Existing punctuation should, however, be utilized to the extent possible. For example, if new language is to follow the last word of a sentence, insert the new language (underlined) between the existing last word and the existing period.

(5) The code reviser's office will be pleased to afford such advice and assistance as its time and resources will permit to requesting agencies regarding the style in which rules amending existing WAC sections must be drafted. (See WAC 1-12-220.)

(6) Note that rules which amend existing WAC sections and which are not drafted in the required style cannot be accepted for filing by the code reviser, and any addition to or deletion from an existing WAC section not promulgated in the required style will have no legal effect and will not be enforceable by the agency (RCW ((34.04..... (1977 c 19 § 1))) 34.04.058¹).

(7) In the event that any section to be amended is exempt from publication under the provisions of RCW 34.04.050(3) and therefore not codified in the Washington Administrative Code, it shall be referred to by agency order and section number, or other appropriate description.

NOTE:

¹RCW ((34.04..... (1977 c 19 § 1))) 34.04.058 as amended by section 14, chapter 186, Laws of 1980 provides:

"(1) Rules promulgated by an agency pursuant to RCW 34.04.025 or 34.04.030, as now or hereafter amended, which amend existing sections of the administrative code shall have the words which are amendatory to such existing sections underlined. Any matter to be deleted from an existing section shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. In the case of a new section, such shall be designated "NEW SECTION" in upper case type and such designation shall be underlined, but the complete text of the section shall not be underlined. No rule may be forwarded by any agency to the code reviser, nor may the code reviser accept for filing any rule unless the format of such rule is in compliance with the provisions of this section.

(2) Once the rule has been formally adopted by the agency the code reviser need not, except with regard to the register published pursuant to RCW 34.04.050(2), include the items enumerated in subsection (1) of this section in the official code.

(3) Any addition to or deletion from an existing code section not filed by the agency in the style prescribed by subsection (1) of this section shall in all respects be ineffectual, and shall not be shown in subsequent publications or codifications of that section unless the ineffectual portion of the rule is clearly distinguished and an explanatory note is appended thereto by the code reviser in accordance with RCW 34.04.050, as now or hereafter amended, and section 13 of this 1980 act [1980 c 186 § 13]."

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-160 DRAFTING INSTRUCTIONS—REDESIGNATION OF WAC NUMBERS—AMENDMENT OR REPEAL OF INCONSISTENT RULES. (1) WAC numbers assigned to chapters or sections are permanent and shall not be changed by the use of addition and deletion marks(;;). Unless special permission is obtained from the code reviser's office, the

only way to change the WAC number originally assigned to a section is to repeal the entire section and re-adopt it under the new WAC number desired.

(2) ~~((Unless special permission is obtained from the code reviser's office,))~~ The WAC numbers previously assigned to repealed sections or chapters shall not again be used to designate other sections or chapters as the sections or chapters repealed will continue to be referenced in the code as memorial sections or chapters.

(3) In drafting new rules, the draftsman must be cognizant of rules already in existence, and must expressly amend or repeal existing chapters or sections which would not be consistent with the new rules.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-005 DECLARATION OF PURPOSE. The creation and maintenance of the Washington Administrative Code is a task of considerable magnitude. In recognition of the amount of total effort involved, and in order to effect overall economies in this important function of state government, the legislature has placed responsibilities upon the individual institutions of higher education by requiring (RCW 28B.19.090 and 28B.19. (1980 c 186 § 27)) that they formulate both newly created and amendatory rules in the bill drafting style of the legislature and further in accordance with the style, format, and numbering system of the code.

This chapter is promulgated by the code reviser pursuant to the authority granted by RCW ~~((1-08. (1977 1st ex.s. c 240 § 2))~~) 1.08.110, 28B.19.080, and ~~((34.08. (1977 1st ex.s. c 240 § 4))~~) 34.08.030 in the interest of assisting the agencies in preparing, promulgating, and disseminating their administrative rules in an expeditious, orderly, and uniform manner so as to produce a state register and an administrative code which shall be as concise and accurate as possible, and at minimum overall expense to the state. The format standards imposed by this chapter are necessary to enable the inclusion of the rules as part of the register and the code in an orderly and efficient manner.

The code reviser's office will be pleased to afford such advice and assistance to requesting agencies regarding this chapter as its time and resources will permit.

The code reviser expressly reserves the power to create new code titles, chapters, and sections of the Washington Administrative Code, or otherwise revise the title, chapter, and sectional organization of the code, all as may be required from time to time, to effectuate the orderly and logical arrangement of the rules published therein.

Chapter 28B.19 RCW, the State Higher Education Administrative Procedure Act, established separate procedures for institutions of higher education, and the provisions of this chapter ~~((shall))~~ apply only to those institutions.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-030 NOTICES OF INTENTION TO ADOPT RULES. (1) Statutory notice requirements, see RCW 28B.19.030¹, 28B.19. (1980 c 186 § 23)

and ~~((34.08. (1977 1st ex.s. c 240 § 3))~~) 34.08.020.³

(2) Failure to comply with twenty days notice requirement—Code reviser not to publish rules and rule not effective for any purpose; see RCW 28B.19.030(3).²

(3) Form of notice. Notices shall be filed on forms provided by the code reviser's office (Form CR-4). No other form will be accepted for filing. ~~((On and after January 1, 1978,))~~ The notice shall also include the full text of any proposed new or amendatory rule and the citation and caption of any existing rule to be repealed. Such proposal ~~((state))~~ shall be done according to the bill drafting style requirements of WAC 1-13-125 through 1-13-160. The rule purpose statement required by RCW 28B.19. (1980 c 186 § 23) shall also be included with the notice. (See WAC 1-13-032.)

(4) Number of copies; Notice numbers. Agencies shall file in the code reviser's office an original and ~~((two))~~ three copies of the notice and rule purpose statement whereupon the date of filing and the notice number will be affixed and a copy returned to the filing agency. Such notice number or numbers shall in the event of one or more continuances, be entered in paragraph (7) of all subsequent notices relating to the original notice (Form CR-4). The notice number and date (or the latest such number and date if due to continuances there be more than one) shall be entered by the agency on the administrative order and transmittal form by which the rules are adopted and transmittal form transmitted for filing.

(5) Computation of time with respect to the twenty day rule. The effect of RCW 28B.19.030 is to require the code reviser to ascertain agency compliance with the twenty day rule. Such compliance will be determined as follows:

(a) The code reviser's office construes the twenty day notice requirement of RCW 28B.19.030 as relating to the date upon which the first action will be taken by the agency upon the proposed rule changes; thus if the agency provides for a public hearing upon the matter, the twenty day requirement applies to the date of such hearing, otherwise it will apply to the date upon which the agency convenes to adopt, amend, or repeal the rules in question. The dates of the hearing, if any, and of the decision shall be inserted in parts (2) and (3), respectively, of the notice form (CR-4), and such dates may, of course, be coincidental.

(Attention is also directed to the additional requirement embodied in RCW 28B.19.030(1)(b) which provides that "Prior to the adoption, amendment or repeal of any rule, each agency shall: . . . Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing . . .")

(b) ~~((Prior to January 1, 1978, the code reviser construes RCW 28B.19.030(1)(a) as requiring the actual physical filing of the notice in the reviser's office at least twenty days prior to the date of such first action, thus notices filed by mail must have been received at least twenty days prior to the date of such first action. The time from such date of receipt, to the time of such first action, will be computed according to RCW 1.12.040 which provides that:~~

~~— "The time within which an act is to be done, as herein provided shall be computed by excluding the first day, and including the last, unless the last day is a holiday or Sunday, and then it is also excluded."~~

As a rule of thumb consider the date of filing in the code reviser's office as day twenty. Count down to day zero to find the first day on which action may be taken (hearing or meeting, whichever occurs first); cf. State ex rel. Earley v. Batchelor, 15 Wn.2d 149.

~~(c) On and after January 1, 1978,))~~ The twenty day notice requirement ((will apply)) applies to the publication of the notice and the text of the proposal in the state register ((and not to its filing with the code reviser. The twenty day count will)) and begins with the distribution date of the register in which the notice has been published (or a notice regarding the omission of a rule has been published pursuant to RCW 28B.19.070). Consider the distribution date of the pertinent register as day twenty, count down to day zero to find the first day on which action may be taken (hearing or meeting, whichever occurs first); cf. RCW 1.12.040 and State ex rel. Earley v. Batchelor, 15 Wn.2d 149.

~~((†))~~ (c) The distribution dates of ((each monthly)) registers shall be the first and third Wednesdays of ((that)) each month(;;). If a distribution date falls on a state holiday as determined by RCW 1.16.050, the distribution date of that register shall be delayed until Thursday. The last day to file material in the code reviser's office for inclusion in ((that month's)) any particular register will be established according to WAC 1-13-035.

~~((†))~~ (d) If upon convening on any of the dates announced in parts (2) and (3) of the notice form (Form CR-4) the agency desires to continue either the hearing or the decision meeting, or both, to a future time certain but does not desire to file a new notice which would be subject to the twenty day rule such agency may, if it has complied with the twenty day rule as to its original notice and has convened at the time and place specified in such notice, announce a continuance to a date certain and forthwith file with the code reviser a continuation notice (Form CR-4) containing in part (1) thereof the same terms, substance, or description as was contained in the original notice (or if some of the matters have been disposed of, then such portions thereof as remain applicable) and supplying the additional information required by part (7) of such form. In the event of one or more such continuances, the compliance of the original notice with the twenty day rule will be deemed to relate to the continuation notices, and the text of the proposal need not be submitted with a notice of continuance. If an agency determines in advance of a hearing or adoption that it desires to continue either or both actions, it may file a notice of continuance in advance of the action if the notice will appear in a register with a distribution date at least ten days before the first action date of the previous notice.

NOTES:

¹ & ² RCW 28B.19.030 as amended by § 10, chapter 240, Laws of 1977 ((††)) ex. sess. (effective January 1, 1978) provides:

"(1) Prior to the adoption, amendment, or repeal of any rule adopted under this chapter, each institution, college, division, department, or official thereof exercising rule-making authority delegated by the governing board or the president, shall:

(a) File notice thereof with the code reviser in accordance with RCW 34.08.020(1) for publication in the state register, and mail the notice to all persons who have made timely request of the institution or related board for advance notice of its rule-making proceedings. Such notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon;

(b) Provide notice to the campus or standard newspaper of the institution involved and to a newspaper of general circulation in the area at least seven days prior to the date of the rule-making proceeding. The notice shall state the time when, place where, and manner in which interested persons may present their views thereon and the general subject matter to be covered;

(c) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. An opportunity for oral hearing must be granted if requested by twenty-five persons. The institution shall consider fully all written and oral statements respecting the proposed rule.

(2) No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an institution of higher education giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

(3) No rule adopted under this chapter is valid unless adopted in substantial compliance with this section, or, if an emergency rule designated as such, adopted in substantial compliance with RCW 28B.19.040, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of RCW 34.08.020(1), of this section, or of RCW 28B.19.040, as now or hereafter amended, after two years have elapsed from the effective date of the rule.

(4) When twenty days notice of intended action to adopt, amend, or repeal a rule has not been filed with the code reviser, as required by subsection (2) of this section, the code reviser shall not publish such rule and such rule shall not be effective for any purpose."

³RCW ((34.08..... (1977 1st ex. s. c 240 § 3))) 34.08.020 as amended by § 15, chapter 186, Laws of 1980 provides: "There is hereby created a state publication to be called the Washington State Register, which shall be published on no less than a monthly basis. The register shall contain, but is not limited to, the following materials received by the code reviser's office during the pertinent publication period:

(1) The full text of any proposed new or amendatory rules, as defined in RCW 34.04.010, and the citation of any existing rules the repeal of which is proposed, prior to the public hearing on such proposal. Such material shall be considered, when published, to be the official notification of the intended action, and no state agency or official thereof may take action on any such rule except on emergency rules adopted in accordance with RCW 34.04.030, until twenty days have passed since the distribution date of the register in which the rule and hearing notice have been published or a notice regarding the omission of the rule has been published pursuant to RCW 34.04.050(3) as now or hereafter amended;

(2) The full text of any new or amendatory rule adopted, and the citation of any existing rule repealed, on a permanent or emergency basis;

(3) Executive orders and emergency declarations of the governor;

(4) Public meeting notices of any and all agencies of state government, including state elected officials whose offices are created by Article III of the state Constitution or RCW 48.02.010;

(5) Rules of the state supreme court which have been adopted but not yet published in an official permanent codification; and

(6) Summaries of attorney general opinions and letter opinions, noting the number, date, subject, and other information, and prepared by the attorney general for inclusion in the register."

NEW SECTION

WAC 1-13-032 RULE PURPOSE AND IMPLEMENTATION STATEMENT. RCW 28B.19..... (1980 c 186 § 23)¹ requires that when notice of any proposed rule is filed with the code reviser it shall be accompanied by a statement generally describing the rule's purpose and how it is to be implemented. Such statement shall also contain, as a minimum, the other items required by that statute. One copy of the purpose statement shall be attached to each copy of the notice filed with the code reviser's office. Also note that it is the responsibility of the adopting institution to transmit three copies of the statement to the secretary of the senate and the chief clerk of the house of representatives.

NOTES:

¹ RCW 28B.19..... (1980 c 186 § 23) provides:

"(1) For the purpose of legislative review of institution rules filed pursuant to this chapter, any new or amendatory rule proposed after June 12, 1980, shall be accompanied by a statement prepared by the adopting institution which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall be on the institution's stationery or a form bearing the institution's name and shall contain, but is not limited to, the following:

(a) A title, containing a description of the rule's purpose, the statutory authority for the rule, and any other information which may be of assistance in identifying the rule or its purpose;

(b) A summary of the rule and a statement of the reasons supporting the proposed action;

(c) The institution personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

(d) The name of the person or organization, whether private, public, or governmental, proposing the rule, if any;

(e) Institution comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

(f) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting institution shall have copies of the statement on file and available for public inspection and shall forward three copies each of the statement to the secretary of the senate and the chief clerk of the house of representatives, who will in turn forward the statement to the majority and minority caucuses and to the appropriate legislative committees."

NEW SECTION

WAC 1-13-033 WITHDRAWAL OF PROPOSED RULE. Pursuant to RCW 28B.19..... (1980 c 186 § 24) a proposed rule may be withdrawn by the proposing institution at any time before adoption. Notice of withdrawal shall be provided to the code reviser's office in the form of a letter or memorandum from the proposing institution signed by the person signing the notice of proposal or by a designee of that person.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-035 TIME FOR FILING MATERIAL FOR INCLUSION IN REGISTER. To permit sufficient lead time for the editorial, data capture, and printing process, material to be published under RCW ((34.08..... (1977 1st ex.s. c 240 § 3))) 34.08.020 in a particular ((monthly)) register shall be in the actual physical possession of and filed in the code reviser's

office according to the following schedule:

(1) If the material has been prepared and completed by the order typing service (OTS) of the code reviser's office, by 5:00 p.m. on the fourteenth day prior to the distribution date of that ((month's)) period's register, or

(2) If the material has been prepared other than by the code reviser's order typing service (OTS) and:

(a) Contains no more than ten pages in conformance with WAC 1-13-170; by 5:00 p.m. on the fourteenth day prior to the distribution date of that ((month's)) period's register, or

(b) Contains more than ten but less than thirty pages in conformance with WAC 1-13-170; by 5:00 p.m. on the twenty-eighth day prior to the distribution date of that ((month's)) period's register, or

(c) Contains thirty or more pages in conformance with WAC 1-13-170; by 5:00 p.m. on the forty-second day prior to the distribution date of that ((month's)) period's register.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-125 DRAFTING INSTRUCTIONS—USE OF UNDERLINING. (1) Words in the text of rules shall not be underlined, except to indicate language added to an existing section as explained in WAC 1-13-130. The designations "AMENDATORY SECTION," "NEW SECTION," and "REPEALER" shall also be underlined. No other use of underlining will be permitted, as the legal effect of underlining has been established by statute, and other uses present the codifier with an ambiguous situation.

(2) If it is desirable to emphasize certain text within the section for the institution's publication purposes, then consult with the code reviser's office for the appropriate style.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-130 DRAFTING INSTRUCTIONS—AMENDATORY SECTIONS. (1) Both proposed and adopted rules which amend a section or sections of existing rules shall set forth the full text of the most current version of the section or sections including the WAC citation number, caption, text of the section, and associated agency explanatory notes and shall indicate by use of deletion and/or addition marks the amendment being made (RCW 28B.19..... (1980 c 186 § 27)).

(2) Amendments shall be to the most current permanent version of a WAC section and shall be drafted in the following manner only:

(a) Language added to an existing WAC section shall be underlined;

(b) Language to be deleted from an existing WAC section shall be

(i) preceded by two left parentheses,

(ii) struck over with hyphens, and

(iii) followed by two right parentheses;

(c) New language which replaces deleted language shall follow the deleted language.

(3) Each amendatory section shall be headed "AMENDATORY SECTION" followed by reference to the agency order number and filing date of the latest permanent order affecting that section. (See WAC 1-13-155 for style of this reference.)

(4) Special care must be taken to make sure that punctuation is not neglected. Addition and deletion of punctuation must be indicated in the above manner also. Existing punctuation should, however, be utilized to the extent possible. For example, if new language is to follow the last word of a sentence, insert the new language (underlined) between the existing last word and the existing period.

(5) The code reviser's office will be pleased to afford such advice and assistance as its time and resources will permit to requesting institutions regarding the style in which rules amending existing WAC sections must be drafted. (See WAC 1-13-240.)

(6) Note that rules which amend existing WAC sections and which are not drafted in the required style cannot be accepted for filing by the code reviser, and any addition to or deletion from an existing WAC section not promulgated in the required style has no legal effect and is not enforceable by the institution (RCW 28B.19.¹ (1980 c 186 § 27)).

(7) In the event that any section to be amended is exempted from publication under the provisions of RCW 28B.19.070 and therefore not codified in the Washington Administrative Code, it shall be referred to by agency order and section number, or other appropriate description.

NOTES:

¹RCW 28B.19. (1980 c 186 § 27) provides:

"(1) Rules promulgated by an institution pursuant to RCW 28B.19.030 or 28B.19.040, as now or hereafter amended, which amend existing sections of the administrative code shall have the words which are amendatory to such existing sections underlined. Any matter to be deleted from an existing section shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. In the case of a new section, such shall be designated "NEW SECTION" in upper case type and such designation shall be underlined, but the complete text of the section shall not be underlined. No rule may be forwarded by any institution to the code reviser, nor may the code reviser accept for filing any rule unless the format of such rule is in compliance with the provisions of this section.

(2) Once the rule has been formally adopted by the institution the code reviser need not, except with regard to the register published pursuant to RCW 28B.19.070(2), as now or hereafter amended, include the items enumerated in subsection (1) of this section in the official code.

(3) Any addition to or deletion from an existing code section not filed by the institution in the style prescribed by subsection (1) of this section shall in all respects be ineffectual, and shall not be shown in subsequent publications or codifications of that section unless the ineffectual portion of the rule is clearly distinguished and an explanatory note is appended thereto by the code reviser in accordance with RCW 28B.19.070, as now or hereafter amended, and section 26 of this 1980 act [1980 c 186 § 26]."

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-160 DRAFTING INSTRUCTIONS—REDESIGNATION OF WAC NUMBERS—AMENDMENT OR REPEAL OF INCONSISTENT RULES. (1) WAC numbers assigned to chapters or

sections are permanent and shall not be changed by the use of addition and deletion marks(;;). Unless special permission is obtained from the code reviser's office, the only way to change the WAC number originally assigned to a section is to repeal the entire section and re-adopt it under the new WAC number desired.

(2) (~~Unless special permission is obtained from the code reviser's office,;~~) The WAC numbers previously assigned to repealed sections or chapters shall not again be used to designate other sections or chapters as the sections or chapters repealed will continue to be referenced in the code as memorial sections or chapters.

(3) In drafting new rules, the draftsman must be cognizant of rules already in existence, and must expressly amend or repeal existing chapters or sections which would not be consistent with the new rules.

**WSR 80-07-025
ADOPTED RULES
CODE REVISER**

[Order 21—Filed June 12, 1980]

I, Dennis W. Cooper, Code Reviser of the state of Washington, do promulgate and adopt at Olympia, the annexed rules relating to regulations for the drafting and filing of notices and rules by state agencies and institutions of higher education, chapters 1-12 and 1-13 WAC.

This action is taken pursuant to Notice No. WSR 80-05-116 filed with the code reviser on May 7, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 34.08.030 and is intended to administratively implement that statute.

This rule is promulgated pursuant to RCW 1.08.110, 28B.19.080 and 34.04.055 which directs that the Code Reviser has authority to implement the provisions of chapters 28B.19 and 34.04 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 June 12, 1980.

By Dennis W. Cooper
Code Reviser

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-005 DECLARATION OF PURPOSE. The creation and maintenance of the Washington Administrative Code is a task of considerable magnitude. In recognition of the amount of total effort involved, and in order to effect overall economies in this important function of state government, the legislature has placed responsibilities upon the individual agencies by requiring (RCW 34.04.057 and ((34.04. (1977 c 19 § 1))) 34.04.058) that they formulate both newly created and

amendatory rules in the bill drafting style of the legislature and further in accordance with the style, format, and numbering system of the code.

This chapter is promulgated by the code reviser pursuant to the authority granted by RCW ~~((1.08..... (1977 1st ex.s. c 240 § 2)))~~ 1.08.110, 34.04.055, and ~~((34.08..... (1977 1st ex.s. c 240 § 4)))~~ 34.08.030 in the interest of assisting the agencies in preparing, promulgating, and disseminating their administrative rules in an expeditious, orderly, and uniform manner so as to produce a state register and an administrative code which shall be as concise and accurate as possible, and at minimum overall expense to the state. The format standards imposed by this chapter are necessary to enable the inclusion of the rules as part of the register and the code in an orderly and efficient manner.

The code reviser's office will be pleased to afford such advice and assistance to requesting agencies regarding this chapter as its time and resources will permit.

The code reviser expressly reserves the power to create new code titles, chapters, and sections of the Washington Administrative Code, or otherwise revise the title, chapter, and sectional organization of the code, all as may be required from time to time, to effectuate the orderly and logical arrangement of the rules published therein.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-030 NOTICES OF INTENTION TO ADOPT RULES. (1) Statutory notice requirements; see RCW 34.04.025¹, 34.04.045, and ~~((34.08..... (1977 1st ex.s. c 240 § 3)))~~ 34.08.020.³

(2) Failure to comply with twenty days notice requirement—Code reviser not to publish rule and rule not effective for any purpose; see RCW 34.04.027.²

(3) Form of notice. Notice shall be filed on forms provided by the code reviser's office (Form CR-1). No other form will be accepted for filing. ~~((On and after January 1, 1978;))~~ The notice shall also include the full text of any proposed new or amendatory rule and the citation and caption of any existing rule to be repealed. Such proposal shall be done according to the bill drafting style requirements of WAC 1-12-125 through 1-12-160. The rule purpose statement required by RCW 34.04.045 shall also be included with the notice. (See WAC 1-12-065.)

(4) Number of copies; Notice numbers. Agencies shall file in the code reviser's office an original and ~~((two))~~ three copies of the notice and rule purpose statement whereupon the date of filing and the notice number will be affixed and a copy returned to the filing agency. Such notice number or numbers shall in the event of one or more continuances, be entered in paragraph (7) of all subsequent notices relating to the original notice (Form CR-1). The notice number and date (or the latest such number and date if due to continuances there be more than one) shall be entered by the agency on the administrative order and transmittal form by which the rules are adopted and transmitted for filing.

(5) Computation of time with respect to the twenty day rule. The effect of RCW 34.04.025 and 34.04.027 is to require the code reviser to ascertain agency compli-

ance with the twenty day rule. Such compliance will be determined as follows:

(a) The code reviser's office construes the twenty day notice requirement of RCW 34.04.025 and 34.04.027 as relating to the date upon which the first action will be taken by the agency upon the proposed rule changes; thus if the agency provides for a public hearing upon the matter, the twenty day requirement applies to the date of such hearing, otherwise it will apply to the date upon which the agency convenes to adopt, amend, or repeal the rules in question. The dates of the hearing, if any, and of the decision shall be inserted in parts (2) and (3), respectively, of the notice form (CR-1), and such dates may, of course, be coincidental.

(Attention is also directed to the additional requirement embodied in RCW 34.04.025(1)(b) which provides that "Prior to the adoption, amendment, or repeal of any rule, each agency shall: . . . Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing . . .")

~~(b) ((Prior to January 1, 1978, the code reviser construes RCW 34.04.025(1)(a) as requiring the actual physical filing of the notice in the code reviser's office at least twenty days prior to the date of such first action; thus notices filed by mail must have been received at least twenty days prior to the date of such first action. The time from such date of receipt, to the time of such first action, will be computed according to RCW 1.12.040 which provides that:~~

~~—"The time within which an act is to be done, as herein provided, shall be computed by excluding the first day, and including the last, unless the last day is a holiday or Sunday, and then it is also excluded."~~

~~As a rule of thumb consider the date of filing in the code reviser's office as day twenty. Count down to day zero to find the first day on which action may be taken (hearing or meeting, whichever occurs first); cf. State ex rel. Earley v. Batchelor, 15 Wn.2d 149.~~

~~((c))~~ ((c)) The twenty day notice requirement ~~((will apply))~~ applies to the publication of the notice and text of the proposal in the state register ~~((and not to its filing with the code reviser. The twenty day count will))~~ and begins with the distribution date of the register in which the notice has been published (or a notice regarding the omission of a rule has been published pursuant to RCW 34.04.050(3)). Consider the distribution date of the pertinent register as day twenty; count down to day zero to find the first day on which action may be taken (hearing or meeting, whichever occurs first); cf. RCW 1.12.040 and State ex rel. Earley v. Batchelor, 15 Wn.2d 149.

~~((d))~~ ((c)) The distribution dates of ~~((each monthly))~~ registers shall be the first and third Wednesdays of ~~((that))~~ each month((:)). If a distribution date falls on a state holiday as determined by RCW 1.16.050, the distribution date of that register shall be delayed until Thursday. The last day to file material in the code reviser's office for inclusion in ((that month's)) any particular register will be established according to WAC 1-12-035.

~~((t))~~ (d) If upon convening on any of the dates announced in parts (2) and (3) of the notice form (Form CR-1) the agency desires to continue either the hearing or the decision meeting, or both, to a future time certain but does not desire to file a new notice which would be subject to the twenty day rule such agency may, if it has complied with the twenty day rule as to its original notice and has convened at the time and place specified in such notice, announce a continuance to a date certain and forthwith file with the code reviser a continuation notice (Form CR-1) containing in part (1) thereof the same terms, substance, or description as was contained in the original notice (or if some of the matters have been disposed of, then such portions thereof as remain applicable) and supplying the additional information required by part (7) of such form. In the event of one or more such continuances, the compliance of the original notice with the twenty day rule will be deemed to relate to the continuation notices, and the text of the proposal need not be submitted with a notice of continuance. If an agency determines in advance of a hearing or adoption that it desires to continue either or both actions, it may file notice of a continuance in advance of the action if the notice will appear in a register with a distribution date at least ten days before the first action date of the previous notice.

NOTES:

¹RCW 34.04.025 as amended by § 7, chapter 240, Laws of 1977 (~~(tst)~~) ex. sess. (effective January 1, 1978) provides:

"(1) Prior to the adoption, amendment, or repeal of any rule, each agency shall:

(a) File notice thereof with the code reviser in accordance with RCW 34.08.020(1) for publication in the state register, and mail such notice to all persons who have made timely request of the agency for advance notice of its rule-making proceedings. Such notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon;

(b) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. In case of substantive rules, opportunity for oral hearing must be granted if requested by twenty-five persons, by a governmental subdivision or agency, or by an association having not less than twenty-five members. The agency shall consider fully all written and oral submissions respecting the proposed rule. Upon adoption of a rule, the agency, if requested to do so by an interested person either prior to adoption or within thirty days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

(2) No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an agency giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

(3) No rule hereafter adopted is valid unless adopted in substantial compliance with this section, or, if an emergency rule designated as such, adopted in substantial compliance with RCW 34.04.030, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of RCW 34.08.020(1), of this section, or of RCW 34.04.030, as now or hereafter amended, after two years have elapsed from the effective date of the rule."

²RCW 34.04.027 provides:

"When twenty days notice of intended action to adopt, amend or repeal a rule has not been filed with the code reviser, as required in RCW 34.04.025, the code reviser shall not publish such rule and such rule shall not be effective for any purpose."

³RCW (~~(34.08..... (1977 1st ex.s. c 240 § 3))~~) 34.08.020 as amended by § 15, chapter 186, Laws of 1980 provides: "There is hereby created a state publication to be called the Washington State Register, which shall be published on no less than a monthly basis. The register shall contain, but is not limited to, the following materials received by the code reviser's office during the pertinent publication period:

(1) The full text of any proposed new or amendatory rules, as defined in RCW 34.04.010, and the citation of any existing rules the repeal of which is proposed, prior to the public hearing on such proposal. Such material shall be considered, when published, to be the official notification of the intended action, and no state agency or official thereof may take action on any such rule except on emergency rules adopted in accordance with RCW 34.04.030, until twenty days have passed since the distribution date of the register in which the rule and hearing notice have been published or a notice regarding the omission of the rule has been published pursuant to RCW 34.04.050(3) as now or hereafter amended;

(2) The full text of any new or amendatory rule adopted, and the citation of any existing rule repealed, on a permanent or emergency basis;

(3) Executive orders and emergency declarations of the governor;

(4) Public meeting notices of any and all agencies of state government, including state elected officials whose offices are created by Article III of the state Constitution or RCW 48.02.010;

(5) Rules of the state supreme court which have been adopted but not yet published in an official permanent codification; and

(6) Summaries of attorney general opinions and letter opinions, noting the number, date, subject, and other information, and prepared by the attorney general for inclusion in the register."

NEW SECTION

WAC 1-12-033 WITHDRAWAL OF PROPOSED RULE. Pursuant to RCW 34.04..... (1980 c 186 § 11) a proposed rule may be withdrawn by the proposing agency at any time before adoption. Notice of withdrawal shall be provided to the code reviser's office in the form of a letter or memorandum from the proposing agency signed by the person signing the notice of proposal or by a designee of that person.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-035 TIME FOR FILING MATERIAL FOR INCLUSION IN REGISTER. To permit sufficient lead time for the editorial, data capture, and printing process, material to be published under RCW (~~(34.08..... (1977 1st ex.s. c 240 § 3))~~) 34.08.020 in a particular (~~(monthly)~~) register shall be in the actual physical possession of and filed in the code reviser's office according to the following schedule:

(1) If the material has been prepared and completed by the order typing service (OTS) of the code reviser's office; by 5:00 p.m. on the fourteenth day prior to the distribution date of that (~~(month's)~~) period's register; or

(2) If the material has been prepared other than by the code reviser's order typing service (OTS) and:

(a) Contains no more than ten pages in conformance with WAC 1-12-170; by 5:00 p.m. on the fourteenth day prior to the distribution date of that (~~(month's)~~) period's register; or

(b) Contains more than ten but less than thirty pages in conformance with WAC 1-12-170; by 5:00 p.m. on the twenty-eighth day prior to the distribution date of that (~~(month's)~~) period's register; or

(c) Contains thirty or more pages in conformance with WAC 1-12-170; by 5:00 p.m. on the forty-second

day prior to the distribution date of that ((month's)) period's register.

AMENDATORY SECTION (Amending Order 12, filed 5/9/77, effective 6/9/77)

WAC 1-12-040 ADMINISTRATIVE ORDER—HOW PROMULGATED. The promulgation of new rules and of rules amending or repealing existing rules shall be accomplished by an administrative order. Such order shall include, as a minimum, the substance of the items set forth in WAC 1-12-930 and 1-12-940 (Forms CR-7 and CR-8). If other items or findings are required by law to be included in an agency order, such material may be included within or appended to the order, and if certain terms or nomenclature in such forms are inappropriate for a particular agency or adoption, correct terminology may be substituted. Orders shall be numbered seriatim by the agency and a record thereof shall be maintained by the agency. (See WAC 1-12-045 for maintaining order register.)

Four copies of the administrative order are required for filing in the code reviser's office. The order shall be properly signed by an authorized agent of the agency.

Each order shall set forth an appropriate statement of state statutory authority as required by RCW ((34.04..... (1977 c 19 § 2))) 34.04.026.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-050 FILING OF ADMINISTRATIVE ORDER—RULES ADOPTED. Each filing of rules, whether permanent or emergency, shall be assembled and presented to the code reviser's office in the following order:

(1) The administrative order adopting said rules, Form CR-7 or CR-8, as appropriate; four signed copies (See WAC 1-12-040);

(2) ~~((The rule purpose statement; one copy (see WAC 1-12-065);~~

~~(3))~~ The text of rules adopted; one original and three identical copies.

The adoption of permanent and emergency rules shall be effected by separate administrative orders and transmittals thereof.

AMENDATORY/RECODIFICATION SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77; recodified as WAC 1-12-032)

WAC 1-12-065 RULE PURPOSE AND IMPLEMENTATION STATEMENT. RCW ((34.04..... (1977 1st ex.s. c 84 § 1))) 34.04.045¹ requires that when ~~((any adopted))~~ notice of any proposed rule~~((; whether permanent or emergency;))~~ is filed with the code reviser it shall be accompanied by a statement generally describing the rule's purpose and how it is to be implemented. Such statement shall also contain, as a minimum, the other items required by that statute. One copy of the purpose statement shall be attached to each copy of the notice filed with the code reviser's office. Also note that it is the responsibility of the adopting agency to transmit three copies each of the statement to

the secretary of the senate and the chief clerk of the house of representatives.

NOTE:

¹RCW ((34.04..... (1977 1st ex.s. c 84 § 1))) 34.04.045, as amended by 1980 c 186 § 10, provides:

(1) For the purpose of legislative review of agency rules filed pursuant to this chapter, any new or amendatory rule proposed after June 12, 1980, shall be accompanied by a statement prepared by the adopting agency which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall be on the agency's stationery or a form bearing the agency's name and shall contain, but is not limited to, the following:

(a) A title, containing a description of the rule's purpose, the statutory authority for the rule, and any other information which may be of assistance in identifying the rule or its purpose;

(b) A summary of the rule and a statement of the reasons supporting the proposed action;

(c) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

(d) The name of the person or organization, whether private, public, or governmental, proposing the rule;

(e) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

(f) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting agency shall have copies of the statement on file and available for public inspection and shall forward three copies each of the statement to the secretary of the senate and the chief clerk of the house of representatives, who will in turn forward the statement to the majority and minority caucuses and to the appropriate legislative committees.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-130 DRAFTING INSTRUCTIONS—AMENDATORY SECTION. (1) Both proposed and adopted rules which amend a section or sections of existing rules shall set forth the full text of the most current version of the section or sections including the WAC citation number, caption, text of the section, and associated agency explanatory notes and shall indicate by use of deletion and/or addition marks the amendment being made (RCW ((34.04..... (1977 c 19 § 1))) 34.04.058).

(2) Amendments shall be to the most current permanent version of a WAC section and shall be drafted in the following manner only:

(a) Language added to an existing WAC section shall be underlined;

(b) Language to be deleted from an existing WAC section shall be

(i) preceded by two left parentheses,

(ii) struck over with hyphens, and

(iii) followed by two right parentheses;

(c) New language which replaces deleted language shall follow the deleted language.

(3) Each amendatory section shall be headed "AMENDATORY SECTION" followed by reference to the agency order number and filing date of the latest permanent order affecting that section. (See WAC 1-12-155 for style of this reference.)

(4) Special care must be taken to make sure that punctuation is not neglected. Addition and deletion of punctuation must be indicated in the above manner also.

Existing punctuation should, however, be utilized to the extent possible. For example, if new language is to follow the last word of a sentence, insert the new language (underlined) between the existing last word and the existing period.

(5) The code reviser's office will be pleased to afford such advice and assistance as its time and resources will permit to requesting agencies regarding the style in which rules amending existing WAC sections must be drafted. (See WAC 1-12-220.)

(6) Note that rules which amend existing WAC sections and which are not drafted in the required style cannot be accepted for filing by the code reviser, and any addition to or deletion from an existing WAC section not promulgated in the required style will have no legal effect and will not be enforceable by the agency (RCW ((~~34.04..... (1977 c 19 § 1)~~)) 34.04.058¹).

(7) In the event that any section to be amended is exempted from publication under the provisions of RCW 34.04.050(3) and therefore not codified in the Washington Administrative Code, it shall be referred to by agency order and section number, or other appropriate description.

NOTE:

¹RCW ((~~34.04..... (1977 c 19 § 1)~~)) 34.04.058 as amended by section 14, chapter 186, Laws of 1980 provides:

(1) Rules promulgated by an agency pursuant to RCW 34.04.025 or 34.04.030, as now or hereafter amended, which amend existing sections of the administrative code shall have the words which are amendatory to such existing sections underlined. Any matter to be deleted from an existing section shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. In the case of a new section, such shall be designated "NEW SECTION" in upper case type and such designation shall be underlined, but the complete text of the section shall not be underlined. No rule may be forwarded by any agency to the code reviser, nor may the code reviser accept for filing any rule unless the format of such rule is in compliance with the provisions of this section.

(2) Once the rule has been formally adopted by the agency the code reviser need not, except with regard to the register published pursuant to RCW 34.04.050(2), include the items enumerated in subsection (1) of this section in the official code.

(3) Any addition to or deletion from an existing code section not filed by the agency in the style prescribed by subsection (1) of this section shall in all respects be ineffectual, and shall not be shown in subsequent publications or codifications of that section unless the ineffectual portion of the rule is clearly distinguished and an explanatory note is appended thereto by the code reviser in accordance with RCW 34.04.050, as now or hereafter amended, and section 13 of this 1980 act [1980 c 186 § 13]."

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-12-160 DRAFTING INSTRUCTIONS—REDESIGNATION OF WAC NUMBERS—AMENDMENT OR REPEAL OF INCONSISTENT RULES. (1) WAC numbers assigned to chapters or sections are permanent and shall not be changed by the use of addition and deletion marks(:). Unless special permission is obtained from the code reviser's office, the only way to change the WAC number originally assigned to a section is to repeal the entire section and re-adopt it under the new WAC number desired.

(2) (~~Unless special permission is obtained from the code reviser's office,)~~ The WAC numbers previously assigned to repealed sections or chapters shall not again be

used to designate other sections or chapters as the sections or chapters repealed will continue to be referenced in the code as memorial sections or chapters.

(3) In drafting new rules, the draftsman must be cognizant of rules already in existence, and must expressly amend or repeal existing chapters or sections which would not be consistent with the new rules.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-005 DECLARATION OF PURPOSE. The creation and maintenance of the Washington Administrative Code is a task of considerable magnitude. In recognition of the amount of total effort involved, and in order to effect overall economies in this important function of state government, the legislature has placed responsibilities upon the individual institutions of higher education by requiring (RCW 28B.19.090 and 28B.19..... (1980 c 186 § 27)) that they formulate both newly created and amendatory rules in the bill drafting style of the legislature and further in accordance with the style, format, and numbering system of the code.

This chapter is promulgated by the code reviser pursuant to the authority granted by RCW ((~~1-08..... (1977 1st ex.s. c 240 § 2)~~)) 1.08.110, 28B.19.080, and ((~~34.08..... (1977 1st ex.s. c 240 § 4)~~)) 34.08.030 in the interest of assisting the agencies in preparing, promulgating, and disseminating their administrative rules in an expeditious, orderly, and uniform manner so as to produce a state register and an administrative code which shall be as concise and accurate as possible, and at minimum overall expense to the state. The format standards imposed by this chapter are necessary to enable the inclusion of the rules as part of the register and the code in an orderly and efficient manner.

The code reviser's office will be pleased to afford such advice and assistance to requesting agencies regarding this chapter as its time and resources will permit.

The code reviser expressly reserves the power to create new code titles, chapters, and sections of the Washington Administrative Code, or otherwise revise the title, chapter, and sectional organization of the code, all as may be required from time to time, to effectuate the orderly and logical arrangement of the rules published therein.

Chapter 28B.19 RCW, the State Higher Education Administrative Procedure Act, established separate procedures for institutions of higher education, and the provisions of this chapter ((~~staff~~)) apply only to those institutions.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-030 NOTICES OF INTENTION TO ADOPT RULES. (1) Statutory notice requirements; see RCW 28B.19.030¹, 28B.19..... (1980 c 186 § 23) and ((~~34.08..... (1977 1st ex.s. c 240 § 3)~~)) 34.08.020.³

(2) Failure to comply with twenty days notice requirement—Code reviser not to publish rules and rule not effective for any purpose; see RCW 28B.19.030(3).²

(3) Form of notice. Notices shall be filed on forms

provided by the code reviser's office (Form CR-4). No other form will be accepted for filing. (~~On and after January 1, 1978,)~~) The notice shall also include the full text of any proposed new or amendatory rule and the citation and caption of any existing rule to be repealed. Such proposal (~~(state)~~) shall be done according to the bill drafting style requirements of WAC 1-13-125 through 1-13-160. The rule purpose statement required by RCW 28B.19. . . . (1980 c 186 § 23) shall also be included with the notice. (See WAC 1-13-032.)

(4) Number of copies; Notice numbers. Agencies shall file in the code reviser's office an original and ~~((two))~~ three copies of the notice and rule purpose statement whereupon the date of filing and the notice number will be affixed and a copy returned to the filing agency. Such notice number or numbers shall in the event of one or more continuances, be entered in paragraph (7) of all subsequent notices relating to the original notice (Form CR-4). The notice number and date (or the latest such number and date if due to continuances there be more than one) shall be entered by the agency on the administrative order and transmittal form by which the rules are adopted and transmittal form transmitted for filing.

(5) Computation of time with respect to the twenty day rule. The effect of RCW 28B.19.030 is to require the code reviser to ascertain agency compliance with the twenty day rule. Such compliance will be determined as follows:

(a) The code reviser's office construes the twenty day notice requirement of RCW 28B.19.030 as relating to the date upon which the first action will be taken by the agency upon the proposed rule changes; thus if the agency provides for a public hearing upon the matter, the twenty day requirement applies to the date of such hearing, otherwise it will apply to the date upon which the agency convenes to adopt, amend, or repeal the rules in question. The dates of the hearing, if any, and of the decision shall be inserted in parts (2) and (3), respectively, of the notice form (CR-4), and such dates may, of course, be coincidental.

(Attention is also directed to the additional requirement embodied in RCW 28B.19.030(1)(b) which provides that "Prior to the adoption, amendment or repeal of any rule, each agency shall: . . . Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing . . .")

~~(b) ((Prior to January 1, 1978, the code reviser construes RCW 28B.19.030(1)(a) as requiring the actual physical filing of the notice in the reviser's office at least twenty days prior to the date of such first action, thus notices filed by mail must have been received at least twenty days prior to the date of such first action. The time from such date of receipt, to the time of such first action, will be computed according to RCW 1.12.040 which provides that:~~

~~"The time within which an act is to be done, as herein provided shall be computed by excluding the first day, and including the last, unless the last day is a holiday or Sunday, and then it is also excluded."~~

~~As a rule of thumb consider the date of filing in the code~~

~~reviser's office as day twenty. Count down to day zero to find the first day on which action may be taken (hearing or meeting, whichever occurs first); cf. State ex rel. Earley v. Batchelor, 15 Wn.2d 149.~~

~~(c) On and after January 1, 1978,)~~ The twenty day notice requirement ((will apply)) applies to the publication of the notice and the text of the proposal in the state register ((and not to its filing with the code reviser. The twenty day count will)) and begins with the distribution date of the register in which the notice has been published (or a notice regarding the omission of a rule has been published pursuant to RCW 28B.19.070). Consider the distribution date of the pertinent register as day twenty; count down to day zero to find the first day on which action may be taken (hearing or meeting, whichever occurs first); cf. RCW 1.12.040 and State ex rel. Earley v. Batchelor, 15 Wn.2d 149.

~~((d))~~ (c) The distribution dates of ((each monthly)) registers shall be the first and third Wednesdays of ((that)) each month(;;). If a distribution date falls on a state holiday as determined by RCW 1.16.050, the distribution date of that register shall be delayed until Thursday. The last day to file material in the code reviser's office for inclusion in ((that month's)) any particular register will be established according to WAC 1-13-035.

~~((e))~~ (d) If upon convening on any of the dates announced in parts (2) and (3) of the notice form (Form CR-4) the agency desires to continue either the hearing or the decision meeting, or both, to a future time certain but does not desire to file a new notice which would be subject to the twenty day rule such agency may, if it has complied with the twenty day rule as to its original notice and has convened at the time and place specified in such notice, announce a continuance to a date certain and forthwith file with the code reviser a continuation notice (Form CR-4) containing in part (1) thereof the same terms, substance, or description as was contained in the original notice (or if some of the matters have been disposed of, then such portions thereof as remain applicable) and supplying the additional information required by part (7) of such form. In the event of one or more such continuances, the compliance of the original notice with the twenty day rule will be deemed to relate to the continuation notices, and the text of the proposal need not be submitted with a notice of continuance. If an agency determines in advance of a hearing or adoption that it desires to continue either or both actions, it may file a notice of continuance in advance of the action if the notice will appear in a register with a distribution date at least ten days before the first action date of the previous notice.

NOTES:

¹ & ² RCW 28B.19.030 as amended by § 10, chapter 240, Laws of 1977 ((†st)) ex. sess. (effective January 1, 1978) provides:

"(1) Prior to the adoption, amendment, or repeal of any rule adopted under this chapter, each institution, college, division, department, or official thereof exercising rule-making authority delegated by the governing board or the president, shall:

(a) File notice thereof with the code reviser in accordance with RCW 34.08.020(1) for publication in the state register, and mail the notice to all persons who have made timely request of the institution or related board for advance notice of its rule-making proceedings. Such

notice shall also include (i) reference to the authority under which the rule is proposed, (ii) a statement of either the terms or substance of the proposed rule or a description of the subjects and issues involved, and (iii) the time when, the place where, and the manner in which interested persons may present their views thereon;

(b) Provide notice to the campus or standard newspaper of the institution involved and to a newspaper of general circulation in the area at least seven days prior to the date of the rule-making proceeding. The notice shall state the time when, place where, and manner in which interested persons may present their views thereon and the general subject matter to be covered;

(c) Afford all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. An opportunity for oral hearing must be granted if requested by twenty-five persons. The institution shall consider fully all written and oral statements respecting the proposed rule.

(2) No proceeding shall be held on any rule until twenty days have passed from the distribution date of the register in which notice thereof was contained. The code reviser shall make provisions for informing an institution of higher education giving notice under subsection (1) of this section of the distribution date of the register in which such notice will be published.

(3) No rule adopted under this chapter is valid unless adopted in substantial compliance with this section, or, if an emergency rule designated as such, adopted in substantial compliance with RCW 28B.19.040, as now or hereafter amended. In any proceeding a rule cannot be contested on the ground of noncompliance with the procedural requirements of RCW 34.08.020(1), of this section, or of RCW 28B.19.040, as now or hereafter amended, after two years have elapsed from the effective date of the rule.

(4) When twenty days notice of intended action to adopt, amend, or repeal a rule has not been filed with the code reviser, as required by subsection (2) of this section, the code reviser shall not publish such rule and such rule shall not be effective for any purpose."

³RCW ((34.08..... (1977 1st ex.s. c 240 § 3))) 34.08.020 as amended by § 15, chapter 186, Laws of 1980 provides: "There is hereby created a state publication to be called the Washington State Register, which shall be published on no less than a monthly basis. The register shall contain, but is not limited to, the following materials received by the code reviser's office during the pertinent publication period:

(1) The full text of any proposed new or amendatory rules, as defined in RCW 34.04.010, and the citation of any existing rules the repeal of which is proposed, prior to the public hearing on such proposal. Such material shall be considered, when published, to be the official notification of the intended action, and no state agency or official thereof may take action on any such rule except on emergency rules adopted in accordance with RCW 34.04.030, until twenty days have passed since the distribution date of the register in which the rule and hearing notice have been published or a notice regarding the omission of the rule has been published pursuant to RCW 34.04.050(3) as now or hereafter amended;

(2) The full text of any new or amendatory rule adopted, and the citation of any existing rule repealed, on a permanent or emergency basis;

(3) Executive orders and emergency declarations of the governor;

(4) Public meeting notices of any and all agencies of state government, including state elected officials whose offices are created by Article III of the state Constitution or RCW 48.02.010;

(5) Rules of the state supreme court which have been adopted but not yet published in an official permanent codification; and

(6) Summaries of attorney general opinions and letter opinions, noting the number, date, subject, and other information, and prepared by the attorney general for inclusion in the register."

NEW SECTION

WAC 1-13-032 RULE PURPOSE AND IMPLEMENTATION STATEMENT. RCW 28B.19..... (1980 c 186 § 23)¹ requires that when notice of any proposed rule is filed with the code reviser it shall be accompanied by a statement generally describing the rule's purpose and how it is to be implemented. Such statement shall also contain, as a minimum, the other items required by that statute. One copy of the purpose state-

ment shall be attached to each copy of the notice filed with the code reviser's office. Also note that it is the responsibility of the adopting institution to transmit three copies of the statement to the secretary of the senate and the chief clerk of the house of representatives.

NOTES:

¹RCW 28B.19..... (1980 c 186 § 23) provides:

"(1) For the purpose of legislative review of institution rules filed pursuant to this chapter, any new or amendatory rule proposed after June 12, 1980, shall be accompanied by a statement prepared by the adopting institution which generally describes the rule's purpose and how the rule is to be implemented. Such statement shall be on the institution's stationery or a form bearing the institution's name and shall contain, but is not limited to, the following:

(a) A title, containing a description of the rule's purpose, the statutory authority for the rule, and any other information which may be of assistance in identifying the rule or its purpose;

(b) A summary of the rule and a statement of the reasons supporting the proposed action;

(c) The institution personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

(d) The name of the person or organization, whether private, public, or governmental, proposing the rule, if any;

(e) Institution comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

(f) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a copy of such law or court decision shall be attached to the purpose statement.

(2) Upon filing notice of the proposed rule with the code reviser, the adopting institution shall have copies of the statement on file and available for public inspection and shall forward three copies each of the statement to the secretary of the senate and the chief clerk of the house of representatives, who will in turn forward the statement to the majority and minority caucuses and to the appropriate legislative committees."

NEW SECTION

WAC 1-13-033 WITHDRAWAL OF PROPOSED RULE. Pursuant to RCW 28B.19..... (1980 c 186 § 24) a proposed rule may be withdrawn by the proposing institution at any time before adoption. Notice of withdrawal shall be provided to the code reviser's office in the form of a letter or memorandum from the proposing institution signed by the person signing the notice of proposal or by a designee of that person.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-035 TIME FOR FILING MATERIAL FOR INCLUSION IN REGISTER. To permit sufficient lead time for the editorial, data capture, and printing process, material to be published under RCW ((34.08..... (1977 1st ex.s. c 240 § 3))) 34.08.020 in a particular ((monthly)) register shall be in the actual physical possession of and filed in the code reviser's office according to the following schedule:

(1) If the material has been prepared and completed by the order typing service (OTS) of the code reviser's office; by 5:00 p.m. on the fourteenth day prior to the distribution date of that ((month's)) period's register; or

(2) If the material has been prepared other than by the code reviser's order typing service (OTS) and:

(a) Contains no more than ten pages in conformance with WAC 1-13-170; by 5:00 p.m. on the fourteenth

day prior to the distribution date of that ((month's)) period's register; or

(b) Contains more than ten but less than thirty pages in conformance with WAC 1-13-170; by 5:00 p.m. on the twenty-eighth day prior to the distribution date of that ((month's)) period's register; or

(c) Contains thirty or more pages in conformance with WAC 1-13-170; by 5:00 p.m. on the forty-second day prior to the distribution date of that ((month's)) period's register.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-125 DRAFTING INSTRUCTIONS—USE OF UNDERLINING. (1) Words in the text of rules shall not be underlined, except to indicate language added to an existing section as explained in WAC 1-13-130. The designations "AMENDATORY SECTION," "NEW SECTION," and "REPEALER" shall also be underlined. No other use of underlining will be permitted, as the legal effect of underlining has been established by statute, and other uses present the codifier with an ambiguous situation.

(2) If it is desirable to emphasize certain text within the section for the institution's publication purposes, then consult with the code reviser's office for the appropriate style.

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-130 DRAFTING INSTRUCTIONS—AMENDATORY SECTIONS. (1) Both proposed and adopted rules which amend a section or sections of existing rules shall set forth the full text of the most current version of the section or sections including the WAC citation number, caption, text of the section, and associated agency explanatory notes and shall indicate by use of deletion and/or addition marks the amendment being made (RCW 28B.19..... (1980 c 186 § 27)).

(2) Amendments shall be to the most current permanent version of a WAC section and shall be drafted in the following manner only:

(a) Language added to an existing WAC section shall be underlined;

(b) Language to be deleted from an existing WAC section shall be

(i) preceded by two left parentheses,

(ii) struck over with hyphens, and

(iii) followed by two right parentheses;

(c) New language which replaces deleted language shall follow the deleted language.

(3) Each amendatory section shall be headed "AMENDATORY SECTION" followed by reference to the agency order number and filing date of the latest permanent order affecting that section. (See WAC 1-13-155 for style of this reference.)

(4) Special care must be taken to make sure that punctuation is not neglected. Addition and deletion of punctuation must be indicated in the above manner also. Existing punctuation should, however, be utilized to the

extent possible. For example, if new language is to follow the last word of a sentence, insert the new language (underlined) between the existing last word and the existing period.

(5) The code reviser's office will be pleased to afford such advice and assistance as its time and resources will permit to requesting institutions regarding the style in which rules amending existing WAC sections must be drafted. (See WAC 1-13-240.)

(6) Note that rules which amend existing WAC sections and which are not drafted in the required style cannot be accepted for filing by the code reviser, and any addition to or deletion from an existing WAC section not promulgated in the required style has no legal effect and is not enforceable by the institution (RCW 28B.19..... (1980 c 186 § 27)).

(7) In the event that any section to be amended is exempted from publication under the provisions of RCW 28B.19.070 and therefore not codified in the Washington Administrative Code, it shall be referred to by agency order and section number, or other appropriate description.

NOTES:

¹RCW 28B.19..... (1980 c 186 § 27) provides:

"(1) Rules promulgated by an institution pursuant to RCW 28B.19.030 or 28B.19.040, as now or hereafter amended, which amend existing sections of the administrative code shall have the words which are amendatory to such existing sections underlined. Any matter to be deleted from an existing section shall be indicated by setting such matter forth in full, enclosed by double parentheses, and such deleted matter shall be lined out with hyphens. In the case of a new section, such shall be designated "NEW SECTION" in upper case type and such designation shall be underlined, but the complete text of the section shall not be underlined. No rule may be forwarded by any institution to the code reviser, nor may the code reviser accept for filing any rule unless the format of such rule is in compliance with the provisions of this section.

(2) Once the rule has been formally adopted by the institution the code reviser need not, except with regard to the register published pursuant to RCW 28B.19.070(2), as now or hereafter amended, include the items enumerated in subsection (1) of this section in the official code.

(3) Any addition to or deletion from an existing code section not filed by the institution in the style prescribed by subsection (1) of this section shall in all respects be ineffectual, and shall not be shown in subsequent publications or codifications of that section unless the ineffectual portion of the rule is clearly distinguished and an explanatory note is appended thereto by the code reviser in accordance with RCW 28B.19.070, as now or hereafter amended, and section 26 of this 1980 act [1980 c 186 § 26]."

AMENDATORY SECTION (Amending Order 15, filed 10/31/77, effective 12/1/77)

WAC 1-13-160 DRAFTING INSTRUCTIONS—REDESIGNATION OF WAC NUMBERS—AMENDMENT OR REPEAL OF INCONSISTENT RULES. (1) WAC numbers assigned to chapters or sections are permanent and shall not be changed by the use of addition and deletion marks(;;). Unless special permission is obtained from the code reviser's office, the only way to change the WAC number originally assigned to a section is to repeal the entire section and re-adopt it under the new WAC number desired.

(2) ((Unless special permission is obtained from the code reviser's office,)) The WAC numbers previously assigned to repealed sections or chapters shall not again be

used to designate other sections or chapters as the sections or chapters repealed will continue to be referenced in the code as memorial sections or chapters.

(3) In drafting new rules, the draftsman must be cognizant of rules already in existence, and must expressly amend or repeal existing chapters or sections which would not be consistent with the new rules.

WSR 80-07-026
ADOPTED RULES
EMPLOYMENT SECURITY DEPARTMENT
 [Order 2-80—Filed June 12, 1980]

I, Eugene Wiegman, Commissioner of the Employment Security Department, do promulgate and adopt at Olympia, Washington, the annexed rules relating to remittance of social security contributions and reports by political subdivisions, establishing delinquency dates, specifying interest to be charged; Indexing and availability of public documents; and limitations on employee practices which could result in a conflict of interest with respect to their employment, establishes procedures, defines terms and sets sanctions.

This action is taken pursuant to Notice Nos. WSR 80-05-047, 80-05-048 and 80-05-049 filed with the code reviser on April 16, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated under the general rule-making authority of the Commissioner of the Employment Security Department as authorized in RCW 50.12.010.

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

APPROVED AND ADOPTED June 11, 1980.

By Eugene Wiegman
 Commissioner

AMENDATORY SECTION (Amending Order 1-78, filed 8/14/78).

WAC 192-15-150 RECORDS INDEX - AVAILABLE MATERIAL. ~~((+)) The employment security department has available to all persons a current index which provides identifying information as to the following records:~~

- ~~(a) Final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;~~
- ~~(b) Those statements of policy and interpretations of policy, statute and the regulations which have been adopted by the agency;~~
- ~~(c) Administrative staff manuals and instructions to staff that affect a member of the public;~~
- ~~(d) Planning policies and goals, and interim and final planning decisions;~~

~~(c) Factual staff reports and studies, factual consultant's reports and studies, scientific reports and studies, and any other factual information derived from tests, studies, reports or surveys, whether conducted by public employees or others; and~~

~~(f) Correspondence, and materials referred to therein, by and with the agency relating to any regulatory, supervisory or enforcement responsibilities of the agency, whereby the agency determines, or opines upon, or is asked to determine or opine upon, the rights of the state, the public, a subdivision of state government, or of any private party:~~

~~(2) The current index promulgated by the employment security department shall be available to all persons under the same rules and on the same conditions as are applied to public records available for inspection:~~

The department finds that it would be unduly burdensome and would interfere with agency operations to maintain an index of records as specified in RCW 42.17.260(2), because of the complexity and diversity of its operations and the resulting volume of correspondence, reports, survey, staff studies and other materials. The department will make available for public inspection and copying all indexes which may at a future time be developed for agency use.

The following records shall be available for inspection and copying through the Office of the Public Records Officer and, in addition, those marked with an asterisk (*) shall be available for inspection at the department's job service centers.

- (1) Laws Relating to Employment Security.*
- (2) Employment Security Department Rules and Regulations* Title 192 WAC.
- (3) Digest Commissioner's Decisions.*
- (4) Employer Field Audit Manual (Tax).
- (5) Field Office Operations Manual(Tax).
- (6) Benefits Policy Guide.*
- (7) Manual of Local Office Benefit Functions.*
- (8) Inventory of Equipment.

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.

Chapter 192-18

EMPLOYEE CONFLICT OF INTEREST

WAC

- 192-18-010 No Outside Compensation for Performing Official Duties.
- 192-18-020 Use of Influence or Position to Aid Individuals or Organizations.
- 192-18-030 Limitations on Outside Employment - Potential Conflict of Duties.
- 192-18-040 Limitation on Outside Employment - Working Hours - Use of State Resources Prohibited - Procedures
- 192-18-050 Limitations on Transacting Business with Friends, Relatives or Co-Workers.
- 192-18-060 Definitions - Friend, Relatives, Co-Workers.
- 192-18-070 Violations - Sanctions

NEW SECTION

WAC 192-18-010 NO OUTSIDE COMPENSATION FOR PERFORMING OFFICIAL DUTIES. No employee of the Employment Security Department will ask for or accept compensation in any form from any individual or organization for services which would normally be performed as part of the employee's official duties.

NEW SECTION

WAC 192-18-020 USE OF INFLUENCE OR POSITION TO AID INDIVIDUALS OR ORGANIZATIONS. No employee of the Employment Security Department will assist any individual or organization in any transaction involving the agency when such employee could affect the outcome of the transaction unless such assistance is tendered in the performance of the employee's official duties: PROVIDED, However, this section does not prohibit an employee from assisting an individual who is seeking employment with the department.

NEW SECTION

WAC 192-18-030 LIMITATIONS ON OUTSIDE EMPLOYMENT - POTENTIAL CONFLICT OF DUTIES. No employee of the Employment Security Department will ask for or accept compensation in any form for services not related to their official duties from an individual or organization, except when such activity is specifically approved by the commissioner or one of his deputies, when such individual or organization:

- (1) is seeking to obtain contractual or other business or financial relationships with the department; or
- (2) has interests which may be substantially affected by the employee's performance or nonperformance of official duties.

NEW SECTION

WAC 192-18-040 LIMITATION ON OUTSIDE EMPLOYMENT - WORKING HOURS - USE OF STATE RESOURCES PROHIBITED - PROCEDURES. No employee may perform activities related to outside employment during normal working hours without special arrangements with his or her supervisor. No employee may use or cause to be used state premises, materials, facilities, equipment or personnel in connection with outside employment.

Any employee engaged in outside employment has the responsibility of insuring that there is no real or apparent conflict with the directives of this regulation. If the employee has doubts about the propriety of his or her activities, they should not engage in such activities until clearance in writing is obtained from the agency's central personnel office.

NEW SECTION

WAC 192-18-050 LIMITATIONS ON TRANSACTING BUSINESS WITH FRIENDS, RELATIVES OR CO-WORKERS. In order to assure objectivity to the highest degree and to avoid any ap-

pearance of conflict of interest in claimstaking, adjudication of issues, and tax functions, the following policy is to take effect immediately.

Agency personnel will not perform the following acts for friends, relatives or co-workers:

- (1) Acceptance or processing of initial or continued claims;
- (2) Factfinding interviews or drafting of nonmonetary or overpayment determinations on claims.
- (3) Acceptance of cash, personal checks, bank drafts, money orders, or endorsed warrants to liquidate overpayments; negotiation of contracts for repayment of overpayments or recommending approval of offers of compromise for such individuals; or issuance of cash receipts;
- (4) Determination of tax liability or collection of taxes;
- (5) Auditing of employer accounts or initiation or processing of tax refunds.

NEW SECTION

WAC 192-18-060 DEFINITIONS - FRIEND, RELATIVES, CO-WORKERS. For the purposes of WAC 192-18-050 the terms, friend, relatives and co-workers are defined as follows:

- (1) A friend is:
 - (a) Any individual with whom the employee maintains or has maintained an active social relationship; or
 - (b) Any individual who, due to social or economic relationships with the employee or his acquaintances, could have a reasonable expectation that the employee might handle agency transactions involving such an individual in a less than objective manner.
- (2) A relative means any of the following related to the employee by blood, marriage, or adoption: Spouse, children, parents, grandparents, sisters, brothers, aunts, uncles, nieces, nephews, and cousins.
- (3) Co-worker means any employee of the agency, whether regular, intermittent, temporary, or part-time, who has worked or is working in the same organizational unit with, or who rates or is rated by the agency employee.

NEW SECTION

WAC 192-18-070 VIOLATIONS - SANCTIONS. Violation of any regulation in chapter 192-18 WAC will subject the offending employee to disciplinary action up to and including dismissal. Imposition of personnel sanctions shall not preclude the agency from pursuing available civil and criminal remedies against the offending employee.

NEW SECTION

WAC 192-20-010 DUE DATES FOR SUBMISSION OF REPORTS AND CONTRIBUTIONS - INTEREST ON DELINQUENT CONTRIBUTIONS. RCW 41.48.050(3)(a) provides:

"Each political subdivision as to which a plan has been approved under this section shall pay into the contribution fund, with respect to wages (as defined in RCW 41.48.020 of this act), at such time or times as the

governor may by regulation prescribe, contributions in the amounts and at the rates specified in the applicable agreement entered into by the governor under RCW 41.48.030."

The Commissioner prescribes:

Contributions and reports covering the same shall become due for months after June 30, 1980, as follows:

(1) Contributions on wages paid in each of the three months in a calendar quarter must reach the Employment Security Department (OASI Section), Olympia, Washington 98504, not later than the 15th day of each following month accompanied by a completed monthly remittance advice. Contributions received subsequent to such 15th day will be subject to a declaration of delinquency and an added interest charge at the rate of six percent per year or, if higher, the rate chargeable to the state by the Secretary by virtue of federal law, if the late payment contributes to any federal penalty for late deposit.

(2) A quarterly report of wages paid shall reach the Employment Security Department (OASI Section), Olympia, Washington 98504, not later than the 20th day following the end of the quarter in which the wages were paid accompanied by a statement reconciling the amount of contributions due and paid for each month of the quarter with the total contributions shown as due on the quarterly report of wages paid.

WSR 80-07-027

EMERGENCY RULES

EMPLOYMENT SECURITY DEPARTMENT

[Order 3-80—Filed June 12, 1980]

I, Eugene Wiegman, Commissioner of the Employment Security Department, do promulgate and adopt at Olympia, Washington, the annexed rules relating to interpretative regulations relating to disqualification for leaving work voluntarily, RCW 50.20.050(1) and (3); leaving work because of illness or disability of self or immediate family member, RCW 50.20.050(2)(b); leaving work for marital reasons, RCW 50.20.050(4); disqualification of students, RCW 50.20.095; and lump sum retirement payment, RCW 50.04.323.

I, Eugene Wiegman, Commissioner, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is it is necessary to adopt and amend interpretative regulations by reason of amendments to RCW 50.20.050, 50.20.095 and 50.04.323 which become effective on June 12, 1980.

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 Commissioner of the Employment Security Department as authorized in RCW 50.12.010.

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

APPROVED AND ADOPTED June 11, 1980.

By Eugene Wiegman
Commissioner

AMENDATORY SECTION (Amending Order 2-77, filed 9/2/77.)

WAC 192-16-009 INTERPRETATIVE REGULATIONS—DISQUALIFICATION FOR LEAVING WORK VOLUNTARILY—MEANING OF GOOD CAUSE—RCW 50.20.050(1) AND (3). (1) *General Rule. Except as provided in WAC 192-16-011 and 192-16-013, in order for an individual to establish good cause within the meaning of RCW 50.20.050(1) for leaving work voluntarily it must be satisfactorily demonstrated:*

(a) *that he or she left work primarily because of a work connected factor(s); and*

(b) *that said work connected factor(s) was (were) of such a compelling nature as to cause a reasonably prudent person to leave his or her employment; and*

(c) *that he or she first exhausted all reasonable alternatives prior to termination: PROVIDED, That the individual asserting "good cause" may establish in certain instances that pursuit of the otherwise reasonable alternatives would have been a futile act, thereby excusing the failure to exhaust such reasonable alternatives.*

(2) *Exceptions. Notwithstanding the provisions of subsection (1) above, neither the distance of the work from the individual's residence, if known at the time of hire and in the judgment of the department, the distance is customarily traveled by workers in the individual's job classification and labor market, nor any other work factor which was generally known at the time of hire will provide good cause for voluntarily leaving work unless the individual satisfactorily demonstrates:*

(a) *that the related circumstances have so changed as to amount to a substantial involuntary deterioration of the work factor; or*

(b) *that other related circumstances would work an ((unconscionable)) unreasonable hardship on the individual if he or she were required to continue in the employment.*

(3) *Definitions. For purposes of subsection (2) above:*

(a) *"distance customarily traveled" means a distance normally traveled by a significant portion of the work force in the individual's job classification in the labor market area.*

((~~(a)~~)) (b) *"generally known" means commonly known without reference to specific cases or individuals; and*

((~~(c)~~)) *"unconscionable hardship" means a result that would be shockingly harsh and not resulting from the individual's voluntary action;))*

(c) *"individual's job classification" means the job classification in which the individual was working when*

the individual voluntarily left work, and

(d) a "labor market" is the geographic area in which those workers in the individual's job classification, living in the vicinity of his or her residence, customarily work, and

((d)) (e) "substantial involuntary deterioration" means an actual and considerable worsening of the work factor outside the control of the individual; and

(f) "unreasonable hardship" means a result, not due to the individual's voluntary action, that would cause a reasonable person to leave that employment.

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 9/2/77.)

WAC 192-16-013 INTERPRETATIVE REGULATIONS—LEAVING WORK BECAUSE OF ILLNESS OR DISABILITY OF SELF OR IMMEDIATE FAMILY MEMBER—RCW 50.20.050(2)(b). (1) General Rule. In order for an individual to establish good cause within the meaning of RCW 50.20.050(2)(b) for leaving work voluntarily because of his or her illness or disability or the illness ((or)), disability, or death of a member of his or her immediate family it must be satisfactorily demonstrated:

(a) that he or she left work primarily because of such illness ((or)), disability, or death; and

(b) that such illness ((or)), disability, or death necessitated his or her leaving work; and

(c) that he or she first exhausted all reasonable alternatives prior to termination, including but not limited to:

(i) promptly notifying the employer of the reason for the absence, and

(ii) prior to the time of separation, requesting reemployment when again able to return to work. (A request for reemployment made after the date of termination is not required to establish good cause within RCW 50.20.050(2)(b).)

(2) Exception. Notwithstanding the provisions of subsection 1(c) above the individual asserting good cause may establish in certain instances that the otherwise reasonable alternatives would have been a futile act, thereby excusing the failure to exhaust such reasonable alternatives.

(3) Definitions. As used in subsection (1) above:

(a) "disability" means the temporary or permanent loss of an individual's former capacity or capacities due to physical, mental or emotion impairment; and

(b) "immediate family" means the individual's spouse, children (including unborn children), step-children, foster children, or parents of either spouse, whether living with the individual or not, and other relatives who temporarily or permanently reside in the individual's household.

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

Reviser's Note: The typographical errors in the above section oc-

curred in the copy filed by the agency and appear herein pursuant to the requirements of RCW 34.08.040.

AMENDATORY SECTION (Amending Order 2-77, filed 9/2/77.)

WAC 192-16-015 INTERPRETATIVE REGULATIONS—LEAVING WORK FOR MARITAL OR DOMESTIC REASONS—RCW 50.20.050(4). (1) General Rule. An individual whose marital status or domestic responsibilities are the primary cause of his or her voluntarily leaving employment shall be disqualified from benefits pursuant to the terms of RCW 50.20.050(4). This rule applies whether or not the individual took reasonable precautions to preserve his or her employment. Domestic responsibilities mean obligations or duties relating to the individual's (~~home circumstances or~~) immediate family, and include the illness ((or)), disability, or death of the claimant's "immediate family" as defined in WAC 192-16-013.

(2) Exception. Notwithstanding the provisions of subsection (1) above, an individual who leaves employment because of the (~~health or~~) illness, disability, or death of a member of his or her immediate family as defined in WAC 192-16-013 and who establishes good cause under RCW 50.20.050(2)(b), will not be subject to disqualification under RCW 50.20.050(4): PROVIDED, That if such individual fails to establish good cause under RCW 50.20.050(2)(b), disqualification will be imposed under RCW 50.20.050(4) rather than under RCW 50.20.050(1).

AMENDATORY SECTION (Amending Order 2-77, filed 9/2/77.)

WAC 192-16-023 INTERPRETATIVE REGULATIONS—DISQUALIFICATION OF STUDENTS—((SECTION 8, CHAPTER 33, LAWS OF 1977 EX. SESS. (1) Effective Date. The provisions of section 8, chapter 33, Laws of 1977 ex. sess. are effective as to all claims filed for weeks of unemployment beginning July 3, 1977, and thereafter.)) 50.20.095.

((2)) (1) General Rule. An individual registered at an established school in a course of study providing scholastic instruction of twelve or more hours per week, or the equivalent thereof, is disqualified from receiving benefits or waiting period credit.

((3)) (2) The Period Of Disqualification. The period of disqualification (~~(mentioned in subsection (1) above)~~) begins with either the first week of such scholastic instruction or the week of leaving employment to return to school, whichever is ((the)) earlier. The disqualification ends ((Saturday)) midnight Saturday of the week that precedes the first full week in which the individual is no longer registered for (~~(classes, if his nonregistration will last for 60 days or more)~~) twelve or more hours of scholastic instruction: PROVIDED, That such individual shall be required to certify to the department that he or she is not currently registered for twelve or more credit hours and will not be registered for 12 or more credit hours for at least 60 days. An individual who fails to abide by the terms of the certification will be deemed to have been overpaid all benefits paid based on the certification. Such overpayment will be subject to assessment

and recovery under RCW 50.20.190. Pre-registration for classes beginning 60 or more days in the future will not serve to extend the disqualification described in this subsection.

~~((4))~~ (3) Full-time Students To Whom Disqualification Does Not Apply. The disqualification (~~(mentioned in subsection (1))~~) shall not apply to any individual who:

(a) is in approved training within the meaning of RCW 50.20.043; or

(b) at the time he or she applies for benefits, demonstrates by a preponderance of the evidence that his or her student status does not significantly interfere with his or her actual availability for work.

~~((5))~~ (4) Definitions. As used in this section:

(a) "school" includes primary schools, secondary schools, and institutions of higher education, as that phrase is defined in RCW 50.44.030;

(b) "scholastic instruction" includes all teaching or opportunity for learning subjects other than those of a strictly vocational nature. Subjects of a vocational nature are those embraced in the definition of "training" contained in WAC 192-12-180.

(c) "twelve or more hours per week" means twelve or more credit hours per week or the equivalent thereof;

(d) "preponderance of evidence" means evidence sufficient to persuade a reasonable person considering all the evidence, that the proposition sought to be established by that evidence is more probably true than not true.

~~((6))~~ (5) Other Sections Of Act Not Pre-empted By Student Disqualification. Students who claim benefits are subject to all of the provisions of the Employment Security Act including:

(a) RCW 50.20.050 dealing with those who leave work voluntarily without good cause; and

(b) RCW 50.20.010(3) requiring claimants to be able and available for and actively seeking work.

NEW SECTION

WAC 192-16-025 LUMP SUM RETIREMENT PAYMENT. RCW 50.04.323(6) provides that, effective April 6, 1980, a lump sum payment of funds, accumulated in an employer-participating government or private retirement pension plan to one eligible for retirement pension, shall be prorated over the life expectancy of the retiree in a manner determined by the commissioner.

(1) Lump sum payments as described in the foregoing paragraph will be prorated over the life expectancy of the individual in accordance with Table I in Regulation 1.72-9 of the Internal Revenue Code as amended as of the effective date of the individual's benefit year.

(2) The withdrawal, upon separation from employment, of only the funds, and interest thereon, contributed to a retirement pension by an individual is not within the scope of RCW 50.04.323(6) and will not serve to reduce benefits.

(3) The phrase "one eligible for retirement" is defined as an individual eligible at the time of the lump sum payment for periodic payments under a pension program which is based on age or length of service.

WSR 80-07-028

EMERGENCY RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 80-19—Filed June 12, 1980]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to implementation of sections five and six of chapter 182, Laws of 1980, establishing an attendance incentive program for all certificated and noncertificated employees of school districts and educational service districts.

I, Frank B. Brouillet, 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 effective date of chapter 182, Laws of 1980, is June 12, 1980. School financial administrators planning budgets and school personnel planning retirement at the end of this contract year need planning details for school district and personal financial decisions that can only be made on the basis of implementing rules effective with the effective date of this new law.

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

This rule is promulgated pursuant to sections 5 and 6, chapter 182, Laws of 1980 which directs that the Superintendent of Public Instruction has authority to implement the provisions of sections 5 and 6, chapter 182, Laws of 1980.

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

APPROVED AND ADOPTED June 12, 1980.

By Frank B. Brouillet

Superintendent of Public Instruction

Chapter 392-136 WAC

FINANCE—ACCUMULATED SICK LEAVE

WAC

392-136-005

Purpose.

392-136-010

Definitions.

392-136-015

Annual conversion of accumulated sick leave.

392-136-020

Conversion of sick leave upon retirement or death.

NEW SECTION

WAC 392-136-005 PURPOSE. The purpose of this chapter is to implement sections 5 and 6 of chapter 182, Laws of 1980 which provide for compensating school district and educational service district employees for accumulated sick leave. The rules set forth in this chapter are not intended to govern the leave policies of a

district for other purposes or to interpret the provisions of RCW 28A.58.100(2).

NEW SECTION

WAC 392-136-010 DEFINITIONS. As used in this chapter:

(1) The terms "full day" and "full day of sick leave" shall each mean and be equivalent to one day of full-time employment for each employee or classification of employees as established by policies now or hereafter adopted by each individual school and educational service district board or by the pertinent terms of applicable collective bargaining contracts, or both.

(2) The term "full-time daily rate of compensation" shall mean the salary of an employee or classification of employees for each full day of employment exclusive of supplemental pay such as extracurricular pay, overtime pay, standby pay and premium pay, and exclusive of fringe benefits such as health insurance premiums and other forms of insurance premiums.

(3) The term "sick leave" shall mean leave granted to an employee for the purpose of absence from work with pay in the event of illness or injury, or both.

NEW SECTION

WAC 392-136-015 ANNUAL CONVERSION OF ACCUMULATED SICK LEAVE. (1) Commencing in January of 1981 and each January thereafter, each eligible, current employee of a school district and educational service district may elect to convert excess sick leave to monetary compensation as provided in this section.

(2) Eligible employees, excess sick leave and the conversion of excess sick leave to monetary compensation shall be determined as follows:

(a) Eligible Employees: In order to be eligible to convert excess sick leave days to monetary compensation, an employee:

(i) Shall have accumulated in excess of 60 full days of unused sick leave at a rate of accumulation no greater than one full day per month (a maximum of 12 days per year) as of the end of the previous calendar year, and

(ii) Shall provide written notice to his or her employer during the month of January of his or her intent to convert excess leave days to monetary compensation.

(b) Excess Sick Leave: The number of sick leave days which an eligible employee may convert shall be determined by:

(i) Taking the number of sick leave days in excess of 60 full days that were accumulated by the employee during the previous calendar year at a rate of accumulation no greater than one full day per month (a maximum of 12 days per year); and

(ii) Subtracting therefrom the number of sick leave days used by the employee during the previous calendar year.

The remainder, if positive, shall constitute the number of sick leave days which may be converted to monetary compensation.

(c) Rate of Conversion: Sick leave days that are eligible for conversion shall be converted to monetary compensation at the rate of 25 percent of an employee's current, full-time daily rate of compensation for each full day of eligible sick leave. Partial days of eligible sick leave shall be converted on a pro rata basis.

(3) All sick leave days converted pursuant to this section shall be deducted from an employee's accumulated sick leave balance.

(4) Compensation received pursuant to this section shall not be included for the purpose of computing a retirement allowance under any public retirement system in this state.

NEW SECTION

WAC 392-136-020 CONVERSION OF SICK LEAVE UPON RETIREMENT OR DEATH. (1) Eligible Employees: Each person who is employed by a school district or educational service district as of June 12, 1980, or thereafter and who subsequently terminates employment due to either retirement or death may personally, or through his or her estate in the event of death, elect to convert all eligible, accumulated, unused sick leave days to monetary compensation as provided in this section: PROVIDED, That "vested out-of-service" employees who terminate employment but leave funds on deposit with a state retirement system shall not be considered to have retired or to be an eligible employee for the purposes of this section.

(2) Eligible Sick Leave Days: All unused sick leave days that have been accumulated by an eligible employee at a rate of accumulation no greater than one full day per month (a maximum of 12 days per year), less sick leave days previously converted pursuant to WAC 392-136-115 and those credited as service rendered for retirement purposes, may be converted to monetary compensation upon the employee's termination of employment due to retirement or death.

(3) Rate of Conversion: Sick leave days that are eligible for conversion shall be converted to monetary compensation at the rate of 25 percent of an employee's full-time daily rate of compensation at the time of termination of employment for each full day of eligible sick leave. Partial days of eligible sick leave shall be converted on a pro rata basis.

(4) Notwithstanding any other provision of this section to the contrary, any school district or educational service district may elect to delay payments due pursuant to this section until September 1, 1981: PROVIDED, That each eligible employee whose payment is delayed shall also be paid interest on the amount due at the rate of eight percent per year.

(5) All sick leave days converted pursuant to this section shall be deducted from an employee's accumulated sick leave balance.

(6) Compensation received pursuant to this section shall not be included for the purpose of computing a retirement allowance under any public retirement system in this state.

WSR 80-07-029
EMERGENCY RULES
DEPARTMENT OF FISHERIES
 [Order 80-46—Filed June 13, 1980]

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 there has been low fishing effort and resulting catch in the area below Bonneville to Gary Island, but shad are still available for harvest. Incidental catch of salmon and steelhead has been very low.

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

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

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

APPROVED AND ADOPTED June 13, 1980.

By Gordon Sandison
 Director

NEW SECTION

WAC 220-32-04100C SEASONS AND AREAS - SHAD Notwithstanding the provisions of WAC 220-32-041, it shall be unlawful to take, fish for or possess shad for commercial purposes with gill nets except from the following areas during the specified times for each area as follows:

(a) A line commencing at the white six-second equal-interval light approximately 3/4 mile east of the Washougal Woolen Mill pipeline and projected westerly to the Washougal blinker light; thence continuing westerly to the white four-second blinker light on the east end of Lady Island, thence easterly and northerly along the shoreline of Lady Island to the State Highway 14 Bridge; thence easterly across State Highway 14 Bridge to the mainland from 6:00 A.M. May 27 to 12:00 Noon June 30, 1980.

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

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

(b) The waters of Grays River from its mouth upstream to fishing boundary markers located at the Leo Reisticka farm and including the waters of Seal Slough; the waters of Deep River from its mouth upstream to

the Highway 4 Bridge from 6:00 P.M. May 12 to 6:00 P.M. June 30, 1980.

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

(c) Those waters of the Columbia River upstream and easterly of a line projected from the flashing red light No. 52 on the Oregon shore near the downstream end of Gary Island, diagonally north to a white equal-interval light on the Washington shore; and including those waters of the Columbia River downstream and westerly of a line projected across the Columbia River at a point 5 miles below Bonneville Dam; and excluding the waters of Camas Slough upstream from a line projected true north from the most western tip of Lady Island to the mainland from 4:00 A.M. May 27 to 10:00 P.M. June 20, 1980, on Monday through Friday of each week, during the daily hours of 4:00 A.M. to 10:00 P.M., with gill nets as defined in WAC 220-32-023.

It shall be unlawful to retain any fish except shad.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-32-04100B SEASONS AND AREAS - SHAD (80-33)

WSR 80-07-030
EMERGENCY RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Order 1514—Filed June 13, 1980]

I, N. Spencer Hammond, Ex. Asst. of the Department of Social and Health Services do promulgate and adopt at Olympia, Washington, the annexed rules relating to:

Amd WAC 388-37-010 GAU—Exclusions.
 Amd WAC 388-37-035 Incapacity.

I, N. Spencer Hammond, 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 these rules are necessary to implement chapter 174, Laws of 1980, which is presently in effect.

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 June 13, 1980.

By N. S. Hammond
Executive Assistant

AMENDATORY SECTION (Amending Order 1397, filed 5/16/79)

WAC 388-37-010 CONTINUING GENERAL ASSISTANCE—EXCLUSIONS. (1) Continuing general assistance is a state financed program which provides for the needs of some persons who are not eligible for or are not receiving a federal aid grant and whose need is expected to continue for more than a 30-day period.

(2) Continuing general assistance cannot be granted to a person eligible for or receiving AFDC or to a person eligible for or whose needs are being met by supplemental security income with the following exceptions:

(a) An applicant who appears to be eligible for SSI may receive continuing general assistance payments until the date of receipt of the initial SSI payment provided that:

(i) the applicant applies;

(ii) the applicant assigns the initial SSI payment to DSHS up to the amount of the GA-U provided to the applicant pending approval of the SSI application;

(iii) the applicant meets all other general assistance eligibility requirements.

(b) If the amount of the initial SSI payment recovered by DSHS under subdivision (6)(a) does not meet the amount paid as GA-U, the balance must be treated as an overpayment.

If the SSI benefit is less than the GAU payment standard because the SSI is based on a different living arrangement than that authorized under the GAU program, the difference will not be considered an overpayment, provided the applicant has appealed the SSI determination and lost the final appeal.

(c) An AFDC parent in need of intensive treatment (thirty days or less) in an approved alcoholic treatment facility may be granted continuing general assistance for the cost of treatment. This payment is made through the vendor billing procedure.

(d) An SSI eligible spouse whose need is not being met by SSI because of separation from a spouse. Such persons are exempt from assigning the initial SSI payment to DSHS as provided in (2)(a)(ii) above.

(3) Continuing general assistance cannot be granted to a recipient of supplemental security income when he is subject to any sanction for failure to comply with SSI eligibility requirements.

AMENDATORY SECTION (Amending Order 1251, filed 11/10/77)

WAC 388-37-035 INCAPACITY. (1) The term "incapacity" refers to the existence of a physiological, emotional and/or mental impairment which renders the person incapable of gainful employment.

(a) Such incapacity must be verified by medical

evidence.

(b) The person must be substantially prevented by reason of the impairment from engaging in a useful occupation. Reasons for unemployment other than incapacity, such as individual employer preferences, business and economic conditions, social handicaps, etc. are not factors to be considered in determining his inability to obtain and continue in employment.

(2) The source of evidence for physiological incapacity will be a written report from a physician or chiropractor, for a mental and/or emotional incapacity, the source may be a report from a psychiatrist or clinical psychologist. Medical evidence may be obtained by other DSHS institutions and agencies from which the individual is receiving or has received services. Such reports must include a diagnosis and prognosis for the incapacitating condition and the effect of the condition on the individual's ability to function.

(3) The determination of incapacity will be made on the facts of each case. This requires evaluation of the severity of the impairment and its effect on the individual, and consideration of the individual's abilities so that it can be determined whether there remains a capacity to engage in a useful occupation.

(4) Incapacity due to mental or emotional disorders shall be determined on the basis of actual and specific impairment of faculties necessary for the person to be able to engage in gainful employment. The fact that an individual may be receiving treatment for a mental health problem is not in itself evidence that incapacity exists.

(a) Such incapacity will be determined on the basis of evidence that the individual

(i) Is unable to exercise judgment and make decisions necessary to obtain and maintain employment.

(ii) Is unable to sustain an adequate attention span.

(iii) Manifests bizarre or inappropriate behavior patterns beyond his capability to control.

(iv) Does not have the degree of physical and motor control required to sustain employment.

(v) Does not have perception and memory to the degree necessary to obtain and sustain employment.

(vi) Is unable to follow directions or to learn to the degree necessary to obtain and sustain employment.

(vii) Is under medication which impairs functioning.

(viii) Any one or a combination of the conditions in items (i) through (vii) may be sufficient to establish incapacity.

(5) Incapacity will be considered to be established without an incapacity review team decision for applicants for and recipients of services in a congregate care facility when the person

(a) Deleted.

(b) Has been determined to be eligible for any benefits (including FAMCO) based on social security administration disability criteria or veterans benefits based on disability of 50% or more.

(c) Is eligible for services from the bureau of developmental disabilities.

(d) Is being released from a state or community psychiatric hospital.

(i) Incapacity following hospitalization for mental

health reasons will be considered to be established for only sixty days; assistance shall not be continued beyond the initial sixty days without an incapacity review team decision.

(6) Incapacity due to alcoholism will be considered to be established when an individual is accepted into either intensive or long-term residential treatment at an alcoholism treatment center.

(7) Incapacity due to abuse of drugs other than alcohol will be considered to be established for a designated period when an individual is accepted into a certified residential drug treatment program, or a certified methadone (or approved substitute) maintenance or certified detoxification program.

(a) In accordance with the above criteria, incapacity will be considered to be established for the following maximum periods of time:

- (i) detoxification—30 days
- (ii) maintenance—60 days
- (iii) residential treatment—60 days

(b) Assistance shall not be continued beyond the initial period of time described in subdivision (7)(a) without an incapacity review team decision.

(8) If the person has not been referred to the ESSO by an alcoholism or certified drug treatment program incapacity will be determined by evidence that

(a) Pathological or demonstrable organic damage has resulted from chronic alcoholism or drug abuse, or

(b) The individual, as a result of the addiction, has his judgment so impaired that he is incapable of realizing and making a rational decision with respect to his need for treatment and constitutes a danger to himself, to any other person, or to property.

(9) Individuals who are found to be incapacitated due to alcoholism or drug abuse will be required to accept referral to a community alcoholism center or certified drug treatment program for evaluation and recommendation related to treatment.

(a) An individual who refuses to accept and follow through on available treatment when such treatment is recommended shall not be eligible.

(10) The use of drugs or alcohol of itself is not evidence that an incapacitating condition exists.

(11) Incapacity shall be considered to be established without an incapacity review team decision for an SSI recipient whose needs are not being met by SSI because of separation from a spouse.

WSR 80-07-031
PROPOSED RULES
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
(Public Assistance)
 [Filed June 13, 1980]

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 388-37-010 GAU—Exclusions.

Amd WAC 388-37-035 Incapacity.

It is the intention of the secretary to adopt these rules on an emergency basis prior to the hearing.

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

N. Spencer Hammond
 Executive Assistant
 Department of Social and Health Services
 Mailstop OB-44 C
 Olympia, WA 98504

Interpreters for people with hearing impairments and brailled or taped information for people with visual impairments can be provided. Please contact William B. Pope, Chief, Office of Administrative Regulations, at State Office Building #2, 12th and Jefferson, Olympia, Washington, Phone (206) 753-7015, by July 23, 1980. The meeting site is in a location which is barrier free;

that such agency will at 10:00 a.m., Wednesday, August 6, 1980, in the Auditorium, General Administration Building, 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, August 20, 1980, in William B. Pope's office, 3-D-14, State Office Building #2, 12th and Franklin, Olympia.

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 August 6, 1980, and/or orally at 10:00 a.m., Wednesday, August 6, 1980, Auditorium, State Office Building #2, 12th and Franklin, Olympia.

Dated: June 13, 1980

By: N. S. Hammond
 Executive Assistant

STATEMENT OF PURPOSE

This statement is filed pursuant to RCW 34.04.045.

- A. 1. Amend chapter 388-37 WAC.
 2. Purpose of the rule or rule change is to make SSI recipients whose needs are not being met by SSI because of separation from a spouse eligible for GAU.
 3. The reason(s) these rules are necessary is to implement chapter 174, Laws of 1980.
 4. Statutory authority for this action is found in RCW 74.08.090.
- B. Summary of the rule or rule change
 WAC 388-37-010(2)(d) Makes these persons eligible for SSI and exempts them from assigning the additional SSI payment to DSHS.
 WAC 388-37-035(11) Exempts these persons from incapacity review team decisions.
- C. Person or persons responsible for the drafting implementation and enforcement of the rule
 1. Name of initiator: Gerry Nelson
 2. Title: Program Analyst
 3. Office: Income Maintenance
 Phone: 3-3177
 Mail Stop: OB-43 C
- D. The person or organization (if other than DSHS) who proposed these rules is: [no information supplied by agency]
- E. 1. These rules are not necessary as a result of federal laws, federal court decisions or state court decisions.

AMENDATORY SECTION (Amending Order 1397, filed 5/16/79)

WAC 388-37-010 CONTINUING GENERAL ASSISTANCE—EXCLUSIONS. (1) Continuing general assistance is a state

financed program which provides for the needs of some persons who are not eligible for or are not receiving a federal aid grant and whose need is expected to continue for more than a 30-day period.

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- (i) the applicant applies;
- (ii) the applicant assigns the initial SSI payment to DSHS up to the amount of the GA-U provided to the applicant pending approval of the SSI application;
- (iii) the applicant meets all other general assistance eligibility requirements.

(b) If the amount of the initial SSI payment recovered by DSHS under subdivision (6)(a) does not meet the amount paid as GA-U, the balance must be treated as an overpayment.

If the SSI benefit is less than the GAU payment standard because the SSI is based on a different living arrangement than that authorized under the GAU program, the difference will not be considered an overpayment, provided the applicant has appealed the SSI determination and lost the final appeal.

(c) An AFDC parent in need of intensive treatment (thirty days or less) in an approved alcoholic treatment facility may be granted continuing general assistance for the cost of treatment. This payment is made through the vendor billing procedure.

(d) An SSI eligible spouse whose need is not being met by SSI because of separation from a spouse. Such persons are exempt from assigning the initial SSI payment to DSHS as provided in (2)(a)(ii) above.

(3) Continuing general assistance cannot be granted to a recipient of supplemental security income when he is subject to any sanction for failure to comply with SSI eligibility requirements.

AMENDATORY SECTION (Amending Order 1251, filed 11/10/77)

WAC 388-37-035 INCAPACITY. (1) The term "incapacity" refers to the existence of a physiological, emotional and/or mental impairment which renders the person incapable of gainful employment.

(a) Such incapacity must be verified by medical evidence.
 (b) The person must be substantially prevented by reason of the impairment from engaging in a useful occupation. Reasons for unemployment other than incapacity, such as individual employer preferences, business and economic conditions, social handicaps, etc. are not factors to be considered in determining his inability to obtain and continue in employment.

(2) The source of evidence for physiological incapacity will be a written report from a physician or chiropractor; for a mental and/or emotional incapacity, the source may be a report from a psychiatrist or clinical psychologist. Medical evidence may be obtained by other DSHS institutions and agencies from which the individual is receiving or has received services. Such reports must include a diagnosis and prognosis for the incapacitating condition and the effect of the condition on the individual's ability to function.

(3) The determination of incapacity will be made on the facts of each case. This requires evaluation of the severity of the impairment and its effect on the individual, and consideration of the individual's abilities so that it can be determined whether there remains a capacity to engage in a useful occupation.

(4) Incapacity due to mental or emotional disorders shall be determined on the basis of actual and specific impairment of faculties necessary for the person to be able to engage in gainful employment. The fact that an individual may be receiving treatment for a mental health problem is not in itself evidence that incapacity exists.

(a) Such incapacity will be determined on the basis of evidence that the individual

- (i) Is unable to exercise judgment and make decisions necessary to obtain and maintain employment.
- (ii) Is unable to sustain an adequate attention span.
- (iii) Manifests bizarre or inappropriate behavior patterns beyond his capability to control.
- (iv) Does not have the degree of physical and motor control required to sustain employment.
- (v) Does not have perception and memory to the degree necessary to obtain and sustain employment.
- (vi) Is unable to follow directions or to learn to the degree necessary

to obtain and sustain employment.

(vii) Is under medication which impairs functioning.

(viii) Any one or a combination of the conditions in items (i) through (vii) may be sufficient to establish incapacity.

(5) Incapacity will be considered to be established without an incapacity review team decision for applicants for and recipients of services in a congregate care facility when the person

- (a) Deleted.
- (b) Has been determined to be eligible for any benefits (including FAMCO) based on social security administration disability criteria or veterans benefits based on disability of 50% or more.
- (c) Is eligible for services from the bureau of developmental disabilities.

(d) Is being released from a state or community psychiatric hospital.

(i) Incapacity following hospitalization for mental health reasons will be considered to be established for only sixty days; assistance shall not be continued beyond the initial sixty days without an incapacity review team decision.

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- (i) detoxification—30 days
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(b) Assistance shall not be continued beyond the initial period of time described in subdivision (7)(a) without an incapacity review team decision.

(8) If the person has not been referred to the ESSO by an alcoholism or certified drug treatment program incapacity will be determined by evidence that

(a) Pathological or demonstrable organic damage has resulted from chronic alcoholism or drug abuse, or

(b) The individual, as a result of the addiction, has his judgment so impaired that he is incapable of realizing and making a rational decision with respect to his need for treatment and constitutes a danger to himself, to any other person, or to property.

(9) Individuals who are found to be incapacitated due to alcoholism or drug abuse will be required to accept referral to a community alcoholism center or certified drug treatment program for evaluation and recommendation related to treatment.

(a) An individual who refuses to accept and follow through on available treatment when such treatment is recommended shall not be eligible.

(10) The use of drugs or alcohol of itself is not evidence that an incapacitating condition exists.

(11) Incapacity shall be considered to be established without an incapacity review team decision for an SSI recipient whose needs are not being met by SSI because of separation from a spouse.

WSR 80-07-032

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 80-47—Filed June 16, 1980]

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

tuting such emergency is Punch Card Area 8 was inadvertently designated as open for lingcod in permanent personal use rules. The correction was adopted by permanent rule amendment June 11, 1980.

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

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

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

APPROVED AND ADOPTED June 16, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-56-25000B LINGCOD AREAS *Notwithstanding the provisions of WAC 220-56-250, effective immediately until further notice, it shall be unlawful to take, fish for or possess lingcod for personal use from Punch Card Area 8.*

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 220-56-25000A LINGCOD AREAS (80-19)

WSR 80-07-033

PROPOSED RULES

DEPARTMENT OF PERSONNEL

(Personnel Board)

[Filed June 17, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025 and 41.06.040, that the State Personnel Board intends to adopt, amend, or repeal rules concerning:

Amd WAC 356-06-010 Definitions.

Amd WAC 356-42-010 Membership in employee organization;

that such agency will at 10:00 a.m., Thursday, July 17, 1980, in the Board Hearing 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, July 17, 1980, in the Board Hearing Room, 600 South Franklin, Olympia, WA 98504.

The authority under which these rules are proposed is RCW 41.06.040 and .050.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 15, 1980, and/or orally at 10:00 a.m., Thursday, July 17, 1980, Board Hearing Room,

600 South Franklin, Olympia, WA 98504.

This notice is connected to and continues the matter noticed in Notice No. WSR 80-05-111 filed with the code reviser's office on May 6, 1980.

Dated: June 16, 1980

By: Leonard Nord
Secretary

WSR 80-07-034

ADOPTED RULES

DEPARTMENT OF AGRICULTURE

[Order 1707—Filed June 17, 1980]

I, Bob J. Mickelson, director of Washington State Department of Agriculture, do promulgate and adopt at Olympia, Washington, the annexed rules relating to brand inspection and brand identification, amending WAC 16-620-360, adding new sections WAC 16-620-205, 16-620-255 and 16-620-275 and repealing WAC 16-620-001, 16-620-002, 16-620-004, 16-620-005 and 16-620-006.

This action is taken pursuant to Notice No. WSR 80-05-115 filed with the code reviser on May 6, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to chapter 16.57 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 16, 1980.

By Bob J. Mickelson
Director

NEW SECTION

WAC 16-620-205 IDENTIFICATION BY FREEZE BRANDING. The technique of identifying livestock by freeze branding may be used for complying with the requirements of Chapter 16.57 RCW and WAC Chapter 16-620.

NEW SECTION

WAC 16-620-255 BRAND IDENTIFICATION ON HORSES. The neck of horses shall be reserved for individual identification symbols. The prefix symbol will designate breed or state and will be recorded as provided by Chapter 16.57 RCW. A suffix symbol, if used, will designate a country: **PROVIDED**, That individually identified horses are exempt from brand inspection prior to leaving the state of Washington, as long as they are accompanied by proof of ownership as issued by the registering agency, and the system of identifying such horses is accepted by the National Crime Information Center: **PROVIDED FURTHER**, That such identification of horses shall be on a voluntary basis only.

NEW SECTION

WAC 16-620-275 MINIMUM FEE. There shall be a minimum fee of \$2.50 for the issuance of any official brand inspection certificate except when such certificate is issued at a public livestock market at a time when the normal brand inspection at that point requires a brand inspector to be present.

AMENDATORY SECTION (Amending Order 1379, filed 11/6/74)

WAC 16-620-360 CHANGE OF OWNERSHIP. Individually identified horses (~~(identified by identification certificates of validation of their registration papers shall be subject to inspection at any time there is a)~~) with approved and registered prefix must be accompanied at change of ownership by proof of such ownership. Persons slaughtering such horses shall retain such proof of ownership for at least one year, or surrender such proof of ownership to the brand inspector.

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

REPEALER

The following sections of the Washington Administrative Code are repealed:

- (1) WAC 16-620-001 PROMULGATION.
- (2) WAC 16-620-002 PROMULGATION.
- (3) WAC 16-620-004 PROMULGATION.
- (4) WAC 16-620-005 PROMULGATION.
- (5) WAC 16-620-006 PROMULGATION.

WSR 80-07-035

PROPOSED RULES

WESTERN WASHINGTON UNIVERSITY

[Filed June 17, 1980]

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 vehicular traffic and parking regulations;

that such institution will at 12:30 p.m., Thursday, August 7, 1980, in the 435 Old Main, Western Washington University, Bellingham, WA, conduct a hearing relative thereto;

and that the adoption, amendment, or repeal of such rules will take place at 2:30 p.m., Thursday, August 7, 1980, in the Board of Trustees Meeting Room, Old Main, Western Washington University.

The authority under which these rules are proposed is RCW 28B.10.560.

Interested persons may submit data, views, or arguments to this institution in writing to be received by this institution prior to August 7, 1980, and/or orally at 12:30 p.m., Thursday, August 7, 1980, 435 Old Main, Western Washington University, Bellingham, WA.

Dated: June 17, 1980

By: Stuart C. Allen
Assistant Attorney General

STATEMENT OF PURPOSE

1. State of Purpose. This statement of purpose is written in compliance with Section 23, chapter 186, Laws of 1980, and to accompany the Notice of Intention to Adopt, Amend or Repeal Rules by Western Washington University (CR-4).
2. Title. Amendments modifying institutional rules regarding vehicular traffic and parking.
3. Summary. These amendments make the following changes to the institutional traffic and parking rules:
 - a. Name change to reflect regional university status.
 - b. Increase in parking fees to be set by President or his designee.
 - c. Increase in enforcement through higher fines for illegal activity and stiffer enforcement measures.
4. Institution Personnel Responsible for Drafting, Implementation, and Enforcement of Rule: Jack Cooley, 380 Old Main, 676-3117.
5. Governmental Organization Proposing the Rule: Western Washington University.
6. Institutional Comments Regarding Statutory Matters: Not applicable.
7. Rule is not necessary as the result of federal law or court action.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-010 DEFINITIONS. As used in this chapter, 516-12 WAC, the following words and phrases shall have the indicated meanings:

- (1) "Board" shall mean the Board of Trustees of Western Washington (~~(State College))~~ University.
- (2) "Campus" shall refer to all state lands devoted mainly to the educational or research activities of the (~~(college))~~ university.
- (3) "~~((College))~~University" shall mean Western Washington (~~(State College))~~ University.
- (4) "Employee" shall mean any individual holding an appointment to the faculty, staff, or administration of the (~~(college))~~ university.
- (5) "Parking Committee" shall mean the Parking Committee of the (~~(college))~~ university.
- (6) "Parking Manager" shall mean the person appointed Parking Manager of the (~~(college))~~ university by the President.
- (7) "Student" shall mean any person who is enrolled in the (~~(college))~~ university as a student.
- (8) "President" shall refer to the President of Western Washington (~~(State College))~~ University.
- (9) "Safety and Security Department" shall mean the Safety and Security Department of the (~~(college))~~ university.
- (10) "Automobile" shall refer to any motorized vehicle having four or more wheels.
- (11) "Motorcycle" shall refer to any two or three wheeled motorized vehicle.
- (12) "Motor vehicle" or "vehicle" shall mean any automobile or motorcycle.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-020 PREAMBLE. The Board of Trustees of Western Washington (~~(State College))~~ University is granted authority under Title 28B of the Revised Code of Washington to establish regulations to govern pedestrians and vehicular traffic and parking on the campus of the (~~(college))~~ university. The execution and administration of the regulations set forth in this chapter shall be the responsibility of the Parking Manager.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-030 PURPOSES. The purposes of the regulations set forth in this chapter are:

- (1) To protect and control pedestrian and vehicular traffic.

- (2) To assure access at all times for emergency traffic.
- (3) To minimize traffic disturbance during class hours.
- (4) To facilitate the work of the ((college)) university by assuring access to vehicles and by assigning the limited available space for the most efficient use.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-050 PERMITS REQUIRED FOR VEHICLES ON CAMPUS. No person shall park or leave a vehicle, whether attended or unattended, upon the campus (except in a metered or designated "no fee" visitor lot) without a valid parking permit issued by the Parking Manager pursuant to this chapter.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-070 PERMITS—AUTHORIZATION FOR ISSUANCE AND SALE. The Parking Manager is authorized to issue and/or sell parking permits on the campus to employees, students, guests, and visitors of the ((college)) university pursuant to the provisions of this chapter.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-073 PERMITS—FEES. ((+)) Permit fees.

LOT	((ACA- DEMIC (10 MO.)			
	AN- NUAL	QUAR- TERLY	SUMMER	TERLY
G (General)	60.00	54.00	10.00	18.00
E (Campus Operated Housing)	60.00	54.00	10.00	18.00
P (Peripheral)	14.00	12.00	2.50	4.00
	28.00	24.00	5.00	8.00
M (Motorcycle)	16.00	15.00	3.00	5.00

(2) Metered Parking Fees:

6:00 a.m. to 6:00 p.m.	Fee as posted
6:00 p.m. to 6:00 a.m.	No fee required

(3) Miscellaneous Fees:

Impound Fee	At cost))
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Fees shall be set by the President or his designee in accordance with authority delegated hereby, and a fee schedule shall be posted in the office of the Parking Manager.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-080 ASSIGNMENT OF PARKING. Assignments to parking lots on the ((college)) university campus will be on the basis of priorities established by the Parking ((Committee)) Manager.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-130 PERMIT—REVOCATION. Permits and area designators are the property of the ((college)) university and may be recalled by the Parking Manager for any of the following reasons:

- (1) When the purpose for which the permit and area designator were issued changes or ceases to exist.
- (2) When a permit or area designator is used on a vehicle other than the vehicle for which the permit or area designator was issued.
- (3) Falsification of an application for a permit or area designator.
- (4) Violation of the regulations set forth in this chapter.
- (5) Counterfeiting or altering a parking permit or area designator.
- (6) Failure to comply with a judgment of the Parking Appeals Board.
- (7) Failure to pay outstanding citations.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-140 PERMIT—RIGHT TO REFUSE. The ((college)) university reserves the right to refuse the issuance of a parking permit to anyone who has had a previous parking permit revoked, has falsified a parking permit application, ((or)) has counterfeited or altered a parking permit or area designator or who has failed to pay outstanding citations.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-145 PERMIT—APPLICATION. (1) Except as otherwise expressly provided in this chapter, parking permits may be issued only to students or employees of the ((college)) university or other members of the ((college)) university community.

(2) Persons wishing to obtain a parking permit shall be required to complete an application form prepared by the office of the Parking Manager and pay the appropriate permit fee ((as set forth in this chapter)).

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-150 PERMIT—ANNUAL, ACADEMIC YEAR AND QUARTERLY. (1) Annual permits (twelve months) will be available to members of the ((college)) university community on a priority point system determined by the Parking Committee. Annual permits will be valid for twelve months, from September 15th through September 14th.

(2) Academic year permits (ten months) will be available to members of the ((college)) university community on a priority point system determined by the Parking Committee. Academic year permits will be valid from September 15th through June 14th.

(3) Quarterly permits and summer permits will be available to members of the ((college)) university community on a priority point system determined by the Parking Committee. Quarterly permits will be valid from the first day of the academic quarter for which issued until the first day of the succeeding academic quarter.

(4) The Parking Manager shall have authority to establish procedures, including time schedules and deadlines, to govern the purchase of annual, academic year, and quarterly or summer permits.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-170 PERMIT—SPECIAL. (1) The Parking Manager is authorized to issue fee and no fee special parking permits when necessary to enhance the business or operation of the ((college)) university.

(2) A special permit which is issued for more than a total of fifteen working days shall be purchased at the the prevailing parking rate.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-175 PERMIT—ALL LOTS OR EMERGENCY.

(1) The Parking Manager shall have authority to issue "all lots" permits and "emergency" permits when necessary to enhance the business or operation of the ((college)) university.

(2) All lots permits and emergency permits must have prior approval of the Parking Committee. A request to the Parking Committee for an all lots or emergency permit shall be in writing and shall contain a justification of the need for the type of permit requested.

(3) Prior to issuance of an all lots permit the person requesting the permit shall be required to purchase a regular parking permit at the prevailing rate commensurate with the validation period of the all lots permit.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-220 PARKING AREAS. (1) No vehicle shall be parked on the campus except in those areas set aside and designated as parking areas.

(2) No vehicle shall be parked in any permit parking area without a parking permit and designator for that area.

(3) Visitors shall park in designated visitor lots only.

(4) ((College)) University vehicles and other state vehicles shall park in designated spaces only.

(5) Motorcycles shall not use space assigned to automobiles, but must be parked in designated cycle areas only. Automobiles shall not park in areas assigned to motorcycles.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-240 ((COLLEGE)) UNIVERSITY AND STATE OWNED VEHICLES. ((College)) University and state owned vehicles and their operators shall abide by all parking and traffic regulations contained herein.

NEW SECTION

WAC 516-12-255 CITATIONS. A vehicle which is in violation of the university's parking regulations shall be issued a citation, and fines shall be assessed for violations of these regulations in accordance with the following schedule.

- (1) \$3.00 violations.
 - (a) Improper display of permit and/or area designator.
 - (b) Failure to display multiple vehicle/pool card.
 - (c) Occupying more than one stall or space.
 - (d) Parking in reserved and/or restricted area.
 - (e) Parking out of assigned area.
 - (f) Parking over posted time limit.
 - (g) Parking at expired meter.
 - (h) Parking outside motorcycle area.
 - (i) Parking in space/area not designated for parking.
 - (j) Parking with no valid permit displayed.
 - (k) Parking in driveway and/or walkway.
- (2) \$5.00 violations.
 - (a) Blocking traffic.
 - (b) Parking in prohibited area (except handicapped spaces).
 - (c) Parking on grass or landscaped area.
- (3) \$10.00 violation. Use of forged or stolen area designator.
- (4) \$25.00 violations.
 - (a) Use of forged or stolen vehicle permit.
 - (b) Parking in designated handicapped space.
 - (c) Parking within ten feet of a fire hydrant.
 - (d) Unauthorized transfer of a vehicle permit.

NEW SECTION

WAC 516-12-256 CONTINUING VIOLATIONS. A vehicle which remains in violation of any regulations, may receive additional tickets for every four hours of the violation.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-260 ENFORCEMENT. (1) A vehicle which is parked in a manner which endangers or potentially endangers members of the ((college)) university community, state property, or property belonging to members of the ((college)) university community and/or prevents a person having a valid permit from parking in a designated parking area shall be impounded on the first violation.

(2) ~~((A vehicle which is in violation of the college's parking regulations shall be issued a parking citation for each violation))~~ No vehicle may have its parking permit renewed until all outstanding citations have been paid.

(3) ~~((A fine of one dollar shall be assessed for violation of the college's parking regulations. Upon paying the one dollar fine, the violation shall be removed from the violator's campus driving record))~~ The parking system will identify the registered owner of any vehicle with unpaid citations which does not have a parking permit, and contact the owner in writing that payment for the outstanding citations is required. If payment of the outstanding citations is not made, the matter will be referred to the appropriate civil court for resolution.

(4) Upon receiving a ((third)) second parking citation with ((two)) one previous unpaid parking citations((s)) outstanding, a vehicle which is in violation of the ((college's)) university's parking regulations shall be impounded and shall continue to be impounded ~~((for each succeeding violation of the campus' parking regulations))~~ until all outstanding parking citations have been paid.

(5) ~~((All unpaid parking citations which are outstanding on September 14th of each year shall be voided by the college))~~ A student with unpaid parking citations will not be allowed to enroll for the subsequent quarter and will not be allowed to have a copy of his/her transcript released by the Registrar's Office.

(6) The operator and the owner(s) of a vehicle which is involved in a violation of the ((college's)) university's parking regulations shall be jointly and severally responsible for the violation.

(7) These enforcement measures are cumulative, and resort to one or more of these measures shall not waive or impair the university's right to use any other enforcement measure.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-265 ENFORCEMENT—WHEN REGULATIONS IN EFFECT. (1) Except as indicated in subsection (2) and (3) of this section, enforcement of the regulations set forth in this chapter shall be continuous throughout the calendar year.

(2) Except as provided in subsection (3) of this section, the regulations set forth in this chapter shall not be enforced on Saturdays, Sundays, and official ((college)) university holidays unless otherwise posted. For purposes of this section, the break between academic quarters shall not be considered a ((college)) university holiday.

(3) A vehicle which is parked in a manner which endangers or potentially endangers members of the ((college)) university community, state property, or property belonging to members of the ((college)) university community shall be impounded on the first violation regardless of whether the violation occurs on a Saturday, Sunday or official ((college)) university holiday.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-280 LIABILITY OF ((COLLEGE)) UNIVERSITY. The ((college)) university assumes no liability under any circumstances for vehicles parked on campus. The ((college)) university rents space to individuals who wish to park on campus and who purchase a parking permit. No bailment of any sort is created by the purchase of a permit.

AMENDATORY SECTION (Amending Order 75-4, filed 8/11/75)

WAC 516-12-320 REPAIR OF VEHICLES. Repairs shall not be made to vehicles while parked on the campus of Western Washington ((State-College)) University, unless the Parking Manager has given written authorization for such action in advance.

WSR 80-07-036**EMERGENCY RULES
COMMISSION FOR
VOCATIONAL EDUCATION**

[Order 80-2, Resolution 80-41-17—Filed June 17, 1980]

Be it resolved by the Commission for Vocational Education, acting at the Auditorium of Office Building #2, 12th and Franklin, Olympia, that it does promulgate and adopt the annexed rules relating to educational services registration, WAC 490-600-045 Exemptions, WAC 490-600-050 Application—annual renewal and amendment, WAC 490-600-071 Minimum cancellation and refund policy, WAC 490-600-075 Complaints and violations.

We, the Washington State Commission for Vocational Education, 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 six months of experience under a new law and rules has identified weaknesses in the existing rules which needed immediate attention.

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

This rule is promulgated pursuant to chapter 28B.05 RCW and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 5, 1980.

By Homer J. Halverson
Executive Director

AMENDATORY SECTION (Amending Order 79-2, filed 12/21/79)

WAC 490-600-045 EXEMPTIONS. Organizations and institutions claiming exemption under the provisions of section 4, chapter 188, Laws of 1979 1st ex. sess., as now or hereafter amended, shall meet the following additional provisions:

(1) To be considered exempt under the Act, charitable organizations must be recognized by the United States Internal Revenue Service as being exempt under Section 501(c)(3) of the Internal Revenue Code as charitable organizations.

(2) Educational institutions that are candidates for accreditation or are on probation concerning their accreditation status are not considered eligible for exemption under the provision of section 4(5), chapter 188, Laws of 1979 1st ex. sess.

(3) Educational institutions exempted as accredited shall, not later than January 31 of each calendar year, notify the Commission of its operating in the state of Washington and shall furnish the Commission with one copy of its current catalog.

(4) Educational institutions requesting exemption under the hardship provision of section 13, chapter 188, Laws of 1979 1st ex. sess. shall make a request in writing which shall include:

(a) Name, address and telephone number of the institution,

(b) Name, title, address and telephone number of the chief administrative officer,

(c) Reference to the specific section or subsection for which the exemption is requested, and

(d) Statements and related probative documents which clearly identify the nature of the hardship and the institution's inability to meet the requirements of the section or subsection of the Act or of this rule and for which the exemption is requested, together with substantiation that such exemption will not unnecessarily frustrate the purposes of the Act or of this rule.

(5) Institutions offering instruction on federal installations solely to personnel employed by the Federal government, and their dependents, shall not be required to have separate institutional accreditation in order to qualify for exemption.

(6) Institutions not otherwise exempt that are of a religious character, but only as to those educational programs exclusively devoted to religious or theological objectives, and that are represented in an accurate manner in institutional catalogs or other official publications.

(a) The executive director shall ask the chief administrative office of any institution that may qualify for an exemption on religious grounds to forward to the Commission office a copy of the institution's catalog and/or any other official publications that describes the nature of the institution and its programs. This information shall be used to verify the exempt status of the institution.

(b) For purposes of this subsection, "educational programs exclusively devoted to religious or theological objectives" shall mean a program that has as its sole stated objective training in the religious beliefs of the controlling religious organization and/or preparation of students for occupations that are primarily church related.

(c) In the case of an institution that offers both religious and secular programs of instruction, the requirements of RCW 28B.05 and WAC 490-600 shall pertain only to the secular programs of the institution.

(d) If the executive director has reasonable cause to believe that the religious or theological programs offered by a religious institution are not represented in a materially accurate manner in the institution's catalog and/or other official publications the executive director shall proceed in accordance with the provisions of WAC 490-600-075.

(7) Educational institutions that are certified by the Federal Aviation Administration under 14 CFR 141 and those educational institutions certified under CFR 61 which offer instruction solely for avocational or recreational purposes.

(a) The executive director shall ask the chief administrative officer of any institution that is certified by the Federal Aviation Administration under 14 CFR 141 to provide evidence of current certification in order to verify the exempt status of the institution.

(b) Flight schools certified by the Federal Aviation Administration under 14 CFR 141 that collect payment(s) in advance for any flight training shall prepare and execute with each student paying in advance a contract containing at least:

(i) A description of the services to be rendered;

(ii) The terms under which the payments are to be made, and,

(iii) The terms of an equitable policy governing the refund of unused tuition charges that will occur in the event the student withdraws or is discontinued from training prior to completion of the contracted service.

To be considered exempt under the Act, such schools shall submit to the Commission for its approval a copy of such contract form together with notification to the Commission of its operating in the state of Washington. Initial notification shall be made in the instance of existing schools by no later than July 1, 1980 or in the instance of new schools in no less than 15 days prior to the commencement of its operation. In any instance, such notification and submission of document(s) shall occur annually not later than January 31 of each calendar year.

(c) Flight schools certified by the Federal Aviation Administration under 14 CFR 61 to be considered for exemption on the basis of offering instruction solely for avocational or recreational purposes must submit documentation supporting such a sole intent.

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.

AMENDATORY SECTION (Amending Order 79-2, filed 12/21/79)

WAC 490-600-050 APPLICATION, ANNUAL RENEWAL AND AMENDMENTS. (1) At the time an educational institution initially registers it shall file with the commission a statement of organization in a form determined by that agency, which shall include the following:

(a) Name and address of the institution and a statement of whether it is a "private vocational school" or "dual purpose institution".

(b) Name and address of the owners of the institution, if the institution is incorporated then the names and addresses of the directors, officers and of any shareholders holding more than a ten percent interest shall be listed, or members of the governing board in the case of non-profit institutions.

(c) Name and address of the chief administrative officer and all agents of the institution.

(d) A copy of each of the materials that the institution is required to supply prospective students prior to enrollment in accordance with section 6(4), chapter 188, Laws of 1979 1st ex. sess., including a list, with addresses, of all locations at which instruction is offered.

(e) A signed written statement from the chief administrative officer of the institution attesting to the truth and accuracy of the information provided in the statement of organization and any amendments thereto and pledging that the institution will comply with all of the requirements of the act and the rules adopted thereunder.

(f) A surety bond, cash or other negotiable security as described in section 11, chapter 18i, Laws of 1979 1st ex. sess.

(g) ~~((Copies))~~ A copy of enrollment agreement and/or student contract used by the institution.

(h) ~~((Copies))~~ A copy of current balance sheet (and) or income statement (owner's equity analysis) covering preceding year's operations and clearly identifying the preceding year's gross tuition charges derived from students reporting a Washington residence. Institutions just starting operations at the time of initial registration may substitute a proposed operating budget for the succeeding twelve months period in lieu of an income statement.

(i) The name of a bank or other financial institution that may be consulted as a financial reference for the institution.

(2) At the time of each annual renewal, the institution shall file amended statement of organization indicating any changes from the information previously submitted, as well as evidence of continued compliance with the bonding or security requirement of the act and the certification statement of the chief administrative officer.

(3) Additionally, any change of circumstances which would require amendment to the information reported in

the statement of organization must be filed with the commission within thirty days of the change along with a recertification statement by the chief administrative officer.

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

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

AMENDATORY SECTION (Amending Order 79-2, filed 12/21/79)

WAC 490-600-071 MINIMUM CANCELLATION AND REFUND POLICY. The intent of the minimum cancellation and refund policy, is to see that each applicant/student is assured minimum conditions of refund, and that the schools will be assured of its integrity if it meets these minima. Many schools, however, have more liberal practices and the commission encourages such practices.

The school must state its policy and schedule of refunds in clear language that can be easily understood. The policy must apply to all terminations, for any reason, by either party.

(1) Enrollment agreements. The enrollment agreement form must clearly outline the obligations of both the school and the student, and provide details of the cancellation and refund policy of the school. A copy of the enrollment agreement and other data covering student costs must be furnished to the applicant before any payment is made. No enrollment agreement is binding until it has been accepted in writing by an appropriate official at the school.

(2) Termination date. The termination date for resident schools for refund computation purposes is the last date of actual attendance by the student. The school may require notice of cancellation or withdrawal to be given by certified mail provided this requirement is stated in the enrollment agreement. The school may require that notice be made by parent or guardian if the student is below legal age.

If a student fails, without written explanation to proper institutional authorities, to attend classes for a period of thirty days during which resident classes are in session, the institution shall officially terminate the student from the program or course of instruction, and refund tuition and fees according to its published refund policy.

(3) Refund policy: Resident schools. Details of the school's own definite and established refund policy for cancellations and terminations must, as a minimum, comply with the following requirements:

(a) Rejection. An applicant rejected by the school shall be entitled to a refund of all moneys paid, less any standard application fee, not to exceed twenty-five dollars.

(b) Three-day cancellation. All moneys paid by an applicant will be refunded if requested within three business days after signing an enrollment agreement and making an initial payment.

(c) **Other cancellation.** Any applicant subsequently requesting cancellation, but before entering school and starting the course, shall be entitled to a refund of all moneys paid minus a fee of ten percent of the contract price of the course, but in no event may the school retain more than one hundred dollars.

(d) ~~((First week:))~~ **Initial participation.** For a student terminating training after entering school and starting the course of training but within the first week or first 10 percent of the program, whichever is less, the tuition charges made by the school shall not exceed ten percent of the contract price of the course plus the registration fee not to exceed one hundred dollars, but in no event more than three hundred dollars.

(e) **After first week or 10 percent of the program.** For a student terminating training after completing one week or 10 percent of the program, whichever is less, but within the first twenty-five percent of the course, the tuition charges made by the school shall not exceed twenty-five percent of the contract price of the course plus a registration fee not to exceed one hundred dollars.

(f) **After twenty-five percent.** For a student terminating training after completing twenty-five percent but less than fifty percent of the course, the tuition charges made by the school shall not exceed fifty percent of the contract price of the course plus the registration fee of not more than one hundred dollars, and thereafter,

(g) The institution may retain one hundred percent of the stated tuition plus the registration fee which may not exceed one hundred dollars.

(h) **Special cases.** In case of student prolonged illness or accident, death in the family, or other circumstances that make it impractical to complete the course, the school shall make a settlement which is reasonable and fair to both.

(4) **Application of policy.** A school year for resident schools is defined by the period of time that the required learning experiences are fully available to the student. The definition of a "school year" must be established by resident schools for refund computation purposes and be published in the school's catalog.

(a) For courses longer than one school year in length, the cancellation and refund policy shall apply to the stated course price attributable to each school year.

(b) All of the stated course price attributable to the period beyond the first year will be refunded when the student terminates during the first year.

(c) Percentage of course completion shall be computed on the basis of the amount of time in the course as expressed in clock, quarter, or semester hours or other academic periods as listed in the catalog.

(d) Any moneys due the applicant or student shall be refunded within thirty days after cancellation or termination.

(5) **Extra expenses,** items of extra expense to the student, such as housing, board, instructional supplies or equipment, tools, student activities, laboratory fees, service charges, rentals, deposits, and all other extra charges for which the student has contracted or paid in advance need not be considered in tuition refund computations provided they are separately shown in the enrollment agreement, catalog, or in other published data

furnished to the student before enrollment, and provided further that the student received the complete materials or services during the period the student was actually enrolled. When items of major extra expense are separately shown for this purpose the school must also state its policy for reasonable settlement of such charges in the event of early termination of the student and in no event shall the charges be more than the actual value of the materials or services used by the student.

(6) If promissory notes or contracts for tuition are sold or discounted to third parties, students or their financial sponsors must sign a statement authorizing such sales, and the school must comply with its cancellation and refund policy. Schools must notify all third parties of the cancellation and refund policy of the school.

(7) Institutions shall modify a student's contract and provide a pro rata refund to the student for any arbitrary and unilateral change by the institution that reduces contracted training time, which reduces course content, or other actions which adversely affect the training time or course content. The burden of proof that such changes did not adversely affect the student rests with the school if any dispute arises over a failure to apply such prorata refund.

(8) For correspondence and/or home study schools the following applies as minimum refund policies:

(a) An enrollment may be canceled by an applicant student within three days from the day on which the enrollment agreement is signed. An applicant student requesting cancellation in whatever manner within this time shall be given a refund of all money paid to the school or its representatives.

(b) From three days after the day on which the enrollment agreement is signed and until the time the school receives the first completed lesson assignment from the student, upon cancellation, the school is entitled to the registration fee of either twenty-five dollars or fifteen percent of the tuition up to one hundred dollars, whichever is less.

(c) After receipt of the first completed lesson assignment, if the student requests cancellation, the school shall be entitled to a tuition charge which shall not exceed the following:

(i) Up to and including the first ten percent of the course, the registration fee plus ten percent of the tuition.

(ii) After completing ten percent of the course and up to and including the completion of twenty-five percent of the course, the registration fee plus twenty-five percent of the tuition.

(iii) After completing twenty-five percent of the course and up to and including completion of fifty percent of the course, the registration fee plus fifty percent of the tuition.

(iv) If the student completes more than half of the course, the full tuition. The amount of the course completed shall be the completed lesson assignments received for service by the school as compared to the total lesson assignments in the course.

(d) Upon cancellation, all money due the student shall be refunded within thirty 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 79-2, filed 12/21/79)

~~WAC 490-600-075 ((DENIAL OR DISCONTINUANCE OF CERTIFICATION.)) ((If the Commission shall determine that any school is not maintained and operated, or cannot be reasonably maintained and operated, in compliance with the minimum standards prescribed in the Act and by this rule, the Commission after notice and an opportunity for a hearing may deny the issuance or continuance of a certificate of registration or may establish conditions in conformity with these provisions which shall be met by said school prior to issuance or continuance of such a certificate. If the Commission finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, a summary suspension of a certificate of registration may be ordered pending proceedings for revocation or other actions.))~~

COMPLAINTS AND VIOLATIONS (1) Upon receipt of a complaint or other allegation that institution has failed or is failing to comply with the provisions of the Act or this chapter, the executive director shall notify the institution by mail of the nature of such allegations and shall investigate the facts surrounding the allegations. A complaint or allegation may be initiated by the executive director.

(2) If preliminary findings indicate that a violation or violations may have occurred or are occurring, the executive director shall attempt, through mediation and conciliation to effect compliance and, in the case of a complaint, bring about a settlement between the institution and the complainant.

(3) If no agreement is reached through the mediation and conciliation process, the executive director shall file a formal complaint with the Commission and notify the institution of the conduct which warrants the complaint. Based upon a finding pursuant to RCW 34.04.170, the complaint may include an order for a summary suspension of registration, pending procedures for revocation, suspension or other action under the hearing procedure provided for in WAC 490-600-077.

(4) Nothing in this section shall be construed to require a complainant to exhaust the remedies of this section prior to proceeding under any other remedies available under the law.

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 80-07-037

EMERGENCY RULES

BOARD OF

CHIROPRACTIC EXAMINERS

[Order PL 347—Filed June 17, 1980]

Be it resolved by the Washington Board of Chiropractic Examiners, acting at Olympia, Washington, that it does promulgate and adopt the annexed rules relating to new section WAC 114-12-150, Licensees residing and practicing out of state—Continuing education requirements; New section WAC 114-12-160, Continuing chiropractic education—Guidelines for symposium approval; New section WAC 114-12-170, License renewal—Affidavit of compliance with continuing education requirements.

We, the Washington State Board of Chiropractic Examiners, 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 statute, RCW 18.25.015, under which the members of the Chiropractic Examining Board are appointed was declared unconstitutional by the state Supreme Court. The legislature, by chapter 51, Laws of 1980, regular session, amended RCW 18.25.015 to remedy the unconstitutionality found by the Supreme Court. A new Board of Chiropractic Examiners was not appointed by the Governor under this statute until June 2, 1980. The newly appointed board must take action on licensing renewals and symposium approvals prior to the time these rules could be effective if the normal rule-making procedures were followed.

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

This rule is promulgated pursuant to RCW 18.25.070 and is intended to administratively implement that statute.

This rule is promulgated under the general rule-making authority of the Washington State Board of Chiropractic Examiners as authorized in RCW 18.25.017.

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

APPROVED AND ADOPTED June 10, 1980.

By James C. Burkett, D.C.
Chairman

NEW SECTION

WAC 114-12-150. LICENSEES RESIDING AND PRACTICING OUT OF STATE — CONTINUING EDUCATION REQUIREMENTS. Pursuant to RCW 18.25.070(1)(b), Washington licensed chiropractors who reside and practice exclusively outside the state of Washington may satisfy the continuing education re-

quirements for renewal of their Washington licenses by meeting, and certifying to the Washington Board of Chiropractic Examiners that they have met, the continuing education requirements of the state in which they are residing and practicing.

NEW SECTION

WAC 114-12-160. CONTINUING CHIROPRACTIC EDUCATION — GUIDELINES FOR SYMPOSIUM APPROVAL. (1) In order to be used by a licensee to satisfy the continuing chiropractic education requirements of RCW 18.25.070(1) an educational symposium must be approved by the Washington Board of Chiropractic Examiners.

(2) In order to qualify for board approval, the subject matter of an educational symposium must be limited to one or more of the following categories: chiropractic research; spinal adjusting technique and examination procedures; spinal x-ray; chiropractic philosophy.

(3) In order to qualify for board approval an educational symposium offered within the state of Washington must offer a minimum of nine hours provided by a minimum of two lecturers who are affiliated with chiropractic colleges approved by the Washington Board of Chiropractic Examiners; PROVIDED, that this requirement shall not apply to those educational symposiums using lecturers who have participated in educational symposiums approved by the Washington State Board of Chiropractic Examiners for continuing education purposes within a ten-year period immediately prior to the date of the program seeking approval.

(4) As a condition of board approval, sponsors of educational symposiums offered within the state of Washington shall provide the board within thirty (30) days after the symposium is completed with an alphabetical list of those participants who were registered for the symposium.

NEW SECTION

WAC 114-12-170. LICENSE RENEWAL — AFFIDAVIT OF COMPLIANCE WITH CONTINUING EDUCATION REQUIREMENTS. (1) In conjunction with his or her annual application for renewal of license, a licensee shall submit, on a form provided by the board, an affidavit of compliance with the continuing education requirements of RCW 18.25.070.

(2) In addition to the affidavit of compliance, the licensee shall submit such further and other evidence and documentation to substantiate the affidavit of compliance as the board may request in any individual case. It shall be the responsibility of the licensee to maintain and provide such evidence and/or documentation on request of the board.

WSR 80-07-038

ADOPTED RULES SUPERINTENDENT OF PUBLIC INSTRUCTION [Order 80-20—Filed June 17, 1980]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to procedures for the annual election of members on the State Board of Education.

This action is taken pursuant to Notice No. WSR 80-05-136 filed with the code reviser on May 7, 1980. Such rules shall take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.04-.020 which directs that the Superintendent of Public Instruction has authority to implement the provisions of law governing the conduct of State Board of Education elections.

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

APPROVED AND ADOPTED June 17, 1980.

By Frank Brouillet
Superintendent of Public Instruction

NEW SECTION

WAC 392-109-040 PURPOSE. The state board of education consists of fourteen voting members elected by the members of public school boards of directors and one nonvoting member elected by private school boards of directors. The purpose of this chapter is to provide for the annual election of members to the state board of education by establishing definitions and procedures which implement the statutory election process set forth in RCW 28A.04.020 and the statutes which follow.

NEW SECTION

WAC 392-109-045 DEFINITIONS. As used in this chapter the term:

(1) "Board of directors" shall mean:

(a) The statutory, multi-member board of directors of a public school district; and

(b) The person or multi-member body recognized by a private school as having the final authority for policy decisions which govern the operation of the private school.

(2) "Chairperson" shall mean a member of a private school board of directors who has been selected by the board either to act as the chief officer of the board or to tabulate and cast the private school's vote pursuant to this chapter.

(3) "Private school" shall mean a school which:

(a) Operates any of the grades one through twelve; and

(b) Is certified by the state board of education pursuant to chapter 180-90 WAC, as now or hereafter

amended, as being in compliance with statutory standards.

NEW SECTION

WAC 392-109-050 INFORMATION NECESSARY FOR THE CONDUCT OF ELECTIONS—RESPONSIBILITY OF SCHOOL OFFICIALS. It shall be the responsibility of each member of a board of directors to assure that the superintendent of public instruction is provided current and correct information necessary to the conduct of the elections provided for in this chapter. Forms published by the superintendent of public instruction for the purpose of providing the following essential information shall be obtained, completed and submitted on a current basis:

- (1) Private Schools: The mailing address and previous September enrollment for each private school; and
- (2) Public School Districts: The name, mailing address and congressional district number of residence for each qualified member of a board of directors, and the current September enrollment for the district.

NEW SECTION

WAC 392-109-055 PUBLICITY. The superintendent of public instruction shall annually publicize information concerning the election of state board of education members beginning in May. Such information shall include the names of the public school directors and the private schools that voted in the last election for the positions for which the election is to be held.

NEW SECTION

WAC 392-109-060 CALL OF ELECTION. On or before August twenty-fifth of each year the superintendent of public instruction shall give written notice of an election to held for each voting position on the state board of education subject to election and for the non-voting position if it is subject to election. Notice shall be accomplished by:

- (1) Mailing the notice, pertinent instructions and rules to each member of a public school district board of directors; and
- (2) Mailing copies of the notice, pertinent instructions and rules to each private school addressed as follows: Chairperson of the Board of Directors, c/o Principal or Chief Administrator, (name and address of the particular private school). It shall be the responsibility of each such chairperson to duplicate the notice, instructions and rules if necessary and provide a copy of each to each member of the private school's board of directors.

NEW SECTION

WAC 392-109-065 CANDIDATES—ELIGIBILITY—FILING. (1) Eligibility: A person is eligible to be a candidate for only one vacancy on the state board of education at a time. A candidate for a vacancy among the fourteen voting positions on the state board must be a resident of the congressional district represented by the position and meet the other qualifications established by RCW 28A.04.040. A candidate for a va-

cancy in the nonvoting position on the state board must be a resident of the State of Washington and meet the other qualifications established by RCW 28A.04.040.

(2) Forms For Filing: A person who desires to be a candidate shall complete:

- (a) The declaration of candidacy and affidavit form provided for in WAC 392-109-070; and
- (b) The biographical data form provided for in WAC 392-109-075: PROVIDED, That a declarant may elect not to submit biographical data.

(3) Filing Period: The filing period for candidates for any position on the state board of education is from September 1 through September 16. Any declaration of candidacy that is not received by the superintendent of public instruction on or before 5:00 p.m. September 16 shall not be accepted and such a declarant shall not be a candidate: PROVIDED, That any declaration that is postmarked on or before midnight September 16 and received by mail prior to the printing of ballots shall be accepted: PROVIDED FURTHER, That any declaration received pursuant to the United States mail on or before 5:00 p.m. September 21 that is not postmarked or legibly postmarked shall also be accepted.

NEW SECTION

WAC 392-109-070 DECLARATION AND AFFIDAVIT OF CANDIDACY FORM. The declaration and affidavit of candidacy which each candidate is required to substantially complete and to file as a condition to having his or her name placed on an official ballot shall be as follows:

I, _____, solemnly swear (or affirm): That (if filing for a voting position) I reside in the _____ Congressional District of the State of Washington or (if filing for the nonvoting position) I reside within the State of Washington; That I am not employed in any school, college, university, or other educational institution, or any educational service district superintendent's office, or in the office of the superintendent of public instruction; and, That I hereby declare myself a candidate for membership on the state board of education for a term of _____ years beginning on the second Monday in January, 19____, subject to the election to be held during the month of October, 19____, and I request that my name be listed on the ballot therefor.

Further, I solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of the State of Washington.

(Signed)
Address:
.....

SUBSCRIBED and sworn to before me this _____ day of _____, 19 ____.

.....
Notary Public in and for the
State of Washington, residing
at

NEW SECTION

WAC 392-109-075 **BIOGRAPHICAL DATA FORM.** The superintendent of public instruction shall provide a biographical data form not exceeding two letter size typewritten pages in length which each candidate may complete. Completed forms submitted by a candidate must be camera ready. Biographical data forms will be reproduced as submitted and distributed with the ballots to each voter.

NEW SECTION

WAC 392-109-080 **BALLOTS—CONTENTS.** The ballot for each position subject to election pursuant to this chapter shall contain the names of each candidate eligible for the particular position. Ballots for voting positions shall be prepared for each congressional district and the names of candidates thereon shall be rotated. In addition to the names of candidates, each ballot shall set forth the number of electoral points to which each voter is entitled, as follows:

(1) Public School Board Members: Each member of a public school district board of directors shall be entitled to a number of electoral points equal to:

(a) The actual number of students enrolled in the school district during September of the current calendar year and reported to the superintendent of public instruction for basic education apportionment purposes; or

(b) If such figure is unavailable, the actual number of students enrolled and last reported to the superintendent of public instruction for basic education apportionment purposes: PROVIDED, That each member of the board of directors of a public school district that permanently or temporarily has more than five statutory directors shall have his or her electoral points recomputed by multiplying the foregoing enrollment number by a fraction, the denominator of which shall be the number of directors, and the numerator of which shall be five.

(2) Private Schools: Each private school board of directors shall be entitled to a number of electoral points equal to the actual number of students enrolled in each private school under the governance of the board during September of the preceding calendar year and reported to the superintendent of public instruction.

NEW SECTION

WAC 392-109-085 **BALLOTS AND ENVELOPES—MAILING TO VOTERS.** (1) On or before October 1 ballots shall be mailed to voters together with two envelopes to be used for voting. The outer and larger envelope shall:

- (a) Be labeled "official ballot;"
- (b) Be preaddressed with the "superintendent of public instruction" as addressee;
- (c) Have prepaid postage affixed; and
- (d) Have provision for the identification of the voter, his or her school district or school and his or her congressional district if pertinent.

The inner and smaller envelope shall be unlabeled and unmarked.

(2) One ballot and the two envelopes to be used for voting purposes and any candidates' biographical data

shall be mailed to each member of a public school district board of directors.

(3) One official ballot, a number of copies of the ballot, two envelopes to be used for voting purposes and any candidates' biographical data shall be mailed to each private school addressed as follows: Chairperson of the Board of Directors, c/o Principal or Chief Administrator, (name and address of the particular private school). It shall be the responsibility of each such chairperson to duplicate the ballot and biographical data if necessary and provide a copy to each member of the private school's board of directors.

NEW SECTION

WAC 392-109-090 **VOTING—MARKING AND RETURN OF BALLOTS.** (1) Public School Board Members: Each member of a public school district board of directors may vote for one of the candidates named on his or her ballot by placing an "x" or other mark in the space provided next to the name of a candidate.

(2) Private School Board Members: Each member of a private school board of directors shall return his or her marked ballot to the chairperson of the board. The chairperson shall tabulate the votes and be entitled to cast one vote for the candidate who receives a majority of the board members' votes. The chairperson shall then mark the official ballot accordingly.

(3) Return Of Ballots: Each member of a public school district board of directors and each chairperson of a private school board of directors shall complete voting by:

(a) Placing his or her marked official ballot in the smaller, unmarked envelope and sealing the same;

(b) Placing the smaller envelope containing the ballot in the larger preaddressed envelope marked "official ballot" and sealing the same;

(c) Completing in full the information requested on the face of the official ballot envelope, including name, identification of school district or private school and, in the case of public school district board members, identification of the congressional district of residence; and

(d) Placing the official ballot envelope in the United States mail or otherwise delivering the ballot to the superintendent of public instruction.

NEW SECTION

WAC 392-109-095 **ELECTION BOARD—APPOINTMENT AND COMPOSITION.** The state board of education shall annually appoint a three member election board and at least one alternate who shall serve thereon in the absence of a regular member of the election board. Votes cast at elections conducted pursuant to this chapter shall be counted by the superintendent of public instruction and the election board.

NEW SECTION

WAC 392-109-100 **RECEIPT OF BALLOTS AND COUNT OF VOTES.** (1) As official ballot envelopes are received by the superintendent of public instruction, a preliminary determination shall be made as to the eligibility of the voter, and a record shall be made

on a list of eligible voters and private schools that the voter or school has voted. Official ballot envelopes not submitted in compliance with this chapter and other envelopes containing ballots shall be set aside for a final review and acceptance or rejection by the election board.

(2) The election board shall convene for the purpose of counting votes on or before October 25 at a date, time and place designated by the superintendent of public instruction. Official ballot envelopes that are accepted by the election board shall be opened, and the inner envelopes containing ballots shall be removed and placed aside, still sealed. The inner envelopes shall then be opened and the votes counted by the election board.

(3) No record shall be made or maintained of the candidate for which any voter cast his or her vote.

NEW SECTION

WAC 392-109-105 INELIGIBLE VOTES. The following ballots and votes shall be declared void and shall not be accepted:

- (1) Votes for write-in candidates;
- (2) Votes cast on other than an official ballot provided pursuant to this chapter;
- (3) Ballots which contain a vote for two or more of the named candidates;
- (4) Ballots contained in other than an official ballot envelope provided pursuant to this chapter;
- (5) Ballots contained in an official ballot envelope upon which the voter has either failed to place his or her name or the name of the private school in the case of ballots submitted by the chairperson of a private school board of directors;
- (6) Ballots received after 5:00 p.m. October 16: PROVIDED, That any ballot that is postmarked on or before midnight October 16 and received prior to the initial counting of votes by the election board shall be accepted: PROVIDED FURTHER, That any ballot received pursuant to the United States mail on or before 5:00 p.m. on October 21 that is not postmarked or legibly postmarked shall also be accepted; and
- (7) Such other ballots or votes as the election board shall determine to be unidentifiable or unlawful.

NEW SECTION

WAC 392-109-110 RECOUNT OF VOTES CAST—AUTOMATIC—BY REQUEST. (1) Automatic: A recount of votes cast shall be automatic if the electoral point difference between any two candidates for the same position is less than the largest number of electoral points on a single ballot cast for the position.

(2) Upon Request: A recount of votes cast shall be afforded any candidate as a matter of right: PROVIDED, That the request shall be made in writing and received by the superintendent of public instruction within seven calendar days after the date upon which the votes were counted by the election committee.

NEW SECTION

WAC 392-109-115 CERTIFICATION OF ELECTION. (1) The election board shall immediately certify in writing the name of each candidate elected by

a majority of the electoral points accruing for each position.

(2) Within ten days after the date upon which the votes were counted, the superintendent of public instruction shall officially certify the name or names of candidates elected by:

- (a) Providing written notice to the secretary of state;
- (b) Providing written notice by certified mail to each candidate elected; and
- (c) Providing written notice by certified mail to each chairperson of a private school board of directors that voted in the election. The notice to chairpersons shall be addressed in the same manner as notice of the call of election.

NEW SECTION

WAC 392-109-120 SPECIAL ELECTIONS. Special elections provided for in RCW 28A.04.030 (new congressional districts), RCW 28A.04.060 (run-off elections) and RCW 28A.04.080 (vacancies) shall be conducted in accordance with the pertinent procedural and substantive provisions of this chapter, including the time schedules governing the conduct of elections, as modified by the superintendent of public instruction to accommodate the special nature of the election and special statutory dates and requirements.

REPEALER

The following sections of chapter 392-109 WAC entitled State Board of Education—Election of Members are hereby repealed:

WAC 392-109-005	Purpose.
WAC 392-109-006	Eligibility—Declaration of candidacy.
WAC 392-109-010	Biographical data—Limitation.
WAC 392-109-015	Composition of election board.
WAC 392-109-020	Postage.
WAC 392-109-025	Publicity.
WAC 392-109-026	Voting.
WAC 392-109-030	Recount of votes cast—Automatic—By request—Certification.
WAC 392-109-035	Rotation of names on ballot.

WSR 80-07-039

ADOPTED RULES

SUPERINTENDENT OF PUBLIC INSTRUCTION

[Order 80-21—Filed June 17, 1980]

I, Frank B. Brouillet, Superintendent of Public Instruction, do promulgate and adopt at Olympia, Washington, the annexed rules relating to implementation and administration of the Transitional Bilingual Instruction Act of 1979.

This action is taken pursuant to Notice No. WSR 80-05-135 filed with the code reviser on May 7, 1980. Such rules take effect pursuant to RCW 34.04.040(2).

This rule is promulgated pursuant to RCW 28A.58.808 which directs that the Superintendent of Public Instruction has authority to implement the provisions of The Transitional Bilingual Instruction Act of 1979.

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

APPROVED AND ADOPTED June 17, 1980.

By Frank Brouillet

Superintendent of Public Instruction

Chapter 392-160 WAC
TRANSITIONAL BILINGUAL INSTRUCTION PROGRAM

WAC

- 392-160-001 Purpose—Supplemental federal requirements.
- 392-160-005 Definitions.
- 392-160-010 School district board of directors duties.
- 392-160-015 Identification of eligible pupils.
- 392-160-020 Approved tests for determining initial eligibility—English proficiency scores.
- 392-160-025 Program application and approval procedure.
- 392-160-030 Funding procedure—Monthly reports.
- 392-160-035 Three year limitation—Testing—Program exit requirements.
- 392-160-040 Eligibility for an optional alternative instructional program.
- 392-160-045 Handicapped pupils—Program funding qualification.

NEW SECTION

WAC 392-160-001 PURPOSE—SUPPLEMENTAL FEDERAL REQUIREMENTS. The purpose of this chapter is to implement "the Transitional Bilingual Instruction of 1979" which is codified as RCW 28A.58.800 through 28A.58.810. The rules set forth in this chapter govern the entitlement of each school district to state funds now or hereafter appropriated by the legislature for bilingual and alternative instruction programs conducted pursuant to the act.

Compliance with this chapter does not necessarily assure full compliance with federal bilingual education program requirements. Therefore, school districts must review pertinent federal requirements and take action with funds other than funds made available pursuant to this chapter as necessary to comply with federal program requirements that are above and beyond the program funded pursuant to this chapter.

NEW SECTION

WAC 392-160-005 DEFINITIONS. As used in this chapter:

(1) "Transitional bilingual instruction" and "bilingual instruction" each mean a system of instruction which:

(a) Uses two languages, one of which is English, as a means of instruction to build upon and expand language skills to enable a pupil to achieve competency in English;

(b) Introduces concepts and information in the primary language of a pupil and reinforces them in the English language; and

(c) Tests pupils in the subject matter in English.

(2) "Primary language" means the language most often used by a pupil for communication in the pupil's place of residence.

(3) "Eligible pupil" means any pupil who meets the following three conditions:

(a) The primary language of the pupil must be other than English;

(b) The pupil's English skills must be sufficiently deficient or absent to the extent that learning on the part of the pupil would be impaired if he or she is taught only in English; and

(c) The pupil must not be equally or almost equally competent in English and his or her non-English primary language or more competent in English.

(4) "Limited number of eligible pupils" means nineteen or fewer eligible pupils in a single school district whose non-English primary language is the same.

(5) "Alternative instructional program" means a program of instruction which includes English as a second language

NEW SECTION

WAC 392-160-010 SCHOOL DISTRICT BOARD OF DIRECTORS DUTIES. Consistent with the provisions of this chapter, every school district board of directors shall ensure that:

(1) An approved bilingual instruction or alternative instruction program funded pursuant to this chapter is made available to each eligible pupil who has been identified as such pursuant to the application of an approved test;

(2) The number of eligible pupils is determined during each school year at a time or times now or hereafter established and published by the superintendent of public instruction in bulletins distributed to school districts;

(3) To the extent feasible, communications from the district to parents of pupils enrolled in bilingual instruction or alternative instructional programs are in English and their non-English primary language;

(4) A program of in-service training is developed and implemented which includes instructional strategies for children of culturally different backgrounds, the use of special curriculum materials, and bilingual program models for teachers, counselors and other school district staff members whose duties involve them in the bilingual instruction or alternative instructional programs of the school district; and

(5) It complies with instructions and schedules for program and fiscal reporting as now or hereafter established and published by the superintendent of public instruction in bulletins distributed to school districts.

NEW SECTION

WAC 392-160-015 IDENTIFICATION OF ELIGIBLE PUPILS. (1) District Procedures—Identification of Primary Language Required: Every school district board of directors shall adopt written procedures governing the identification of each pupil's primary language and the determination of which pupils with a primary language other than English are eligible pupils. Such procedures shall include:

(a) Provisions for the identification of a pupil's primary language pursuant to an interview with or a written questionnaire directed to the pupil and the pupil's parent(s) or guardian(s), or a combination of interviews and written questionnaires; and

(b) Provisions for testing pupils as provided for in this section, WAC 392-160-020 and 035.

(2) **Deadline for Determining Eligibility of Newly Enrolled Pupils:** The primary language and eligibility of each newly enrolled pupil shall be established no later than the twentieth school day after the date upon which the pupil commences attendance at a particular school district.

(3) **Newly Enrolled Pupils Who Speak Little or no English—Determination of Eligibility:** The eligibility of a newly enrolled pupil whose eligibility is reasonably apparent by reason of:

(a) The pupil's ability to communicate reasonably well in his or her non-English primary language; and

(b) The pupil's inability to communicate in English to any practical extent shall be determined pursuant to an interview with the pupil. The interview shall be conducted by a person with sufficient skill in both English and the non-English language of the pupil, if a person with such qualifications is reasonably available. If a qualified interviewer is not reasonably available, school personnel shall exercise their best judgment based upon observations of a newly enrolled pupil to determine the pupil's eligibility. No other approved test need be administered if the professional judgment of the school personnel based upon the interview or observations is that the pupil is eligible as defined in WAC 392-160-005(3).

(4) **All Other Newly Enrolled Pupils—Determination of Eligibility:** The eligibility of all newly enrolled pupils:

(a) Who have a primary language other than English; and

(b) Whose eligibility is not reasonably apparent by reason of the standards established by subsection (3) shall be determined pursuant to WAC 392-160-020.

(5) **Annual Reassessment of All Pupils Required:** Commencing with the 1980-81 school year each pupil who has previously been identified as eligible and admitted to a bilingual instruction or alternative instruction program shall be identified as eligible or ineligible each school year pursuant to the administration of a standardized test as set forth in WAC 392-160-035: **PROVIDED**, That pupils who were identified as eligible prior to the 1980-81 school year by a means that was not in compliance with subsection (3) or (4) of this section shall be reassessed and identified as eligible or ineligible pursuant to subsection (3) or (4) at the commencement of the 1980-81 school year.

NEW SECTION

WAC 392-160-020 APPROVED TESTS FOR DETERMINING INITIAL ELIGIBILITY—ENGLISH PROFICIENCY SCORES. (1) **Approved English Proficiency Tests:** The following tests are approved for the purpose of annually determining the English proficiency of newly enrolled pupils (other than those who speak little or no English) whose primary language is other than English:

(a) Language Assessment Scales (LAS);

(b) Basic Inventory of Natural Language (BINL); and

(c) Bilingual Syntax Measure (BSM).

(2) **Scores Which Establish An English Skills Deficiency:** In the event a pupil scores within one of the following ranges the pupil's English skills shall be deemed sufficiently deficient or absent to impair learning when taught only in English:

(a) Language Assessment Scales. Three or below;

(b) Basic Inventory of Natural Language;

(i) Grades K-2, 0-50;

(ii) Grades 3-8, 0-75;

(iii) Grades 9-12, 0-100;

(c) Bilingual Syntax Measure:

(i) Level II, four or below; and

(ii) Level I, three or below.

(3) The superintendent of public instruction may approve a school district request for use of a test other than those approved for use in this section when such request is supported by evidence that:

(a) The approved tests for use identified in this section are either unsuitable, inappropriate, or impractical for use by the school district;

(b) The scores that establish English skills deficiency for the requested test correspond with the scores that establish English skills deficiency for approved tests identified in this section; and

(c) The skills being measured by the requested test correspond to the skills measured by the approved tests identified in this section.

(4) **Determination of "Dominant" Language:**

(a) Pupils whose test results establish an English skill deficiency pursuant to subsection (2) or (3)(b) shall also be administered the same test in their non-English primary language, if available, to determine whether the pupil is equally or almost equally competent in English and the pupil's primary language or more competent in English;

(b) If no test is available in a pupil's non-English primary language, the pupil shall be interviewed by a person with sufficient skill in both English and the non-English primary language of the pupil, if a person with such qualifications is reasonably available; and

(c) A pupil shall be deemed an eligible pupil if the test results or the professional judgment of school personnel based upon a interview when no test is available establish that the pupil is not equally or almost equally competent in English and the pupil's non-English primary language or more competent in English.

NEW SECTION

WAC 392-160-025 PROGRAM APPLICATION AND APPROVAL PROCEDURE. (1) No school district shall receive or be entitled to state funds pursuant to this chapter for any program or portion of a program not approved by the superintendent of public instruction.

(2) Each school district shall submit a program approval application to the superintendent of public instruction no later than June 1, 1981, and June 1 of each year thereafter as a condition to state funding pursuant to this chapter: **PROVIDED**, That in the case of extenuating circumstances or in the case of a change in circumstances such as the unexpected enrollment of eligible pupils the superintendent of public instruction may allow the belated submission of an application or the submission of a modification to a previously approved application. The application shall apply to programs to be conducted during the ensuing school year and shall provide data and information in accordance with instructions and forms now or hereafter established and published by the superintendent of public instruction in bulletins distributed to school districts.

(3) Minimum application data and information requirements for program approval shall include, but not necessarily be limited to:

(a) The number of eligible pupils served during the current school year and the estimated number to be served in the next school year for each non-English primary language spoken;

(b) A description of the approved tests to be used in the next school year to determine pupil eligibility;

(c) The estimated number of pupils who will be enrolled during the next school year in a program funded pursuant to this chapter in excess of three school years (i.e., 540 school days or portions thereof). The numbers of such pupils shall be identified by the non-English primary language spoken and the type of program to be provided (i.e., bilingual or alternative instructional program);

(d) The number of pupils who have been enrolled in a program funded pursuant to this chapter in excess of three school years who are currently served identified by the non-English primary language spoken by each pupil and the type of program provided each pupil;

(e) A description of the bilingual instruction and alternative instructional programs planned for the next school year; and

(f) A description of the in-service training program that is planned for the next school year.

(4) Each application that is submitted as required by and pursuant to this chapter shall be approved: **PROVIDED**, That approval of an application may be withheld in whole or part in the event the superintendent of public instruction deems it necessary to ascertain the completeness and accuracy of the application.

(5) Each school district shall be notified of program approval or disapproval, in whole or part, within thirty days after the date of receipt of the application by the superintendent of public instruction.

(6) Each application that is returned to a school district with approval withheld in whole or part shall be

accompanied by an explanation of the reasons therefor and a statement of the corrective action necessary for approval.

NEW SECTION

WAC 392-160-030 FUNDING PROCEDURE—MONTHLY REPORTS. (1) In addition to the condition of program approval, each school district that conducts a program funded pursuant to this chapter shall report enrollment data to the superintendent of public instruction on October 1 of each school year and each month thereafter as a condition to the receipt of funds pursuant to this chapter.

(2) Monthly enrollment data shall be reported by each school district on forms and due dates now or hereafter established and published by the superintendent of public instruction in bulletins distributed to school districts.

(3) The amount of funds distributed to each school district each month shall represent the district's portion of all enrolled eligible pupils in approved programs in school districts of the state for the preceding reported month multiplied by the number of dollars per enrolled eligible pupil to be allocated for the fiscal year, as determined by the superintendent of public instruction and adjusted to reflect the scheduled monthly rate for basic education allocations specified in RCW 28A.48.010 as now or hereafter amended. Such distributions shall accompany monthly basic education allocations.

NEW SECTION

WAC 392-160-035 THREE YEAR LIMITATION—TESTING—PROGRAM EXIT REQUIREMENTS. (1) No school district shall continue to report or claim a pupil for purposes of state funding pursuant to this chapter after the pupil has received instruction in a bilingual instruction or alternative instructional program conducted pursuant to this chapter within any one or more school districts for a period of three school years (i.e., 540 school days or portions thereof): **PROVIDED**, That each such pupil who is unable to demonstrate an improvement in English language skills that is sufficient to overcome the pupil's learning impairment when taught only in English (i.e., unable to score above the 35th percentile on an approved test) shall be continued in an approved bilingual instruction or alternative instructional program.

(2) The approved test for measurement of improvement in English language skills for purposes of exit from bilingual instruction and alternative instructional programs funded pursuant to this chapter shall be any nationally normed standardized achievement test normally administered by a school district to its pupils.

(3) No pupil shall be eligible for continued enrollment in a bilingual or alternative program funded pursuant to this chapter once the pupil has scored above the 35th percentile on the Reading and Language Arts portions of a nationally normed standardized test appropriate for the pupil's age and grade level.

(4) It is the duty and responsibility of each school district to remove a pupil from a program funded pursu-

ant to this chapter at any time the pupil is capable of scoring above the 35th percentile in reading and language arts as described in subsection (3), notwithstanding the fact the student may not have been enrolled in a program conducted pursuant to this chapter for a full three school years.

NEW SECTION

WAC 392-160-040 ELIGIBILITY FOR AN OPTIONAL ALTERNATIVE INSTRUCTIONAL PROGRAM. (1) Districts With a Limited Number of Pupils: Each school district with a limited number of eligible pupils may elect to provide such pupils an alternative instructional program. The prior approval of the superintendent of public instruction need not be obtained in such cases.

(2) Districts With More Than a Limited Number of Pupils: School districts with more than a limited number of eligible pupils must obtain the prior approval of the superintendent of public instruction as a condition to providing an alternative instructional program in-lieu-of bilingual instruction. Approval of the provisions of English as a second language in-lieu-of bilingual instruction shall be conditioned upon satisfactory assurances by an applicant school district of one or more of the following grounds for approval:

(a) Necessary instructional materials are unavailable and the district has made reasonable efforts to obtain necessary materials without success; or

(b) The capacity of the district's bilingual instruction program is temporarily exceeded by an unexpected increase in the enrollment of eligible pupils; or

(c) Bilingual instruction cannot be provided affected pupils without substantially impairing their basic education program because of their disbursement throughout many grade levels or schools, or both; or

(d) Teachers who are trained in bilingual education methods and sufficiently skilled in the non-English primary language(s) are unavailable, and the district has made reasonable attempts to obtain the services of such teachers.

Approval by the superintendent of public instruction of an alternative instruction program may be accompanied by further conditions now or hereafter deemed necessary to safeguard the rights of students or to effect the intent of "The Transitional Bilingual Instruction Act of 1979" wherever possible. No school district shall be permitted to utilize any of the options provided for in this subsection, when, in the opinion of the superintendent of public instruction, sufficient justification for exercising such an option has not been provided.

NEW SECTION

WAC 392-160-045 HANDICAPPED PUPILS—PROGRAM FUNDING QUALIFICATION. Notwithstanding any other provision of this chapter to the contrary, any eligible pupil whose English language skill deficiency is caused primarily by one or more of the handicapping conditions defined in chapter 392-171 WAC, as now or hereafter amended, shall not be eligible for funding pursuant to this chapter. Any bilingual or

alternative instruction component of such a student's special education program shall be provided with other funds including excess cost funds.

WSR 80-07-040

ATTORNEY GENERAL OPINION

Cite as: AGO 1980 No. 14

[June 17, 1980]

COUNTIES—TRANSPORTATION—BUSSES—COMMON CARRIERS—RELATIONSHIP BETWEEN COUNTY PUBLIC TRANSPORTATION AUTHORITY AND PREEXISTING PRIVATE CARRIER

(1) A county public transportation authority organized under chapter 36.57 RCW may not extend its operations to routes already served by a private carrier holding a certificate of public convenience and necessity under RCW 81.68.040 without either acquiring the affected operating authority and equipment of the private carrier or entering into a contract with that carrier for provision of all or part of such service.

(2) A county public transportation authority organized under chapter 36.57 RCW, when extending its operations to routes already served by a private carrier holding a certificate of public convenience and necessity under RCW 81.68.040, may perform part of such service itself and contract with the private carrier to continue to operate part of the service.

Requested by:

Honorable Curtis M. Janhunen
Prosecuting Attorney
Grays Harbor County
P.O. Box 550
Montesano, Washington 98563

WSR 80-07-041

EMERGENCY RULES

DEPARTMENT OF FISHERIES

[Order 80-48—Filed June 18, 1980]

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 preclude gillnet fisheries targeting on chinook during IPSFC control of Convention Waters. Depressed Canadian and Lake Washington chinook need protection.

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

This rule is promulgated pursuant to RCW 75.08.080

and is intended to administratively implement that statute.

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

APPROVED AND ADOPTED June 18, 1980.

By Gordon Sandison
Director

NEW SECTION

WAC 220-28-004B0R MESH RESTRICTION Effective June 22 through August 30, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with drift gillnet gear having a mesh size greater than 5-7/8 inches in Puget Sound Salmon Management and Catch Reporting Area 4B.

NEW SECTION

WAC 220-28-00500T MESH RESTRICTION Effective June 22 through August 30, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with drift gillnet gear having a mesh size greater than 5-7/8 inches in Puget Sound Salmon Management and Catch Reporting Area 5.

NEW SECTION

WAC 220-28-00600S MESH RESTRICTION Effective June 22 through September 6, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gillnet gear having a mesh size greater than 5-7/8 inches in Puget Sound Salmon Management and Catch Reporting Area 6.

NEW SECTION

WAC 220-28-006A0N MESH RESTRICTION Effective June 22 through September 6, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gillnet gear having a mesh size greater than 5-7/8 inches in Puget Sound Salmon Management and Catch Reporting Area 6A.

NEW SECTION

WAC 220-28-006C0L MESH RESTRICTION Effective June 22 through August 30, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with drift gillnet gear having a mesh size greater than 5-7/8 inches in Puget Sound Salmon Management and Catch Reporting Area 6C.

NEW SECTION

WAC 220-28-00700I MESH RESTRICTION Effective June 22 through September 6, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gillnet gear having a mesh size greater than 5-7/8 inches in Puget Sound Salmon Management and Catch Reporting Area 7.

NEW SECTION

WAC 220-28-007A0H MESH RESTRICTION Effective June 22 through September 6, 1980, it shall be unlawful for any fisherman, including treaty Indian fishermen, to take, fish for or possess salmon for commercial purposes with gillnet gear having a mesh size greater than 5-7/8 inches in Puget Sound Salmon Management and Catch Reporting Area 7A.

REPEALER

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

effective June 22, 1980:

WAC 220-28-004B0Q CLOSED AREA (80-39)
WAC 220-28-00500S CLOSED AREA (80-39)
WAC 220-28-00600R CLOSED AREA (80-39)
WAC 220-28-006A0M CLOSED AREA (80-39)
WAC 220-28-006C0K CLOSED AREA (80-39)
WAC 220-28-00700H CHINOOK RESTRICTIONS (80-37)
WAC 220-28-007A0G CHINOOK RESTRICTIONS (80-37)

WSR 80-07-042
EMERGENCY RULES
DEPARTMENT OF FISHERIES
[Order 80-49—Filed June 18, 1980]

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 allow fishermen to land sockeye and pink salmon caught under IPSFC regulations.

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

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

The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure

Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

APPROVED AND ADOPTED June 18, 1980.

By Gordon Sandison
Director

By: Wm. Ray Broadhead
Secretary

STATEMENT OF PURPOSE

Rule title: chapter 180-40 WAC, Pupils
Statutory authority: chapter 171, Laws of 1980 and RCW 28A.58.201

Rule purpose: Amend procedural and substantive provisions of chapter 180-40 WAC, including but not limited to amendments providing for exclusion of students from classes and activities by teachers and the adoption and periodic review of discipline procedures and standards by school districts.

Other information (for identifying rule or its purpose): [No information supplied by agency]

Statement of reasons supporting proposed action: Give direction to school districts for revision of local school district and school building discipline rules and procedures. Require annual development, or revisions, or both, of building discipline standards and the uniform enforcement of those standards. Inclusion of teachers as person authorized to impose discipline, suspension, expulsion, or emergency removal upon students.

Rule summary: See rule purpose above.

Necessary as result of federal law _____ federal court action _____ state court action _____ (attach copy of law or decision) [No information supplied by agency]

Person/organization proposing rule: State Board of Education

Private _____ Public _____ Governmental X

Responsible agency personnel:

Name(s): Wm. Ray Broadhead, SBE

Telephone: 206/743-6715

Office: Old Capitol Building, Olympia, WA 98504 MS - FG 11

Agency comments/recommendations: State Board of Education adopt amendments as proposed.

NEW SECTION

WAC 220-24-01000D UNLAWFUL ACTS—TROLL Notwithstanding the provisions of WAC 220-24-010, effective June 22 through 11:59 p.m. July 14, 1980, it shall be unlawful for any person to possess in or transport through the waters of District No. 1 any salmon taken for commercial purposes from District No. 1, the Pacific Ocean or District No. 2, except that it shall be lawful to possess in or transport through the waters of District No. 1, sockeye or pink salmon taken lawfully with troll gear in Pacific Ocean waters under I.P.S.F.C. control.

REPEALER

The following section of the Washington Administrative Code is repealed effective June 22, 1980:

WAC 220-24-01000C UNLAWFUL ACTS—TROLL (80-44)

WSR 80-07-043
PROPOSED RULES
STATE BOARD
OF EDUCATION
[Filed June 18, 1980]

Notice is hereby given in accordance with the provisions of RCW 34.04.025, that the State Board of Education intends to adopt, amend, or repeal rules concerning pupils, relating to the implementation of chapter 171, Laws of 1980, by amending the definitional, procedural and substantive provisions of chapter 180-40 WAC, including but not limited to amendments providing for the exclusion of students from classes and activities by teachers and the adoption and periodic review of discipline procedures and standards by school districts, amending chapter 180-40 WAC;

that such agency will at 7:30 p.m., Wednesday, July 30, 1980, in the Eastwood Room, Alderbrook Inn, Union, 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, July 31, 1980, in the Eastwood Room, Alderbrook Inn, Union, Washington.

The authority under which these rules are proposed is chapter 171, Laws of 1980.

Interested persons may submit data, views, or arguments to this agency in writing to be received by this agency prior to July 30, 1980, and/or orally at 7:30 p.m., Wednesday, July 30, 1980, Eastwood Room, Alderbrook Inn, Union, Washington.

Dated: June 18, 1980

AMENDATORY SECTION (Amending Order 6-77, filed 6/2/77, effective 8/1/77)

WAC 180-40-225 SCHOOL DISTRICT RULES DEFINING MISCONDUCT—DISTRIBUTION OF RULES. (1) It shall be the responsibility and duty of each school district to adopt, publish, and make available to all students and parents written rules which state with reasonable clarity the types of misconduct for which discipline, suspension, and expulsion may be imposed. In addition, written procedures for administering discipline shall be developed and reviewed periodically as follows:

(a) Each school district shall provide for the development with parent and community participation of written procedures for administering discipline at each school as required by RCW 28A.58.1011(3), and in a manner which includes but is not limited to a consideration of the following:

(i) The means of diagnosing and treating the underlying causes of student misbehavior;

(ii) The means for determining whether a student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and

(iii) The use of in-class and in-school forms of corrective action as alternatives to the exclusion of students from school; and

(b) In a manner consistent with the district procedures developed pursuant to (a) above, the principal and certificated employees in each school building shall confer at least annually for the purpose of developing, or reviewing, or both, building discipline standards and the uniform enforcement of those standards, as required by RCW 28A.58.201.

(2) Rules that establish types of misconduct pursuant to this section must have a real and substantial relationship to the lawful maintenance and operation of the school district including, but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process which is conducive to learning.

(3) The rules set forth in this chapter ((and)), the rules of a school district that establish types of misconduct pursuant to ((this section)) subsection (1) above, and the written procedures of a district for administering discipline adopted pursuant to subsection (1)(a) above, shall be published and made available to all students and parents on an annual basis. If a school district chooses not to distribute such rules to all students and parents, then notice which describes the contents of such rules and specifies the person(s) to contact for a copy thereof

shall be provided to students and parents on an annual basis in a manner reasonably calculated to come to their attention.

AMENDATORY SECTION (Amending Order 6-77, filed 6/2/77, effective 8/1/77)

WAC 180-40-230 PERSONS AUTHORIZED TO IMPOSE DISCIPLINE, SUSPENSION, EXPULSION, OR EMERGENCY REMOVAL UPON STUDENTS. (1) Each certificated teacher, each school administrator, each school bus driver, and any other school employee designated by the board of directors of a school district shall possess the authority to impose discipline upon a student for misconduct which violates rules of the school district established pursuant to WAC 180-40-225 and to impose an emergency removal from a class, subject, or activity upon a student pursuant to WAC 180-40-290.

(2) The board of directors of any school district may delegate to the superintendent and/or his or her designee(s) the authority to impose suspensions and expulsions upon students for misconduct which violates rules of the school district established pursuant to WAC 180-40-225. Each certificated teacher and each administrator shall possess the authority to recommend suspensions and expulsions for such misconduct.

(3) Any board of directors which chooses not to delegate the authority to impose suspensions and/or expulsions, nevertheless, shall be subject to the requirements set forth in this chapter when it imposes a suspension or expulsion.

(4) Notwithstanding any provision of this section to the contrary, each teacher is empowered to exclude any student who creates a disruption of the educational process in violation of the building disciplinary standards while under the teacher's immediate supervision from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day or until the principal or designee and teacher have conferred, whichever occurs first: PROVIDED, That if such an exclusion is to exceed the balance of the immediate class or activity period the teacher shall first conduct a conference with the student as provided for in WAC 180-40-250: PROVIDED FURTHER, That except in emergency circumstances as provided for in WAC 180-40-290, the teacher shall have first attempted one or more alternative forms of corrective action: PROVIDED FURTHER, That in no event without the consent of the teacher shall an excluded student be returned during the balance of the particular class or activity period from which the student was initially excluded.

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67-32-075	NEW	80-06-053	118-03-010	NEW-E	80-06-178	131-16-094	AMD-P	80-06-131
67-32-150	AMD-E	80-03-046	118-03-020	NEW-E	80-06-178	131-28-030	AMD-P	80-05-085
67-32-150	AMD-P	80-03-120	118-03-030	NEW-E	80-06-178	131-28-041	REP-P	80-05-085
67-32-150	AMD	80-06-053	118-03-040	NEW-E	80-06-178	131-28-045	AMD-P	80-05-085
67-32-415	NEW-P	80-03-120	118-03-040	AMD-E	80-07-008	132A-116-005	AMD-P	80-04-016
67-32-415	NEW	80-06-053	118-03-050	NEW-E	80-06-178	132A-116-005	AMD	80-06-098
67-32-420	AMD-P	80-03-120	118-03-060	NEW-E	80-06-178	132A-116-025	AMD-P	80-04-016
67-32-420	AMD	80-06-053	118-03-070	NEW-E	80-06-178	132A-116-025	AMD	80-06-098
67-32-425	NEW-P	80-03-120	118-03-075	NEW-E	80-07-008	132A-156-015	AMD-P	80-04-016
67-32-425	NEW	80-06-053	118-03-080	NEW-E	80-06-178	132A-156-015	AMD	80-06-098
67-32-450	AMD-P	80-03-120	118-03-090	NEW-E	80-06-178	132A-160-005	AMD-P	80-04-016
67-32-450	AMD	80-06-053	118-03-110	NEW-E	80-06-178	132A-160-005	AMD	80-06-098
67-32-480	AMD-P	80-03-120	118-03-120	NEW-E	80-06-178	132A-160-010	AMD-P	80-04-016
67-32-480	AMD	80-06-053	118-03-120	AMD-E	80-07-008	132A-160-010	AMD	80-06-098
67-32-525	NEW-P	80-03-120	118-03-130	NEW-E	80-06-178	132A-160-020	NEW-P	80-04-016
82-28-080	AMD-E	80-02-128	118-03-140	NEW-E	80-06-178	132A-160-020	NEW	80-06-098
82-28-080	AMD-P	80-02-129	118-03-150	NEW-E	80-06-178	132A-168-015	AMD-P	80-04-016
82-28-080	AMD	80-04-021	118-03-160	NEW-E	80-06-178	132A-168-015	AMD	80-06-098
82-28-080	AMD-P	80-04-084	118-03-170	NEW-E	80-06-178	132A-280-005	NEW-P	80-04-016
82-28-080	AMD-E	80-04-085	118-03-170	AMD-E	80-07-011	132A-280-005	NEW	80-06-098
82-28-080	AMD	80-06-074	118-03-180	NEW-E	80-06-178	132A-280-010	NEW-P	80-04-016
82-36-030	AMD-P	80-01-105	118-03-190	NEW-E	80-06-178	132A-280-010	NEW	80-06-098
82-36-030	AMD	80-02-162	118-03-190	NEW-E	80-07-008	132A-280-015	NEW-P	80-04-016
106-116-020	AMD-P	80-07-012	118-03-190	AMD-E	80-07-011	132A-280-015	NEW	80-06-098
106-116-040	AMD-P	80-07-012	118-03-210	NEW-E	80-07-008	132A-280-020	NEW-P	80-04-016
106-116-042	AMD-P	80-07-012	130-12-010	REP	80-04-008	132A-280-020	NEW	80-06-098
106-116-050	AMD-P	80-07-012	130-12-020	REP	80-04-008	132A-280-030	NEW-P	80-04-016
106-116-103	AMD-P	80-07-012	130-12-030	REP	80-04-008	132A-280-030	NEW	80-06-098
106-116-10401	AMD-P	80-07-012	130-12-040	REP	80-04-008	132A-280-030	NEW-P	80-04-016
106-116-201	AMD-P	80-07-012	130-12-045	REP	80-04-008	132A-310-005	NEW-P	80-04-016
106-116-202	AMD-P	80-07-012	130-12-050	REP	80-04-008	132A-310-005	NEW	80-06-098
106-116-205	AMD-P	80-07-012	130-12-060	REP	80-04-008	132A-310-010	NEW-P	80-04-016
106-116-207	AMD-P	80-07-012	130-12-110	REP	80-04-008	132A-310-010	NEW	80-06-098
106-116-208	AMD-P	80-07-012	130-12-120	REP	80-04-008	132B-120-010	NEW-P	80-03-021
106-116-211	AMD-P	80-07-012	130-12-125	REP	80-04-008	132B-120-020	NEW-P	80-03-021
106-116-213	AMD-P	80-07-012	130-12-130	REP	80-04-008	132B-120-020	NEW-P	80-03-021
106-116-305	AMD-P	80-07-012	130-12-140	REP	80-04-008	132B-120-030	NEW-P	80-03-021
106-116-308	AMD-P	80-07-012	130-12-150	REP	80-04-008	132B-120-030	NEW-P	80-03-021
106-116-310	AMD-P	80-07-012	130-12-160	REP	80-04-008	132B-120-040	NEW-P	80-03-021
106-116-311	AMD-P	80-07-012	130-12-170	REP	80-04-008	132B-120-050	NEW-P	80-03-021
106-116-401	AMD-P	80-07-012	130-12-180	REP	80-04-008	132B-120-060	NEW-P	80-03-021
106-116-403	AMD-P	80-07-012	130-12-210	REP	80-04-008	132B-120-070	NEW-P	80-03-021
106-116-521	AMD-P	80-07-012	130-12-220	REP	80-04-008	132B-120-080	NEW-P	80-03-021
106-116-601	AMD-P	80-07-012	130-12-230	REP	80-04-008	132B-120-090	NEW-P	80-03-021
106-116-603	AMD-P	80-07-012	130-12-240	REP	80-04-008	132B-120-100	NEW-P	80-03-021
106-116-701	AMD-P	80-07-012	130-12-250	REP	80-04-008	132B-120-110	NEW-P	80-03-021
106-116-901	AMD-P	80-07-012	130-12-310	REP	80-04-008	132B-120-120	NEW-P	80-03-021
106-120-055	AMD-P	80-07-012	130-12-320	REP	80-04-008	132B-120-130	NEW-P	80-03-021
106-124-100	AMD-P	80-07-012	130-12-330	REP	80-04-008	132B-120-140	NEW-P	80-03-021
106-124-101	AMD-P	80-07-012	130-12-340	REP	80-04-008	132B-120-150	NEW-P	80-03-021
106-124-102	AMD-P	80-07-012	130-12-350	REP	80-04-008	132B-120-160	NEW-P	80-03-021
106-124-105	AMD-P	80-07-012	130-12-360	REP	80-04-008	132B-120-170	NEW-P	80-03-021
106-124-110	AMD-P	80-07-012	130-12-410	REP	80-04-008	132B-120-180	NEW-P	80-03-021
106-124-120	AMD-P	80-07-012	130-12-510	REP	80-04-008	132B-120-190	NEW-P	80-03-021
106-124-121	AMD-P	80-07-012	130-12-520	REP	80-04-008	132B-120-200	NEW-P	80-03-021
106-124-122	AMD-P	80-07-012	130-12-530	REP	80-04-008	132C-120-010	NEW	80-05-004
106-124-123	AMD-P	80-07-012	130-12-610	REP	80-04-008	132C-120-015	NEW	80-05-004
106-124-130	AMD-P	80-07-012	130-12-620	REP	80-04-008	132C-120-020	NEW	80-05-004
106-124-131	AMD-P	80-07-012	130-12-630	REP	80-04-008	132C-120-025	NEW	80-05-004
106-124-801	AMD-P	80-07-012	130-12-640	REP	80-04-008	132C-120-030	NEW	80-05-004
106-156-011	AMD-P	80-07-012	130-12-710	REP	80-04-008	132C-120-035	NEW	80-05-004
106-276-060	AMD-P	80-07-012	130-12-720	REP	80-04-008	132C-120-040	NEW	80-05-004
114-12-120	REP-P	80-07-019	130-12-730	REP	80-04-008	132C-120-045	NEW	80-05-004
114-12-121	NEW-P	80-07-019	131-16-070	AMD-P	80-04-137	132C-120-050	NEW	80-05-004
114-12-130	REP-P	80-07-019	131-16-070	AMD-P	80-06-131	132C-120-055	NEW	80-05-004
114-12-131	NEW-P	80-07-019	131-16-080	AMD-P	80-04-137	132C-120-060	NEW	80-05-004
114-12-145	NEW-P	80-02-166	131-16-080	AMD-P	80-06-131	132C-120-065	NEW	80-05-004
114-12-145	NEW	80-04-057	131-16-091	AMD-P	80-04-137	132C-120-070	NEW	80-05-004
114-12-150	NEW-P	80-07-019	131-16-091	AMD-P	80-06-131	132C-120-075	NEW	80-05-004
114-12-150	NEW-E	80-07-037	131-16-092	AMD-P	80-04-137	132C-120-080	NEW	80-05-004
114-12-160	NEW-P	80-07-019	131-16-092	AMD-P	80-06-131	132C-120-085	NEW	80-05-004
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132C-120-115	NEW 80-05-004	132L-30-030	NEW-P 80-02-046	132L-117-020	NEW-E 80-03-012
132C-120-120	NEW 80-05-004	132L-30-030	NEW 80-04-059	132L-117-030	NEW-E 80-03-012
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132C-120-180	NEW 80-05-004	132L-30-090	NEW 80-04-059	132L-117-150	NEW-E 80-03-012
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132C-120-190	NEW 80-05-004	132L-30-100	NEW 80-04-059	132L-117-170	NEW-E 80-03-012
132C-120-195	NEW 80-05-004	132L-30-110	NEW-P 80-02-046	132L-117-180	NEW-E 80-03-012
132C-120-200	NEW 80-05-004	132L-30-110	NEW 80-04-059	132L-117-190	NEW-E 80-03-012
132C-120-205	NEW 80-05-004	132L-30-120	NEW-P 80-02-046	132L-117-200	NEW-E 80-03-012
132C-120-210	NEW 80-05-004	132L-30-120	NEW 80-04-059	132L-117-210	NEW-E 80-03-012
132C-120-215	NEW 80-05-004	132L-30-130	NEW-P 80-02-046	132L-117-220	NEW-E 80-03-012
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132C-120-225	NEW 80-05-004	132L-30-140	NEW-P 80-02-046	132L-117-240	NEW-E 80-03-012
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132H-148-020	AMD-P 80-02-154	132L-30-150	NEW-P 80-02-046	132L-520-020	REP 80-04-009
132H-148-020	REP-P 80-03-025	132L-30-150	NEW 80-04-059	132L-520-030	REP 80-04-009
132H-148-030	AMD-P 80-02-154	132L-30-160	NEW-P 80-02-046	132L-520-040	REP 80-04-009
132H-148-030	REP-P 80-03-025	132L-30-160	NEW 80-04-059	132L-520-050	REP 80-04-009
132H-148-040	AMD-P 80-02-154	132L-30-170	NEW-P 80-02-046	132L-520-060	REP 80-04-009
132H-148-040	REP-P 80-03-025	132L-30-170	NEW 80-04-059	132L-520-070	REP 80-04-009
132H-148-050	AMD-P 80-02-154	132L-30-180	NEW-P 80-02-046	132L-520-080	REP 80-04-009
132H-148-050	REP-P 80-03-025	132L-30-180	NEW 80-04-059	132L-520-090	REP 80-04-009
132H-148-060	AMD-P 80-02-154	132L-30-190	NEW-P 80-02-046	132L-520-100	REP 80-04-009
132H-148-060	REP-P 80-03-025	132L-30-190	NEW 80-04-059	132L-520-110	REP 80-04-009
132H-148-070	AMD-P 80-02-154	132L-30-200	NEW-P 80-02-046	132L-520-120	REP 80-04-009
132H-148-070	REP-P 80-03-025	132L-30-200	NEW 80-04-059	132L-520-130	REP 80-04-009
132H-148-080	AMD-P 80-02-154	132L-30-210	NEW-P 80-02-046	132L-520-140	REP 80-04-009
132H-148-080	REP-P 80-03-025	132L-30-210	NEW 80-04-059	132L-520-150	REP 80-04-009
132H-148-090	AMD-P 80-02-154	132L-30-220	NEW-P 80-02-046	132L-520-160	REP 80-04-009
132H-148-090	REP-P 80-03-025	132L-30-220	NEW 80-04-059	132L-520-170	REP 80-04-009
132H-148-100	AMD-P 80-02-154	132L-30-230	NEW-P 80-02-046	132L-522-010	REP 80-04-009
132H-148-100	REP-P 80-03-025	132L-30-230	NEW 80-04-059	132L-522-020	REP 80-04-009
132H-160-095	NEW 80-02-102	132L-30-240	NEW-P 80-02-046	132L-522-030	REP 80-04-009
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132L-20-010	AMD 80-04-009	132L-30-250	NEW-P 80-02-046	132L-522-050	REP 80-04-009
132L-20-020	AMD 80-04-009	132L-30-250	NEW 80-04-059	132L-522-060	REP 80-04-009
132L-20-040	AMD 80-04-009	132L-30-260	NEW-P 80-02-046	132L-522-070	REP 80-04-009
132L-20-050	AMD 80-04-009	132L-30-260	NEW 80-04-059	132L-522-080	REP 80-04-009
132L-20-060	AMD 80-04-009	132L-30-270	NEW-P 80-02-046	132L-524-010	REP 80-04-009
132L-20-070	AMD 80-04-009	132L-30-270	NEW 80-04-059	132L-524-020	REP 80-04-009
132L-20-080	AMD 80-04-009	132L-30-280	NEW-P 80-02-046	132L-524-030	REP 80-04-009
132L-20-090	AMD 80-04-009	132L-30-280	NEW 80-04-059	132L-524-040	REP 80-04-009
132L-20-100	AMD 80-04-009	132L-30-290	NEW-P 80-02-046	132L-524-050	REP 80-04-009
132L-20-110	AMD 80-04-009	132L-30-290	NEW 80-04-059	132L-524-060	REP 80-04-009
132L-20-120	AMD 80-04-009	132L-30-300	NEW 80-04-059	132L-524-070	REP 80-04-009
132L-20-140	AMD 80-04-009	132L-112-040	AMD-P 80-02-047	132L-524-080	REP 80-04-009
132L-20-150	AMD 80-04-009	132L-112-040	AMD-E 80-03-013	132L-524-090	REP 80-04-009
132L-20-160	AMD 80-04-009	132L-112-040	AMD 80-04-060	132P-12-003	REP-P 80-07-013
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132L-22-020	AMD 80-04-009	132L-112-200	AMD-E 80-03-013	132P-12-009	REP-P 80-07-013
132L-22-030	AMD 80-04-009	132L-112-200	AMD 80-04-060	132P-12-012	REP-P 80-07-013
132L-22-040	AMD 80-04-009	132L-112-230	AMD-P 80-02-047	132P-12-015	REP-P 80-07-013
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132L-24-030	AMD 80-04-009	132L-112-250	AMD-E 80-03-013	132P-12-027	REP-P 80-07-013
132L-24-050	AMD 80-04-009	132L-112-250	AMD 80-04-060	132P-12-030	REP-P 80-07-013
132L-24-060	AMD 80-04-009	132L-112-280	NEW-P 80-02-047	132P-12-036	REP-P 80-07-013
132L-24-070	AMD 80-04-009	132L-112-280	NEW-E 80-03-013	132P-12-039	REP-P 80-07-013
132L-24-080	AMD 80-04-009	132L-112-280	NEW 80-04-060	132P-12-042	REP-P 80-07-013
132L-30-010	NEW-P 80-02-046	132L-112-290	NEW-P 80-02-047	132P-12-045	REP-P 80-07-013
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173-19-370	AMD-P	80-03-117	173-19-4701	NEW	80-02-123	173-410-012	NEW-P	80-06-163
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173-19-3701	NEW	80-02-123	173-19-4703	NEW	80-02-123	173-410-021	AMD-P	80-02-096
173-19-3702	NEW	80-02-123	173-19-4704	NEW	80-02-123	173-410-021	AMD	80-04-050
173-19-3703	NEW	80-02-123	173-19-4705	NEW	80-02-123	173-410-021	AMD-P	80-06-163
173-19-3704	NEW	80-02-123	173-19-4706	NEW	80-02-123	173-410-031	REP-P	80-06-163
173-19-3705	NEW	80-02-123	173-19-4707	NEW	80-02-123	173-410-033	NEW-E	80-02-013
173-19-3706	NEW	80-02-123	173-20-044	NEW-P	80-05-078	173-410-036	REP-P	80-06-163
173-19-380	AMD	80-02-123	173-20-046	NEW-P	80-05-078	173-410-040	NEW-P	80-06-163
173-19-3801	NEW	80-02-123	173-20-580	AMD-P	80-05-078	173-410-041	REP-P	80-06-163
173-19-3802	NEW	80-02-123	173-20-600	AMD-P	80-05-078	173-410-051	REP-P	80-06-163
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173-19-3903	AMD	80-06-050	173-62-020	AMD-P	80-06-165	173-410-067	NEW-P	80-02-096
173-19-3904	NEW	80-02-123	173-62-030	AMD-P	80-06-165	173-410-067	NEW	80-04-050
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173-19-3906	NEW	80-02-123	173-62-060	AMD-P	80-06-165	173-410-071	NEW-E	80-02-013
173-19-3907	NEW	80-02-123	173-134-150	REP	80-02-025	173-410-071	NEW-P	80-02-096
173-19-3908	NEW	80-02-123	173-164-050	AMD-E	80-06-160	173-410-071	NEW	80-04-050
173-19-3909	NEW	80-02-123	173-164-050	AMD-P	80-06-161	173-410-071	AMD-P	80-06-163
173-19-3910	NEW	80-02-123	173-255-040	AMD-P	80-05-125	173-410-081	REP-E	80-02-013
173-19-3911	NEW	80-02-123	173-400-020	AMD-P	80-05-129	173-410-081	REP-P	80-02-096
173-19-3912	NEW	80-02-123	173-400-030	AMD-P	80-05-129	173-410-081	REP	80-04-050
173-19-3913	NEW	80-02-123	173-400-040	AMD-P	80-05-129	173-410-086	NEW-E	80-02-013
173-19-3913	AMD-P	80-04-140	173-400-050	AMD-P	80-05-129	173-410-086	NEW-P	80-02-096
173-19-3913	AMD	80-06-050	173-400-060	AMD-P	80-05-129	173-410-086	NEW	80-04-050
173-19-3914	NEW	80-02-123	173-400-070	AMD-P	80-05-129	173-410-086	AMD-P	80-06-163
173-19-3915	NEW	80-02-123	173-400-075	AMD-P	80-05-129	173-410-090	NEW-P	80-06-163
173-19-3916	NEW	80-02-123	173-400-080	AMD-P	80-05-129	173-410-091	AMD-P	80-06-163
173-19-400	AMD	80-02-123	173-400-090	AMD-P	80-05-129	173-415-010	NEW-P	80-06-164
173-19-4001	NEW	80-02-123	173-400-100	AMD-P	80-05-129	173-415-020	NEW-P	80-06-164
173-19-4002	NEW	80-02-123	173-400-110	AMD-P	80-05-129	173-415-030	NEW-P	80-06-164
173-19-4003	NEW	80-02-123	173-400-115	AMD-P	80-05-129	173-415-040	NEW-P	80-06-164
173-19-4004	NEW	80-02-123	173-400-200	AMD-P	80-05-129	173-415-050	NEW-P	80-06-164
173-19-4005	NEW	80-02-123	173-402-010	NEW-P	80-05-127	173-415-060	NEW-P	80-06-164
173-19-4006	NEW	80-02-123	173-402-020	NEW-P	80-05-127	173-415-070	NEW-P	80-06-164
173-19-410	AMD	80-02-123	173-405-011	REP-P	80-06-162	173-415-080	NEW-P	80-06-164
173-19-4101	NEW	80-02-123	173-405-012	NEW-P	80-06-162	173-415-090	NEW-P	80-06-164
173-19-4102	NEW	80-02-123	173-405-021	AMD-E	80-02-012	173-422-010	NEW	80-03-070
173-19-420	AMD	80-02-123	173-405-021	AMD-P	80-02-095	173-422-020	NEW	80-03-070
173-19-4201	NEW	80-02-123	173-405-021	AMD	80-04-049	173-422-030	NEW	80-03-070
173-19-4202	NEW	80-02-123	173-405-021	AMD-P	80-06-162	173-422-040	NEW	80-03-070
173-19-4203	NEW	80-02-123	173-405-031	REP-P	80-06-162	173-422-050	NEW	80-03-070
173-19-4204	NEW	80-02-123	173-405-033	NEW-E	80-02-012	173-422-060	NEW	80-03-070
173-19-4205	NEW	80-02-123	173-405-033	NEW-P	80-02-095	173-422-070	NEW	80-03-070
173-19-4206	NEW	80-02-123	173-405-033	NEW	80-04-049	173-422-080	NEW	80-03-070
173-19-430	AMD	80-02-123	173-405-033	AMD-P	80-06-162	173-422-090	NEW	80-03-070
173-19-430	AMD-P	80-02-173	173-405-036	REP-P	80-06-162	173-422-100	NEW	80-03-070
173-19-430	AMD	80-04-026	173-405-040	NEW-P	80-06-162	173-422-110	NEW	80-03-070
173-19-4301	NEW	80-02-123	173-405-071	AMD-E	80-02-012	173-422-120	NEW	80-03-070
173-19-440	AMD	80-02-123	173-405-071	REP-P	80-06-162	173-422-130	NEW	80-03-070
173-19-4401	NEW	80-02-123	173-405-072	NEW-P	80-06-162	173-422-140	NEW	80-03-070
173-19-4402	NEW	80-02-123	173-405-076	REP-E	80-02-012	173-422-150	NEW	80-03-070
173-19-450	AMD	80-02-123	173-405-076	REP-P	80-02-095	173-422-160	NEW	80-03-070
173-19-4501	NEW	80-02-123	173-405-076	REP	80-04-049	173-422-170	NEW	80-03-070
173-19-4502	NEW	80-02-123	173-405-077	NEW-P	80-02-095	173-422-180	NEW	80-03-070
173-19-4502	AMD-P	80-05-128	173-405-077	NEW	80-04-049	173-475-010	NEW-P	80-01-114
173-19-4503	NEW	80-02-123	173-405-077	AMD-P	80-06-162	173-475-010	NEW	80-03-071
173-19-4504	NEW	80-02-123	173-405-078	NEW-P	80-02-095	173-475-020	NEW-P	80-01-114
173-19-4505	NEW	80-02-123	173-405-078	NEW	80-04-049	173-475-020	NEW	80-03-071
173-19-4506	NEW	80-02-123	173-405-078	AMD-P	80-06-162	173-475-030	NEW-P	80-01-114
173-19-4507	NEW	80-02-123	173-405-081	REP-E	80-02-012	173-475-030	NEW	80-03-071
173-19-460	AMD	80-02-123	173-405-081	REP-P	80-02-095	173-475-040	NEW-P	80-01-114
173-19-4601	NEW	80-02-123	173-405-081	REP	80-04-049	173-475-040	NEW	80-03-071
173-19-4602	NEW	80-02-123	173-405-086	NEW-E	80-02-012	173-475-050	NEW-P	80-01-114
173-19-4603	NEW	80-02-123	173-405-086	NEW-P	80-02-095	173-475-050	NEW	80-03-071
173-19-4604	NEW	80-02-123	173-405-086	NEW	80-04-049	173-490-010	AMD-P	80-06-166
173-19-4605	NEW	80-02-123	173-405-086	AMD-P	80-06-162	173-490-020	AMD-P	80-06-166
173-19-4606	NEW	80-02-123	173-405-090	NEW-P	80-06-162	173-490-025	AMD-P	80-06-166

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
192-18-050	NEW	80-07-026	204-76-070	NEW-E	80-05-110	220-28-00800Y	NEW-E	80-05-019
192-18-060	NEW-P	80-05-049	204-76-070	NEW-P	80-06-048	220-28-00800Y	REP-E	80-06-121
192-18-060	NEW	80-07-026	204-76-99001	NEW-E	80-05-110	220-28-00800Z	NEW-E	80-06-121
192-18-070	NEW-P	80-05-049	204-76-99001	NEW-P	80-06-048	220-28-008FOA	NEW-E	80-06-121
192-18-070	NEW	80-07-026	204-76-99002	NEW-E	80-05-110	220-28-008F0Z	NEW-E	80-05-019
192-20-010	NEW-P	80-05-048	204-76-99002	NEW-P	80-06-048	220-28-008F0Z	REP-E	80-06-121
192-20-010	NEW	80-07-026	204-76-99003	NEW-E	80-05-110	220-28-009001	NEW-E	80-06-121
204-38-010	NEW-P	80-04-080	204-76-99003	NEW-P	80-06-048	220-28-01000L	NEW-E	80-06-121
204-38-010	NEW-E	80-05-110	204-76-99004	NEW-E	80-05-110	220-28-010A0P	NEW-E	80-06-121
204-38-010	NEW	80-06-083	204-76-99004	NEW-P	80-06-048	220-28-010B0N	NEW-E	80-06-121
204-38-020	NEW-P	80-04-080	204-990	REP	80-03-068	220-28-010C0L	NEW-E	80-06-121
204-38-020	NEW-E	80-05-110		(PART)		220-28-010DOM	NEW-E	80-06-121
204-38-020	NEW	80-06-083	220-20-010	AMD-P	80-05-082	220-28-011A0J	NEW-E	80-05-019
204-38-030	NEW-P	80-04-080	220-20-010	AMD-P	80-06-149	220-28-011F0I	NEW-E	80-05-019
204-38-030	NEW-E	80-05-110	220-20-010	AMD	80-07-017	220-28-011G0E	NEW-E	80-05-019
204-38-030	NEW	80-06-083	220-20-01000C	NEW-E	80-06-054	220-28-012F0E	REP-E	80-02-127
204-38-040	NEW-P	80-04-080	220-20-01000C	REP-E	80-06-144	220-28-012G0A	REP-E	80-02-014
204-38-040	NEW-E	80-05-110	220-20-01000D	NEW-E	80-06-144	220-28-012H0A	REP-E	80-02-127
204-38-040	NEW	80-06-083	220-20-020	AMD-P	80-06-138	220-28-01300P	REP-E	80-02-014
204-38-050	NEW-P	80-04-080	220-20-02500A	NEW-E	80-06-127	220-28-01300Q	NEW-E	80-02-043
204-38-050	NEW-E	80-05-110	220-22-020	AMD-P	80-06-138	220-28-013G0F	REP-E	80-02-014
204-38-050	NEW	80-06-083	220-22-030	AMD-P	80-02-177	220-28-013G0G	NEW-E	80-02-043
204-66	AMD-P	80-06-082	220-22-030	AMD	80-04-070	220-28-013G0G	REP-E	80-03-016
204-66-060	AMD	80-02-093	220-22-410	AMD-P	80-05-082	220-32-02200D	NEW-E	80-03-056
204-66-060	AMD-P	80-04-080	220-22-410	AMD	80-07-017	220-32-03000U	NEW-E	80-03-056
204-66-060	AMD-E	80-05-110	220-24-01000C	NEW-E	80-07-016	220-32-03600C	NEW-E	80-03-056
204-66-160	AMD-P	80-04-080	220-24-01000C	REP-E	80-07-042	220-32-04000G	NEW-E	80-02-125
204-66-160	AMD-E	80-05-110	220-24-01000D	NEW-E	80-07-042	220-32-04000G	REP-E	80-03-056
204-66-170	AMD-P	80-04-080	220-24-02000E	NEW-E	80-07-016	220-32-04000H	NEW-E	80-03-056
204-66-170	AMD-E	80-05-110	220-28-00400G	NEW-E	80-04-078	220-32-04100B	NEW-E	80-06-036.1
204-68-080	AMD-P	80-06-081	220-28-00400G	REP-E	80-05-061	220-32-04100B	REP-E	80-07-029
204-70	NEW-P	80-02-092	220-28-00400H	NEW-E	80-05-061	220-32-04100C	NEW-E	80-07-029
204-70-010	NEW	80-03-069	220-28-00400H	REP-E	80-05-075	220-32-05100M	NEW-E	80-02-125
204-70-020	NEW	80-03-069	220-28-00400I	NEW-E	80-05-075	220-32-05500C	NEW-E	80-06-128
204-70-030	NEW	80-03-069	220-28-004B0P	NEW-E	80-05-019	220-32-05700F	NEW-E	80-02-125
204-70-040	NEW	80-03-069	220-28-004B0P	REP-E	80-06-121	220-32-05700G	NEW-E	80-06-046
204-70-050	NEW	80-03-069	220-28-004B0Q	NEW-E	80-06-121	220-36-020	AMD-P	80-06-138
204-70-060	NEW	80-03-069	220-28-004B0Q	REP-E	80-07-041	220-36-021	AMD-P	80-06-138
204-70-070	NEW	80-03-069	220-28-004B0R	NEW-E	80-07-041	220-36-022	AMD-P	80-06-138
204-70-080	NEW	80-03-069	220-28-00500R	NEW-E	80-05-019	220-36-024	AMD-P	80-06-138
204-70-090	NEW	80-03-069	220-28-00500R	REP-E	80-06-121	220-36-03001	AMD-P	80-06-138
204-70-100	NEW	80-03-069	220-28-00500S	NEW-E	80-06-121	220-40-021	AMD-P	80-06-138
204-70-120	NEW	80-03-069	220-28-00500S	REP-E	80-07-041	220-40-022	AMD-P	80-06-138
204-70-99001	NEW	80-03-069	220-28-00500T	NEW-E	80-07-041	220-40-024	AMD-P	80-06-138
204-70-99002	NEW	80-03-069	220-28-00600Q	NEW-E	80-05-019	220-40-030	AMD-P	80-06-138
204-70-99003	NEW	80-03-069	220-28-00600Q	REP-E	80-06-121	220-47-250	REP-P	80-06-149
204-70-99004	NEW	80-03-069	220-28-00600R	NEW-E	80-06-121	220-47-307	NEW-P	80-06-149
204-70-99005	NEW	80-03-069	220-28-00600R	REP-E	80-07-041	220-47-311	AMD-P	80-06-149
204-72-010	NEW-P	80-06-081	220-28-00600S	NEW-E	80-07-041	220-47-312	AMD-P	80-06-149
204-72-020	NEW-P	80-06-081	220-28-006A0L	NEW-E	80-05-019	220-47-313	AMD-P	80-06-149
204-72-030	NEW-P	80-06-081	220-28-006A0L	REP-E	80-06-121	220-47-314	AMD-P	80-06-149
204-72-040	NEW-P	80-06-081	220-28-006A0M	NEW-E	80-06-121	220-47-317	REP-P	80-06-149
204-72-050	NEW-P	80-06-081	220-28-006A0M	REP-E	80-07-041	220-47-319	AMD-P	80-06-149
204-72-060	NEW-P	80-06-081	220-28-006A0N	NEW-E	80-07-041	220-47-324	REP-P	80-06-149
204-74-010	NEW-P	80-06-048	220-28-006B0P	NEW-E	80-06-121	220-47-401	AMD-P	80-06-149
204-74-020	NEW-P	80-06-048	220-28-006C0J	NEW-E	80-05-019	220-47-402	AMD-P	80-06-149
204-74-030	NEW-P	80-06-048	220-28-006C0J	REP-E	80-06-121	220-47-403	AMD-P	80-06-149
204-74-040	NEW-P	80-06-048	220-28-006C0K	NEW-E	80-06-121	220-47-411	AMD-P	80-06-149
204-74-050	NEW-P	80-06-048	220-28-006C0K	REP-E	80-07-041	220-47-412	AMD-P	80-06-149
204-74-060	NEW-P	80-06-048	220-28-006C0L	NEW-E	80-07-041	220-47-413	AMD-P	80-06-149
204-74-070	NEW-P	80-06-048	220-28-00700G	NEW-E	80-05-019	220-47-414	AMD-P	80-06-149
204-74-080	NEW-P	80-06-048	220-28-00700G	REP-E	80-06-080	220-47-415	REP-P	80-06-149
204-76-010	NEW-E	80-05-110	220-28-00700H	NEW-E	80-06-080	220-47-418	REP-P	80-06-149
204-76-010	NEW-P	80-06-048	220-28-00700H	REP-E	80-07-041	220-47-426	REP-P	80-06-149
204-76-020	NEW-E	80-05-110	220-28-00700I	NEW-E	80-07-041	220-48-08000B	NEW-E	80-03-061
204-76-020	NEW-P	80-06-048	220-28-007A0F	NEW-E	80-05-019	220-48-08000B	REP-E	80-06-046
204-76-030	NEW-E	80-05-110	220-28-007A0F	REP-E	80-06-080	220-48-09000B	NEW-E	80-05-134
204-76-030	NEW-P	80-06-048	220-28-007A0G	NEW-E	80-06-080	220-48-09100B	NEW-E	80-02-044
204-76-040	NEW-E	80-05-110	220-28-007A0G	REP-E	80-07-041	220-48-09600D	NEW-E	80-03-080
204-76-040	NEW-P	80-06-048	220-28-007A0H	NEW-E	80-07-041	220-48-09600D	REP-E	80-04-063
204-76-050	NEW-E	80-05-110	220-28-007B0N	NEW-E	80-05-019	220-48-09600E	NEW-E	80-04-063
204-76-050	NEW-P	80-06-048	220-28-007C0T	NEW-E	80-05-019	220-48-09800B	NEW-E	80-04-020
204-76-060	NEW-E	80-05-110	220-28-007F0J	REP-E	80-02-056	220-49-02000D	NEW-E	80-05-030
204-76-060	NEW-P	80-06-048	220-28-007F0K	NEW-E	80-05-019	220-49-02000D	REP-E	80-05-071

Table of WAC Sections Affected

WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
220-105-010	REP	80-03-064	232-28-702	NEW	80-03-042	248-14-510	NEW-P	80-03-112
220-105-015	REP	80-03-064	232-28-801	REP-P	80-04-112	248-14-510	NEW	80-06-086
220-105-020	REP	80-03-064	232-28-801	REP	80-06-059	248-14-520	NEW-P	80-03-112
220-105-025	REP	80-03-064	232-28-802	NEW-P	80-04-112	248-14-520	NEW	80-06-086
220-105-030	REP	80-03-064	232-28-802	NEW	80-06-059	248-14-530	NEW-P	80-03-112
220-105-035	REP	80-03-064	232-32-117	NEW-E	80-02-048	248-14-530	NEW	80-06-086
220-105-040	REP	80-03-064	232-32-117	REP-E	80-03-067	248-14-540	NEW-P	80-03-112
220-105-045	REP	80-03-064	232-32-118	NEW-E	80-02-057	248-14-540	NEW	80-06-086
220-105-046	REP	80-03-064	232-32-119	NEW-E	80-02-058	248-14-550	NEW-P	80-03-112
220-105-047	REP	80-03-064	232-32-120	NEW-E	80-02-132	248-14-550	NEW	80-06-086
220-105-050	REP	80-03-064	232-32-121	NEW-E	80-02-133	248-14-560	NEW-P	80-03-112
220-105-055	REP	80-03-064	232-32-122	NEW-E	80-02-134	248-14-560	NEW	80-06-086
220-105-060	REP	80-03-064	232-32-123	NEW-E	80-04-011	248-14-999	REP-P	80-03-112
220-105-065	REP	80-03-064	232-32-124	NEW-E	80-04-017	248-14-999	REP	80-06-086
223-08-010	AMD-P	80-06-052	232-32-125	NEW-E	80-04-052	248-16-045	AMD	80-02-003
224-12-090	AMD	80-06-058	248-14-001	AMD-P	80-03-112	248-18-040	AMD	80-02-003
230-02-030	AMD-P	80-06-152	248-14-001	AMD	80-06-086	248-18-220	AMD-P	80-05-120
230-02-150	AMD-P	80-03-093	248-14-020	AMD-P	80-03-112	248-18-220	AMD-P	80-07-022
230-02-155	NEW-P	80-03-093	248-14-020	AMD	80-06-086	248-18-222	NEW-P	80-02-021
230-04-140	AMD-E	80-02-119	248-14-050	AMD-P	80-03-112	248-18-222	NEW	80-03-085
230-04-140	AMD	80-03-059	248-14-050	AMD	80-06-086	248-18-510	AMD-P	80-01-108
230-04-200	AMD	80-03-059	248-14-055	AMD-P	80-03-112	248-18-510	AMD	80-03-062
230-04-260	AMD	80-03-060	248-14-055	REP	80-06-086	248-18-607	NEW-P	80-02-021
230-04-305	NEW	80-03-060	248-14-060	AMD-P	80-03-112	248-18-607	NEW	80-03-085
230-08-020	AMD	80-03-059	248-14-060	AMD	80-06-086	248-18-636	NEW-P	80-02-021
230-20-030	REP	80-03-060	248-14-065	AMD-P	80-03-112	248-18-636	NEW	80-03-085
230-20-070	AMD	80-03-060	248-14-065	AMD	80-06-086	248-18-718	AMD-P	80-01-108
230-20-110	AMD	80-03-059	248-14-090	AMD-P	80-03-112	248-18-718	AMD	80-03-062
230-20-130	AMD-P	80-03-017	248-14-090	AMD	80-06-086	248-18-718	AMD-P	80-04-079
230-20-130	AMD-P	80-04-082	248-14-100	AMD-P	80-03-112	248-18-718	AMD	80-07-014
230-20-130	AMD	80-06-038	248-14-100	AMD	80-06-086	248-22-520	AMD	80-02-003
230-20-210	AMD-P	80-03-093	248-14-110	AMD-P	80-03-112	248-23-001	NEW	80-03-079
230-20-210	AMD	80-05-060	248-14-110	AMD	80-06-086	248-23-010	NEW	80-03-079
230-25-030	AMD-E	80-04-053	248-14-115	NEW	80-06-086	248-23-020	NEW	80-03-079
230-25-030	AMD-P	80-04-082	248-14-120	AMD-P	80-03-112	248-23-030	NEW	80-03-079
230-25-030	AMD	80-06-038	248-14-120	AMD	80-06-086	248-23-040	NEW	80-03-079
230-25-033	NEW-P	80-04-082	248-14-130	AMD-P	80-03-112	248-23-050	NEW	80-03-079
230-25-033	NEW	80-06-038	248-14-130	AMD	80-06-086	248-23-060	NEW	80-03-079
230-25-100	AMD	80-03-060	248-14-140	AMD-P	80-03-112	248-23-070	NEW	80-03-079
230-40-010	AMD-E	80-04-053	248-14-140	AMD	80-06-086	248-29-001	NEW-P	80-03-102
230-40-010	AMD-P	80-06-152	248-14-150	AMD-P	80-03-112	248-29-001	NEW	80-05-099
230-40-015	AMD-P	80-06-152	248-14-150	AMD	80-06-086	248-29-010	NEW-P	80-03-102
230-40-030	AMD-P	80-04-082	248-14-160	AMD-P	80-03-112	248-29-010	NEW	80-05-099
230-40-030	AMD-P	80-06-037	248-14-160	AMD	80-06-086	248-29-020	NEW-P	80-03-102
230-40-050	AMD-P	80-06-152	248-14-170	AMD-P	80-03-112	248-29-020	NEW	80-05-099
230-40-120	AMD	80-03-059	248-14-170	AMD	80-06-086	248-29-030	NEW-P	80-03-102
230-40-225	AMD-P	80-04-082	248-14-180	AMD-P	80-03-112	248-29-030	NEW	80-05-099
230-40-225	AMD-P	80-06-078	248-14-180	AMD	80-06-086	248-29-040	NEW-P	80-03-102
230-42-010	AMD-P	80-04-082	248-14-190	REP-P	80-03-112	248-29-040	NEW	80-05-099
230-50-010	AMD	80-03-059	248-14-190	REP	80-06-086	248-29-050	NEW-P	80-03-102
232-12-040	AMD-P	80-05-130	248-14-200	AMD-P	80-03-112	248-29-050	NEW	80-05-099
232-12-130	AMD-P	80-02-167	248-14-200	AMD	80-06-086	248-29-060	NEW-P	80-03-102
232-12-130	AMD	80-05-022	248-14-210	REP-P	80-03-112	248-29-060	NEW	80-05-099
232-12-171	AMD-P	80-02-167	248-14-210	REP	80-06-086	248-29-070	NEW-P	80-03-102
232-12-690	AMD-P	80-02-167	248-14-220	REP-P	80-03-112	248-29-070	NEW	80-05-099
232-12-690	AMD	80-05-022	248-14-220	REP	80-06-086	248-29-080	NEW-P	80-03-102
232-12-710	AMD-P	80-02-167	248-14-235	AMD-P	80-03-112	248-29-080	NEW	80-05-099
232-12-710	AMD	80-05-022	248-14-235	AMD	80-06-086	248-29-090	NEW-P	80-03-102
232-16-100	REP-P	80-05-130	248-14-240	AMD-P	80-03-112	248-29-090	NEW	80-05-099
232-28-102	REP-P	80-05-130	248-14-240	AMD	80-06-086	248-30-010	REP-P	80-03-101
232-28-103	NEW-P	80-05-130	248-14-245	AMD-P	80-03-112	248-30-010	REP-P	80-05-020
232-28-202	REP-P	80-04-112	248-14-245	AMD	80-06-086	248-30-010	REP	80-06-065
232-28-203	NEW-P	80-04-112	248-14-247	NEW-P	80-03-112	248-30-020	REP-P	80-03-101
232-28-302	REP-P	80-04-112	248-14-247	NEW	80-06-086	248-30-020	REP-P	80-05-020
232-28-303	NEW-P	80-04-112	248-14-250	AMD-P	80-03-112	248-30-020	REP	80-06-065
232-28-502	REP-P	80-05-130	248-14-250	AMD	80-06-086	248-30-030	REP-P	80-03-101
232-28-503	NEW-P	80-05-130	248-14-260	AMD-P	80-03-112	248-30-030	REP-P	80-05-020
232-28-60201	NEW-E	80-05-012	248-14-260	AMD	80-06-086	248-30-030	REP	80-06-065
232-28-60202	NEW-E	80-05-043	248-14-264	NEW-P	80-03-112	248-30-040	REP-P	80-03-101
232-28-60203	NEW-P	80-05-130	248-14-264	NEW	80-06-086	248-30-040	REP-P	80-05-020
232-28-60203	NEW-E	80-06-070	248-14-266	NEW-P	80-03-112	248-30-040	REP	80-06-065
232-28-60204	NEW-E	80-06-071	248-14-266	NEW	80-06-086	248-30-050	REP-P	80-03-101
232-28-60205	NEW-E	80-06-072	248-14-268	NEW-P	80-03-112	248-30-050	REP-P	80-05-020
232-28-701	REP	80-03-042	248-14-268	NEW	80-06-086	248-30-050	REP	80-06-065

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WAC #	WSR #	WAC #	WSR #	WAC #	WSR #			
275-120-055	REP-P	80-05-142	284-23-440	NEW-P	80-03-076	296-54-515	AMD-E	80-02-030
275-120-060	REP-P	80-05-142	284-23-440	NEW	80-05-098	296-54-515	AMD-P	80-03-082
275-120-065	REP-P	80-05-142	284-23-450	NEW-P	80-03-076	296-54-515	AMD-E	80-05-058
275-120-070	REP-P	80-05-142	284-23-450	NEW	80-05-098	296-54-517	AMD-E	80-02-030
275-120-075	REP-P	80-05-142	284-23-460	NEW-P	80-03-076	296-54-517	AMD-P	80-03-082
275-120-080	REP-P	80-05-142	284-23-460	NEW	80-05-098	296-54-517	AMD-E	80-05-058
275-120-085	REP-P	80-05-142	284-23-470	NEW-P	80-03-076	296-54-519	AMD-E	80-02-030
275-120-090	REP-P	80-05-142	284-23-470	NEW	80-05-098	296-54-519	AMD-P	80-03-082
275-120-095	REP-P	80-05-142	284-23-480	NEW-P	80-03-076	296-54-519	AMD-E	80-05-058
275-120-100	REP-P	80-05-142	284-23-480	NEW	80-05-098	296-54-527	AMD-E	80-02-030
275-120-105	REP-P	80-05-142	284-23-490	NEW-P	80-03-076	296-54-527	AMD-P	80-03-082
275-120-110	REP-P	80-05-142	284-23-490	NEW	80-05-098	296-54-527	AMD-E	80-05-058
275-120-115	REP-P	80-05-142	284-23-500	NEW-P	80-03-076	296-54-529	AMD-E	80-02-030
275-120-120	REP-P	80-05-142	284-23-500	NEW	80-05-098	296-54-529	AMD-P	80-03-082
275-120-125	REP-P	80-05-142	284-23-510	NEW-P	80-03-076	296-54-529	AMD-E	80-05-058
275-120-130	REP-P	80-05-142	284-23-510	NEW	80-05-098	296-54-531	AMD-E	80-02-030
275-120-135	REP-P	80-05-142	284-23-520	NEW-P	80-03-076	296-54-531	AMD-P	80-03-082
275-120-140	REP-P	80-05-142	284-23-520	NEW	80-05-098	296-54-531	AMD-E	80-05-058
275-120-145	REP-P	80-05-142	284-23-530	NEW-P	80-03-076	296-54-535	AMD-E	80-02-030
275-120-150	REP-P	80-05-142	284-23-530	NEW	80-05-098	296-54-535	AMD-P	80-03-082
275-150-010	NEW-P	80-05-103	289-13-090	AMD-P	80-02-161	296-54-535	AMD-E	80-05-058
275-150-020	NEW-P	80-05-103	289-13-090	AMD	80-04-113	296-54-539	AMD-E	80-02-030
275-150-030	NEW-P	80-05-103	289-13-100	NEW-P	80-02-161	296-54-539	AMD-P	80-03-082
275-150-040	NEW-P	80-05-103	289-13-100	NEW	80-04-113	296-54-539	AMD-E	80-05-058
275-150-050	NEW-P	80-05-103	289-13-110	NEW-P	80-02-161	296-54-543	AMD-E	80-02-030
275-150-060	NEW-P	80-05-103	289-13-110	NEW	80-04-113	296-54-543	AMD-P	80-03-082
275-150-070	NEW-P	80-05-103	289-13-120	NEW-P	80-02-161	296-54-543	AMD-E	80-05-058
275-150-080	NEW-P	80-05-103	289-13-120	NEW	80-04-113	296-54-549	AMD-E	80-02-030
275-150-090	NEW-P	80-05-103	289-13-130	NEW-P	80-02-161	296-54-549	AMD-P	80-03-082
284-12-024	NEW-P	80-04-089	289-13-130	NEW	80-04-113	296-54-549	AMD-E	80-05-058
284-12-024	NEW	80-06-039	289-13-140	NEW-P	80-02-161	296-54-551	AMD-E	80-02-030
284-17-200	NEW-P	80-02-086	289-13-140	NEW	80-04-113	296-54-551	AMD-P	80-03-082
284-17-200	NEW	80-04-042	289-13-150	NEW-P	80-02-161	296-54-551	AMD-E	80-05-058
284-17-210	NEW-P	80-02-086	289-13-150	NEW	80-04-113	296-54-555	AMD-E	80-02-030
284-17-210	NEW	80-04-042	289-13-160	NEW-P	80-02-161	296-54-555	AMD-P	80-03-082
284-17-220	NEW-P	80-02-086	289-13-160	NEW	80-04-113	296-54-555	AMD-E	80-05-058
284-17-220	NEW	80-04-042	289-13-170	NEW-P	80-02-161	296-54-557	AMD-E	80-02-030
284-17-230	NEW-P	80-02-086	289-13-170	NEW	80-04-113	296-54-557	AMD-P	80-03-082
284-17-230	NEW	80-04-042	289-13-180	NEW-P	80-02-161	296-54-557	AMD-E	80-05-058
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284-17-240	NEW	80-04-042	289-13-190	NEW-P	80-02-161	296-54-563	AMD-P	80-03-082
284-17-250	NEW-P	80-02-086	289-13-190	NEW	80-04-113	296-54-563	AMD-E	80-05-058
284-17-250	NEW	80-04-042	289-13-200	NEW-P	80-02-161	296-54-575	AMD-E	80-02-030
284-17-260	NEW-P	80-02-086	289-13-200	NEW	80-04-113	296-54-575	AMD-P	80-03-082
284-17-260	NEW	80-04-042	289-13-210	NEW-P	80-02-161	296-54-575	AMD-E	80-05-058
284-17-270	NEW-P	80-02-086	289-13-210	NEW	80-04-113	296-54-593	AMD-E	80-02-030
284-17-270	NEW	80-04-042	289-13-220	NEW	80-04-113	296-54-593	AMD-P	80-03-082
284-17-280	NEW-P	80-02-086	289-13-230	NEW	80-04-113	296-54-593	AMD-E	80-05-058
284-17-280	NEW	80-04-042	296-04-005	AMD	80-03-004	296-54-595	AMD-E	80-02-030
284-17-290	NEW-P	80-02-086	296-04-015	AMD	80-03-004	296-54-595	AMD-P	80-03-082
284-17-290	NEW	80-04-042	296-04-050	AMD	80-03-004	296-54-595	AMD-E	80-05-058
284-17-300	NEW-P	80-02-086	296-04-270	AMD	80-03-004	296-54-601	AMD-E	80-02-030
284-17-300	NEW	80-04-042	296-04-295	AMD	80-03-004	296-54-601	AMD-P	80-03-082
284-17-310	NEW	80-04-042	296-04-490	REP	80-03-004	296-54-601	AMD-E	80-05-058
284-17-320	NEW	80-04-042	296-11-001	AMD-P	80-01-102	296-62-060	AMD-E	80-03-078
284-17-400	NEW-P	80-02-103	296-11-001	AMD	80-03-081	296-62-060	AMD-P	80-03-082
284-17-400	NEW-E	80-02-115	296-11-002	REP-P	80-01-102	296-62-060	AMD-E	80-06-135
284-17-400	NEW	80-04-041	296-11-002	REP	80-03-081	296-62-07335	REP-P	80-03-082
284-17-410	NEW-P	80-02-103	296-24-023	NEW-E	80-03-078	296-62-07335	REP-E	80-04-010
284-17-410	NEW-E	80-02-115	296-24-023	NEW-P	80-03-082	296-62-07335	REP-E	80-06-150
284-17-410	NEW	80-04-041	296-24-08103	AMD-P	80-03-082	296-62-07341	AMD-P	80-03-082
284-17-420	NEW-P	80-02-103	296-24-08107	AMD-P	80-03-082	296-62-07345	AMD-P	80-03-082
284-17-420	NEW-E	80-02-115	296-24-08109	AMD-P	80-03-082	296-62-07349	NEW-P	80-03-082
284-17-420	NEW	80-04-041	296-24-82515	AMD-P	80-03-082	296-62-07349	NEW-E	80-03-099
284-20-005	AMD-P	80-02-089	296-24-82521	AMD-P	80-03-082	296-62-07349	NEW-E	80-06-136
284-20-005	AMD	80-04-018	296-54-505	AMD-E	80-02-030	296-62-07501	AMD-P	80-03-082
284-23-400	NEW-P	80-03-076	296-54-505	AMD-P	80-03-082	296-62-07503	AMD-P	80-03-082
284-23-400	NEW	80-05-098	296-54-505	AMD-E	80-05-058	296-62-07505	AMD-P	80-03-082
284-23-410	NEW-P	80-03-076	296-54-507	AMD-E	80-02-030	296-62-07507	AMD-P	80-03-082
284-23-410	NEW	80-05-098	296-54-507	AMD-P	80-03-082	296-62-07509	AMD-P	80-03-082
284-23-420	NEW-P	80-03-076	296-54-507	AMD-E	80-05-058	296-62-07510	NEW-P	80-03-082
284-23-420	NEW	80-05-098	296-54-511	AMD-E	80-02-030	296-62-07511	AMD-P	80-03-082
284-23-430	NEW-P	80-03-076	296-54-511	AMD-P	80-03-082	296-62-07513	AMD-P	80-03-082
284-23-430	NEW	80-05-098	296-54-511	AMD-E	80-05-058	296-62-07515	AMD-P	80-03-082

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296-62-09005	AMD-P	80-03-082	296-401-060	NEW	80-02-052	308-120-100	AMD-P	80-02-091
296-62-09011	AMD-P	80-03-082	296-401-070	NEW	80-02-052	308-120-100	AMD	80-04-072
296-62-11001	AMD-P	80-03-082	296-401-080	NEW	80-02-052	308-120-120	REP-P	80-02-091
296-62-11015	AMD-P	80-03-082	296-401-090	NEW	80-02-052	308-120-120	REP	80-04-072
296-62-11021	AMD-P	80-03-082	296-401-100	NEW	80-02-052	308-120-130	REP-P	80-02-091
296-62-14501	AMD-P	80-03-082	296-401-110	NEW	80-02-052	308-120-130	REP	80-04-072
296-62-14507	AMD-P	80-03-082	296-401-120	NEW	80-02-052	308-120-140	REP-P	80-02-091
296-62-14531	AMD-P	80-03-082	296-401-130	NEW	80-02-052	308-120-140	REP	80-04-072
296-62-900	REP-P	80-03-082	296-401-140	NEW	80-02-052	308-120-205	NEW-P	80-02-091
296-62-901	REP-P	80-03-082	296-401-150	NEW	80-02-052	308-120-206	NEW-P	80-02-091
296-62-902	REP-P	80-03-082	296-401-160	NEW	80-02-052	308-120-207	NEW-P	80-02-091
296-62-903	REP-P	80-03-082	296-401-170	NEW	80-02-052	308-120-208	NEW-P	80-02-091
296-62-904	REP-P	80-03-082	296-401-180	NEW	80-02-052	308-120-209	NEW-P	80-02-091
296-62-905	REP-P	80-03-082	304-25	AMD	80-02-041	308-120-210	NEW-P	80-02-091
296-62-906	REP-P	80-03-082	304-25-010	AMD	80-02-041	308-120-211	NEW-P	80-02-091
296-62-907	REP-P	80-03-082	304-25-020	AMD	80-02-041	308-120-212	NEW-P	80-02-091
296-62-908	REP-P	80-03-082	304-25-030	AMD	80-02-041	308-120-213	NEW-P	80-02-091
296-104-200	AMD-P	80-02-104	304-25-040	AMD	80-02-041	308-120-214	NEW-P	80-02-091
296-104-200	AMD	80-05-065	304-25-050	AMD	80-02-041	308-120-215	NEW-P	80-02-091
296-104-201	NEW-P	80-05-089	304-25-060	AMD	80-02-041	308-120-216	NEW-P	80-02-091
296-115	NEW-E	80-06-076	304-25-070	REP	80-02-041	308-120-217	NEW-P	80-02-091
296-115-001	NEW-E	80-06-076	304-25-080	REP	80-02-041	308-120-218	NEW-P	80-02-091
296-115-005	NEW-E	80-06-076	304-25-090	AMD	80-02-041	308-120-219	NEW-P	80-02-091
296-115-010	NEW-E	80-06-076	304-25-100	AMD	80-02-041	308-120-220	NEW-P	80-02-091
296-115-015	NEW-E	80-06-076	304-25-110	AMD	80-02-041	308-120-221	NEW-P	80-02-091
296-115-025	NEW-E	80-06-076	304-25-120	AMD	80-02-041	308-120-222	NEW-P	80-02-091
296-115-030	NEW-E	80-06-076	304-25-510	NEW	80-02-041	308-120-505	NEW	80-04-072
296-115-035	NEW-E	80-06-076	304-25-520	NEW	80-02-041	308-120-506	NEW	80-04-072
296-115-040	NEW-E	80-06-076	304-25-530	NEW	80-02-041	308-120-507	NEW	80-04-072
296-115-050	NEW-E	80-06-076	304-25-540	NEW	80-02-041	308-120-508	NEW	80-04-072
296-115-060	NEW-E	80-06-076	304-25-550	NEW	80-02-041	308-120-509	NEW	80-04-072
296-115-070	NEW-E	80-06-076	304-25-555	NEW	80-02-041	308-120-510	NEW	80-04-072
296-115-100	NEW-E	80-06-076	304-25-560	NEW	80-02-041	308-120-511	NEW	80-04-072
296-115-120	NEW-E	80-06-076	304-25-570	NEW	80-02-041	308-120-512	NEW	80-04-072
296-116-040	REP-P	80-01-102	304-25-580	NEW	80-02-041	308-120-513	NEW	80-04-072
296-116-040	REP	80-03-081	304-25-590	NEW	80-02-041	308-120-514	NEW	80-04-072
296-116-080	AMD-P	80-01-102	308-13-010	AMD-P	80-03-058	308-120-515	NEW	80-04-072
296-116-080	AMD	80-03-081	308-13-010	AMD	80-05-141	308-120-516	NEW	80-04-072
296-116-082	NEW-P	80-01-102	308-13-030	AMD-P	80-03-058	308-120-517	NEW	80-04-072
296-116-082	NEW	80-03-081	308-13-030	AMD	80-05-141	308-120-518	NEW	80-04-072
296-116-090	REP-P	80-01-102	308-13-040	AMD-P	80-03-058	308-120-519	NEW	80-04-072
296-116-090	REP	80-03-081	308-13-040	AMD	80-05-141	308-120-520	NEW	80-04-072
296-116-095	REP-P	80-01-102	308-13-080	AMD-P	80-03-058	308-120-521	NEW	80-04-072
296-116-095	REP	80-03-081	308-13-080	AMD	80-05-141	308-120-522	NEW	80-04-072
296-116-100	REP-P	80-01-102	308-16-350	AMD	80-02-079	308-122-040	NEW	80-02-114
296-116-100	REP	80-03-081	308-36-050	AMD-P	80-01-104	308-122-050	NEW	80-02-114
296-116-105	REP-P	80-01-102	308-36-050	AMD	80-03-063	308-122-220	AMD-P	80-04-068
296-116-105	REP	80-03-081	308-36-055	NEW-P	80-03-094	308-122-220	AMD	80-07-010
296-116-110	AMD-P	80-01-102	308-36-065	NEW	80-05-063	308-122-410	AMD-P	80-04-068
296-116-110	AMD	80-03-081	308-40-101	AMD-P	80-03-094	308-122-410	AMD	80-07-010
296-116-130	AMD-P	80-01-102	308-40-101	AMD	80-05-063	308-150-006	NEW-P	80-06-153
296-116-130	AMD	80-03-081	308-40-105	NEW-P	80-03-094	308-150-007	NEW-P	80-06-153
296-116-160	REP-P	80-01-102	308-40-105	NEW	80-05-063	308-150-008	NEW-P	80-06-153
296-116-160	REP	80-03-081	308-42-120	NEW-P	80-02-166	308-150-009	NEW-P	80-06-153
296-116-180	REP-P	80-01-102	308-42-120	NEW	80-04-057	308-150-010	REP-P	80-03-092
296-116-180	REP	80-03-081	308-51-130	AMD	80-04-012	308-150-010	REP-P	80-06-153
296-116-185	REP-P	80-01-102	308-53-145	NEW-P	80-01-103	308-150-011	NEW-P	80-06-153
296-116-185	AMD	80-03-081	308-53-145	NEW	80-04-054	308-150-012	NEW-P	80-06-153
296-116-190	REP-P	80-01-102	308-53-146	NEW-P	80-01-103	308-150-013	NEW-P	80-06-153
296-116-190	REP	80-03-081	308-53-146	NEW	80-04-054	308-150-015	REP-P	80-03-092
296-116-210	REP-P	80-01-102	308-53-280	NEW-P	80-01-103	308-150-015	REP-P	80-06-153
296-116-210	REP	80-03-081	308-53-280	NEW	80-04-054	308-150-020	REP-P	80-03-092
296-116-220	REP-P	80-01-102	308-54-150	AMD-P	80-02-163	308-150-020	REP-P	80-06-153
296-116-220	REP	80-03-081	308-54-150	AMD	80-04-069	308-150-025	REP-P	80-06-153
296-116-300	AMD-P	80-03-097	308-54-160	AMD-P	80-05-059	308-150-040	REP-P	80-03-092
296-116-300	AMD-P	80-05-021	308-54-170	AMD-P	80-05-059	308-150-040	REP-P	80-06-153
296-116-300	AMD	80-06-084	308-54-180	AMD-P	80-05-059	308-150-060	NEW-P	80-06-153
296-116-300	AMD-E	80-06-085	308-54-190	REP-P	80-05-059	308-150-061	NEW-P	80-06-153
296-116-310	REP-P	80-01-102	308-54-225	AMD-P	80-05-059	308-150-062	NEW-P	80-06-153
296-116-310	REP	80-03-081	308-54-320	NEW-P	80-02-166	308-150-070	NEW-P	80-03-092
296-116-320	AMD-P	80-01-102	308-54-320	NEW	80-04-057	308-150-070	NEW-P	80-06-153
296-116-320	AMD	80-03-081	308-55-010	NEW-P	80-05-139	308-150-080	NEW-P	80-03-092
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308-150-110	NEW-P	80-03-092	332-30-127	NEW-P	80-05-113	356-46-060	AMD-P	80-04-075
308-150-120	NEW-P	80-03-092	332-30-130	NEW-P	80-05-113	356-46-060	AMD	80-06-033
308-150-130	NEW-P	80-03-092	332-30-133	NEW-P	80-05-113	360-11-010	AMD-P	80-04-071
308-150-140	NEW-P	80-03-092	332-30-136	NEW-P	80-05-113	360-11-010	AMD-P	80-06-077
308-150-150	NEW-P	80-03-092	332-30-139	NEW-P	80-05-113	360-11-023	NEW-P	80-04-071
308-150-160	NEW-P	80-03-092	332-30-142	NEW-P	80-05-113	360-11-023	NEW-P	80-06-077
308-150-170	NEW-P	80-03-092	332-30-145	NEW-P	80-05-113	360-11-027	NEW-P	80-04-071
308-150-200	NEW-P	80-03-092	332-30-148	NEW-P	80-05-113	360-11-027	NEW-P	80-06-077
308-150-210	NEW-P	80-03-092	332-30-151	NEW-P	80-05-113	360-11-030	AMD-P	80-04-071
308-150-220	NEW-P	80-03-092	332-30-154	NEW-P	80-05-113	360-11-030	AMD-P	80-06-077
308-150-230	NEW-P	80-03-092	332-30-157	NEW-P	80-05-113	360-11-033	NEW-P	80-04-071
308-150-240	NEW-P	80-03-092	332-30-160	NEW-P	80-05-113	360-11-033	NEW-P	80-06-077
308-151-080	NEW-P	80-03-092	332-30-163	NEW-P	80-05-113	360-11-037	NEW-P	80-04-071
308-151-080	NEW	80-05-032	332-30-166	NEW-P	80-05-113	360-11-037	NEW-P	80-06-077
308-151-090	NEW-P	80-03-092	332-30-169	NEW-P	80-05-113	360-11-040	AMD-P	80-04-071
308-151-090	NEW	80-05-032	332-44-100	NEW-E	80-06-060	360-11-040	AMD-P	80-06-077
308-151-100	NEW-P	80-03-092	332-44-110	NEW-E	80-06-060	360-11-045	NEW-P	80-04-071
308-151-100	NEW	80-05-032	332-44-120	NEW-E	80-06-060	360-11-045	NEW-P	80-06-077
314-16-040	AMD-P	80-02-035	332-100-030	AMD-P	80-06-139	360-11-050	REP-P	80-04-071
314-16-040	AMD	80-02-094	332-100-050	NEW-P	80-06-139	360-11-050	REP-P	80-06-077
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314-52-005	AMD-P	80-05-080	352-32-010	AMD-P	80-02-176	360-11-060	AMD-P	80-06-077
314-52-010	AMD-P	80-05-080	352-32-010	AMD	80-05-007	360-12-140	NEW-P	80-05-070
314-52-015	AMD-P	80-05-080	352-32-030	AMD-P	80-02-176	360-18-010	NEW-P	80-03-091
314-52-020	AMD-P	80-05-080	352-32-030	AMD	80-05-007	360-18-010	NEW	80-05-074
314-52-030	AMD-P	80-05-080	352-32-035	NEW-P	80-02-175	360-18-020	NEW-P	80-03-091
314-52-040	AMD-P	80-05-080	352-32-035	NEW	80-05-006	360-18-020	AMD-P	80-05-070
314-52-050	AMD-P	80-05-080	352-32-045	AMD-P	80-02-176	360-18-020	NEW	80-05-074
314-52-060	AMD-P	80-05-080	352-32-045	AMD	80-05-007	360-18-030	NEW-P	80-03-091
314-52-070	AMD-P	80-05-080	352-32-050	AMD-P	80-02-176	360-18-030	NEW	80-05-074
314-52-080	AMD-P	80-05-080	352-32-050	AMD	80-05-007	360-18-040	NEW-P	80-03-091
314-52-090	AMD-P	80-05-080	352-32-250	AMD-P	80-02-176	360-25-001	REP-P	80-03-091
314-52-110	AMD-P	80-05-080	352-32-250	AMD	80-05-007	360-25-001	REP	80-05-074
314-52-111	AMD-P	80-05-080	356-06-010	AMD-P	80-05-111	360-36-010	AMD-P	80-03-091
314-52-112	AMD-P	80-05-080	356-06-010	AMD-P	80-07-033	360-36-010	AMD	80-05-074
314-52-113	AMD-P	80-05-080	356-06-020	AMD-P	80-04-075	360-36-230	AMD-P	80-03-091
314-52-115	AMD-P	80-05-080	356-06-020	AMD	80-06-032	360-36-230	AMD	80-05-074
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320-20-020	NEW-P	80-05-140	356-10-050	AMD-P	80-06-132	360-52-070	AMD-P	80-02-112
320-20-030	NEW-P	80-05-140	356-10-060	AMD-P	80-06-132	360-52-070	AMD-P	80-02-164
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320-20-060	NEW-P	80-05-140	356-15-050	AMD-P	80-02-039	365-31-010	AMD	80-05-023
320-20-070	NEW-P	80-05-140	356-15-120	AMD-P	80-02-039	365-31-020	AMD-P	80-02-122
320-20-080	NEW-P	80-05-140	356-15-120	AMD-P	80-04-075	365-31-020	AMD-E	80-03-011
320-20-090	NEW-P	80-05-140	356-15-120	AMD-P	80-06-031	365-31-020	AMD	80-05-023
332-10-150	NEW-E	80-04-066	356-18-015	NEW-P	80-02-039	365-31-110	AMD-P	80-02-122
332-10-160	NEW-E	80-04-066	356-18-020	AMD-P	80-02-039	365-31-110	AMD-E	80-03-011
332-10-170	NEW-E	80-04-066	356-18-025	AMD-P	80-02-039	365-31-110	AMD	80-05-023
332-10-180	NEW-E	80-04-066	356-18-030	AMD-P	80-02-039	365-31-111	NEW-P	80-02-122
332-10-190	NEW-E	80-04-066	356-18-040	AMD-P	80-02-039	365-31-111	NEW-E	80-03-011
332-12-010	AMD-E	80-07-003	356-18-070	AMD	80-02-037	365-31-111	NEW	80-05-023
332-12-020	AMD-E	80-07-003	356-18-090	AMD-P	80-02-039	365-31-120	AMD-P	80-02-122
332-12-060	AMD-E	80-07-003	356-18-150	AMD-P	80-06-132	365-31-120	AMD-E	80-03-011
332-24-090	AMD-E	80-04-003	356-22-030	AMD-P	80-02-038	365-31-120	AMD	80-05-023
332-24-090	AMD-E	80-05-015	356-22-130	AMD-P	80-03-077	365-31-130	AMD-P	80-02-122
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332-30	NEW-P	80-03-002	356-22-130	AMD	80-06-033	365-31-130	AMD	80-05-023
332-30	NEW-P	80-04-001	356-26-030	AMD-P	80-02-038	365-31-150	AMD-P	80-02-122
332-30	NEW-P	80-04-067	356-26-030	AMD-P	80-02-137	365-31-150	AMD-E	80-03-011
332-30-100	NEW-P	80-05-113	356-26-030	AMD-P	80-04-024	365-31-150	AMD	80-05-023
332-30-103	NEW-P	80-05-113	356-26-030	AMD-P	80-06-132	365-31-160	AMD-P	80-02-122
332-30-106	NEW-P	80-05-113	356-26-060	AMD-P	80-02-137	365-31-160	AMD-E	80-03-011
332-30-109	NEW-P	80-05-113	356-26-060	AMD	80-04-025	365-31-160	AMD	80-05-023
332-30-112	NEW-P	80-05-113	356-30-070	AMD-P	80-02-137	365-31-170	AMD-P	80-02-122
332-30-115	NEW-P	80-05-113	356-30-070	AMD	80-04-025	365-31-170	AMD-E	80-03-011
332-30-118	NEW-P	80-05-113	356-30-146	AMD-P	80-02-137	365-31-170	AMD	80-05-023
332-30-119	NEW-P	80-03-001	356-30-146	AMD	80-04-025	365-31-180	REP-P	80-02-122
332-30-119	NEW-P	80-04-062	356-30-320	AMD-P	80-06-132	365-31-180	REP-E	80-03-011
332-30-119	NEW-P	80-05-114	356-30-330	AMD-P	80-04-075	365-31-180	REP	80-05-023
332-30-121	NEW-P	80-05-113	356-30-330	AMD-P	80-06-030	365-31-210	AMD-P	80-02-122
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365-31-310	REP-E	80-03-011	365-37-220	REP-P	80-02-122	365-50-330	REP-P	80-05-100
365-31-310	REP	80-05-023	365-37-220	REP-E	80-03-011	365-50-340	REP-P	80-05-100
365-31-320	REP-P	80-02-122	365-37-220	REP	80-05-023	365-50-350	REP-P	80-05-100
365-31-320	REP-E	80-03-011	365-37-310	REP-P	80-02-122	365-50-360	REP-P	80-05-100
365-31-320	REP	80-05-023	365-37-310	REP-E	80-03-011	365-50-370	REP-P	80-05-100
365-31-330	AMD-P	80-02-122	365-37-310	REP	80-05-023	365-50-380	REP-P	80-05-100
365-31-330	AMD-E	80-03-011	365-37-320	REP-P	80-02-122	365-50-390	REP-P	80-05-100
365-31-330	AMD	80-05-023	365-37-320	REP-E	80-03-011	365-50-400	REP-P	80-05-100
365-31-340	REP-P	80-02-122	365-37-320	REP	80-05-023	365-50-500	REP-P	80-05-100
365-31-340	REP-E	80-03-011	365-37-330	REP-P	80-02-122	365-50-510	REP-P	80-05-100
365-31-340	REP	80-05-023	365-37-330	REP-E	80-03-011	365-50-520	REP-P	80-05-100
365-31-350	REP-P	80-02-122	365-37-330	REP	80-05-023	365-50-530	REP-P	80-05-100
365-31-350	REP-E	80-03-011	365-37-340	REP-P	80-02-122	365-50-540	REP-P	80-05-100
365-31-350	REP	80-05-023	365-37-340	REP-E	80-03-011	365-50-550	REP-P	80-05-100
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365-31-360	REP-E	80-03-011	365-37-410	REP-P	80-02-122	371-08-010	AMD-P	80-05-100
365-31-360	REP	80-05-023	365-37-410	REP-E	80-03-011	388-08-00401	NEW-P	80-05-118
365-31-370	REP-P	80-02-122	365-37-410	REP	80-05-023	388-08-080	AMD-P	80-04-135
365-31-370	REP-E	80-03-011	365-37-510	REP-P	80-02-122	388-08-080	AMD	80-06-090
365-31-370	REP	80-05-023	365-37-510	REP-E	80-03-011	388-08-416	NEW-P	80-05-118
365-31-410	REP-P	80-02-122	365-37-510	REP	80-05-023	388-08-610	REP-P	80-04-093
365-31-410	REP-E	80-03-011	365-37-520	REP-P	80-02-122	388-08-610	REP	80-06-089
365-31-410	REP	80-05-023	365-37-520	REP-E	80-03-011	388-11-045	AMD-P	80-04-092
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365-31-420	REP-E	80-03-011	365-37-530	REP-P	80-02-122	388-11-090	AMD-P	80-04-135
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365-31-440	REP	80-05-023	365-37-550	REP-E	80-03-011	388-24-052	AMD-P	80-04-014
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365-31-450	REP-E	80-03-011	365-37-560	REP-P	80-02-122	388-24-052	AMD	80-06-066
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365-31-460	REP-E	80-03-011	365-37-570	REP-P	80-02-122	388-24-107	AMD	80-05-045
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365-31-470	REP	80-05-023	365-37-580	REP-E	80-03-011	388-28-576	REP-E	80-02-144
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365-33-730	REP	80-05-023	365-50-020	REP-P	80-05-100	388-29-110	AMD-P	80-07-021
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365-33-740	REP-E	80-03-011	365-50-040	REP-P	80-05-100	388-29-115	NEW-E	80-03-084
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365-33-750	REP-E	80-03-011	365-50-070	REP-P	80-05-100	388-29-155	AMD-P	80-07-021
365-33-750	REP	80-05-023	365-50-080	REP-P	80-05-100	388-29-160	AMD-P	80-07-021
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365-33-760	REP-E	80-03-011	365-50-100	REP-P	80-05-100	388-29-200	AMD-P	80-07-021
365-33-760	REP	80-05-023	365-50-110	REP-P	80-05-100	388-29-220	AMD-P	80-07-021
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365-35-010	REP-E	80-03-011	365-50-130	REP-P	80-05-100	388-29-290	NEW-P	80-03-050
365-35-010	REP	80-05-023	365-50-140	REP-P	80-05-100	388-29-290	NEW-E	80-03-051
365-35-900	REP-P	80-02-122	365-50-150	REP-P	80-05-100	388-29-290	NEW	80-05-044
365-35-900	REP-E	80-03-011	365-50-160	REP-P	80-05-100	388-35-010	AMD-P	80-01-100
365-35-900	REP	80-05-023	365-50-170	REP-P	80-05-100	388-35-010	AMD	80-03-052
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365-37-010	REP-E	80-03-011	365-50-190	REP-P	80-05-100	388-35-070	AMD-P	80-07-021
365-37-010	REP	80-05-023	365-50-200	REP-P	80-05-100	388-37-010	AMD-E	80-07-030
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365-37-110	REP-E	80-03-011	365-50-220	REP-P	80-05-100	388-37-030	AMD	80-02-022
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365-37-120	REP-E	80-03-011	365-50-250	REP-P	80-05-100	388-42-150	AMD-P	80-07-021
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